

# Dyersville Police Department Policy Manual



Adopted: June 2018

## Mission Statement

**OUR MISSION** is to be the model of excellence in policing by working in partnership with the community and others to:

**FIGHT** crime and the fear of crime;

**ENFORCE** laws while safeguarding the constitutional rights of all people;

**PROVIDE** quality service to all our residents and visitors; and

**CREATE** a work environment in which we recruit, train and develop an exceptional team of employees.

## Policy Manual Introduction

It shall be the ultimate responsibility of the Police Chief to determine the enforcement needs of the City of Dyersville. The Dyersville Police Department enforces laws firmly and fairly with no favoritism in regulation, and without regard to individual personal preferences or politics. We believe by maintaining the public's confidence at the highest level, the police mission is efficiently accomplished.

The Dyersville Police Department maintains Policy and Procedure Manuals, developed under the direction of the City Council and distributed electronically.

The Dyersville Police Department Policy Manual is a collection of policies, organized by operational and administrative section. Policies are broad stated terms that reflect the Department's mission statement, core values and ethics, guiding principles, and the general parameters of Department operations. Policy is written and published to inform the public and employees of the principles employees are to adhere to in the performance of the Department's law enforcement functions and business operations.

The Dyersville Police Department Procedures Manual is a collection of both the generally applicable and division specific essential procedures, organized by operational and administrative section. Procedures shall not be in conflict with, replace, or supersede anything in the approved Policy Manual. Each procedure is a written directive, applicable to all who perform the action or task. The Police Chief may specify some procedures specific to the department. The Department's specific procedures included in the Procedure Manual shall be limited to those stating the essential elements of the law enforcement action. Failure to perform the specified action in accordance with the procedure is inconsistent with one or more department policies.

Department policy and procedure should not be construed as a creation of higher legal standards of safety or care in an evidentiary sense with respect to third party claims. The failure of an employee

to conform to any provision of policy, procedure, or command directives related to the performance of their duty, may form the basis for an administrative investigation and any resulting discipline.

The manuals are in addition to and do not supersede the City of Dyersville's Employee Policy Handbook, except as necessary to give effect to the express terms of the Collective Labor Agreement. Due to legal and/or safety concerns related to law enforcement services, it may be necessary for the Dyersville Police to implement rules and procedures that vary from the City of Dyersville's Employee Policy Handbook. In such cases, the variance will be clearly identified and, in the event of a conflict, the department policy and procedure will prevail. The Police Chief will work with the City Administrator to resolve any policy conflicts.

The Department Policy and Procedure Manuals will not contain information that is already included in other manuals, directives, job aids, or training; unless it is necessary to restate a standard of performance or the essential steps in a process.

In order to make the Policy Manual and the Procedures Manual effective working documents for Department employees, it is important that users provide comments on their accuracy and usability. Any comments and recommendations for change should be directed to the Police Chief. The manual is intended primarily as a reference document for Department employees.

### **Equal Employment Opportunity**

The City of Dyersville provides equal opportunity to all employees and applicants for employment without regard to race, religion, gender, age, national origin, sexual orientation, gender identity, disability, veteran's status or any other applicable legally protected status.

### **Controlling Terms**

Shall: Mandatory

Will: Indicates compliance as conditions permit.

Should: Advisory.

May: Permissive, depending upon sound judgment, training, and experience.

### **Sexual Harassment**

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature and can involve males or females being harassed by employees of either sex. Although sexual harassment typically involves a person in a greater position of authority as the harasser, individuals in positions of lesser or equal authority also can be found responsible for engaging in prohibited harassment. Third parties, such as customers and vendors, are also prohibited from harassing employees.

The City, and the Police Department, will neither allow nor tolerate sexual harassment in any form by any employee or others. See City of Dyersville's Employee Policy Handbook.

### **Drug Free Workplace**

The Dyersville Police Department is committed to having a drug and alcohol free work environment. Therefore, all employees must abide by the City's Drug-Free Workplace regulation. *See City of Dyersville's Employee Policy Handbook*

### **Violence-Free Workplace**

The Dyersville Police Department Supports the City of Dyersville Violence Free Workplace Policy and will not tolerate acts of workplace violence committed by or against employees. All Dyersville Police Department Employees are strictly prohibited from making threats, whether direct or indirect, or engaging in violent acts. *See City of Dyersville's Employee Policy Handbook*

### **Community Policing Intent**

The Dyersville Police Department recognizes that we are an integral element of the community we serve; hence, we dedicate ourselves to working with our populace at all levels. We are committed to building and strengthening partnerships within our community, with the goal of preventing, lessening and solving crime and working with others on problems.

## Job Descriptions

### Police Chief

1. The Police Chief is expected to perform a variety of complex administrative, supervisory and professional work in planning, coordinating and directing the activities of the Dyersville Police Department. The duties and responsibilities of the position are dictated by standards established by Federal Law, Iowa State Statutes, and Local Ordinances.
2. The police chief has the power and duties as established in Section 30.07 of the City Code.
3. It is the responsibility of the Police Chief to become familiar with and adhere to the provisions of this Order.

### Specific Duties and Responsibilities:

1. Plan, coordinate, supervise and evaluate police department operations.
2. Develop policies and procedures for the department to implement directives from the Mayor and City Council. *See Section 30.08 of City Code*
3. Plan and implement a law enforcement program for the City to better carry out the policies and goals of City Council; review department performance and effectiveness; formulate programs or policies to alleviate deficiencies.
4. Coordinate the information gathered and work accomplished by various officers; assign officers to special investigations on an as-needed basis and in accordance with specific skills of individual officers.
5. Assure that personnel are assigned to shifts or working units which provide optimum effectiveness in terms of current situations and circumstances governing deployment.
6. Evaluate evidence, witnesses and suspects in criminal cases to correlate all aspects and to assess for trends, similarities or for association with other cases.
7. Prepare and present annual budget for the department to the City Administrator, direct the implementation of the department's budget in coordination with the City Administrator; plan for and review specifications for new or replaced equipment for the department.
8. Supervise and coordinate the preparation, documentation and presentation of grants for the department; implement departmental grant program; plan for and review all grant programs that work with the needs and demands of the department.
9. Direct the development and maintenance of systems, records, and legal documents that provide for the proper evaluation, control and documentation of police department operations.
10. Train and develop department personnel.
11. Handle initial grievances within the department; maintain departmental discipline and the general behavior of assigned personnel.
12. Prepare and submit periodic reports to the Mayor and City Council regarding the department's activities and prepare a variety of other reports as appropriate.
13. Meet with elected or appointed officials, other law enforcement officials, community and business representatives and the public regarding all aspects of the department's activities.
14. Attend conferences and meetings to keep abreast of current trends in the field; represent the

- city Police department in a variety of local, county, state and other meetings.
15. Cooperate with County, State and Federal law enforcement officers as appropriate where activities of the police department are involved.
  16. Ensure that laws and ordinances are enforced and that the public peace and safety is maintained.

### **Peripheral Duties**

1. Direct investigations of major crime scenes.
2. Perform the duties of subordinate personnel as needed.
3. Analyze and recommend to the Mayor and City Council improvements to equipment and facilities as needed.

### **Education and Experience**

1. Graduation from college or university with a bachelor's degree or equivalent experience in police science, law enforcement, criminal justice, public administration, and
2. Seven (7) years of experience in police work, three years of which must have been equivalent to police sergeant or higher, and
3. Have or be able to obtain certification as an Iowa Police Officer as required by State Statute.
4. Or any reasonable combination of the above

### **Knowledge, Skills and Abilities**

1. The position requires a thorough knowledge of modern law enforcement principles, procedures, techniques and equipment; considerable knowledge of applicable laws, ordinances and departmental rules and regulations; skill in the use of the tools and equipment to perform police duties and activities; the ability to train and supervise subordinate personnel; ability to perform work requiring good physical condition; ability to communicate effectively orally and in writing; ability to establish and maintain effective working relationships with subordinates, peers and supervisors; ability to exercise sound judgment in evaluation situations and in making decisions; ability to give verbal and written instructions; and the ability to meet the special requirement listed below

### **Special Requirements**

1. The position requires that the Police Chief must possess, or be able to obtain by time of hire, a valid Iowa State Driver's License. The driving record from any State shall be without record of suspension or revocation. Ability to meet the department's physical standards.

### **Tools and Equipment Used**

1. Police car; police uniform, police radio; radar gun; handgun and other equipment as required by the department including baton; handcuffs, breathalyzer, pager, electronic control devices, first-aid equipment; personal computer and applications including but not limited to, word processing and spreadsheet software programs.

### **Physical Requirements**

1. The physical demands described here are representative of those that must be met by an

employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform essential functions.

2. While performing the duties of this job, the employee is frequently required to sit, talk and/or hear. The employee is occasionally required to stand, walk; use hands or fingers to handle or operate objects, controls or tools listed above; reach with hands and arms, climb or balance, stoop kneel, crouch, or crawl, and taste or smell.
3. The employee must occasionally lift and/or move more than 100 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception and the ability to adjust focus.

### **Competencies**

1. The individual shall pass a physical agility test, psychological test, written test and all training that is required by the Iowa Law Enforcement Academy under Chapter 80B of the Iowa Code. The individual must be able to meet and interact with the public in a congenial business-like manner while working within the framework of the City policies. The individual must be capable of working efficiently with time and materials. The individual shall perform work in a good and workmanlike manner, shall comply with all applicable ordinances of the City and call to the attention of the Mayor any violations thereof brought to the individual's attention in the performance of duties, shall comply with all legal and ethical orders and directions of the City Council and Mayor and shall maintain harmonious working relationships with the Mayor, City Council and all other city employees. *See Section 30.08 of City Code*
2. The individual shall pass a physical examination with drug testing required.

### **Term of Employment**

1. The individual shall serve by appointment of the Mayor. Hours of work shall be established by resolution of the council. *See Section 30.06 of City Code*

### **Salary**

1. Compensation shall be established by resolution of the council. *See Section 30.06 of City Code*

### **Hiring**

1. Mayor shall appoint the Chief of Police subject to consent of a majority of the City Council. *See Section 30.06 of City Code.*
2. City of Dyersville is an AA/EOE employer.

## **Assistant Police Chief**

Provide leadership and supervision to assigned officers in a manner consistent with the mission and goals of the Dyersville Police Department. Ensure effective and efficient delivery of law enforcement services to Dyersville and its contract cities. Work directly with citizens and staff to resolve problems/conflicts in a manner which commands public respect and confidence at all times. Perform all the essential duties and responsibilities of patrol officer. During the absence of the Police Chief, the Assistant Chief may be designated as the officer in charge of the department.

### **Primary Objective**

1. Accountable to the Police Chief

### **Essential Duties and Responsibilities**

1. Supervision: Assume responsibilities for the direction and supervision of police services under the direction of the Police Chief. Manage and direct all resource allocation for assigned operations area, including scheduling, training, supervision and special assignments.
2. Guide the activities and work of patrol officer and ensure effective use of all available working hours by each officer.
3. Maintain a favorable working climate for department members
4. Keep the Chief informed of any developments that the chief will need to know about to coordinate the overall functioning of the department.
5. Evaluate performance of each patrol officer assigned and report training needs or ability deficiencies that need to be corrected. Provide counsel to motivate and commend good performance as justified. Initiate disciplinary action when justified.
6. Check log sheets and reports prepared by officers to ensure that they are timely, accurate and complete.
7. Read and approve all reports.
8. Ensure proper use and maintenance of equipment.
9. Training and Development: Foster competence and facilitate development of all subordinates. Ensure that all assigned patrol officers have knowledge of federal, state and local laws; interpretation and application (case law). Ensure that each officer has knowledge of procedures and techniques for legally and safely detaining, searching and arresting suspects. Develop subordinates by encouraging them to take responsibility for various operations and special projects, assist by procuring equipment, training and by removing obstacles.
10. Identify needs, individual experience, and ability and observe performance
11. Note problem indicators especially in important tasks.
12. Assess need for changing individual methods; coach, correct, commend subordinates based upon performance.
13. Monitor performance, ensure follow-up and hold accountable.

### **Planning and Coordination**

1. Participate in short term and long-range planning to set and achieve organizational goals. Receive and organize information regarding public safety hazards, trends, resources, and changes which might affect resource allocation and/or officer performance; formulate



- assignments and responsibilities.
2. Define areas of individual accountability, select strategies for monitoring and evaluating effectiveness, develop back up plans, complete other planning functions as assigned.
  3. Participate in budget preparation.

**Command**

1. Maintain contact with radio to provide assistance and support to patrol.
2. Assist first responding offices with command and coordination of incidents when needed.
3. Assume command and coordination of personnel, equipment, traffic and communications.

**Investigation**

1. Conduct and/or oversee investigations including crime scene processing, interview and interrogation, statements, search warrant preparation, case organization and court preparation.

## Police Officer

### Objective of Position

To preserve peace and public safety and to protect life and property through the enforcement of local, state, and Federal laws, and by providing support and assistance during emergency or crisis situations in a manner which will command public respect and confidence at all times.

Dyersville Police Officers shall effectively perform the following essential duties and responsibilities.

### Functional areas

1. Patrol designated area to ensure preservation of peace and public safety.
2. Inspect persons, places, and property exposed to crime.
3. Identify, report, and/or correct hazards to public safety.
4. Provide services for public convenience.
5. Monitor and enforce compliance with laws.
6. Direct traffic.
7. Administer specialized tests to determine illegal drug or alcohol consumption.
8. Establish and maintain professional relationships with the general public.
9. Maintain a positive, visible law enforcement presence in the community.
10. Identify, apprehend, and assist in the prosecution of suspected violators of the law.
11. Respond to and document reports of crime.
12. Legally stop, detain, identify, and search persons suspected of criminal activity.
13. Plan, conduct, coordinate, and document investigations of possible criminal activity.
14. Interview, question, and/or interrogate victims/complainants, witnesses, informants, and suspects of possible criminal activity.
15. Transcribe notes and recordings into formal written reports which are timely, accurate and complete.
16. Collect and preserve evidence.
17. Coordinate case preparation with assigned prosecutors, law enforcement, and other personnel.
18. Execute search and/or arrest warrants, using only the appropriate level of physical force.
19. Testify in court.
20. Refer victims/complainants to appropriate service agencies.
21. Gather intelligence and other information relating to possible criminal activity.
22. Conduct surveillance operations.
23. Respond to emergency, non-emergency, and crisis situations.
24. Establish control during unusual incidents or civil disorders.
25. Assist in calming neighborhood and family disputes, and appropriate referrals
26. Administer first aid to the sick and injured consistent with current level of training.
27. Perform other related duties as required or assigned.
28. Instruct entry-level personnel as assigned.
29. Acquire and maintain specialized knowledge or skill areas.
30. Instruct others during training sessions, classes, and group meetings.
31. Analyze, organize, and present intelligence and other information relating to suspected criminal activity.

32. Reconstruct incidents using mathematical, computer, and other techniques.
33. Perform background investigations (liquor licenses, employment applicants, etc.) as requested.

### **Minimum Qualifications**

1. Education and Experience (standards are determined by the Iowa Law Enforcement Academy.)
  - a. Applicants must meet one of the following requirements:
    - i. Possess a valid license for Peace Officer in the State of Iowa; or
    - ii. Have the status of “eligible to be licensed” as defined by State of Iowa, or
    - iii. Have completed basic requirements in another state and be considered eligible by the State of Iowa: or
    - iv. Be considered an exception to all of the above options and eligible by the State of Iowa
2. Possess a valid Iowa Class “C” Driver’s License or equivalent.

### **Skills**

1. Skill in accurately observing, perceiving, and recalling persons, places, objects, and incidents.
2. Skill in clearly, concisely, and accurately describing observations in oral or written form.
3. Skill in operating a motor vehicle in a safe, defensive manner, occasionally at high speeds under emergency conditions.
4. Skill in recognizing potential hazards.
5. Skill in questioning, interviewing, and interrogating suspects, witnesses, and informants.
6. Skill in securing and searching crime scenes for the purpose of obtaining evidence.
7. Skill in applying first aid or medical attention to injured persons.
8. Skill in analyzing situations to determine appropriate action.
9. Skill in communicating to exchange or convey information, or give instructions.
10. Skill in executing defensive techniques in perilous situations
11. Skill in the use of firearms and other protective tools and devices.

### **Ability**

1. Ability to maintain and use patrol equipment.
2. Ability to remain alert while seated on patrol for long periods of time.
3. Ability to write legibly.
4. Ability to sketch a diagram and photograph crime scenes and traffic accidents.
5. Ability to take accurate measurements.
6. Ability to use both digital and analog mobile communication equipment.
7. Ability to maintain a professional and businesslike demeanor, even during stressful and adverse situations.
8. Ability to act decisively and forcefully at appropriate times.
9. Ability to understand, implement, and give oral instructions.
10. Ability to pursue and arrest a suspect over varied and demanding terrain.
11. Ability to effect a physically forceful arrest.
12. Ability to exert control over other verbally and physically during crisis and emergency

situations.

13. Ability to read and interpret a variety of legal and technical data.
14. Ability to make arithmetic calculations involving fractions, decimals, and percentages.
15. Ability to establish good working relationships with superiors, peers, and the general public.
16. Ability to be courageous and careful and to use good judgment in crisis and life-threatening situations
17. Ability to apply principles of logical or scientific thinking to define problems, collect data, establish facts, and draw valid conclusions.
18. Ability to maintain relevant certifications and licensure.
19. Ability to identify public safety issues and work collaboratively with stakeholders to solve problems.
20. Ability to work shifts and adjust schedule as necessary.
21. Ability to use deadly force against another person if warranted.

### **Physical Requirements**

1. Must meet the medical standards and possess the physical abilities to perform in all areas of the patrol officer job description.
2. Must be able/willing to wear the designated department uniform and equipment

### **Knowledge**

1. Knowledge of Federal, State and local laws and their interpretations.
2. Knowledge of procedural issues in detaining and apprehending suspects.
3. Knowledge of geographical and cultural aspects of the City and its communities.
4. Knowledge of Departmental policies and procedures.
5. Knowledge of available support and governmental agencies and the services they provide
6. Knowledge of radio communication operation and procedures.
7. Knowledge of procedures and techniques for legally and safely detaining, searching, and arresting suspects.
8. Knowledge of procedures and techniques for collecting, marking, and preserving evidence.

### **Desirable Qualifications**

1. Four-year degree from an accredited college or post-secondary program.
2. Keyboarding and computer related skills

## Core Values

1. *Safety*: Safety is of paramount importance in all aspects of our work. We regard the safety of our employees, our citizens, and our communities as our highest priority.
2. *Service*: We are committed to making decisions in the best interest of the community we serve, providing the highest quality police services, and exceeding our customers' expectations. We embrace community input and involvement to enhance public safety, prevent and solve crime, and address quality of life issues.
3. *Leadership*: We strive to maintain the proud tradition of our past while meeting the challenges of our future. We expect our employees to be leaders in our organization and community. We believe in doing the right thing, in the right way, at the right time, and for the right reasons.
4. *Accountability*: We strive to be courageous, fair, and decisive and hold ourselves accountable for our actions and decisions. We operate openly, maintaining public trust and confidence.
5. *Professionalism*: We require the highest professional and ethical standards and demonstrate honesty and integrity in our words and actions. We treat everyone with respect and dignity, preserve life, protect property, and respect constitutional rights while enforcing the law with fairness and impartiality.
6. *Creativity*: We provide an environment that fosters creative thinking and an individualized and innovative approach to each situation. We continuously seek employee input to improve our practices, programs, and services.

## Law Enforcement Code of Ethics

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

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

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

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice. I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

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

## **Law Enforcement Code of Conduct**

All law enforcement officers must be fully aware of the ethical responsibilities of their position and must strive constantly to live up to the highest possible standards of professional policing.

The International Association of Chiefs of Police believes it important that police officers have clear advice and counsel available to assist them in performing their duties consistent with these standards, and has adopted the following ethical mandates as guidelines to meet these ends.

### **Primary Responsibilities of a Police Officer**

1. A police officer acts as an official representative of government who is required and trusted to work within the law. The officer's powers and duties are conferred by statute. The fundamental duties of a police officer include serving the community, safeguarding lives and property, protecting the innocent, keeping the peace and ensuring the rights of all to liberty, equality, and justice.

### **Performance of the Duties of a Police Officer**

1. A police officer shall perform all duties impartially, without favor or affection or ill will and without regard to status, sex, race, religion, political belief or aspiration. All citizens will be treated equally with courtesy, consideration, and dignity.
2. Officers will never allow personal feelings, animosities, or friendships to influence official conduct. Laws will be enforced appropriately and courteously and in carrying out their responsibilities, officers will strive to obtain maximum cooperation from the public. They will conduct themselves in appearance and deportment in such a manner as to inspire confidence and respect for the position of public trust they hold.

### **Discretion**

1. A police officer will use responsibly the discretion vested in his position and exercise it within the law. The principle of reasonableness will guide the officer's determinations, and the officer will consider all surrounding circumstances in determining whether any legal action shall be taken.
2. Consistent and wise use of discretion, based on professional policing competence, will do much to preserve good relationships and retain the confidence of the public. There can be difficulty in choosing between conflicting courses of action. It is important to remember that a timely word of advice rather than arrest – which may be correct in appropriate circumstance – can be a more effective means of achieving a desired end.

### **Use of Force**

1. A police officer will never employ unnecessary force or violence and will use only such force in the discharge of duty as is reasonable in all circumstances.
2. The use of force should be used only with the greatest restraint and only after discussion, negotiation, and persuasion have been found to be inappropriate or ineffective. While the use of force is occasionally unavoidable, every police officer will refrain from unnecessary infliction of pain or suffering and will never engage in cruel, degrading, or inhumane treatment of any person.

## **Confidentiality**

1. Whatever a police officer sees, hears, or learns of that is of a confidential nature will be kept secret unless the performance of duty or legal provision requires otherwise.
2. Employees of the public have a right to security and privacy, and information obtained about them must not be improperly divulged.

## **Integrity**

1. A police officer will not engage in acts of corruption or bribery, nor will an officer condone such acts by other police officers.
2. The public demands that the integrity of police officers be above reproach. Police officers must, therefore, avoid any conduct that might compromise integrity and thus undercut the public confidence in a law enforcement agency. Officers will refuse to accept any gifts, presents, subscriptions, favors, gratuities, or promises that could be interpreted as seeking to cause the officer to refrain from performing official responsibilities honestly and within the law. Police officers must not receive private or special advantage from their official status. Respect from the public cannot be bought; respect can only be earned and cultivated

## **Cooperation with Other Police Officers and Agencies**

1. Police officers will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.
2. An officer or agency may be one among many organizations that may provide law enforcement services to a jurisdiction. It is imperative that a police officer assist colleagues fully and completely with respect and consideration at all times.

## **Personal-Professional Capabilities**

1. Police officers will be responsible for their own standard of professional performance and will take every reasonable opportunity to enhance and improve their level of knowledge and competence.
2. Through study and experience, a police officer can acquire the high level of knowledge and competence that is essential for the efficient and effective performance of duty. The acquisition of knowledge is a never-ending process of personal and professional development that should be pursued constantly.

## **Private Life**

1. Police Officers will behave in a manner that does not bring discredit to their agencies or themselves.
2. A police officer's character and conduct while off-duty must always be exemplary, thus maintaining a position of respect in the community in which he or she lives and serves. The officer's personal behavior must be beyond reproach.



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# 1.0 Use of Force

## 1.1 Use of Force/Authorization

1. Officers are authorized to use reasonable force to accomplish a legitimate police purpose. Force is a deliberate and intentional application of effort by a police officer on another person. Under *Graham v. Connor*, 490 U.S. 386 (1989), Officers will only apply force reasonably believed to be necessary under the circumstances. When determining when to apply force, consider the totality of the circumstances including the following.
  - a. Immediate threat of the suspect to the officer/(s) or public
  - b. Level of resistance offered
  - c. The severity of the crime
2. Force intentionally applied in excess of what is reasonably necessary, or in circumstances where there is no justification for its use, is an excessive application of force.
3. Officers will use authorized, trained methods when practicable.
4. If other methods are used, the officer shall specifically describe the actions taken, and articulate their reasoning for doing so in their report.
5. All officers involved in a use of force incident shall provide detailed documentation in a use of force report. Supervisors shall complete and forward all required supervisory review documents.

