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## 9.0 OPERATIONS

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### 9.01 OPERATIONS DEFINED

A. The “Operations” of the Department is comprised of six (6) separate and unique divisions within the Department that work in tandem with one another to achieve law enforcement goals for attaining a safe community. The divisions are as follows:

1. Patrol - responsible for responding to radio calls for service, crime prevention, criminal investigation, evidence collection and storage, arrest and apprehension, case reporting, and educational programs.
2. Investigations – responsible for crime scene investigation, evidence collection and storage, criminal investigation, arrest and apprehension, and proactive details to reduce problem crime concerns within the community, such as the trafficking of narcotics.
3. Community Services - responsible for animal control enforcement and education, abandoned vehicle removal, parking enforcement, special event preparation, VIN inspections, ground transportation compliance checks, and collateral duties as assigned.
4. Administration and Support Services - responsible for first point of contact with the public, records management and retention, records requests and release, data-entry, public relations programs, VIN inspections, child car seat educational programs, budgets, management of all divisions, recruitment, and policies and procedures.
5. Animal Shelter - responsible for the care and housing of unwanted, at-large, or abandoned animals within Teton County, adoption programs, public outreach programs, and animal licensing.
6. Victim Services - responsible for general assistance to victims of crime, including but not limited to, assistance with:
  - a. Temporary housing
  - b. Compensation
  - c. Application for protection orders
  - d. Crisis intervention
  - e. Victim Impact Statements, and
  - f. Public Notifications regarding offender status

### 9.02 PATROL – TRAFFIC ENFORCEMENT GENERAL REQUIREMENTS

A. Whenever a member observes a criminal offense or has reasonable suspicion to suspect a person(s) violated the law, the member may conduct a traffic stop at the member’s discretion based upon the totality of the circumstances known to the member at the time. If the member opts to initiate a traffic stop of the person(s), the following shall occur to ensure the safety of the officer and the safety of the person(s) being contacted.

B. The member shall utilize safety equipment installed on the vehicle, to include, but not limited to, rear flashing amber lights or equivalent that shall remain activated for the duration of the traffic stop to help reduce the likelihood of rear end collisions.

C. When possible, the member shall notify dispatch of the traffic stop or enforcement action as soon as practicable, and upon initiating contact, shall provide dispatch:

1. The stop location,
2. The license plate number and State of the vehicle stopped, and

3. If the stop involves a bicyclist or pedestrian, the officer shall provide a basic description of the person.
- D. Members should utilize officer safety tactics when choosing a location for a traffic stop. High density areas with traffic congestion and where it is unsafe to conduct a U-turn on offender vehicles should be avoided when possible. Members should also avoid blocking traffic that creates traffic flow problems unnecessarily, especially during peak traffic periods. When possible, members should take measures to move traffic stops to side streets or parking lots to avoid this situation from occurring. Members should also park their patrol cars using a method that enhances safety to the member, such as blading the vehicle and/or turning the vehicles front tires outward.
- E. Officer discretion may be used in issuing either a citation or warning for traffic violations, except in the case of traffic accidents where special policies apply. Additionally, members are encouraged to issue citations during times when high visibility enforcement grants are being worked and to focus on enforcement of Wyoming's seatbelt laws and speed laws.
- F. The purpose of traffic enforcement is to stop driving behaviors that may endanger the driver or the public, to educate the driver to the laws and proper driving behavior, and to bring the violator into compliance with the laws.
- G. Warnings are sometimes just as effective of an educational tool as are citations. Warnings may be given verbally or in writing.
- H. Members are reminded that compliance with the law is the goal of enforcement. If the member feels a warning is not likely to change a person's future driving behavior, then a citation should be issued.
- I. Members shall notify violators of the court date and disposition alternatives for the citation, such as the method of paying the citation prior to the court date, and the process for contesting the citations and requesting a hearing. Traffic offenders are not required to sign a citation as a promise to appear in court, as such, officers cannot arrest individuals who refuse to provide a signature.

### **9.03 TRAFFIC COLLISIONS**

- A. When investigating traffic accidents requiring a State accident report be completed (total damage in excess of \$1,000 or injury), members shall make every effort to determine the most human contributing cause of the accident.
- B. If there is probable cause to support a violation of the traffic laws, a citation charging the appropriate violation will be issued to the driver(s) causing the accident. Exceptions to mandatory citations:
  1. Accidents where very minor property damage exists and there are no injuries.
  2. Accidents involving on-duty law enforcement personnel.
  3. Accidents where extenuating circumstances exist, but otherwise would meet the criteria to issue a citation. In such cases, officers shall notify a supervisor and make a notation in the narrative of the CR-1 indicating the reason a citation was not issued.
- C. When members are investigating a traffic collision where serious bodily injury is present, the officer should notify a supervisor. Supervisors in turn should consider calling out appropriate resources. Consideration should be given to whether the injury could later result in loss of life or not.
- D. Members shall always answer all reasonable questions posed by individuals involved in collisions. Members should provide accurate information about how the individual can obtain a copy of the police report by providing a case number and the contact information

for WYDOT. Additionally, officers should make individuals aware that copies of collision reports shall generally be available to them via the ReportBeam website. However, the agency will provide copies of collision reports to involved parties when necessary.

#### **9.04 ISSUANCE OF CITATIONS**

- A. Members are encouraged to forward cases into the Town of Jackson Municipal Court for prosecution when appropriate to do so. Considerations in determining appropriateness should include:
  1. Whether the offender is a first-time offender
  2. If the offender would benefit from being on supervised probation
  3. If the offender lives in the region
  4. If the offender is a juvenile (juveniles cannot be processed into Municipal Court for criminal violations)
  5. If the offense is domestic violence related, as those cases are more appropriately handled in Circuit Court
  6. If a possession of marijuana case
  7. Is the offender a repeat offender where enhanced penalties may apply?
  8. Are there extenuating circumstances that lead the officer to believe Circuit Court is a better fit for handling the matter?

#### **9.05 OFFICER SERIOUS INJURY OR FATALITY**

- A. The Department and its members recognize the inherent risks associated with police work and the real possibility of another member being critically injured or killed in the performance of his or her duties.
- B. This Department will extend tangible and emotional support to the immediate family, other members, and extended family as much as feasibly possible.
- C. In the event of a serious injury or death, immediate personal notification is essential to keep family members from learning about the injury or death from a friend or the media.
- D. In the case of a critical injury or death, the safety of on-scene members is paramount. All first aid and lifesaving procedures should be conducted without delay or concern for outside factors, other than the safety of all members. Only after the individual member(s) are cared for, will efforts to preserve the scene and evidence be conducted.
- E. The name of the deceased or critically injured member shall not be released to the media or any other parties outside law enforcement before notifications have been made to immediate family and survivors in the area. Moreover, all communications regarding the name of the member injured or killed should be conducted utilizing devices other than the police radio to maintain confidentiality.
- F. If the media discovers the member's name prematurely, the ranking member present should make direct contact with media representatives and request the information not be used until the family and survivors can be notified.
- G. The Department maintains on file a document for each member indicating the member's "last requests" (critical incident form) relating to notification of family members. This document should be utilized prior to notification to grant those last requests of the member, if possible.
- H. When the notification is made, it will be obvious to the family member that there is a serious situation. Therefore, the use of any delaying tactics is not appropriate. Although it is natural for the notifying member to attempt to help resolve the grief, well-meaning comments are often offensive to the spouse and are usually counterproductive.

- I. The spouse should be provided with an accurate account of the events surrounding the incident and the current medical condition of the member. There are few exceptions to this rule because if the family learns they have not been told the whole story, the family will usually feel resentment, anger, and betrayal.
- J. Immediately after notification, the spouse will usually want to be taken to the hospital, and this request should be honored.
- K. Sometimes well-meaning members will want to protect the spouse from seeing the injured member while the member is under intensive care or the deceased member until the body has been prepared at the funeral home. Both of these, too, will likely create feelings of resentment, anger, and betrayal and will result in long-term negative feelings toward the Department.
- L. Moreover, such visits allow the spouse closure. For example, it helps them begin to accept the fact that something tragic has happened to the member. Until they see the member, there is an element of denial and a belief that the Department has made a big mistake about the identity of the member involved.
- M. If the spouse wishes to see the body at the hospital, this should be allowed. If the body is mutilated or burned, the spouse should be informed of that fact; however, if the spouse insists upon seeing the body, the request should be considered.
- N. As soon as practical after the incident, the Chief of Police, Operations Lieutenant, the Investigative Supervisor, the County Attorney, and a Victim Services representative shall be notified. In cases involving death, the County Coroner shall also be notified.
- O. The on-duty supervisor or his designee shall utilize the injured/deceased member's critical incident notification form and attempt to have the member(s) and clergy named in the form as part of the notification team. Should the chosen member(s) not be available in a timely manner, the responsibility shall fall to the Chief of Police or in the Chief's absence, to the Operations Lieutenant. If neither the Chief nor the Lieutenant can be located, the senior member working shall assume the responsibility for notifications.
- P. The family notification shall be made in person, if possible. The notification detail should consist of a team of two. One to transport the spouse and one to remain at the home to be with the children, to answer the telephone, to contact additional persons and/or clergy, as requested, and to perform other duties, as needed and appropriate.
- Q. The Chief of Police or Operations Lieutenant shall conduct a news conference or issue a media release as soon as practical, providing information, as appropriate.
- R. As time permits, yet in a timely manner, the Mayor, Town Administrator, Finance Director, County Sheriff, and all department supervisors shall be notified.
- S. The Chief of Police shall determine the appropriate investigation necessary in any line-of-duty death or critical injury including the need to utilize outside agencies, such as the Department of Criminal Investigation (DCI) or the Wyoming Highway Patrol.
- T. From the time of the death until the funeral, the agency should offer continued appropriate support services such as childcare, telephone answering, notifications, assistance in dealing with the response from the public and other agencies, meal assistance, and transportation. Some of these support services will continue to be needed for some time following the funeral.
- U. It is essential for the family to be actively involved in planning the funeral arrangements and their wishes fully considered. A common complaint from families is that the agency determined the funeral to be the agency event to coordinate and plan, and as a result, the agency disregard the wishes of the survivors. Sometimes this is the result of a misguided belief that the family should not be burdened with such matters.

- V. If a suspect has been charged in the death, it is important to keep the family advised during the trial process. It is essential to provide the family with a complete briefing just prior to the start of the trial to ensure they will be aware of the procedures of the trial process and the critical issues of the case before learning of them through the media.
- W. If during the trial, additional issues are to be raised, the family should be so advised in advance. In addition, the family should be briefed on and given help in dealing with the media.

**9.06 SUPERVISORY RESPONSIBILITIES AT THE SCENE OF AN OFFICER SERIOUS INJURY OR FATALITY**

- A. First aid to survivors
- B. First set of notification
  - 1. Chief and Lieutenant
  - 2. Coroner
  - 3. Investigative Sergeant
  - 4. County Attorney
  - 5. Victim Services Representative
- C. Maintain police radio frequency confidentiality
- D. Should the media learn the member's identity prematurely, the ranking member present should make direct contact with the media representative requesting confidentiality until the family notification is completed.
- E. Assign responsibility to obtain member's confidential notification form
- F. Make assignments, following the member's notification preferences.
- G. Assist Police Chief, ensuring the chief's personal contact with the member's family.
- H. As directed by the Chief of Police and as time permits, notify the Mayor Town Administrator, Finance Director, Teton County Sheriff, and all department supervisors.

**9.07 VEHICLE INVENTORIES**

- A. Whenever a member of the Department removes the occupants of a vehicle, (typically due to an arrest of the individual) from the vehicle involuntarily and subsequently has the vehicle towed, so as to take custody of the vehicle, a vehicle inventory is to be performed. It should be noted that inventories do not apply to vehicles towed under the "snow tow" ordinance, as the vehicle is not typically occupied.
- B. The inventory shall be made using digital photographs of the vehicle and its contents, including closed containers.
- C. Inventory photographs shall be attached to the RMS report.
- D. Items of significant value or those that pose a potential public safety risk, such as a firearm, should be given consideration to be booked-in as a "safe keeping" item if deemed necessary by the shift supervisor. At a minimum, if the item is not retained for safekeeping, then the member should photograph the item and make a special notation in the report that the item was present at the time the vehicle was inventoried so as to account for the items whereabouts.

**9.08 SPANISH LANGUAGE STIPEND**

- A. The Jackson Police Department offers a Spanish Language Stipend as outlined in a policy approved by the Town Manager.

Monthly Stipend Amounts								
	Full Time Personnel				Variable Hour Personnel			
	Max Available	Oral Proficiency	Written Proficiency	Reading Proficiency	Max Available	Oral Proficiency	Written Proficiency	Reading Proficiency
Advanced High	\$ 400.00	\$ 200.00	\$ 100.00	\$ 100.00	\$ 200.00	\$ 100.00	\$ 50.00	\$ 50.00
Advanced Mid	\$ 350.00	\$ 175.00	\$ 87.50	\$ 87.50	\$ 175.00	\$ 87.50	\$ 43.75	\$ 43.75
Advanced Low	\$ 300.00	\$ 150.00	\$ 75.00	\$ 75.00	\$ 150.00	\$ 75.00	\$ 37.50	\$ 37.50
Intermediate High	\$ 250.00	\$ 125.00	\$ 62.50	\$ 62.50	\$ 125.00	\$ 62.50	\$ 31.25	\$ 31.25
Intermediate Mid	\$ 200.00	\$ 100.00	\$ 50.00	\$ 50.00	\$ 100.00	\$ 50.00	\$ 25.00	\$ 25.00
Intermediate Low	\$ 150.00	\$ 75.00	\$ 37.50	\$ 37.50	\$ 75.00	\$ 37.50	\$ 18.75	\$ 18.75
Novice High	\$ 50.00	\$ 25.00	\$ 12.50	\$ 12.50	\$ 25.00	\$ 12.50	\$ 6.25	\$ 6.25

This breakdown provides recognition and value for employees that excel and not only speak, but write and read in Spanish as well.

Non-Office or Non-Police employees are only eligible for the Oral Proficiency amount as those personnel would not have the opportunity to use reading and writing skills. Examples of these positions include but are not limited to Transit Operators, Equipment Operators, Street Operators.

