

Exhibit H

**VILLAGE
OF
LINCOLN HEIGHTS
DEPARTMENT OF
PUBLIC SAFETY**

POLICE DIVISION

**POLICY AND PROCEDURES
MANUAL**

**LINCOLN HEIGHTS, OHIO
HAMILTON COUNTY**

**EARNEST McCOWEN, JR.
CHIEF OF POLICE**

**REVISED APRIL 1999
APPROVED BY COUNCIL JUNE 28, 1999**

INTRODUCTION

The following policies and procedures are to be considered as the rules, regulations, policies and procedures of the Village of Lincoln Heights Police Division. They shall be utilized as the guide for all police personnel to perform their sworn duties as a Lincoln Heights Police Officer. It shall be the responsibility of each and every police division employee to become knowledgeable of the manual and to attend all necessary training to insure understanding of the manual.

Ignorance of the manual and its contents by employees that do not read or attend the training on the manual and its contents shall not be considered as grounds for the employee not to be disciplined based on the manual and the contents.

Upon a new employee being cleared and approved from probationary status the employee shall have been fully trained on the manual and its contents.

Violations of this policy can result in the employee being counseled, disciplined or removed from employment with the police division.

Any changes, additions, deletions or modifications to the manual shall be made by the Chief of Police and submitted to police division personnel as soon as possible.

Each violation of any section of this manual shall be investigated, judged and adjudicated on its individual merits, investigations and findings.

The contents of this policy manual shall not conflict with any applicable State, Federal or Local laws.

**VILLAGE OF LINCOLN HEIGHTS
DEPARTMENT OF PUBLIC SAFETY
DIVISION OF POLICE, FIRE & E.M.S.**

OATH OF OFFICE

I, _____ do solemnly swear to uphold the
(PRINT FULL NAME)
Constitution of the United States of America, the State of Ohio and the Village of
Lincoln Heights while in my official capacity as a Lincoln Heights Police Officer.

I further swear that I will faithfully comply with and abide by all of the rules,
regulations, policies and procedures of the Lincoln Heights Police Division and the
Codified ordinances of the Village of Lincoln Heights.

I further swear that I will faithfully, willfully and honestly discharge the duties and
responsibilities that are charged to my position and required of me as a police
officer of the Lincoln Heights Police Division to the best of my abilities.

So long as I am a member of the Lincoln Heights Police Division, I shall maintain
these duties and obligations all of which I shall obey.

Employee Signature: _____ Date: ___/___/___

Chief of Police: _____ Date: ___/___/___

Mayor: _____ Date: ___/___/___

Sworn this _____ day of _____

1998. At _____

By: _____

SEAL

LINCOLN HEIGHTS POLICE DIVISION
MISSION STATEMENT

The members of the Lincoln Heights Police Division are to be personnel that are commissioned and sworn by the legislative authority of the Village of Lincoln Heights. The members shall be commissioned under the laws and rules of the State of Ohio that pertain to serving as a peace officer within the State.

The Lincoln Heights Police Division shall adopt and utilize the "Community Oriented Policing" approach to general police operations whenever applicable or possible. Community and police relations shall be professional and friendly in exchange so long as the situation permits and such conduct is warranted and acceptable. Community oriented policing shall not effect the general performance of police officers as they are required to perform their sworn duties.

It shall be the duties and responsibilities of the members of the Lincoln Heights Police Division to uphold the laws of the United States, the State of Ohio, the County of Hamilton and the Village of Lincoln Heights while certified and sworn as a police officer within this state.

Police officers shall protect life and property and when within the scope of service of the office of police officer maintain order as so directed and requested by the Chief of Police and or the official designate.

Upon the proclamation of martial law due to civil, natural or foreign disturbance by the President of the United States, The Governor of the State of Ohio or the Mayor of the Village of Lincoln Heights, all police personnel shall enforce and uphold the directions as mandated and issued by the declarations of these offices, as they can be issued in conjunction with one another or as one from the issuing official or official representatives.

The primary responsibility, however not the only responsibility is to maintain peace, order and law within the Village of Lincoln Heights by providing an aggressive and thorough general patrol system within the Village. The patrol system shall be supplemented by criminal investigations, narcotics investigations, crime prevention and community relations, criminal prosecutions and apprehensions, support to supplemental agencies and non-specific assignments as they are assigned.

The mission statement is subject to review and change as necessary.

LINCOLN HEIGHTS POLICE DIVISION

*** GOALS AND OBJECTIVES ***

GOALS

The Village of Lincoln Heights Division of Police shall be an organization of men and women that are dedicated to providing the Village of Lincoln Heights residents, businesses and visitors with the best police services that are possible at all given times.

Police officers shall strive to insure that very minimal threats against life and physical injury to persons occur within the village at all times with the ultimate goal of having no loss of life and/or physical harm to persons.

Police officers shall strive to insure that a minimum in the amount of dollar loss shall occur to the property of residents, businesses and visitors to the Village of Lincoln Heights. The ultimate goal shall be to have no property loss within the village.

Police officers shall conduct the best and most thorough criminal investigations within the village at all times that they have occurred and for whichever form or type of investigation that they may be investigating, police officers shall be complete and thorough. Criminal investigations will never end, however the goal shall be to have the best possible solution to each and every investigation.

Police officer patrol shall be the priority and the main function of the police division. Patrol is the heart and the main tool of all police services that are rendered. Patrol is supplemented by many other factions of police work within the division. All factions are necessary to make police division activities come together as one. The goal of the division shall be to have an effective, but not routine patrol and establish effective patrol practice that will help to effectively control and deter criminal activities.

Police officer participation in "Community Oriented Policing Concepts" is mandatory to insure that police and community relations are able to interact to help control and deter all types of crime and to assist with police division perception and service within the community. All members of the community and some situations are not able to receive the efforts of community oriented policing, however the attempt must be made. The entire Country is moving towards the community oriented policing initiative and our citizens deserve the efforts of our police division.

Police officers shall insure that all individuals that are arrested and charged with criminal offenses are prosecuted and brought before a Judge or Jury of their peers. This the only way that successful conclusion and closure can be brought to all cases where individuals are arrested with criminal prosecution as the means to the end of the situation. The goal is to have sincere, effective and thorough prosecution in all situations that require prosecution.

Police officers shall strive to work together as a team of one with one common goal. That being the preservation of life and the prevention of bodily harm to each other during the very dangerous performance of his and her job as a police officer. Indifferences, personal problems and work related problems shall be averted so that all police officers work together as a team of one. The goal is self preservation within the boundaries of the laws, policies and guidelines as set forth by Federal, State and local agencies that have jurisdiction to do so.

Police officers shall receive the necessary training and education that is necessary to perform their job responsibilities and maintain order within the Village of Lincoln Heights. The goal is to keep all patrol officers updated and current in all forms of training and education as needed.

Police personnel shall work to keep the morale of the division as well as individuals at an acceptable level. Low or poor morale that is the result of a justifiable cause or reason can be a definite detraction to the goals of the police division. The goal is that when these situations arise make a thorough and adequate disposition of the problem and if necessary make the necessary disposition of the situation.

The final and most important goal of the police division is to have the consideration of the job that the officers perform every day and the numerous times that officers lives are placed directly at risk of physical harm and loss while on duty. The job within itself is a direct hazard. The administration and the legislative body shall work diligently together to insure that the officers of the police division are compensated properly for the services that they perform. This shall include pay and benefits. Police personnel can not perform adequately with inadequate compensation. The goal shall not only be to acquire adequate pay, but to keep it. The officers shall also maintain an adequate level of services for adequate levels of compensation.

~ OBJECTIVES

By establishing goals, policy, laws, rules and regulations, the Police Division can chart a course towards excellence. Excellence can only come with effort. If no effort is put forth to make the goals, policy, laws, rules and regulations work we will not reach our goals. Our objective as a police division is to first off sustain the life and lower the risk of physical harm to each other while performing our sworn duties. We shall then insure that the life and property of all persons and property within the Village of Lincoln Heights is protected at all times, by all lawful means at our disposal as we perform our sworn duties.

We shall strive to have the best possible community and police relations within the Village of Lincoln Heights when performing our sworn duties. We shall establish this by utilization in Community Oriented Policing, Crime Prevention Activities, Drug Abuse Resistance & Education Programs, National Child Safety Education Programs, Police Walking Patrol Programs and any other acceptable means of police and community relations programs. The interactions of community and police shall be a priority in the development of the division.

Through proper education adequate training (inservice and specific outside training classes), the division shall prosper. We shall only be as good of a police division as the training and education that we receive. Laws, policy, rules and regulations can not build and better a police division alone. It shall be the training and education that will make the all of the facets and operations of the police division work and work well. The Village administration and legislative body shall also work together to insure that the police division receives the appropriate training and education.

If the division is capable of establishing some financial stability within. The morale of the members will increase. Financial problems are not the only source of morale problems. Officer work loads, shift assignments and disagreement with policy & procedure, and dissatisfaction with police and village administration also contribute to morale problems. A concentrated effort to work on all of the problems in a reasonable and professional manner shall cause the division to work towards a common goal. Officers for varying reasons will resent policy of administration and policy shall not be directed to satisfy individuals. The policy of the administration shall be so set up as to govern the proper, required and legal needs of the division. With unbiased and equal enforcement of policy morale can be achieved.

The goals and objectives of the police division are not complicated or complex. If officers strive to work on the division goals and work towards correct implementation for division policy, the goals and objectives as set forth within will be simple to adhere to.

Goals and objectives shall be reviewed to see if updates or changes are necessary. The review shall be conducted no longer than every (5) years or when change becomes necessary. The review shall be performed by the Chief of Police and the shift supervisors when required.

VILLAGE OF LINCOLN HEIGHTS DEPARTMENT OF PUBLIC SAFETY, POLICE DIVISION
TABLE OF ORGANIZATION ~ CHAIN OF COMMAND

REVISED 04-20-99

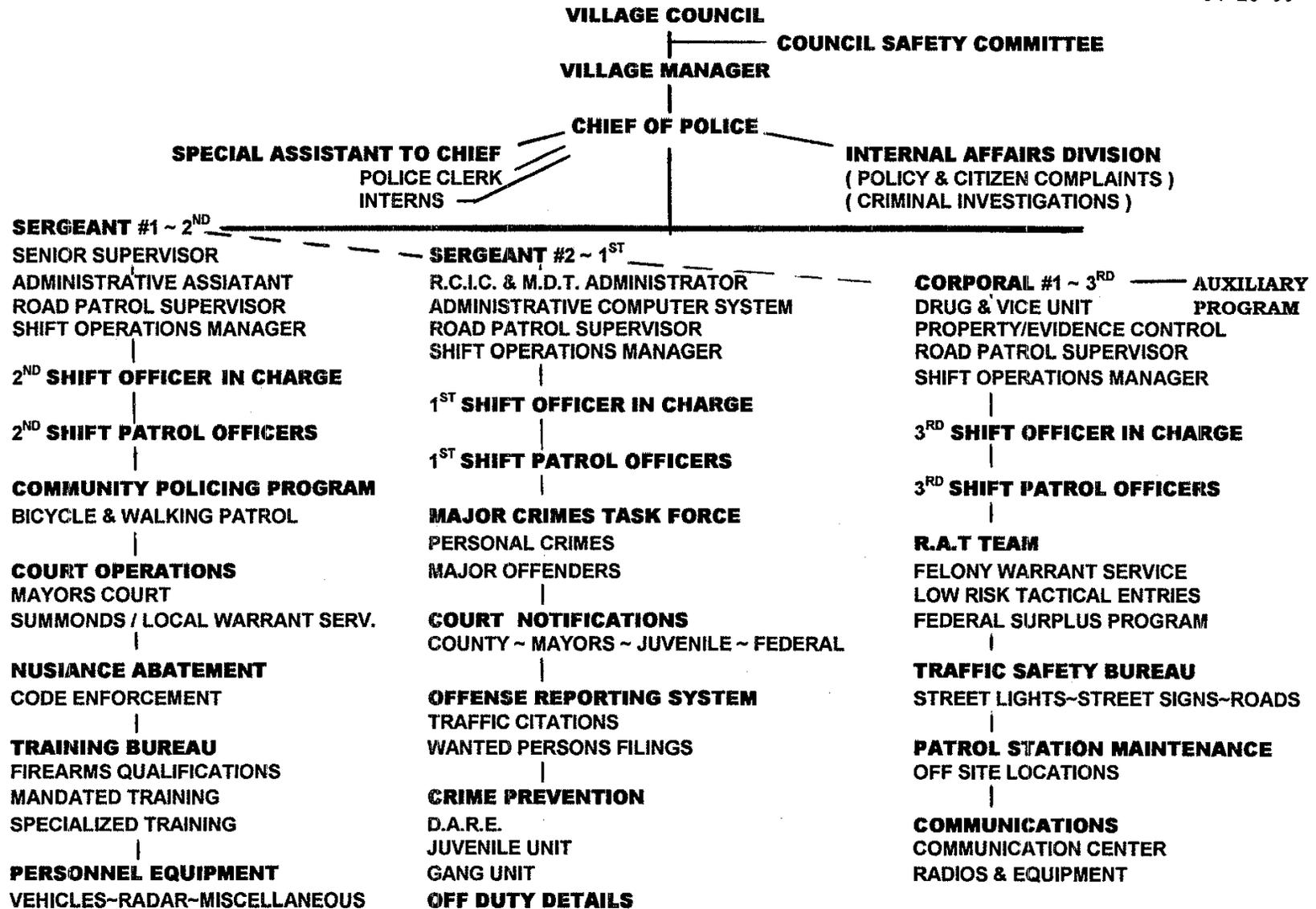


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ROMAN NUMERAL TO ARABIC NUMBER CONVERSION TABLE

ROMAN		ARABIC	ROMAN		ARABIC		
1.	I	=	1	39.	XXXIX	=	39
2.	II	=	2	40.	XL	=	40
3.	III	=	3	41.	XLI	=	41
4.	IV	=	4	42.	XLII	=	42
5.	V	=	5	43.	XLIII	=	43
6.	VI	=	6	44.	XLIV	=	44
7.	VII	=	7	45.	XLV	=	45
8.	VIII	=	8	46.	XLVI	=	46
9.	IX	=	9	47.	XLVII	=	47
10.	X	=	10	48.	XLVIII	=	48
11.	XI	=	11	49.	IL	=	49
12.	XII	=	12	50.	L	=	50
13.	XIII	=	13	51.	LI	=	51
14.	XIV	=	14	52.	LII	=	52
15.	XV	=	15	53.	LIII	=	53
16.	XVI	=	16	54.	LIV	=	54
17.	XVII	=	17	55.	LV	=	55
18.	XVIII	=	18	56.	LVI	=	56
19.	XIX	=	19	57.	LVII	=	57
20.	XX	=	20	58.	LVIII	=	58
21.	XXI	=	21	59.	LIX	=	59
22.	XXII	=	22	60.	LX	=	60
23.	XXIII	=	23	61.	LXI	=	61
24.	XXIV	=	24	62.	LXII	=	62
25.	XXV	=	25	63.	LXIII	=	63
26.	XXVI	=	26	64.	LXIV	=	64
27.	XXVII	=	27	65.	LXV	=	65
28.	XXVIII	=	28	66.	LXVI	=	66
29.	XXIX	=	29	67.	LXVII	=	67
30.	XXX	=	30	68.	LXVIII	=	68
31.	XXXI	=	31	69.	LXIX	=	69
32.	XXXII	=	32	70.	LXX	=	70
33.	XXXIII	=	33	71.	LXXI	=	71
34.	XXXIV	=	34	72.	LXXII	=	72
35.	XXXV	=	35	73.	LXXIII	=	73
36.	XXXVI	=	36	74.	LXXIV	=	74
37.	XXXVII	=	37	75.	LXXV	=	75
38.	XXXVIII	=	38	76.	LXXVI	=	76

EMPLOYEE JOB DESCRIPTIONS AND JOB CLASSIFICATIONS

CHIEF OF POLICE:

It shall be the responsibility of the Chief of Police to command the Lincoln Heights Police Division. The Chief of Police shall be available for emergency call (24) twenty four hours per day unless on an approved leave. The Chief of Police shall be the department head and incharge of administration for the police division. The Chief of Police shall report and be responsible to the Village Manager. The Chief of Police shall be responsible for discipline and making all request for further discipline to the Village Manager. The Chief of Police shall insure that the following items are performed;

1. Provide a monthly report.
2. Provide an annual budget.
3. Provide safe and maintained police vehicles.
4. Provide staffing for the police division with the approval of the Village Manager.
5. Authorize all purchases within the police division.
6. Attend all required meetings.
7. Supervise and evaluate all supervisors.
8. Have the responsibility the Chief Jailer.
9. Provide the necessary legislation for the police division.
10. Provide all of the necessary revisions to the policy and procedures.
11. Investigate or cause the investigation of all division complaints.
12. Preside over or cause the same for Mayors or Magistrate court.
13. Prepare or have prepared employee monthly work schedule.
14. Oversee all major criminal investigations.

The Chief of Police shall assist as an officer of the emergency preparedness and management team for the Village and in an emergency establish the command center of operations. The Chief of Police shall perform all additional assignments that are issued by the Village Manager. In the Chief of Police's approved absence an employee shall be designated in writing by the Chief of Police.

POLICE LIEUTENANT:

The police Lieutenant shall assume command of the police division upon authorized leave of the chief of police or at anytime that they are directed to do so. The police Lieutenant shall assist the Chief of Police with the police division administrative duties as they are assigned. The police

Lieutenant shall assist the Chief of police in all disciplinary investigations of other police division employees. The police lieutenant shall be second in command of the police division and responsible to report directly to the Chief of Police. The police Lieutenant shall be responsible for all final approval and correcting of the police division reports. To be eligible for the position of police lieutenant an employee shall have (2) two years as a police sergeant within the division. The police lieutenant shall be responsible for all items listed below;

1. Submission of monthly F.B.I. statistic reports.
2. Junk and abandon vehicle certification to the State of Ohio.
3. Attend meetings that are required and assigned by the Chief of Police.
4. Attend all required training.
5. Assist with road patrol activities.
6. Supervise and evaluate all assigned employee's.
7. Provide a monthly report to the Chief of Police.
8. Enforce all of the laws and ordinances within the division.
9. Coordinate litter and nuisance enforcement program.
10. Assist in coordinating crime prevention activities.

The police Lieutenant shall be responsible for assuming all individual assignments issued to the office by the Chief of police and complete them in a reasonable or required amount of time. In the event of a emergency preparedness or emergency management situation the police Lieutenant shall act as the field commander of the incident.

POLICE SERGEANT:

Police sergeants shall be responsible for the road patrol unit of the police division. If no police Lieutenant position exist or in the approved absence of the Chief of Police and the police Lieutenant, the senior police sergeant by seniority at the rank and grade of police sergeant shall assume all of the duties of the same. The police sergeant shall be responsible for the operations of their assigned shifts as they are listed in the police division policies and procedures. The police sergeant shall be responsible for the daily approval and authorizations of all shift work and assignments. The shift sergeant shall be responsible for documenting all patrol employee work habits and activities when necessary. The police sergeant shall make certain that all employees on their assigned shift report ready and able for work each tour of duty. To be eligible for the position of police sergeant the individual must hold the position of police corporal within the division for a minimum of (1) year. The police sergeant shall be responsible for the items below;

1. Road patrol supervision.
2. Police vehicle inspection.
3. Patrol officer equipment inspection on their scheduled shift
4. Court attendance.
5. Attend all assigned meetings.
6. Attend all assigned training.
7. Provide a monthly report to the Chief of Police.
8. Assist with crime prevention activities.
9. Assist with necessary or assigned criminal investigations.
10. Supervise and evaluate all assigned employee's.
11. Provide all necessary police division disciplinary actions.
12. Perform road patrol.
13. Insure that officers assigned to the shift are prepared for duty.
14. Enforce the policies and procedures of the police division.
15. Litter control and nuisance abatement.

The police sergeant shall perform all duties assigned to them by the Chief of Police and the police lieutenant that are not listed above. In the event of an emergency preparedness or emergency management situation the police sergeant shall be responsible for supervising the units in the field.

POLICE CORPORAL:

The police corporal shall be responsible for assisting the police sergeant with the operations and administration of the patrol shift and duties. The police corporal in the absence of the police sergeant shall be the shift commander and be responsible for all of the activities within the shift. The police corporal shall not be considered as an administrative position, but as a supervisory position. The police corporal shall report directly to the assigned shift supervisor while on duty or with any official division correspondence. The police corporal shall have a minimum of (2) two years prior full-time service within the police division to be eligible for the position or a waiver is issued by the Chief of Police. The police corporal shall be responsible for all areas listed below, but not limited to;

1. Road patrol supervision.
2. Patrol vehicle inspections while on duty.
3. Patrol officer equipment inspections.
4. court attendance.
5. Training attendance.
6. Meeting attendance.
7. Assist police sergeant with the monthly report.
8. Assist with crime prevention activities.
9. Assist with criminal investigations.

Goes Behind
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DEFINITIONS

1. ACTING

Serving temporarily in a position to which the member is not ordinarily assigned, usually in a position of higher rank. All the authorities, responsibilities and duties of the officer in the highest position devolve upon the acting member.

2. APPOINTMENT

The designation of a person by the appointing authority to any position within the Division of Police. The Chief of Police is the appointing authority.

3. ASSIGNMENT/TRANSFER

Any personnel placement made by the direct order of the Police Chief.

4. AUTHORITY

Legal or rightful power; a right to command or act.

5. AUXILIARY

Conferred help or aid; assistant; supporting.

6. COMMAND AUTHORITY

Legal rightful power to command or have command over.

7. COMMAND

To have command or command over, expectation of obedience.

8. DISCHARGE (DISMISSAL)

The act of dispensing with or termination of the service of a member or employee.

10. Supervise patrol employee's and provide information for their evaluations to the police sergeant.
11. Provide necessary disciplinary actions with employee's.
12. Provide road patrol.
13. Insure that shift employee's are prepared for the shift.
15. Enforce litter and nuisance abatement laws.
16. Enforce police division policies and procedures.

The police corporal shall perform all tasks assigned to them by any officer with a higher rank. The police corporal during an emergency preparedness or emergency management situation shall be responsible for road patrol or any other task assigned by the incident field commander.