## 1.2 Conditions for Use

1. Defensive maneuvers, come-alongs and restraint devices may be used at the police officer's discretion. Blows struck with impact weapons are prohibited except:
  - a. To protect the police officer or another from an assault.
  - b. To affect an arrest when resistance is encountered that is likely to result in personal injury to the police officer, or the person being arrested or when resistance cannot be overcome without force.
  - c. To subdue persons who have threatened to do bodily harm to themselves or others, or whose actions are creating hazards to themselves or others when other means of control have failed or are impractical.
  - d. In appropriate crowd situations, to direct and control the movement of people or persons or as a barricade.

## 1.3 Prohibitions

Impact weapons will not be used

1. To subdue a person already effectively taken into custody.
2. To punish anyone being uncooperative, noisy or disruptive.
3. As a come-along or choke hold that in any way jeopardizes the integrity of the windpipe, unless the officer is authorized to use deadly force.

## 1.4 Procedures for Use

1. The primary uses of impact weapons are to ward off blows, kicks from the assailant or to restrain resisting, or disturbed subjects
2. To affect an arrest when resistance is encountered for rendering the person temporarily incapacitated.
3. Blows delivered with these weapons should be targeted only to those vulnerable areas of the body, which will render the subject temporarily, incapacitated but will not cause serious bodily harm.

The following areas should not be targeted as blows may cause serious injury or death

1. Head
2. Neck

3. Throat
4. Groin
5. Chest cavity (Except strikes to the shoulder-pectoral tie in, as instructed.)
6. Armpit
7. Colon

The following areas are non-lethal front target areas

1. Arms
2. Legs
3. Hands
4. Shins
5. Abdomen
6. Shoulder-pectoral tie-in

The following areas are non-lethal rear target areas

1. Arms
2. Thighs
3. Calves
4. Ankles
5. Achilles' Tendon

Anytime an impact weapon is used against someone, the officer shall document it in the Use of Force Report describing the circumstances and necessity of the use of this weapon. All officers shall be properly trained in the use of the department approved impact weapon they carry. Officers not trained in impact weapons shall not carry or use impact weapons.

All officers must attend designated training and pass written and proficiency tests for all weapons authorized and issued by the Dyersville Police Department, regardless of whether or not the Officer regularly uses the particular weapon.

### 1.5 Use of Firearms in the Line of Duty

An officer shall be authorized to discharge firearms in the line of duty under the following conditions:

1. To use their firearm to protect themselves or others from what they reasonably believes to be an imminent danger of death or serious bodily injury.
2. To use their firearm to affect the capture or prevent the escape of a felony suspect whose freedom is reasonably believed to represent a significant threat of serious bodily injury or death to the officer or other persons.
3. During firearms training sessions as directed by the firearms instructors.
4. To shoot an animal as outlined in Treatment of Animals.

An officer shall not discharge firearms

1. As a warning
2. When the discharge of the weapon may unreasonably endanger the lives of persons not involved in the commission of the crime in progress.

### 1.6 Use of Firearms at a Moving Vehicle

1. An officer shall not discharge a firearm at a vehicle or its occupants in response to a threat posed solely by the vehicle, unless both of the following circumstances exist:
2. The officer has a reasonable belief that the suspect poses a continuing threat of death or serious bodily injury to officer(s) or others; and
3. The officer has no reasonable alternative course of action.

## 1.7 Use of Aerosol Irritants

1. The purpose of this Order is to provide department personnel with guidelines for the use of department approved aerosol spray deterrents including Oleoresin Capsicum (O.C.) Spray and to define certain restrictions of this item and provide for the proper aftercare and reporting of the use of it.
2. All department personnel are responsible for being aware of this Order and compliance therewith. Command personnel shall ensure compliance with this Order by subordinates.
3. Non-lethal control devices, such as aerosol spray including Oleoresin Capsicum (O.C.) Spray Deterrent spray are instruments, which may be used to control violent or potentially violent individuals.
4. Members of the department who are at times engaged in dealing with such individuals shall be issued a container of approved O.C. spray deterrent for the control of such persons.
5. No member may carry or use such device until they have been certified in its use by qualified personnel.
6. Attempts to subdue any person shall be made in appropriate manner, subject to department policy. O.C. spray may be used after verbal commands have been unsuccessful in de-escalation, and an imminent threat remains. In the event of credible need for the use of O.C. spray deterrent, the following uses shall generally be acceptable:
  - a. To protect the department member or others from assault.
  - b. To arrest a combative suspect.
  - c. To subdue a combative mental patient.
  - d. To assist in controlling violent crowds.
  - e. To control violent animals.
7. Prohibited Uses of O.C. Spray Deterrent
  - a. The use of O.C. spray deterrent shall not be used against a subject who refuses to comply with a lawful order, but is not posing any type of threat to him/herself or others or other emergent conditions are not present.
  - b. O.C. spray deterrent shall not be used against a subject who is in restraints and has already been effectively taken into custody unless an imminent threat remains.
  - c. O.C. spray deterrent shall not be used against a person whom the officer knows to have respiratory ailment.
  - d. The O.C. spray deterrent shall not be sprayed into any ventilation systems, except if authorized by a shift commander.
  - e. The O.C. spray deterrent shall not be used as a means of punishment for a subject.
8. Mitigation
  - a. After the subject has been exposed to the O.C. spray deterrent, the following steps shall be taken
  - b. The subject shall be restrained with the appropriate restrains. Officers shall be cognizant of the effects and dangers of positional asphyxiation, and shall not place arrestees in positions that shall hinder their ability to breathe.
  - c. Subject shall not be left alone, and the officer shall maintain verbal communications using calming and reassuring commands.
  - d. Mitigation of the effects of O.C. recommended courses of action may include, but are not limited to:
  - e. If possible, expose the subject to a fresh, moving air source. This shall assist in removing the resin from the skin and clothing. An outdoor breeze can be utilized.
  - f. If available, flushing the exposed skin and face with cool water.
  - g. Once the subject is restrained and efforts toward mitigation have begun, the officer shall confer with the Chief or Assistant Chief to determine if the exposed subject shall need medical treatment. Dependent upon the condition of the subject, the subject may be transported by a patrol unit or by an ambulance if the subject is experiencing an emergency

reaction to the O.C. spray deterrent.

9. Report
  - a. Officers shall describe every use of an aerosol irritant in a Use of Force Report (including its use on animals.)
  - b. The report shall document the circumstances and the reason(s) for the use of the aerosol.
  - c. The Chief or Assistant Chief or designee shall be immediately notified of the aerosol irritant use.

## 1.8 Use of Taser

1. This policy is to govern the use of less than lethal force alternatives such as the TASER system. The goal of the Dyersville Police Department is to preserve life and to use only the force necessary to protect life and overcome the resistance. It is the policy of this department to authorize the use of the TASER as a force option.
2. TASER: Is a Conducted Electrical Weapon (CEW) that uses Neuro-Muscular Incapacitation that disrupts the body's ability to communicate messages from the brain to the muscles by affecting the sensory and motor functions of the nervous system by firing two probes up to 35 feet (depending on the cartridge type) that are designed to penetrate the suspects skin during an automatic 5 second pulsating cycle.
3. Cartridge: Is a replaceable cartridge for the TASER, which uses either compressed nitrogen or an electrical discharge to fire two barbed probes with connecting wires sending a high voltage/low current signal into a subject.
4. Drive Stun: Is a secondary function of the TASER that allows the user to continue to use the device after the cartridge is expended, X26, or by user control X2, by making direct contact to the body still affecting the sensory nervous system.
5. Data Port: The X-26 and X-2 advanced TASER allow for data detailing the incident in which the unit was used to be downloaded to ensure accuracy and incident documentation.
6. AFID tags: Each time the TASER is deployed: small confetti ID tags are ejected from the cartridge identifying the location and unit used in the incident.
7. The TASER is one of the options available to officers. Dyersville Officers who are certified in its use are required to carry the TASER on duty.
8. The TASER, like O.C. spray, the ASP baton, or empty hand techniques may not be effective in every situation. Officers must assess the effectiveness of each application and determine whether further applications are warranted or a different tactic should be employed.
9. The TASER may be used when a subject is displaying active, aggressive or lethal resistance to another subject or officer, or when the officer feels that the use of empty hand techniques will pose a safety risk when attempting to conduct legal law enforcement activities. The decision to use the TASER will be dependent upon the actions of the subject, the threat facing the officer, and the totality of the circumstances surrounding the incident. When the use of force is necessary and appropriate, officers shall, to the extent possible, utilize an escalating scale of force options and will not employ a more forceful measure.
10. There are four types of TASER applications
  - a. Laser: The TASER has a red laser aiming capability that may be used as a show of force and warning prior to the discharge of the cartridge. The display of the laser must be justified the same as the use of the TASER.
  - b. Spark Display: A non-contact demonstration of the TASER's Ability to:
  - c. Discharge electricity. This is conducted when the cartridge has been removed from the weapon. The purpose is to convince the subject to comply with a lawful order and avoid the TASER being deployed in the drive stun or probe deployment. Spark display is also used to check the proper function of the unit prior to the start of the shift.
  - d. Drive Stun: When contact is made by pressing the front of the TASER with or without the cartridge into the body of a subject resisting law orders, and activating the TASER. Drive stun mode only affects the sensory nervous system creating pain compliance but will not

affect motor functions.

11. Probe Deployment: The TASER is most effective when the cartridge is fired and both probes make direct contact with the Subject with a probe distance of greater than four inches, or with probe deployment with a secondary drive stun follow up. Proper application will result in effecting both sensory and motor functions temporarily immobilizing the subject. Optimum range for deployment is 7 to 15 feet with up to a 35 feet maximum distance depending on the cartridge.
12. The TASER will not be used if:
  - a. The officer knows the subject has come in contact with flammable liquids or is in a flammable atmosphere.
  - b. When the subject is in a position where a fall may cause substantial injury or death.
  - c. When a prisoner is handcuffed
  - d. When a female subject is visibly pregnant, unless deadly force is the only other option.
13. The TASER should not be used in the following unless compelling reasons to do so are articulated:
  - a. When the subject is operating a motor vehicle
  - b. When the subject is holding a firearm
  - c. When the subject is at extreme ages
  - d. In a situation where deadly force is clearly justifiable unless another officer is present and capable of providing deadly force to protect the officers and civilians if necessary
14. Training/Care/Maintenance
  - a. Departmental or state certified Instructors who have been certified as TASER instructors will be the only authorized persons to instruct on the TASER.
  - b. Training will be conducted in accordance with training protocols. Officers authorized to use a TASER must successfully complete an initial certification-training course, to include a written and practical test. Once certified, officers must attend annual re-certification training.
  - c. Officers trained in the use of the TASER will not be required to take a shock but those who volunteer will be allowed.
  - d. Officers will use only authorized TASER equipment issued or approved by the Dyersville Police Department. Officers must also conduct a spark test check at the beginning of shift to ensure proper function, which will be conducted out of public view.
  - e. The battery display will also be checked on the CID at the beginning of each shift. A reading of 20% or less will require the DPM to be changed. Officers will also inspect the unit for damage and cleanliness.
15. Deployment
  - a. When deployed, the officer
  - b. Gives a warning, when practical, to the subject and other officers before firing the TASER at the subject.
  - c. Notifies the Chief and/or Assistant Chief of deployment
  - d. Completes Use of Force Report
  - e. Secures spent cartridge and probes for evidence
  - f. Photograph probe puncture sites
  - g. Provides the Sheet to the subject and requests signature on same
16. Medical Treatment
  - a. The cartridge will be moved from the CEW prior to removal of the probes.
  - b. The officer will wear issued medical gloves. The probes should be considered sharps and handled accordingly.
  - c. The officer will place one finger on either side of the probe and stretch the skin taut.
  - d. Using a brisk pull, the officer will then pull the probe out of the subject.
  - e. The puncture site will be wiped with a sterile alcohol swab and an adhesive bandage applied to the site.
  - f. Officers will use all due regard to privacy issues with members of the opposite sex when removing the probe. When practical, the probes would be removed by members of the same

- sex as the subject.
  - g. If the probes penetrated sensitive areas of the body such as the face, neck, or groin area, probes will be removed by medical personnel.
17. Rendering Aid after Use of Force
- a. In the event the subject suffered a secondary injury (i.e. due to a fall, or is displaying any need for immediate medical attention) the officer will render, or arrange for, the immediate, appropriate, and necessary medical aid. The officer utilizing force will notify his/her immediate supervisor of any medical attention requested/required.
18. Reporting Use of Force
- a. Officer will submit a detailed Incident Report justifying the use of the TASER.
  - b. The on scene officer will complete a Use of Force Report and submit that report to the Chief or designated training officer who will complete a Supervisory Taser Use Report after every use of the conducted electrical weapon with the exception of authorized training.
19. Administrative Review of Critical Incidents
- a. All use of a conducted electrical weapon will be reviewed by the chief to determine whether
  - b. Department rules, policy, or procedures were violated
  - c. The relevant policy was clearly understandable and effective to cover the situation; and
  - d. Department training is currently adequate.
  - e. All findings of policy violations or training inadequacies will be reported to the appropriate department for resolution and or disciplinary action.

## 1.9 Use of Vehicles

### Pursuit Intervention Technique (PIT)

Officers are authorized to utilize Intervention Techniques to stop a vehicle when the situation warrants it.

Circumstances warranting the use of PIT or other forced stop methods shall be as follows:

1. Officer must be appropriately trained for the maneuver, except in the case to prevent imminent loss of life or serious injuries to a person.
2. Continued movement of the suspect vehicle would place others in significant danger of serious bodily harm and is so great as to outweigh the risk of harm in making the forcible stop and
3. Other means of apprehension have been considered and rejected as impractical.

## 2.0 Arrests, Searches, Detentions, and Citations

### 2.1 Arrests

1. Officers on duty may effect an arrest, per state or city code, for qualified misdemeanor or any felony punishable by detention, jail time, or imprisonment when supported by probable cause to believe the suspect has committed a criminal offense and an arrest is necessary to accomplish the goals and objectives of public safety.

### 2.2 Miranda Warnings

1. Miranda warnings apply to interrogations initiated by officers after a person has been taken into custody or otherwise deprived of their freedom of movement.

Miranda warnings are not required when:

1. The statements are voluntary and unsolicited.
2. The suspect is not in custody nor could reasonably believe they were under arrest based on the totality of the circumstances.
3. The suspect makes statements in response to interrogation by a private citizen without police influence.
4. The suspect responds to questions necessary of a “general, on-the-scene” type of investigation.

### 2.3 Warrant Not in Arresting Officers Possession

1. Iowa Code allows for the arrest of a subject, listed in an Iowa warrant, without physical possession of the warrant by the arresting officer. Officers making such arrest shall:
  - a. Reasonably ensure the warrant is valid.
  - b. Copy it to the arrestee as soon as practical.

### 2.4 Searches of Individuals

1. Field Search Incident to Arrest
2. The officer shall not conduct any search or seizure that the officer knows, or reasonably should know, is a violation of established law.
3. The arresting officer shall conduct a thorough field search of the arrestee’s person and any belongings in the arrestee’s possession at the time of the subject’s arrest to ensure officer safety, preserve evidence and contraband, and secure personal property prior to transporting.

### 2.5 Handcuffing Prior to Search

1. Arrested subjects will be handcuffed prior to being searched.

### 2.6 Stop and Frisk (Terry Stop)

1. Terry Stop detention requires a reasonable and articulated suspicion of criminal activity. An officer conducting a Terry Stop may frisk the subject when there is a reasonable suspicion that they are armed and dangerous. If an officer conducts a Terry Frisk, they shall document the frisk in the related reports, or document the circumstances of the Terry Frisk on a Field Interview Card.

### 2.7 Searching of Female Prisoners

1. Female prisoners should be searched by female officers. Searches of female prisoners that cannot be conducted without unreasonable delay or compromising officer, safety should be witnessed by a second officer. The search shall be conducted thoroughly, professionally, and in a manner as not to embarrass the officer or the prisoner.

## 2.8 Strip Searches

1. A strip search is defined, as a search of an individual requiring the removal or arrangement of some or all of their clothing to permit a visual inspection of the breasts or the genitals, buttocks, or undergarments of the individual.
2. An arresting officer may provide information to personnel in the jail, which may lead to a strip search of the arrested individual conducted by jail personnel. Strip searches not done by the jail shall be limited to those instances in which a search warrant authorizes the search of a named individual or when exigent circumstances exist. The officer conducting the strip search shall articulate reasons justifying the necessity of the strip search in a written report.
3. A supervisor shall be notified prior to the strip search. The strip search shall be conducted by an officer of the same gender as the person to be searched. Another employee of the same gender as the person to be searched will witness the strip search. The search shall be done in private, where the search will not be viewed by anyone other than the searching officer and the witness employee. Body cavity searches shall not be conducted, except by court order, in which case the suspect will be transported to the hospital for examination.

## 2.9 Consent Searches

1. An officer may conduct a consent search whenever they have conducted an interview and the officer is able to articulate a reason to ask for the search. Officers shall take reasonable steps to ensure the subject has legal standing over the area to be searched, and consent is freely and voluntarily given. The subject's consent will be either written or recorded.

## 2.10 Use of Handcuffs

1. An officer may employ the use of handcuffs when they have a subject under arrest. They may use handcuffs to detain a subject; when the officer can state reasonable suspicion that the subject has been, is, or is about to be engaged in criminal activity; and when the officer believes their personal safety or the safety of others is at risk, except under the following conditions:
2. Young juveniles, elderly, injured, or deformed subjects, by the nature of the offense, demeanor, or stature, who clearly do not present a threat to the officer during the search or while in transit.
3. Subjects who are suffering from an injury, disability, or deformity which makes handcuffing or hobbling impossible or impractical.

## 2.11 Use of Hobbles

1. Each uniformed officer shall possess a set of authorized hobbles in their assigned vehicle. To ensure officer safety, officers are authorized to utilize hobble restraints when deemed necessary. A violent and uncontrollable handcuffed subject can be further restrained utilizing department-authorized hobbles to prevent injury to persons or property. The use of further restraint will be documented in the General Report.

## 2.12 Use of Flex Cuffs

1. Officers may use Department-approved flex cuffs as a temporary device in place of handcuffs. As soon as practical, they will be removed and replaced by handcuffs.

## 2.13 Restrictions on the Use of Handcuffs

1. An officer shall not handcuff a prisoner or detainee to any part of a vehicle, themselves, another, or use handcuffs as a leading device, with the exception of authorized compliance techniques.
2. Prisoners will not be handcuffed to a stationary object, with the exception specified devices in detention facilities.



## 2.14 Transporting Prisoners /Use of Seatbelts/ Search of Vehicle

1. Any person arrested (prisoner) will be searched by the transporting officer prior to transportation. In addition, no prisoner will be transported without restraints.
2. Prisoners shall be seat belted when possible and the vehicle should be searched prior to and after transport.
3. When an officer transports a prisoner, the officer shall notify dispatch at the beginning and end of transport. An officer shall provide mileage during the transport of any subject.
4. When a subject is taken into custody, the arresting officer will remove, or cause the removal of, the prisoner from the scene without unnecessary delay. The transporting officer shall transport the prisoner directly to the place of detention or a place determined by investigative necessity.
5. A prisoner who appears to have an injury warranting medical attention shall be transported to a hospital emergency room for examination and treatment. The transporting officer will stay with the prisoner at all times during treatment to ensure they remain secured. On arrival at the jail, the officer shall brief the jail booking personnel on the prisoner's injury and treatment.
6. The following placements may be used when transporting prisoners:
  - a. Cage Car: A police vehicle with a cage shall be the primary vehicle used to transport prisoners with the prisoner in the cage area.
  - b. No cage: car (No Cage): Non-caged car, the prisoner may be placed in the right rear of the police vehicle

## 2.15 Release from Arrest/Detention

## 2.16 Requirement for Immediate Release

## 2.17 Removal of Handcuffs When Continued Detention is not Necessary

Prisoners/detainees shall immediately be released from custody when:

1. The investigating officer determines there is lack of probable cause after the arrest of a subject.
2. An officer detains a subject by the use of handcuffs and determines continued detention is not necessary.
3. A supervisor will be notified and an Incident/Supplemental Report shall be generated which will contain sufficient information to support the arrest/detention and the subsequent release.

## 2.18 Medical Attention for Those Released from Arrest/Detention

1. Officers will offer medical attention to suspects released from custody who appear or claim to have an injury requiring medical attention.

## 2.19 Detainees and Prisoners Requiring Medical Treatment

1. DPD will facilitate medical treatment and security to an injured detainee/prisoner while in the Department's custody. DPD does not assume responsibility for costs incurred.

## 2.20 In-Custody and Voluntary Department Interviews

1. All persons shall be escorted by an officer at all times while in the facility.
2. Prior to any person being placed in an interview room pending an interview, the interview room shall be searched to ensure nothing is present that can be used by the person to harm themselves or others. When the interview is completed and the person removed from the interview room, it shall be searched again.

The officer assigned monitoring responsibility shall:

1. Monitor the subject at all times, even during the interview, for officer safety, by way of video

monitor in the viewing room.

2. Contact the suspect every 30 minutes to ensure they are not in distress.
3. Ensure water is offered
4. Afford the suspect reasonable opportunity to use the restroom. The restrooms shall be checked for contraband/weapons prior to and after the suspect's use of it. If an in-custody suspect needs to be monitored the door will remain open. Monitoring will be done by an officer of the same gender, unless no officer of the same gender is on duty and the suspect allows the monitoring.

### 2.21 Protected Conversations of Attorney/Client Privilege

1. Under no circumstances can the attorney/client information be used for furtherance of any investigation and no record will be kept on the substance of the privileged conversation.

### 2.22 Mental Holds

1. Under Iowa Code 66-326, officers may take a person into custody if the officer has reason to believe the person is gravely disabled due to mental illness or the person's continued liberty poses an imminent danger to person or others, as evidenced by a threat of substantial physical harm. In juvenile cases, an officer will use a hold pursuant to Iowa Code 16-2411 only if the parents cannot (incapacitated) or will not admit the child voluntarily to a hospital.

### 2.23 Immigration Violations

1. An officer will not stop, detain, question, or arrest a subject solely on the basis that the subject might have unlawfully entered the country and/or exceeded their Visa. An officer shall not enforce immigration laws. However, if Immigration and Customs Enforcement (ICE) officers request assistance from a DPD officer in detaining a subject, the officer will provide such assistance; but only with the approval of a supervisor.

### 2.24 Unbiased Policing

1. The DPD is committed to safeguarding the rights of all people while enforcing the State and City Ordinances. Employees will not engage in any law enforcement activities that are discriminatory based on race, color, religion, gender, age, national origin, sexual orientation, gender identity, disability or any other applicable legally protected status.

### 2.25 Enforcement of Camping/Sleeping Ordinances

1. The DPD is committed to safeguarding the rights of all people. In furtherance of this goal, the department will work in partnership with other agencies and community groups, who have an interest in the well-being of homeless persons. It is appropriate and encouraged for officers to provide a homeless person with information as to availability of shelter or other services.

### 2.26 Enforcement Discretion

1. Officers have discretion to enforce camping/sleeping in public ordinances; however, no law enforcement action shall be taken when, the person is on public property and there is no available overnight shelter.

### 2.27 Citations

1. In general, for all misdemeanors, an officer may issue a Uniform Citation in lieu of arresting the suspect or obtaining a warrant and arresting the suspect if:
  - a. The violation is minor, it has an insignificant impact upon the successful completion of the police mission and the booking information (such as mug shots and/or fingerprints) will likely be of little value in criminal identifications during future investigations.
  - b. The prisoner requires medical attention to the extent a physical custody arrest is impractical.

2. Officers should, when allowed by law or ordinance, arrest on misdemeanor offenses:
  - a. When acts are committed which are particularly offensive to witnesses or the victim.
  - b. When acts of a violent nature are committed.
  - c. For domestic violence.
  - d. When there is reason to believe retribution against the victim or witness will result with the suspect's continued presence at the scene.
  - e. When the officer believes the release of the suspect in the immediate area would pose a further threat to the safety of any person or property.
  - f. When the suspect is attempting to agitate a negative or disorderly response in a group or crowd situation that could cause additional problems.
  - g. When physical custody of the suspect would benefit ongoing investigations.
3. Physical custody arrests shall never be used to punish an offender for their acts or omissions if they would not otherwise have been taken to jail
4. Private citizens may sign complaints for infractions or misdemeanors, assuming the officer believes there is probable cause for the violation. The officer shall complete an incidental or supplemental.

### 2.28 Citation Practice for Traffic Collisions

1. Upon response to, and investigation of, a traffic collision, the investigating officer may, based on probable cause, issue a citation to the driver or involved party whose violation of state code or city ordinance has been established as the cause of the collision.
2. In collisions involving emergency vehicles, the investigating officer will request an outside agency to investigate.