For Example: Full time employee scoring IM for Oral, AL for Written, and NH for Reading would receive \$187.50/mo.

Spanish Fluency Stipend amounts are subject to change.

Employees receiving stipends are required to recertify every two years in July. Newly hired employees qualifying for a stipend will be required to recertify every two years on their hire date anniversary.

## 9.09 CROWD MANAGEMENT

### A. PURPOSE

1. The purpose of this policy is to establish guidelines for effectively managing crowds and preserving the peace and welfare of the community during demonstrations or during civil disturbances.

### B. POLICY

1. This agency will strive to effectively manage crowds during demonstrations or during civil disturbances to prevent loss of life, prevent injury to persons and to prevent property damage from occurring when possible.
2. This agency will strive to effectively manage crowds during demonstrations or during civil disturbances to prevent loss of life, prevent injury to persons and to prevent property damage from occurring when possible.
3. Additionally, this agency will strive to minimize disruption to inhabitants of the area that are directly impacted by the event and effectively address safety and/or ingress and egress concerns relating to the motoring public, pedestrians, bicyclists or other users of the public right-of-way.
4. Members encountering such incidents shall adhere to this policy to protect life, property, and the exercise of First Amendment rights guaranteed to all individuals by the Constitution of the United States.
5. In rare circumstances involving emergencies, and in widespread highly volatile civil unrest with the potential for widespread violence, the Incident Commander (IC) may temporarily suspend any policy, provision, or guideline contained herein when such action is determined to be the only reasonable alternative for the prevention of loss of life or major property damage.

### C. DEFINITIONS

1. *Civil Disturbance*: A gathering that constitutes a breach of the peace or any assembly of persons where there is a threat of collective violence, destruction of property, or other unlawful acts. Such a gathering may also be referred to as a riot or unlawful assembly.
2. *Crowd Control*: Techniques used to address civil disturbances, to include a show of force, crowd containment, dispersal equipment and tactics, and preparations for multiple arrests.

3. *Crowd Management*: Techniques used to manage lawful assemblies before, during, and after the event for the purpose of maintaining their lawful status through event planning, pre-event contact with group leaders, issuance of permits when applicable, information gathering, personnel training, and other means.
4. *Demonstration*: A lawful assembly of persons organized primarily to engage in First Amendment activity. These may be scheduled events that allow for law enforcement planning. They include, but are not limited to, marches, protests, and other assemblies intended to attract attention to a particular cause or issue.
  - a. *NOTE*: Lawful demonstrations can devolve into civil disturbances that necessitate enforcement action when unlawful acts occur. It is also recognized that isolated individuals may become engaged in unlawful acts that require enforcement action, when the larger assembly remains lawful and requires no enforcement action.
5. *Impact Projectiles*: Projectiles designed and intended to deliver non-penetrating impact energy from safer than contact range distances. These may include direct fire or non-direct skip-fired rounds.
  - a. The latter are projectiles that are discharged toward the ground in front of a target, theoretically delivering the energy to the subject following contact with the ground in an attempt to stop unlawful activities and disperse individuals engaged in those activities to preserve the peace of the community and restore order.
6. *Incident Commander*: (IC) person responsible for overall control of a demonstration or civil disturbance.

#### D. PROCEDURES

1. General Management and Organization Principles
  - a. Government may impose reasonable restrictions on the time, place, and manner in which persons engage in First Amendment activity. The department shall place only those limitations and restrictions on demonstrations necessary to maintain public safety and order and, to the degree possible, facilitate uninhibited commerce and freedom of movement.
2. Organization of responsibilities shall be as follows:
  - a. The Chief of Police will designate an Incident Commander (IC) responsible for overall control of a demonstration or civil disturbance.
  - b. In the case of a widely dispersed demonstration or disturbance, or an event with multiple locations, multiple ICs may be assigned at the discretion of the Chief of Police.
  - c. The IC shall be responsible for preparing tactical plans and management details associated with planned demonstrations.
3. The primary objectives of the IC at a civil disturbance will be as follows:
  - a. Protect persons, regardless of their participation in the disturbance; and protect property.
  - b. Disperse disorderly or threatening crowds in order to eliminate the immediate risks of continued escalation and further violence.
  - c. Arrest law violators and remove or isolate persons inciting violent behavior.

4. Members shall be briefed on what to expect and appropriate responses. They shall be informed that the IC or his designee shall be responsible for ordering any response deemed appropriate.
5. It is the policy of this department to avoid making mass arrests unless absolutely necessary to preserve peace.
6. All event proceedings shall be photographed and audio and video recorded.

E. Use of Force

1. All use of force shall be regulated by the “Force Response” policy of this agency.
2. Unless exigent circumstances justify immediate action, members shall not independently make arrests or employ force without command authorization.
3. All officers providing assistance to this agency through mutual aid agreements, contracts, or related means shall be informed that they are under the direction and control of this Department’s command and supervisory personnel.
4. The following restrictions and limitations on the use of force shall be observed during demonstrations and civil disturbances. In all cases, weapons should be carried and deployed only by trained and authorized officers:
  - a. Canine teams may respond as backup when appropriate but shall not be deployed for crowd control (i.e., containment or dispersal). Canines shall remain in patrol vehicles or other secure locations and, whenever reasonably possible, out of the view of the crowd. Canines may be deployed in appropriate circumstances related to bomb detection, pursuit of suspects in buildings, and related situations.
  - b. Horses may be used to create a perimeter, direct movement of crowds and control groups in nonviolent demonstrations as appropriate. They shall not be used against passively resistant demonstrators who are sitting or lying down. Horses shall not be utilized when the use of chemical agents is anticipated or deployed, nor shall they be used in icy or snow conditions or when similar lack of footing may jeopardize the animal, rider, or others.
  - c. Motor vehicles may be used to create a perimeter and direct movement of crowds as appropriate, but shall not be brought into physical contact with persons unless deadly force would be justified.
  - d. Impact weapons may only be used in civil disturbances or to overcome resistance of an individual(s) engaged in unlawful acts that may actively resist arrest.
  - e. Impact projectiles shall not be fired indiscriminately into crowds.
    - (1) Non-direct (skip-fired) projectiles and munitions may be used in civil disturbances where life is in immediate jeopardy, or the need to use the devices outweighs the potential risks involved.
    - (2) Direct-fired impact munitions, to include beanbag and related projectiles may be used in civil disturbances and have a proven track record of safe and effective use in public order management, when deployed in a manner that recognizes the unique factors involved, including the potential risk of hitting an unintended target due to officer-subject range and crowd density. Accordingly, direct-fire munitions can generally be used during civil disturbances against specific individuals who are engaged in conduct that poses an immediate threat of death or serious injury or significant levels of property damage.

(3) A verbal warning should be given prior to the use of impact projectiles when reasonably possible and when directed by the Incident Commander (IC).

- f. Electronic control devices (ECDs) shall be used during civil disturbances only for purposes of arrest of actively resistant individuals posing an immediate threat to the officer(s) or the public and when alternative less forceful means of control are not available or are unsuitable and only when the individual can be accurately targeted. ECDs shall not be fired indiscriminately into crowds.
- g. Oleoresin capsicums (OC) may be used in civil disturbances against specific individuals engaged in unlawful conduct or actively resisting arrest, or as necessary in a defensive capacity when appropriate. OC spray shall not be used indiscriminately against groups of people where bystanders would be unreasonably affected, or against passively resistant individuals. High-volume OC delivery systems (such as MK-9 and MK-46) are designed for and may be used in civil disturbances against groups of people engaged in unlawful acts or endangering public safety and security when approved by the IC. Whenever reasonably possible, a warning shall be issued prior to the use of these systems.
- h. CS (2-chlorobenzalmalononitrile) and CN (phenacyl chloride) chemical agents may not be used in any instance.
- i. A baton or similar device can be used in civil disturbances primarily as a defensive weapon; as a means of overcoming resistance (e.g., used in the two-hand horizontal thrust on a police line); as a show of force; or as a means to contain or to disperse a crowd engaged in unlawful activities.

#### F. Use-of-Force Reporting and Investigation

1. Because of the unique logistical and safety concerns presented by civil disturbances, the department's command staff shall comply with the following protocols during such events:
  - a. A member of the Department's command staff shall be assigned to the command post of the IC during a declared civil disturbance to coordinate and record force-related information and complaints.
  - b. The designated supervisor shall investigate serious uses of force, as defined by the Department, and complete a use-of-force report.
  - c. The supervisor conducting the use of force investigation shall have full access to video and photographic records documenting law enforcement and crowd actions.

#### G. Demonstrations—Preparation, Planning and Response

1. The Chief of Police shall confer with the Town Manager on objectives of police activities for maintaining peace and order for the community.
2. The IC or a designee, shall prepare a written action plan subject to the approval of the Chief of Police.
3. Every effort shall be made to make advance contact with the leaders of a demonstration and to gather information about the event to ensure accurate assignment of personnel and resources. Necessary information includes:
  - a. What type of event is involved?
  - b. When is it planned?

- c. Will the event coincide with other routine, large scale events (e.g. special events)?
- d. Is opposition to the event expected?
- e. How many participants are expected?
- f. What are the assembly areas and movement routes?
- g. What actions, activities, or tactics are anticipated, to include use of demonstrator devices designed to thwart arrest (e.g., dragon sleeves and u-locks)?
- h. What if any critical infrastructures are in the proximity of the event?
- i. Have permits been issued?
- j. Have other agencies such as Fire/EMS been notified?
- k. Is there a need to request mutual aid?
- l. Will off-duty personnel be required?
- m. What is the history of conduct at such events and whether group leaders are cooperative?

4. The action plan shall address provisions for the following and be distributed to all affected members:

- a. Command assignments and responsibilities
- b. Personnel, unit structure, and deployment
- c. Liaison with demonstration leaders
- d. Liaison with outside agencies
- e. Release of information to the news media
- f. Transportation, support, and relief of personnel
- g. Staging points for additional resources and equipment
- h. Traffic management
- i. Demonstrator devices, extrication teams, and equipment
- j. First aid stations established in coordination with emergency medical service providers
- k. Transportation of prisoners
- l. Prisoner detention areas

5. Members shall be deployed to monitor crowd activity. Sufficient resources to handle multiple unruly persons shall be available, depending on the fluidity of the situation and degree of actual or likely disruption.

6. Members shall wear their badges and nametags or other identification in a visible location on their person at all times.

7. Members shall be positioned in such a manner as to minimize contact with the assembly.

8. Members shall not engage in conversations or be prompted to act in response to comments from demonstrators. Members shall maintain a courteous and neutral demeanor with an overall objective towards maintaining peace and order for the community.

9. Persons who reside, are employed, or have emergency business within the area marked off by a police line shall not be prevented from entering the area unless circumstances suggest that their safety would be jeopardized or their entry would interfere with law enforcement operations.

10. Unit leaders shall establish and maintain communication with demonstration leaders and relay information on crowd mood and intent to the IC.

11. Supervisors shall maintain close contact with their assigned members to ensure compliance with orders, monitor behavior and disposition, and ensure that they are aware of any changes in crowd behavior or intent.

#### H. Response to Spontaneous Civil Disturbances

1. The first member to arrive on the scene of a spontaneous civil disturbance shall:
  - a. Observe the situation from a safe distance to determine if the gathering is currently or potentially violent;
  - b. Notify dispatch of the nature and seriousness of the disturbance, particularly the availability of improvised or deadly weapons, the location, estimated number of participants, current activities (e.g. blocking traffic), direction of movement, and ingress and egress routes for emergency vehicles;
  - c. Request the assistance of a supervisor and necessary backup;
  - d. If approaching the crowd would not present unnecessary risk, instruct the gathering to disperse; and
  - e. Attempt to identify crowd leaders and agitators engaged in criminal acts.
2. The first member or supervisor in charge at the scene shall:
  - a. Deploy members at vantage points to report on crowd actions;
  - b. Establish a perimeter sufficient to contain the disturbance and prohibit entrance into the affected area;
  - c. Ensure that, to the degree possible, uninvolved civilians are evacuated from the immediate area of the disturbance;
  - d. Establish a temporary command post; and
  - e. Provide ongoing assessment to dispatch.
3. In the area outside the perimeter, the IC shall ensure that the following actions are taken:
  - a. Move and reroute pedestrian and vehicular traffic around the disorder.
  - b. Control unauthorized ingress and egress by participants.
  - c. Prevent attempts to assist or reinforce the incident participants from outside the area.
4. The IC shall also ensure that:
  - a. Adequate security is provided to fire and EMS personnel in the performance of emergency tasks;
  - b. Support and relief of personnel are available;
  - c. A secure staging area for emergency responders and equipment is designated;
  - d. Liaison and staging points for media representatives are established and available information is provided as appropriate;
  - e. An event log is staffed for documenting activities and actions taken during the course of the incident;
  - f. Photographs are taken and video recordings of event proceedings are made;
  - g. Photographs are taken of any injuries sustained by law enforcement officers or the public; and
  - h. The need for full mobilization of sworn officers and the recall of off-duty officers is determined.

#### I. Crowd Dispersal

1. Before ordering forced dispersal of a civil disturbance, the IC shall determine whether lesser alternatives may be effective. These alternatives include the use of containment and dialogue as follows:
  - a. Establish contact with crowd leaders to assess their intentions and motivations and develop a mutually acceptable plan for de-escalation and dispersal.
  - b. Communicate to the participants that their assembly is in violation of the law and that the department wishes to resolve the incident peacefully, but that acts of violence will be dealt with swiftly and decisively.
  - c. Negotiate with crowd leaders for voluntary dispersal, or target specific violent or disruptive individuals for arrest.
2. Prior to issuing dispersal orders, the IC shall ensure that all potentially necessary law enforcement, fire, and EMS equipment and personnel are on hand to successfully carry out tactical operations and that logistical needs for making mass arrests are in place.
3. When the IC has determined that an unruly gathering is present and crowd dispersal is required, he or she shall direct members, where time and circumstances permit, to issue warnings prior to taking action to disperse the crowd.
  - a. The warning shall consist of an announcement citing the offenses or violations being committed, an order to disperse, and designated dispersal routes. A second and a third warning shall be issued at reasonable time intervals before designated actions are taken to disperse the crowd. Where possible, the warnings shall be audio or video recorded and the time and the names of the issuing members recorded in the event log.
  - b. Specific crowd dispersal tactics shall be ordered as necessary where the crowd does not heed warnings. These include, but are not limited to, any one or combination of the following:
    - (1) Display of forceful presence to include police lines, combined with motorcycles, law enforcement vehicles, mounted units, and bicycle units
    - (2) Crowd encirclement
    - (3) Multiple simultaneous arrests
    - (4) Use of aerosol crowd control chemical agents
    - (5) Law enforcement formations and the use of batons for forcing crowd movement

#### J. Mass Arrest

1. In a civil disturbance it may be necessary to make arrests of numerous individuals over a relatively short period of time. For this process to be handled efficiently, safely, and legally, the following shall be observed:
  - a. Mass arrests shall be conducted by designated squads.
  - b. An adequate secure area shall be designated for holding prisoners while awaiting transportation.
  - c. Arrest teams shall be advised of the basic offenses to be charged in all arrests, and all arrestees shall be advised of these charges.
  - d. Arrestees who are sitting or lying down but agree to walk shall be escorted to the transportation vehicle for processing; two or more officers shall carry those who refuse to walk.