POLICE INVESTIGATOR:

The police investigator shall be responsible and report to the Chief of police, the police Lieutenant and the police sergeants. The police investigator shall be a member of the police division's Major Crimes Task Force. The police investigator shall be a non-uniformed position. The police investigator position shall carry no rank. The police investigator position shall be rotated on a (5) five year rotation. The police investigator shall have a minimum of (2) two years of active full-time service within the division or a waiver of the Chief of Police. The police investigator shall be responsible for but not limited to perform the items listed below;

1. Warrant and capias service.
2. Criminal investigations.
3. Assist with division internal investigations.
4. Employee background queries and investigations.
5. Finger printing of civilians and employees.
6. Provide security analysis for residences and businesses.
7. Assist with crime prevention activities.
8. Attend all assigned meetings.
9. Attend all required and assigned training activities.
10. Serve Village of Lincoln Heights summons and notices.
12. Attend court when required.
13. Adhere to and abide by all police division policies and procedures.

The police investigator upon notice by the Chief of police shall become a uniformed unit at anytime during an emergency preparedness or emergency management situation. The police investigator will then be under the control of the field commander. If the police division should reach a low manpower situation the police investigator can be placed into uniform and assigned a patrol shift by the Chief of Police. The police investigator shall be responsible to perform any other functions assigned to them by the Chief of

police, the police Lieutenant or the police sergeant. To be eligible for the position of police investigator the employee shall have a minimum of (2) two years service within the police division.

PATROL OFFICER:

The patrol officer of the Lincoln Heights police division shall be under the direct supervision of the patrol sergeant and the patrol corporal while on official duty. Patrol officers are responsible for the health, safety and security of the businesses and residents of the Village of Lincoln Heights and all individuals that they have contact with when performing their official duties. Patrol officers shall work in a uniformed capacity while on duty unless a non-uniformed position is approved by supervision with the minimum rank of police sergeant. Patrol officers shall have classifications that are as follows, Full-time, part-time, temporary and auxiliary. All individuals hired as patrol officers shall be hired under the procedure that is written within this police. All road patrol officers shall be responsible to perform the duties below, but not limited to them;

1. Road patrol.
2. Building Checks.
3. Traffic and minor misdemeanor citation issuance.
4. Litter and nuisance violation enforcement.
5. Writing and completion of division reports.
6. Arrest and apprehension of offenders.
7. Court attendance.
8. Warrant and *capias* service.
9. Minor station maintenance and reporting defects.
10. Minor vehicle maintenance and reporting defects.
11. Adhering to police division police and procedure.
12. Assist with crime prevention.
13. Community oriented policing activities.
14. Attending required and assigned meetings and assigned training.
15. Follow directives of supervisors.
16. Work assigned shifts.
17. Provide incident reports to supervisor.

The road patrol officers shall follow all assigned tasks given to them by a supervisor. In the absence of a ranked supervisor the highest ranking member with seniority shall be in charge of the shift. In the event of an emergency preparedness or emergency management situation, road patrol officers shall be responsible to the field supervisors for duty. Road patrol officers can be placed into non-uniformed details by the Chief of Police for specific events or investigations.

9. DUTY

Applies not only to tasks required by one's occupation but to those tasks which are imposed by one's rank or status.

10. EMPLOYEE

The work "Employee" used herein shall include every persons assigned to have the Division of Police in any permanent or temporary service classification.

11. FUNCTION

The acts or operation expected to be performed by a person as a result of his position or assignment.

12. GENDER

The use of the masculine gender herein shall also include, when appropriate, the female gender.

13. GENERAL ORDER

Written orders issued by the police chief and the police supervisor in charge outlining policy or procedure on matters which affect the entire Division of Police. A general order is the most authoritative directive issued by the Division policy and remain in full force and effect until amended, superseded or canceled by the police chief or police supervisor in charge.

14. GOSSIP

The initiating or repeating of idle talk or rumors about others.

15. IMMEDIATELY

The term immediately is to be construed to mean "as soon as possible and practicable".

16. INCOMPETENCE

Incapable of the satisfactory performance of police duties. The lack of any of the following is evidence of incompetence: courage honesty, emotional stability, sound judgment, industry, alertness, decisiveness, power to observe, initiative, energy, intelligence and ability to get along with people.

17. INSUBORDINATION

The willingful disobedience of any order lawfully issued by a superior officer, or any disrespectful, mutinous, insolent and abusive language or action toward a superior officer.

18. LAWFUL ORDER

Is any written or oral directive issued by a superior officer to any subordinate or group of subordinates in the course of police duty and which is not in violation of any law, ordinance or divisional rule, procedure or instruction.

19. MALFEASANCE

The doing of an unlawful act in office.

20. MAY

The word "may" as used here in shall mean the action is permissive.

21. MEMBER

The word "member" shall be synonymous with the word employee.

22. MISFEASANCE

The wrongful doing of a lawful act in office.

23. NEGLECT OF DUTY

Failure to give suitable attention to the performance of duty. Failure to take appropriate action on the occasion of a crime, disorder, other act or condition deserving police attention . Failure to perform duties.

24. NONFEASANCE

The omission of an act which should have been done while in office.

25. OFF DUTY

"Off-Duty Time" is that part of the day or 24 hours which excludes the regularly assigned work period. That period of time during which members or employees would normally not be required to actively engage in the performance of his regularly assigned duties.

26. OFFICERS

The term "Officer" shall be synonymous with the term employee.

27. ON DUTY

That period of time when an officer is actively engaged in the performance of his assigned duties.

28. ORDER

An order is a command or directive given by one in authority and directed to a subordinate. It may be either oral or written.

29. PROMOTION

A change from a position in one class to a position in a different class having a higher rate of pay.

30. POLICE BULLETIN

The official daily publication of the Division. All directions in the Police Bulletin shall have the force and effect of a direct order from the police chief or the police senior supervisor.

31. POLICY

Any governing principal, broad plan, or course of action designed to accomplish an organization's goals.

32. POLICY STATEMENT

A policy statement is an affirmation of the aims, goals and direction of the Lincoln Heights Division of Police to be used as guidelines for the creation and implementation of improved methods and procedures that serve to fulfill and enhance police purposes.

33. PRIVILEGE

The term "Privilege" in reference to conditions of employment shall designate those conditions which are not basic rights but are granted at the convenience of the Division.

34. PROCEDURE

The official methods of dealing with any given situation as prescribed by general orders, procedural manual or training bulletins.

35. RANKING OFFICER

The officer having the highest rank or grade. Officers of the same grade shall rank according to the date of appointment to that grade, unless otherwise ordered by the police chief.

36. REPORT

Always a written communication unless otherwise specified. It may be a verbal report, but must be confirmed by a written communication before the officer rendering same goes off duty.

37. RIGHT

The term "Right" in reference to conditions of employment shall designate those conditions specifically outlined by the Village charter or ordinance. For example: the member or employee has a "right" to a specified annual leave.

38. RULES AND REGULATIONS

The terms "Rules and Regulations" used herein are interchangeable since both indicate basic internal Divisional legislation. They refer to broad precepts of authority, responsibility or conduct. They carry the full force and effect of a direct order from the police chief or senior supervisor in charge.

39. SHALL/WILL

The word "shall" or "will" as used herein shall indicate that the action required is mandatory.

40. SICK LEAVE

That period during which an employee or member is excused from duty under the applicable provisions of the current master pay or ordinance.

41. SPECIAL ORDERS

Are written directives issued by the police chief outlining instructions covering particular situations. Special orders are automatically canceled when their objective is achieved.

42. STAFF

Aid to an executive. Helps him plan and/or supervise the activities of others. It is work the executive would do himself if he had the time and specialized knowledge. The work is typically performed on behalf of the executive, and in a sense, the staff assistance acts as an extension of the executive's personality. Staff is a thinking, planning and advisory function.

43. STAFF OFFICER

The term "Superior Officer" as used herein shall refer to all officers holding a higher supervisory or command rank.

44. SUPERIOR OFFICER

The term "Superior Officer" as used herein shall refer to all officers holding a higher supervisory or command rank.

45. SUSPENSION

The act of temporarily denying a member the privilege of performing his duties in consequence of dereliction of other violation of Divisional regulations. Suspension is either the first step in the disciplinary process or the penalty assessed. The suspended member does not receive any pay during the period of suspension except when the proper authority rules that the suspension of the officer was unjustified.

46. THROUGH OFFICIAL CHANNELS

Through the hands of the commanding officers in descending or ascending order of rank.

47. TRAINING BULLETINS

The detailed procedure guides and policy outlines for reference purposes. All Training Bulletins in force and effect are issued by authority of the police chief and carry the weight of a General Order.

Compliance with procedural outlines in Training Bulletins is required by the Rules and Regulations of the Division of Police.

48. SUSPECT

Individual that has been charged with or has committed an offense that warrants criminal prosecution.

49. SUBJECT

Individual that has not been charged with or has not committed an offense that warrants criminal prosecution. Individuals suspicious in nature, has mental tendencies or suicidal person.

50. OFFICER IN CHARGE

An employee of the police division that has seniority on a duty shift and is in command of the duty shift and its operations during the absence of a shift ranking supervisor.

DIVISION OF POLICE
VILLAGE OF LINCOLN HEIGHTS
POLICIES AND PROCEDURES

PENALTY SECTION

TYPES OF PENALTIES

1. **DISCIPLINARY DISCUSSION** - When the Chief of Police, or the shift supervisor has to have a verbal conference with an employee in reference to a disciplinary problem. A written acknowledgement of this discussion will be prepared by the chief or supervisor conducting the discussion. The chief of supervisor and the employee must sign the letter of discussion, not as being in agreement, but acknowledgement of being present. This will stay a part of the employee's personnel file for no longer than (6) six months from date of issue.

2. **WRITTEN REPRIMAND** - When an investigation against a division employee has revealed a violation to have existed. The facts of the investigation will be presented to the chief of police and a written reprimand will be issued against the employee. This will remain a part of the employee's personnel file for not more than (1) one year from the date of issuance.

3. **SUSPENSION** - When an investigation against a division employee reveals a violation to have existed. The facts of the investigation will be presented to the Chief of Police. Once the Chief of police concludes the investigation, the appropriate amount of suspension time off shall be recommended to the Village manager for approval. Suspensions can range from (1) one shift tour of duty to (30) shift tours of duty. Each shift tour of duty shall be considered as a "Day" off. All suspensions will remain a permanent part of the employee personnel file.

4. **TERMINATION** - When an investigation against a division employee reveals a violation to have existed. The facts of the investigation will be presented to the chief of police. Once the Chief of Police concludes the investigation and termination is deemed necessary, the Chief of Police shall recommend to the Village Manager that the effected employee be terminated from service as an employee of the Village of Lincoln Heights Police Division.

5. **ADMINISTRATIVE LEAVE** - An employee can be placed on administrative leave while an investigation is being conducted. It will be at the discretion of the Chief of Police to place the employee on the leave. The employee will be compensated while on administrative leave from the division. Administrative

leave will not be utilized in lieu of suspension.

6. REIMBURSEMENT AND PAY FORFEITURE - During the course of an employee investigation if it is determined that the employee has caused the accidental or intentional monetary loss to the Village of Lincoln Heights, the police division as a result of loss of property, damage to property, negligent usage of property or any non-criminal or legally civil imposed violation. The Village Manager shall cause the employee to reimburse the Village the total cost of the expense from the effected employee. The employee can pay the fee outright or sign to utilize payroll deduction for the cost. The employee must be in complete agreement with the deductions and do them willfully or the Village will not make the deductions. If the employee refuses the deductions, the Village Manager will impose an employee suspension to cover all of the necessary cost of the reimbursement. This will include the cost to cover employee overtime to cover the shift of the suspended employee.

Employees will have the right to appeal all forms of discipline. The appeals must be made in writing. They must be made within (5) five days of the date that the penalty was issued to the employee. The appeal must be presented to the Chief of Police by the effected employee or their legal counsel and it must be presented personally or by certified mail at the Village Administration offices on work days between the hours of 8:00 a.m. and 5:00 p.m.

DISCIPLINARY PROCEDURES

1A. All letters of disciplinary discussion must be done with the employee present. Employees must be given (4) four hours prior notice to their disciplinary discussion.

2B. All written reprimands must be presented to the employee personally by the supervisor that issues the reprimand. If personal service is not possible, it shall be sent U.S. certified mail to the employees last known place of residence as registered with the division.

3C. Notice of suspension shall be served to the employee by the Chief of Police personally. If the personal service is not available the notice shall be sent by U.S. certified mail at the employees last known place of residence as registered with the division

4D. Notice of termination shall be served by the Village Manager to the employee by personal service in the managers office, or by U.S. certified mail at the employees last known place of residence as registered with the division.

5E. All notices of appeal shall be heard within (7) seven days of receipt of the appeal by the Chief of Police or the Village Manager. The Village or division and the employee requesting the appeal hearing will both be prepared to hear the facts of the offense and the appeal. Upon conclusion of the appeal hearing, the Chief of Police or the Village Manager within (120) one hundred twenty hours will advise the employee of the outcome of the appeal hearing. The notification will be provided to the employee by certified U.S. mail to the employee at their last known address as registered with the division. This applies to appeals for suspensions, demotions, terminations, reprimands, reimbursements and administrative leaves.

POLICIES AND PROCEDURES

PROFESSIONAL CONDUCT - OTHER EMPLOYEES AND AGENCIES. SECTION I

OBJECTIVE: To insure professional cooperative and effective relationships among all employees of this department and all of the outside agencies that this division must work with during the performance of their duties.

ARTICLE

RULE

- A. Employees shall treat supervisors, subordinates and associates with courtesy, respect and civility at all times.
- B. When on duty, particularly in the presence of other individuals, employees shall address supervisors by their respective rank and title.
- C. Employees shall take appropriate action to aid another employee who is exposed to impending danger.
- D. Employees shall be courteous and cooperative to all law enforcement agencies, other departments and public service organizations of this jurisdiction and outside jurisdictions. Entitled organizations may receive information consistent with division policies and procedures.
 - 1. When on official details outside of Lincoln Heights, employees shall carry out orders and directives assigned to them by competent authority that is in command or in charge.
- E. Employees shall not interfere with proper discipline or supervision by destructively criticizing departmental policies, programs, actions or officers. Nor shall employees perform any acts, make oral or written statements which would bring disruptive or ridicule upon the division.
- F. Employees shall not gossip, discredit or harass any member of the division.
- G. Employees shall refrain from utilizing coarse, profane, violent or insolent language while on duty or in their official capacity.
- H. Except as required by law, only the Chief of Police shall issue public communications that is critical of any person or organization. This refers to if the communications is to be issued in the name of the division or an employee of the division.

I. No employee of the Police division shall issue press releases on division business, offenses or actions unless the employee has been designated and so authorized by the Chief of Police of the division. This applies to verbal and written statements.

J. Any employee who shall have information concerning illegal, actions dereliction of duty, misfeasance or unprofessional conduct by another employee shall report such activities to their immediate supervisor immediately upon having the knowledge that the violation exist.

K. When addressed by a ranking officer, employees shall give full respect and attention to all orders, instructions or conversations that the ranking officer shall provide

POLICIES AND PROCEDURES

PROFESSIONAL CONDUCT - WITH THE PUBLIC SECTION II

OBJECTIVE:

To establish community respect and cooperation between the community and law enforcement. The Lincoln Heights police division works under the Community Oriented Policing system, working with the community.

ARTICLE

RULE

A. Employees shall avoid and refrain from using harsh, profane or insolent language and/or manners in their relations and contact with the public. At all times employees shall be courteous and maintain objective attitudes, regardless of provocation by the public.

B. Upon request by any citizen, employees will give their name, badge number and supervisors name and shift. If an extenuating circumstance exist, the employee's may temporarily with hold this information. The employee must immediately notify their immediate supervisor as to the complaint filed by the citizen and what the extenuating circumstance is. The citizen complaint must be provided to the Chief of Police within (12) twelve hours from it's receipt from the citizen.

C. Employees shall maintain a professional demeanor at all times when on duty or acting in their official capacity. They shall not read newspapers, magazines or any other recreational type of material while out in public, in a public place or in the patrol unit. Employees shall not commit any acts that detract from the professional image of the position.

D. An employee shall report for duty free from the influence and odor of alcohol and/or intoxicants and shall not consume any intoxicants until after their tour of duty has ended. No employee shall purchase, acquire, transport or possess any intoxicating beverages in uniform or while utilizing a marked divisional patrol vehicle. Exceptions will be intoxicants that are used as evidence or acquired in relations to division operations, directives of supervisors or division objectives.

E. An employee shall neither possess or ingest any controlled substance except those that have been prescribed by a licensed physician. Upon reporting for duty, an employee shall advise their supervisor of any drugs or medication being utilizes that may in any way effect the actions, reactions or performance of the employees duties.

F. An employee shall always present a neat and clean appearance while in public.

G. Upon arriving at a conflict situation, the employee shall remain neutral and emphasize their position to restore calm and to resolve the situation at hand.

H. During public contact, an employee shall not speak or gesture in any manner which may be considered derogatory. An employee shall not act in any manner which exhibits bias, prejudice or discrimination. Public attitudes shall reflect favorable attitudes towards the division.

I. All employees shall be receptive to citizens that are seeking advice, guidance or assistance.

J. An employee shall not affiliate with any organization that will interfere with the performance of their duties. An employee shall not consort with an organization or individual of questionable character, nor shall they frequent places of low repute.

K. No employee shall conduct social relationships with persons of the opposite or same sex while on duty. This does not preclude official associations or those connected with performance of assigned duties.

POLICIES AND PROCEDURES

PERFORMANCE OF DUTY - GENERAL
SECTION III

OBJECTIVE:

To insure professional, inspired and dedicated public service by all employees through effective and efficient divisional operations.

ARTICLE

RULE

A. Every employee shall perform their duties as required or directed by;

1. Law
2. Departmental policy, procedure or rule.
3. Any lawful order of a superior.

B. Every employee shall respond promptly to calls for service or assistance from citizens or take the initiative to supply such without a request whenever necessary. No exceptions will apply in life threatening situations.

C. Employees assigned to specialized units or special details are not relieved of the responsibilities for initiating action outside the scope of their assignment when necessary. No exceptions will apply in life-threatening situations.

D. Any employee when in doubt as to the nature of the details of their assignment should seek clarification from their supervisor to insure that the assignment is carried out correctly, completely and without incident.

POLICIES AND PROCEDURES

PERFORMANCE OF DUTY - ATTENDANCE
SECTION IV

OBJECTIVE:

To insure that all employees are at their proper assignments at the proper dates and times when they are required to be on duty.

ARTICLE

RULE

A. Every employee shall report for duty in the required and approved dress for the shift. They shall report to the proper place and at the assigned time as designated by the daily work schedule or the shift supervisor. Failure to do so will be deemed as neglect of duty.

B. No employee shall be absent when leave has not been officially granted by the proper procedures.

C. An employee who is unable to report for their scheduled tour of duty shall personally notify the shift supervisor. In cases of the employee being incapacitated and unable to do so, the employee shall cause such notice to be made to the shift supervisor. The reason for the absence must be given when the call is made. Employees calling off for their tour of duty must adhere to the below time table when calling off from their tour of duty;

1. 1st Shift - Employees must call in (4) four hours prior to the starting time for their shift. 1st shift begins at 07:00

2. 2nd Shift, 3rd Shift, Split Shift - Employees must call in (7) seven hours prior to the scheduled starting time for their shift. 2nd Shift begins at 15:00. 3rd Shift begins at 23:00. Split Shift begins as assigned by the Chief of Police.

** All shifts are subject to change. A written directive will be issued and incorporated as part of these procedures.

D. An employee shall not feign illness or injury. If an employee calls in as injured or ill, the employee shall remain at their residence, except to consult a physician, attend a medical facility or obtain prescriptions. If the employee must convalesce at a place other than their residence, the employee must notify the division immediately.

E. Except as in extreme emergencies, an employee shall not leave their post, beat or assignment unless they have been properly relieved. An employee who has cause to leave their post, beat or other assignment because of an emergency (and without being properly relieved) shall notify (or have such notification made) to his supervisor or the Chief of Police as soon as possible. The cause of the absence and the employees present whereabouts and activities must be contained in the notification. A written report must follow the verbal report in (12) twelve hours of the notification.

POLICIES AND PROCEDURES

PERFORMANCE OF DUTY - PROHIBITED ACTIVITIES
SECTION V

OBJECTIVE:

To insure efficient and effective attention to the employees duties and responsibilities by description of the activities which are destructive to effective performance by division personnel.

ARTICLE

RULE

A. Except as noted, employees shall not engage in any of the following activities during their regularly scheduled or specialized duty hours;

1. Sleeping (unless authorized by supervisor), loafing, idling/loitering at restaurants, garages, service stations, towing or vehicle storage facilities. Also included are facilities of other governmental services such as firehouses, courts or outside police agencies.

2. Recreational reading or viewing of television, except at meals and in such a manner so as not to be a discredit upon the professional image of the police division.

3. Conducting private business or personal transactions.

B. Except upon assignment of a supervisor or in the course of their official duties, employees shall not enter drive-in movies, places of amusement or recreational events. Employees shall not park in the vicinity of these areas for the purpose of viewing such activities for entertainment purposes.

C. Except upon competent authority, no employee shall conceal them self. Neither in their patrol vehicle or in person.

D. No person shall be permitted to ride in any marked, Village of Lincoln Heights patrol vehicle unless the proper written authorization has been approved by the Chief of Police, shift supervisor or officer shift in-charge.

POLICIES AND PROCEDURES

PERFORMANCE OF DUTY - PREPARATION AND
SUBMISSION OF REPORTS
SECTION VI

OBJECTIVE:

To provide the division with the proper, prompt and efficient transfer and filing of information on services and activities performed by employees. To supply the division with all of the pertinent information acquired from employees.

ARTICLE

RULE

A. All essential division reports and forms shall;

1. Be suited to the activity performed, service provided and/or information received.
2. Cover the subject as completely as possible, and contain all of the pertinent information that is available.
3. Be prepared promptly, legibly, accurately and comprehensively by the employee that is responsible for the report.
4. Insure All blanks, spaces or areas that are to contain information shall have the correct information placed in them. If the information can not be obtained or it is not applicable, the blank, space or area must be noted as "N/A" or have a straight line placed through it.
5. Replace or re-copy any forms that have been depleted from the usable stock. If no additional form or copy exist, the shift supervisor shall be notified to replace the form.

B. All reports and forms that are related to daily activities or that result from employees daily operations will be turned in and complete at the end of the employee's daily tour of duty. This pertains to ALL forms that the division utilizes. When completion of a report is not possible, the employee shall notify the shift supervisor of same. The report will be left available for information purposes. The employee, unless scheduled off on regularly scheduled off days, will have the report completed on their next tour of duty in the division.

POLICIES AND
PROCEDURES

CONFORMANCE TO LAW - GENERAL
SECTION VII

OBJECTIVE:

To insure the continued professional conduct of all employees associated with this division. To maintain the professional image which this division's personnel have worked diligently to nurture throughout the community for the purpose of obtaining the public's assistance in law enforcement.