### 2.29 Traffic Stops

1. Officers shall ensure all traffic stops meet the legal minimal standard and are conducted utilizing safe practices, to include:
  - a. Using situational awareness for determining the type, method, and location of the stop.
  - b. Using good tactics that provide the best "Officer Safety" options.
  - c. Notifying dispatch of the stop location and vehicle information.

### 2.30 Searching, Handcuffing, Transporting and Detaining Prisoners

1. Search Procedure
  - a. It will normally be the responsibility of the arresting officer to handcuff and thoroughly search persons under arrest in their custody prior to transporting them. This includes individuals being transported to detoxification centers.
  - b. The search of the person will be to check for weapons or any article which could be used as a weapon, evidence or contraband.
  - c. If an arrested person is being transported by someone other than the arresting officer(s), the arrested person will again be searched prior to placing them in the transporting vehicle.
2. Handcuffing
  - a. The purpose of using handcuffs is to provide safety to the officer(s) and other police employees; reduce the possibility of an arrested person escaping; and ensure safety of the arrested person and the public in general.
  - b. Each arrest is different. Handcuffing is not mandatory, but officers are strongly encouraged to handcuff all arrestees.
  - c. Certain persons with recently acquired injuries, physical limitations or of certain physical size may require two or more sets of interlocked handcuffs placed behind the back.
  - d. Handcuffs shall be double locked using the handcuff key to prevent injuries to the arrested person.
  - e. The flex cuffs are to be used in the same manner as regular handcuffs. When it is practical,

the flex cuffs may be removed and replaced with standard handcuffs. Flex cuffs are to be used only in situations where multiple individuals are to be arrested and handcuffed.

- f. Arrestees who become combative after being handcuffed, who use their feet to attempt to assault an officer and/or damage property, may require leg restraints. The nylon straps made for this purpose or conventional leg irons are acceptable for restraining a prisoner's feet. In no case is it permissible to restrain a prisoner by what has commonly been referred to a "Hog Tying" (placing the prisoner on his/her stomach handcuffed behind the back and hooking the leg restraints to the handcuffs.)
  - g. Handcuffed arrestees who have been handcuffed after a prolonged struggle with officers, who have exhibited irrational aggressive and violent behavior and who may be under the influence of drugs will be closely monitored. If practical, it is recommended that the person be walked around for a short time prior to transport. An arrested person will not be placed in a prone position in the back seat of the squad car as they may develop a condition known as Positional Asphyxiation.
  - h. Officers are to be cognizant of their own safety, the safety of the arrestee and any member of the public in close proximity when applying and removing handcuffs and while searching arrested persons.
3. Transport
    - a. Prior to transport, the officer will check the backseat of the squad car for contraband before placing the arrestee in the squad. If the subject is transported to jail, all personal property is to be placed into safe-keeping and turned over to the detention facility.
    - b. Generally, individuals under arrest should be placed in the rear seat of the police vehicle and should be removed from the scene as soon as possible.
  4. If the police vehicle is equipped with an MCT, the transporting officer will communicate with dispatch the following information:
    - a. Number of arrestees.
    - b. Male or female; adult or juvenile.
    - c. Mileage and distance.
    - d. If the MCT is not available, communication must be made by radio.
    - e. Upon arrival at the destination, the officer shall advise the dispatcher and give ending mileage using the protocol of the MCT and the radio.
  5. Should an emergency arise during the transportation detail, (i.e., the arrested person becomes ill and/or requires medical attention) or should the intended destination change, the officer shall notify dispatch of the change and give location and mileage.
  6. The most expedient route from point of arrest to intended destination shall be used.
  7. Following the transportation detail and prior to the police vehicle being returned to service, it shall be the responsibility of the arresting officer or the next officer to use the vehicle to check the rear compartment for weapons, evidence or contraband articles.

## 3.0 Call Response and Incident Management

### 3.1 Operational Philosophy

1. DPD will begin its response on the assumption it can protect lives and property.

### 3.2 Priorities of Life

1. Innocents
2. Hostages
3. Police Officers
4. Suspects
5. Property/Evidence

### 3.3 Risk Assessment

1. Officers are responsible for being aware of the risks involved in all investigatory and/or enforcement activities and conducting a risk assessment.

### 3.4 Call Response

1. Every officer is responsible for responding to and appropriately handling calls for service. Emergency responses shall be authorized only when one or more of the following emergency conditions exist or are believed to exist based upon reliable information:
  - a. When the situation involves the imminent potential for serious injury or death to any person.
  - b. In order to prevent or halt a crime of violence.
  - c. When a serious public hazard exists.
  - d. When an emergency response will enhance the likelihood of apprehending a felony suspect.
  - e. When a critical incident or potentially major incident has not yet been stabilized by on-scene units.

### 3.5 Response Authority

1. Response authority shall be as follows:
  - a. Authority of Dispatch: The Department affords the Dubuque or Delaware County Communications Center Dispatch the authority to dispatch Dyersville Police units to calls for service and to assign response code classifications according to written guidelines.
  - b. Authority of the Officer: With regards to calls for service, the officer shall respond as assigned by dispatch, unless the officer's experience and judgment provide themselves with justification for choosing a more appropriate level of response. In such cases, the officer shall have the authority to alter their response accordingly and shall advise dispatch immediately.
  - c. Authority of Supervisors: Any supervisor may overrule dispatch or the responding officer in assigning the appropriate response level.

### 3.6 Mutual Aid Response Outside the Dyersville City Limits

1. An officer may respond to an emergency outside of the Dyersville City limits, unless canceled by the jurisdiction or a supervisor. In these cases, officers will operate within DPD policy/procedure and a supervisor will monitor and respond, if necessary.
2. DPD will respond to requests for assistance from outside agencies. In these cases, officers will operate within DPD policy/procedure and a supervisor will monitor and respond, if necessary.
3. The Deputy supervising the shift shall make the request.
4. Any DPD Police Officers requested to respond shall respond.
5. If a DOD Police Officer is responding to a call more than six miles from the city limits of the City of Dyersville, the Police Officer shall request that dispatch contact Dyersville #1 or Dyersville #2.

6. Responding DPD Police Officers shall stabilize the scene until the sheriff's department arrives on the scene. DPD Police Officers are to immediately return to Dyersville after being released. DPD Police Officers shall include who requested said Officer on their IR or SR, and what the officer was requested to do.
7. DPD Police Officers shall not assist in getting statements, taking pictures, or other activities beyond stabilizing the scene unless approved by supervisor.
8. DPD Police Officers whom call dispatch or deputies with the purpose of attempting to not respond to a Mutual Aid call shall immediately receive, at minimum, a one-day suspension, or other forms of discipline at the discretion of the Police Chief.

### 3.7 The Incident Command System (ICS)

1. The DPD will utilize the Incident Command System. For incidents involving police action, DPD will participate in an incident command structure and assume responsibility for law enforcement personnel.

### 3.8 Evacuation Authority

2. Officers shall not order the evacuation of citizens from their homes or businesses or the isolation or quarantine of citizens within their homes or businesses unless directed by authorized authority.
3. When evacuation of citizens in a field operation is deemed appropriate, citizens shall be requested, but not forced, to comply.
4. Appropriate law enforcement action may be taken to move citizens interfering with a police or public safety operation and refusing an officer's lawful order.

### 3.9 Emergency Call Out

1. All employees of the DPD are subject to call out. During elevated emergencies any personnel may be activated.

### 3.10 Authority to Place on Standby

1. If an increased emergency response is expected, Department personnel will be placed on emergency standby and may be required to monitor their department-issued cell phones when off duty.

### 3.11 Department's Authority to Declare Emergency

1. The Police Chief or their designee will determine if a situation exists that would require an increased emergency response. Emergencies include, but are not limited to, the following:
  - a. Natural disaster
  - b. Civil unrest
  - c. Major unplanned event
  - d. CBRN (Chemical, Biological, Radioactive, Nuclear) incident

## 4.0 Special Field Responses

### 4.1 Vehicle Pursuits

1. A vehicular pursuit is recognized as a valid law enforcement activity to attempt to apprehend a fleeing subject, under limited circumstances.
2. Supervisor will take Incident Command of the pursuit.
3. Pursuit shall be discontinued-if the danger posed by the continued pursuit outweighs the danger to the public of allowing the suspect to evade immediate capture.
4. In addition to violent felonies, a pursuit may be initiated or re-initiated if the driving behavior of the suspect, independent of police presence, continues to be an imminent threat to the public if not stopped.
5. Pursuit itself cannot be used as sole justification for continuing the pursuit.
6. Officer shall not become engaged in direct pursuit in any manner if transporting a prisoner.
7. If hosting a citizen ride-along, officer shall relinquish their position in the pursuit as soon as practical.
8. Unmarked police vehicles, motorcycles, vehicles with a high center of gravity, or specialty vehicles that are not equipped with the standard patrol package system, light bar, and siren that meets state code shall yield direct pursuit positions to equipped, marked patrol vehicles at the earliest opportunity.
9. Any other police vehicle may remain as secondary officer if no equipped marked patrol vehicles are available and there are concerns regarding officer safety.

### 4.2 Discontinuing a Pursuit

1. An officer is not obligated to continue any pursuit. An officer is obligated to continuously weigh the gravity of the offense against the emerging circumstances and to discontinue the pursuit if the danger created by the pursuit does not justify immediate apprehension of the violator. Most violations do not warrant continuing the pursuit beyond the initial attempts to stop the fleeing vehicle.
2. When discontinuing a pursuit, each officer in direct pursuit will deactivate emergency lights and siren, notify dispatch, and make a 90 degree turn from the direction of the suspect vehicle. If a 90-degree turn is not practicable, the officers will stop their vehicles. Once a pursuit is discontinued, officers will not follow the path of the suspect vehicle, unless exigent circumstances present themselves (i.e. hearing or being informed of a crash).

### 4.3 Ending a Pursuit Using Forced-Stop Methods

1. Forced-stop methods may be used-if, in the judgment of the pursuing officers, the fleeing vehicle has to be stopped immediately to safeguard life and preserve public safety.
2. Vehicle Force Methods-Below is a list of vehicle force stop methods that may be used; the appropriate method should be selected based on the totality of the circumstances. These methods do not have to be used in any order.
  - a. Stop sticks
  - b. Stop sticks shall not be used on a two-wheeled motor vehicle, unless deadly force is justified.
  - c. Boxing in
  - d. PIT
  - e. Blocking

### 4.4 Extreme Measures

1. The use of extreme measures shall have prior authorization by the Supervisor, when possible, and is warranted only when other means of termination have failed or are impractical and such action is a

reasonable alternative. In addition, the danger shall be clearly imminent, and the officer shall be able to articulate that the suspect's/driver's actions are life threatening to another person.

2. The following are considered extreme measures:
  - a. Ramming
  - b. Roadblocks
    - i. Roadblocks will allow time for the suspect to safely react and present a clearly marked, intended course of travel.

#### 4.5 Pursuits Leaving Dyersville

1. When a pursuit leaves Dyersville jurisdiction, the Supervisor and involved officers shall continue to evaluate the feasibility of the pursuit, considering the familiarity of the area, ability to communicate, distance traveled, and other pursuit criteria in determining whether or not to continue the pursuit.
2. When DPD officers apprehend a suspect in another county, the arrested suspect shall be taken to that county's designated holding facility.

#### 4.6 Outside Agency Pursuits Entering Dyersville

#### 4.7 Hostage and Barricaded Subjects

1. When responding to an incident related to a hostage or barricaded subject, officers shall use the priorities of life and the Supervisor related to resolving the incident.
2. Officers will isolate, contain and make an initial assessment call at the direction of the Supervisor. If readily available, a negotiator should make the call.

#### 4.8 Bomb Threats and Dangerous Devices

1. Dubuque Sheriff Department shall be notified and shall respond to all incidents involving an explosive or dangerous device known or suspected to be in an unstable condition. CID Property Crimes Unit will be notified of the existence of any explosive device that appears to be legitimate and will conduct the investigation.
2. Only trained and qualified Bomb Technicians will move a suspected explosive device.

#### 4.9 Clandestine Laboratories

1. When an employee receives or discovers any information that indicates a subject is operating or has the materials for a lab, they shall:
  - a. Notify a supervisor immediately, describing the available information in detail.
  - b. Exit the hazardous zone immediately and secure the location if a lab is discovered.
  - c. Responding supervisor shall respond to the scene and notify qualified lab personnel.

#### 4.10 Sexual Assault Response

1. Sexual assault calls shall be given a high priority. DPD will actively and thoroughly investigate all reported incidents with a victim-centered approach.
2. The victim's or the family's (in the case of a juvenile) needs and desires will always have a high priority when considering the course of action to be taken in the initial response, investigation, and potential prosecution phases. The Department recognizes that there are special needs cases in which the victim-centered approach may include a third party's involvement.
3. The officer will establish the crime scene and secure it for processing. The officer will collect items of evidence that are in danger of being destroyed or damaged if not immediately taken into custody or control. Officers should complete and provide proper documentation during such evidence collection (photos.)
4. While awaiting the arrival of the supervisor/senior officer or investigator or CID, the responding officer will ensure that the victim is made as comfortable as possible. Where practical, the initial



responding officer will transport or accompany the victim to a medical facility for medical examination and collection of additional evidence (Sexual Abuse collection kits,) and contact the Riverview Center at 888-557-0310.

5. Since the victim's clothing will in most cases be collected for evidence, the officer should make arrangements for the victim to have a change of clothing available. This should be accomplished by either having a friend or a family member bring clothing from the victim's residence. Medical examinations should not be delayed by lengthy initial interviews. Detailed follow-up interviews by the assigned investigator should occur after the medical examination.
6. Upon completion of the examination and interview, the victim should be transported home or to another secure location by the investigator assigned or designee. Every effort will be made to provide support services for the victim of any Sexual Abuse.
7. The assigned investigator will maintain contact with the victim not only during the investigation but also at reasonable intervals during the period after the investigation and prior to trial. The needs of the victim are a top priority, and the investigator assigned is charged with ensuring that the needs of the victim are addressed within the resources available through the criminal justice system, Riverview Center and any other private organization which provides medical care or counseling to victims of Sexual Abuse.
8. While each case of Sexual Abuse will be unique and will require its own special handling based upon the circumstances, the guidelines given should apply to any cases encountered. The key driving force for officers involved in a Sexual Abuse investigation should be concern for the recovery of the victim. An honest concern for the victim should also have the enhanced effect on the investigation due to a greater degree of cooperation from the victim.

#### 4.11 Crimes Motivated by Hate and Bias

1. The DPD is committed to safeguarding the rights of all people regardless of race, religion, ethnic background, disability, and/or sexual orientation. DPD is dedicated to the vigorous investigation and prosecution of hate/bias motivated crimes and to addressing the security and related concerns of the immediate victims, as well as their families and others affected by these crimes.
2. When an officer at the scene of an incident believes or has reason to suspect that the incident may be a hate/bias motivated crime, the officer shall:
  - a. Investigate the incident and ensure the physical safety and emotional well-being of the victim(s).
  - b. Notify a supervisor while on scene.
  - c. Complete and submit an incident report prior to the end of shift, noting the suspected crime as, "Suspected Bias Incident."
3. The supervisor will respond to the scene as circumstances dictate and will ensure that the following is accomplished:
  - a. Express to the victim the Department's official position on the importance of such cases and assist the victim in identifying and contacting individuals or agencies that may provide support and assistance.
  - b. Notify the supervisor if the facts show an incident was motivated by hate or bias.
  - c. Notify a Victim-Witness coordinator.

#### 4.12 Protection from Communicable Disease

1. An employee shall arrest, assist, and/or provide aid to all persons, regardless of fear of contracting a communicable disease. The employee shall perform the prescribed duties without discrimination and should use appropriate protective equipment. Protective equipment will be available in every police vehicle and shall be worn and/or used according to the prescribed guidelines.
2. Wearing protective equipment greatly reduces a risk of contracting communicable diseases, but does not eliminate the possibility. An employee using protective equipment that becomes contaminated should wash hands and any other uncovered parts of the body as a precautionary measure.

#### 4.13 Communication Regarding Persons with a Confirmed or Suspected Communicable Disease

1. In accordance with the Americans with Disabilities Act, the FCC has prohibited public safety employees from transmitting by radio whether a person has a communicable disease. An employee shall not notify other employees of potential hazards by radio communication. An employee may recommend assisting units should be prepared to use protective clothing or equipment. At the scene, verbal notification of the need for specific protective clothing or other precautions must be communicated in a way that protects confidentiality.

#### 4.14 Biohazard Contamination Guidelines

1. DPD will protect employees and private citizens from exposure to biological hazards by requiring the posting of visible warning notices on contaminated items and areas, as well as initiate the actions necessary for decontamination.

##### Check List:

1. Any exposure or possible exposure incident should be treated like any other duty injury. The following checklist will act as a quick aide for what to do in the event of an exposure or possible exposure incident. This list is not in chronological order.
2. On-site decontamination/First Aid.
3. Medical attention
4. Notify supervisor.
5. As soon as practical but within 24 hours, complete a separate Incident Report and Workers Comp. form. (Please note that if protective equipment was not used, document in your report why not.)

#### 4.15 Persons with Disabilities Policy

1. Title II of the American Disabilities Act (ADA) prohibits discrimination against persons with disabilities. It is the policy of the Department to protect the rights of the disabled. In furtherance of this policy, the Department will provide sign language interpreters or other trained persons, when necessary, to assist those with physical or mental disabilities when necessary to include, but not limited to, speaking, hearing, seeing, and learning.
2. Individuals who experience deafness, hearing impairment, vision loss or impairment, mental or other disabilities may encounter difficulties in gaining meaningful access to or an understanding of important rights, obligations or services. In accordance with the Americans with Disabilities Act and state civil codes, it is the policy of this department to take all reasonable steps to accommodate such individuals in any law enforcement contact.

#### 4.16 Approval for Interpreter Services

1. Interpreters shall be activated at the discretion of the officer.

## 5.0 Critical and Traumatic Incidents

### 5.1 Critical Incidents

1. To establish a procedure for the initial response to, and investigation of any critical incident involving employees of the Dyersville Police Department. It is in the best interest of the City, the police department, the public and the employees involved that a thorough and detailed investigation be conducted into all critical incidents. It is also understood that until and unless otherwise determined by the facts, it shall be presumed that those employees involved in a critical incident acted within the bounds of law, in accordance with department policy and in the course and scope of employment.
2. For purposes of this Policy, a critical incident is defined as any incident involving great bodily harm or death, any incident that represents the potential for civil or criminal liability to the officer(s) or the Department, and any incident that might inflict adverse or uncommon emotional or psychological stress upon the officer(s) involved. Examples of a critical incident would include but would not be limited to:
  - a. Officer involved shootings.
  - b. Other incidents involving deadly force.
  - c. Vehicle pursuits and other officer involved actions resulting in great bodily harm or death.
  - d. Events presenting the risk of significant civil liability.
  - e. Any event deemed critical by the Chief of Police or designee.
3. Critical incidents involving acts or actions of police officers and other employees employed by the Dyersville Police Department. The Police Chief or designee shall retain overall command and control of all critical incident investigations. Members of other police agencies who have been requested to assist in such investigations will do so in accordance with this General Order and will ultimately report to the Police Chief.
4. The exception to this would be if Dyersville Employees were directly involved in a critical incident outside the boundaries of the City of Dyersville. In those cases, employees will adhere to this General Order until otherwise directed by the Police Chief or Assistant Chief.
5. All reports, notes, recordings, videos, and related information (except those generated by or at the direction of OIA and/or the Office of Police Oversight) will be forwarded to the lead CID investigator, who will be responsible for creating the entire case or incident report. CID reports will be reviewed by the involved employee for content and accuracy. The involved employee may be required to furnish written statements to OIA and/or the Office of Police Oversight during the administrative review process.
6. Alcohol and Controlled Substance Testing for Employees Involved in Critical Incidents
  - a. An involved employee may provide both blood and urine samples for the criminal investigation or shall provide breath and urine samples for the administrative investigation.
  - b. The involved employee will be asked to voluntarily give samples as a part of the criminal investigation.
  - c. If the employee consents to give samples the employee will not need to provide further samples
  - d. If the employee refuses, the investigator will order the employee to submit samples for the administrative investigation.
  - e. The sample collection will be conducted under carefully controlled conditions to ensure the employee is accurately identified and the sample(s) is not contaminated.
  - f. The urine sample will be split at the time it is taken to provide an opportunity for the employee to request a second specimen be tested at a different certified laboratory, in the event they disagree with the results of the first test.
  - g. The tests will be administered within the first four hours and not later than eight hours for alcohol or 24 hours for controlled substances.
  - h. An employee who refuses to take the administrative tests or who attempts to disrupt or

tamper with the administrative or criminal tests in any way is subject to disciplinary action, up to and including termination.

## 5.2 Critical Incident Post-Trauma Response

### Placement on Administrative Leave

Following an employee-involved critical incident, the involved employee will be placed on administrative leave for at least three working days.

## 5.3 Psychological Consultation

The involved employee may be required to undergo two consultations with a psychologist or psychiatrist within 72 hours of the critical incident (when practical). Personnel will be notified only that the consultation has occurred.

## 6.0 Juveniles

### 6.1 Custody and Detention of Juveniles

#### 6.2 Juvenile Custody

Juveniles may be taken into custody by an officer. Juveniles in custody for criminal violations will normally be released to a parent or guardian.

#### 6.3 Juvenile Detention

Juveniles in custody for purposes of detention, may be taken to the Dubuque County Juvenile Detention Center, if the violation meets the written detention criteria. The detention official will be the final authority on whether the juvenile is placed into detention and held until a detention hearing. A juvenile will not be placed in the Dubuque County Jail except by court order. Juveniles not accepted into custody by the Dubuque County Juvenile Detention Center will normally be released back to that juvenile's parent or guardian.

#### 6.4 Jailing of a Juvenile

A juvenile taken into custody for a serious violent felony shall be transported to the Dubuque County Juvenile Detention Center. Upon advisement of the detention official and the on-call Dubuque County Prosecutor, a complaint and warrant may be pursued for the purpose of housing the juvenile in the Dubuque County Jail.

#### 6.5 Transporting a Juvenile

Officers will not transport a juvenile prisoner with an adult prisoner.

#### 6.6 Protective Custody of a Juvenile

When a juvenile meets the criteria for a mental hold, the officer shall:

1. Notify the juvenile's guardian.
2. If unable to make contact with a guardian or if the guardian refuses to obtain treatment for the juvenile transport the juvenile to the appropriate facility as directed by Juvenile court.
3. Contact supervisor to initiate an imminent danger investigation.

#### 6.7 Runaway Juveniles

All reasonable efforts shall be made to locate and return a runaway juvenile to a parent or guardian. The reporting employee will, within two hours of arriving on scene, contact Records so an NCIC entry can be made as soon as possible.

#### 6.8 Missing Juveniles

A missing juvenile is defined as a subject less than 18 years of age who cannot be located and has not exhibited a recent intent to leave without consent of a parent or guardian or who would not be capable of willingly running away. All reasonable efforts shall be made to locate and return a missing juvenile to safety.

If foul play is suspected or the juvenile is under 13 years of age, a supervisor will be notified. The reporting officer will, within two hours of arriving on scene, contact Records so an NCIC entry can be made.

## 6.9 AMBER Alert

An officer may request the activation of the AMBER Alert plan through the Iowa State Patrol to broadcast abduction information, upon authorization from a supervisor and after meeting criteria outlined in DPD procedure.

## 7.0 Department Vehicles

### 7.1 Requirements for Vehicle Operations

An employee who operates a City vehicle or operates a personal vehicle while conducting City business shall have a valid Iowa Motor Vehicle Operator's or Commercial Driver's License in their possession. An employee shall use seatbelt devices and ensure all occupants in the vehicle are seat belted. An officer should utilize a seatbelt during operation of a motor vehicle. An officer may choose to disengage their seatbelt prior to approach to scene or another law enforcement purpose.

In addition to the Vehicle Use Policy applicable to all City employees, the following guidelines shall apply to the operation of City-owned vehicles by DPD employees:

1. Officers shall have readily available, a Department-approved firearm, police identification, badge, and access to a police radio. If away from the police radio, an officer shall carry their assigned phone.
2. Shall operate the City-owned vehicle in a manner that will not bring criticism or disfavor to themselves or the Department and in compliance with state and local laws.
3. Non-emergency response shall not be unnecessarily delayed; however, an officer responding to a nonemergency call shall obey all traffic laws and shall not use the emergency lights or sirens.
4. Shall adhere to City tobacco use policy in City vehicles.
5. Shall not operate a City-owned vehicle under the influence of alcohol and drugs.