- e. Prisoners shall be searched incident to arrest for weapons, evidence of the crime of arrest, and contraband.
- f. Photographs shall be taken of the arrestee and any prisoner property.
- g. Injured prisoners and those who request medical attention shall be provided medical attention prior to transportation to the detention facility. Photographs shall be taken of all injuries.

K. Deactivation

1. When the disturbance has been brought under control, the IC shall ensure that the following measures are taken:
  - a. All personnel engaged in the incident shall be accounted for and an assessment and documentation made of personal injuries.
  - b. Witnesses, suspects, and others shall be interviewed or questioned.
  - c. All necessary personnel shall be debriefed as required.
  - d. All written reports shall be completed as soon as possible after the incident. Comprehensive documentation of the basis for the incident, the department's response to the incident, with a statement to include the costs of equipment, personnel, and related items shall be completed.

**9.10 CRIME SCENES**

- A. On multi-agency incidents the member assigned to the scene, must assume Incident Command of the scene (IC) immediately upon arrival and must retain command until relieved or until the investigation is completed. The member should notify dispatch that they have assumed this role.
- B. The first responsibility of the IC is to ensure scene safety. If a crime scene, the IC should do a sweep of the location to eliminate the possibility of immediate threats to responding personnel.
- C. If the scene is determined to be free of threats, the IC should immediately switch their efforts to life saving measures if there are injured person(s) present.
- D. Once all life-saving responsibilities have been addressed appropriately, the IC should immediately establish a crime scene perimeter to limit access and the destruction of possible evidence.
- E. If a traffic collision with injuries, members of the Department will render medical assistance to injured persons to the extent they are trained to do so and as deemed necessary by the members present.
  1. It is likely that Fire and EMT services personnel will assist in performing any lifesaving effort if injured persons are found at the scene, and such personnel will not be hampered by law enforcement personnel until their task is concluded.
  2. However, if a cold crime scene, the IC shall determine if it is necessary, or not, to allow EMT services personnel access to bodies to check for signs of life on obviously deceased persons if the IC has already established beyond a reasonable doubt that no signs of life are present and that no advanced life saving measures would likely change the outcome. This determination will be based upon training and experience. If in doubt, the IC should immediately escort EMT services personnel to the body and allow EMT services personnel access to the body to determine if signs of life exist or not. Special care should be given to preserve evidence that may be present, to include but not limited to all EKG pads attached to the body.

- F. The IC will then re-establish restricted access to the scene. The names of all emergency personnel, including ambulance attendants, will be recorded in an incident report.
- G. Scene Security and Access
  - 1. No persons will be permitted within a crime scene, except personnel involved in a lifesaving role and except those whose presence will directly further the investigation being conducted.
  - 2. Although the media cannot be prevented from recording or photographing a crime scene, it has no right to greater access than the public. As such, the media cannot enter a secured scene without permission but may freely enter and take photographs from any place open to public access.
  - 3. All persons should report to the IC or the IC's designee before entering the scene.
  - 4. All personnel entering the scene and their assigned functions will be identified and recorded when they report to the IC. The IC will be responsible for the delegation and direction of all personnel.
  - 5. All law enforcement personnel permitted within a crime scene should submit a supplemental report providing details of their activity and function at the scene.
  - 6. Scenes involving establishments, grounds, or parking lots open to the public will be closed if access to any portion thereof interferes with the security of the scene.
- H. Identification, Preservation, and Collection of Evidence.
  - 1. No physical object will be moved, or evidence collected, other than for safety reasons or to prevent its destruction, until directed by the IC.
  - 2. Depending upon the type of crime(s), complexity of the scene(s) and the level of expertise required to process the scene, the IC may personally process the scene or may request assistance from Investigations and/or other members or divisions, as appropriate. However, on large scale incidents, no outside agency shall be utilized without the consent of the Operations Lieutenant or the Chief of Police.
  - 3. The IC will ensure that all crime scene processing activities are documented and that all collected evidence is properly collected, logged, packaged, transported, and secured. Written documentation may be supplemented by photography and sketching, as needed. Written documentation will also include all the tasks performed even if the results of the evidence search and processing were negative.

## 9.11 FORCED BLOOD SAMPLES

- A. Officers may forcibly remove blood from arrestees in the following instances:
  - 1. If a person refuses to provide a blood sample after they have been arrested for a violation of Wyo. Stat. Ann. 31-5-233, and where serious bodily injury or death has resulted to someone other than the arrestee.
  - 2. Any other felony crime for which a blood sample from the arrestee is needed for evidentiary purposes.
  - 3. With a valid search warrant for a felony.
- B. The use of physical force to remove blood must be authorized by the on-duty Sergeant. If a Sergeant cannot be located, the shift's Corporal may be utilized as the authorizing supervisor. When in doubt regarding using force to obtain a blood draw, contact the on-call county prosecutor.
- C. All forced blood draws will be video recorded and the video booked as evidence.
- D. Members must meet four conditions before blood can be forcibly removed from a person.
  - 1. A lawful arrest;

2. Probable cause for the seizure; and
3. The sample must be removed in a medically approved manner utilizing a reasonable force response, and
4. The person taking the sample must be a physician, registered nurse, qualified clinical or laboratory technician or other person who routinely does venipuncture.

E. Officers must first attempt to seek and receive voluntary compliance from the subject for the medical removal of blood samples. Obtaining the blood sample through the use of force should be considered only as a method of last resort.

F. A hospital is obviously the most practical setting for forcibly drawing blood. However, if transportation to a hospital is not feasible, qualified technicians from a department approved medical laboratory service may be called to do the blood draw.

G. If the use of physical force is necessary to remove a blood sample, officers should carefully articulate in their arrest reports the facts of the incident. The report should include:

1. The exigent circumstances necessitating the need for a blood sample;
2. The attempts and methods to gain voluntary compliance from the subject for the blood draw;
3. The nature of the resistance;
4. The number of officers required to subdue the arrestee;
5. Each officer's actions; and,
6. The names, credentials, and contact information of all health care professionals participating in the blood draw.

#### **9.12 UNATTENDED DEATHS AND DEAD BODIES**

- A. In the event the scene involves an unattended death or the presence of a dead body, the scene shall be treated as a homicide and processed accordingly, until such time that sufficient information or evidence proving otherwise is achieved. At which time, the level of investigation may be downgraded, except in suspected suicide cases, which shall be treated in the same manner as a homicide case until an autopsy reveals a manner of death.
- B. Scenes involving an unattended death or dead body where the deceased suffered from a critical illness or was currently being treated by a physician for a terminal illness that is common knowledge to witnesses and can be confirmed through a physician, do not need to be treated as a homicide case, but rather treated as a natural death and the only requirement is to collect basic information sufficient to document the death adequately in a police report.

#### **9.13 SEXUAL ASSAULT INVESTIGATION**

- A. If a member responds to a call and determines it to be a sexual assault or child sex abuse, the member is to contact the investigative supervisor as soon as practical to consult about the case facts known to that point. In the absence of the investigative supervisor, another detective should be contacted. The supervisor or the detective may give direction to the member about how to best proceed with the case.
- B. In all sexual assault cases, the first responding member should conduct the initial investigation to gather basic information about the case (see letter "F" below for direction on cases involving juveniles.)
- C. The member should arrange for a sexual assault examination at St. John's Hospital, preferably by a Sexual Assault Nurse Examiner (SANE) qualified nurse.
- D. In some circumstances, the victim may go to the hospital on their own accord and request that a sexual assault kit be collected by hospital staff. The victim may also choose at that

time not to have law enforcement contacted. In this event, the member should only respond to the hospital, collect the kit, and place it into the RMS property room as an item for safekeeping. The kit will then be sent to the Wyoming State Crime Lab for processing.

- E. If the assault involves an adult victim, the Community Safety Network (CSN) should be notified and a volunteer asked to meet with the victim at the hospital, if so desired by the victim. In cases where the victim and/or law enforcement has already been working with Victim Services, CSN need not be contacted unless requested by the victim.
- F. If the assault involves a juvenile victim, the same procedures are utilized; however, Victim Services should be notified in lieu of the CSN, and the scope of the victim interview should be limited to establishing that a crime probably occurred, as the child will be later interviewed by a trained child forensic interviewer.
- G. The notified detective shall arrange for a pediatrician to conduct a medical examination of the child and for a child forensic interview to take place at the Hirschfield Center following the medical examination, if possible.
- H. All victims of sexual assault shall be treated with dignity and respect by members of the Department regardless of the circumstances of the case. The responding members should avoid re-victimizing the victim and should not place judgment on the circumstances leading to the assault. However, this does not preclude a member from confronting a victim who is believed to have made a false report if the evidence supports that is what occurred. This type of challenging interview is typically best performed by a detective at a later date rather than challenging the alleged victim on the day they choose to report.
- I. Members investigating sexual assault cases should remember to collect the victim's clothing if the assault recently occurred. Additionally, bed linens should be collected if the assault occurred on a bed, however, search warrant considerations should be given if the bedroom does not belong to the victim. If the victim has changed clothing since the assault occurred, officers should inquire if the soiled clothing still exists for collection. The officer should collect all material believed to contain biological evidence of the assault.
- J. No members should release the names or identities of victims or suspects involved in a sexual assault case according to State Law.
- K. In cases involving juvenile victims or suspects, dates of birth shall be omitted from probable cause affidavits and affidavits in support of warrants. In addition, victim's names shall be omitted from these documents as well.

#### **9.14 JUVENILE CUSTODY, DETENTION, AND SHELTER CARE**

- A. The Department is committed to a philosophy that decisions concerning custody and detention of juveniles are based upon what is best for the child and the community at the time the action is taken. In addition, Wyoming State law provides statutes concerning juvenile custody that helps direct that philosophy to create consistency in application of the environment appropriate to the situation, realizing that some instances call for incarceration when the child may be a danger to themselves or others.
- B. The Department is committed to enhancing our working relationship with the county attorney's office who will ultimately be responsible for the juvenile's progression through the courts. To that end, members shall consult with the county attorney on all cases involving juveniles as suspects, victims, runaways, or who might otherwise be a candidate for shelter care or detention.
- C. State statutes and court orders direct when a juvenile can be taken into custody. The statute that directs when a juvenile may be taken into custody without a warrant or court order is Wyo. Stat. Ann. § 14-6-205.

- D. Although statutes and court orders provide broad authority for taking a child into custody, taking a child into custody should reflect a decision based upon the philosophy that the custody was in the best interest of the child and/or the public at the time.
- E. Child in Need of Supervision (C.H.I.N.S.)
  - 1. Officers may also come into contact with juveniles in a non-criminal setting.
  - 2. A “child in need of supervision” (C.H.I.N.S.) is defined in Wyo. Stat. Ann. § 14-6-402(a)(iv).
  - 3. A status offense is defined in Wyo. Stat. Ann. § 14-6.4-2(a)(xx).
  - 4. State statutes and court orders direct when a juvenile can be taken into custody as a C.H.I.N.S. The statute that directs when a juvenile may be taken into custody without a warrant or court order is Wyo. Stat. Ann. § 14-6-405. This statute covers runaway situations.
- F. Detention/Shelter Care
  - 1. The County Attorney’s Office and the Department of Family Services shall be immediately notified of a juvenile that is taken into custody, and as is reasonably practical should be consulted when evaluating whether to take a juvenile into custody. The County Attorney’s Office and Department of Family Services will assist in organizing a placement for the juvenile after they are taken into custody.
  - 2. Any person taking a child into custody shall, as soon as possible, notify the child’s parent, guardian or custodian. Unless the child’s detention or shelter care is authorized by court order or required for any of the reasons delineated in Wyo. Stat. Ann. § 14-6-206(a) and Wyo. Stat. Ann. § 14-6-406(a), the child shall be released to the custody of his parent, guardian, custodian or other responsible adult upon that person’s written promise to present the child before the court upon request.
  - 3. Anytime an officer takes any enforcement action where the suspect is a juvenile, the procedures outlined below are to be followed. These procedures do not apply to traffic related citations, and only apply to a criminal or a status offense crime in which a juvenile (under 18 years of age) is the suspect.
    - a. The officer shall conduct a Juvenile Detention Risk Assessment. This assessment shall use the form created for this by the Wyoming Association of Sheriffs and Chiefs of Police. This may be done at the scene with the juvenile or at the station, but will be done before any detention or release option is implemented. Every attempt should be made to notify the custodial parents of this interaction at the earliest time practical.
    - b. After completing the assessment, an officer shall make the necessary arrangements for the detention option indicated. Note: that in the event the officer decides to override the assessment recommendation, the County Attorney’s Office must approve.
    - c. If it is decided the juvenile will be provided shelter care or placed in detention, the County Attorney’s Office shall be notified without delay and as per directive. Please call the County Attorney and fax the notification using the Juvenile Arrest Notification form created for this.
    - d. The assessment form will be made an attachment to the written report of the incident.
  - 4. Below is a list of available “levels of supervision” options:
    - a. Release to parent/guardian-no restrictions - low risk
    - b. Home detention – limited restrictions apply - low risk

- c. Voluntary placement in the Van Vleck Group home by parent/guardian - low to intermediate risk
- d. Teton County Juvenile Holding Facility, which is administered by Van Vleck - intermediate risk
- e. Five-County Detention and Youth Rehabilitation Center, Rexburg, Idaho - intermediate to high risk
- f. Teton County Jail – See below restrictions

5. The general rule is that juveniles are not to be taken to the Teton County Jail, an adult detention facility except for in the following limited circumstances:

- a. If it appears detention in the adult facility is a safer environment overall, then a juvenile can be held in the jail for no longer than six (6) hours, provided the juvenile is accused of a delinquent act, such as an actively violent juvenile who cannot be adequately controlled other than in the jail and provided they can be housed out of sight and sound of adults. In the event this exception is exercised it calls for an immediate hearing and approval of the Teton County Sheriff.
- b. If the County Attorney indicated they are charging a juvenile as an adult and requests the juvenile be booked into the Jail.