ARTICLE

RULE

A. Employee's shall obey all laws of the United States as of this date and of all federal and local jurisdictions.

B. Employee's shall neither take action, refuse or neglect to act under circumstances wherein such action or inaction would induce, impinge or border on illegal activity.

C. Any indictment, warrant or civil litigation filed against an employee or a conviction of any of the above or any law shall be cause for disciplinary action.

D. The Chief of Police or the official designate in the absence Chief of Police shall be notified within (24) twenty four hours of any indictment, warrant, civil litigation or any violation of the law that has been levied against the employee.

POLICIES AND PROCEDURES

**CONFORMANCE TO LAW - INFLUENCE OF/OR TO
OFFICIAL ACTIONS**

SECTION VIII

OBJECTIVE:

To insure the continuance of professional, lawful and objective conduct by all employees of this division. To maintain the professional image which this division's personnel have worked diligently to nurture throughout the community to obtain the public's assistance in law enforcement.

ARTICLE

RULE

A. No employee shall;

1. Void, destroy or interrupt the processing of any traffic citation issued by any officer. Attempt to have any charge, citation or notice to appear reduced, altered or stricken from the appropriate court docket. The Chief of police is the only division employee that may cause such to occur.

2. Sign off or note as corrected any citation, warning or notice by any officer of this division or any other agency, without first having determined that the violation or defect has been properly corrected. The chief of Police, Lieutenant's, Sergeant's and Corporal's are the only division employee's that are authorized to make these corrections.

3. Interfere with the service of lawful process.

4. Unlawfully interfere with the attendance or testimony of witnesses or defendants through coercion, bribery or any other means.

5. Attempt to have any legal process dismissed, reduced, voided, go unserved or stricken from the official records. Exceptions can be made in the best interest of justice and only by the Chief of Police, they then must only be in accordance with departmental procedures.

6. Engage in any other activities which will interfere with the efficiency or integrity of the criminal justice system. (Participation in pre-trials is not construed as a compromise.)

B. Except as authorized below, no employee shall communicate information which might assist individuals suspected of or charged with any offense.

1. Employees may communicate information to appropriate divisional employees or the prosecutor that would exculpate individuals suspected or charged with a criminal act.

2. Employees may communicate information that would assist in the rehabilitation of convicted subjects.

C. No employee shall solicit or accept from a person, business or organization any valuable gift (including money, tangible or intangible personal property, loan, promise, service or entertainment) for the benefit of the employee or others if it may reasonably be inferred that the business, organization or individual;

1. Seeks to influence action of an official nature or seeks to affect the performance of an official duty.

2. Has an interest which may be substantially affected (directly or indirectly) by the performance or non-performance of an official duty or, has provided or offered such as the result of an employee's employment with the division.

D. No employee shall recommend or "tout" the services of any tow service, repair garage, attorney at law, physician, common carrier, bondsman or other person, organization or service in return for any gift of value solicited, offered, received or expected to himself or another.

E. Except on the specific request of an individual, or during an emergency when the employee believes special techniques are essential, no employee shall;

1. Request that a specified person, organization or service be dispatched or utilized.

2. Request that a specific service, person or organization be requested out of proper order or rotation upon any applicable call list of the division.

3. Make contact by any means of communication (telephone, in person, ect.) with any person, organization or service for the purpose of circumventing policies and procedures, rules or any rotation call list within the division.

F. Except as sanctioned by the Chief of Police, no employee shall solicit or accept free admission to theaters, recreation or other places of amusement.

G. No employee shall solicit the aid of any individual or group outside of the division for assistance in obtaining a transfer, duty assignment or promotion.

H. No employee shall except any gift, gratuity, reward or other consideration for services rendered in the line of duty assignment, except for lawful salaries and that which may be authorized by law. Employees shall;

1. Forward to the Chief of Police any reward or fee received for (or as the result of) any service rendered in the line of duty to the community or individual.

2. Not receive payment from municipal or federal courts for court attendance when the employee is or has received compensation from the Village of Lincoln heights. This includes mileage payments and witness fees. If an employee accepts court, witness or mileage fees they will not be permitted to receive pay from the Village of Lincoln Heights.

3. Except in extenuating circumstances or by the filing of civil litigation, employees may not receive any compensation for damage or expense incurred in the line of duty from any individual or agency (for which the employee has already received sick leave pay). In the case of special circumstances the employee must notify the Chief of Police of the extenuating circumstance in writing prior to receiving the compensation.

I. Employees shall not issue or cause to be issued courtesy cards (defined as any written communications bearing the employee's name) for the purpose of gaining special favors or consideration from other employees of this division or any other law enforcement agencies.

POLICIES AND PROCEDURES

PERFORMANCE OF DUTY - KNOWLEDGE OF OFFICIAL DIVISIONAL PUBLICATIONS, ORDINANCES, DIRECTIVES AND LAWS.

SECTION IX

OBJECTIVE:

To insure that employees remain aware of current orders and information contain in division directives, ordinances and publications.

ARTICLE

RULE

A. Employees shall read all policies, procedures, directives, memos, letters and other official publications that relate to their general or specific duties. Information will be posted on the patrol bulletin board or placed in each supervisors and officers mail slot. Any employee that needs clarification of any information contained in any of these publications shall seek the clarifications through the proper chain of command.

B. Each employee has the responsibility of promptly making corrections, changes or deletions in all publications issued to them by the division. Posted directives or memos shall only be posted for (7) seven days of the date of their issuance.

C. Employees shall make themselves thoroughly familiar with the Village of Lincoln Heights ordinances, federal and State of Ohio laws that are applicable to the employees duties within the division.

D. Unsatisfactory performances

1. Employees shall maintain a high level of proficiency in the performance of their assigned duties. Any unsatisfactory performance will be defined as a lack of knowledge of applications required to enforce the law, willingness or inability to perform assigned tasks and failure to conform to work standards established for an officer's rank. Failure to take appropriate action upon occasion of a crime, disorder or other situations that merit police attention and absence without leave is also considered as unsatisfactory performance.

2. Other indications of unsatisfactory performance are repeat infractions of rules, regulations, policies, procedures and orders of the division.

POLICIES AND PROCEDURES

PROFESSIONAL POLICE CONDUCT - GENERAL
SECTION X

OBJECTIVE:

To insure professional law enforcement efforts by employees and cooperation between this department and the community.

ARTICLE

RULE

A. Employees shall conduct their private and professional lives in such a manner as to avoid adverse reflection upon themselves, the Village or the division.

B. Requirement to take action;

1. Employees are required to take prompt police action in conformance to departmental policies, upon discovery of any violation of laws or ordinances.

POLICIES AND PROCEDURES

ADMINISTRATIVE REQUIREMENTS - POLITICAL
ACTIVITIES, LOCAL, STATE & FEDERAL
SECTION XI

OBJECTIVE:

To encourage members of this division to participate in the electoral process at the Federal, State and Local level.

To insure that the members of this division do not intentionally or unknowingly engage in political activities which are forbidden by State and Federal laws or by local ordinances or laws.

ARTICLE

RULE

Employee permissible activities include;

1. Registration and voting.
2. Expressing opinions, either verbally or written.
3. **Volunteering** financial contributions to political candidates or organizations.
4. Circulating petitions or legislation relating to their employment.
5. Attendance at political rallies that are open to the public.
6. Employees may sign nominating petitions that support individuals.
7. Employees may post political posters or pictures at their place of legal residence as registered with the division.
8. When off-duty and in civilian clothing, employees may wear political badges, buttons or ribbons. Employees are permitted to display political stickers on their private vehicles.

B. Employee prohibited activities include;

1. Declaring candidacy or campaigning for elected office, weather as a choice of a political organization and weather or not the ballot is partisan or non-partisan.

2. Circulating any official nominating petitions for any individual candidate.
3. Holding an elected or appointed office in any Federal, State or Local political organization.
4. Accepting appointment to any office normally filled by election process.
5. Campaigning by writing for publication, by distributing political material or by making speeches on behalf of a candidate for elected office.
6. Soliciting either directly or indirectly, any assessment, contribution or subscription for any party candidate.
7. Soliciting the sale of, or selling political party tickets.
8. Engaging in activities at political polls such as soliciting votes, assisting voters in marking ballots or transporting or helping get voters out on election day. (Exception to this rule will be campaigning for Village of Lincoln Heights Tax Levies that are for the employee's work division).
9. Acting as a recorder, checker, watcher or challenger for any political faction.
10. Loitering, standing or assisting at any voter polling area.
11. Engage in political caucuses of any type.

POLICIES AND PROCEDURES

ADMINISTRATIVE REQUIREMENTS - SPEECHES,
STATEMENTS AND CORRESPONDENCES
SECTION XII

OBJECTIVE:

To insure continued dissemination of information in and of a professional manner.

ARTICLE

RULE

A. No employee shall address public gatherings nor release for publication any written materials or photographs concerning the operation of administration of the division unless so authorized by the Chief of Police.

B. No employee of the division shall use official division letterhead or envelopes for their private correspondence. Nor shall they send out official correspondence over their signature without the knowledge and permission of the Chief of Police.

C. No employee shall schedule any speech on radio, television, before any public gathering or with any news agency on any police division matter without prior knowledge and consent of the Chief of Police.

POLICIES AND PROCEDURES

ADMINISTRATIVE REQUIREMENTS -
MEMBERSHIPS AND ORGANIZATIONS
SECTION XIII

OBJECTIVE:

To insure the continuance of professional, lawful and efficient police services by employees of this division to the citizens and business of the community.

ARTICLE

RULE

A. An employee of this division shall not join or be a member of any organization or society whose object or purpose directly or indirectly, would interfere with the conduct or discipline of the employee. Neither shall an employee join or be a member of an organization whose constitution and by-laws would result in the employee's improper or inefficient service to the community.

1. No employee shall knowingly be connected with or be a member of any subversive militia type of organization, except as a direct result on an in the line of duty covert investigation. Prior to the covert activity occurring their must be approval of the Chief of Police.

B. No employee shall become a member, sponsor or spokesperson for any group, organization, society or individual that expresses the exclusion, hate predigest or racial inclusion or exemption or any individual, any race, any sex or ethnic beliefs or teachings.

POLICIES AND PROCEDURES

ADMINISTRATIVE REQUIREMENTS -
DOCUMENT CLASSIFICATIONS
SECTION XV

OBJECTIVE:

To place a status on all divisional correspondence so that the level of security of the document will be known.

ARTICLE

RULE

A. INTER-DIVISIONAL MEMO: General correspondence of the division that carries no status. Should be filed or discarded as soon as possible.

B. DRAFT: Contemplated or divisional information that is not ready for the final printed version or information that is still in the review or study phase. Draft copies will only be issued to the individuals that it is addressed, referred or copied to. Draft copies shall only be made with the authorization of the author of the document.

C. CLASSIFIED: Is a divisional correspondence that has divisional information that is to remain within the division. Information that is not to be discussed outside of the division or by non-divisional employees. This information shall not be left out in plain view at anytime. All documents must be stored in a secure area at all times. No copies are to be made, unless by the addressee or the author of the document.

D. CONFIDENTIAL: Is a divisional correspondence that is secretive in nature. It contains information that can only be distributed to the addressee and the author of the document. This information shall not be related verbally or otherwise and must be kept in a secure location and not left out in plain view at anytime for any reason. This information shall not be copied without the consent of the Chief of Police. This information will require a subpoena for it's release to the general public or the courts.

E. COPY: Not the original of any divisional document. Will not contain original signatures of individuals. Has no status. Copies shall not be considered when an original copy is needed.

POLICIES AND PROCEDURES

ADMINISTRATIVE REQUIREMENTS - SECURITY
OF DIVISIONAL RECORDS AND BUSINESS.
SECTION XIV

OBJECTIVE:

To insure the security, privacy and appropriate usage of departmental records, reports and information.

ARTICLE

RULE

- A. An employee shall not reveal the contents of any official police record, report or document except as authorized by the Chief of Police or by established divisional procedures or as required by law.
- B. The contents of criminal history records as they are contained in the R.C.I.C, N.C.I.C., or L.E.A.D.S. systems may not be released or divulged to any individual not authorized to receive them as prescribed by established divisional policies and procedures or as required by law.
- C. An employee shall not forge, alter, falsify or tamper with any police record, report, citation, accident report or any other divisional document.
- D. An employee shall not communicate any information of an internal nature that concerns the division, divisional activities or members to persons outside the organization without authorization of the Chief of Police or his authorized agent.
- E. Information of any covert operation be it written or verbal shall not be communicated outside of the division offices. No written documents of covert operations shall be removed from the division offices or have the information contained within them relayed outside of the division offices.
- F. Information of covert operations will not be left in plain view in the division offices. All written correspondence shall be considered as classified and stored out of plain view.

POLICIES AND PROCEDURES

ADMINISTRATIVE REQUIREMENTS -
EXPENDITURES OF DIVISIONAL FUNDS
SECTION XIV

OBJECTIVE:

To assure the appropriate and legal expenditure of divisional funds.

ARTICLE

RULE

A. There shall be no expenditure of any divisional or Village funds or financial obligations incurred in the name of the division or the Village by any employee without prior approval or authorization and knowledge of the Chief of Police and upon his absence his authorized and approved agent.

B. The current or financial purchase procedure that is in effect and that has been established and authorized by the Village Manager or the Director of Finance at the given date and time is the purchase procedure that the police division will acquire items and expend funds under. This policy shall be the policy that is written and issued to employees.

POLICIES AND PROCEDURES

**ADMINISTRATIVE REQUIREMENTS - OUTSIDE BUSINESS
INTEREST/INTERFERENCE WITH PRIVATE BUSINESS.
SECTION XVII**

OBJECTIVES:

To insure that employees of the division devote their complete attention and time to achieving the division's goals and objectives.

ARTICLE

RULE

A. Except as expressly authorized by the Chief of Police, employees shall not engage in, directly or indirectly, any private business or enterprise.

1. Employees shall not devote any on-duty time to the pursuit of any private business or enterprise.

2. Employees shall not use or attempt to utilize their official position, badge or credentials for personal or financial gain or advantage.

3. Employees shall not use the division as a mailing address for private correspondence or personal business.

4. Employees shall not utilize business cards bearing their divisional affiliation and/or rank unless written approval is issued by the Chief of Police.

B. Employees shall not own or operate any place of business where intoxicating liquors or beverages are sold.

C. Employees shall not interfere in the private business affairs of another. Unwarranted interference, not in the direct interest of divisional goals and objectives constitutes misconduct.

POLICIES AND PROCEDURES

ADMINISTRATIVE REQUIREMENTS -
NEWS MEDIA RELATIONS
SECTION XVII

OBJECTIVES:

To insure cooperation between the division and the news media and to insure the proper release of information by the news media to the community. To restrict information which if released would be detrimental to division objectives, or harmful to individuals, officers or organizations.

ARTICLE

RULE

A. Employees shall extend cooperation to members of the news media consistent with division policies, provided investigation or prosecution of a police case is not ongoing or placed in jeopardy. When a situation can not be resolved, the matter will be referred to the Chief of Police.

B. Members of the news media shall not be extended preferential treatment to the discredit of divisional objectives.

C. An employee acting in an official capacity shall not solicit the aid of the news media for personal gain.

D. The news media will not be permitted to photograph an individual that is in custody within the division facility, except as the authorization of the Chief of Police. There are no restrictions upon the news media photographing a individual in custody that is being escorted outside of the police division facilities.

E. Upon display of proper identification, news media may be escorted to the media area that has been established by the officer-in-charge of the incident scene or area. News media will not be permitted in any evidence gathering area for any reason. Photographing from outside of restricted areas will not be prohibited or restricted.

F. Representatives of the news media will only be provided with divisional photographs with the permission of the Chief of Police and only on cases that will not be compromised or jeopardized and are not under investigation or prosecution.

G. An employee shall not release the name of a deceased person until proper identification has been made and verified and all efforts have been made to notify the next of kin.

H. Information that may be released under normal circumstances. (except #G);

1. The victim's name, address, age, sex, race, occupation and immediate relatives information. Exceptions are sex offenses and violent offenses where the offender has not been apprehended, or if the officer feels additional danger may be placed upon the victim.

2. The name, address and physical description of the suspect being sought for the offense.

3. Weapon or tool of violence used. (if it will not compromise the prosecution or investigation of the offense).

4. Amount of the money or property taken (at the discretion of the officer-in-charge of the incident).

5. Essential facts of the offense, arrest or charges.

I. Information that **MAY NOT BE RELEASED**;

1. Name, address and exact location of a sex crime victim.

2. Incriminating statements of a suspect after arrest.

3. Details of a suspects previous arrest record.

4. Name and address of any juvenile taken into custody.

5. Testimony presented to a grand jury.

6. Identification of confidential informants.

7. Confidential division information.

8. Any information relating to juvenile victims or relatives involved in sex or sexual related crimes.

POLICIES AND PROCEDURES

ADMINISTRATIVE REQUIREMENTS -
OBEDIENCE TO ORDERS
SECTION XIX

OBJECTIVE:

To insure that all reasonable orders are understood, non-conflicting and followed so as to achieve the objectives of the division

ARTICLE

RULE

A. Standards of conduct established by departmental rules shall apply to all employees.

B. Specific rules of conduct cannot be established that will govern every aspect of employee behavior. Therefore any act or omission contrary to good order, discipline or accepted social practice may be subject to an employee to disciplinary action.

C. Employees shall obey all lawful orders and instructions issued by a superior. Obedience shall be willing and prompt.

D. Orders posted on an official bulletin board or distributed through any other official channel shall have the same effect as these rules.

E. Written or oral orders shall be in clear, understandable language, in a civil tone. These orders shall be issued in pursuit of departmental business, policies, goals and objectives.

F. A command or supervisory employee shall not knowingly issue any order which is in violation of any law, ordinance or departmental rule.

G. No employee shall knowingly obey any order which is contrary to law or ordinance. Responsibility for refusal to obey an order rest with the subordinate and requires justification.

H. An employee who receives an order which they feel to be contrary to departmental rules must first obey the order, so long as it involved no direct and imminent risk of physical harm, after which the employee may proceed to appeal the order immediately in written form. The appeal must be personally delivered to the Chief of Police within (48) forty eight hours of its occurrence. All parties involved must be issued copies.

I. An employee that receives an order that they feel to be improper, when the report is submitted in writing, the report shall contain all of the facts and go through the proper chain of command within the police division. Appeals for relief not taken through official police division chain of command shall be invalidated.

J. Orders may be countermanded by a supervisor, or in the absence of a supervisor, by the senior officer in charge when necessary for the good of the division. Any officer countermanding an order shall submit in writing to the Chief of Police the reasons for countermanding the order. This must be done within (48) forty eight hours of the occurrence of the offense.

K. Upon receipt of conflicting orders or instructions, the employee shall advise the officer issuing the latter command of the conflict. Responsibility for countermanding the original orders then rest with the individual issuing the conflicting command. If so directed, the latter command shall be obeyed first.

L. In the event of a breach of discipline, it shall be presumed that the employee was familiar with the rules, orders and authoritative instructions of the division.

1. Failure to obey or the direct or deliberate refusal to obey any lawful order issued by a supervisor shall be deemed insubordination. Flouting the authority of any supervisor or superior by disrespect or by disputing their lawful order shall likewise be deemed insubordination.

2. The omission of a specific act from this manual does not limit or prohibit the discipline or filing of charges against an employee of the division. This will also apply to those laws and ordinances which are recognized by the division.

POLICIES AND PROCEDURES

DIVISION PROPERTY
PATROL VEHICLES
SECTION XX

OBJECTIVE:

To insure proper care, custody, maintenance, control and direct responsibility of division patrol vehicles.

ARTICLE

RULE

A. Except for in cases of extreme emergency, the driver - employee shall inspect and report any mechanical malfunctions or missing equipment to their supervisor or shift officer in charge at the beginning of the shift and prior to use of the patrol vehicle. The inspection shall include, but not be limited to the following:

1. Visual inspection of wheels and tires to determine if:
 - a. A vehicle tire is under inflated.
 - b. The spare is present and inflated.
 - c. If the vehicle tires show any cuts, breaks or treadles areas that are plainly visible.
 - d. A vehicle tire that has uneven ware or misalignment.
 - e. A wheel that is cracked, bent or rim damage. (without removing hubcap).
2. Inspecting emergency lighting and warning devices by operation.
3. Inspecting turn signals, brake lights, headlights, interior lights and parking lights by operation.
4. Inspection of foot brakes and hand brakes.
5. Visual inspection of the remainder of the vehicle for damage, apparent malfunctions or missing equipment.
6. Inspection for any unusual vibration or sound from the engine, power train, running gear or other moving parts by operation. Also for any unusual instrument operation, readings or warning lights.

7. Visual inspection of the vehicles interior and trunk for any unauthorized material, weapons, evidence, trash, food, or miscellaneous items. Any discovery of these items shall be immediately reported to the shift supervisor or shift officer in charge.

B. An employee-driver of a departmental vehicle shall be licensed in the State of Ohio and shall not operate a vehicle outside of the class permitted by their license. Employees shall have their drivers license on their person at all times when on duty and they shall comply with any restrictions on the license.

C. An employee-driver shall remove the ignition key and lock all doors before leaving the immediate vicinity of the vehicle unless another employee is in attendance with the vehicle. The following exceptions will be permitted:

1. If the employee-driver has an additional key, the vehicle can be locked while the vehicle is running. Vehicles shall only be left running for short periods of time.

2. If the employee-driver has to exit the vehicle in fresh pursuit of a violator.

3. If the vehicle is on the scene of an automobile accident, at a crime scene or on a traffic post.

D. An employee-driver involved in an accident while operating a division vehicle shall immediately notify their supervisor or shift officer in charge. At all times the notifications shall be made through the dispatcher so that the times can be recorded.

1. In the event of a minor accident, the report shall be taken by a mutual aid department.

2. If the accident is a major accident or any injury exist, the shift supervisor or the shift officer in charge shall have the dispatcher to dispatch a County Traffic Safety Unit from the Hamilton County Sheriff's Patrol to the scene. If that unit is unavailable, the closest Ohio State Patrol unit will be dispatched.

3. In the event two Village, State or Government vehicles are involved in an accident, the same procedure as listed in Section XIX, Article and Rule (A2) shall apply.

4. Accidents that occur within other municipal jurisdictions shall be handled in accordance with the rules and procedures that are applicable within said jurisdiction.

5. The Chief of Police or the Acting Chief in the Chief's absence, shall be notified of all accidents immediately through the dispatcher or by the shift supervisor or officer in charge.

E. Except in an emergency or to change a flat tire, an employee shall not attempt to alter or attempt repair to a division vehicle without prior authorization from the Chief of Police.