### 7.2 Employee-Involved Vehicle Collisions

Employees shall operate Department vehicles, as well as personal vehicles while on duty, in a safe and prudent manner. Involvement in a vehicle collision in which the employee is at fault is evidence of a violation of policy.

### 7.3 Collision Investigation

An outside agency will ensure impartial investigation of collisions involving employees. Investigating Agency Determination

### 7.4 Outside Agency Investigations

On duty or off duty in a Department vehicle involving life-threatening injuries or a fatality  
Collisions investigated by DPD when the accident occurs in Dyersville limits:

1. If unable to determine who is clearly at fault, another agency will be requested to investigate the accident.
2. DPD officers will conduct a parallel investigation in some circumstances where an outside agency is the lead in the investigation.
3. If the collision involves an immediate family member (spouse, child, or parents) of an employee and if the officer believes that there may be a conflict of interest, they should contact a supervisor to arrange for another officer or agency to investigate the collision.

Off Duty:

1. Driving a personal vehicle involving life-threatening injuries or a fatality.
2. Driving a personal vehicle involving non-life-threatening injuries.
3. Driving a personal vehicle involving reportable accident.

On Duty or Off Duty:

1. Driving a Department vehicle involving non-life-threatening injuries.
2. Driving a Department vehicle involving reportable accident.
3. Driving a Department vehicle involving non-reportable accident.

Whenever any officer is involved in a vehicular accident while on duty or operating a City vehicle, they shall immediately do the following:

1. Stop at the accident scene, render aid as appropriate, and remain there until the investigation is complete or a supervisory officer releases them, unless the officer has received injuries requiring him to leave the scene for treatment.
2. If during an emergency response, immediately notify dispatch and request that the call/response be assigned to the nearest available officer.
3. Based on the nature of the original call/response, the supervisor shall determine whether the involved officer should continue on the emergency call/response based on the severity of the accident, the availability of other responding officers, and the nature of the original response situation.
4. If no supervisory officer can be reached, the involved officer shall remain at the scene and notify dispatch to reassign the original call/response.
5. If no other units are available or are so far away that their response time significantly increases the threat to life at the emergency scene, the involved officer may continue his response. They shall notify dispatch to assign the next available officer and supervisor to respond to the accident scene and shall return as soon as possible.
6. Notify dispatch and request their immediate supervisor (if available), or any other supervisor be notified.
7. Protect and preserve all physical evidence at the scene as practical.
8. Render aid as appropriate.

Any officer involved in a vehicular accident which involves serious injury to any person shall remain at the scene of the accident and render aid, regardless of the nature of the original call/response.

If fault of the employee is in question, or circumstances dictate, another agency will be requested to investigate the accident.

### 7.5 Collisions Involving Employees Out of Jurisdiction

Any collision involving employee's on-duty will be reported to the agency of jurisdiction and the Dyersville Chief as soon as possible.

### 7.6 Assigned Vehicle Usage

An employee may be assigned a vehicle based upon the operational needs of the department. When assigned on-call status, an employee will have their assigned vehicle with them and be available for quick response. The Chief shall retain the right to authorize take-home vehicles for officers.

### 7.7 Restrictions on Use of Assigned Vehicles Use

*See city vehicle use policy*

### 7.8 Ride Along Program

The observation and understanding of police patrol activities by other police department employees and citizens through a ride-along program is a laudable objective; however, these passengers change the delicate balance between the demands of routine patrol activities and vehicular operations. This policy is adopted to place reasonable restrictions on the frequency of passengers and observers in department vehicles.

All citizen ride-alongs must be approved by a supervisor prior to the date of the proposed ride-along. This policy will be applicable to all passengers and observers in Dyersville Police Department vehicles.

Ride-along requests shall be submitted to the Chief with as much notice as possible, but at least seven (7) days in advance.

Ride-along participants shall report to the main entrance of the police department.



The Chief of designee shall assure that the application and waiver form has been signed and completed prior to the beginning of any ride-along. See Dyersville Police Department Adult Covenant Not to sue and Indemnify Agreement.”

During the period of the ride-along, the participants will be under the direct supervision of the patrol officer to whom they are assigned.

Ride-alongs will not be armed and will not be given access to any weapons while participating in the ride-along except in the cases of peace officers who are authorized to carry firearms within Iowa and approved by a supervisor.

Riders under the age of 18 must have a waiver signed by a parent or legal guardian and shall be approved by the Chief of Police. See “Dyersville Police Department Juvenile Ride-Along Form.”

Officers are not required to accept any riders under this policy.

## 8.0 Uniforms and Appearance

### 8.1 Issuing Uniform and Equipment

Each employee will display the utmost professionalism in appearance and dress.

### 8.2 Initial Issue

Newly hired officers shall be issued a set of uniforms and related equipment items. Probationary officers shall not receive a clothing allowance.

### 8.3 Damage or Loss of Property Belonging to an Employee

An employee is responsible for the care, maintenance, and serviceable condition of City property assigned to them. Employees will report loss or damage of such property and the relating circumstances to the Division Commander within seven calendar days.

### 8.4 Replacement of Property/Uniforms

An employee will replace or compensate the Department for all uniform and required personal items that are damaged, lost, or stolen because of an employee's negligence.

As a rule, personally owned property used by an employee during their duty day is not covered for reimbursement by the Department.

However, if damaged during Department duties, personal items that are required to perform work duties, including watches, safety eyeglasses, and sunglasses, may be reimbursed by the Department per union contract.

The Police Chief, or their designee, shall review every incident and determine personal item replacement.

### 8.5 Return Upon Termination

Terminated officers shall return the equipment to the Supply Office based on the schedule listed below:  
All issued items.

### 8.6 Items Given to Retiring Officers

Retired officer immediately eligible to enter the IPERS system, receives the following (Police Chief may approve exceptions):

1. Name tag/Badge

### 8.7 Uniforms

All uniforms shall be of Department approved brands and blends. Other uniform items not included in this policy may be approved by the Chief.

### 8.8 Specialty Plates/Pins

Metallic specialty plates/pins may be worn on Class A and B uniforms. Only one specialty plate or pin shall be worn. All specialty plates/pins shall be approved by the Chief.

### 8.9 Department Authorized Awards

All shirt ribbons/awards approved by the Department may be worn on a Class A or B uniform.

### 8.10 Duty Belt

The regulation duty belt and all duty belt accessories shall be black and a basket weave design. All metal snaps

or other metal accessories shall be chrome or nickel finish. Black or hidden snaps are also approved for use. Brass for Chief/Assistant Chief. The officer shall maintain their duty belt and accessories in a clean, polished, and serviceable condition. When the buckle-belt is worn, the right edge of the buckle shall be aligned with the trouser fly and the edge of the shirt closure.

### 8.11 Inspections

Supervisors of uniformed officers are responsible to conduct monthly uniform inspections and shall require officers to replace worn and unserviceable items.

### 8.12 Administrative, Office, or Plainclothes Employees

An employee wearing civilian clothes will wear apparel consistent with the current style of dress of the white-collar business and professional segment of our community.

### 8.13 Training Attire/Meeting Attire

Personnel attending classroom instruction, or Department or other professional meetings, will wear Department-issued uniforms or normal business attire. A supervisor or training facilitator may authorize the wearing of other clothing as required by the nature of the training or meeting.

### 8.14 Court Attire

An employee attending court shall be neatly and conservatively dressed to present a professional appearance. An officer may wear the authorized uniform of the day. At a minimum, an employee shall wear a button-up dress shirt with tie, dress or Dockers-style slacks, and dress shoes.

### 8.15 Exemptions from Wearing Uniforms

Executive Staff, Command Staff, and officers assigned to plainclothes or administrative duties are exempt from wearing the uniform of the day.

### 8.16 Adoption of New Items

Any changes to the approved uniform standards shall be approved through the Police Chief's office.

### 8.17 Uniform Appearance

All uniform articles shall be kept in good repair and maintained in a neat, clean condition.

### 8.18 Personal Hygiene

When reporting for duty, an employee shall maintain appropriate personal hygiene so as not to offend fellow employees or the public.

### 8.19 Jewelry

### 8.20 Body Piercings

No employee shall have visible body piercing jewelry, including all facial and tongue piercings, with the exception of ear piercings for female employees. This includes any piercings visible through the uniform.

### 8.21 Cosmetics, Perfumes, and Colognes

Cosmetics will be moderate and in good taste. Each employee shall not use makeup lending itself to a gaudy appearance or use excessively odorous perfumes or colognes.

## 8.22 Hair

A male employee shall wear his hair neatly trimmed, clean, and well-groomed while on duty. The hair shall not extend below the top of the shirt collar or cover any portion of the ears. The hair style shall not interfere with the proper wearing of the uniform hat, helmet, or chemical agents mask. An officer assigned to investigative duties shall be allowed to maintain his hairstyle to the midpoint of the ears or cover no more than half of his ear.

A female employee shall wear her hair in a clean and well-groomed manner while on-duty. Each female officer shall wear her hair in a short style or worn fastened up off the neck and ears. The hairstyle shall not interfere with the proper wearing of the uniform hat, helmet, or chemical agents mask.

Each employee shall wear their hair in a naturally-occurring hair color that does not detract from professional decorum. If a wig is worn, it shall comply with the provisions in this section.

## 8.23 Sideburns

The sideburn shall be trim and neat in appearance. Sideburns shall not extend beyond the point even with the bottom of the ear's inner opening and shall end in a clean-shaven horizontal line. The flare (lower portion of the sideburn) shall not exceed the width of the main portion of the sideburn by more than 1/4 of the unflared width.

## 8.24 Facial Hair

Each employee shall be clean-shaven when reporting for duty. Beards and goatees are prohibited. Requests for variances (e.g., for medical reasons) shall be made through the chain of command. A short and neatly trimmed mustache of a naturally-occurring color is acceptable. Mustaches shall not extend over the upper lip, may not extend to the side more than 1/2 inch beyond the corner of the mouth, and may not extend below the corner of the mouth.

## 8.25 Tattoos, Body Art, and Brandings

An employee shall not have any tattoos, body art, decorative hardware, or branding on the head, face, neck, scalp, hands, or visible teeth (excluding orthodontic appliances); unless authorized by the Police Chief. Any pre-existing tattoos, body art, or branding on any of these areas will either be removed or covered by cosmetics or clothing.

Any visible tattoos, body art, or branding that are obscene, advocate or symbolize gang, extremists groups, drug use, or sexual discrimination shall not be permitted, unless authorized by the Police Chief.

## 8.26 Personal Appearance Exceptions

A supervisor may exempt any employee from the provision of the appearance standards for completing a temporary special task or assignment that would require personal appearance in variance with these sections.

## 9.0 Firearms

### 9.1 Firearms Authorization

The following firearms safety procedures apply to all employees authorized to carry firearms.

### 9.2 Unnecessary Display

An officer shall not carelessly display any firearm. An officer is specifically prohibited from engaging in any form of “dry firing” in any police facility or public place, except as part of a training course under supervision.

The term “dry firing” includes any form of weapon-drawing practice, trigger-pull, or sight-picture practice.

Officers shall understand that the pointing of a firearm at a person is a use of force and requires an articulable reason for doing so.

The exceptions to this are:

1. During authorized training exercises.
2. When the firearm is used to deploy chemical agents or less-lethal munitions.
3. During field operations when a supervisor orders the officer to aim a firearm at a person independent of the officer’s knowledge of any threat.

### 9.3 Routine Handling of Firearms

An officer in any police facility, or for administrative purposes, shall unload, load, and clean firearms only in a safe manner. A supervisor may order an officer to draw, unload, present, and reload service weapons for inspection, providing this is accomplished in a safe and orderly manner. If available, a safety barrel shall be used. When properly checking, unloading, or loading a firearm, the officer shall always point the muzzle in a safe direction and keep fingers outside of the trigger guard. When handing a firearm to any person, an officer shall cause the weapon to be unloaded and the action to be opened. When accepting a firearm from any person, an officer shall keep fingers outside of the trigger guard, maintain the muzzle in a safe direction, and manually and visually check the weapon chamber and ammunition feed source (magazine area) to ensure that safe conditions exist. The officer shall secure all carried firearms prior to entering the jail area, according to jail policy.

### 9.4 Storage of Firearms

An officer shall exercise due caution in the handling and storage of service firearms, whether on duty or off duty. Service firearms shall be stored in such a way as to minimize the possibility of possession by unauthorized users and the resulting possibility of discharge of the weapon.

### 9.5 Unsafe Weapons

An officer shall not knowingly carry mechanically unsafe or deficient firearms. Any firearm discharge that is attributed to a mechanical defect in the safety mechanism or other mechanical defect, shall be presumed to be an unsafe weapon. The Range Master and Armorer shall immediately be notified of this condition. The unsafe weapon shall be immediately removed from service.

### 9.6 Weapon Cleaning

Each officer is responsible for cleaning their service weapon, emergency backup weapon, and off- duty weapon in a clean and serviceable condition always. They shall report deficiencies in the

cleanliness, condition, and serviceability of any Department firearms, including the police shotgun and special weapons, to the Department Armorer or Range Master.

## 9.7 Firearms Discharge

The discharge of any Department-issued firearm while carried on or off duty or any firearm authorized to carry during the course of duty is a serious matter, which will be investigated according to Department procedures.

All firearm discharges shall be investigated by the Department. Discharges that are unintentional or negligent will be investigated by the Range Master and officer's supervisor. They shall complete the proper Department investigation and immediately generate an Unusual Occurrence Report to notify their chain of command.

Intentional discharges will be handled either as a CITF/OIA investigation or as an Unusual Occurrence Report.

Unintentional discharge is defined as the discharge of a firearm in a safe direction and manner when no safety violations have occurred.

Negligent discharge is defined as any discharge that occurred because of a failure to follow established safety rules and protocols and/or discharged in a non-safe manner.

### Responsibilities and Safety Procedures—

An officer will be armed with an issued service weapon during on-duty hours, except when any of the following provisions apply:

1. When directed to disarm by a ranking officer.
2. When involved in authorized training or activities that make the wearing of a weapon impractical and inadvisable.
3. When wearing a weapon would violate any provisions of this manual, the laws of the municipality, state, or nation, or rules of the court where the officer is located.
4. When involved in a situation where the wearing of a firearm would pose an increased hazard to the officer.
5. When on administrative assignment (Command level assignments, light duty, temporary assignment), the requirement to be armed shall be met as long as the employee has a weapon immediately accessible.
6. An officer will not surrender their weapon to a criminal for any reason.
7. Emergency or back-up weapons should be carried in a manner that is not visible to the public.
8. Officer shall submit all weapons intended to be used within the scope of their duties to a Firearms Instructor for inspection once every 12 months.
  - a. Each weapon shall be certified safe before the officer can carry it on duty or off duty.
  - b. Inspections shall be recorded in training records.
  - c. Officer shall re-submit any firearm for inspection by a Firearms Instructor when any of the following conditions exist:
    - i. When so directed by a superior officer.
    - ii. When there is reason to believe that the safety device designed by the manufacturer has been rendered ineffective.
    - iii. When the weapon has functioned improperly.

## 9.8 Carrying of Firearms Off Duty

An officer, except probationary officer, who is qualified and elects to carry weapons off duty, shall also carry their police identification card and badge. The officer will also conduct the required off-duty qualification. A non-probationary officer, who has prior law enforcement experience, can request approval from the Police Chief to carry a firearm off duty.

An officer is authorized and strongly encouraged to be armed with an authorized weapon or to have one nearby while off duty.

Employees shall not carry a firearm when they are under the influence of alcohol, drugs; to include prescription medications which cause impairment, except in an undercover capacity when approved by their commander.

All standard firearms policies and procedures shall apply once a probationary officer has been assigned into the FTO program. Prior to entering the FTO program, a probationary officer may carry authorized weapons on duty and off duty as follows:

1. A probationary officer with prior law enforcement experience, who holds a current POST certificate in any state and who has completed the Department's course of instruction and qualification, may carry authorized firearms on duty and off duty.
2. A probationary officer with no prior law enforcement experience shall complete the Department's course of instruction and qualification and successfully complete the POST Academy before carrying any Department-issued firearm on duty or off duty, unless it is part of their course of instruction.

## 9.9 Firearms Transfer

No Department-issued firearms shall be transferred from employee to employee unless emergency circumstances exist. Only with permission from the Police Chief or designee.

## 9.10 Firearms Specifications and General Requirements

The Department weapons issued to an officer and all personally owned weapons used by an officer in their capacity as a police officer shall be approved by the Firearms Instructor. No weapons shall be altered without approval of the Firearms Instructor.

## 9.11 Rifle Program

All officers who are issued a "Patrol Rifle" on duty will follow all Firearms Unit Directives.

## 9.12 Qualifications Requirements and Training

Officers shall pass all qualification standards and meet all qualifications set forth by the ILEA guidelines.

### Firearms and Ammunition

1. While on duty, all Officers shall carry such firearms as issued by the Dyersville Police Department unless permission is granted to carry a personally owned firearm.
2. Officers are encouraged, but not mandated, to carry a handgun when off duty. An Officer who elects not to carry a handgun when off duty shall not be subjected to disciplinary action if an occasion should arise in which they could have taken Police action if they were armed.
  - a. An exception is off-duty Officers, while operating a departmental vehicle, shall be armed with an approved firearm
3. No personally owned firearms smaller than .38 caliber and no automatic Weapons will be carried by Officers of this department while on duty without express permission of the Police Chief and

the department's firearm Instructor and only with adherence to department policy. Permission to carry a firearm of less than .38 caliber or an automatic firearm may be obtained providing a written request is approved by the department Firearms Instructor with final approval by the Police Chief or issued by the department and with strict adherence to department policy,

4. A department approved firearm (on duty, off duty, a secondary firearm) intended for official use by an Officer must meet the following requirement.
  - a. The firearm must be inspected, fired and certified by the Department armorer.
  - b. The firearm must be registered with the department by make, caliber, and serial number,
  - c. The Officer must demonstrate safe and proficient use of the firearm during regular firearms qualifications sessions.
  - d. The Officer must meet certification requirements with each approved firearm.
  - e. All firearms carried, by Officers of the Dyersville Police Department, must be approved by the department's Firearms Instructor with final approval by the Police Chief. There will be no exceptions to this policy.

#### Ammunition Control

1. The Dyersville Police Department will provide on duty, qualification, and reasonable practice ammunition for all issued firearms. All other ammunition will be prohibited unless express permission is given by the department Firearms Instructor with final approval by the Police Chief and in strict adherence to department policy.
2. If an Officer requests to carry a type of ammunition other than that issued by the department for a department issued firearm, permission may be obtained providing a written request is approved by the department Firearms Instructor with final approval by the Police Chief.
3. All ammunition for non-department issued firearms will be provided by each individual Officer. The cost of that ammunition will be the responsibility of that Officer. All ammunition utilized for non-department issued firearms must be approved by making a written request to the department Firearms Instructor with final approval by the Police Chief.
4. The Dyersville Police Department will issue a holster for department issued firearms. Officers that have been approved to carry non-issued firearms will provide their own holster at the cost of the Officer. The holster must be inspected and approved by the department's Firearms Instructor.
5. As with all equipment purchases, all department issued ammunition and firearms will be purchased by the department Equipment Officer upon request by Officers.

#### Certification of Officers

1. All certification will be the responsibility of the department Firearms Instructor with strict adherence to policy and procedures defined by the Code of Iowa and the Iowa Law Enforcement Academy.
2. All Officers of the Dyersville Police Department shall be certified with their primary duty firearm, off duty firearm, and secondary firearm. Training and certification shall include:
  - a. Training regarding the legal, moral, and ethical aspects of firearms use.
  - b. Safety in handling firearms.
  - c. Proficiency in the use of the firearms.
3. Firearms certification shall be required twice a year. In the event of an Accidental discharge, the Officer involved must undergo an immediate recertification training prior to returning to full duty.
4. Schedules for such qualifications will be the responsibility of the department Firearms Instructor with approval of the Police Chief.
5. Officers who fail to qualify will be subject to the following restrictions.
  - a. The Officer will receive a ten-day grace period
  - b. Within that grace period, the Officer, on his own time, will report for remedial firearms training and certification



- c. Officers who fail to achieve certification after attending remedial firearms training will be replaced on suspension
- d. After one-week suspension, if the Officer has still failed to achieve certification, he shall be suspended for failing to maintain standards and additional disciplinary sanctions will be considered by the Administration of the department.

### 9.13 Routine Discharge of a Firearm

1. While on duty for the Dyersville Police Department, it may become necessary to discharge a firearm during the course of routine duty for the following:
  - a. The killing of an animal:
    - i. For self-defense
    - ii. To prevent substantial harm to the Officer or another
    - iii. When the animal is so badly injured that humanity requires it relief from further suffering
  - b. Discharges for the purpose of training
2. When an Officer discharges a firearm for a routine matter during the course of his shift of duty, the Officer will do the following:
  - a. Complete and submit a Routine Discharge form to the Firearms Officer.
    - i. The Firearms Officer will inspect the weapon to ensure that the weapon meets the following criteria:
      1. The firearm is satisfactorily cleaned
      2. The firearm is restored to a safe condition
      3. The firearm has been reloaded with appropriate ammunition
      4. Ensure that the firearm is restored to its proper location
    - ii. This procedure is not a replacement for procedures defined in the Policy Manual for use of deadly force. In no way will this section serve as a replacement procedure for serious incidents involving the use of deadly force
3. Non-deadly force may be used only when necessary to achieve a law objective
4. Deadly force may be used only when it is reasonable to believe that such Force is necessary in defense of human life.
5. If it becomes necessary to use deadly force on non-deadly force, only minimum amount of force necessary to achieve a lawful Police objective shall be used
6. All use of force shall be reported immediately to the Supervisor
7. All procedures defined in the Use of Force Policy will be strictly adhered to.
8. All Officers of the Dyersville Police Department shall strictly adhere to definition of Use of Force as defined by Chapters 704 and 804 of the Code of Iowa.

## 10.0 Property and Evidence

### 10.1 Disposal of Vehicle Property

1. All vehicle impound forms shall be reviewed by the releasing officer to ensure there are no officer holds on the vehicle.
2. If there is an officer hold, the releasing officer shall follow the instructions on the officer hold. If the officer is not sure the vehicle may be released, or is unsure of proper procedure, the officer shall seek approval from a supervisor prior to the release.
3. The releasing officer shall ensure that all plates are removed if the situation involves plate impoundment. If the plate impoundment notice had not been served to the owner at the time of the incident, it will be given to the owner at the time of release.
4. The releasing officer shall make sure all categories of the vehicle impound release form are complete: Proof of ownership, proof of current insurance, current license plates and valid identification of the claiming party.
5. Vehicles with expired registration shall not be released unless the claimant first updates the registration, or the vehicle is towed from the impound lot.
6. If the releasing officer finds there was no insurance on the vehicle at the time of the stop, the releasing officer shall notify the officer who made initial contact.
7. Vehicles may be released without insurance only if they are towed from the impound lot. It is the releasing officer's responsibility to make sure the tow company is made aware of this.
8. Vehicles shall only be released to the registered owner of the vehicle unless the claimant can produce a signed notarized document from the registered owner giving the claimant permission to take possession of the vehicle.
9. An impound form must be completed before a vehicle can be released. The releasing officer must obtain the signature of the claiming party and complete all information concerning the claiming party. If there are any doubts or concerns with the claiming party, the matter will be deferred to a supervisor.

### 10.2 Property and Evidence

To ensure the proper handling, packaging and documentation of evidenced that is of critical importance in establishing elements of the offense being charged. Evidence occasionally calls for special attention such as refrigeration or freezing to maintain its integrity. Documentation of the chain of custody and any special handling is essential

***This Order applies to all members of the department.***

It is the responsibility of each member of the department to become familiar with and adhere to the provisions of this Order.

Command personnel will ensure compliance with this Order by subordinates.

It is the policy of the Dyersville Police Department to ensure that all items taken during an officer's normal course of duty are properly inventoried, secured and stored, readily retrievable and that all changes in custody are properly documented and to handle, package and store all evidence in such a manner as to maintain its integrity.