G. Admission to Teton County Juvenile Holding Facility

- 1. In the event the juvenile is to be held at the holding facility, the detention staff must be notified immediately so staffing of the facility can be arranged.
- 2. Any items a member finds during the search of a juvenile will be stored by the detention center, unless they are contraband or evidence, provided the items may be released to a parent or guardian so long as they are not contraband or evidence.
- 3. The member taking custody of the juvenile shall ensure that arrangements for transportation to the holding facility are complete.
- 4. The arrest report shall be completed prior to the arresting officer going off duty.
- 5. In the event the member has reason to believe the juvenile is under the influence of alcohol or other drugs:
  - a. The member shall attempt to administer a portable breath test if alcohol is suspected.
  - b. If other drugs are suspected, the member shall attempt to secure a urine test.
  - c. If the juvenile refuses to submit to any test, it will be noted in the officer's report.
  - d. Members shall articulate in the report all objective symptoms related to the specific drug for possible additional charges.
  - e. This does not preclude a member from forcing a blood or urine sample as evidence from a juvenile pursuant to department policy regarding obtaining forced blood samples from suspects when serious bodily injury or death has occurred.
- 6. If the level of influence or intoxication is such that it appears the juvenile is in need of medical attention; the member shall call for an ambulance to transport the juvenile to the hospital for treatment.
  - a. The member needs to ensure the juvenile is properly supervised while undergoing treatment.
  - b. In such cases, a doctor's release must be obtained prior to the admission of a juvenile to the holding facility. In the event a doctor's release is

secured but the juvenile is still under the influence, the juvenile can still be released to the holding facility but is to be monitored closely and transported back to the hospital, if needed.

- c. Members with a candidate for high-risk detention should first check to see that a bed is available at the facility.
- d. Members should constantly monitor the welfare of the juvenile during transport.
- e. Members should arrive at the facility with a pre-written affidavit supporting the need for the detention and provide it to their staff.
- f. Members should fax a copy of the affidavit to the Teton County Prosecuting Attorney's office.
- g. Members should complete all police reports prior to ending their shift.

7. During contacts with juveniles resulting in the potential for fines or other penalties, reasonable attempts shall be made to notify the juvenile's guardian.

#### **9.15 MENTAL HEALTH DETENTION (TITLE 25)**

- A. Ensuring safe, sensitive, effective and due process care while dealing with mentally ill persons can be complex, problematic, and high-risk for officers. The Department is committed to providing all mentally ill persons with dignity and respect and assisting with their care to the degree that is permitted by law. It is also understood that not all persons that law enforcement will come into contact with and suffer from mental illness are subject to detention, in fact most are not under commonly encountered circumstances.
- B. Title 25 of Wyoming State Statutes prescribes legal requirements before a person can be detained against their will for mental health reasons. Abuses of the protections provided by Title 25 can result in criminal penalties.
- C. If the patient is brought to the emergency room by a peace officer:
  1. The officer must have reasonable cause to believe a person is mentally ill is dangerous to himself/herself or others, as defined in Wyoming statutes.
  2. The officer must notify the on-call gatekeeper to complete the examination. This number can be obtained through the ER or Dispatch.
    - a. The examiner shall conduct an examination as appropriate, but in any event no later than 24 hours after initial detention.
    - b. The examiner will consult with the peace officer that completed the Form 3-81 part of the examination.
    - c. If the examiner does not plan to hold the patient, the peace officer has the right to request a consultation with the on-call manager.
    - d. If an examination does not take place, the patient shall be released.
  3. The officer is to complete and sign Form 3-81, leave a copy with the patient for the gatekeeper to review, notify the County Attorney's Office via fax, and personally notify the County Attorney's Office via phone.
  4. The on-call gatekeeper will conduct a preliminary examination and serve as the "examiner."
  5. The examiner must find one of the following:
    - a. If the patient is found not to be mentally ill, then the patient shall be released immediately.
    - b. If the examiner finds the patient was mentally ill, but is no longer dangerous to himself/herself or others, the patient shall be released immediately.

- c. If the examiner finds that the patient is mentally ill, the patient may be held for up to seventy-two (72) hours from the initial detention, excluding weekends and holidays, and an emergency detention hearing will be scheduled.
- D. If the patient arrives at the emergency room voluntarily, the officer may be called for security purposes, but is not involved in the Title 25 process other than to keep the peace. In the event a person attempts to leave the facility and the attending physician has not yet done a Title 25 on the individual, flight alone does not constitute authority to detain the individual. The responsibility lies with that of the attending physician who has been treating the individual to determine if the person is to be held on a Title 25 or not and may declare that the person is a threat to themselves or others and request the assistance of law enforcement to return the person to the hospital for an examination by the gate-keeper. In these cases it is not the peace officers responsibility to complete the Form 3-81.
- E. If the patient arrives at the emergency room voluntarily and is determined to be a Title 25 hold by the attending physician but then becomes violent, St. John's Medical Center will call to request assistance from law enforcement to control the individual Security staff employed by the hospital will also be called to respond and assist law enforcement with the detention.
  - 1. The officer shall control the situation and discuss patient issues with the physician and staff. The role of the law enforcement officer is to maintain the peace until Jackson Hole Community Counseling Center personnel arrive.
  - 2. If the officer has to physically restrain the individual prior to a qualified person completing a Form 3-81, thus constituting a forced detention, then the officer will complete the Form 3-81 and notify the County Attorney's office via phone and fax, regardless of whether or not the attending physician decides to do a Title 25 hold or not. The officer may be required to testify if there is an emergency detention hearing.
- F. If the patient is referred to the emergency room or is admitted by a private provider, such as a psychiatrist, attending physician, or licensed independent practitioner, an officer may be called for security purposes but is not involved in the Title 25 process other than to keep the peace.
- G. Regardless of who institutes a Title 25 hold, the peace officer or a physician, the police officer shall remain on the scene to keep the peace until it is reasonable to assume that no immediate risk is present. At which time the officer may turn security of the scene to security officers employed by the hospital. If the individual again becomes violent, police officers shall immediately respond back to the hospital to assist both hospital staff and security officers employed by the hospital.
- H. Emergency detention hearings are conducted pursuant to W.S.S. 25-10-109, and the County Attorney represents the State. The officer may be expected to testify.
- I. Involuntary hospitalization hearings are conducted pursuant to W.S.S. 25.10.110, and the County Attorney represents the State. The officer may be expected to testify.
- J. Overview of the Title 25 process:
  - 1. The Jackson Hole Community Counseling Center (JHCCC) acting as the gatekeeper will examine the patient, complete the 3-81, and testify at the 109 hearing and will almost always be the examiner.
  - 2. Whoever completes the 3-81 must be willing and prepared to testify in court at the 109 hearing that the patient being detained was mentally ill and a danger to himself/herself or others and to follow the patient until discharge.

3. If JHCCC completes the examination and the 3-81, JHCCC will follow the patient on a daily basis to assist with case follow-up, treatment and discharge planning through the 109 hearing and/or 110 hearing.
4. If a private provider initiates a Title 25 hold, the private provider must complete and sign the Form 3-81. The private provider will remain the examiner until such time as the Court appoints another examiner. In the event the examiner wishes to utilize the services of JHCCC, the attending physician must contact the JHCCC for a mental health consultation.
5. Law enforcement officers may be asked to provide secured transportation for potential Title 25 patients. In this situation, the private provider will call JHCCC to examine the patient and complete the 3-81.
6. If the peace officer signs the 3-81 form, it allows the examiner twenty-four (24) hours to complete the examination. If the provider (not an officer) completes the 3-81, then the examination has occurred and the 109 hearing is scheduled.
7. When someone is detained under 109, law enforcement shall immediately notify the person responsible for the care and custody of the detained person, if known, of the time and place of detention.
8. The peace officer who initially detained the person must give a copy of the 3-81 form to the patient and the gatekeeper who conducts the examination.
9. Individuals who complete a 3-81 will fax the form to the County Attorney's Office and will have dispatch notify the County Attorney's Office.
10. The law requires that if the examiner is not a physician, then the examiner's findings must be reviewed by a physician and a report be made to the court. The County Attorney will contact the patient's attending physician to appear at the 110 involuntary hospitalization hearing.
11. The County Attorney will file the application with the Clerk of Court. The Clerk of Court shall be responsible for locating a bailiff, District Court Commissioner, and an attorney for the patient.
12. The Court Commissioner will consult with the County Attorney, patient's attorney, and the examiner to discuss possible times for the court hearing.
13. The 109 hearing will be completed as expeditiously as possible after the completion of the 3-81, preferable within 12-36 hours, excluding weekend and holidays.
14. Even if the 3-81 hearing is conducted, the court may determine the patient is not mentally ill and may release the patient.

#### **9.16 MISSING PERSONS/CHILD ABDUCTIONS**

- A. The Department will accept any report of a missing person or runaway, including those received by telephone. Priority should be given to the handling of such reports, which are a higher priority than crimes involving property.
- B. The agency having jurisdiction over the missing person's place of residence generally has ultimate investigative responsibility for the missing person case. If the agency having jurisdiction is incapable of dealing efficiently with the investigation due to the distance between jurisdictions, the Department may opt to handle the investigation and forward a copy of the investigation to the outside agency as a courtesy report.
- C. Reasonable discretion may be used in determining if the report of the missing person is a valid one, but if there is any reasonable basis to believe that a missing person report is valid, an investigation shall be initiated.

#### D. Initial Response

1. The reporting party and any witnesses shall be interviewed to determine:
  - a. The type of missing person case (i.e. runaway, parental abduction, etc.);
  - b. If there are indications the person is at risk and/or the existence of any suspicious circumstances; and
  - c. The description of the missing person.
2. Information regarding missing persons less than 18 years of age or where there is evidence the missing person is at risk, should be entered into the NCIC missing person's system immediately. In other cases, the information should be entered as soon as practical.
3. NCIC/WCJIN policy defines the categories and criteria for entry of a missing person to include:
  - a. Disabilities: a person of any age who is missing and under proven physical/mental disability or is senile, thereby subjecting him/herself or others to personal and immediate danger.
  - b. Endangered: a person of any age who is missing under circumstances indicating that his/her physical safety may be in danger.
  - c. Involuntary: a person of any age who is missing under circumstances indicating that the disappearance may not have been voluntary, such as abduction or kidnapping.
  - d. Juvenile: person under the age of 18 who is missing and does not meet any of the entry criteria set forth in any of the previous categories.
  - e. Catastrophe: a person of any age who is missing after a catastrophe.
  - f. Other: a person over the age of 18 not meeting with the criteria for entry in any other category who is missing and for whom there is a reasonable concern for his/her safety.
4. When a report is taken on a missing person or runaway who resides outside our department's jurisdiction, the agency having jurisdiction over the missing person's residence address and where the missing person was last seen should receive a copy of the report without delay.
5. If it is determined the person is at risk, a victim of a crime or foul play, or in any case, under the age of 18, the case shall be handled with urgency. Based upon the circumstances of such report, appropriate action by officers or designated personnel may include:
  - a. Making a "Be on the Lookout" (BOLO) broadcast via police radio.
  - b. Consider sending out a NIXLE alert requesting assistance from the public.
  - c. Identifying persons at the scene.
  - d. Preserving the scene, if necessary.
  - e. Searching the area. With missing children, it is especially important to conduct a thorough search of the child's home, yard, neighborhood hangouts, parks, playgrounds and sources of obvious danger such as sewer access points, ponds, creeks, irrigation ditches, and livestock areas.
  - f. Calling a supervisor to the scene.
  - g. Examining court orders regarding custody matters.
  - h. Notifying other agencies.
  - i. Securing a recent photo.
  - j. Making a referral to local agencies or support groups.

- k. Utilizing additional resources (i.e. request additional personnel, arrange logistics, etc.)
  - l. Attempting to locate the missing person based on information obtained from witnesses
  - m. Beginning an activity log
  - n. Notifying the Investigative Supervisor.
  - o. Requesting the reporting party give written authorization for the release of dental/skeletal X-rays, or both, including instruction on where to obtain these.
- 6. When a child is at risk or missing under suspicious circumstances, contact shall be made with the County Attorney's Office to facilitate obtaining dental/skeletal X-rays and medical records. Once obtained, these records should be submitted into NCIC-WCJIN through the Communications Center without delay.
- 7. The following conditions should be considered regarding the nature and level of response to a report of a missing person.
  - a. Age.
  - b. Background on missing person (i.e. check "Alliance").
  - c. Missing person's knowledge of the area.
  - d. Suspicious circumstances.
  - e. Mental or physical condition.
  - f. Medical or physical condition.
  - g. Weather.
  - h. Time of day.
  - i. Resources available to missing person.
  - j. Length of time missing.
  - k. Custody status.

E. Follow-up Investigation: Based on the circumstances of each report, the member assigned follow-up to the case should consider the following:

- 1. Re-interviewing the witnesses.
- 2. Monitoring search efforts.
- 3. Obtaining copies of all related reports.
- 4. Identifying resources.
- 5. Preparing fliers.
- 6. Utilizing media.
- 7. Notifying the Federal Bureau of Investigation (FBI).
- 8. Submitting the dental/skeletal X-rays into WCJIN/NCIC through the Teton County Communications Center when any missing person has not been found within 45 days.
- 9. Conferring with the Coroner for comparison to unidentified deceased persons, when any missing person has not been found within 45 days.

F. When a missing person is found, the Department must submit the information to the Communications Center and should inform other agencies as appropriate.