F. Patrol officers and supervisors are required to change flat tires on patrol vehicles.

G. All employees shall take reasonable care to avoid damaging, misusing or destroying a divisional vehicle.

H. An employee shall not use a divisional vehicle except to further divisional goals and in the performance of their duties.

I. An employee shall remove all trash from their vehicle at the end of their tour of duty.

J. Patrol vehicles will be used on a rotating basis. Unless absolutely necessary or in the event of repair vehicles shall not be utilized two consecutive shifts in a row. (SUPERVISORS VEHICLES ARE EXEMPT)

POLICIES AND PROCEDURES

DIVISION PROPERTY -
OTHER THAN VEHICLES
SECTION XXI

OBJECTIVES:

To insure proper care, custody, maintenance and control of division issued equipment that is other than patrol vehicles.

ARTICLE

RULE

A. An employee who becomes aware of any divisional equipment that has been lost, stolen, damaged or otherwise rendered inoperative shall report the same to their supervisor or the officer in charge immediately in written form. The report shall include all of the facts of the incident.

B. When divisional property shows damage not previously reported, the last employee using or having custody of the equipment will be deemed responsible for making the report.

C. Upon termination of employment, retirement or resignation from the division an employee shall return all division equipment issued and possessed by them.

1. All equipment must be returned prior to the employee receiving their final payroll from the Village.

2. Damaged, lost or inoperable equipment will be deducted from the employees final payroll prior to it being issued to the employee. If the amount exceeds the employee's final pay the employee can make arraignments with the finance office for the payments. If no arraignments are made, the Village will seek reimbursement civilly.

D. All employees are expected to take reasonable care of division equipment to avoid damage, misuse, waste or destruction of division property, regardless of the unit or person to whom it has been assigned.

1. Employees found to be responsible for damage, misuse, waste or destruction of division equipment, will have the cost assessed to them personally. The employee will be assessed the at the present value of the equipment. This will not stop disciplinary action from continuing against the employee.

E. Except in the event of an emergency, employees shall not alter or attempt repairs to division equipment without the permission of the Chief of Police.

F. An employee shall not utilize division property except to achieve division goals and objectives or in the performance of their duty.

G. All division employees shall maintain in good order a uniform bearing the rank and insignia required for the employee position.

H. All full-time, part-time and auxiliary patrol supervisors and officers of the division are permitted to carry a weapon while off duty. At any such time that the weapon is carried the officer shall have in their possession the following;

1. Division Identification
2. Ohio State operators license
3. Division badge

All supervisors and officers shall have passed the division proficiency and qualifications with any weapon that is to be carried while off duty.

I. Division employees are responsible for the minor maintenance and cleaning of all division issued uniforms. The Village will be responsible for major repairs and replacement of division uniforms.

POLICIES AND PROCEDURES

PROFESSIONAL CONDUCT,
COURT HEARING -
DEMEANOR AND DRESS
SECTION XXII

OBJECTIVES:

To insure professional appearance and objective demeanor while in attendance at court and administrative hearings.

ARTICLE

RULE

A. An employee shall be attentive and respectful during court and administrative hearings. When called as a witness, an employee shall speak clearly, calmly and in a manner that may be clearly understood by all parties involved.

B. An employee shall only testify to the truth as they know it. They shall confide their testimony to the case being heard and the evidence properly before the court or hearing officer. They shall also give a reasonable response to all questions asked.

C. An employee shall not exhibit malice, bias, prejudice, animosity or favor toward any party involved in a matter before the court or the administrative hearing officer.

D. An employee shall not exhibit in any way animosity, displeasure or disbelief upon hearing court or counsel decisions with which they do not agree with (while in the presence of the court, hearing area or immediate area) .

E. Judges, court hearing officers, administrative hearing officers, court magistrates or court referees shall not be questioned in reference to decisions that come as a result of a rulings that are made in their respective courts, when that decision reflects the outcome of actions that the courts have determined.

F. Employees shall not absence them self from any trial, hearing or required court session without permission of the Chief of Police. If an absence is necessary the employee shall notify the Chief of Police as soon as possible prior to the requested absence. The Chief of Police with give the approval or denial to the employee. The employee will then notify the appropriate court.

G. Employees that are properly excused from attending court hearings by the Chief of Police, will be required to put the excuse in writing and submit the written notice within (48) forty eight hours of the date and time of the excused absence.

H. In the event a case for court is dismissed by the court due to an employees absence and the case is dismissed " without prejudice " , the employee that originally filed the complaint will refile the case within (48) forty eight hours of the date and time of the dismissal.

I. Employees attending court that are regularly scheduled for duty or employees that receive compensation from the Village in the form of overtime pay will not be permitted to receive payment from;

1. Court issued subpoenas.
2. Defense issued subpoenas.
3. Outside compensation for expert testimony.
4. Any other pay at the same time that the employee is receiving pay from the Village.

J. Employees attending court for non-criminal cases must have prior approval from the Chief of Police. The requesting agency must provide an official request for the employees attendance. The request must contain the reason that the employee is needed at the hearing, who is requesting the employees attendance, and where the employee will need to report to. This includes, but is not limited to civil actions, parole hearings, out of County hearings, out of State hearings and depositions.

K. When (4) four employees or less are required to attend court or hearings on the same case, employees shall utilize the same vehicle to attend the proceedings. Employees that are on duty, employees having more than one case on the same date, employees needing to transport witnesses may utilize more than one vehicle for the proceedings.

L. Employees that respond to court or administrative hearings in division vehicles, will notify the shift supervisor or officer in charge that is on duty that they need a vehicle for the proceedings. The shift supervisor or the officer in charge will advise the individual attending which units are available for use. The attending officer will select a vehicle, log it in the police blotter as to leaving and returning time. The employee will also notify the shift supervisor or officer in charge when they have returned.

M. Employees responding to court for pay purposes will be permitted (30) thirty minutes prior to the start of the hearing to get to the hearing and (30) thirty minutes after the conclusion of the hearing to return from the hearing. (Court time is only for time utilized for for the proceedings, all other time is regular overtime and shall be separated for payroll purposes).

N. Inclusion of lunch, personal business or any non-division related activities shall not be utilized or claimed for pay by employees that will be receiving pay for attendance at court or administrative hearings.

O. Employees are required to check the posted court attendance calendar posted in the patrol station every (72) seventy two hours to insure that they receive all notices and cancellations for court or hearing attendance.

P. Employees are required to make notification with any employee that is required to attend the same court or administrative hearing within (24) twenty four hours of the proceedings. This is required for transportation and attendance verification.

Q. Only employees that are required for attendance at each phase of the hearing will be compensated for attendance at the hearing.

R. Every case for court or administrative hearing that is assigned more than (1) one employee will have a charge officer, (major crimes task force cases are exempted) the charge officer will coordinate the case through the entire proceedings. When less that two employees are on a case the officer signing the complaint is the charge officer.

S. Employees that attend court or administrative hearings will be required to wear the uniform of the day when they are on regular scheduled duty.

T. Employees that attend court or administrative hearings that are not on duty must wear;

1. Departmental uniform of the day.

-OR-

2. Civilian clothes that are appropriate for male or female gender. The dress must be formal. Casual dress is not permitted for court or administrative hearing attendance. Employees that attend in civilian clothes that carry a weapon must have on their person division identification, State of Ohio drivers license and division badge. Division identification must be worn on the outer most garment and in plain view at all times when in court.

POLICIES AND PROCEDURES

CONFORMANCE TO LAW -
VEHICLE OPERATIONS
SECTION XXIII

OBJECTIVE:

To insure the safe and cautious operation of all division vehicles by employees of this division.

ARTICLE

RULE

A. Each employee of this division shall adhere to the procedures applicable to emergency vehicle operations and pursuit (separate section on pursuit) driving which have been published by this division.

B. No employee shall negligently operate any police vehicle with disregard for the safety of persons or property.

C. Except under the conditions requiring the use of emergency warning devices, (red/blue lights and siren) each officer or employee must comply with the motor vehicle codes and statutes of the jurisdiction in which they drive.

D. Except when an officer is dispatched to an emergency call at the beginning of the tour of duty from the station, no employee shall drive their assigned vehicle without first determining if it is in safe working condition. If any malfunction renders the vehicle unsafe, it must be immediately reported to the shift supervisor or officer in charge. The incident shall be logged in the police blotter and a written request for repair of the problem shall be submitted immediately.

E. Except during an extreme emergency, no supervisor or officer in charge shall direct any employee of this division to operate any vehicle which is deemed unsafe. This does not include transportation of the vehicle for repair. If warranted a wrecker shall be utilized to transport the vehicle to the repair facility.

F. Emergency responses (red/blue lights and sirens) shall not be utilized for the below listed responses unless prior approval is given by the the shift supervision or officer in charge;

1. Intrusion alarms. (does not include hold-up alarms)
2. Automobile accidents with no reported injuries.
3. Fire division assist. (non-emergencies)
4. Family disputes. (non-violent or non-physical)
5. Silent 9-1-1.
6. Any other non-emergency response.

G. Employees shall park their assigned vehicles in conformance to all applicable parking statutes that exist within the jurisdiction that they park the patrol vehicle. This applies to non-emergency situations only.

H. At the completion of an employees tour of duty, all patrol vehicles will be parked at the area designate through administrative memorandum by the Chief of Police. Vehicles not being used for the current tour of duty will not be parked in front of the police division.

I. Employees shall not park their assigned patrol vehicles in any manner so as to cause an obstruction or prevent any other Village emergency or non-emergency equipment from being utilized during emergency or non-emergency situations.

J. Employees shall not park their personal or private vehicle in any manner as to create an obstruction or prevent any other Village Department or non-emergency agency from utilizing their area or equipment during emergency or non-emergency situations.

K. Police division patrol vehicles, equipment or patrol officers personal vehicles are not permitted to be parked in front of any of the fire or E.M.S. apparatus bays.

POLICIES AND PROCEDURES

ADMINISTRATIVE REQUIREMENTS -
REQUIREMENT OF EMPLOYEE TO REPORT
CORRECT ADDRESS, PHONE AND SCHOOL DISTRICT
SECTION XXIV

OBJECTIVE:

To insure that employees respond to the division within a reasonable period of time when notified of an emergency situation.

To insure that other departments within the Village Administration obtain the necessary and needed information required for their efficient operations and function.

ARTICLE

RULE

A. Employees shall give the police division, finance department and personnel department their correct home address, telephone number, emergency telephone number and school district where they can be contacted at. If marital status changes it shall be reported to the finance office

B. Notification of the changes must be made to all of the departments within (48) forty eight hours of the changes being completed by the employee.

C. Any employee requesting any non-mandatory information changes in their personal information should submit the changes to the appropriate department in writing at least (72) seventy two hours prior to the time needed for the changes to be made.

POLICIES AND PROCEDURES

ADMINISTRATIVE REQUIREMENTS -
COMPLAINTS AGAINST EMPLOYEES
SECTION XXV

OBJECTIVES:

To insure that complaints against employees of this division are investigated quickly, thoroughly and fairly.

ARTICLE

RULE

A. Whenever a citizen, business owner or Village official registers a complaint in writing or in person against a division employee, the employee's actions or the employee's performance, the complaint will be initially investigated within (72) seventy two hours of it's receipt.

B. The complaint shall be forwarded to the appropriate shift supervisor and if the complaint is against the supervisor, it will be referred to the Chief of Police. A written response will be forwarded to the Chief of Police making reference to the facts of the incident and advising a disciplinary action.

C. If the complaint is against the Chief of Police it shall be forwarded to the Village Manager for disposition.

D. Any citizen complaints that will subject an employee to disciplinary action that is more severe than a verbal or written reprimand shall cause the employee to be given due administrative disciplinary process prior to a disciplinary ruling.

E. All employees are required to present any individual requesting to file a complaint with the following information. So as to have no conflict the information is to be presented in writing that is clear and legible or on the rear of an officer's personal business card;

1. Employee's first and last name.
2. Badge number
3. Shift
4. Supervisor's name and rank.

F. All situations where complaints are alleged by citizens, business owners, or Village Officials must be reported to the supervisor or officer in charge at the end of the employees tour of duty for that day.

POLICIES AND PROCEDURES

ADMINISTRATIVE REQUIREMENTS -
FULL-TIME PATROL PERSONNEL HIRING
SECTION XXVI

OBJECTIVES:

To establish criteria and minimum requirements for hiring the best qualified applicant for the Village and the community.

ARTICLE

RULE

A. It shall be the policy of the Village of Lincoln Heights to hire full-time patrol personnel for the police division utilizing the following criteria;

1. All full-time personnel will be hired from within the Village of Lincoln Heights part-time and Auxiliary patrol staff members that have successfully completed the probationary period as same.
2. If no qualified or acceptable individuals exist within the ranks of the part-time or auxiliary staff to fill the full-time positions, the Village will accept applications from outside sources.
3. All members accepted to full-time status must successfully complete and pass drug screening and a complete physical for final acceptance for hiring.
4. Full-time officers must successfully complete and pass a (6) six month probationary period with no extension in time.
5. Full-time employees must maintain all of the minimum and mandatory requirements to keep their full-time status in the division.
6. When a position for full-time employment becomes available within the police division, the process for hiring the full-time employee's to fill the positions for the Village of Lincoln Heights will be as follows;
 - a. The position will be posted in the police division offices for a minimum of (14) fourteen days.
 - b. All personnel interested in applying for the position must submit a letter of "Intent to be hired" for the position before the expiration of the due date.

- c. Employees will be notified of acceptance or rejection for the available positions.
- d. Employees must go through two oral interview processes and possibly a third;
 - A1. Oral interview with the Chief of Police.
 - B2. Oral interview with the shift supervisors.
 - C3. Oral interview with the Village Manager. IF REQUESTED
- e. Final results will be posted within (7) seven days of the interviews.
- f. Recommendation will be made to the Village Manager as to the employees that are chosen for the positions. The Village Manager has the final authority to concur with the recommendations and approve them.

B. It shall be the policy of the Lincoln Heights Police division and the Village of Lincoln Heights to hire part-time personnel by utilizing the following criteria;

1. The same criteria as listed in Section XXV Articles and Rules A1 through A6(e).

C. It shall be the policy of the Lincoln Heights Police Division and the Village of Lincoln Heights to hire Auxiliary Patrol Officers by utilizing the following criteria;

1. All members shall conform to the minimum standards as required by section 124. 21 of the Ohio Revised Code that governs members age and physical examination requirements for police personnel.
2. State of Ohio Peace Officer certification is required.
3. Recruits must possess and maintain a valid Ohio State operators license.
4. Applicants must satisfy a complete background check.
5. Recruits must successfully complete and pass (2) two oral interviews and possibly a third as listed below;
 - a. Oral interview with the Chief of Police.
 - b. Oral interview with the patrol supervisors.
 - c. Oral interview with the Village Manager. If requested.
6. Applicants must provide proof of high school graduation or G.E.D.

7. Applicant must agree to a work schedule that is (40) forty hours per month. (The Village reserves the right to adjust the hours.)

8. Applicant must agree to provide all of the required equipment that is listed in the Auxiliary Patrol officers agreement.

9. Auxiliary officers will be placed on a (12) twelve month probationary period. The employee will be rated in (2) two six month periods. If the employee's supervisor or field training deems that the employee has successfully completed the required training within (6) six months the employee will have the probationary period terminated. If at the completion of the (6) six month period the employee continues to need training the supervisor or field training officer will recommend that the employee continue the (12) twelve month probationary period.

10. All auxiliary employees must have a authorization for swearing in form as required by section 737.161 of the Ohio Revised Code. And it must be signed by the Village Mayor.

D. It will be the policy of the Lincoln Heights Police Division and the Village of Lincoln Heights to utilize the following procedure for sponsorship for individuals to the State of Ohio Peace Officers Academy;

1. Applicants must have a complete background check through the Regional Computer Information Center (R.C.I.C.) and the State of Ohio Bureau of Criminal Investigations and Identifications (B.C.I. & I.). A finger print card must be forwarded to B.C.I. & I..

2. Applicants must complete an application for employment with the Village of Lincoln Heights.

3. Applicant must provide the package from the training academy that they plan to attend.

4. The applicant must pay the entire cost of attending the Peace Officer Academy. The Village of Lincoln Heights will not assume any of the cost.

POLICIES AND PROCEDURES

REPORTS AND REPORTING PROCEDURE
SECTION XXVII

GENERAL REQUIREMENTS:

All police division forms and reports must be complete, neatly written or typed, properly filed and promptly filed. Incidents that are reported to the Lincoln Heights Police Division will be placed on official police division forms that are been approved for usage by the Chief of Police.

ARTICLE

RULE

A. All police division incident reports that employees are required to fill out when performing their duties must be completed and turned in to the shift supervisor for approval within (48) forty eight hours of the time of occurrence.

B. Reports that are returned as not complete or that need to be corrected must be returned to the supervisor within (24) twenty four hours.

C. All original copies of reports and forms will be left in the custody of the police division keeper of records. This individual can be whom ever is assigned this duty by the Chief of Police.

D. No original copy of any police form or report will be permitted out of custody of the keeper of records without a court subpoena or permission of the Chief of Police.

E. Copies of Police Division reports and forms for " Non-law enforcement purposes shall only be issued by the official " keeper of records " that has been designated by the Chief of Police. A fee that has been established by the Village of Lincoln Heights Administration will be attached to each copy.

F. Police personnel are only permitted to issue copies of police division reports to Law Enforcement, State or Government agencies for official business purposes only.

G. No original copies of Police Division reports or forms are permitted to be placed in police division files. Copies only.

H. Reports or forms that required entry into the R.C.I.C. or L.E.A.D.S. system must be entered within (8) eight hours of the time and date reported.

I. Employee's that are not able to complete reports when they are taken or reports that are still under investigation will be left in the employees designated mail slot in the event that information needs to be retrieved off of the report.

J. Any employee that utilizes the last report or form in the police division will make sure that the supply of blank forms is replenished. If the employee does not have another copy of the appropriate form, the shift supervisor or officer in charge must be notified immediately.

K. Employees completing reports or forms that have carbon or forms that copy that are carbonless (NCR) must make sure that the imprint goes completely through all copies.

L. Employees that complete forms that are required to be completed at the scene of an offense must make sure that the appropriate color copies are forwarded to the appropriate individuals, businesses, departments or file. This applies to color copies that are marked or color copies that have been designated by procedure.

M. Employees that are responsible for completing forms or reports that require original signatures shall make certain that the correct original signatures are on the reports or forms in the correct spaces. Unsigned reports are considered as incomplete.

N. All police division forms and reports that are required to be faxed upon completion shall be faxed by the employee responsible for completing the report within (24) twenty four hours of the time of the offense.

O. All police division forms that are required to be sent by United States mail upon their completion shall be forwarded to the designated keeper of police division records. The forms will have been previously copied and have an envelope prepared with the correct mailing address and the return address with the employee's last name attached. The keeper of police division records will mail the information out on the next business day. The employee completing the report will be responsible to do this.

P. All police division reports and forms that are required to be at the Hamilton County Clerk of Courts office within a required amount of time will be taken to the office by the officer completing the paperwork. If it is not possible or it will cause overtime to be utilized, the paperwork will be taken by the next scheduled work shift officers. The shift supervisor or shift officer in charge will be advised and cause the paperwork to be delivered as soon as possible.

POLICIES AND PROCEDURES

**MAYOR'S / MAGISTRATE COURT -
WARRANT AND CAPIAS SERVICE
SECTION XXVIII**

PURPOSE:

To establish guidelines for issuance of warrants and capiases for the Village of Lincoln Heights Mayor's / Magistrate court.

PROCEDURE:

The Mayor or Magistrate will have the sole authority to issue warrants, capiases or court orders for contempt that are generated from the Village of Lincoln Heights court system.

Once the Mayor or Magistrate has caused a order to be issued it shall be certified by the Village Clerk of Courts. A written notice will be issued on the appropriate form that will authorize the arrest of the individual that is wanted by the court.

ARTICLE

RULE

A. Individuals that are arrested as a result of a Village court violation shall be processed as it is prescribed in the patrol division arrest procedure manual.

B. Individuals wanted of violations of the Village of Lincoln Heights shall not be issued without the proper written and completed paperwork filed with the police division.

C. The original of all Village court warrants, capiases and contempt orders shall be kept on record in the police division for verification through R.C.I.C. system.

D. All warrants, capiases and contempt orders that have been served upon individuals will be removed from the capias book that is kept in the police division.

E. Warrants, capiases and contempt orders that are issued by the Village court shall not be entered into the R.C.I.C. computer until a minimum of (96) ninety six hours after they have been issued by the Village court system.

F. Warrants, capiases and contempt orders that have been issued by the Village court can only be entered into the R.C.I.C. system with a pick-up radius of Hamilton County, Ohio.

G. All warrants, capiases and contempt orders that have been served and the completed paperwork that accompanies them per the patrol arrest procedure shall be turned in to the clerk of court at the end of each shift.

H. All individuals arrested on violations of Village court warrants, capiases and contempt orders will be permitted to be released by the below listed methods only;

1. By posting the full amount of the bond that has been levied against the individual by the Village court.

2. By posting the amount of 10% of the bond that has been levied by the Village court.

3. By making a physical arrest with a committal and mittimus for incarceration of the individual to the custody of the Sheriff of Hamilton County, Ohio. This must be approved by the Chief of Police and "Physical Arrest" must be listed on the arrest paperwork.

4. By issuing the individual a "Own Recognizance" (O.R.) bond to appear. The shift supervisor or officer in charge must approve this. This should only be utilized if the individual is not considered a flight risk.

I. All personal appearance bonds must be in cash or certified cashier's check. Checks must be made out to the Clerk of Courts and they must stipulate that this is a bond. The bond is to immediately be deposited in the slot in the court clerk's door.

J. Only the individual that pays the bond will be permitted to retrieve the bond. As long as the case is still in process the bond shall be held to secure the individual's appearance.

K. Operator's license or State identification cards are not permitted to be held as appearance bonds.

L. Any individual that has been arrested a minimum of (2) two times on a capias or contempt order on the same specific incident with the same case and/or court docket number, must place a cash bond or be remanded to the custody of the Hamilton County Sheriff's office.

POLICIES AND PROCEDURES

PRISONER HANDLING SECTION XXIX

PURPOSE:

To insure that prisoners in the Lincoln Heights Police Division are processed properly and efficiently, with emphasis on officer's safety.