#### **Definitions**

1. Chain of Evidence: The continuity of the custody of physical evidence, from the time of collection to the time of disposal, which may be used in a judicial proceeding.
2. Physical Evidence: Any substance or material found or recovered in connection with a criminal

- investigation.
3. Evidence Officer: Department member accountable for the control and maintenance of all evidence accepted by or stored in the agency's evidence room and for the overall function and operation of the Evidence Lockers and Evidence Room.
  4. Evidence Locker/ Main Evidence Room: Facilities utilized by the Dyersville Police Department to store evidence.
  5. Impounding Officer: The member of the police department who initially receives the evidence and initiates the chain of custody.
  6. Primary Investigator: The member of the police department assigned to investigate and manage specific cases that contain evidence and property relevant to the crime and people involved. This individual needs to consult on case disposition and final deposition(s) regarding evidence/property related to a case(s).
  7. Types of Property/Evidence
    - a. Evidence: Property that may be related to a crime that may implicate or clear a person of a crime
    - b. Found Property: Non-evidentiary property after coming into custody of a law enforcement agency that has been determined to be lost or abandoned (Held for a period of six (6) months.
    - c. Property for Safekeeping: Non-evidentiary property that is placed into the custody of a law enforcement agency for temporary protection on behalf of the owner.
    - d. Property for Disposal: Non-evidentiary property that is taken in an agency for the purpose of disposal or property that a citizen has requested to be destroyed.
    - e. Hold for Return – Items held by the PD for the purpose of proof of ownership.
    - f. Seized Property – Property is illegal to possess by statute:
      - i. Alcohol-Minors
      - ii. Tobacco – Minors
      - iii. Illegal drugs
      - iv. Firearms
      - v. Abandoned Property – Property where no owner can be located

## **Procedures**

1. All property/evidence that comes into the possession of the Dyersville Police Department shall be processed. Officers will place evidence in the appropriate bag/box as evidence and shall tag and identify: place located, item description, offense, suspect name, victim name, case number, date and time recovered by officer's name on an evidence tag.
2. Officers shall bring evidence to the police department and make a list of all the recovered evidence (Property Inventory) including description of the item, make, model, number, serial number if any, source from whom and location obtained, name and badge number of the law enforcement employee responsible for collecting the item(s) and the date and time collected and put evidence into the evidence locker and lock the locker with padlock provided. The Officer is responsible for entering the report into the records management system.
3. Officers shall send email or notify the evidence officer stating what numbered locker the evidence is in along with the case number, date and time.
4. The Evidence Officer will remove evidence from the evidence locker, enter the evidence into the program, and secure it in the main evidence room. The evidence officer is responsible for maintaining, releasing and accounting for all evidence and for maintaining a filing system for all evidence receipts and records manual and computerized.
5. The Evidence Officer shall be solely responsible for the proper packaging/handling of alcohol. The impounding officer will place all alcohol along with a completed Property Inventory in a property locker.
6. The Evidence Officer shall then remove a sample of each different type of alcohol and place it in

a small container and apply the corresponding case number to the container. The Evidence Officer shall then photograph the alcohol container and dispose of the remaining alcohol containers/contents. In the case of an Open Bottle offense, and in cases where a death has occurred (i.e. poisoning, vehicular homicide, or any serious offense involving alcohol) the entire alcohol container and its contents shall be inventoried as evidence. In no case will alcohol be placed or stored in any other areas of the police department.

7. No unauthorized persons shall be permitted in the evidence room at any time. Only the Police Chief or the Evidence Officer shall have authorized access to the Evidence room. A log shall be kept by the Evidence Officer that identifies each authorized member entering the Evidence Room. Any discrepancies in the Evidence Room will fall under an internal investigation by the Police Chief.
8. Items that are too large to be secured into evidence lockers shall be secured and the evidence officer shall be notified.
9. For items that require refrigeration or special handling, the officer shall place the evidence in a sealed bag/box with evidence tape and place into the secured refrigerator provided.
10. Only officers authorized to transport evidence may do so and must complete a short follow-up report to be attached to the case file whenever property or evidence is transferred into or out of the evidence room. The report shall include what manner the item was transferred (in person, by mail, etc.) by whom and must include the dates and times.
11. Blood kits, urine kits, drug kits, and CSC kits must be refrigerated and/or frozen and marked BIOHAZARD. Transfers of CSC kits or any felony evidence should not be transferred via mail.
12. Fireworks can be logged into the evidence room making sure that a disposition is given for them. The evidence officer will have the fireworks destroyed if they are not needed for evidentiary purposes with charges pending.
13. If there is a large quantity of hazardous material obtained, contact the Fire Department.
14. If a seized item is suspected to be an explosive such as a bomb, grenade, mine, etc. immediately contact the State of Iowa Fire Marshall's Office. For safety purposes, these items will not be logged into the Property/Evidence room. If possible, please photograph the item before releasing it to the Fire Marshall.
15. Evidence requiring added security such as money, drugs, and jewelry shall be stored in a safe in the evidence room.
16. All firearms will be cleared by the impounding officer. Ammunition will be packaged separately.

### 10.3 Disposal of Evidence

1. When no longer needed for evidentiary purposes, all evidence with the exception of firearms, alcohol and other contraband, or all found and abandoned property shall be returned to its lawful owner unless title to the evidence is transferred to the City of Dyersville by court order or consistent with Iowa Code 809. If the lawful owner fails to claim the evidence/property, the police department may then:
  - a. Destroy it
  - b. Dispose of it by public auction
  - c. Retain for use by the PD
2. Firearms and other non-drug contraband shall be physically destroyed unless:
  - a. Court Order authorizes use of them by the police department or
  - b. The firearm is required by state law to be returned to the owner.
  - c. All firearm releases shall be reviewed by the Chief or designee
3. The destruction of drugs and related items shall take place at a site reviewed by the Evidence Officer and approved by the Police Chief. The destruction and facilities must comply with

federal, state and local regulations related to health and safety.

- a. The Items shall be inventoried and placed in a container for transport
- b. The Evidence Officer or designee shall transport the items to the destruction site and witness the destruction.
- c. After the completion of the destruction, a report shall be completed and forwarded to the Police Chief. The report will include the date, time and location of the destruction, an inventory of the destroyed items, final disposition allowing for items destroyed and names and signatures of those present for the destruction.
- d. The report will be filed with the Evidence Officer.

#### 10.4 Audit of Evidence/Property Room and Records

The Chief of Police shall conduct unannounced audits of the Evidence Room and records at his/her discretion to assure the accuracy and integrity of the Evidence/Property Unit function as designed.

The Police Chief of this agency or the City Administrator can authorize a third party or administrative audit of the Evidence Room and Records for purposes of Internal Investigations or other discretionary reasons.

#### 10.5 Damage or Loss of Property Belonging to Others

Each employee shall protect the property of another subject or entity from damage or loss. If an employee damages or loses property, the employee shall promptly notify their supervisor who shall report the incident on an AIR.

#### 10.6 Abandoned, Stolen, and Seized Vehicles

#### 10.7 Towing from Arrests

Upon an arrest, the vehicle will be towed unless there is a sober, licensed driver at the scene who can take custody of the vehicle and the suspect has provided audio recorded consent for that individual to assume responsibility for the vehicle and its contents and with the officer's approval.

#### 10.8 DUI Evidentiary Blood Samples

Absent exigent circumstances, all involuntary blood draws to obtain evidentiary samples require a Search Warrant.

DUI - Evidentiary Blood Samples:

Blood may be taken in any investigation of DUI when the suspect has been advised of their rights and has refused to provide either a breath or urine sample as requested by the officer and the following circumstances are present:

1. The suspect is in custody and the officer has reason to believe the suspect is under the influence of drugs/alcohol/or other intoxicating substances, and
2. After consultation with the On-Call Prosecutor, a Telephonic Blood Draw Search Warrant has been obtained; or the suspect voluntarily consents to a blood draw in lieu of providing a breath or urine sample.
3. The blood is taken in a medically acceptable manner pursuant to Iowa Code.
4. Soft Empty Hand Control may be used to restrain the suspect if necessary. If additional force is required beyond just holding the arm/shoulder, or if the suspect jerks, thrashes or physically resists at any time, the testing shall stop, and a refusal shall be noted.

## 10.9 Missing Person File

To recover missing persons safely and expeditiously through accurate, timely and thorough information sharing among agencies by maintaining the integrity of the NCIC Missing Persons Database.

This Order applies to all members of the department.

It shall be the responsibility of each officer to assure all missing persons reported are entered into both the Iowa State and NCIC computer systems immediately.

Command personnel will ensure compliance with this Order by subordinates.

Federal Law 42 U.S.C. 557 Section 3701 & 3702 requires that any Federal, State or Local Law Enforcement Agency shall enter any reported missing child (under eighteen years of age) immediately into the State law enforcement computer system and the National Crime Information Center (NCIC) computer systems.

On April 30, 2003, PUBLIC LAW 108-21 [S.151] Section 204 was enacted. This changed the definition of child in U.S.C. 5779 to anyone less than twenty-one years of age.

Federal law requires all law enforcement agencies to begin an investigation immediately upon receipt of a reported missing person under twenty-one years of age. (See Missing Persons Index Number 3016)

Dubuque and Delaware Counties enter NCIC into the system upon receipt of information on Missing Persons. Officers shall request that the information is entered pursuant to this policy and ascertain that the information has been entered. The officer shall make a permanent record of the date/time of the request in the case file.

## 10.10 Missing Child/Juvenile (Up to 17 Years Old)

Juveniles are to be entered into the system immediately, not to exceed two hours, upon receiving the minimum data required for entry into NCIC. The two-hour clock shall begin at the time the minimum data required is received.

A missing person report filed with an agency which has jurisdiction is sufficient documentation for entering a juvenile into the NCIC Missing Person File.

## 10.11 Missing Adults (18 to 20 Years Old)

Any adults under 21 years of age are to be entered into the system immediately, not to exceed two hours, upon receiving the minimum data required for entry into NCIC. The two-hour clock shall begin when the minimum data required for entry is received from the complainant.

A signed report is not required at the time of entry but is required as soon after the entry as possible. The documentation should be from a source such as a parent, legal guardian, next of kin, physician or other authority source including a neighbor or a friend. However, when such documentation is not reasonably attainable, a signed report by the investigating officer will suffice.

## 10.12 Missing Adults (21 Years and Older)

Adults age 21 and older are required to have SIGNED documentation supporting the stated conditions under which they are being declared missing before entry into the system, unless they are victims of a catastrophe. The documentation should be from a source such as a parent, legal guardian, next of kin, physician or other authority source including a neighbor or a friend. However, when such documentation is not reasonable attainable, a signed report by the investigating officer will suffice.

When requesting that records be entered into the NCIC missing person file, ask the entry person to:

1. Check all available information to obtain as many descriptors as possible regarding the subject. This check should include a check of whether medical/dental information is available regarding the subject. Any descriptors used must be documented in the officer's report or in the case file. Attempts to obtain medical/dental information must also be documented in the case file.
2. Request Dubuque or Delaware County Sheriff's Office to enter a record into NCIC on the subject. This record should include all descriptors. Additional identifiers such as scars marks and tattoos, aliases, additional dates of birth, etc., should be added to the record through the use of the Enter Missing Person Supplemental Screen.
3. After the record is entered, have the County query the NCIC entry to obtain a hard copy for second party verification purposes.

Entry of medical and dental information is to be entered within sixty (60) days of original entry, if available. NCIC will send an administrative message, thirty (30) days after the record has been entered. This will serve as a reminder to attempt to obtain additional identifying information.

A notation shall be made in the case file indicating when this attempt was made and what the outcome was, i.e.: child has returned, dental records obtained, etc. This sixty (60) day update is a mandatory FBI requirement on all missing persons records under the age of 21 and Dyersville Police Department personnel shall document this attempt in the case file to show that this requirement has been met.

## 10.13 Missing Persons (Adults)

Validation requires that:

1. The TAC or designee remove all records that are no longer current from the IOWA SYSTEM/NCIC Hot Files.
2. The TAC or designee shall compare records found on the printouts against the current supporting documentation to ensure that the information in each field is accurate and that the records contain all available information found in the case files.
3. The TAC or designee remove all records for which corresponding case file documentation cannot be located OR recreate the case file and ensure that the police department meets NCIC requirements.

Contact:

Missing Person – Consult with investigator or complainant to verify the person is still missing for all missing person records.

Stolen Property - Contact owner or insurance company to verify property is still missing. On stolen vehicles, run a new registration to see if the vehicle has been re-registered to an insurance company or possibly in another person's name.

Document all validation attempts. After validating records identified in the printouts, the TAC must ensure that the certification letters are signed and returned within the specified time to the address shown on the printouts.

#### 10.14 Impoundment and Inventory Search of Vehicles

1. To provide guidelines for members to follow in the impoundment and inventory search of motor vehicles, to protect the department from possible civil liability, to protect the property of citizens, and to reduce the risk of the introduction of dangerous materials into Dyersville Police Department or any other location where impounded motor vehicles may be held.
2. This Order applies to all members of the department.
3. It is the responsibility of each member of the department to become familiar with and adhere to the provisions of this Order.
4. Command personnel will ensure compliance with this Order by subordinates.
5. It shall be the policy of this department that any motor vehicle that is impounded by a member of the department under the following circumstances shall be subject to an inventory search to document the contents of such vehicle for purposes of safety of the contents.
6. Any circumstance authorized by the Code of Iowa concerning the removal and impoundment of a motor vehicle.
7. Any circumstance specifically authorized by state regulation, county or city ordinance
8. Any circumstance in which the vehicle poses a traffic or safety hazard
9. Upon the arrest of the driver or owner of the vehicle, if one of the following criteria are met:
  - a. The vehicle poses a traffic or safety hazard if left in the present location.
  - b. The location of the vehicle would pose a risk to the continued safety of the vehicle or contents.
  - c. The driver was arrested for OWI, DUS, DWR, or no DL in possession.
10. In all cases where police impounds are used, an inventory of the vehicle shall be completed and VTIR sheets shall be filled out completely prior to the officer going off duty. (This form is located in the TRACS program.) Any such inventory search shall be conducted and supervised by a member of the department and valuables shall be listed and secured.
11. Any inventory search shall include the search of closed and locked containers located within the vehicle, pursuant to Colorado vs. Bertine, 107 S. Ct. 738 (1987).
12. If the vehicle is locked and the member performing the inventory search does not have keys to open the doors, glove box, trunk, or other locked containers, a locksmith will be summoned to open those areas of the vehicle deemed necessary to perform a thorough search as outlined above.
13. Any items seized that are believed to have evidentiary value shall be handled in a manner consistent with department policy regarding the disposition of Evidence Storage.
14. Officers shall check computer files for stolen status and registration.
15. If the vehicle is in an accident and is not drivable, the owner, driver or occupant may select a towing company depending on safety and practicality of the request. All other towing companies may be selected at the discretion of the officer.

#### 10.15 Firearms

1. Unload all firearms prior to submitting them to the evidence room. Officers submitting firearms into evidence will:
  - a. Complete an Alcohol Tobacco and Firearms (ATF) National Tracing Center Request form ATF F3312.1, and forward to the proper unit to be processed.
  - b. Package the firearm in a gun box, seal, date and label the box.
  - c. Package the firearm and ammunition separately.
  - d. Submit the firearm, the ATF form, and a copy of the NCIC check (which includes criminal history) to the evidence custodian.
  - e. Document make, model and serial number in report.



## 11.0 Conduct

### 11.1 Professional Conduct

Law enforcement effectiveness depends upon community respect and confidence. Conduct which detracts from this respect and confidence is detrimental to the public interest and should be prohibited. The policy of this department is to investigate circumstances suggesting an officer has engaged in unbecoming conduct and impose disciplinary action when appropriate.

This policy defines acceptable conduct and conduct unbecoming a peace officer for all sworn officers of the department.

It is the responsibility of each member of the department to become familiar with and adhere to the provisions of this Order.

Command personnel will ensure compliance with this Order by subordinates.

This policy applies to all officers of the department engaged in official duties whether within or outside of the territorial jurisdiction of this agency. Unless otherwise noted, this policy also applies to off-duty conduct as well. Conduct not mentioned under a specific rule but which violates a general principle is prohibited.

This policy is organized into eight principles governing conduct unbecoming an officer. Each principle is followed by the rationale explaining the principle and a set of rules.

#### **Authority**

1. Peace officers shall conduct themselves, whether on or off duty, in accordance with the Constitution of the United States, the Iowa Constitution and all applicable laws, ordinances and rules enacted or established pursuant to legal authority.
2. Rationale: Peace officers shall conduct their duties pursuant to a grant of limited authority from the community. Therefore, officers must understand the laws defining the scope of their enforcement powers. Peace officers may only act in accordance with the powers granted to them.

#### **Rules**

1. Peace officers shall not knowingly exceed their authority in the enforcement of the law.
2. Peace officers shall not knowingly disobey the law or rules of criminal procedures in such areas as interrogation, arrest, detention, searches, seizures, use of informants and preservation of evidence.
3. Peace officers shall not knowingly restrict the freedom of an individual, either by arrest or detention, in violation of the Constitutions and laws of the United States and the State of Iowa.
4. Peace officers, whether on or off duty, shall not knowingly commit any criminal offense under laws of the United States or any state or local jurisdiction in which the officer is present, except where permitted in the performance of duty under proper authority.

### 11.2 Public Trust

Peace officers shall refrain from any conduct in an official capacity that detracts from the public's faith in the integrity of the criminal justice system.

Rationale: Community cooperation with the police is a product of its trust that officers will act honestly and with impartiality. The peace officer, as the public's initial contact with the criminal justice system, must act in a manner that instills such trust.

## **Rules**

1. Peace officers shall carry out their duties with integrity, fairness and impartiality.
2. Peace officers shall not knowingly make false accusations of any criminal ordinance, traffic or other law violation. This provision shall not prohibit the use of deception during criminal investigations or interrogations as permitted under law.
3. Peace officers shall truthfully, completely and impartially report, rectify and present evidence, including exculpatory evidence, in all matters of an official nature.
4. Peace officers shall take no action knowing it will violate the Constitutional rights of any person.
5. Peace officers must obey lawful orders but must refuse to obey any orders the officer knows would require the officer to commit an illegal act. If in doubt as to the clarity of an order, the officer shall, if feasible, request the issuing officer to clarify the order. An officer refusing to obey an order shall be required to justify his or her actions.
6. Peace officers learning of conduct or observing conduct which is in violation of any law or policy of this department shall take necessary action and report the incident to the officer's immediate supervisor who shall forward the information to the chief law enforcement officer. If the misconduct is committed by the officer's immediate supervisor, the officer shall report the incident to the immediate supervisor's supervisor.

## **Impartiality**

1. Rational law enforcement effectiveness requires public trust and confidence.
2. Diverse communities must have faith in the fairness and impartiality of their police. Peace officers must refrain from fostering disharmony in their communities based upon diversity and perform their duties without regard to race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation or age.

## **Rules**

1. Peace officers shall provide every person in our society with professional, effective and efficient law enforcement services.
2. Peace officers shall not express, whether by act, omission statement, prejudice concerning race, color, creed, religion, national origin, marital status, status with regard to public assistance, disability, sexual orientation or age.
3. Peace officers shall not allow their law enforcement decisions to be influenced by race, color, creed, religion, national origin, marital status, status with regard to public assistance, disability, sexual orientation or age.

### **11.3 Reputation**

Peace officers shall not, whether on or off duty, exhibit any conduct which discredits them or their department or otherwise impairs their ability or that of other officers or the department to provide law enforcement services to the community.

### **11.4 Rational law**

A peace officer's ability to perform his or her duties is dependent upon the respect and confidence communities have for the officer and law enforcement officers in general. Peace officers must conduct themselves in a manner consistent with the integrity and trustworthiness expected of them by the public.

## **Rules**

1. Police officers shall not consume alcoholic beverages or chemical substances while on duty, except as permitted in the performance of official duties, and under no circumstances while in uniform.

2. Police officers shall not consume alcoholic beverages to the extent the officer would be rendered unfit for the officer's next scheduled shift. A police officer shall not report for work with the odor of an alcoholic beverage on the officer's breath. A PBT may be administered if the officer is believed to be under the influence of alcohol.
3. Police officers shall not use narcotics, hallucinogens or other controlled substances except when legally prescribed. When medications are prescribed, the officer shall inquire of the prescribing physician whether the medication will impair the officer in the performance of the officer's duties. The officer shall immediately notify the officer's supervisor if a prescribed medication is likely to impair the officer's performance during the officer's next scheduled shift.
4. Police officers while on duty, shall not commit any act which as defined under Iowa law, constitutes sexual harassment, including but not limited to, making unwelcome sexual advances, requesting sexual favors, engaging in sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature.
5. Police officers, while off duty, shall not engage in any conduct which the officer knows or reasonably should know constitutes an unwelcome sexual advance or request for sexual favor, or unwelcome sexually motivated physical contact or other unwelcome verbal or physical conduct or communication of a sexual nature.
6. Police officers shall not commit any acts which, as defined under Iowa law, constitute sexual assault or indecent exposure. Sexual assault does not include a frisk or other search done in accordance with proper police procedures.
7. Police officers shall not commit any acts which, as defined under Iowa law, constitute (1) domestic abuse, or (2) the violation of a court order restraining the officer from committing an act of domestic abuse or harassment, having contact with the petitioner, or excluding the peace officer from the petitioner's home or workplace.
8. Police officers shall not, in the course of performing their duties, engage in any sexual contact or conduct constituting lewd behavior, including but not limited to, showering or receiving a massage in the nude, exposing themselves or otherwise making physical contact with the nude or partially nude body of any person, except as pursuant to a written policy of the department.
9. Police officers shall avoid regular personal associations with persons who are known to engage in criminal activity where such associations will undermine the public trust and confidence in the officer or department. This rule does not prohibit those associations that are necessary to the performance of official duties, or where such associations are unavoidable because of the officer's personal or family relationships.

### **Respect**

1. Police officers shall treat all members of the public courteously and with respect.

### **Rationale**

1. Peace officers are the most visible form of local government. Therefore, peace officers must make a positive impression when interacting with the public and each other.

### **Rules**

1. Peace officers shall exercise reasonable courtesy in their dealings with the public, fellow officers, supervisors and subordinates.
2. No peace officer shall ridicule, mock, deride, taunt, belittle, willfully embarrass, humiliate or shame any person to do anything reasonably calculated to incite a person to violence.
3. Peace officers shall promptly advise any inquiring citizen of the department's complaint procedure and shall follow the established departmental policy for processing complaints.

### **Ethics Rules**

1. Peace officers shall not use their official position, identification cards or badges for:

- a. Personal or financial gain, for themselves or another person.
- b. Obtaining privileges not otherwise available to them except in the performance of duty.
- c. Avoiding consequences of unlawful or prohibited actions/.
- d. Peace officers shall not lend to another person their identification cards or badges or permit these items to be photographed or reproduced without approval of the chief law enforcement officer.
- e. Peace officers shall refuse favors or gratuities which could be reasonably interpreted as capable of influencing acts or judgments.
- f. Unless required for the performance of official duties, peace officers shall not, while on duty, be present at establishments that have the primary purpose of providing sexually-oriented adult entertainment. This rule does not prohibit officers from conducting a walk-thru of such establishments as part of regular assigned duties.
- g. Peace officers shall:
  - i. Not authorize the use of their names, photographs or titles in a manner that identifies the officer as an employee of this department in connection with advertisements for any product, commodity or commercial enterprise.
  - ii. Maintain a neutral position with regard to the merits of any labor dispute, political protest or other public demonstration while acting in an official capacity.
  - iii. Not make endorsements of political candidates while on duty or while wearing the department's official uniform.
  - iv. This section does not prohibit officers from expressing their views on existing, proposed or pending criminal justice legislation in their official capacity. None of these rules shall prevent officers from engaging in the free expression of political speech in their capacity as private citizens or the rights of police fraternal or labor organizations to endorse political candidates or express view on political issues or other matters of public concern.

## 11.5 Integrity

Peace officers shall not compromise their integrity or that of their department or profession by taking or attempting to influence actions when a conflict of interest exists.

### Rationale

1. For the public to maintain its faith in the integrity and impartiality of peace officers and their departments, officers must avoid taking or influencing official actions where the officer's actions would or could conflict with the officer's appropriate responsibilities.

### Rules

1. Peace officers shall, unless required by law or policy, refrain from becoming involved in official matters or influencing actions of other peace officers in official matters, impacting the officer's immediate family, relatives or persons with whom the officer has or has had a significant personal relationship.
2. Peace officers shall, unless required by law or policy, refrain from acting or influencing official actions of other police officers in official matters impacting persons with whom the officer has or has had a business or employment relationship.
3. Peace officers shall not use the authority of their position as peace officers or information available to them due to their status as peace officers for any purpose of personal gain including, but not limited to initiating or furthering personal and/or intimate interactions of any kind with persons with whom the officer had contact while on duty.
4. Peace officers may engage in any off-duty employment if the position doesn't compromise the officer's ability to perform the official duties with written requested approval by Police Chief.

### **Confidentiality**

1. Peace officers shall observe the confidentiality of information available to them due to their status as peace officers.