G. Child Abduction Cases

- 1. Non-Family Abduction Cases:
  - a. The investigation shall receive priority status
  - b. Follow the steps as outlined above for missing person
  - c. Immediate response:

- (1) Notify the On-duty Supervisor, the Investigative Supervisor, Lieutenant, and the Chief of Police.
- (2) Preserve the crime scene
- (3) Initiate an area search.
  - (a) Call out appropriate department personnel
  - (b) Request additional officers from surrounding agencies
  - (c) Send out a NIXLE alert requesting assistance from the public
  - (d) Utilize available town staff (i.e. Fire Department, and Public Works)
  - (e) Utilize police department volunteers (i.e. Citizen's Mounted Patrol)
  - (f) Request the services of a state-certified tracking dog
  - (g) A log of all locations searched and persons contacted shall be maintained
- d. With approval of the Lieutenant or the Chief of Police, contact the Division of Criminal Investigation (DCI) for initiation of the LOCATOR system. This may be used to provide and disseminate an electronic poster to the news media, law enforcement, the National Center for Missing and Exploited Children (NCMEC), and other entities via fax and email. The system is available twenty-four (24) hours a day.
- e. With approval of the Lieutenant or the Chief of Police, contact DCI requesting that an Amber Alert be initiated.
  - (1) If all criteria have been met, DCI will issue a statewide Amber Alert via the Emergency Alert System (EAS).
  - (2) Once the Amber Alert has been issued, radio and television stations are asked to broadcast the pertinent facts for the next several hours and the Wyoming Department of Transportation (WYDOT) will provide the information to state troopers, rest stops, ports of entry, maintenance and other state personnel; and the information will be available on the state's electronic interstate/highway sign system.
  - (3) Issuance of an Amber Alert does not preclude use of the LOCATOR system.
  - (4) Criteria for an Amber Alert include:
    - (a) Law enforcement confirms a child has been abducted. (Child is defined any person less than 18 years of age.)
    - (b) Law enforcement believes there is a serious threat of injury or death to the child.
    - (c) There must be enough descriptive information about the child, abductor, and suspect vehicle to believe an immediate broadcast would help.
- f. Notify the FBI.

2. The Initial Investigation
  - a. The Investigative Supervisor shall respond and assume tactical command.
  - b. Initiate a two-track investigation.
    - (1) The first track should focus on the immediate family and include polygraph or similar examinations. If a polygraph is not available

within the department, outside assistance should be sought. Obviously, this track must be handled with tact and empathy.

- (2) The second track should focus on all other possible suspects and leads.
- (3) The two tracks should run concurrently until family members are eliminated as suspects or suspicious persons.
- (4) Once the family is absolved, a member should be assigned as liaison to the family. A psychologist and/or chaplain may be assigned, if appropriate.

- c. Assign a member to the victim's residence with the ability to record and trap and trace all incoming calls. Utilize a cellular telephone for agency use.
- d. Compile a list of known sex offenders in the region.
- e. Develop a profile of the possible abductor (FBI).
- f. Consider use of polygraph for other key individuals.
- g. In cases of infant abduction, investigate claims of home or surprise births made in the area.
- h. Fully complete and submit an NCIC Missing Person File (involuntary category) with complete descriptive, medical, and dental information.
- i. Distribute a Missing Flyer via LOCATER system and send out updated NIXLE alerts to request assistance from the public.
- j. The establishment of a reward should be considered.

- 3. The Prolonged Investigation
  - a. Review all existing evidence and leads, including;
    - (1) Revisit the crime scene.
    - (2) Review all potential witness/suspect information obtained in the initial investigation and consider background checks on anyone identified in the investigation.
    - (3) Review Department of Family Services (DFS) records for reports of child abuse.
    - (4) Develop timeline and other visual exhibits.
    - (5) Re-interview key individuals.
  - b. Interview delivery personnel, employees of gas, water, electric, and cable companies, taxi drivers, post office personnel, garbage handlers, etc.
  - c. Consider a media release asking the public to come forward with information
- 4. Recovery and Case Closure
  - a. Arrange for a comprehensive physical examination of the victim.
  - b. Conduct a careful interview of the child, document the results of the interview, and notify all appropriate agencies of the child's recovery.
- 5. Family Abduction Cases
  - a. Follow steps as outlined in the missing persons section of this policy.
  - b. The Initial Investigation
    - (1) Conduct background investigation on both parents
    - (2) Interview family and friends of suspect-parent
    - (3) Enter information about the child (Involuntary Category) and suspect-parent (Wanted Person File) into NCIC Missing Person File.

- (4) Obtain and evaluate all information that may indicate location of suspect-parent.
- (5) Coordinate the issuance of an arrest warrant against suspect-parent with prosecutor.
- (6) Assure and confirm entry of warrant information into NCIC Missing Person File (Child) and Wanted Person File (suspect-parent).
- (7) Contact the FBI for immediate assistance.

- c. The Prolonged Investigation
  - (1) Secure Federal Unlawful Flight to Avoid Prosecution (UFAP) warrant, if facts support issuance.
  - (2) Identify and flag all pertinent sources of information about both the child (school, medical, birth, etc.) and the suspect-parent (employment, education, professional, etc.).
  - (3) Utilize information sources such as credit bureaus, database systems, motor vehicle bureaus, and the Federal Parent Locator Service (FPLS) to search for the suspect-parent through identifiers such as Social Security number, name date of birth, credit card, etc.
  - (4) Request U.S. Postal Service authorities to provide a mail cover on selected family members or friends of the suspect-parent.
  - (5) Identify and evaluate other information about the suspect-parent that may provide whereabouts information such as employment records, occupational licenses, organization memberships, social interests, hobbies, and other lifestyle indicators.
  - (6) Assist left-behind parent in the preparation and distribution of missing child posters.
- d. Recovery and Case Closure
  - (1) Arrest suspect-parent away from child, if possible.
  - (2) Notify the Department of Family Services (DFS) about possible need for temporary shelter care until left-behind parent or investigator arrives.
  - (3) Conduct interview of the child and abductor and involve all appropriate agencies.
  - (4) Notify all appropriate agencies of the child's recovery.

## **9.17 WINTER MAINTENANCE (SNOW TOW ORDINANCE)**

- A. The snow tow ordinance is in effect from November 1 - April 15<sup>th</sup>. During this period any vehicle parked on the public right-of-way from 3 a.m. to 7 a.m. is in violation of the ordinance and is subject to citing and/or towing. This includes streets, alleys and public parking lots.
- B. To be enforceable, the area must be clearly posted and should be verified by the officer performing the enforcement.
- C. The police department will place public advisory notices on all windshields of vehicles parked on the public streets and public parking lots beginning October 15<sup>th</sup> of each year. Advisory notices will continue to be placed on all vehicles parked on the streets and public parking lots until the first significant snow event occurs. A significant snow event shall be

defined as - *any snowfall that accumulates on the ground covering the majority of the ground surface*. Defining a significant snow event is not an exact science and should be applied in the spirit of its intent, knowing that it may be interpreted differently by each individual assessing it.

- D. The police department will not issue citations or tow vehicles until the first significant snow event occurs regardless of date. Once a significant snow event occurs, then vehicles parked on the streets or in public parking lots may be cited until advised by command staff to discontinue doing so.
- E. The Public Works Department will always prioritize the area within two (2) blocks of the Town Square for street maintenance each evening. Vehicles parked in this area should be prioritized by the police department for enforcement.
- F. Vehicles within two (2) blocks of the Town Square should be towed if the Public Works Department intends to plow the streets or do removal of snow that has accumulated on the area immediately adjacent to the streets, otherwise the vehicles should only be cited if no maintenance is to occur that evening. Any vehicle towed should also be cited.
- G. Vehicles in all other areas of town outside of two (2) blocks from the Town Square will only be cited, not towed. However, if the Public Works Department indicates to the officer that special maintenance operations will occur that evening in a specified area, vehicles impeding that operation should be towed and cited as necessary.
- H. The contracted towing company should take the vehicle to their tow yard. The member requesting the tow should provide the tow company with a list of vehicles to be towed that includes description, license plate, color, and specific location. It is the member's discretion as to whether or not to accompany the tow company to each location.
- I. The member requesting the tows should also request a single event number be pulled by Dispatch. In the event notes, a description and license plate number of all vehicles towed should be logged.
- J. The member requesting the tows should deliver a parking citation and receipt of service to the tow company for each vehicle towed.
- K. The following streets do not come under the snow tow ordinance, and as such, vehicles **should not** be towed from them under any circumstance: MacLeod Drive, Henley Drive, Nelson Drive Loop Road (Forest Service Housing area), Tribal Trails (it is a county road), Cedar Lane, Daisy Bush Subdivision, Shelby Lane, Wildflower Court, and Dandelion Court.
- L. Any questions that arise about which streets the Town maintains should be directed to the Public Works Department.
- M. Releasing vehicles towed under the Snow Tow Ordinance:
  - 1. Vehicle owners will be directed to the tow company to recover their vehicles per the tow company's procedures and must pay the tow bill prior to release.
  - 2. Prior to releasing the vehicle, the tow company will deliver to the vehicle owner their copy of the parking citation and the tow company will fill out the receipt of service form indicating the vehicle owner was given the citation. The tow company will not accept bond for the citation.
  - 3. The vehicle owner should follow the directions of the back of the citation for resolving the parking citation.

## 9.18 SURREPTITIOUS AUDIO AND VIDEO RECORDING OF EMPLOYEES

- A. No member of the Department, or their designee, shall surreptitiously audio or video record any other member without first notifying the member that the conversation is being

recorded and making a copy of any recording made immediately available to the Chief of Police if requested.

B. The only exception to this policy would be if a member is suspected of being involved in criminal activity and the surreptitious recording is pursuant to the criminal investigation.

#### **9.19 CELL PHONES**

- A. Each required member (as determined by the Chief of Police), shall receive a department issued cell phone.
- B. Each member shall carry their Department issued cell phone with them during their regular work hours and during off-duty hours, except when on pre-arranged PTO. This allows for contact during emergencies or for call out purposes. Off-duty carry does not qualify the member for additional compensation per FSLA rules and regulations.
- C. Each member receiving a Department issued cell phone shall immediately obtain the free NIXLE mass notification service provided by Teton County Emergency Management and receive those NIXLE messages (both voice and text) on their cellular phone for use during large scale incidents or natural disasters.
- D. Each member may use their Department issued cell phone for both personal and business related activities. The member should understand that the Department has a vested interest in the phone service and shall make the phone available for inspection when requested by a supervisor for work related matters. Personal business during on-duty time should be kept to a minimum and not interfere with work related activities or performance.
- E. Due to the fact that cellular phones used by members for both personal and business related purposes could have data from their phones obtained through a subpoena or warrant if requested, it is imperative that members NOT use their cell phone to communicate any information to or from their cellular phone relating to the arrest of any individual. Only police radio or MDC communications should be used under these circumstances. This includes all communications with dispatch or fellow officers.
- F. Cellular phones shall be used in a hands-free mode while operating any motor vehicle owned by the Town of Jackson or the Department, except during emergencies that may necessitate the need to use other means and methods of operation.

#### **9.20 GROUND TRANSPORTATION**

The Department has general oversight and enforcement responsibilities regarding Ground Transportation (GT) vehicles that operate in the Town of Jackson and limited enforcement requirements at the Jackson Hole Airport. The purpose of the Ground Transportation regulations is to enhance safety for the public who utilize Ground Transportation services and to ensure that the fees charged are equally applied.

- A. The Department is responsible for conducting general background investigations on applicants for GT business licenses, operator permits and to inspect GT vehicles for compliance with basic safety standards. It is also the responsibility of the Department to do random inspections of GT operators and vehicles to ensure continued compliance with GT ordinance requirements and regulations.
- B. The Department will strive to process all applications within ten (10) business days from the date of application, not including weekends and holidays. It is imperative that the Department be efficient in the processing of applications to support the local economy and to provide a positive customer service experience for GT business owners and operators who rely heavily upon adequate staffing levels to be viable in the GT industry.

- C. The background process shall be the responsibility of the Investigative Division of the Department. All general backgrounds completed on business owners and operators making application shall be kept confidential and only released to those parties who have a legitimate purpose in knowing the details of the background, such as the Town Council, the Town Manager, and the Chief of Police, or their designee.
- D. Each general background completed shall be done in a standardized method and no elements of the background standards shall be omitted or skipped.
  - 1. The background investigator shall prepare a memo on letterhead stating the outcome of the investigation as to whether the applicant meets the requirements set forth in the GT ordinances, and make a recommendation to the Chief of Police, or their designee, as to whether the investigator believes the applicant is eligible to have a permit issued.
  - 2. Any recommendation for denial shall be supported with documentation as to why the applicant should be denied a permit, as well as a denial letter to the applicant requiring the signature of the Chief of Police.
- E. It shall be the responsibility of the Chief of Police to make the ultimate decision regarding the issuance of a permit or denial of a permit to any person based upon the findings of the background.
- F. If the Chief of Police approves the permit, the application shall be signed by the Chief, or their designee, and returned to the Information Coordinator for final processing as expeditiously as possible. If the Chief denies the permit, he shall cause to be sent a denial letter to the applicant stating the reason for the denial and fully explain to the applicant the process for appealing to the Town Council his decision.
- G. The Department shall maintain electronic lists of those individual approved to operate a GT vehicle, GT vehicles approved for operation, and of all operator permits that are denied, revoked, or suspended.
- H. Department members, as directed by the Chief of Police, or their designee, shall cause to occur random roadside inspections of GT vehicles and drivers as deemed necessary and at intervals deemed necessary, to help ensure adherence to all GT ordinances.
- I. Inspections may occur at the Jackson Hole Airport property or within the Town limits. It is encouraged that members inspect vehicles and drivers who do not have a customer within the GT vehicle so as to not delay the customer from arriving at their destination in an expeditious manner.
- J. Each GT vehicle and driver undergoing inspection for compliance with GT ordinances shall have a GT inspection form filled out by the inspecting member and filed with the Information Coordinator to remain on file for consideration when permits are renewed.
- K. Members are encouraged to issue citations for safety and equipment violations relating to GT vehicles and for non-compliance with operator permit requirements. It is the goal of the Department to maintain a safe and secure environment for all users of GT services and strict adherence to the GT requirements by operators help to achieve that goal.
- L. When GT operators are issued citations or arrested, the Chief of Police should be notified of the violation via memorandum.