ARTICLE

RULE

A. As listed below but not limited too, an officer shall utilize extreme caution at all times when handling prisoners.

1. Upon an arrest all officers shall search prisoners thoroughly to insure that the prisoner harbors no concealed weapons or contraband upon their person, or any weapon or instrument that could cause officers any further harm.
2. All prisoners that are transported by Lincoln Heights Police Division personnel will be handcuffed behind their back when in custody. All prisoners shall be handcuffed. Supervisors or shift officer in charge may make exception to this rule for justified reason.
3. Officers at all times will keep their weapon to the far side and shielded from all prisoners.
4. When officers are required to enter into jail cells, weapons will not be permitted inside of the cell area.
5. When officers have contact with mental patients, the officer shall secure their weapon in the weapon cabinet once they arrive at the police station.
6. Once patrol officer and prisoner arrive at the police station the prisoner will again be searched thoroughly.
7. If a prisoner has money upon their person, the money shall be counted in the presence of the arrested, the arresting officer and another witness. The amount will be recorder and initialed by all present. The prisoner will be given a written receipt.

8. Property taken from all prisoners will be listed on a property slip and a copy given to the prisoner. All prisoner property shall be secured by the arresting officer. The arresting officer will be responsible for property from prisoners that they have under arrest.

9. All prisoners will be booked and arrested as per police division arrest procedures.

10. Prisoners placed into holding cells must be placed into them under all of the guidelines and regulations of the Ohio Department of Rehabilitation and Corrections that is on file in the police division.

11. Prisoners are permitted to be held in the prisoner booking area under the below listed guidelines;

- a. They must be secured so that they can not leave the processing area.
- b. They must be kept away from all property and evidence.
- c. An officer must be in the station with the prisoner at all times.
- d. The prisoner must be non-violent or no risk to others.

12. Prisoners of different sex must be placed in separate cells or holding areas at all times.

13. Evidence retrieved from prisoners or that is related to the prisoners charges shall not be kept in the same area of the prisoner or in an area that the prisoner can reach or come into contact with.

14. When a prisoner requires restroom privileges they shall be granted to them within reason. Male prisoners shall be accompanied to the restroom by male officers, female that officers accompany male officers to the restroom shall stay within sound distance. Female prisoners shall be accompanied to the restroom by female officers, male officers that accompany females to the restroom shall stay within sound distance. If the prisoner is considered a risk a same gender officer shall be requested to accompany the prisoner to the restroom.

POLICIES AND PROCEDURES

PRISONER TRANSPORTATION

SECTION XXX

PURPOSE:

To establish the guidelines for the safe and efficient transportation of prisoners in the custody of the Lincoln Heights Police Division. When transporting prisoners the following procedures will be adhered to.

ARTICLE

RULE

A. Prisoners will be transported in marked patrol vehicles that are equipped with protective cages. (This pertains to road patrol personnel only)

B. Prisoners will be handcuffed and when only one prisoner is in transport the prisoner will be placed in the rear seat on the passenger side of the vehicle.

C. When a male officer transports a female prisoner or a juvenile prisoner the transporting officer will provide the dispatcher with their mileage prior to the transport and their mileage upon completion of the transport. Female officers will follow the same procedure when transporting a male prisoner or a juvenile prisoner.

D. Officers transporting any prisoner, will go directly to the correction facility without deviation or unnecessary stop. No stops to feed or accommodate prisoners in transport.

E. Officers will transport no more than (2) two prisoners in police patrol passenger cars. Over (2) two prisoners are permitted to be transported in the police division van and the limit is (6) six.

F. Once a prisoner has been handcuffed and transport has began, the prisoner is not to be not handcuffed until they are inside of the correctional facility.

G. Prisoners that are involved in crimes against each other are not permitted to be transported in the same vehicle.

H. Prisoners that have contagious diseases shall not be transported in the same vehicle.

I. Prisoners that are required to be transported by the Emergency Medical Squad shall be transported by the Emergency Medical Squad and accompanied by a patrol officer in the emergency unit. This includes any individual that is under arrest.

J. All non-violent mental patients will be transported by the police division personnel on duty and that officer shall sign a (72) seventy two hour mental hold shall be signed on the individual.

K. A police officer will accompany the Emergency Medical Unit to the hospital with all violent or high risk mental patients. The officer shall ride in the Emergency Medical unit.

L. Unless a specific officer must respond to sign the charges on a prisoner, all prisoner transports will be made by the junior officer on the shift. The shift supervisor, officer in charge or the senior officer will stay in territory.

M. Unless it is absolutely necessary only one officer shall make prisoner transports. All transports that require more than one officer for transport shall be approved by the shift supervisor or the officer in charge.

POLICIES AND PROCEDURES

MOTOR VEHICLE LOCK-OUTS

RESIDENTIAL LOCK-OUTS

SECTION XXXI

PURPOSE:

To insure that vehicles and residences are entered into properly by the police division.

ARTICLE

RULE

A. It will be the policy of the Lincoln Heights Police Division to only attempt to make entry into vehicles under the following situations;

1. A child or adult is locked in the vehicle.
2. The vehicle is running.
3. For authorized investigative purposes.

B. Officers attempting to make entry will have the individual requesting a vehicle to be entered complete the following steps before the vehicle attempted entry is initiated, if it is an emergency entry the steps can be done after the entry is made;

1. Must show a valid picture identification.
2. Must sign a release of liability of damages.

C. Officers shall log all vehicle entries on their daily log sheet with the requesters identification number.

D. Officers unable to make entry into vehicles shall attempt to assist the individual in getting the proper assistance into the vehicle during the urgent situation.

E. When an officer is called to assist a resident with entry into their personal residence, the officer must beyond any doubt verify that the person requesting entry lives at the residence that is in question. The officer with permission can then attempt entry into the residence.

POLICIES AND PROCEDURES

ADULT ARREST,
JUVENILE ARREST
SECTION XXXII

PURPOSE:

To insure that all individuals that are arrested by the Lincoln Heights Police Division are arrested properly with due process.

ARTICLE

RULE

A. All adults and juveniles arrested by officers of the Lincoln Heights Police division shall be arrested with probable cause for them to be detained in police custody.

B. All individuals arrested by the police division will be advised immediately as to what they are being arrested for and as soon as possible the exact criminal statutes that they are charged with.

C. All non-violent or non-combative prisoners will be transported to the Lincoln Heights Police station to be processed prior to being transported to the correctional facility.

D. All of the paperwork that is specified in the police division arrest procedure shall be filled out on all individuals that have been arrested by officers of the police division. The paperwork will be filled out promptly and transport made unless the individual is at the police division pending further investigation.

E. The Lincoln Heights police division or it's officers shall not be permitted to hold any prisoner for any reason for longer than (8) eight hours from the time of the actual arrest. No exceptions.

F. All arrest not covered herein shall be governed by the policies and procedures of the Ohio Revised Code, Lincoln Heights Police Division and the Rules and regulations of the Ohio Department of Rehabilitation and Corrections.

POLICIES AND PROCEDURES

REGIONAL COMPUTER INFORMATION CENTER (R.C.I.C.)
NATIONAL CRIME INFORMATION CENTER (N.C.I.C.)
LAW ENFORCEMENT AUTOMATED DATA SYSTEM (L.E.A.D.S.)
SECTION XXXIII

PURPOSE:

To make certain that accurate, proper and complete information is on file in the systems that pertain to persons and property.

ARTICLE

RULE

A. Only police division personnel that have achieved the module level certification of #2 shall be permitted any R.C.I.C. computer privileges or access.

B. All of the written rules, regulations and procedures of R.C.I.C., N.C.I.C. and L.E.A.D.S. shall apply to all members of the Lincoln Heights Police Division and shall be cited for violation under this section with the appropriate agency violation.

C. Copies of all R.C.I.C., N.C.I.C., and L.E.A.D.S. rules, regulations and procedure are available within the Lincoln Heights Police Division and they must be read by officers prior to passing probation and when ever changes are issued by the agencies.

POLICIES AND PROCEDURES

UNIFORMS AND EQUIPMENT
SECTION XXXIV

OBJECTIVES:

To define dress and uniform equipment which is issued by the Village of Lincoln Heights and dress uniforms and equipment that is purchased by Auxiliary patrol personnel that has been approved for use within the Lincoln Heights Police Division. This will also insure uniformity within the police division and insure that officers maintain a neat and clean appearance during all duty hours.

ARTICLE

RULE

A. Members of the Lincoln Heights Police division will wear only such uniforms and equipment that has been issued or approved for use within the Police Division.

B. Each full-time and part-time officer at the time of hire will be issued the following equipment;

- | | | |
|-----------------|------------------------|-----------------------|
| 1. Duty weapon | 6. handcuffs | 11. Raincoat |
| 2. Breast badge | 7. Uniform hat** | 12. Dickie |
| 3. Hat Badge | 8. (2)Uniform shirts** | 13. Gun Belt & mace. |
| 4. Name plate | 9. (2)Uniform pants** | 14. Ammunition |
| 5. I.D. Card | 10. Station Keys | 15. Bullet proof vest |

** DENOTES ITEMS THAT WILL BE ISSUED BASED ON THE SEASON, WINTER-SUMMER.

C. Officer shall provide the items listed below;

1. Socks
2. Shoes
3. Gloves

D. The following classes of uniforms will be the only uniforms permitted for use by officers of the Lincoln Heights Police Division. The uniforms issued to the patrol personnel shall be approved by the Chief of Police through an administrative directive.

1. CLASS -A- ~ Dress uniform shirt, dress uniform pants, dress uniform cap, breast badge, name plate, whistle strap and whistle, black uniform shoes, black or blue socks. (winter wear will include navy blue dickie and long sleeve shirt)

2. CLASS -B- ~ Crew neck shirt, dress pants, ball cap, solid black gym shoes or dress shoes, breast badge on belt or neck chain, socks black, blue or white.

3. CLASS -C- ~ Approved bicycle patrol uniform. Crew neck shirt, shorts or uniform pants, socks blue, black or white, gym shoes.

E. At anytime that any of the above uniforms are utilized, officers will wear full patrol duty belts:

F. Full patrol duty belts shall consist of the following;

- | | |
|--------------------------------|-------------------------------------|
| 1. Duty weapon and holster | 5. Mace and mace case |
| 2. Ammo clips and pouches | 6. Disposable gloves and glove case |
| 3. Handcuffs and case | 7. Flashlight holder |
| 4. Radio, case and belt holder | 8. Belt keepers |

Belts are to be leather or nylon. All accessories on either style of belt must match the belt. (No mixing of weave, smooth or nylon.)

G. Officers will be permitted to utilize any defensive instrument that has been approved by the police division and that the officer has presented written proof of certification for use of the instrument. Any accessories that are required to be worn on the patrol duty belt will also be permitted. Proof must be presented prior to the utilization of the instrument.

H. No officer of the Lincoln Heights Police Division shall wear or utilize any type of stun or electrical device upon their person while on duty as an officer of the police division. If the police division policy shall change, only supervisors will be permitted to utilize or carry these types of devices while on duty. The supervisors must possess the necessary training before utilizing these devices.

I. The shift supervisor or the officer in charge shall be responsible to insure that all members of the police division report for duty in the proper uniform of the day and to insure that the uniform is in good repair and free and clear of dirt and stain.

J. The Chief of Police shall post or cause to be posted the uniform changes that are required within the police division. Shift supervisors or officers in charge may cause temporary changes due to abrupt changes in the weather.

K. Police division uniforms and equipment shall only be utilized for official police division functions.

POLICIES AND PROCEDURES

ADMINISTRATIVE RULE -
DIVISION SHIFT RELIEF
SECTION XXXV

OBJECTIVE:

To insure that the Village of Lincoln Heights has adequate and sufficient police protection (24) twenty four hours per day.

ARTICLE

RULE

A. When an officer knows that they will be late for work on their regularly assigned tour of duty, they shall immediately notify the preceding shift supervisor. Calls to the dispatch center, village offices or other police division personnel are not acceptable.

B. Officers working the below assigned shifts shall call in for absence from duty within the below listed time frames unless an absolute emergence exist;

1. 1st Shift - No later than (2) two hours of the start of the shift.

2. 2nd Shift - No later than (8) eight hours of the start of the shift.

3. 3rd Shift - No later than (8) eight hours of the start of the shift.

4. Split Shift - No later than (8) eight hours of the start of the shift

C. Officers are required to report for work in uniform and ready to start their shift at the scheduled starting times. Officers who do not report for work in uniform ready for work at the scheduled starting time shall be considered late for work.

D. Officers shall be out on patrol no later than (15) fifteen minutes after the scheduled starting time for their shift. Supervisors or officers in charge of the shift may give permission for officers to remain on station to complete other police functions.

E. Officers shall not end their tour of patrol duty earlier than (30) thirty minutes prior to the end of their shifts. The last (30) thirty minutes of the shift shall be utilized for reports and preparations to end the scheduled tour of duty.

F. Radio, phone or personal police division details that are received at (16) sixteen minutes past the start of the shift will be the responsibility of the shift that is coming on duty for work. If the detail is an extreme emergency, all available personnel will be required to respond and assist with the detail.

G. All supervisors and officers that receive holiday pay will be required to work on the day preceding, the day of and the day after a holiday if they are scheduled to work in order to receive full pay for the holiday. Officers and supervisors who miss either of these days may be paid with a physicians excuse for the absence.

H. Officers and supervisors shall not leave their post of duty without being properly relieved and without first insuring that the next shift is properly covered. Mutual aid will not be considered for or as proper shift coverage. The Chief of Police shall be notified immediately of any shifts that can not be properly covered.

I. The shift supervisor or the shift officer in charge is the employee that is required to remain on duty for shift coverage until proper relief can be made.

J. Officers, shift supervisors or shift officer's in charge who leave a shift improperly covered will be considered to have abandoned their shift.

K. Employees that are off from work and that are not utilizing benefit time that is earned by the employee or provided by the Village in accordance with the Village of Lincoln Heights personnel policies will be considered as absent without leave.

L. All employee off-time shall be documented on the proper police division form, properly signed and approved by the Chief of Police. All of the proper forms shall accompany the employees time sheet for the employee to be compensated for the time.

M. Any employee absence due to illness that is three consecutive days must have a physicians excuse before the employee can be compensated for the time off. If the employee has regularly scheduled off days during the absences due to illness the three days shall be continuous until the employee returns for a full day of scheduled work.

N. This policy can be subject to Administrative change by the Chief of Police in the form of a written and posted directive.

POLICIES AND PROCEDURES

RADIO COMMUNICATIONS - HAMILTON COUNTY
CITY BAND ADMINISTRATIVE RADIOS
SECTION XXXVI

PURPOSE:

To insure the proper usage of the radios that the division utilizes for communications with the dispatch personnel at the Hamilton County Communications Center.

ARTICLE

RULE

A. Every officer while on duty shall carry a radio that has communications capabilities with the Hamilton County Communications Center. The radio shall be kept on and at a volume where the officer can hear the dispatchers communications.

B. Each officer shall utilize clear voice communications when talking with the dispatcher and any other personnel that utilize the radios.

C. No unauthorized transmissions are permitted to be used by officers over channel #1 at anytime. All transmissions shall be professional and courteous at all times.

D. All employees of the police division are required to abide by all of the rules and procedures as they are established in the Hamilton County Communications Center Police and Procedure Manual. A copy shall be kept on file at the police division.

CITY BAND ADMINISTRATIVE RADIOS

E. All officers that are on their regularly scheduled shift shall utilize whenever available a division city band administrative radio while they are on division business.

F. Officers shall only initiate a call to another officer (2) two times per incident, if no response is received after (2) two attempts the officer will advise the dispatcher to have the appropriate unit switch to the city band radio.

G. All transmissions on the city band radios shall be courteous and professional.

POLICIES AND PROCEDURES

**DAILY ACTIVITY REPORT AND
STATION SHIFT LOG
SECTION XXXVII**

PURPOSE:

To insure uniform record keeping of officer and division daily activities.

ARTICLE

RULE

A. All patrol supervisors and officers shall at the end of each tour of duty complete a "Daily Activity Log". The log shall give a brief explanation of each detail that the officer individually receives. It shall include the location, times, date, nature and disposition of all details with the exceptions of non-detail phone calls.

B. The daily log sheet shall be submitted at the end of the shift to the appropriate shift box for approval by the shift supervisor.

C. All trips out of territory for any reason must be logged on the daily activity sheet and the entry must contain the time leaving, time returning and reason for leaving territory. All trips out of territory must have prior approval of the shift supervisor or the shift officer in charge.

D. All vehicle mileage, damages and condition must be entered on the daily activity sheet.

E. At the end of each shift the supervisor or shift officer in charge will see that the police division blotter has been completed for all details that occurred on that scheduled shift. All details with exception to non-detail public services shall be entered into the blotter.

F. Details that are entered into the police division blotter shall not be duplicated, it will only be necessary for all officers that participated in the detail to initial the blotter in the appropriate place.

G. Copies of the police division blotter shall not be made and/or distributed without the permission of the Chief of Police or with the issuance of an official request from any court having authority.

H. The police blotter shall not be removed from the Lincoln Heights Police Division at anytime for any reason without permission of the Chief of Police.

POLICIES AND PROCEDURES

**WRITING AND ISSUING CITATIONS,
TRAFFIC AND MINOR MISDEMEANOR
SECTION XXXVIII**

PURPOSE:

To establish proper procedure for writing and issuing traffic and minor misdemeanor citations.

ARTICLE

RULE

A. All citations shall be filled out completely, accurately and correctly upon being issued to any violator.

B. All traffic citations issued shall be cited to the Village of Lincoln Heights Court. Exceptions permitted will be citations that;

1. Are required to be cited under state code and sent to Hamilton County Municipal court.

2. 2nd or greater offense for Driving Under the Influence charge.

3. Administrative license suspensions that have vehicle forfeitures attached.

4. Traffic citations that are issued with accompanying felony cases that have been issued as probable cause citations.

5. If the pertinent violation is not listed in the Village of Lincoln Heights Municipal codes.

C. It shall be the responsibility of the shift supervisor or the shift officer in charge to insure that only the proper citations are sent to Hamilton County Municipal Court.

D. If the tickets in question do not meet the qualifications as set forth in Section 37 Article and Rules B, 1 thru 5, the shift supervisor or shift officer in charge must justify the reason in writing within (24) twenty four hours of the issue date of the citations to the Chief of Police.

E. All minor misdemeanor citations shall be cited to the Village of Lincoln Heights Court. Only re-cite citations or code sections not contained in the Village of Lincoln Heights Ordinances will be permitted to be issued to the Hamilton County Municipal Courts.

F. Once a citation is written, it shall only be given a disposition by the Village of Lincoln Heights Courts.

G. All tickets must be held for record keeping purposes.

H. Traffic and minor misdemeanor citations can only be voided by the shift supervisor, shift officer in charge or the Chief of Police. A reason for the citation being voided must be written upon the citation at the time it is voided.

I. All voided tickets shall be turned in with the same procedure as any other citations.

J. Operators license shall only be held from offenders where permitted by law, they shall not be held as a bond for appearance in court.

K. All operators license that are withheld from any violators shall remain with the paperwork unless they are required to be remanded to the State of issuance or the courts. Officers shall not personally keep individuals operators license.

L. All minor misdemeanor citations must be served personally on the individual that they are issued to.

POLICIES AND PROCEDURES

WORK SCHEDULE, MAKING RELIEF, SHIFTS AND BRIEFING SECTION XXXIX

PURPOSE:

To provide guidelines for making employee shifts, reporting for duty, shift hours and making relief so that each shift has maximum police strength and appropriate policies for doing such.

ARTICLE

RULE

A. Members of the patrol of the patrol force will be divided into five types of relief;

1. 1st relief - as designated per administrative order issued by the Chief of Police.
2. 2nd relief - as designated per administrative order issued by the Chief of Police.
3. 3rd relief - as designated per administrative order issued by the Chief of Police.
4. Split Shift - any shift that starts in between a regularly scheduled shift that is designated per administrative order issued by the Chief of Police.
5. Permanent shift - Any shift that requires an employee to be assigned to specific days and hours to perform their duties or employees that are salaried and not required to work shifts on a rotating basis.

B. Any shift that police personnel are assigned to they shall be required to report for duty promptly, on time for the start of the shift and in full uniform at the designated time for the shift to start. Each officer shall record their time in the manner as prescribed by the Village policies and procedures.

C. Upon reporting for duty, all police personnel shall report to the shift supervisor that they are prepared for work. The off-going shift supervisor or officer in charge shall converse with the oncoming shift supervisor or the officer in charge all of the events and priorities that occurred on the prior shift. The shift supervisor or the officer in charge will relay the information to the shift that is on duty at the beginning of the shift.

D. Police personnel that work split shifts or that start work once a shift has started shall upon starting their tour of duty notify the shift supervisor of their hours of work, the vehicle utilized, and request an assignment. They shall be briefed and advised of their radio assignment by the shift supervisor or officer in charge.

E. Police personnel shall only be in the police station for official police business. Supervisors shall insure that police personnel do not loiter in or around the police station or in any other village department or public place.

F. It will be the responsibility of the shift supervisor or officer in charge to insure that police personnel are out on patrol (15) fifteen minutes after their shifts start and that they do not come in off of patrol earlier than (30) thirty minutes before the shift is scheduled to officially end. Supervisors or officers in charge may approve police personnel to come in off of the road to complete reports early. **Overtime will not be paid for report completion unless the report involves a major crime incident.**

G. All division overtime shall be approved by the shift supervisor prior to the sheets being submitted to the Chief of Police for approval. The overtime shall be on the appropriate division form and filled out properly.

H. It shall be the responsibility of the first shift supervisor to insure that all vehicles are properly maintained or reported to the Chief of Police for proper repair.

I. All shift supervisors or the officer in charge shall insure that all patrol personnel conform to and abide by all of the rules, policies and procedures of the Village of Lincoln Heights, Lincoln Heights Police Division and the adopted polices and procedures of agencies that service the police division.

J. All supervisors, officer's in charge and patrol personnel shall provide proper and adequate patrol of the Village of Lincoln Heights while on duty. Employees shall not avoid patrol of any areas of the Village of Lincoln Heights unless so ordered by the Chief of Police by verbal or written directive.

K. Employee's that utilize trade time, vacation time, compensatory time, sick time or any other type of off time must utilize the appropriate divisional form and turn it in for approval prior to utilization of the off time.

POLICIES AND PROCEDURES

ADMINISTRATIVE RULE - BARRICADED PERSONS, HAZARDOUS INCIDENTS, AND S.W.A.T. CALL OUTS SECTION XL

PURPOSE:

To outline a procedure to deal with individuals that have barricaded themselves to resist a lawful contact, to do harm to others, do harm to themselves or create any situation that may cause hazardous situations during incidents.