### **Rationale**

1. Peace officers are entrusted with vast amounts of private and personal information or have access thereto. Peace officers must maintain the confidentiality of such information to protect the privacy of the subjects of that information and to maintain public faith in the officer's and department's commitment to preserving such confidences.

### **Rules**

1. Peace officers shall not knowingly violate legal restriction for the release or dissemination of information.
2. Peace officers shall not, except in the course of official duties or as required by law, publicly disclose information likely to endanger or embarrass victims, witnesses or complainants.
3. Peace officers shall not divulge the identity of persons giving confidential information except as required by law or department policy.

### **Specific Behaviors Prohibited**

#### **Rules**

1. A member shall not commit any act which constitutes a violation of any rule, directive, order or policy of the department. Ignorance of these rules, directives, orders or policies shall not be considered as justification for any such violation. Members shall be responsible for their own acts, and they shall not shift to others the burden of responsibility for failing to execute a lawful order or follow department policies.
2. A member shall remain awake and alert while on duty.
3. Officers shall not loiter in the police department office nor shall they read non-police material, play games, watch television or otherwise engage in entertainment while on duty. They shall not engage in personal business which would cause them to be inattentive to duty.
4. A member shall not feign illness or injury, falsely report ill or injured, or otherwise deceive or attempt to deceive any official of the department as to the condition of their health.
5. Officer shall be required to establish residence within a five (5) mile radius of the corporate boundaries of the city as a condition of employment.
6. Officers shall be permitted one forty-five (45) minute meal period and one twenty (20) minute break per shift, subject to immediate call if needed. Meal and break periods are not to be combined or taken at the end or beginning of the shift.

## **11.6 Intoxication (Police Conduct)**

Officers of the Dyersville Police Department shall not be intoxicated in public or act in a manner that would bring disgrace to the Department.

Extreme intoxication, use of profanity or causing a disturbance while intoxicated is prima facia evidence of misconduct off duty and is subject to disciplinary action.

If any officer exhibits signs of alcohol abuse, the Department may request he/she attend alcohol abuse

evaluation and adhere to all treatment recommendations issued.

Any police contact that results in police action on a member of this department shall be reported to the Police Chief as soon as possible.

### 11.7 Associations

An employee shall avoid regular dealings with persons who they know are under criminal investigation or who have a reputation for present involvement in felonies or criminal behavior, except as necessary for the performance of official duties or where unavoidable because of the employee's personal relationship.

### 11.8 Judicial Orders or Process

An employee shall not testify in any civil case in which the Department may have an interest unless:

1. They are requested by City Legal or their representative
2. They are issued a subpoena and have notified their Supervisor.

The only persons authorized by the Department to accept service of court process and documents naming the Department as a defendant or requesting records or information from DPD files are the Chief, the Chief's designee, or City Legal. This applies only to those situations other than the normal subpoena process used by the Ada County Prosecutor's Office or City Legal. Examples include:

1. Civil suit filed against DPD or its employees.
2. Subpoenas for records or dispatch information.
3. Subpoenas in civil matters in which the Department is a party.

### 11.9 Confidentiality

No employee shall divulge any confidential information obtained in the course of employment with the Department without proper authority

### 11.10 Use of Outside Influence

An employee shall not knowingly use, attempt to use, or permit the use of any outside influence to gain promotion, transfer, or change of duty for themselves or another employee.

An employee may become surety or guarantor, post bond, or furnish bail for themselves and their immediate family. An employee shall not become surety or guarantor, post bond, or furnish bail for other persons, unless such action is approved by a Division Commander or a higher-ranking supervisor and it is determined that Department interests are not at stake.

### 11.11 Bail

An employee may become surety or guarantor, post bond, or furnish bail for themselves and their immediate family. An employee shall not become surety or guarantor, post bond, or furnish bail for other persons, unless such action is approved by the Police Chief.

### 11.12 Purchase from Prisoner/Confidential Informant

An employee shall not purchase anything from a prisoner or Confidential Informant unless the purchase is made through an authorized outlet. No employee shall knowingly purchase anything from a person against whom the Department has a criminal charge pending or in which the employee is involved in the prosecution as the arresting officer or as a witness.

### 11.13 Interference with Prosecution

Following an arrest or the issuance of a citation, an employee shall not make or negotiate any compromise or arrangement to allow a person to escape the penalty of the law, unless cleared by their supervisor and/or the Prosecutor. Also, an employee shall not seek, out of friendship for the defendant, to obtain any continuance or suspended sentence in any trial in court or otherwise interfere with the courts of justice. This section shall not be construed to restrict an employee from arriving at mutually productive agreements with defendants with a view to developing information about criminal activity or otherwise in the furtherance of justice when cleared by their supervisor and/or the Prosecutor.

### 11.14 Recommendations, Endorsements, and Referrals

Without the approval of the Chief, an employee shall not authorize the use of their name, photograph, or official title, which identifies them as a Department employee, in connection with testimonials or advertisements of any commodity or for any commercial enterprise. Except in the transaction of personal business, an employee shall not recommend or suggest the employment or procurement of a particular product, professional service, or commercial service (such as an attorney, towing service, bondsman, mortician, taxi, etc.). In the case of taxi and towing services, an employee will contact dispatch for the rotational service.

### 11.15 Bribes, Discounts, Gratuities, Rewards, and Gifts

The Department prohibits the solicitation and/or acceptance of any discount, gratuity, reward, or gift that could, in the public mind, be interpreted as capable of influencing an employee's judgment in the discharge of duties or that would reflect favoritism by the employee or Department toward any particular subject, group, or business.

### 11.16 Donations to the Department

Donations typically include cash, equipment, facilities, or services. An employee may solicit donations on behalf of the Department and with prior approval by the Police Chief.

### 11.17 Support of Fellow Employees

An employee shall support their fellow employees in the lawful and just performance of their duties and shall not display cowardice or fail to provide assistance when needed.

### 11.18 Designated Place of Duty

For the purpose of this policy, the phrase "DESIGNATED PLACE OF DUTY" may include but is not limited to the following:

1. The Dyersville Police Department
2. Municipal, district or other court or place of judicial hearing
3. Designated sites for specific training

Generally, the "Designated Place of Duty" for employees of the Dyersville Police Department shall be or originate at the Police Department. However, specific job assignments may require employees to report for duty at a place other than the department. Employees may also be required to report for duty at places other than the department such as court appearances or training assignments.

### 11.19 Employee Obligations

Employees are responsible to be present and ready to perform their respective duties at the "Designated Place of Duty" at the time assigned. Employees are further responsible to remain at the "Designated Place of Duty" for the time prescribed, unless authorization to leave is obtained from a supervisor or other person in charge.

### 11.20 Transportation

Transportation will be in accordance with applicable City policies and/or existing personnel contracts or labor agreements.

Violations of this policy may result in appropriate disciplinary action being taken.

### 11.21 Exchange of Duty or Trading Shifts

An employee shall not replace another employee who is on duty or scheduled for duty without the prior approval of their Supervisor.

### 11.22 Duty to Check Daily Logs and Mail

An employee reporting for duty will acquaint themselves with events that have taken place since their last tour of duty and check electronic mail, voice mail, or use other means to retrieve messages.

### 11.23 Duty to Report Information

An employee shall report to their supervisor any information that comes to their attention that tends to indicate that any employee has violated a law, rule, regulation, or order.

### 11.24 Congregation of Officers

While on duty or in uniform, officers shall not congregate in public places without supervisor approval. Under normal circumstances, no more than three uniformed officers shall take a break or meal at the same time and location.

### 11.25 Responsibility for Providing Identification

An employee shall provide their name or Ada number to any person requesting that information, with the exception of undercover operations. If a badge number is requested, the employee shall provide their badge number.

### 11.26 Department Reports

The accurate written documentation of events is a major area of accountability for all police. All officers are expected to handle calls from start to finish and provide a proper written record and appropriate follow-up documentation. Thorough documentation is essential to providing protection and service to the community and impacts the safety and welfare of our citizens, protects property, and prevents crime.

***This Order applies to all members of the department.***

It is the responsibility of each member of the department to become familiar with and adhere to the provisions of this Order.

Command personnel will ensure compliance with this Order by subordinates.

It is the policy of the Dyersville Police Department that all reports shall be accurate, timely, and complete.

Procedure:

A call is generated in three ways:

1. Officer initiated



2. Dispatch initiated
3. Walk-in to City Hall

Officers must complete a call for service in the Shield RMS. The case number will be assigned by Dubuque County Dispatch.

Accident reports will be completed using a MARS form in the TRaCS software

1. Short Form may be used for animal accidents. i.e. car v deer
2. Regular Form for all others
3. Toggle non-reportable for less than \$1500

Reports will be completed using the Cirf Nibrs form in the TRaCS software.

Used for all crimes

Used for all incidents including incidents, accidents, tow reports, citations, and warnings, etc.

Arrest Reports will be completed in Shield.

Supplemental reports will be completed using the Cirf Nibrs Sup form in the TRaCS software, including:

1. Other events that may be used for tracking and documentary purposes, i.e. barking dogs, suicide, unfounded, unable to locate, false alarms, miscellaneous, and any events that aren't covered under other IR options
2. Assisting other officer

Requirements:

1. Reports shall contain complete information. Full name, correct spelling, date of birth, correct street address (name of a business cannot be entered in the computer under address), daytime, evening, and/or cell phone numbers.
2. All reports (except those listed above) will be word processed on standard electronic forms (no hand written reports).
3. Reports shall be completed as soon as possible after the incident. Unless there are extenuating circumstances, reports shall be completed by the end of the shift.
4. Daily activity logs shall be completed and turned in at the end of the officer's shift. Officers will note "HB" on their activity log when CAD has issued a case number but no report will be completed.
5. Reports shall be completed and turned in prior to going on days off.
6. Reports shall minimally include complete basic investigative information (witness statements, neighborhood canvas, crime scene sketches).
7. Prior approval for overtime to complete reports shall be obtained from Chief or Supervisor.
8. Reports that are to be "held" pending further information require a note to be attached regarding the reason for the hold.
9. Reports shall be read and signed off on by the Police Chief or designee. Incomplete or inaccurate reports and reports requiring further follow-up will be returned to the officer assigned to be completed immediately.
10. Reports shall be stored only in the report filing cabinet and the respective software applications.
11. The Police Chief or designee shall review reports for content and accuracy, sign their name, and badge number. Incomplete, inaccurate, reports shall be returned to the officer and tracked by the Chief until satisfactorily completed. A pattern of unacceptable performance shall be documented and discussed with the Police Chief.
12. Officers shall write reports summarizing incidents and take statements in criminal cases. Statements may be recorded (digitally, video, tape, etc.) and must be retained.

13. Reports are to be taken in person except in circumstances where this is not possible.

### 11.27 Treatment of Animals

No employee shall willfully subject any animal to cruel treatment or willfully neglect the necessary humane action which the circumstances may require.

The killing of animals shall be justified:

1. To prevent injury to the officer or others.
2. Upon supervisor authorization when the animal must be destroyed to prevent further suffering for humanitarian reasons under the following conditions:
  - a. In the case of domesticated animals only at the owner's request or attempts to contact the owner have been unsuccessful.
  - b. When the supervisor has determined that the animal can be shot without posing a hazard to persons or property.
3. Destruction of animals shall result in notification to the chain of command and IOA.
4. With an officer's discretion

### 11.28 Social Networking (Personal Online/Internet Content)

1. Employees of the DPD are reminded that their conduct, both on and off duty, must meet a high standard. This includes, but is not limited to, conduct related to materials posted on the internet or disseminated electronically. No member shall allow or permit any digital media to be posted to the internet that:
  - a. Could reasonably be interpreted to express the opinions of the DPD. A member may comment on a subject of general interest and of value and concern to the public provided that, in doing so, the member does not suggest or imply that the views expressed are those of DPD.
  - b. Has both a reference to the member being affiliated with DPD and which contains unprofessional, unbecoming, or illegal content such as lewd sexual conduct, excessive alcohol consumption, or similar behaviors. Employees are reminded that courts may scrutinize the credibility of a witness from unintentional sources like the internet.
  - c. Could have an adverse effect upon agency morale, discipline, operation of the agency, safety of staff, or perception of the public.
  - d. Contains any recording, including images obtained while engaged in the performance of enforcement activities, tactical situations, or anything that will have an adverse effect upon the agency. Digital images such as Shop with a Cop, promotion ceremonies, etc., are permissible.

Clarification on appropriate postings, if needed, shall be directed to their Supervisor.

Note: This does not apply to internet postings that are posted for legitimate law enforcement purposes.

## 12.0 Internal Investigations and Discipline

### 12.1 Interference with a Complaint, Investigation, or Discipline

An employee shall not knowingly interfere with a complaint, investigation, or disciplinary process and shall fully cooperate during an investigation. An accused employee shall not contact the complainant during the investigation. They shall not attempt to exert influence on any witness or involved party in the investigation nor shall they attempt to exert influence on participants in the disciplinary processes.

### 12.2 Confidentiality

An investigating supervisor or any others involved in the investigative or disciplinary processes shall not divulge any information contained in the file to others not involved in the investigative or disciplinary processes. The Department may make synopses of investigations and outcomes of such investigations public, provided it is done in a manner which will not reveal employees' identities to the general reader.

### 12.3 Criminal Misconduct

Any action by a member of the Dyersville Police Department which results in criminal charges, or violation of individual civil rights will be grounds for severe discipline up to and including termination. An officer charged with a criminal offense may be suspended or placed on administrative duties until their case is disposed of.

An officer will not face disciplinary action for criminal charges until their case is disposed of. Any police contact that results in police action on a member of this department shall be reported to the Police Chief as soon as possible.

## 13.0 Miscellaneous

### 13.1 Command Notification

1. Ordinarily, the following circumstances require the presence of a Supervisor:
  - a. Any natural disaster such as a tornado or flood which causes widespread disruption.
  - b. Officer injury requiring medical attention.
  - c. Agency vehicle accidents.
  - d. Officer weapon discharges, other than authorized discharges for purposes of training or destroying an injured animal.
  - e. Any major incident where the coordination and assignment of personnel becomes necessary.
  - f. Suspicious deaths.
  - g. When requested by an officer, as appropriate.
2. In the absence of a supervisor, the senior officer shall respond and take control until relieved by a supervisor or the Chief of Police.

### 13.2 Finger Printing

This policy applies to persons who request to be fingerprinted for purposes of applications and other non-suspect related request.

The Dyersville Police Department offers fingerprinting as a courtesy to residents and business persons who require fingerprinting. (Examples include and are not limited to Daycare, Legal Professional Positions, Investing, etc.)

The Police Department may request that the requesting individual make an appointment if the duty officer is unable to fulfill a walk-in request.

The following procedures shall be followed:

1. The applicant or requesting person supplies their own fingerprint card(s).
2. The applicant or requesting person presents a valid government photo I.D. (Iowa Driver's License, or State I.D.)
3. The officer shall check for wants and warrants in the Iowa Files.
4. The officer shall fill out the identifying information on the fingerprint card or have the individual fill it out in his/her presence and ascertain that the name, DOB, and other identifiers match those of the requesting party.
5. The officer shall sign, date and return the fingerprint card to the requesting party and make no record of who was printed.
6. The officer may instruct the requesting party to mail or submit their own card to the organization or person that required fingerprints be taken.
7. This service is a courtesy provided to citizens and no fee is charged.

### 13.3 Fingerprinting Suspects

This policy applies to suspects who are taken into custody for crimes including felony, aggravated misdemeanor, misdemeanor crimes for which a suspect may potentially be sentenced to imprisonment or jail. Officers must ensure that they obtain fingerprints from suspects in order for the case to be accurately tracked and for accurate criminal history record keeping.

The Dyersville Police department uses Identicator or a similar model for people who will be cited and released. The officer shall take two copies of fingerprints. One copy shall be submitted to the Police Chief

with a corresponding tracking sheet, one copy shall be forwarded to the State of Iowa.

In cases of OWI, the officer will fingerprint and photograph the subject and release with a liability waiver consistent with accepted practices.

In cases where the suspect is transported to the County Jail, Dubuque or Delaware County Jail personnel will fingerprint and submit the fingerprints to the State of Iowa.

### 13.4 Locked Vehicles

The Dyersville Police Department does not assist citizens in accessing their locked vehicles due to the risks involved in damage claims.

### 13.5 Locked Vehicle Exception

A police officer is authorized to use whatever force is reasonably necessary to gain entry into a vehicle to aid and/or assist a child or animal locked therein, whenever there is reason to believe that the child's or animals health, welfare or safety is or will be substantially endangered if entry is delayed.

### 13.6 Department Bicycles and Bike Patrol

The Dyersville Police Department recognizes the need for specialized patrol and utilizes bicycle patrols as a deterrent to criminal activity, for community relations, and for the education of area youth regarding bicycle safety.

Upon being assigned as a member of the bike patrol, the member will complete departmental training on safety and bicycle laws and regulations.

### 13.7 Bike Patrol Uniforms and Equipment

It is recognized that there will be different departmental uniforms and equipment requirements for persons patrolling on bicycles. Use of a helmet is required whenever a member is patrolling or training on a department bicycle. The helmet will be properly fastened while riding.

The uniform will be provided by the department as follows: Cycling uniform shorts, uniform shirts, cool weather pants and jacket, helmet. The uniform will be worn per direction from the Bike Patrol Supervisor.

Non-uniform items may be worn for comfort in varying weather conditions if they are covered by parts of the uniform. Any deviation from the standard uniform needs to be approved.

Bike Patrol officers provide their own gloves to prevent injuries to their hands from the continual pressure on the handlebars and in the event of a fall.

Officers are required to wear the nylon duty belt, pepper spray, keys, radio holder, handcuffs, and medical pouch. Any and all deviations of uniform or equipment are at the expense of the officer and must be approved.

### 13.8 Care and Maintenance of Bicycles

Before each use of the bike, officers should conduct an inspection of the bike to assure it is in good repair. If repairs are necessary, the officer should notify the Bike Patrol Supervisor to arrange for repair of an alternate bike for the shift.

Police Department personnel shall not tamper with department bicycles other than minor repair purposes

only if qualified to do so. Minor repairs are considered flat tires, loose equipment or minor adjustments. All others should be brought to the Bike Patrol Supervisor for arranging repair through a qualified bike repair shop.

Bikes should be wiped down to keep them free of dirt and display a professional appearance. First aid supplies should be replenished after use.

It is recognized that during the course of patrol duties or training, that the bikes will receive hard use. Officers may have to drop or lay down bikes instead of using kickstands. Intentional abuse or misuse of the Department bikes is prohibited.

Police bicycles will be secured at the Dyersville Police Garage.

The Bike Patrol Supervisor shall be responsible for keeping records of maintenance and inventory of bicycles and equipment.

### 13.9 Bike Patrol Operation

The use of police bicycles will be scheduled by the Bike Patrol Supervisor or by the Chief or designee if certain uses for the bike patrol arise.

No officer will patrol on bicycles unless scheduled or approved to do so by the Chief or designee.

Bike officers' on-duty riding habits must be a good example of safety and courtesy to others.

Bike patrol officers will respond to calls for service and take reports in their assigned areas. Bike officers do not respond to critical calls unless requested and only when deemed safe.

Special details will be determined by the call load, citizen's complaints, crime information, and special events as determined by the Chief or designee in consultation with bike patrol officers.

Situations may arise due to inclement weather, call load, or other special situations and will be relieved of patrol duty by the Chief or designee.

Officers on bikes must operate in conformance with applicable Iowa Statutes.

If necessary, the bicycle may be used as an emergency impact weapon by either running it into, throwing it at a suspect, or use as a shield between a suspect and the bike officer. This shall be used in accordance with any and all other Department policies on the use of force and document in a use of force report to include and damage to the bike and cost of repair.

Bikes will not be left unsecured unless in an emergency.

Community Relations: All officers participating in the bike patrol program are expected to interact with the community, making positive contacts during the tour of duty.

Professional Standards: Officers in the Bike Patrol Program shall at all times exhibit a high standard of professionalism, tactfulness and courtesy to others. Bike officers shall maintain professionalism that reflects positively on the Dyersville Police Department.

Bike patrol personnel are not police officers. They shall not make arrests. Bike patrol shall be able to

detain subjects until officers arrive at the scene.

### 13.10 Notification of Chief of Police and Assistant Police Chief

Notification shall be made by phone, from the scene when possible, as soon as possible. When there is no phone available, the officer will have the dispatcher make the notification. Major incidents requiring notification include but are not limited to:

1. Suspicious death investigations
2. Kidnapping
3. Accidents involving Police Department and/or City of Dyersville vehicles.
4. All fatal accident.
5. Discharge of a firearm not related to the destruction of an animal by Dyersville Police or discharged dangerously by suspects.
6. Injury to a police officer requiring immediate medical attention or treatment at a hospital
7. Train derailments
8. Hazardous or toxic spills or incidents
9. Amber Alerts
10. Critical incidents such as but not limited to:
  - a. Barricaded suspects
  - b. Officer involved shooting
  - c. Vehicle pursuits
  - d. Hostage situations
  - e. Sexual assaults
  - f. Active shooter situations
  - g. Any incident requesting tactical unit response
11. Death or severe injury of a member of the City Council, Mayor, or the City Administrator.
12. Act or threat of terrorism that results or may result in property damage, injury or death.
13. Confirmed sighting or touch down of a tornado in the City and other weather conditions which may cause significant property damage.
14. Plane crash
15. Riot or threat of riot or large-scale demonstration
16. Serious house fire

### 13.11 Limited English Proficiency

#### **Definition**

Limited English Proficient (LEP) – Those individuals whose primary language is not English. If these individuals have a limited ability to read, write, speak or understand English, they are limited English proficient.

#### **Four-Factor Analysis**

Since there are potentially hundreds of languages officers could encounter, the Dyersville Police Department will analyze four factors to determine those measures that will provide reasonable and meaningful access to various rights, obligations, services and programs to everyone. Because it is recognized that law enforcement contacts and circumstances will vary considerably, this analysis must remain flexible and requires an ongoing balance of the following four factors:

The number or proportion of LEP individuals eligible to be served or likely to be encountered by officers or who may benefit from programs or services within the Dyersville Police Department's jurisdiction or a particular geographic area;

The frequency with which LEP individuals are likely to come in contact with officers, programs or services;

The nature and importance of the contact, program, information or service provided; and,

The cost of providing LEP assistance and the resources available.

The intent of this analysis is to provide a balance that reasonably ensures meaningful access by LEP individuals to critical services while not imposing undue burdens on the Dyersville Police Department or others.

### **Qualifying Individuals**

1. While the Dyersville Police Department does not discriminate against or deny any individual access to services, rights or programs based upon national origin or any other protected interest or right, the above analysis will be utilized to determine the availability and level of assistance provided to any LEP individual or group.

### **Types of LEP Assistance Available**

1. Depending on the balance of the above four factors, the Dyersville Police Department will make every reasonable effort to provide meaningful and timely assistance to LEP individuals through a variety of services, where available. LEP individuals may elect to accept interpreter services offered by the Dyersville Police Department at no cost or choose to provide their own interpreter services at their own expense. Officers should document in any related report whether the LEP individual elected to use interpreter services provided the department or by some other source. Department provided interpreter services may include but are not limited to the following:

Bilingual Staff – Individual officers and employees need not be certified as interpreters but only have a competent understanding of the language involved. When no bilingual employees exist within the department, employees from other departments within the area may be requested by a supervisor, depending on the circumstances. (Should not be used for incidents which may result in arrest or prosecution.)

Telephone Interpreter Services – The department maintains a telephone number for interpreter services that may be contacted to assist LEP individuals through Language Line Services. The phone number is 800-874-9426. The code is 549025.

Family and Friends of LEP Individual – While family and friends of an LEP individual may frequently offer to assist with interpretation, officers should carefully consider the circumstances before relying on such individuals. The nature of the contact and relationship between the LEP individual and the individual offering services must be carefully considered.

Certified Interpreter Services – Depending on the nature of the investigation, the police department may wish to interview individuals involved in serious incidents. Officers should consult with the City or County attorney prior to the interview to ascertain defensible interpreter services.

### **13.12 LEP Contact Situations and Reporting**

While all police contacts, services and individual rights are important, the Dyersville Police Department will utilize the four-factor analysis to prioritize language services to that they may be targeted where most needed because of the nature and importance of the particular law enforcement activity involved.

Whenever any member of the Dyersville Police Department is required to complete a report or other documentation, and translation services are provided to any involved LEP individual(s), such services should be noted in the related report.