## 9.21 ROBBERY ALARM RESPONSE

- A. Robbery alarms require a unique response to ensure the safety of Department members and the public. All alarms of this nature should be treated as valid until on scene members have proven otherwise, regardless of additional information received by dispatch after the call has been aired.

- B. No matter what the alarm is titled by the alarm company, "Panic," "Hold Up," "Distress," members should always assume that the alarm is a robbery alarm and respond accordingly.
- C. When dispatch airs an alarm at a location such as a bank, the responding members should, upon arrival at the location, state their position in reference to the building. Upon the arrival of the first member, "10-33" traffic should be initiated on the primary channel.
- D. Once the primary officer feels that a sufficient perimeter has been established, the primary officer should request for dispatch to attempt to contact the occupants of the building and have a responsible person step outside to meet with a member. The dispatcher should get the employees description, and relay this information to the primary officer.
- E. Once the primary officer is satisfied that the alarm is false, and no further investigation is needed, the "10-33 traffic" should be lifted and the call completed.

## 9.22 BURGLARY ALARM RESPONSE

- A. All burglar alarms require a timely response. If additional information is gleaned by dispatch that would suggest the alarm was accidentally triggered or is false, the member should take that information into consideration when deciding what type of response if any is warranted.
- B. In instances where the alarm appears to be false, members should make a reasonable effort to contact a responsible party. If a responsible party is responding to the scene, members should remain on scene when reasonable until the responsible person arrives and it is confirmed the alarm is false.
- C. If no responsible party can be reached, members may clear the scene once they confirm it is secured, however, if the alarm is valid no location should be left unsecured until reasonable measures have been taken to re-secure the facility.
- D. Members are encouraged to leave a business card at the premises notifying the property owner that they responded to an alarm in instances where no responsible party responded.
- E. Members should determine the most likely contributing cause of the alarm and advise dispatch of the likely cause upon clearing the location.
- F. In instances in which frequent false alarms are received from a location, the Operations Lieutenant should be advised via memo so that follow-up can be done with the property owners to resolve the matter of the false alarms.
- G. Members are expected to respond to all alarms unless they are otherwise directed by a supervisor to not respond.
- H. Locations experiencing frequent false alarms may be placed on a temporary hold in which members would not be dispatched to the alarm until it can be repaired. If a member encounters a location that should be considered to be placed on a hold status, they should notify their immediate supervisor via memo, who in turn shall notify the Operations Lieutenant. No hold shall be placed on an alarm unless reasonable steps have been taken to notify the property owner or responsible party.

## 9.23 DUI OR IMPAIRED DRIVING

The Department recognizes the inherent risk to the public caused by impaired drivers. Therefore, the Department will proactively enforce DWUI (Driving While Under the Influence) laws.

- A. Detection
  - 1. Members will adhere to the most recent National Highway Traffic Safety Administration (NHTSA) standards to detect possible impairment and to establish probable cause when making a DWUI arrest.

2. The Department will respond and attempt to locate REDDI (Report Every Drunk Driver Immediately) reports within the Town of Jackson. REDDI reports alone, do not serve as reasonable suspicion to initiate a traffic stop.
3. REDDI reports in which a caller wishes to sign a complaint for a traffic violation that occurred within the Town of Jackson can serve as reasonable suspicion to make a traffic stop for a violation that occurred outside the member's presence.

B. Post Arrest Procedures

1. Once a driver is placed under arrest for DWUI, members shall read them the Wyoming Implied Consent Advisement as required by law. Members should consider the totality of the circumstances when determining the most appropriate type of chemical test to request.
2. If the DWUI incident involves serious bodily injury or death, a forced blood draw shall occur if the arrestee refuses to submit to chemical testing according to Wyoming state statute.
3. If a arrestee is dead, unconscious, or otherwise in a condition rendering them incapable of cooperating with the administration of the tests, they are deemed to have given their consent and a blood draw shall occur according to Wyoming state statute.
4. The use of physical force to remove blood must be authorized by the on-duty Sergeant. If a Sergeant cannot be located, the shift's Corporal may be utilized as the authorizing supervisor.
5. When in doubt regarding using force to obtain a blood draw, contact the on-call county prosecutor.
6. If the DWUI incident does not involve serious bodily injury or death and the arrestee refuses to submit to a chemical test, the officer shall advise the arrestee that a search warrant will be sought in order to obtain a blood sample. If the arrestee still refuses to submit to a chemical test, a search warrant shall be sought from the appropriate court.
7. Once a DWUI search warrant is obtained, the member will present the arrestee with the warrant and demand they comply. If the arrestee complies with the warrant, collect the sample with the assistance of medical personnel at St. John's Medical Center and book the sample as evidence.
8. If the arrestee refuses to allow the sample to be collected after being served with the warrant and commanded by the member to comply, a member will not forcibly take the sample. Instead, the member will inform the arrestee that they will be charged with additional crimes if they refuse to allow the sample to be collected.
9. The members should give detailed information in their report regarding the arrestee's actions or statements that prevented the warrant from being served. If the charges are to be in Circuit Court, an additional charge of interference with a peace officer should be added to the arrestee's charges. If the charges are to be in Municipal Court, provide details of the refusal to cooperate in the Probable Cause Affidavit.
10. When a member obtains a DWUI search warrant, the arresting officer should complete a search warrant return and provide the suspect with a copy of the return and the service copy of the warrant in their property at the jail.
11. The arresting officer will provide the original affidavit, warrant, and warrant return to the Department records staff along with the other relevant DWUI paperwork so that the documents can be properly processed with the court.

**9.24 AIRPORT OPERATIONS**

- A. The Department is responsible for basic public safety at the Jackson Hole Airport (JAC) facility via a memorandum of understanding (MOU) established between the Town of Jackson and the Jackson Hole Airport Board.
- B. Federal Law requires that law enforcement officers be present during most operating hours and thus it is imperative that Jackson Police Officers be present at the airport during the hours agreed upon in the most current contract.
- C. Upon arriving at JAC for duty, members are required to clock in to record their presence. In return, members are also required to clock out at the end of their shift.
- D. All members are to be in full uniform while on duty at JAC. In addition, they must have their current SIDA card on their person and in view at all times while on duty at JAC.
- E. Members are expected to be visible and proactive in crime prevention while on duty at JAC.
  1. Required duties include alarm response, vehicle and SIDA badge inspections, taxi inspections and taxi operator permit inspections, a physical presence in and around the terminal, sterile area, screening area, and general calls for service.
  2. Anytime a citation is issued or an arrest is made on JAC property, the JAC Airport Security Coordinator must be notified.
- F. At times members will be given potentially dangerous contraband that is surrendered to or seized by TSA employees that is not suitable for disposal in a trash receptacle.
  1. In this event, members shall create an event and document the fact that the item(s) were collected for destruction. It is imperative that members secure the items collected until they can be brought to the Department for destruction.
  2. Members should bring the seized items to the Police Department and surrender them to the bomb team leader who will determine the best way to destroy them. It will be the responsibility of the bomb team leader to properly dispose of or destroy the seized item and once the item is destroyed the bomb team leader shall note such in the original event
  3. All other items that are seized as evidence or for safekeeping shall be booked into evidence at the Department.
  4. Lost and found items given to members at JAC should be turned over to JAC lost and found for follow-up unless the member determines there is an extenuating circumstance that would necessitate booking it into the Department evidence room for safekeeping until it can be returned.

**9.25 PRESCRIPTION DRUG DROP BOX**

- A. The Department will have a prescription drug drop box to assist in collecting unwanted or unneeded medications. This box shall be the collection spot for medications surrendered to the Department for destruction from the public.
- B. The surrender of the medications is anonymous and no questions shall be asked of individuals dropping medications into the box.
- C. If members collect medications on the street for surrender (not as evidence), they shall create an event with the weight of the surrendered medications and the fact that they were deposited in the drop box for future destruction.
- D. The drop box shall be securely fastened to a permanent structure so that it cannot be removed. The lock box shall be a securely locked, substantially constructed container with a permanent outer shell and a removable inner liner.

1. The outer container shall include a small opening that allows contents to be added to the inner liner, but does not allow removal of the inner liner's contents.
2. The outer container shall prominently display a sign indicating that only non-controlled drugs and Schedule II, III, IV, or V controlled substances are acceptable. In addition, the sign shall note that only drugs in pill or tablet form will be accepted; no liquids, creams, pastes, gels, patches, or needles will be accepted.

E. It shall be the duty of the evidence custodians to monitor the contents of the drop box on a routine basis and to empty it when appropriate. All drugs collected in the drop box shall be turned over to the DEA in conjunction with the National Take Back Initiative that the Department and DEA jointly participate in.

1. Anytime the drop box is emptied an information report will be generated and the weight of the collected drugs will be documented in the report.
2. The collected drugs will be held in evidence until turned over to the DEA for destruction.
3. All drugs collected in the drop box are considered abandoned property and thus can be released to DEA for destruction without a court order.

## **9.26 COURT SECURITY**

A. PURPOSE

1. To define the duties and responsibilities of members while providing court security for the Municipal Court of the Town of Jackson.

B. POLICY

1. The Department will assign sworn peace officers to maintain the safety and security of the Municipal Court of the Town of Jackson.

C. PROCEDURES

1. Court Security
  - a. Members assigned to provide court security will be responsible for:
    - (1) Providing overall security of the court room.
    - (2) Carrying out court orders.
    - (3) Managing inmates and making in-court arrests.
    - (4) Managing juries and trial materials.
    - (5) Setting up and inspecting court rooms.
  - b. Members assigned to court security will maintain custody of any inmate in his or her charge and any person remanded to the custody of the Teton County Detention Center by the judge. Persons remanded to the Detention Center by the judge will remain in the custody of the court security officer until a detention officer arrives to assume custody.
  - c. If a detention officer is not available, the court security officer may transport the inmate to the detention center. If the person remanded cannot be taken to the detention center immediately, they will be placed in the courtroom's holding cell until transport to the detention center can be arranged.
2. Escorting Inmates
  - a. When there is more than one inmate being escorted to or from court, there shall be at least two (2) members present during the escort.
  - b. Members escorting inmates to or from court will be armed. Armed members will remain at a distance that prevents the possibility of losing their firearm to an inmate.

- c. Inmates transported to court shall be belly chained and chained to each other (Daisy Chain) while being escorted to court. Individual inmates may also need to be leg restrained as necessary. Restraints will not be removed unless the court requests they be removed.
3. Holding Cells
  - a. At times it may be necessary to place inmates in holding cells within the courthouse.
  - b. Inmates in holding cells shall be checked on at 15-minute intervals to ensure inmate safety and security is being maintained.
  - c. Only sworn officers shall enter the cell or immediate area. All other civilian access while inmates are present is prohibited.
  - d. Female inmates will be kept separate from male inmates at all times.
  - e. Juveniles will not be escorted with adults at any time and never placed in the same holding cell together with adult inmates.
  - f. When a court security officer takes a person into custody, the person shall be placed in handcuffs and searched outside the courtroom near the holding cell. The court security officer will either place the person in the holding cell or escort them to the detention center for booking. Another officer or detention deputy may conduct the escort if the court security officer cannot escort the inmate due to courtroom responsibilities.
4. Courtroom Procedures for Inmates
  - a. Inmates will not wear handcuffs or leg irons while in the presence of a jury unless ordered to do so by the judge (*Knott v. State of Maryland*).
  - b. Inmates are not allowed any contact with anyone other than their attorney or court staff. The judge may order a courtroom visit. The court security officer will observe both parties to ensure there is no touching or exchange of any kind between the two parties.
  - c. No person will be allowed to give money, clothing, or packages of any kind to an inmate while in court.
  - d. It is the responsibility of the court security officer to ensure inmates are delivered to the courtroom prior to the commencement of court proceedings.
5. Courtroom Conduct
  - a. Photographing, recording, broadcasting, cell phone use and telephone equipment are not permitted in the courtroom unless authorized by the judge.
  - b. Loud or disruptive behavior, noise, or blocking of passageways of the courthouse or within the courtroom by anyone is prohibited, (Wyo. Stat. Ann. §§ 6-6-302 and 6-6-303).
6. Courtroom Security
  - a. During a normal court session, one (1) court security officer shall be present in the courtroom at any time the judge is present. More court security officers may be needed on a case-by-case basis, i.e. high-risk inmate or high-profile inmate.
  - b. The court security officer shall maintain order and decorum in the courtroom, carry out directives and orders of the court, and make in court arrests when so ordered by the court.

- c. Court security officers will assist members of the public and other court participants as necessary.
- d. Court security officers will patrol the interior areas of the courthouse and the outside perimeter for potential threats to the overall security of the courthouse.

## **9.27 FORCED ENTRY**

### **A. PURPOSE**

- 1. At times it is necessary for members to legally force entry into a building. Typically, this is the result of a violent crime in progress, welfare check, someone in need of immediate medical assistance, or in cases in which evidence is being destroyed.

### **B. POLICY**

- 1. Members are authorized to force entry into a structure or vehicle to save human life, when in fresh pursuit of a fleeing suspect, or to preserve a crime scene that would otherwise be destroyed.

### **C. PROCEDURES**

- 1. If a member of the Department forces entry into a structure or vehicle, the following procedures shall be followed:
  - a. Notify a supervisor as soon as practical. If a supervisor is not on-duty, make the notification by telephone.
  - b. Photographing the scene is imperative. Photos should be taken of the building starting from the front and working in, showing street numbers or some other identifying information. Take a sufficient number of photo's to accurately show any damage, or the fact there was little or no damage. These photos shall be attached to the report for documentation purposes. Upon approval, the supervisor shall forward a copy of the report to the Operations Lieutenant for review.
  - c. In the event there is no crime report (i.e., forced entry was made to allow EMS access on a medical incident) the member forcing entry will complete an "information-only" report in the RMS system to document the incident. The narrative in the report should contain the names of any Fire/EMS/Sheriff or other personnel present and describe the damage or lack of damage. Photos will be taken and attached to the evidence section of the report with estimates of the extent of the damage based upon the member's best judgement. The member shall also be required to send a memo to their sergeant advising, that forced entry occurred with reference to the case number for the incident. After sergeant review of the case occurs, this memorandum will be forwarded to the Operations Lieutenant for final policy review and follow-up on replacement costs for damaged property, as applicable.
  - d. Members should make every attempt to notify a responsible party to respond and secure the location if the damage causes the location to be unsecured. If no responsible party can be reached, the member will make every effort to secure the location. In the event the location cannot be secured and there is a compelling need to secure the building, Public Works personnel shall be asked to respond to secure the building. An officer or CSO will stand by at the location until Public Works personnel arrives and secures the building.