INFORMATION:

Experience indicates that barricaded subjects usually are able to be talked out of the situation. Police handling of the incident or situation will vary according to the level of intensity of the incident. Most barricaded persons will make a vigorous attempt to resist all contact with the members of law enforcement, for this reason offensive police tactics must be minimized unless urgent and are most likely not the best resort. The time element in most cases is not the most important factor of the incident. Premature aggression can result in the situation escalating and having a negative outcome, and it could present a more serious danger to all involved.

ARTICLE

RULE

A. The first officer on the scene will;

1. Ascertain and confirm the identity, condition, (mental and Physical) and a possible reason as to why the subject is barricaded in this situation.
2. Request any mutual aid assistance that is required. (except S.W.A.T.) Switch to Hamilton County channel #6 and Lincoln Heights Police Division City band tactical frequency.
3. Notify the communications center of the situation with the repeater disabled and request the presence of the shift supervisor or officer in charge. Have the Chief of Police notified immediately.
4. Keep the barricaded subject or subjects and the building under surveillance from as many safe vantage points as necessary.

5. Refrain from any forceful actions or premature attempts to dislodge the barricaded person or end the incident.
6. Divert all vehicle and pedestrian traffic around the incident for a safe and secure radius. (this includes media)
7. Fully advise supervisor upon their arrival of all pertinent information regarding the situation.
8. Attempt to ascertain as soon as possible if the individuals involved in the incident are considered as "SUSPECTS" or "SUBJECTS" and notify all law enforcement personnel on the scene of the status of the individuals. (Suspects are individuals that have committed a crime or have charges against them. Suspects are individuals that have committed no violations of the law or have none pending against them, Ex: mental or suicidal individuals.)

B. Ranking supervisor or officer in charge shall;

1. Assume command and if necessary redirect any police personnel to insure that the scene is appropriately secured and safe.
2. Request additional mutual aid and equipment if needed. (supervisor will check to see if Chief of Police is responding prior to requesting S.W.A.T.)
3. Check to see if evacuations are in order and if so needed implement the evacuations safely.
4. Establish the appropriate perimeters for operations;
 - a. Hot zone - immediate area of the incident where danger exist.
 - b. Neutral zone - area that is still secured for law enforcement and necessary agencies only.
 - c. Cold zone - area that is established a substantial and safe distance from the actual incident. (civilians and media area, free flow of vehicle traffic)
5. Keep a chronological log of all activities that occur at the incident and formulate a written report. This shall include how long incident has been progressing.
6. After contact has been attempted and no response has been received from the Chief of Police within a reasonable time, make the decision as

calling out the S.W.A.T. team.

C. Chief of Police shall;

1. Take command of the incident from the supervisor of the officer in charge and receive a full briefing in the incident.
2. Institute a call out for the S.W.A.T. team for the incident and assist the S.W.A.T. Commander upon their arrival and provide a complete briefing of the incident.
3. Re-evaluate the incident to see if further mutual aid or equipment will be needed.
4. Institute a division call out for additional police division personnel or members of the police division Major Crimes Task Force or the Rapid Advancement Team for assistance.
5. Notify the Village Manager, Village Mayor and if necessary the Director of Finance of the incident by the available methods.
6. Arrange for accommodations for the personnel on the scene. (Red Cross, Buses for warming, ect.)
7. Provide a media officer or address the media at a time that is convenient during the incident.
8. Assist with conducting a post-mortem conference on the incident on that date or whenever appropriate.

D. In the absence of the Chief of Police the shift supervisor or the shift officer in charge shall perform all of the duties listed in section XXXVIII, Article and Rule B, 1 thru 8.

POLICIES AND PROCEDURES

ADMINISTRATIVE RULE -
TRAINING, EDUCATION
AND DIVISION MEETINGS
SECTION XLI

PURPOSE:

To establish the methods, policies and rules that govern attendance at all Village training, educational and divisional meetings.

ARTICLE

RULE

A. All police division employees are required to attend all meetings that are called by the Village Manager or the Chief of Police. Meetings must be posted (48) forty eight hours prior to their starting times. The meetings shall be posted on the officer information board in the police station or placed in each officers mail slot.

B. All police division personnel that request to attend any training or educational functions must submit their request in writing to their respective shift supervisor (14) fourteen days before the due date of the registration. The written request must contain the function location, hours, number of days, cost, a copy of the completed registration and if lodging is required. The employee will receive notification of approval or denial for the function.

C. The shift supervisor shall review the employee request and ascertain if the employees shift can be covered without the use of overtime, if the function is a function that the Village would benefit from as well as the employee and if the function is justified. The supervisor will then submit the signed and completed form to the Chief of Police for approval.

D. Employees that attend training or educational functions will be required to attend utilizing shift hour adjustments. Employees will not be paid overtime for attending training or educational functions unless prior approval of the Chief of Police is given. Ex: If an employee is required to attend training on their scheduled off days, the employee will be given off days to replace the ones missed, unless prior written approval is issued.

E. Officers and employees are required to attend all training and educational functions that are required for their employment and certification as a peace officer.

F. Any officers or employees that attend training that is not mandatory, that is at their request will not be paid or compensated for the attendance at the function when it is attended on their regularly scheduled off days. If the training is approved by the Chief of Police, additional off days can be given on even trade time. This only applies to non-mandatory functions.

G. Officers or employees that are on probation will not be approved for training or education functions unless they are mandatory or required to keep their certification or unless the entire division is taking the classes.

H. Officers or employees that must expend Village funds to attend a training or educational functions must complete a written expense report within (7) seven days of the completion date of the function. If the Village is due a reimbursement, the Village must be reimbursed by the employee within (30) days of the completion of the function. If the employee is due reimbursement from the Village, once the expense report has been completed, the employee shall be reimbursed in their next regularly scheduled payroll check.

I. Upon an employee receiving any certificates of completion and/or passage of courses that they attended, a copy shall be submitted to the Chief of Police for the employee file.

J. Once an officer or employee has been approved for attendance into a training or educational function and the registration fee and any cost have been paid, the employee must attend the function. Employees that register for the functions and do not attend will be required to reimburse the Village the entire cost of the expenses.

K. Employees that attend training or educational functions must attend and participate in all of the scheduled activities of the function that are required to satisfactorily complete the function. Employees that do not participate or attend and do not receive successful completion of the function will be required to reimburse the Village all of the expenses of the function.

L. Officers or employees may not attend any type of educational or training function that may cause discredit to the police division or that is not an approved function that reflects the Village police division. Racially biased, hate related or functions that discredit the police division will not be attended by employees on or off of duty.

POLICIES AND PROCEDURES

MAJOR CRIMES TASK FORCE -
CALL OUT AND RESPONSE
SECTION XLII

SCOPE:

It is the intent of these guidelines to insure the effective and efficient investigations of all major crimes that occur in the Village of Lincoln Heights. It shall also insure that the current and necessary investigative methods, evidence preservation and collection, crime scene security and lawful methods are utilized during the investigations. The guidelines will provide proper direction to present case facts and evidence for prosecution to the Hamilton County Prosecutors Office and hold officers to abide by all of the statutes that are contained within the Ohio Revised Code and the Ohio Criminal Rules of Evidence.

INTENT:

This procedure shall be utilized when offenses that have been classified as "Major Crimes" have occurred within the Village of Lincoln Heights. The offenses are listed below, but not limited to;

- | | | |
|--|-------------------------|----------------------|
| A. Homicide | E. Attempted murders | I. Suspicious deaths |
| B. Felonious assaults | F. Aggravated robberies | J. Robbery |
| C. Kidnappings | G. Arson with injury | k. Bombings |
| D. Thefts, over \$10,000 | H. Hostage situations | L. Extortions |
| M. Offenses assigned by the Chief of Police. | | |

TEAM STRUCTURE:

The team shall consist of the positions as listed below;

- A. Task Force Coordinator
- B. Task Force Director
- C. Task Force Leader
- D. Task Force Photographer
- E. Task Force Members (12 maximum)

The team members job descriptions and assignments shall be as follows for each position;

1. TASK FORCE COORDINATOR - The member in this position shall be responsible for the operations of the task force. This will include preparing a monthly report to the Chief of Police, scheduling task force training, coordinating all task force investigations, monitoring case progress, assigning case investigations and insuring that the policies set forth in this guideline are adhered to. The member in this position shall be appointed by the Chief of Police.

2. TASK FORCE DIRECTOR - The member in this position shall report directly to the Major Crime Force Coordinator and serve in the coordinators capacity during their absence. The director shall be the keeper of all records of case files that have had a disposition through the court system. This member shall be responsible for security of all task force files and property. The member in this position shall be appointed by the Chief of Police and the Major Crime Force Coordinator.

3. TASK FORCE LEADER - The member in this position shall report directly to the Major Crime Force Coordinator and the Director in the coordinators absence. This member shall be responsible for handling all evidence that results from a task force investigation and insuring that the evidence is properly submitted to the police division property room manager. In the absence of the coordinator or director the leader shall assume charge of the task force.

4. TASK FORCE PHOTOGRAPHER - The member in this position shall report directly to the task force coordinator and to the director or the leader in the coordinators absence. This member shall be responsible for taking and having processed all photographs at the scene of task force call outs. The photographer does not have to be the sole photographer at the scene. Photographers from any outside agencies that are requested to the scene will be permitted to utilize photographers per their agency procedures. The task force photographer shall be responsible for the photographs for the task force usage. The member in this position shall be appointed by the Chief of Police and the team coordinator.

5. TASK FORCE MEMBERS - The members that hold these positions shall be the field investigators for the task force. They shall work under the direction of the coordinator, director and leader when on call outs. They shall be assigned to investigations by the coordinator. These members shall be appointed to the task force by the coordinator, director and leader.

ARTICLE

RULE

A. It shall be the responsibility of the shift supervisor or the shift officer in charge to cause the Major Crimes Task Force to be called out if and when an offense occurs that fits the categories listed this guideline. The task force can be called out through the dispatcher or the personal page system. The initial request and notification shall be made immediately to the Chief of Police, team coordinator, team director and team leader. If it is known that the photographer is immediately needed, the photographer can be requested. Once the Chief of Police or the first task force officer arrives on the scene, they shall determine how many more members need to be called out.

B. The scene of the offense shall be immediately secured from unauthorized personnel. The personnel first on the scene shall insure that this is immediately accomplished by whatever means necessary.

C. If a obvious death has occurred only (1) one medical personnel shall have access to the crime scene. This individual shall be under the direction of the official in-charge at the scene. The medical personnel shall check for signs of vital signs, and the official in-charge at the scene shall document the time.

D. The supervisor or the officer in-charge of road patrol when the incident occurred shall be the member responsible for carrying the actual police division offense report. The report shall be completed before the end of the officers tour of duty.

E. In the event of a homicide the supervisor in-charge of the shift shall be notified if they are off of duty and they shall be required to come in to work. Shift designation times shall be made by the Chief of Police by written directive.

F. When a homicide investigation is being conducted the following paperwork shall be filed. All originals shall be kept in the custody of the task force director until the conclusion of the case. The coordinator or lead investigator shall prepare a homicide investigation book to be utilized in the case persecution. The book will contain copies of all of the information listed below and copies of any paperwork that the coordinator or lead investigator feels that should be present in the book. Original copies of pictures shall go into the book. Copies of the following;

- a. Offense report
- b. Summaries
- c. E.M.S./Medic report
- d. Evidence submissions
- e. Transcribed statements
- f. 527 - 527A
- g. Transcribed defendant Stat.
- h. Supplemental reports
- i. Coroners report
- j. Property sheet
- k. Witness statements
- l. Rights waivers
- m. Defendant statement
- n. Miscellaneous (prints, search war. ect)
- o. Photographs (scene, victim, evidence, property, ect.)

G. Investigations other than homicides that are investigated by the Major Crimes Task Force shall be processed the same as listed in section XLI, article and rule F thru (F-o). Copies of this paperwork shall be placed into an investigative folder for the coordinator or the lead investigators use during the duration of the case and the originals shall be filed with the task force director for storage.

H. If a defendant that is wanted by the major crimes task force does not occur during the course of the initial investigation, the shift officer that arrest the defendant shall transport the defendant to the Lincoln Heights Police Division promptly. The shift officer shall not read the defendant their Miranda rights, ask the defendant any questions, permit the defendant any phone calls, allow the defendant any visitors or leave the defendant unattended at any time. The shift supervisor or the officer in charge of the shift shall immediately notify the task force coordinator and the lead investigator of the case. The coordinator or the lead investigator shall implement these items

I. All task force members that respond on a callous shall have visible their division badge and identification. A shirt or jacket with the proper identification shall be worn. Members must utilize authorized weapon, and handcuffs.

J. Follow-up investigations can be conducted in appropriate apparel or division uniform.

K. If high risk arrest are unavoidable the coordinator shall advise the Chief of Police and a decision shall be made to utilize the police division Rapid Advancement Team or the Hamilton County S.W.A.T. team. If the need arises we shall utilize the appropriate section as listed in these policies and procedures.

L. When on a call out or follow-up investigation the following radio call signs shall be utilized by task force members already assigned a permanent radio call assignment;

- A. COORDINATOR - 7Q70
- B. DIRECTOR - 7Q71
- C. LEADER - 7Q72
- D. PHOTOGRAPHER - 7Q79
- E. ALL OTHER MEMBERS AS THEY RESPOND IN SHALL UTILIZE 7Q73 THRU 7Q78.

M. The task force coordinator, director, leader and photographer shall be notified to respond to all major crimes task force call outs. The first supervisor or the officer in charge shall cause this to be done.

POLICIES AND PROCEDURES

DRUG AND VICE TASK FORCE SECTION XLIII

SCOPE:

To enable the prompt and thorough investigations of all complaints of drug and vice activities within the Village of Lincoln Heights.

INTENT:

It shall be the intent of all members of the vice and drug unit to complete thorough and accurate investigations into the illegal drug and vice activities that occur within the Village of Lincoln Heights. The task force shall utilize all of the unto date and acceptable methods for the investigations. The task force shall follow and utilize all of the latest laws as they are written in the Ohio Revised Code and the Village of Lincoln Heights Municipal Codes.

STRUCTURE:

The Drug and vice task force shall consist of the following members;

1. DRUG TASK FORCE COMMANDER
2. DRUG TASK FORCE DIRECTOR
3. DRUG TASK FORCE MEMBERS (10 MAXIMUM)

1. DRUG TASK FORCE COMMANDER - This member shall have the responsibility of overseeing the program. All drug investigations shall be approved by the commander prior to their being conducted. The commander shall be responsible for reporting only to the Chief of Police. The commander has the authority to conduct working relationships with any outside agency, local, state or federal. The Chief of Police shall be notified of any such investigations as soon as possible. All such investigations shall remain confidential to all other division members. This member shall also control and keep secure all confiscated illegal drugs and property and keep a written control log. The Chief of Police shall keep a control key to the property room and shall not sign in or out drugs or property without proper authorization of the property officer. This position shall be appointed by the Chief of Police

2. TASK FORCE DIRECTOR - This member shall be responsible to assist in coordinating the activities of the drug and vice task force. The member shall report directly to the task force commander and be in-charge during their absence. This position shall be appointed by the Chief of Police and the task force commander.

3. TASK FORCE MEMBER - These members shall be responsible for conducting all assigned cases of illegal drug and vice investigations that are received by the task force. These members shall report directly to the commander and the director of the unit when on official investigations. The members of the task force shall not exceed (12) twelve. These members shall be appointed by the Chief of Police, the commander, and the director.

ARTICLE

RULE

A. Any reports of drug activity that will require a prolonged drug investigation or the expenditure of divisional funds, shall immediately forwarded to the drug investigative unit for action. It shall be forwarded in the form of a written report.

B. All request for funds that are to be expended for drug or vice operations are to be requested from the Chief of Police on the appropriate police division form before the funds will be approved.

C. All U.S. or other currency that is seized by the drug and vice unit while on investigation shall be turned in to the appropriate agency for forfeiture process. A written report of the funds and the incident shall be forwarder to the Chief of Police within (48) hours of the seizure.

D. All property seized in drug and vice operations once it is awarded to the Police Division by the proper procedure, shall be disposed of at a public auction. This shall exclude firearms.

E. Drug and vice operations shall be classified and confidential information at all times. Information relating to these investigations shall not be discussed with non-task force members.

F. All illegal drugs that are confiscated by the drug and vice unit shall be logged into the police division property room as soon as possible. (48) forty eight hours shall be considered as a reasonable time to have all illegal drugs logged into the police property room.

G. All illegal drugs shall be transported to the criminal identification laboratory by the evidence control officer. Upon unavailability of the evidence control officer, the individual that is assigned that task shall transport the evidence.

H. All motor vehicles that are impounded due to illegal drug activities or for forfeiture proceedings shall be towed to the authorized Village impound lot for storage until a disposition is received. App appropriate paperwork must be completed on the vehicle and if required forwarded to the appropriate agency for further disposition.

I. All complaints that are received against establishments within the jurisdiction that have valid Ohio Department of Liquor Control permits shall be forwarded to the Chief of Police and they shall then be forwarded to the Ohio Department of Liquor Control Enforcement Division for disposition.

J. Any violations or infractions of illegal drug activity that occurs in housing units that are Federally owned or subsidized will have a written incident report filed with the Chief of Police. The report shall be then forwarded to the appropriate agency for disposition.

K. Any shift supervisor, officer in-charge or officer that shall receive a call from a drug or vice unit confidential informant or operative shall take a message. The message shall be immediately relayed to the appropriate task force member. NO NAMES are to be transmitted over any division radio. The employee taking the message shall not attempt to solicit any information from the individual calling on the phone for any reason.

L. Unless it can be positively confirmed as to the identification of the individual requesting, NO personal information on any member of the drug or vice unit shall be given out to anyone.

M. At any time that the Police Division Rapid Advancement Team (RAT) is called out or placed on standby for any reason, the Chief of Police or during his approved absence the individual that has been designated as "In Charge", MUST be notified. To initiate a call out of the (RAT) unit prior approval Must be given by the Chief of Police before the call out can be initiated.

POLICIES AND PROCEDURES

EMPLOYEE PERSONAL HYGIENE AND
PERSONAL GROOMING STANDARDS

SECTION XLIV

PURPOSE:

To insure that employees personal appearance, hygiene and grooming habits are neat and clean and that they do not conform directly to any type of improper, immoral or indecent conditions. Employee's of this division must always maintain the police division's acceptable policies for the maintenance of their hair, facial hair, body odors, finger nails, ears and any accessories that can be utilized in or upon these areas.

ARTICLE

RULE

A. Employee's of the police division shall keep their bodies clear of dirt, filth and foul body odors at all times when they are on duty.

B. Employee's of the police division shall keep their finger nails clean and free of debris at all times when on duty. Finger nails shall be kept trimmed so as not to interfere with the officers job performance.

C. Uniformed officers while on duty shall not have fingernails that have items embedded in or on the nail area. Fingernails are permitted to be one color only. Multi colored or glittered fingernails are not permitted.

D. Female gender police division employees will only be permitted to wear one earring per ear while on duty. The earring may not extend over the earlobe. No loop type earrings are permitted. Gold, silver or clear earrings are the only type that may be worn while on uniform duty assignment.

E. Male gender employees are not permitted to wear earrings while on uniform assigned duty.

F. Employees that have moustaches and are assigned to uniform details will keep them neat and trimmed. The hair on the lip shall not extend over the top crest of the lip nor shall it extend past the "V" crease in the side of the employee's mouth.

G. Employee's of the police division that have sideburns shall not permit them to grow vertically down past the entrance to the ear canal. Side burns shall only be permitted to grow horizontally as long as the length of the employee's hair on the head.

H. Employee's of the police division shall not be permitted to have any facial hair with exception of moustache as per the rules in this section. Employees shall report for uniform assignments with clean shaven faces. Employees that have a skin impairment that permits them from shaving must have a physicians excuse prior to reporting for their tour of duty.

I. Police division employee's hair upon their head must be kept neat, clean and free of vermin and smell while they are on duty.

J. Female gender police division employee's hair when worn in the down position shall not extend down vertically lower than the bottom of the ear lobes. Any hair style that proceeds past the ear lobe must be pinned or tied up on top or to the rear of the employee's head. The hair must be styles so that the employee can wear their uniform dress hat.

K. Female gender police division employee's will not be permitted to wear the below listed hair styles while on uniform assignment;

1. Corn row braids
2. Dread Lock's
3. Lock's
4. Spiked hair
5. Hair styles that cover the eyes
6. Hair styles with beads or foil

L. Female gender police division employees are only permitted to wear items in their hair that are necessary to keep it neat and in place. The items must be the color of the employee's hair or the color of the division approved uniform.

M. Male gender police division employee's must hair upon their head if worn down shall not be permitted to extend vertically down on the sides lower than the top of the ears, in the rear not vertically lower than the bottom of the ear lobes and in the front not vertically down within (1) one inch of the eyebrows.

N. Male gender police division employees are not permitted to wear items in the hair on their head. Inscriptions cut into employee's hair may not be offensive, defamatory or relate to any gang, religious anti semantic, racial or ethnic entities or groups.

O. Male gender police division employee's are not permitted to wear the below listed hair styles while on uniformed assignment;

1. Corn row braids
2. Plait or braided
3. Dread lock's
4. Lock's
5. Pony tails
6. Spiked style
7. Mohawk style

P. Employee's of the police division shall not be permitted to wear the hair upon their head in bright died colors.

Q. Employee's of the police division shall not be permitted to wear earrings or any type of piercing jewelry or items anywhere upon the body with exception of one per ear as listed in this section while on uniformed assignment.

R. Employees of the police division shall not be permitted to wear any non-medical bracelets, bangles or necklaces while on uniformed assignments. Gold chains are permitted to be worn as long as they are concealed under the approved division uniform.

S. Employee's of the police division that wear eye glasses shall be permitted to do so while on duty. Prescription eye glasses, sun glasses or clip on sun glasses are acceptable. Eye glasses or sunglasses that have extra ordinary designs, neon or bright colored frames, unusual or extra ordinary shapes or figures on them shall not be permitted for wear by on duty employee's assigned to uniform duties.

POLICIES AND PROCEDURES

EMPLOYEE GARNISHMENTS AND
CIVIL ACTIONS
SECTION XLV

PURPOSE:

It is the purpose of this section to insure that employees of the Village take responsibilities for the personal debts that they have and to place no additional work load on other Village departments.

ARTICLE

RULE

A. Employee's of the police division that receive wage garnishments through the Village finance office that require payroll deductions shall be governed and all appropriate penalties that exist in the Village of Lincoln Heights Code of Ordinances title 37, the latest and most updated edition.

B. Employees of the police division that receive wage garnishments that have payroll deductions through the Village finance office will be disciplined.

C. Employee's of the police division are required to report all civil actions filed against them immediately. The actions shall be reported in writing no later than (120) hours of the employees receipt of the official notice of the civil actions.