### 13.13 Custodial Interrogations and Bookings

In an effort to ensure that the rights of LEP individuals are protected during arrest and questioning, the Dyersville Police Department places a high priority on providing competent translation during such situations. Miscommunication during custodial situations may have a substantial impact on the evidence presented in any related criminal proceeding. As such, department personnel providing translation services or forms in these situations will make every reasonable effort to accurately translate all communications with LEP individuals

### 13.14 Field Enforcement and Investigations

Field enforcement will generally include such contacts as traffic stops, serving warrants, restraining orders, controlling disorderly conduct and other routine field contacts which may involve LEP individuals. Because the scope of contacts is great and will vary, the Dyersville Police Department recognizes that it would be virtually impossible to provide immediate access to complete translation services to every officer in the field. However, each officer and/or supervisor must assess each situation to determine the need and availability for translation services to any and all involved LEP individuals.

### 13.15 Training

The Dyersville Police Department will ensure that all employees are made aware of LEP policies, procedures, forms and available resources.

### 13.16 Records Retention

The Department shall retain records in accordance with a record series retention and disposition schedule which shall be kept on a database. The Police Chief or designee shall design and maintain the schedule to note how long to keep the older data in order to help purge data when new computer systems are established. The Police Chief or designee shall classify, organize, label, maintain, and purge data using current information from the Iowa League of Cities, the Iowa Department of Cultural Affairs, and the County and/or City Attorney.

Many electronic records need to be kept longer than the original technology that was used to create them. New technology is not always compatible with older technology. The Dyersville Police Department, in collaboration with the City of Dyersville, shall be responsible for ensuring that older electronic records remain accessible as technology is upgraded or changed under the direction of the Police Chief and the City Administrator.

Per the Iowa League of Cities Record Retention Manual for Iowa Cities, records may be classified as being of 1) Administrative Value, 2) Legal Value, 3) Fiscal Value, 4) Historical Value.

The police department shall classify and evaluate the records when determining how long to keep the record. The record can have value in more than one category and if it does, the retention period must satisfy the longest need.

Record Title	Retention Period	Reason - Classification	Reason
Purchase Orders	2 years, 3 years inactive	Fiscal	Administrative value ends
Personnel Records (discipline, demotion, promotion, awards)	5 years after termination of employment	Administrative	Administrative value ends
Personal Training Records	5 years after termination of employment	Administrative	Administrative value ends
Staff meeting minutes and Index	Permanent	Administrative	Continuing administrative value
Dog Licenses	3 years	Administrative	Administrative value ends
Significant Exposure and Insignificant Exposure Reports	Permanent	Administrative	Continuing administrative value
Internal Affairs Investigations	Permanent	Administrative	Continuing administrative value
Grievances/Responses	Permanent	Administrative	Continuing administrative value
Policies and Procedures Manual and Updates	Permanent	Administrative/Historical	Continuing historical value
Federal Government Grant Reports	5 –year minimum, depending on grant requirements	Administrative value ends	Destroy after 5 years
Liability Release Forms	Permanent	Legal/Historical	Continuing historical and legal value
Outside-event Overtime requests, assignments, billings	5 years	Administrative	Administrative value ends
Investigation Reports	Permanent	Legal/Historical	Continuing historical value
Accident Reports	Permanent	Legal/Historical	Continuing historical value
Arrest Records	Permanent (hard copy)	Legal/Historical	Continuing historical value
Arrest Book	Permanent	Administrative Value	Continuing administrative value
In Squad Video and Body Worn Camera video	Permanent	Legal/Administrative	If an event occurs, it should be flagged and saved; continuing legal administrative value * must be stored on accessible media
Incident Reports	Permanent	Legal/Administrative	Continuing administrative value

### 13.17 Civil and Criminal Data

All records that potentially could go to court civil or criminal are classified for permanent retention for legal value and history.

### 13.18 Criminal Case Investigations

Release of records on all criminal cases that are declared to be investigative must be obtained via subpoena or by explicit permission of the County Attorney. These records are classified as legal and administrative.

### 13.19 Use of Home Computer or Personal Devices

Records created in the performance of an official function must be managed the same way as those created and received using government computer resources which includes a home computer or personal device when it is used to create or receive city records.

### 13.20 HIPAA

Health information on individuals is private data. HIPAA (Health Insurance Portability and Accountability Act of 1996) violations can result in civil and criminal penalties (42 USC§ 1320d-5) The City or County Attorney shall be consulted before releasing any private information to the public. Entities and individuals whom “knowingly” obtain or disclose individually identifiable health information face significant consequences.

### 13.21 Iowa Systems Security Policy

This document shall be considered the official IOWA SYSTEM Security Policy for the Dyersville Police Department regarding the physical and personnel security of the Iowa System. All staff must follow the policies contained herein. The Terminal Agency Administrator (TAA) for the Dyersville Police Department is the Chief of Police. The TAA manages the operation of the IOWA SYSTEM terminal on a local agency level and is responsible for ensuring that all state and local policies are enforced regarding the use of the IOWA SYSTEM terminal.

### 13.22 Access to Iowa System

Access to the IOWA SYSTEM shall be limited to employees who have been certified by the DPS to operate the terminal. Unauthorized access to or routine viewing of IOWA SYSTEM terminals or IOWA SYSTEM data is not allowed. Staff having access to the Iowa System must meet the following requirements:

- Be an employee of the Dyersville Police Department.
- Successfully pass a State and National fingerprint background check.
- Pass the recertification test every two years.

New employees of the Dyersville Police Department shall be fingerprinted within 30 days of employment or assignment and the fingerprint cards shall be sent to the DPS for a background check.

A potential new employee of the Dyersville Police Department shall have a background check completed before they are hired. When running the criminal history on that person, the Purpose Code of “J” shall be used.

Fingerprint cards on IOWA SYSTEM operators are to be kept in a locked drawer by the Terminal Agency Administrator. Fingerprint cards of the IT personnel will be kept in their personnel files at the Dyersville Police Department.

The TAA will issue a unique username and password to authorized users with access to the IOWA SYSTEM.. Authorized users will be given a unique password to have access to criminal histories. That Criminal History password will be changed by the TAA at least every 2 years. A list of these passwords shall be kept by the TAA in a locked cabinet.

### 13.23 Training of Sworn Officers

NCIC requires that all sworn personnel must receive basic, formal IOWA SYSTEM/NCIC training within the first 6 months of hire, and annual refreshers thereafter. All training of sworn officers must be documented. A sworn officer includes any licensed peace officer, whether employed at the city, county, state or federal level.

The Dyersville Police Department will meet this requirement by making the IOWA Operating Manual available to all users. The TAA shall be responsible for ensuring compliance with Iowa and NCIC policy and regulations including training; validation; notification of personnel changes; secondary review of record policy; terminal security and mainilings, including the newsletter and manual changes. All TAAs receive training through the State of Iowa. The Chief will maintain the required documentation in training records.

### 13.24 Security of Terminal

The main IOWA SYSTEM terminal is located in the squad room at the Dyersville Police Department. All personnel who have direct responsibility to configure and maintain computer systems and networks with direct access to FBI CJIS systems must successfully pass a fingerprint-based background check. All visitors will be escorted while in the area where the IOWA SYSTEM terminal is located.

Criminal History responses, as well as all other IOWA SYSTEM printouts will be destroyed when no longer needed. These documents will be shredded at the Dyersville Police Department.

### 13.25 Criminal Histories

Inquiries into the motor vehicle registration, driver license, criminal history or any other file in the IOWA SYSTEM/NCIC systems will be performed for criminal justice purposes only.

1. If an individual comes to request a criminal history check on himself or herself for clearance for employment, our agency cannot run that criminal history from our agency, and the matter should be referred to the DPS.
2. Criminal History data for research purposes shall be provided ONLY through the DPS.
3. Criminal History information to any department requesting information on employees or volunteers is PROHIBITED.
4. Any misuse of criminal history information derived from the Iowa System/CCH and/or NCIC/III risks criminal prosecution.
5. All printed computerized criminal histories may be kept with the case file in order to verify at a future date the reason for a particular action in the case file. All criminal history queries must be entered for documentation in the Red Binder in the front office.

### 13.26 Secondary Dissemination

Documentation of Criminal History records given to any other agency must be maintained. During the initial request for criminal history, operators within the Dyersville Police Department must include the case number as well as the badge number and/or name of the officer requesting this information.

### 13.27 Driver License Checks

Inquiries into the driver license files will be performed for criminal justice purposes only.

The following are NOT authorized to access or receive driving records of employees or any other person, etc.:

1. Schools
2. City offices
3. Insurance companies
4. Private citizens
5. Businesses

### 13.28 Iowa System Passwords

Passwords shall be assigned by The State of Iowa Systems Users and shall NOT be shared with anyone. A token will be issued to full-time officers for use of the office terminal. This token will not be used by anyone except the person to whom it was issued.

### 13.29 Iowa System Validation Procedure

Validation requires that:

1. The TAC or designee remove all records that are no longer current from the IOWA SYSTEM/NCIC Hot Files.
2. The TAC or designee shall compare records found on the printouts against the current supporting documentation to ensure that the information in each field is accurate and that the records contain all available information found in the case files.
3. The TAC or designee remove all records for which corresponding case file documentation cannot be located OR recreate the case file and ensure that the police department meets NCIC requirements.

Contact:

1. Missing Person: Consult with investigator or complainant to verify the person is still missing for all missing person records.
2. Stolen Property: Contact owner or insurance company to verify property is still missing. On stolen vehicles, run a new registration to see if the vehicle has been re-registered to an insurance company or possibly in another person's name.
3. Document all validation attempts: After validating records identified in the printouts, the TAC must ensure that the certification letters are signed and returned within the specified time to the address shown on the printouts.

### 13.30 Purpose of the Patrol Function

Patrol is a primary law enforcement function embracing much more than the act of patrolling. It is a generalized function in which officers must be prepared to effectively manage the full spectrum of law enforcement challenges, from trivial to deadly, often alone and frequently with little or no warning. Because of patrol's visibility and essential importance, this agency is committed to the optimum organization, assignment, scheduling, and effective use of patrol resources.

Patrol Component Functions:

1. Promote Agency/Community Trust and Communication
2. Respond to Calls for Service
3. Enforcement of Criminal Codes
4. Enforcement of Traffic Codes

5. Enforcement of City Ordinances
6. Incident Reporting
7. Criminal Investigation
8. Accident Investigation
9. Traffic Direction and Control
10. Preventive Patrol
11. Maintenance of Public Order
12. Crime Prevention and Community Education
13. Provision of Emergency Service
14. Transportation and Processing of Detainees

### 13.31 Patrol Performance Objectives

OUR MISSION is to be the model of excellence in policing by working in partnership with the community and others to:

FIGHT crime and the fear of crime;

ENFORCE laws while safeguarding the constitutional rights of all people;

PROVIDE quality service to all our residents and visitors; and

CREATE a work environment in which we recruit, train and develop an exceptional team of employees...

In support of this mission, the patrol officers shall promote the following objectives:

1. Primary Objective: It is the primary objective of the Patrol Officers, consistent with the values and laws of a free society, to provide a social environment free from crime to the City of Dyersville. In pursuit of this objective, patrol members will enforce the law in a fair and impartial manner within the statutory and judicial limitations on police authority.
2. Functional Objectives:
  - a. Prevention of Crime: The members of the police department are committed to interacting with the community to generate mutual understanding and support for crime prevention efforts. Community involvement is essential to facilitate a free flow of information between the public and the department to assist in the identification of problem areas and to inform the public of crime statistics and trends. Additional knowledge of and involvement with the community is essential for each department employee to develop a sense of concern for the unique crime problems and law enforcement needs in his/her assigned area of responsibility.
  - b. Deterrence of Crime: While there are certain crimes that cannot be deterred, crimes committed against property and against innocent victims in public places are reduced by police patrol. In deploying patrol officers to deter crime and to inspire public confidence, the department will maintain a visible and dedicated patrol presence.
  - c. Apprehension of Offenders: The administration of criminal justice consists of the identification, arrest, prosecution, punishment and possible rehabilitation of offenders. Once a crime has been committed, this department will initiate the criminal justice process by identifying and arresting the perpetrator, obtaining necessary evidence, and cooperating in the prosecution of the case.
  - d. Recovery and Return of Property: To minimize the losses due to crime, the department will make reasonable efforts to recover lost or stolen property, to identify its owner, and to ensure its prompt return.
  - e. Movement of Traffic: To facilitate the safe and expeditious movement of vehicular and pedestrian traffic, the department will enforce traffic laws, investigate traffic accidents and direct traffic. To enforce compliance with the traffic laws and to develop driver

awareness of the causes of traffic accidents, the department appropriately warns, cites or arrests traffic law violators. Traffic accidents are investigated to protect the rights of the involved parties, to care for the injured, to determine the causes of accidents so that methods of prevention may be developed. In addition, when a traffic law violation is discovered, to gather necessary evidence to prosecute the violator. The department, where necessary, will direct vehicular and pedestrian traffic and provide information to the public in assisting them to safely and expeditiously arrive at their destination.

- f. **Public Service:** Often, because there are no other public or private agencies available, the public relies upon the department for assistance and advice in the many routine and emergency situations that develop in community. For this reason and because there is frequently a potential for crime, the department regularly responds to incidents where it is not contemplated that an arrest will be made. Saving lives and aiding the injured, locating lost persons, keeping the peace, and providing for many other miscellaneous needs are basic services provided by the department. To satisfy these requests, the department responds to calls for service and renders such aid or advice as is required by the situation.

### 13.32 Cooperation with Other Agency Components

The Patrol Officers will encourage the support and exchange of information with each other, administrative and command staff, and other city departments. This exchange may be accomplished by:

1. Accurate, timely, complete written reports that are promptly and appropriately disseminated
2. Interdepartmental memorandums;
3. Operational and supervisors meetings;
4. Verbal exchange of information.

### 13.33 Full Time Emergency Response

Patrol Officers will provide 24-hour per day, 7-days per week service to respond to emergencies within the City of Dyersville.

### 13.34 Continuous Patrol Coverage

The Patrol Officers schedule shall be posted so as to provide continuous patrol coverage. The senior officer shall ensure continuous patrol coverage at all times.

### 13.35 Mutual Aid

1. The primary responsibility of Dyersville Police Officers is for the safety of the City of Dyersville. Requests for mutual aid from outside agencies shall be honored, except where the officer believes that to respond to a request from another emergency responder may jeopardize the safety of Dyersville residents, businesses, and schools. In cases of mutual aid, another officer shall be placed “on call.”

### 13.36 Patrol Response and Preliminary Investigation

1. Patrol operations are the most visible aspect of department services and often provide the only face-to-face contact a citizen may have with the police. For this reason, patrol operations will be consistent, professional and responsive to the needs of the service community.

### 13.37 Preliminary Investigations

1. Patrol Unit personnel will ordinarily handle preliminary investigations for the department. Exceptions to this rule may include:
  - a. If the reporting person requests a non-uniformed officer due to the nature of the crime;

- b. For unusually serious or complex crimes, investigative specialists or personnel from other agencies may be better prepared to handle the case;
- c. Calls received and retained by the Investigation Unit directly; or
- d. Any other time the Supervisor believes the best interests of the community would be served by assigning preliminary investigations elsewhere.

### 13.38 Follow-up Investigations by Patrol Officers

1. Patrol Officers will follow up on investigations as much as possible. The following criteria will be used to determine whether to refer the case to the Investigator:
  - a. Severity/complexity of the case
  - b. Geographical location of victims, witnesses and suspects
  - c. Time commitments involved and time of day constraints
  - d. Immediacy of investigation required
  - e. Degree of investigative specialization required
  - f. Staffing constraints in Patrol
  - g. Staffing constraints in Investigation

### 13.39 Conduct of Field Interviews

1. A field interview is the stopping and questioning of a person by an officer because the officer:
  - a. Has reasonable suspicion that the subject may have committed, may be committing, or may be about to commit a crime;
  - b. Believes the subject may be a hazard; or
  - c. The person is a victim or witness to the crime.

When conducting field interviews, the following procedures apply:

1. On grounds short of arrest, a police officer may "stop" a person under suspicious circumstances and ask the person's name and reason for being in the area. If the person refuses to answer, the police officer must evaluate whether or not valid grounds for arrest exist and proceed accordingly.
2. A police officer confronted with suspicious circumstances may make inquiries of an investigative nature without first giving the Miranda warnings.  
Note: If an arrest is made, the officer may be asked in court to articulate those conditions that aroused suspicion.
3. Officers will take recorded statements from suspects, victims, and witnesses whenever it is possible for them to do so.

### 13.40 Iowa Systems User Policy

#### DEFINITIONS

1. Department of Public Safety: Iowa Department of Public Safety.
2. Bureau: Iowa Department of Public Safety, Division of Criminal Investigation, Bureau of Identification.
3. Public Records: Include all records and documents of or belonging to this state or any county, city school corporation, political subdivision, or tax supported district in this State, or any branch, department, board, bureau, commission, council, or committee of any of the foregoing.
4. Criminal History Record Information (CHRI): Is an all inclusive term meant to include "Criminal History Data," "Intelligence Data," and "Criminal Investigative Data."
5. Criminal History Data: Any or all of the following information maintained by the Department of Public Safety or Division of Criminal Investigation, Bureau of Identification in a manual or automated data storage system and individually identified:
  - a. Arrest Data: Information pertaining to an arrest for a public offense and includes the



charge, date, time and place. Arrest Data includes arrest warrants for all public offenses out-standing and not served and includes filing of charges, by preliminary information when filed by a peace officer or law enforcement officer or indictment, the date and place of alleged commission and county of jurisdiction.

- b. Conviction Data: Information that a person was convicted of or entered a plea of guilty to a public offense and includes the data and location of commission and place and court of conviction.
  - c. Disposition Data: Information pertaining to a recorded court proceeding subsequent and incidental to a public offense arrest and includes dismissal of the charge, suspension or deferral of sentence.
  - d. Correctional Data: Information pertaining to the status, location and activities of persons under the supervision of the county sheriff, the Division of Corrections of the Department of Social Services, Board of Parole or any other state or local agency performing the same or similar function, but does not include investigative, sociological, psychological, economic or other subjective information maintained by the Division of Corrections of the Department of Social Services or Board of Parole.
6. Intelligence Data: Information on identifiable individuals compiled in an effort to anticipate, prevent, or monitor possible criminal activity.
  7. Criminal Investigative Data: Information collected in the course of an investigation where there are reasonable grounds to suspect that specific criminal acts have been committed by a person.
  8. Criminal Justice Agency: Any agency or department of any level of government which performs as its principal function the apprehension prosecution, adjudication, incarceration, or rehabilitation of criminal offenders.
  9. Surveillance Data: Information on individuals pertaining to participation in organizations, groups, meetings, or assemblies where there are no reasonable grounds to suspect involvement or participation in criminal activity by any person.
  10. Law Enforcement Intelligence Network (L.E.I.N.): Is the Iowa Law Enforcement Intelligence Network.
  11. Central Coordinating Agency (CCA): Serves as the central clearing house of LEIN information and provides the necessary administrative support to its members. The Iowa Division of Criminal Investigation is the Central Coordinating Agency.
  12. Mid-States Organized Crime Information Center (MOCIC): Is a network of Federal, State and local law enforcement agencies in the upper mid-states that provides information, intelligence and resource support to help combat criminals, organized crime and narcotics trafficking that transverse jurisdiction or state boundaries.

#### 13.41 Dissemination of Criminal History Data

1. The Department of Public Safety and Bureau may provide copies or communicate information from Criminal History Data only to Criminal Justice Agencies, or such other public agencies as are authorized by the confidential records council.
2. Authorized agencies and Criminal Justice Agencies shall request and may receive Criminal History Data only when:
  - a. The data is for official purposes in connection with prescribed duties, and
  - b. The request for data is based upon name, fingerprints or other individual identifying characteristics.

#### 13.42 Re-dissemination of Information

1. Employees of the Dyersville Police Department shall not re-disseminate Criminal History Data, outside this agency, received from the Department of Public Safety or Bureau, unless all of the following apply:

- a. The data is for official purposes in connection with prescribed duties of a Criminal Justice Agency.
  - b. The agency maintains a list of the persons receiving the data and the date and purpose of its dissemination.
  - c. The request for data is based upon name, fingerprints, or other individual identification characteristics.
2. The above restrictions apply only on data received from the Department of Public Safety or Bureau and re-disseminated outside the agency. The provisions concerning the dissemination and re-dissemination of Criminal History Data do not apply to the issuing of data to the FBI. The fact that an arrest warrant has been or will be issued and other relevant information concerning a current investigation may also be disseminated and/or re-disseminated without restriction.
  3. Federal regulations and Iowa law also dictate that the central repository, (DCI, Bureau of Identification files) be queried prior to a re-dissemination unless time does not allow. This restriction ensures that the agency receives the most complete and current information available.

Rules:

1. Criminal Justice Information that is expressly prohibited from re-dissemination and will result in disciplinary action includes but is not limited to the following:
  - a. Disclosures of driver's license and or vehicle registration information to an unauthorized recipient.
  - b. Accessing driver's license information including driver photos and or vehicle registration information for personal or non-law enforcement/ investigative purposes.
  - c. Disclosures of Iowa CCH or NCIC III information to an unauthorized recipient.
  - d. Accessing Iowa CCH or NCIC III information for personal or non-law enforcement/ investigative purposes.

### 13.43 Dissemination of Intelligence Data

1. Intelligence data shall not be placed within a computer data storage system.
2. Intelligence data in the files of the Department of Public Safety may be disseminated only to a peace officer, Criminal Justice Agency or State or Federal Regulatory Agency, and only if the Department of Public Safety is satisfied that the need to know and the intended use are reasonable.

### 13.44 Re-dissemination of Intelligence Data

1. Employees of the Dyersville Police Department may only re-disseminate Intelligence Data outside the agency received from the Department of Public Safety or any other source, when it is determined by the agency that the data is to be used for "official purposes in connection with prescribed duties of the Dyersville Police Department and the police department maintains a list of persons receiving the data and the date and purpose of the dissemination.

### 13.45 Surveillance Data

1. No surveillance data shall be placed in files or manual or automated data storage systems by the any employee of the Dyersville Police Department. Violation of the provisions of this section shall be a public offense punishable under Section 692.7 of the Code of Iowa.
2. No surveillance data shall be re-disseminated.

### 13.46 Criminal Investigative Data

1. Criminal Investigative Data does not have any restrictions on its dissemination or re-

dissemination.

#### 13.47 Iowa Law Enforcement Intelligence Network (LEIN)

1. The LEIN is an organization of law enforcement agencies that was formed to monitor the activities of criminal characters through confidential investigations, surveillances and the maintenance of a proper liaison with officials and other sources of information, locally as well as nationally.
2. The Police Chief and designee(s) shall be the liaisons assigned to the LEIN. He or she shall be responsible for gathering, recording, investigating and exchange of information with other Criminal Justice Agencies and ensuring that the Department complies with LEIN's constitution and by-laws.
3. The Department shall assist LEIN in gathering, recording, investigation, and exchange of information concerning local or any known individuals and/or organizations whose backgrounds, activities, or associates identify them with or are characteristic of, any criminal activities and provide such information to the CCA.

#### 13.48 Mid-States Organized Crime Information Center (MOCIC)

1. The purpose of MOCIC is to provide information, intelligence and resource support to mid-states Federal, State and local law enforcement agencies to combat criminals, organized crime and narcotics trafficking that transverses jurisdiction or state boundaries.
2. The Dyersville Police Chief and designee(s) shall be the liaisons assigned to the MOCIC. He or she shall be responsible for gathering, recording, investigation, and exchange of information with other Criminal Justice Agencies and ensuring that the Department complies with MOCIC's constitution and by-laws.
3. The Department shall assist MOCIC in gathering, recording, investigation, and exchange of information concerning local or any known individuals and/or organizations whose backgrounds, activities, or associates identify them with or are characteristics of, any criminal activities and provide such information to the CCA.