- e. In all cases where forced entry was made, the member will leave a business card with his/her name and the event number written on the card. The card will be left in an obvious location inside the building or given to the responsible party on scene.
- f. The same protocols will be followed anytime forced entry is made to gain access to a vehicle, regardless of the circumstances.

## 9.28 NCIC AND RMS REQUIREMENTS

- A. SECURITY TRAINING: The Department shall ensure that all members who have access to the NCIC database receive training within six (6) months of hire, and every two (2) years thereafter.
- B. CLEARANCE: All employees of the Town of Jackson or members of the JPD who have access to NCIC or the RMS system shall undergo a complete and thorough background to include fingerprint clearance before being granted access to either database. No person convicted of a felony may be permitted access to either database without the written consent of the Director of the Wyoming Division of Criminal Investigation.
- C. RESTRICTED USE: Members who have access to the NCIC and RMS database shall only use the information contained therein for official criminal justice purposes.
- D. CONFIDENTIALITY: Members shall maintain strict confidentiality of all information obtained from the NCIC and RMS database, to include the contents of criminal histories. Confidentiality must be maintained while employed and after employment ends.
- E. MEDIA PROTECTION: Members shall closely guard all physical and digital media of CJIS (Criminal Justice Information System) data. Members may summarize criminal histories in a supplemental report within the RMS and destroy the original hard-copy once complete. Members shall document in the report that the original hard copy was destroyed and when. All other physical and digital media shall be destroyed in a manner sufficient to preclude recognition or reconstruction of information.
- F. ACCESS CONTROL: All hardware and software that processes, stores, or transfers CJI (Criminal Justice Information) shall be physically protected through access control measures to include, but not limited to physical barriers, physical locks, electronic locks controlled by badge readers, or direct supervision by Department members. The Department shall maintain a visitor's log of all non-authorized persons who enter the facility with an escort, as required by NCIC rules and regulations.
- G. MOBILE DATA TERMINALS: Members equipped with an MDT in their vehicle shall ensure that their vehicle is locked at all times when the vehicle is not occupied. Members must take basic measures to ensure that their MDT screen is not visible to the public where it is likely that information on the screen could be read by non-authorized personnel.
- H. UNAUTHORIZED RELEASE: Unauthorized release of NCIC or RMS data for non-criminal justice purposes may result in civil and/or criminal penalties. Members may also receive disciplinary action, including but not limited to, termination of employment for the unauthorized release of NCIC or RMS data for non-criminal justice purposes. Additionally, any activities which result in unauthorized modification or destruction of system data, loss of computer system processing capability, or loss by theft of any computer system media including chip ROM memory, optical or magnetic storage medium, hardcopy, printout, etc., may also receive disciplinary action, including but not limited to, termination of employment.

- I. **PASSWORDS:** All employees of the Town of Jackson or members of the Department who have access to NCIC or the RMS system shall follow the secure password attributes, below, to authenticate an individual's unique ID. Passwords shall:
  - 1. Be a minimum length of eight (8) characters on all systems.
  - 2. Not be a dictionary word or proper name.
  - 3. Not be the same as the User-ID.
  - 4. Expire within a maximum of 90 calendar days.
  - 5. Not be identical to the previous ten (10) passwords.
  - 6. Not be transmitted in the clear outside the secure location.
  - 7. Not be displayed when entered.
- J. **DISPOSAL:** All fixed storage media, e.g., hard disks, RAM disks, removable media back-up devices, etc., containing CJIS data shall be disposed of in a method sufficient to preclude recognition or reconstruction of information and a method of verification the procedures were successfully completed. Additionally, IT storage media that will be reused by another entity shall be sanitized. The steps taken to sanitize this media shall be documented via email to the Chief of Police.
- K. **IDENTIFICATION/USER-ID:** Town of Jackson IT personnel shall validate system accounts on a regular basis to insure accuracy and deactivate accounts immediately upon employee separation from employment.
- L. **ADVANCED AUTHENTICATION:** Town of Jackson IT personnel shall use advanced authentication procedures when providing remote maintenance for the direct access information system from non-secure locations.
- M. **AUDIT LOGS:** Town of Jackson IT personnel shall review system audit logs, at a minimum of once a week, for inappropriate, unusual, or suspicious activity.
- N. **INCIDENT RESPONSE:** Any security incidents that may arise shall be reported immediately to a supervisor. The supervisor will immediately report the security incident to the TCSO Dispatch Terminal Agency Coordinator. A memo will be completed and submitted to the TCSO Dispatch Terminal Agency Coordinator and copied to the Operation's Lieutenant.
- O. **NCIC EXIT BRIEFING:** Purpose. All Members must understand that the confidentiality of NCIC derived information must be maintained, even after a separation in employment. The Department must take all reasonable precautions to ensure the integrity of the NCIC system. This procedure will outline exit briefing procedures to accomplish these tasks. Procedure. Prior to a member's final day of employment, that member shall read and sign the "JPD NCIC/CJIS EXIT BRIEFING" form. This form must be signed by the members, a representative of the Department (preferably a Supervisor or Lieutenant), and a witness to both signatures. The Department Communications Supervisor or their designee shall ensure that the "REMOVAL OF OPERATOR" section of the "TERMINAL OPERATOR LOGON ACTIVATION/DELETION REQUEST FORM" (available from the Division of Criminal Investigation Control Terminal (DCI)) is completed with the departing member's information and sent to DCI. The person completing this form shall confirm the receipt of the form with DCI, and then complete the bottom section of the "JPD NCIC/CJIS EXIT BRIEFING" form.

## **9.29 LICENSE PLATE READER TECHNOLOGY (LPR)**

- I. **Policy**
  - A. **General Policy**
    - 1. It is the purpose of this policy to provide Department members with guidelines and principles for the access, use, dissemination, retention, and purging of license plate

recognition (LPR) query results to ensure that the query results are used for legitimate law enforcement purposes only and the privacy, civil rights, and civil liberties of individuals are not violated.

2. This policy assists the Department in:
  - a. Increasing public safety and improving state, local, tribal, territorial, and national security.
  - b. Minimizing the threat and risk of injury to specific individuals.
  - c. Promoting governmental legitimacy and accountability.
  - d. Minimizing the risks to individual privacy, civil rights, civil liberties, and other legally protected interests.
  - e. Protecting the integrity of the criminal investigatory, criminal intelligence, and justice system processes and information.
  - f. Minimizing the threat and risk of damage to real or personal property.
  - g. Increasing trust by maximizing transparency.
  - h. Making the most effective use of public resources allocated to public safety entities.
3. Authorized uses of the LPR System are to:
  - a. Enhance National and Wyoming AMBER/SILVER alerts or other law enforcement alerts and real-time response capability by deploying and networking LPRs across the Town to more rapidly identify and locate vehicles related to potential child-abduction and similar serious crimes.
  - b. Signal law enforcement that a particular license plate on a Hot List is in close proximity to the LPR System.
  - c. Support local, state, federal, and tribal public safety departments in the identification of vehicles associated with/as targets of criminal investigation.

## B. Definitions

1. Alert: A positive indication of a potential match between data on the Hot List and a license plate scanned by the LPR System.
2. Flock Database: A software and hardware situational awareness solution for automatic license plates, and video through Flock's technology platform and upon detection, the capturing and preservation of video and images.
3. Hot List: A file that contains the license plate numbers of stolen vehicles; stolen license plates; AMBER, SILVER, or other law enforcement alerts; lists of license plate numbers known to be associated with specific individuals, such as wanted individuals or missing individuals (e.g., wanted for homicide, rape, robbery, child abduction); or terrorist watch lists. The Motor Vehicle Administration also provides suspended or revoked registrations. A hot list is routinely updated but does not rely on real-time communications with state or federal information sources. LPR hot lists are compiled to serve agency-specified needs.
4. LPR Query Result: The results that the Department is given access to through the Flock Database depending on the parameters of the Department-initiated search query or obtained via request to another Flock Customer.
5. License Plate Recognition (LPR) System: Equipment used to capture license plate images and associated data. The equipment may include the following: One or more

LPR cameras, processor for converting the images to text, Optical Character Recognition (OCR) engine optimized for reading license plates, GPS receiver, brackets or mounting hardware, and connect cables.

C. Information Subject to this Policy

1. This policy applies to access, use, dissemination, retention, and purging of LPR query results in the possession of the Department. It is not intended to apply and does not apply to any other types of information accessed, retained, or used by the Department.

D. Persons Subject to This Policy

1. All members of the Department that are sworn peace officers.

E. Investigative Technique

1. All those to whom this Policy applies will comply with applicable laws and policies concerning privacy, civil rights, and civil liberties, including, but not limited to those in the Wyoming State Statutes, the Wyoming Constitution, the United States Code Annotated, and the U.S. Constitution.
2. Neither an Alert nor an LPR Query Result may be the sole basis to take police action; rather, it must be corroborated by further appropriate investigation to determine the validity of the Alert or LPR Query Result before taking any action.
3. The investigative techniques used by the Department to corroborate Alerts and LPR Query Results must be the least intrusive as necessary in the particular circumstances.

F. Governance and Oversight

1. The Department's Police Technology Manager, or, by written designation, the Police Systems Administrator, will serve as the LPR administrator who will be responsible for the following:
  - a. Overseeing and administering the LPR program.
  - b. Acting as the authorizing official for individual access to LPR System.
  - c. Ensuring and documenting that LPR access is granted only to members who have successfully completed a background check and training.
  - d. Conducting audits quarterly to ensure compliance with applicable laws, regulations, standards, and policy.
  - e. Ensuring LPR equipment, software, and components are properly maintained in accordance with the manufacturer's recommendations and/or any published industry standards.
  - f. Ensuring maintenance of an audit trail of accessed, requested, or disseminated LPR queries, which will be kept permanently and which logs will include:
    - a. The name of the member.
    - b. The date and time of query or access.
    - c. The specific information queried or accessed.
    - d. The modification or deletion, if any, of LPR queries.
    - e. The authorized law enforcement justification for query or access, including a relevant case number if available.
2. Department will employ credentialed, role-based access criteria, as appropriate, to control:
  - a. The LPR Query Results to which a particular group or class of users may have access based on the group or class.

- b. The assignment of roles (e.g., administrator, manager, operator, and user).
- c. The categories of information that a class of users are permitted to use in order to update a Hot List, including information being utilized in specific investigations.
- d. Any administrative or functional access required to maintain, control, administer, audit, or otherwise manage the information or equipment.

#### G. Querying Flock LPR Database

- 1. The Department may only query the Flock Database for LPR information that satisfies one or more of the following:
  - a. Is based on a possible threat to public safety or the enforcement of the criminal law.
  - b. Is based on or related to an official missing person(s) alert.
  - c. Is based on reasonable suspicion that an identifiable individual or organization has committed a criminal offense or is involved in or planning criminal (including terrorist) conduct or activity that presents a threat to any individual, the community, or the nation and that the information is relevant to the criminal (including terrorist) conduct or activity.
  - d. Is relevant to the investigation and prosecution of suspected criminal (including terrorist) incidents; the resulting justice system response; the enforcement of sanctions, orders, or sentences; or the prevention of crime.
  - e. Is directly related to an active investigation of the Department and the source of the information is reliable and verifiable or limitations on the quality of the information are identified, and the information was lawfully collected (e.g., it does not infringe on the federal or state constitutional rights of any individual, group, or organization).
- 2. The Department will not query the Flock Database for:
  - a. Information that does not meet at least one basis set forth in G.1.
  - b. Any purpose that violates the Federal or the State Constitution or laws of the United States or the State of Wyoming or Town of Jackson Municipal Code.
  - c. Information about individuals or organizations based solely on their religious, political, or social views or activities; their participation in a particular noncriminal organization or lawful event; or their race, ethnicity, citizenship, place of origin, age, disability, gender, gender identity, sexual orientation, pregnancy status, or other classification protected by law.
- 3. Information Obtained via a Query.
  - a. LPR cameras may be mobile (mounted on vehicles) or stationary (i.e., mounted to a structure) and LPR Query Results will contain an optical character recognition interpretation of the captured image, a photo of the license plate and a contextual photo of an area surrounding the plate that could range from a few inches to a larger area around the entire vehicle, the geographic coordinates of where

the image was captured, the date and time of the recording, and the specific camera/unit that captured the image.

- b. LPR Query Results will contain images of license plates that are available to public view (e.g., vehicles that are on a public road or street or that are on private property but whose license plates[s] are visible from a public road, street, or place to which members of the public have access, such as the parking lot of a shop or other business establishment) and that identify specific vehicles.

4. Information Not Obtained in a Query.

- a. Information obtained by the Department from queries of the Flock Database does not include specific identification of individuals.
- b. Information obtained by the Department from queries of the Flock Database does not contain audio recordings.

5. The Department will indirectly acquire LPR information from other law enforcement agencies only in accordance with this Policy.

H. Authorized Uses for LPR Query Results.

1. Authorized uses of LPR Query Results are the following:

- a. Access to or disclosure of LPR Query Results will be provided only to individuals within the Department who are authorized to have access and only for legitimate law enforcement purposes as defined herein. This means that dissemination of LPR Query Results are permitted only if:
  - a. There is a legal basis requiring dissemination, or
  - b. There is reasonable suspicion that an individual or enterprise is involved in criminal conduct or activity, and the LPR Query Result is directly relevant to that suspected criminal conduct or activity and the receiver has a legitimate need to know.

2. The Department will prohibit access, use, and dissemination of LPR Query Results for:

- a. Any purpose that violates the Federal and State Constitution or laws of the United States or the State of Wyoming.
- b. Non-law enforcement or personal purposes.
- c. Discriminatory purposes.
- d. The purpose of prohibiting, infringing upon, or deterring activities protected by the First Amendment, such as freely practicing one's religion, freedom of speech and peaceful assembly, freedom of the press, and the right to petition the government for the redress of grievances.
- e. The purpose of prohibiting or deterring lawful individual exercise of other rights, such as freedom of association, implied by and secured by the U.S. Constitution or any other constitutionally protected right or attribute.
- f. Harassing and/or intimidating any individual or group.
- g. Any other access, use, disclosure, or retention that would violate applicable law, regulation, or policy.