D. Employee's of the police division that file civil litigation against the Village of Lincoln Heights shall not work on active duty during the duration of the civil action. Employee's shall be off without pay until the conclusion and final decision of the civil actions.

POLICIES AND PROCEDURES

CONFORMANCE TO LAW -
MISAPPROPRIATION OF PROPERTY
SECTION XLVI

PURPOSE:

To insure continued professional and legal conduct and to prohibit misappropriation of property by employees of this division.

ARTICLE

RULE

A. No employee shall commit any type of theft as defined in the Ohio Revised Code.

B. No employee shall take control of abandon or lost property and convert it into their own personal use. Nor shall they otherwise dispose of property for their own or another's benefit, in relation to their duties or in connection with this division.

C. With the exception of vehicles or other large items, employees of the police division will mark and/or tag all property in their possession. As soon as is feasible, the property shall be delivered to the assigned property officer of the Lincoln Heights Police Division. The items shall be listed on the appropriate report.

D. Employee's of the police division shall not take possession of or otherwise dispose of abandon vehicles, their parts or contents. Such vehicle's shall be towed to the divisions designated secure towing area for safe keeping.

E. The employee that is responsible for having the vehicle towed to the secured towing area shall complete all necessary towing reports, offense reports and recovery reports that are necessary and the vehicle shall be entered as towed into the patrol blotter and the division tow book.

POLICIES AND PROCEDURES

ADMINISTRATIVE RULE -
SEXUAL HARRASSMENT OF EMPLOYEES
SECTION XLVII

PURPOSE:

To insure the proper ethical and humane treatment of employee's of the opposite gender while the employee is in the official work capacity within the police division. To insure that sexual harrassment activities do not occur while on duty in an official capacity.

ARTICLE

RULE

A. Employee's of the police division while on duty shall not make sexually or gender offensive remarks or jokes to another employee.

B. Employee's of the police division shall not physically touch employee's of the opposite gender in any place or manner that is offensive to the employee.

C. Employee's of the police division shall not make remarks in reference to employee's private or sexual organs or body parts.

D. Employee's of the police division shall not draw, cause to be drawn, solicit or distribute and items or materials that are sexually offensive to other employee's.

E. Employee's of the police division shall not have sexual relations with each other on or off of regular duty.

F. All police division reports of sexual harrassment must be immediatly submitted in writing to the Chief of Police. A hearing with the Chief of Police and The parties involved will be Held within (5) five days of receipt of the complaint. An investigation shall be conducted by the Chief of police and the findings forwarded to the Village Manager within (5) five days of the hearing for a disposition.

G. Any police division employee's that are deemed responsible for an act of sexual harrassment that stays in the employ of the Village will be required to have sexual harrassment counseling prior to returning to active duty. The employee shall be responsible for all cost of the counseling and must bring written proof of completion and payment upon return.

EEOC Sexual Harassment

Regulations

Section 1604.11 Sexual harassment:

a) Harassment on the basis of sex is a violation of Sec. 703 of Title VII.* Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

b) In determining whether alleged conduct constitutes sexual harassment, the Commission will look at the record as a whole and at the totality of the circumstances, such as the nature of the sexual advances and the context in which the alleged incidents occurred. The determination of the legality of a particular action will be made from the facts, on a case by case basis.

c) Applying general Title VII principles, an employer, employment agency, joint apprenticeship committee or labor organization (hereinafter collectively referred to as "employer") is responsible for its acts and those of its agents and supervisory employees with respect to sexual harassment regardless of whether the specific acts complained of were authorized or even forbidden by the employer and regardless of whether the employer knew or should have known of their occurrence. The Commission will examine the circumstances of the particular employment relationship and the job functions performed by the individual in determining whether an individual acts in either a supervisory or agency capacity.

d) With respect to conduct between fellow employees, an employer is responsible for acts of sexual harassment in the workplace where the employer (its agents or supervisory employees) knows or should have known of the conduct, unless it can show that it took immediate and appropriate corrective action.

e) An employer may also be responsible for the acts of non-employees, with respect to sexual harassment of employees in the workplace, where the employer (its agents or supervisory employees) knows or should have known of the conduct and fails to take immediate and appropriate corrective action. In reviewing these cases the Commission will consider the extent of the employer's control and any other legal responsibility which the employer may have with respect to the conduct of such non-employees.

f) Prevention is the best tool for the elimination of sexual harassment. An employer should take all steps necessary to prevent sexual harassment from occurring, such as affirmatively raising the subject, expressing strong disapproval, developing appropriate sanctions, informing employees of their right to raise and how to raise the issue of harassment under Title VII, and developing methods to sensitize all concerned.

g) Other related practices: Where employment opportunities or benefits are granted because of an individual's submission to the employer's sexual advances or requests for sexual favors, the employer may be held liable for unlawful sex discrimination against other persons who were qualified for but denied that employment opportunity or benefit.

*The principles involved here continue to apply to race, color, religion or national origin.

(End of Official Text)



FACTS ABOUT SEXUAL HARASSMENT

Sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when submission to or rejection of this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment.

Sexual harassment can occur in a variety of circumstances, including but not limited to the following:

- * The victim as well as the harasser may be a woman or a man. The victim does not have to be of the opposite sex.
- * The harasser can be the victim's supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non-employee.
- * The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.
- * Unlawful sexual harassment may occur without economic injury to or discharge of the victim.
- * The harasser's conduct must be unwelcome.

It is helpful for the victim to directly inform the harasser that the conduct is unwelcome and must stop. The victim should use any employer complaint mechanism or grievance system available.

When investigating allegations of sexual harassment, EEOC looks at the whole record: the circumstances, such as the nature of the sexual advances, and the context in which the alleged incidents occurred. A determination on the allegations is made from the facts on a case-by-case basis.

Prevention is the best tool to eliminate sexual harassment in the workplace. Employers are encouraged to take steps necessary to prevent sexual harassment from occurring. They should clearly communicate to employees that sexual harassment will not be tolerated. They can do so by establishing an effective complaint or grievance process and taking immediate and appropriate action when an employee complains.

POLICIES AND PROCEDURES

FORCIBLE ENTRIES INTO
BUSINESSES AND RESIDENCES
SECTION XLVIII

PURPOSE:

To insure that police division personnel utilize safe practices when entering a business or residence that is secured and entry is necessary for official business.

ARTICLE

RULE

A. Shift supervisors or shift officer in charge MUST be present at the scene and give prior approval for police division personnel to make forcible entry into any business or residence within the village.

B. The police division shift supervisor or shift officer in charge shall determine if a true and urgent reason exist to make forced entry into a business or residence. All attempts must be made to contact the property owner or an authorized key holder prior to making forced entry.

C. If forced entry is deemed necessary and is implemented, the shift supervisor or the shift officer in charge shall cause the structure to be secured or a patrol officer shall be left at the scene until it can be secured or control relinquished to the property owner or agent.

D. If entry is gained and damage is caused to the property the shift supervisor shall take pictures of the damage and submit a written report of the damages caused and the reason for the forced entry.

E. If a true and current situation is visible in the business or residence the shift supervisor or the shift officer in charge shall make immediate entry to suppress the emergency.

F. If police division employee's determine that it's necessary to call out the fire or E.M.S. division to assist with entry, the police division shall continue to assume responsibility and control of the property until it can be secured or relinquished to the owner or agent.

G. If forced entry is necessary on an official division search warrant, the task force commander that will be executing the search warrant shall be responsible to insure that the property is secured and to comply with the procedures listed in this section.

POLICIES AND PROCEDURES

ADMINISTRATIVE RULE - OFF DUTY DETAILS SECTION II

PURPOSE:

To insure that when employee's of the police division are needed to work special details that are not their regularly scheduled or assigned shifts that proper control is maintained over the employee's. This covers details that are not paid by the Village of Lincoln Heights.

A. All employee's of the police division that receive request for off duty details to be performed must have prior approval from the Chief of Police before they will be authorized. The request must be submitted in writing and a written authorization returned. The request must contain the below listed information or it will be rejected;

1. Wage to be paid to employee
2. Location of detail
3. Number of employee's requested
4. Name of group or person needing services.
5. Hours of detail
6. Reason for detail
7. Type of services needed
8. Equipment needed for detail

B. Fixed location off duty details that are requested through the police division shall be posted by the employee that is charged with the administration of the off duty program.

C. All division policies and procedures apply when police division employees are on duty at an off duty detail assignment.

D. When a police division employee reports to work for an off duty detail, the shift supervisor or officer in charge shall be notified of the detail and the information before the employee response to the detail location.

E. Shift supervisors and officer's in charge at the end of their shift shall notify the oncoming shift supervisor or officer in charge if any officers are on duty at off duty detail locations.

F. Officers that work off duty details that are not assigned permanent radio identification numbers shall utilize the 7Q50 thru 7Q59 designation when working the off duty details.

G. Employee's of the Lincoln Heights Police Division are not permitted to work off duty details outside of the boundaries of the village of Lincoln Heights without prior written permission of the Chief of Police in which the off duty detail is to be performed.

H. Employee's of the police division that sign up for off duty details are required to work the details. Officers that are not available to work assigned off duty details after they have signed up to work them must call off from work as required in section IV of these policies and procedures.

I. Employee's who fail to follow proper procedure for calling off from off duty details will be disciplined and they will not be permitted to work off duty details for thirty days from the date of the detail that they missed. The notification shall be made to the shift supervisor who will notify the employee that is in charge of administrating the off duty details.

J. Police division vehicles can only be utilized for off duty details with the permission of the Chief of Police. Individuals requesting the vehicles for off duty details will be billed at the rate for vehicle use as established by the village of Lincoln Heights. Employees are required to utilize their private vehicles for all details where division vehicle use has not been approved.

K. When more than (1) one employee is required to work an off duty detail all employees must wear the same uniform at the detail. The police division uniform of the day shall be utilized unless prior arrangements to deviate from the uniform of the day have been made with the Chief of Police.

L. The Village of Lincoln Heights will pay no overtime benefits, medical benefits, retirement benefits, compensatory time benefits, death benefits, income tax benefits or any other benefits that the village offers when an officer is working on an approved off duty detail. Workers compensation can be applied for, however it is the decision of the Bureau of Workers Compensation to make the decision on payment of all claims.

M. Employee's are permitted to utilize divisional radios for off duty details with the permission of the shift supervisor and officer in charge. Employees shall conform to all sections of these policies and procedures when utilizing the division equipment.

N. The Chief of Police shall set the hourly rate for all off duty details and all be paid at this rate no other hourly rate can be accepted. The Chief of Police can approve a fixed rate for a specific detail prior to working it.

POLICIES AND PROCEDURES

ADMINISTRATIVE RULE -
STATE OF EMERGENCY DECLARATION
CIVIL DISTURBANCE, NATURAL DISASTER,
PRESIDENTIAL DECLARATION
SECTION LI

PURPOSE:

It is the intent of these procedures to instruct police division personnel of their responsibilities during civil disturbances, natural disasters, declarations of war or governmental state of emergency declarations. An official state of emergency must be designated by the President of the United States or the official designate, The Governor of the State of Ohio or the official designate or The Mayor of the Village of Lincoln Heights or the official designate. The state of emergency must directly have an effect on the official boundaries of the village of Lincoln Heights.

ARTICLE

RULE

A. Once a state of emergency has been imposed by the appropriate authority, all police division employee leaves and off days shall be cancelled until further written notice from the Chief of Police.

B. The Chief of Police or the Acting Chief of Police designate shall have the authority to adjust the schedule of all employees when a state of emergency has been declared that covers the Village of Lincoln Heights and the Villages bordering communities.

C. When police division employee's are called in due to state of emergency declarations that have been issued the employee's shall shall not work more that (12) twelve hours per shift unless they shall be defending the village police station or village offices. Officers shall be paid at a rate of time and one half for all time that they are required to work when called in during an official state of emergency.

D. If employee's are not permitted to go from work to their residence, the police division shall provide adequate boarding, facilities and meals at the police station.

E. During times of declared state of emergencies only approved personnel shall be permitted into the police station for any reason.

F. During a state of emergency declaration at anytime that a response or a response to an Emergency Medical detail should occur, a police unit must accompany the emergency units to the scene and remain with the units until they clear the scene. Only extreme emergency situations will be handled.

G. If the National Guard, Army Reserves or the United States Army is activated to respond into the Village of Lincoln Heights during a state of emergency declaration, the Chief of Police or his designate and the Commanding Officer of the Military unit shall be in joint command of the incident.

H. Employee's of the police division shall ride or patrol with a minimum of (2) two officers per vehicle and when necessary additional assistance from the Military units or mutual aid assistance.

I. During a state of emergency declaration that has been made due to civil disturbances all request for service shall have attempts to be verified before responses are made to them. The communications center can assist with the verifications through the 9-1-1 system.

J. If the situation warrants employee's of the police division do not have to utilize the division uniform of the day when a state of emergency has been declared, however employee's must be clearly and distinctly marked with the "POLICE" on their person and the employee must display a visible division badge.

K. Once a state of emergency has been declared the police division has the authority to close operations of any and all businesses during the state of emergency declaration, halt all sales of alcoholic beverages and institute a curfew at anytime that is required to keep the peace and security within the village of Lincoln Heights.

L. Once a state of emergency has been declared and the declaration requires the Lincoln Heights Police Division to be placed on active status, all employee's of the police division MUST report to work at the police division within (60) sixty minutes of receiving the notification of the declaration of the state of emergency.

M. The shift supervisor or the shift officer in charge will cause a general personal page to be sent to all members of the Lincoln Heights Police Division immediately upon notification that the state of emergency has been declared. It is the responsibility of the authorized individual declaring the state of emergency to activate the appropriate media of the state of emergency and it's terms.

POLICIES AND PROCEDURES

BICYCLE PATROL AND USAGE
SECTION LII

PURPOSE:

To establish safe and approved practices for operating, maintenance and handling bicycles while on and off duty within the Lincoln Heights Police Division.

ARTICLE

RULE

A. In all hazardous areas where bicycle patrol is to be utilized, the officers will ride in patrols of two bicycle units. Non-hazardous areas or special events are permitted to be patrolled by single units with the permission of the shift supervisor or the officer in charge.

B. All officers that participate in the bicycle patrol while riding on duty shall wear the approved police division uniform and safety equipment that is authorized for bicycle patrol.

C. At anytime that one police division employee is on single officer bicycle patrol, the officer is not permitted to leave the police division bicycle out of their immediate visual site. Employee's shall only engage in a foot pursuit that is out of visual contact with the bicycle if the unit is a two person unit. One member of the unit must stay with the bicycles at all times.

D. Bicycle patrol officers shall not fire their weapons while the bicycle units are in motion. The bicycle shall be stopped, appropriately dismounted and at this time the appropriate action for deadly force utilized per the police division "Use of Force Policy".

E. Any damage to or maintenance required on the bicycle units shall be reported to the shift supervisor in writing immediately. The shift supervisor will then forward a copy to the Chief of Police.

F. At anytime that police division bicycles are to be left out of site of the riding officers, the bicycle must be properly secured and locked. At anytime the police division bicycle is at public owned or operated property the bicycle unit shall be placed inside when not used on a detail.

G. The bicycle patrol unit shall be administered by a police division employee that is appointed and removed by the Chief of Police. The appointed individual shall be titled as the "Bicycle Unit Team Leader".

H. Police division employee's that are on bicycle patrol shall not enter into any motor vehicle pursuits with their bicycles. The unit members shall stay in a specific area in the event that a foot pursuit shall occur as a result of the motor vehicle pursuit.

I. Police division employee's assigned to bicycle patrol shall not permit any type of riders on their bicycles for any reason.

J. Employee's of the police division that are on patrol bicycle shall maintain reasonable control of their bicycle unit at all times. Operator's of the bicycle units are required to obey all of the necessary laws and statutes that are applicable to the operations of the bicycles. Bicycle units must be operated with due caution when operating officers are responding to emergencies.

K. Unless prior approval by the Chief of Police has been given, no overtime shall be paid, or compensatory time issued for the operation of bicycle patrols. Patrols shall be a regular part of shift patrol. The shift supervisor or the shift officer in charge has the authority to authorize or disapprove bicycle patrol for the shift only.

L. If a police division employee that is on bicycle patrol should come under hostile situations, gun fire, attack by a motor vehicle or any other extremely hazardous situation, the officer shall immediately abandon the bicycle and seek immediate cover either in or out of the area. Attempts can be made to recover the bicycle at a later time.

POLICIES AND PROCEDURES

ADMINISTRATIVE RULE -
POLICE STATION MAINTENANCE
AND CARE
SECTION LIII

PURPOSE:

To insure proper care of and notification for maintenance to the police station. To maintain a level of security and screened access into the police station at all times. These rules and procedures shall also apply to the operations of the police division sub-station.

ARTICLE

RULE

A. All exterior doors to the police station shall remain locked at all times to promote security of the station. The last individual that leaves out of the station shall see that the station is completely secured.

B. Offices within the police division that are not utilized shall have the lights turned off when not in use.

C. The buildings of the Lincoln Heights Police Division are "NON SMOKING FACILITIES". Smoking shall not be permitted inside of any division buildings, at anytime, by anyone. Smoking will only be permitted on the outside of the building.

D. Non police division personnel shall not be permitted in the following areas of the police station for any reason;

- A. Teletype area.
- B. Jail area
- C. Locker room area
- D. Property room area

E. Police division employee's shall be responsible for minor maintenance of the police station. Items such as paper on the floor, discarding meal packages, drink containers, newspapers and emptying of the paper shredder shall be performed by the shift officers. Major maintenance is to be performed by the appropriate village staff.

F. Repairs of items at the police station shall be placed in writing and submitted to the shift supervisor or the shift officer in charge, the supervisor or officer in charge shall then submit them to the Chief of Police

G. Unauthorized persons shall not be permitted in the police station without the permission of the shift supervisor or officer in charge that is on duty and in charge of the shift.

H. Animals that are not authorized and approved police division animals will not be permitted in the police station for any reason, at anytime.

I. Police division employee's that create hazardous situations, cause or create waste or litter situations or spillage conditions, must clean them up immediately upon their occurrence.

J. Employee's of the police division shall not allow paperwork to accumulate in their assigned police division mail slot for longer than (48) forty eight hours without removing the items.

K. Employee's of the police division shall not leave their personal or division issued equipment laying around unattended in the police station for any reason.

L. Employee's of the police division shall not bring items into the police station that are hazardous, extremely soiled, leaking, that emanates odors, that contains vermin or disease and that could cause illness or harm to others in the police station.

M. Key's that are issued to employee's of the police division for the police station and village hall shall not be copied without the permission of the Chief of Police.

N. Male gender employee's shall not be permitted in marked and authorized use areas for female gender employee's for any reason at anytime. If a true and urgent emergency shall exist the male employee shall document the reason for entry and submit it to the shift supervisor or the officer in charge.

O. Female gender employee's shall not be permitted in marked and authorized use areas for male gender employee's for any reason at anytime. If a true and urgent emergency exist the female employee shall document the reason for entry and submit it to the shift supervisor or the officer in charge.

P. Police division employee's are not permitted to sit in the patrol station and watch the television. If the employee is at approved lunch the television can be utilized or if an approved training session is to be watched on the television. The television must be turned off after each usage.

POLICIES AND PROCEDURES

ADMINISTRATIVE RULE - PROPERTY AND EVIDENCE ROOM MANAGEMENT SECTION LIV

PURPOSE:

To insure adequate, proper, lawful and legal control of all property and evidence recovered or seized by the Lincoln Heights Police Division.

ARTICLE

RULE

A. The property and evidence room that is located within the Lincoln Heights shall be a high security area. The police division employee assigned by the Chief of Police shall have the only key access to the property and evidence room. The Chief of Police shall maintain a control key to the property and evidence room for emergency situations only.

B. All property and evidence shall be signed in and out of the property and evidence room by utilizing the approved police division forms and the correct chain of evidence custody procedures.

C. Property and evidence shall only be signed out of the property room by the employee assigned to operate the property and evidence room by the Chief of Police. The employee responsible for property and evidence room administration shall be called the "Property and Evidence Officer".

D. Property returned to individuals out of the property room shall only be returned to the individual that the property belongs to. This individual will be the individual listed on the property receipt. If property must be returned do another not listed on the property receipt, a notarized request stating who will be authorizes to pick up the property shall be submitted to the police division by the individual listed on the property receipt.

E. Currency shall only be maintained in the police division property room as long as necessary to complete the case or the investigation. As soon as a determination has been made, the currency shall be submitted to the appropriate agency for disposition, disposal, return or distribution.

F. All illegal drugs that are disposed of out of the police division property room shall be done so under court order. Illegal drugs may only be disposed of by accepted, legal and authorized means.

G. Weapons that are seized by the police division shall only be disposed by written court order. They shall only be disposed of in one of three methods;

1. FOR POLICE USE - The weapons must be used by the police division or by a member of the police division and upon their leave from the police division the weapon must be returned to the police division. The weapon can not be traded or sold by police division employee.

2. SOLD OR TRADED TO LICENSED GUN DEALER - The weapons may with an ordinance or resolution of authorization from the Village of Lincoln Heights council and the approval of the Chief of Police be sold or traded to a licensed gun dealer for currency to be given to the village or traded for training or additional weapons for police division use.

3. DESTROYED - The weapons shall be permanently disabled and destroyed so that they can not be utilized again. They can be disabled and rendered inoperable so that they can be placed on display for crime prevention or training purposes.

H. Any other property in the property room shall be disposed of by public auction, usage in crime prevention programs, or training programs. All public auctions shall be authorized by an ordinance or resolution from the village council.

I. Property that is auctioned that has been awarded to the police division by the courts as a result of drug arrest or forfeiture shall have all funds received from the auction proceeds returned to the police division drug forfeiture fund for further drug investigations or equipment purchases.

J. Motor vehicles that have been awarded to the police division as a result of drug forfeiture through the court system can be utilized by the police division or disposed of at a public auction with the authorization of an ordinance or resolution of village council and approval of the Chief of Police. Funds from the sale of drug related vehicles seizures shall be returned to the police division drug fund.

K. The property and evidence room shall be audited by the Chief of Police and the property and evidence room manager once per year and a report submitted to the village manager and kept on file.

POLICIES AND PROCEDURES

ADMINISTRATIVE RULE -
AUXILIARY PROGRAM REQUIREMENTS
SECTION LV

PURPOSE:

To have an effective operation for the police division auxiliary program.

ARTICLE

RULE

A. All police division auxiliary members shall work a minimum of (40) hours per month, each month.

B. Police division auxiliary members are not permitted to work longer than (10) ten hour shifts per tour of duty, unless a state of emergency has been declared or with prior approval of the Chief of police.