### 13.49 Disciplinary Policy for Iowa System Violators

VIOLATION	1ST OFFENSE	2ND OFFENSE	3RD OFFENSE
Disclosures of driver's license and or vehicle registration information to an unauthorized recipient.	Discipline ranging from verbal warning up to termination	Discipline ranging from verbal warning up to termination	Discipline ranging from verbal warning up to termination
Accessing driver's license and or vehicle registration information for personal or non-law enforcement/ investigative purposes.	Discipline ranging from verbal warning up to termination	Discipline ranging from verbal warning up to termination	Discipline ranging from verbal warning up to termination
Disclosures of Iowa CCH or NCIC III information to an unauthorized recipient.	Discipline ranging from verbal warning up to termination	Discipline ranging from verbal warning up to termination	Discipline ranging from verbal warning up to termination
Accessing Iowa CCH or NCIC III information for personal or non-law enforcement/ investigative purposes.	Discipline ranging from verbal warning up to termination	Discipline ranging from verbal warning up to termination	Discipline ranging from verbal warning up to termination

VIOLATION	1ST OFFENSE	2ND OFFENSE	3RD OFFENSE
Unauthorized modification or cancellation of IOWA /NCIC entries.	Discipline ranging from verbal warning up to termination	Discipline ranging from verbal warning up to termination	Discipline ranging from verbal warning up to termination
Unauthorized and intentional destruction or modification of system logs or any other storage medium.	Discipline ranging from written warning up to termination	Discipline ranging from written warning up to termination	Discipline ranging from written warning up to termination
Theft of any computer system media including Chip ROM memory, optical or magnetic storage medium, hard copy printout etc.	Immediate termination	Immediate termination	Immediate termination
Intentional activities or actions that result in the loss of an agency's computer/IOWA System processing capability.	Immediate termination	Immediate termination	Immediate termination

## 14.0 Equipment

### 14.1 Bullet-Proof Vest

To provide guidelines for all law enforcement officers of this agency to follow in wearing departmental issued ballistic vests and the dissemination, replacement or return of this property item.

The critical mission of law enforcement services will often result in law enforcement officers being confronted with hazardous situations. These situations will sometime result in receiving or exchanging gunfire with suspects. A situation of this type is definitely a threat to officer safety/survival. This department recognizes this threat and in response has taken steps to reduce the risk of officer injury as a result of gunfire. It shall be the policy of this department to furnish ballistic vests to all law enforcement officers employed by this agency and to require that the vests be worn according to the procedures as outlined below.

1. Mandatory requirements:
  - a. All law enforcement officers of this agency who have been issued a ballistic vest shall wear the vest at all times while on duty or when wearing the department uniform.  
Examples include:
  - b. Regular duty at the department
  - c. Extra duty at the department
  - d. Off duty employment (while wearing the police department uniform)
2. Exceptions to the mandatory requirement:
  - a. Exceptions to this rule will be reviewed should extenuating circumstances arise, such as the following examples:
  - b. Medical restrictions
  - c. Assignments in certain environmental conditions, such as extreme heat.
  - d. Other factors as deemed pertinent by a supervisor.
  - e. In each case where an exception might apply to the mandatory requirement rule, the officer requesting the exception authorization will forward the request, in the form of a memo, through the Police Chief.
  - f. The Police Chief after reviewing the request will make a recommendation, based on their own assessment, and note their recommendation on the request memo. The Police Chief will make the final decision, whether or not to authorize the exception, based on the circumstances associated with each request.
  - g. The response to the request will be in writing and will indicate either an approval or a denial and will also include any restrictions such as a time limit.
  - h. An exception may include a time limit in a situation such as a temporary medical condition.
  - i. Any exception request concerning a medical condition must be accompanied by documentation from a licensed physician.
  - j. The documentation must describe the medical condition and indicate an estimated time that the condition will prohibit the employee from wearing the vest.
3. Dissemination:
  - a. The police department shall furnish ballistic vests to all law enforcement officers employed by this agency.
  - b. The supplier of the vests (or comparable service) will be required to measure each employee receiving a vest to ensure proper fit of the product.

- c. The Police Chief, or his/her designee, will be responsible for the distribution of the ballistic vest that shall be distributed in the same manner as other department issued property items.
  - d. Any officer will be allowed to purchase their own vest if he or she so desires. However, it will be necessary to obtain approval of the vest specifications prior to making the purchase.
  - e. A request to purchase a vest, along with the vest specifications, shall be submitted by the officer making the request through the chain of command to the Chief of Police, or a designee, for approval or denial.
  - f. A response (approval or denial) to a purchase request will be returned to the submitting officer through the chain of command.
4. Replacement:
- a. Each vest will be replaced on or before the expiration date as listed either on the vest or as furnished by the manufacturer. The expiration date refers to the date that the vest is no longer considered as being effective.
  - b. The Police Chief, or his/her designee, when issuing a ballistic vest, will document the expiration date and maintain this information in the personnel file of each officer. A vest expiration list will also be maintained to track expiration dates for notification purposes.
  - c. When an officer believes his/her vest is going to expire, he or she will report to the Police Chief, or as otherwise instructed, for the purpose of arranging for a vest replacement. This notification should be made prior to the budget planning session for the year in which the vest will expire.

#### 14.2 Return of Departmental Property

- 1. Each officer issued a ballistic vest is required to properly care for this property item as so stipulated by policy concerning departmental property.
- 2. Any officer of this department whose employment is terminated for any reason shall be required to return a ballistic vest to the Chief of Police, or his/her designee.

This Order applies to all members of the department.

It is the responsibility of each member of the department to become familiar with and adhere to the provisions of this Order.

Command personnel will ensure compliance with this Order by subordinates.

#### 14.3 Computer

It is the purpose of this policy to ensure that all employees of the police department use the computers in the most effective, consistent and appropriate manner possible. This will allow us to achieve the maximum benefit in terms of work productivity. It will also ensure that all employees are aware of the City's position on ownership and personal use of the City's computer systems.

Command personnel will ensure compliance with this Order by subordinates.

It is the policy of the City of Dyersville Police Department that all employees will use city provided computer equipment in a professional and business manner. Personal use of the system is allowed as a way for employees to learn how to better use the system as a means of improving customer service. Personal use must be limited to non-working hours and with supervisor notification prior to starting

personal use. Personal use is limited to that which would not cause embarrassment or cost to the City.

All employees are to realize the computer system is owned by the City of Dyersville and as such, the City may direct a search of the system at any time to improve functions in the system and to look for any inappropriate use of the system.

All employees are to realize that information coming from the computer system may be privileged information and there may be my data privacy concerns with what you do with that data. Employees are responsible for ensuring they know and understand the conditions under which they access data and comply with those access requirements of data providers. Examples of this would be the Iowa Department of Public Safety, Dubuque and Delaware County, DCI and other such types of information suppliers. By using another entity's information system, you are acknowledging you understand their requirements and are abiding by them.

Inappropriate access to certain computer sites can be embarrassing to the City. All computer use is to be kept to that which would normally be acceptable in a general business climate. An example of what is considered inappropriate use is any site that is oriented toward adult entertainment, explicit sexuality, exposing violence, terrorism, and/or intolerance of religion, race or sexual orientation.

Inappropriate gathering of or dissemination of non-public information that is available to you as an Dyersville Police Department employee is also prohibited. Employees must have a legal and business-related reason to gather non-public information.

All employees need to know that any number of outside agencies monitor the City computer system Iowa Department of Public Safety, Dubuque and Delaware County, DCI and other such agencies can and will provide audit trails to the City to determine if the City computer system is used for any inappropriate reason. Employees are expected to use good judgment in the use of the system. If you are unsure, you should ask for clarification from a supervisor.

If you feel that you have accidentally accessed something inappropriate, please report this to the Chief or Assistant Chief as soon as possible. Failure to report accidental violations of this policy may be seen as intentional acts.

All employees are reminded that the City of Dyersville also maintains a separate administrative policy that directs employees in the use of the computer systems. All employees should be familiar with that policy and comply with its directions.

All Dyersville Police Department employees, by the use of the computer system, agree to abide by the policies on computer system use. Violations of this policy may result in disciplinary action being taken by the City against the offending employee. This disciplinary action may range from informal counseling to termination depending on the circumstances of the particular incident.

#### 14.4 In-Squad and Body Worn Video

The purpose of this policy is to provide guidelines and procedures for how to use in squad video and body worn cameras (BWC) so that officers may reliably record their contacts with the public in accordance with the law and department policy.

The use of BWC devices complements the use of in-squad video as a digital evidence gathering devices within the Dyersville Police Department. The following procedures have been designed with regard to current legislation and guidance for the use of overt video recording of police evidence. This policy does



not govern surreptitiously recording in undercover operations.

The objectives for the use of in-squad and BWC include:

1. Accurate documentation of public contacts, arrests, and critical incidents. Using video and audio recording to enhance the accuracy of officers' reports and testimony in court and enhance the public trust in the department.
2. The ability of the department to review contacts for probable cause for arrests, review officer and suspect interaction, review evidence for investigation and to assist in the professional development of department members.
3. The reduction of protracted complaint investigations by providing impartial, accurate evidence.
4. The instant documentation of crime and accident scenes and to help ensure accurate accounting for evidence or contraband.
5. In some circumstances, use of in-squad and BWCs may modify a subject's behavior, prevent harm and deter people from committing crime and other anti-social behavior, although recording devices should not supplant officer safety practices.

***This Order applies to all members of the department.***

It is the responsibility of each member of the department to become familiar with and adhere to the provisions of this Order.

Command personnel will ensure compliance with this Order by subordinates.

Procedure

1. Officers shall activate in-squad and BWC to record all contacts with citizens in the performance of law enforcement activities. Officers shall activate in-squad and BWC when responding to calls for service and whenever engaged in a traffic stop, arrest, search, interrogation of a subject, or pursuit. Officers are authorized but not required to record interactions with citizens outside the performance of law enforcement activities (for example, non-investigatory contact with citizens encountered on patrol).
2. Whenever possible, officers should inform individuals that they are being recorded. BWCs shall remain activated until the event is completed, the officer leaves the scene, or a supervisor authorizes an officer to cease recording.
3. If an officer fails to activate BWC, fails to record the entire contact, or interrupts the recording for any reason, the officer shall document why a recording was not made, was interrupted, or was terminated. Before interrupting a recording, officers should announce on the BWC the reason for interrupting the recording.
4. The use of in-squad and BWC should not supplant other evidence gathering techniques.

## 14.5 Training

Police personnel who are assigned in-squad and BWC must complete an agency approved training program to ensure proper use and operation. Additional training may be required at periodic intervals to ensure the continued effective use and operation of the equipment, proper calibration and performance, and to incorporate updates, or other revision in policy and equipment.

The Police Chief or designee will ascertain that an officer has completed the agency approved training program and will maintain a log of the training records.

## 14.6 Equipment Issue

1. In-squad and BWC equipment will be assigned primarily to uniformed personnel as authorized by

the department. Officers who are assigned in-squad and BWC equipment must use the equipment unless otherwise authorized by supervisory personnel.

2. Police personnel shall use only BWC issued by this department and are not authorized to use any personally owned recording devices. The BWC equipment and all data, images, video, audio and metadata captured, recorded or otherwise produced by the equipment is the sole property of the Dyersville Police Department and shall not be shown or given to unauthorized persons.
3. In-squad and BWC equipment is the responsibility of individual officers and will be used with reasonable care to ensure proper functioning. Equipment malfunctions shall be brought to the attention of the Chief or designee as soon as possible so that a replacement unit may be procured.
4. Officers shall inspect and test the In-squad and BWC prior to each shift in order to verify proper operation and shall notify the Chief or designee of any problems.
5. Officers shall not edit, alter, erase, duplicate, copy share or otherwise distribute recordings without prior authorization and approval of the Chief or designee.
6. Officers are encouraged to inform the Chief or designee of any recording that may be of value for training purposes.
7. No person, including the officer who made the recording, has any right to view any recording without proper authorization under this policy. Officers shall note in incident reports, arrest, reports, or other related reports when recordings were made during an incident. BWC recordings are not a replacement for written reports.

#### Restrictions

In-Squad and BWC shall not be used to record:

1. Routine activities with other police personnel or personnel of other government agencies unless part of an official law enforcement investigation or with approval from supervisors.
2. Encounters with undercover officers or confidential informants.
3. Officer activities during a break or other personnel activities.

#### Storage

1. All files shall be securely downloaded no later than the end of the shift. Each file shall contain information related to the date of the recording, in-squad and BWC identifiers, and assigned officer.
2. All recordings will be classified as either “evidentiary” or “non-evidentiary.”
  - a. Evidentiary recordings include incidents or encounters that could prove useful for investigative purposes such as a crime, an arrest or citation, search, use of force incident, or a confrontation encounter with a member of the public. Evidentiary recordings will be retained until the conclusion of the investigation, court proceeding, or administrative hearing for which they are relevant.
  - b. Non-evidentiary recordings will be retained for 60 days from the date of recording at which time they will be purged. (Ex: Incidents or encounters that do not lead to an arrest or citation or of general activities that an officer might perform while on duty, i.e.– assisting a motorist, clearing a roadway, etc.)
  - c. In homicides or other capital prosecution cases, recordings shall be kept until the offender is no longer under the control of the criminal justice system and approved by the County Attorney.
3. If in-squad or BWC are activated during any incident that involves use of force by or against an officer, or any event that results in death or serious bodily harm to any person, a supervisor must personally transfer the recording from the BWC to the storage system.
4. All images and sounds recorded by BWC are exclusive property of this department. Accessing, copying or releasing files for non-law enforcement purposes without approval of the chief of police is strictly prohibited.
5. All access to in-squad and BWC files must be specifically authorized by the chief of police or

their designee and all access is to be audited to ensure that only authorized users are accessing the data for legitimate and authorized purposes. All efforts will be made to preserve the chain of custody for recordings.

6. Requests by other government agencies for copies of recordings shall be documented and acted on by the chief of police or their designee in accordance with state and federal law.
7. Requests by members of the public for copies of recordings shall be documented and acted on subject to state and federal law concerning public records. Recordings related to ongoing investigations will not be released except as otherwise authorized by law. Recordings unrelated to an ongoing investigation will only be released subject to review and possible editing or redacting in order to protect privacy interests. Recordings that include footage from inside private residence, nudity, or other sensitive subjects will be subject to special scrutiny and possible legal review before release.

### 14.7 Care and Upkeep of Equipment

It is the responsibility of the Police Chief or designee to keep records of the serial numbers and location of the cameras used by department members.

Any malfunction of the equipment must be reported immediately to the Chief or designee.

It will be the responsibility of the Chief or designee to ensure that there are sufficient DVDs available for use. If a department member notices that resources are running low, they should notify the Chief or designee as soon as possible.

### 14.8 Digital Statements

It shall be the policy of the Dyersville Police Department, that all audio statements contain all identifying information. All audio statements shall be electronically maintained as part of the case file. Transcribed audio statements shall be retained in “read-only” format. Audio statements shall not be destroyed except in accordance with State of Iowa records retention policies.

#### **Procedure for taking statements**

When taking statements, all officers shall use the following protocol, unless there is some reason where it doesn't make sense to do so. The following heading and additional information shall be dictated by the officer as part of the digital audio recording:

“This will be a statement taken from NAME OF SUBJECT AND SPELLING , in reference to (Name of investigation, assault, robbery, disorderly conduct investigation, etc.), in reference to Dyersville Police Department Case # \_\_\_\_\_\* .

“Statement taken by YOUR NAME and BADGE NUMBER , at LOCATION, on DATE/TIME.”

\* If the case number is not known to the officer at the time, dictate this as” case number assignment pending.”

\* If this is a custodial interview, the complete Miranda warning and waiver shall be inserted here.

\* If this is a non-custodial interview, and the person is a possible suspect, officers shall inform the subject that he/she is not under arrest and is free to go at any time, and ask if they understand this.

\* Indicate if there are other people present in the interview room

2. Continue the statement by dictating the following information:
  - “What is your full and true name?”
  - “How old are you and what is your date of birth?”
  - “Where do you reside? (address)”
  - “With whom do you live?”
  - “Are you presently employed, and if so by whom?”
  - “What is your home telephone number?”
  - “What is your business phone number?”
  - “What is your cell phone number?”
3. The interviewing officer shall proceed with a question/answer statement that covers the criminal elements and details of the investigation.
4. The statement shall close with:
  - “Is this a true statement of the facts as you know them to be?”
  - “Is there anything you wish to add to your statement at this time?”
  - “Have any promises or guarantees been made to you in exchange for your cooperation in this matter?”
  - “End of statement, TIME.”

#### 14.9 Saving Dictated Statements

Officers shall ensure that all digital recordings are electronically retained in a retrievable file. Officers who wish to maintain a copy of the downloaded recording may make a CD. Administrators can provide the filed CD, however the CD may not be accessed by individual officers.

Electronic records are public records if they are created or received as part of performing official duties and fall under Code of Iowa Chapter 22. Statements that are part of investigation reports, accident reports and arrest records must be retained permanently by the police department.

## 15.0 Public Affairs

### 15.1 Media Relations

#### 15.2 Use of Dyersville and Police Department Letterhead

1. Police Department Letterhead and/or any documents (paper or electronic, including e-mail) that identify the City of Dyersville as the official correspondent may be used only for official Dyersville Police Department business.
2. Copies of all correspondence must be made and attached to the case file or other appropriate files.
3. All correspondence must be reviewed by the Police Chief or Assistant Chief before being mailed or transmitted.
4. Use of letterhead and/or Dyersville logos or insignias are to be used for final copy only – all other copies shall be labeled as “Draft.”
5. All correspondence must be approved by the Police Chief or Assistant Chief.

## 16.0 Data and Records

### 16.1 Intelligence

#### Definitions

1. Department of Public Safety: Iowa Department of Public Safety.
2. Bureau: Iowa Department of Public Safety, Division of Criminal Investigation, Bureau of Identification
3. Public Records: Include all records and documents of or belonging to this State or any county, city school corporation, political subdivision, or tax supported district in this State, or any branch, department, board, bureau, commission, council, or committee of any of the foregoing.
4. Criminal History Record Information (CHRI): Is an all inclusive term meant to include “Criminal History Date,” “Intelligence Data,” and “Criminal Investigative Data.”
5. Criminal History Data: Any or all of the following information maintained by the Department of Public Safety or Division of Criminal Investigation, Bureau of Identification in a manual or automated data storage system and individually identified.
  - a. Arrest Data: Information pertaining to an arrest for a public offense and includes the charge, data, time and place. Arrest Data includes arrest warrants for all public offenses out-standing and not served and includes filing of charges, by preliminary information when filed by a peace officer or law enforcement officer or indictment, the date and place of alleged commission and county of jurisdiction.
  - b. Conviction Data: Information that a person was convicted of or entered a plea of guilty to a public offense and includes the data and location of commission and place and court of conviction.
  - c. Disposition Data: Information pertaining to a record court proceeding subsequent and incidental to a public offense arrest and includes dismissal of the charge, suspension or deferral of sentence.
  - d. Correctional Data: Information pertaining to the status, location and activities of persons under the supervision of the county sheriff, the Division of Corrections of the Department of Social Services, Board of Parole or any other state or local agency performing the same or similar function, but does not include investigative, sociological, psychological, economic or other subjective information maintained by the Division of Corrections of the Department of Social Services or Board of Parole.
6. Intelligence Data: Information on identifiable individuals compiled in an effort to anticipate, prevent, or monitor possible criminal activity.
7. Criminal Investigative Data: Information collected in the course of an investigation where there are reasonable grounds to suspect that specific criminal acts have been committed by a person.
8. Criminal Justice Agency: Any agency or department of any level of government which performs as its principal function the apprehension prosecution, adjudication, incarceration, or rehabilitation of criminal offenders.
9. Surveillance Data: Information on individuals pertaining to participation in organizations, groups, meetings, or assemblies where there are no reasonable grounds to suspect involvement or participation in criminal activity by any person.
10. Law Enforcement Intelligence Network (L.E.I.N.): Is the Iowa Law Enforcement Intelligence Network.
11. Central Coordinating Agency (CCA): Serves as the central clearing house of LEIN information and provides the necessary administrative support to its members. The Iowa Division of Criminal Investigation is the Central Coordinating Agency.
12. Mid-States Organized Crime Information Center (MOCIC): Is a network of Federal, State and local law enforcement agencies in the upper mid-states that provides information, intelligence and resource support to help combat criminals, organized crime and narcotics trafficking that transfers

jurisdiction or state boundaries.

1. The purpose is to integrate state and federal law and regulations governing security and privacy of individuals in the gathering of intelligence information.

## 16.2 Dissemination of Criminal History Data

1. The Department of Public Safety and Bureau may provide copies or communicate information from Criminal History Data only to Criminal Justice Agencies, or such other public agencies as are authorized by the confidential records council.
2. Authorized agencies and Criminal Justice Agencies shall request and may receive Criminal History only when:
  - a. The data is for official purposes in connection with prescribed duties, and
  - b. The request for data is based upon name, fingerprints or other individual identifying characteristics.

## 16.3 Re-dissemination of Information

1. A peace officer, Criminal Justice Agency, or State or Federal Regulatory Agency shall not re-disseminate Criminal History Data, outside this agency, received from the Department of Public Safety or Bureau, unless all of the following apply:
  - a. The data is for official purposes in connection with prescribed duties of a Criminal Justice Agency.
  - b. The agency maintains a list of the persons receiving the data and the date and purpose of its dissemination.
  - c. The request for data is based upon name, fingerprints, or other individual characteristics.
2. The above restrictions apply only on data received from the Department of Public Safety or Bureau and re-disseminated outside the agency. The provisions concerning the disseminated and re-dissemination of Criminal History Data do not apply to the issuing of data to the FBI. The fact that an arrest warrant has been or will be issued and other relevant information concerning a current investigation may also be disseminated and/or re-disseminated without restriction.
3. Federal regulations and Iowa law also dictate that the central repository, (DCI, Bureau of Identification files) be queried prior to a re-dissemination unless time does not allow. This restriction ensures that the agency receives the most complete and current information available.

## 16.4 Dissemination of Intelligence Data

1. Intelligence data shall not be placed within a computer data storage system.
2. Intelligence data in the files of the Department of Public Safety may be disseminated only to a peace officer, Criminal Justice Agency or State or Federal Regulatory, and only if the Department of Public Safety is satisfied that the need to know and the intended use are reasonable.

## 16.5 Re-dissemination of Intelligence Data

1. An agency may only re-disseminate Intelligence Data outside the agency received from the Department of Public Safety or any other source, when it is determined by the agency that the data is to be used for "official purposes in connection with prescribed duties of a Criminal Justice Agency" and the agency maintains a list of persons receiving the data and the date and purpose of the dissemination

## 16.6 Surveillance Data

No surveillance data shall be placed in files or manual or automated data storage system by the

Department of Public Safety or Bureau or by any peace officer or Criminal Justice Agency. Violation of the provisions of this section shall be a public offense punishable under Section 692.7 of the Code of Iowa.

No surveillance data shall be re-disseminated.

### 16.7 Criminal Investigative Data

Criminal Investigative Data does not have any restriction on its dissemination or re-dissemination.

### 16.8 Iowa Law Enforcement Intelligence Network (LEIN)

The LEIN is an organization of law enforcement agencies that was formed to monitor the activities of criminal characters through confidential investigations, surveillances and the maintenance of a proper liaison with officials and other sources of information, locally as well as nationally.

The Department's Chief and Investigator shall be the liaison's assigned to the LEIN. He or she shall be responsible for gathering, recording, investigating and exchange of information with other Criminal Justice Agencies and ensuring that the Department complies with LEIN's constitution and by-laws.

The Department shall assist LEIN in gathering, recording, investigation, and exchange of information concerning local or any known individuals and/or organizations whose backgrounds, activities, or associates identify them with or are characteristic of, any criminal and provide such information to the CCA.

### 16.9 Mid-States Organized Crime Information Center (MOCIC)

The purposes of MOCIC is to provide information, intelligence and resource support to mid-states Federal, State and local law enforcement agencies to combat criminals, organized crime and narcotics trafficking that transfers jurisdiction or state boundaries.

The Department's Chief and Investigator shall be the liaison's assigned to the MOCIC. He or she shall be responsible for gathering, recording, investigation, and exchange of information with other Criminal Justice Agencies and ensuring that the Department complies with MOCIC's constitution and by-laws.

The Department shall assist MOCIC in gathering, recording, investigation, and exchange of information concerning local or any known individuals and/or organizations whose backgrounds, activities, or associates identify them with or are characteristics of, any criminal activities and provide such information to the CCA.

### 16.10 Disciplinary Actions

Any member or employee of the Department who disseminates or re-disseminates any information outside the Department without the approval of the Chief of Police shall be subject to disciplinary action.

The Dyersville Police Department Maintains a Policy and Procedure Manual. The Procedure manual is not intended to stand alone but rather support DPD policy by providing additional detail on how to achieve the department mission.

Both the Policy and Procedure Manuals are for department use only and do not apply to any criminal or civil proceedings. Department policy and procedure should not be construed as a creation of higher legal standards of safety or care in an evidentiary sense with respect to third party claims. The failure of any employee to conform to any mandatory provision of policy or procedure (shall or will) may form the basis for an administrative investigation and any resulting discipline.