3. Sharing and Disseminating LPR Query Results

- a. The Chief of Police must approve the execution of a query and the sharing of any Query Results with an outside law enforcement agency and verify the reason for executing the query and/or sharing

the Query Results is for a legitimate purpose. The Chief of Police has the authority to deny a request to execute a query and/or share LPR Query Results with an outside law enforcement agency even if the request is for a proper purpose. The Chief of Police may, in individual and occasional times of planned absences and mental incompetence due to medical reasons, in writing, designate the Operations Lieutenant to make this determination.

- b. Any other execution of a query and/or share of LPR Query Results with an outside law enforcement agency is strictly prohibited.
- c. Pursuant to Wyo. Stat. Ann. § 16-4-202(d)(iii), the Department does not create records to fulfill public records requests and no query will be performed (and document created) in response to a public record request.
- d. The Department protects all LPR Query Results as personally identifiable information (PII) because LPR information may be combined with other information to specify a unique individual (i.e., the identity of an individual could be directly or indirectly inferred by using information that is linked or linkable to that individual). The Department collects, receives, accesses, uses, disseminates, retains, and purges LPR Query Results because they can be linked to an individual to further an authorized mission.

I. Information Quality Assurance

1. Original LPR Query Results will not be altered, changed, or modified in order to protect the integrity of the data. Any changes will be maintained as a separate and additional record, and such record will be identified as having been modified.
2. The Department will investigate, in a timely manner, alleged errors and deficiencies of LPR Query Results or, if applicable, will request that the originating agency or Flock investigate the alleged errors and deficiencies.
3. The Department will correct, notate, delete, or refrain from using LPR Query Results the Department originated or received and found to be erroneous or deficient.

J. Information Retention and Purging

1. All LPR data contained within the Department's files will be stored for a period not to exceed 90 days. After 90 days, the information will be automatically purged (i.e., permanently removed from the system).

K. Training

1. Before access to the Department's LPR System and/or Query Results is authorized, the Department will require all authorized Department members to participate in training regarding implementation of and adherence to this LPR policy.

**9.29.5 PARKING LICENSE PLATE READER SYSTEM****A. General Policy**

1. It is the purpose of this policy to provide Department members with guidelines and principles for the access, use, dissemination, retention, and purging of the parking license plate recognition system (Parking LPR System) to ensure that the information is used for legitimate law enforcement purposes only and the privacy, civil rights, and civil liberties of individuals are not violated.
2. This policy assists the Department in:
  - a. Management Town of Jackson parking resources and facilities.
  - b. Promoting governmental legitimacy and accountability.
  - c. Minimizing the risks to individual privacy, civil rights, civil liberties, and other legally protected interests.
  - d. Increasing trust by maximizing transparency.
  - e. Making the most effective use of public resources allocated to public safety entities.
3. Authorized uses of the LPR system are to:
  - a. Enforce parking laws and regulations; and
  - b. Enforce vehicle laws and regulations.

**B. Definitions**

1. Alert: A positive indication that a potential license plate is in violation of a parking ordinance or determined to be a match of a vehicle the Municipal Court has ordered to be booted.
2. Parking License Plate Recognition Information: The images and the metadata associated with them collected by the Parking LPR System. Information files typically contain the following information black-and-white license image, contextual color image, electronically readable format of plate, alphanumeric characters of license plate numbers, location and GPS coordinates, time and date of image capture, camera identification.
3. Parking License Plate Recognition System: Equipment used to capture license plate images and associated data. The equipment may include the following: One or more LPR cameras, processor for converting the images to text, Optical Character Recognition (OCR) engine optimized for reading license plates, GPS receiver, brackets or mounting hardware , and connect cables.

**C. Information Subject to this Policy**

1. This policy applies to access, use, dissemination, retention, and purging of Parking LPR Information in the possession of the Department.

**D. Persons Subject to This Policy**

1. All members of the Department.

**E. Investigative Technique**

1. All those to whom this policy applies will comply with applicable laws and policies concerning privacy, civil rights, and civil liberties, including, but not limited to those in the Wyoming State Statutes, the Wyoming Constitution, the United States Code Annotated, and the U.S. Constitution.
2. A Parking LPR System Alert may be the sole basis for issuing a notice of parking violation.

3. A Parking LPR System Alert may not be the sole basis for police action, however; rather, in such instances the alert must be corroborated by further appropriate investigation to determine the validity of the alert before taking any action.
4. The investigative techniques used by the Department to corroborate Parking LPR System Alerts must be the least intrusive as necessary in the particular circumstances.

**F. Governance and Oversight**

1. The Department's Police Technology Manager, or, by written designation, the Police Systems Administrator, will serve as the Parking LPR System administrator who will be responsible for the following:
  - a. Overseeing and administering the Parking LPR System.
  - b. Acting as the authorizing official for individual access to Parking LPR System.
  - c. Ensuring and documenting that Parking LPR System access is granted only to members who have successfully completed a background check and training.
  - d. Conducting audits quarterly to ensure compliance with applicable laws, regulations, standards, and policy.
  - e. Ensuring Parking LPR System equipment, software, and components are properly maintained in accordance with the manufacturer's recommendations and/or any published industry standards.
  - f. Ensuring maintenance of an audit trail of the Parking LPR System, which will be kept permanently and which logs will include:
    - a. The name of the member.
    - b. The date and time of access.
    - c. The specific information accessed.
    - d. The modification or deletion, if any, of Parking LPR System information.
    - e. The authorized law enforcement justification for access, including a relevant case number if available.
2. Department will employ credentialed, role-based access criteria, as appropriate, to control:
  - a. The Parking LPR System Information to which a particular group or class of users may have access based on the group or class.
  - b. The assignment of roles (e.g., administrator, manager, operator, and user).
  - c. Any administrative or functional access required to maintain, control, administer, audit, or otherwise manage the Parking LPR System information or equipment.

**G. Parking LPR System Information**

1. Information Obtained by the Parking LPR System.
  - a. Parking LPR System cameras are mobile (mounted on vehicles) and records will contain an optical character recognition interpretation of the captured image, a photo of the license plate and a contextual photo of an area surrounding the plate that could range from a few inches to a larger area around the entire vehicle, the geographic coordinates of where the image was captured, the date and time of the recording, and the specific camera/unit that captured the image.

- b. Parking LPR System information will contain images of license plates that are available to public view (e.g., vehicles that are on a public road or street or that are on private property but whose license plates[s] are visible from a public road, street, or place to which members of the public have access, such as the parking lot of a shop or other business establishment) and that identify specific vehicles.

2. Information Not Obtained in a Query.

- a. Information obtained by the Department from the Parking LPR System does not include specific identification of individuals.
- b. Information obtained by the Department from the Parking LPR System does not contain audio recordings.

#### H. Authorized Uses for Parking LPR System Information

1. Access to or disclosure of Parking LPR System Information will be provided only to individuals within the Department who are authorized to have access and only for legitimate law enforcement purposes as defined herein.
2. The Department will prohibit access, use, and dissemination of Parking LPR System Information for:
  - a. Any purpose that violates the Federal and State Constitution or laws of the United States or the State of Wyoming.
  - b. Non-law enforcement or personal purposes.
  - c. Discriminatory purposes.
  - d. The purpose of prohibiting, infringing upon, or deterring activities protected by the First Amendment, such as freely practicing one's religion, freedom of speech and peaceful assembly, freedom of the press, and the right to petition the government for the redress of grievances.
  - e. The purpose of prohibiting or deterring lawful individual exercise of other rights, such as freedom of association, implied by and secured by the U.S. Constitution or any other constitutionally protected right or attribute.
  - f. Harassing and/or intimidating any individual or group.
  - g. Any other access, use, disclosure, or retention that would violate applicable law, regulation, or policy.

3. Sharing and Disseminating Parking LPR System Information

- a. The Chief of Police must approve the execution of a query of and the sharing of any Parking LPR System Information with an outside law enforcement agency and verify the reason for executing the query and/or sharing the Parking LPR System Information is for a legitimate purpose. The Chief of Police has the authority to deny a request to execute a query and/or share Parking LPR System Information with an outside law enforcement agency even if the request is for a proper purpose. The Chief of Police may, in individual and occasional times of planned absences and mental incompetence due to medical reasons, designate the Operations Lieutenant to make this determination.
- b. Any other execution of a query and/or share of Parking LPR System Information with an outside law enforcement agency is strictly prohibited.

- c. Pursuant to Wyo. Stat. Ann. § 16-4-202(d)(iii), the Department does not create records to fulfill public records requests and no query will be performed (and document created) in response to a public record request.
- d. The Department protects all Parking LPR System Information as personally identifiable information (PII) because Parking LPR System Information may be combined with other information to specify a unique individual (i.e., the identity of an individual could be directly or indirectly inferred by using information that is linked or linkable to that individual). The Department collects, receives, accesses, uses, disseminates, retains, and purges Parking LPR System information because it can be used to further an authorized mission.

**L. Information Quality Assurance**

- 1. Parking LPR System Information will not be altered, changed, or modified in order to protect the integrity of the information. Any changes will be maintained as a separate and additional record, and such record will be identified as having been modified.
- 2. The Department will investigate, in a timely manner, alleged errors and deficiencies of Parking LPR System Information.
- 3. The Department will correct, notate, delete, or refrain from using Parking LPR System information the Department found to be erroneous or deficient.

**M. Information Retention and Purging**

- 1. All Parking LPR System Information contained within the Department's files will be stored for a period not to exceed 90 days. After 90 days, the information will be automatically purged (i.e., permanently removed from the system).

**N. Training**

- 1. Before access to the Parking LPR System Information is authorized, the Department will require all authorized Department members to participate in training regarding implementation of and adherence to this policy.

**9.30 SUSPECTED OPIOID DRUG OVERDOSE TREATMENT POLICY**

**A. PURPOSE**

- 1. To establish policy and procedure for the utilization, storage, and reporting the use of Naloxone (or another opioid antagonist) by trained members within the Department. Naloxone is used to reduce injuries and fatalities due to opioid-involved overdoses and/or exposures.

**B. POLICY**

- 1. It is the policy of the Department to aid any person(s) who may be suffering from an opioid overdose. Members of the Department trained in accordance with this policy should make every reasonable effort, to include the use of Naloxone combined with rescue breaths, to revive the victim of any apparent drug overdose.

**C. PROCEDURE**

**1. TRAINING**

- a. All Department officers are required to be trained in the proper use and reporting of Naloxone.
- b. The training should include the following:
  - (1) An overview of Wyoming State Statutes §§ 33-24-158 and 35-4-903 through 35-4-906.

- (2) Basic patient assessment, including signs and symptoms of an opiate related overdose.
- (3) Universal precautions.
- (4) Rescue breathing.
- (5) Seeking advanced medical assistance.
- (6) Administration of Naloxone.
- (7) Potential side effects of Naloxone.
- (8) Proper reporting procedures established by the Wyoming Department of Health when utilized.

2. ADMINISTRATION
  - a. Officers shall request Emergency Medical Services (JHFEMS) to respond to the scene where any person(s) is believed to be in a potential overdose situation.
  - b. Officers should use universal precautions for protection from blood borne pathogens and communicable diseases when administering Naloxone.
  - c. Officers should assess the need for treatment with Naloxone by evaluating the person and the circumstances of the incident per training protocols. If the person is unresponsive with decreased or absent respirations officers should administer Naloxone following the established training guidelines.
  - d. Officers should remain with the person until EMS personnel arrive on scene when practical to do so. Upon the arrival of EMS, officers shall inform EMS personnel that Naloxone has been administered.
3. MAINTENANCE AND REPLACEMENT
  - a. Naloxone kits shall be carried and/or kept in a manner consistent with proper storage guidelines for temperature and sunlight exposure.
  - b. A monthly inspection of the Naloxone kit is the responsibility of the officer assigned to monitor the kits.
  - c. Used, lost, damaged, or expired Naloxone kits shall be reported to a supervisor who shall determine if a replacement is necessary.
  - d. Expired Naloxone kits shall be disposed of properly. The supervisor who determines the Naloxone kit is no longer serviceable, shall turn over the kit to the Evidence Technician, who in turn shall destroy the kit utilizing approved procedures for destruction of drugs collected or seized by the Department.
4. DOCUMENTATION AND REPORTING:
  - a. A member shall be designated by the Department to maintain a record for Naloxone distributed by the Department. The records shall note the lot number, expiration date, issued date, date returned/used or destroyed.
  - b. Following the administration of Naloxone to any person by a Department member, the member shall notify their supervisor as soon as possible after the incident has stabilized. Documentation shall consist of a report in the RMS system. The report shall include the following information:
  - c. The nature of the incident, which shall include a narrative of the facts, date, time, and explanation of why Naloxone was administered. Complete identity of all people involved, to include witnesses, person who received Naloxone and EMS personnel as practical.

- d. The general medical care received prior to, during, and after the administration of naloxone.
- e. The member assigned to monitor and report the administration of Naloxone shall report its use through the web-based reporting system established by the Wyoming Department of Health. This electronic reporting system is available at <https://opirescue.com/report>.

**9.31 FOUND PROPERTY**

- A. In the instance of found property, if the member assigned to the case can return the property to the owner in a timely manner, the information can be captured in the event notes, including:
  - 1. A list of items returned, along with the manner that the items were returned and to whom they were returned
  - 2. The name of the shipping company and a tracking number, if the items were shipped to the owner.
- B. If a member has made reasonable attempts to return the property but was unable to do so, or the owner cannot be identified, a Case/Crime Report shall be generated and the items will be booked into evidence as either “found” or for “safekeeping” until they can be returned to the owner.
  - 1. A short narrative should explain how the member came into possession of the items and any information on the owner if known.
  - 2. Once the items are booked into an evidence locker they become the responsibility of the evidence technician to store and to return to the owner if possible.
  - 3. Upon returning the items to the owner a release authorization receipt shall be scanned to the report and the release shall be noted on the property page.
    - a. If the items are shipped to the owner, the name of the shipping company and a tracking number shall be entered into the report.