C. Police division auxiliary members shall receive no compensation for hours worked from the village of Lincoln Heights unless prior written authorization and approval has been received from the village manager, finance director and the Chief of Police.

D. Police division auxiliary members shall be covered by the village of Lincoln Heights through the State Ohio Bureau of Workers Compensation.

E. Police division auxiliary members shall be on probation for a period of (1) one year. At the end of their one year period they shall be passed or failed from probation. Failing probation will result in termination from the auxiliary program. Auxiliary employee's can be terminated at anytime during their probationary period without cause.

F. Police division auxiliary personnel shall conform to all of the policies, procedures, rules regulations and laws of the Lincoln Heights Police Division at all times.

G. Police division auxiliary personnel shall not be permitted to work alone or off duty details until the shift supervisor has released the auxiliary officer for road patrol and completed the appropriate police division forms.

H. Police division auxiliary members shall sign the auxiliary employment agreement prior to starting work.

I. Police division auxiliary members shall within (1) one year of employment have completed all of the necessary state of Ohio certifications and the

necessary training requirements to remain a member of the auxiliary program. The auxiliary member is required to pay all cost associated with the training and failure to get the certifications within one year will result in the auxiliary member being terminated from the program.

J. Auxiliary members are responsible for providing all of their equipment and supplies that are needed for work in the police division. The police division will provide uniform patches, breast badge and hat badge to auxiliary members.

K. Police division auxiliary members are permitted to carry their weapon off duty. The weapon must be concealed. At all times when the weapon is carried the member must have their police division identification and badge on their person. If auxiliary members have an alternate place of employment they shall not wear their weapon while at work at the alternate site. If the alternate site is another location where the employee is empowered to carry the weapon while at work it is permissible. (Ex: Another police division job, security company that has authorized armed post, Ect.)

L. The Chief of Police reserves the right to alter the police division auxiliary program to meet the needs of the police division.

M. The police division auxiliary program shall consist of not more than (25) twenty five active members.

N. Auxiliary police division members are also governed by rules contained in title 37 of the Village of Lincoln Heights Code of Ordinances.

POLICIES AND PROCEDURES

ADMINISTRATIVE RULE -
MISCELLANEOUS REQUIREMENTS,
PROHIBITIONS AND CONDITIONS
SECTION LVI

PURPOSE:

To cover items not previously covered in these policies.

ARTICLE

RULE

A. If the Mayor of the Village of Lincoln Heights declares that a "SNOW EMERGENCY" shall exist within the Village of Lincoln Heights all shift supervisors and shift officer in charge shall direct patrol personnel to respond to radio or telephone dispatched details only. Regular patrol shall be suspended until the snow emergency has been lifted by the mayor.

B. Police division employee's shall not misrepresent themselves, use another's rank or name or utilize false a identity when attempting to make contact, notification or request for service while on or off duty within the police division. This shall include sending alpha messages in the paging system.

C. Police division personnel shall only be permitted to wear their personal pagers on their duty belt or their shirt or pant pockets. Pagers can not be worn on uniform shoulder epaulets at anytime.

D. Police division personnel while on uniform shift duty are not permitted to wear or carry on their person any portable cellular phone that is not the property of the police division or that has not been authorized by the Chief of Police.

E. Any individual that wished to participate in the police division's ride along or observer program must be per approved by the shift supervisor or the shift officer in charge. The shift supervisor or the shift officer in charge has the right to refuse any individual without giving cause or reason to the individual. All individuals that are approved for the ride along program must sign a written rights waiver of liability prior to participating.

F. Police division personnel that have riders that have been pre-approved for the ride along program **SHALL NOT;**

1. Initiate or enter into any motor vehicle pursuit.

2. Permit the individual to assist or be involved with any police division details. (unless life threatening situation)
3. Place the individual at a known risk of physical harm.
4. Permit a non-police certified person to carry a weapon.

G. All persons that participate in the ride along program must be at least (18) eighteen years of age.

H. Police division patrol personnel are required to make written or radio notification to the appropriate village department or outside agency for all of the below listed. Radio notifications must be logged and documented on the officer's daily activity sheet and the police division blotter;

- | | |
|--------------------------|--------------------------------|
| 1. Dead animals | 5. Road hazards |
| 2. Traffic light repairs | 6. Street light malfunctions |
| 3. Street lights out | 7. Code enforcement violations |
| 4. Fire hydrant problems | 8. Loose or stray animals |

I. Police division employee's are required to have their payroll time sheets completed the Sunday immediately after the pay cut-off date that is listed on the work schedule. Employee's must be complete by no later than 18:00 and supervisors must have them approved and submitted by no later than 20:00. Any employee that does not adhere to this section will not be paid until the next regularly scheduled division payroll.

J. Police division employees while on duty shall utilize Military style time on all police division correspondence and reports to minimize time mistakes and confusion.

K. Employee's of the police division shall not alter the posted work schedule without authorization of at least the shift supervisor.

L. Payroll requirements not listed in they policy and procedure are covered in the Village of Lincoln Heights Code of Ordinances and shall be adhered to at all times by police division employee's.

M. Employee's that answer the police division telephone or cellular phone shall answer by stating in the below listed format;

“ Lincoln Heights Police Division, (rank and Last name), How may I help you).

N. Employee's shall promptly and correctly identify themself by last name rank and badge number if requested by an individual while on the telephone or the phone, while on duty or in the police station.

POLICIES AND PROCEDURES

USE OF DEADLY FORCE AND SHOTS FIRED **SECTION LVII**

DEADLY FORCE PURPOSE

O.R.C. 2901-01(B) defines deadly force: "any force which carries a substantial risk that it will proximately result in the death of any person".

In this state, the law recognizes only three circumstances in which an officer may be justified in using his/her firearm in the line of duty:

I. For Self Defense: Deadly force can be used to defend oneself when the following is present:

- a. Victim by the careful and proper use of his/her faculties, has good faith belief and reasonable cause to believe, he/she is in imminent danger of death or great bodily harm and;

His/her only means of escape from danger is to take the life of his/her attacker. The burden of proof for self-defense is on the officer.

II. For the defense of another:

- a. An officer may use that force which the person he is aiding would be able to use in his own defense. If the person who is being aided would be justified in using deadly force to defend himself, then the officer coming his aid is justified in using deadly force.

III. To effect the arrest or prevent the escape of a known felon who has committed an aggravated felony when all other means are insufficient or have failed. The firing of a firearm to prevent the escape or effect the arrest of a known felon has been modified to some extent by court decisions. In dealing with cases concerning the shooting of felons to effect arrest, the courts have considered the type of felony involved to determine justification. In this respect, some felonies have been classified as "serious". As per our policy, they must be aggravated felonies or aggravated felonies witnessed by police division personnel.

A1. "Non-serious" / "Non-Aggravated" felonies: those case involving juveniles or a first offender when it is known to the officer, deadly force shall not be used.

B1. In any use of force situation, especially in the use of deadly force, you must meet the test on the following:

- a. Logical - The force used must be a logical response to the situation under the circumstances of the situation.
- b. Reasonable - Whatever force is used in the situation must be reasonable under the circumstances of the event.
- c. Necessary - The force required in the situation must be necessary to eliminate the threat or prevent the injury that could occur in the incident.

ARTICLE

RULE

- A. A Police officer who fires his weapon in the performance of his/her duty bears many responsibilities. He/she must answer for his/her act and for its result, not only to his or her conscience, but also to his/her superior officers and to the law itself. Morally the matter concerns him/her alone, but his/her conduct as an officer will be judged by his/her superiors and his/her legal responsibility may become a matter for the courts to decide. A Police officer shall be permitted to utilize their weapon;
 - 1. To protect themselves or others from what is reasonable believed to be an immediate threat of death (or near death) or critical bodily harm from another.
 - 2. To apprehend or prevent the escape of an aggravated felony suspect who the officer reasonably believes represents an imminent threat of serious bodily harm or death to the officer or other person(s) when all other means of apprehension are exhausted.
- B. The use of firearms is not authorized by police division personnel for or in any of the following situations:
 - 1. Effecting Arrests: to effect any arrest not involving the use of deadly or aggravated force by any suspect.
 - 2. Warning Shots: An officer shall not fire warning shots in an attempt to induce surrender or submission.
 - 3. Moving Vehicles: Officers should not discharge a firearm at or from a moving vehicle except as the ultimate measure of self defense or defense of another when the suspect is using deadly force by means other than the vehicle.
 - 4. Potential Injury to an Innocent Person: The use of a firearm is prohibited when it appears likely that an innocent person or a bystander may be injured.
 - 5. Suspicion of Crime: Officers should never consider the use of deadly force on mere suspicion that a crime, no matter how serious, was committed or that the person being pursued committed the crime.

6. Self-defense and imminent aggravated threats against self or others shall be the only policy guideline for employing deadly force.
7. Never use deadly force under any circumstances, except as a last resort.
8. Never remove the firearm from the holster, place of containment or storage, unless there is probable and justifiable cause for its use.

PROCEDURE FOR DISCHARGE OF FIREARM

C. The following procedure will be used in every incident of firearms discharged by a Division member, except for authorized target practices, training sessions.

1. Determine the physical condition of any injured person and render first aid when appropriate.
2. Request necessary emergency medical aid.
3. Notify the dispatcher of the incident and location.

D. The officer shall remain at the scene (unless he/she is injured) until the arrival of appropriate investigators. However, if circumstances are such that the continued presence of the officer at the scene might cause a more hazardous situation to develop (violent crowd), the ranking commanding officer/OIC at the scene shall have the discretion to instruct the officer to respond to another, more appropriate location.

E. The officer will protect his weapon for examination and submit said weapon to the appropriate investigators.

F. The officer shall prepare a detailed report of the incident.

G. The officer should not discuss the case with anyone except:

1. Supervisory and assigned investigative or internal investigation personnel.
2. Hamilton County prosecutor's office.
3. The officer's attorney, psychologist, clergy or immediate family.

H. The officer shall be available at all times with appropriate notice for official interviews and statements regarding the case, and shall be subject to recall at any time. The officer will be relieved of duty and placed on administrative leave pending an investigation.

Official Sidearm

Reference:

1. O.R.C. Section 2901.01K, "Law Enforcement Officer"
2. O.R.C. Section 2923.12B, "Carrying Concealed Weapons"
3. O.R.C. Section 2923.15, "Using Weapons While Intoxicated"

I. The official "on duty" firearm used by Police Division road patrol officers and supervisors will be a semi-automatic weapon that is authorized by the Chief of Police. For on duty uniform usage only 9MM, 40 ca or 45 ca weapons shall be approved. Authorized duty ammo will only be permitted for use. The make and model shall also be approved by the Chief of Police.

J. The official and approved firearm will be carried by all on-duty personnel.

1. Uniformed officers will carry the division issued firearms, and will wear the division approved holster as issued or prescribed by the division.
2. Plainclothes or investigative personnel will carry a weapon that is approved by the Chief of Police. The weapon shall be carried so that it is secure and consistent with their assignment and dress and so that it will not be visible whenever the employee is outside of the legal boundaries of the Village of Lincoln Heights.

K. Exception to Types and Means of Carrying Firearms

1. Plainclothes and investigative personnel may carry a personally owned firearm on duty that meets the approval of the Chief of Police and on that will meet their specific or particular assignment needs.

a. The personally owned firearm must be of the type listed in Section 4.C.2. or be approved by the Chief of Police with the consent of the range master. The officer must qualify with the firearm.

b. Final approval to carry a personally owned firearm will be given by the Chief of Police.

c. Ammunition used in the personally owned firearm shall be purchased by the employee of the division and approved by the range master prior to its utilization.

d. An officer may submit in writing to his supervisor, a request to carry his personally owned firearm while off duty. If the supervisor approves the request, he will add his comments and forward the information to the range master and Chief of Police.

e. The original request and a copy will be completed by the range master. All copies and the officer's original copy will be distributed to:

1. Personnel Jacket
2. Requesting Officer

L. An officer will carry or have under his immediate control while on duty only the official firearm or its authorized substitution. Exceptions are those firearms coming under his control through official duties: evidence confiscation, etc.

Requirements for off-duty firearms:

M. The carrying of a sidearm while off-duty will be optional to personnel,

1. O.R.C. Section 2923.15 prohibits the carrying of firearms while under the influence of alcohol or any drug of abuse.

- a. Law enforcement officers are not exempt from the prohibition.
- b. Firearms carried while off-duty will be carried concealed on the officer's person.
- c. Off-duty personnel may carry the official firearm or a personally owned approved firearm.
- d. Personally owned firearms must be approved by the Chief of Police with the consent of the range master.
- e. The officer must qualify with the personally owned firearm.
- f. Only ammunition approved by the division in written policy will be used in off-duty firearms.
- g. Officers having permission to carry personally owned firearms might also carry those off-duty.
- h. Final approval will be given by the Chief of Police.

Requirements for Shotguns

N. The issued shotgun will be the Remington or Smith and Wesson, 12 gauge with a barrel length of 18 inches (or other authorized shotguns). The duty load will be carried with (5) rounds of #4 buck or 00 buck. They will be carried with an empty chamber until ready for use.

O. The shotgun will be considered the second offensive weapon to be used only in life-threatening situations or for destruction of large or feral animals.

P. All rules pertaining to the use firearms shall be applied to the shotgun.

Firearms Maintenance and Handling

Q. It is imperative that an officer's firearm be properly maintained. Regular maintenance insures the smooth operation of the firearm in an emergency and also prevents the weapon from deteriorating to the point where it would detract from the appearance of an officer in or out of uniform.

R. Each officer is to be responsible for checking his/her service revolver prior to each tour of duty to insure it is clean, fully loaded and in good working condition.

S. Police division employees shall not leave shotguns in patrol vehicles at the change of the shift unless the on coming shift officer takes personal charge of the shotgun from the off going shift officer.

T. Shotguns shall not be issued to civilians for use under any circumstances.

U. Police division employees shall not under any circumstances relinquish control of their duty weapon or division shotgun. Employees shall not surrender their duty weapon to protect or shield another employee from harm in the event the employee is being held hostage or if the employee has been overpowered.

V. When police division employees come into contact with violent mental patients, all division weapons shall be secured in patrol vehicles or with other officers that will be used a back-up personnel.

Policies and Procedures

Emergency Vehicle Operations Hot Pursuit
Section LVIII

PURPOSE:

To establish guidelines for hot pursuit, requiring emergency operation of departmental vehicles.

I. Definitions; The following definitions apply for the purpose expressed in this policy:

- a. Hot Pursuit - an active attempt by one or more police officers to apprehend a suspect operating a motor vehicle, while the suspect is trying to avoid capture by using high speed driving or other evasive tactics such as driving off a highway making sudden or unexpected movements, or maintaining legal speed but willfully failing to yield to the officer's signal to stop.
- b. Serious Aggravated Felony - a felony that involves an actual or threatened attack which the officer has reasonable cause to believe could result or has resulted in death or serious bodily injury (e.g., aggravated assault, armed robbery with a firearm involved, murder).
- c. Roadblock - any method, restriction, or obstruction utilized or intended for the purpose of preventing free passage of motor vehicles on a highway in order to effect the apprehension of an actual or suspected violator in a motor vehicle.
- d. Primary Pursuing Unit - the police unit that initiates a pursuit or any unit that assumes control of the pursuit.

ARTICLE

RULE

- A. All emergency vehicle operations shall be conducted in strict accordance with existing statutes. Officers engaged in emergency vehicle operations shall utilize both audible (siren) and visual (emergency lights) emergency warning equipment when engaged in hot pursuit.
- B. All personnel operating departmental vehicles shall exercise due regard for the safety of all persons. No assignment shall be of such importance, and no task shall be expedited with such emphasis, that the principles of safety become secondary. There are no tasks in the department of such importance that they justify the reckless disregard of the safety of innocent persons. Departmental personnel will be held strictly accountable for the consequences of their reckless disregard for the safety of others.

C. Hot pursuit is justified only when the officer knows prior to the implementation and start of the vehicle pursuit or has reasonable grounds to believe the suspect presents a clear and immediate aggravated threat to the safety of other motorists; has committed or is attempting to commit a serious aggravated felony; or when the necessity of immediate apprehension due to the aggravated circumstances outweighs the level of danger created by the hot pursuit, as in the case of a serious traffic violation such as DUI pursuits shall not be initiated. (Ref; CALEA 41.1.8, bullet one).

D. Police division personnel shall not initiate a motor vehicle pursuit for any traffic violation or any offense that is not an aggravated felony offense prior to the initiation of the pursuit.

Initiating/Primary Unit Responsibilities

E. The responsibility for the decision to initiate hot pursuit rests with the individual officer with approval from the shift supervisor or the shift O.I.C. The officer initiating a pursuit shall, in all cases, notify the communication center as soon as reasonably possible that a pursuit is underway and provide the following information:

1. Police unit identification.
2. Location, estimated speed, and direction of travel.
3. Vehicle description, including license number, if it is known or visible.
4. The exact reason for the pursuit, including known laws violated or criminal charges.
5. Number of occupants in the vehicle.
6. If an officer safety situation exist with the occupants of the pursuit.

F. Failure to provide the above information may be cause for the commanding officer, the officer in charge, or the shift supervisor to order termination of the pursuit.

G. The initiating or primary unit shall be in initial command, and bear all operational responsibility for the pursuit unless relieved by a supervisor or officer in charge.

H. The authority of the primary unit pertains to the immediate field operation and is, at all times, subordinate to the command of the field supervisor, commanding officer and the officer in charge.

- I. The primary unit may maintain pursuit as long as it is safe to do so, or until directed to terminate the pursuit by a supervisor, or the suspect is stopped.

- J. The decision to abandon pursuit may be the most intelligent course of action. Officers and supervisors must continually question whether the seriousness of the crime justifies continuing the pursuit. A hot pursuit shall be terminated under any of the following circumstances.
 - 1. If, in the opinion of the pursuing officer, the commanding officer, the officer in charge, field supervisor, there is a clear and unreasonable danger to the officer and other users of the highway created by the pursuit that outweighs the necessity for immediate apprehension.
 - 2. The suspect's identity has been established to the point that later apprehension can be accomplished, and there is no longer any need for immediate apprehension.
 - 3. The prevailing traffic, roadway and environmental conditions indicate the futility of continued hot pursuit.
 - 4. The pursued vehicle's location is no longer known or the lead pursuit vehicle loses sight of the vehicle being pursued.
 - 5. The pursuing officer knows, or is reasonably certain, that the fleeing vehicle is being operated by a juvenile and the offense constitutes a misdemeanor or a non-aggravated felony and the safety factors involved are obviously greater than a juvenile can cope with.

- K. The termination of a pursuit does not prohibited the following of a vehicle at a safe speed, or remaining in an area to re-initiate pursuit if the opportunity and conditions permit. (Ref: CALEA 41.2.8, item two, & 41.2.8 item seven).

Secondary/Assisting Unit Responsibility

- L. Assistance will be coordinated by the communications center under the direction of the commanding officer or the field supervisor. The field supervisor and primary unit will be advised of the identity and location of backup units who can assist.

- M. The active pursuit will normally involve not more than two units: the primary unit and one backup unit. If more assistance is specifically requested, the amount will be determined by:

- 1. Nature of the offense.

2. Number of suspects.
3. Whether the participating units have more than one officer.
4. Other clear and articulated facts that would warrant the increased hazard.

N. Only the commanding officer, field supervisor officer in charge may authorize more than two units to be in active pursuit. All other units will remain aware of the direction and progress of the pursuit but shall not actively participate, and shall respond or parallel the pursuit on adjacent streets unless specifically authorized to do so.

O. The assisting unit, upon joining the pursuit, shall immediately notify the communication center of its identify. If the primary unit is a one-man unit, the assisting unit may assume radio communications responsibility, allowing the primary unit to devote full attention to driving.

P. The assisting unit will maintain a safe distance behind the primary unit, but be close enough to render backup assistance if and when required.

Q. Assisting units shall, at all costs, avoid intersecting the path of an oncoming high-speed vehicle.

R. If the primary unit becomes disabled, the assisting unit will become the primary unit. The communications center will advise the field supervisor and other units that a new backup unit is needed, and the next unit to join the pursuit will be designated the backup unit. (Ref: CALEA 41.2.8, item three)

S. Dispatcher/Communications Center Responsibilities shall be to;

1. Receive and record all incoming information on the pursuit and pursued vehicle.
2. Immediately notify the commanding officer and the field supervisor when a pursuit is initiated.
3. Clear radio channel of any unnecessary traffic and advise all other units that a pursuit is in progress, providing all relevant information.
4. Perform relevant record and motor vehicle checks.
5. Control all radio communications during the pursuit.

6. Continue to monitor the pursuit until it has been terminated. (Ref: CALEA 41.2.8, item four)

T. Supervisory, officer in charge and field command responsibilities shall be the following upon being notified of the pursuit being initiated;

1. No more than the required or necessary units are involved in the pursuit.
2. Aerial assistance, if available, has been requested.
3. Proper radio frequency is being utilized.
4. Affected allied agencies are being notified.
5. Terminate the pursuit when necessary.

U. The field supervisor or officer in charge will continue to direct the pursuit, and approve or order alternative tactics, such as the use of a roadblock, and maintain control until the pursuit is terminated. In the absence of adequate information from the primary or backup unit, the field supervisor may order termination of the pursuit. (Ref: CALEA 41.2.8, item seven)

V. As with any tactical field problem, it is not necessary that the field supervisor or officer in charge be physically present in order to begin coordination and assert control of the pursuit.

W. The supervisor or the officer in charge of the shift when the pursuit ends should proceed to the termination point to provide guidance and necessary supervision. (Ref: CALEA 41.2.8, item five)

X. These emergency vehicle operations and tactics shall be utilized by the Police Division employee's;

1. Offensive Tactics - In the course of pursuit, deliberate contact between vehicles or forcing the pursued vehicle into parked cars, ditches, or any other obstacle, heading off, ramming, or driving alongside the pursued vehicle while it is in motion shall be prohibited, unless such actions are specifically authorized by the commanding officer or the field supervisor prior to the act taking place. Such actions may be approved only when the use of deadly force would be authorized by the shift supervisor or the shift O.I.C. (Ref: CALEA 41.2.8, item six)

2. Reckless or hazardous driving maneuvers shall not be duplicated by any pursuing vehicle.
3. Caravaning - There shall be no caravaning by field units not directly involved in the immediate pursuit.
4. Passing - There shall be no attempt by officers to pass other field units involved in the pursuit unless the passing officer receives specific permission from the primary unit or the field supervisor.
5. Spacing - All units in pursuit, whether the vehicle in front of the unit is the suspect vehicle or another police vehicle, shall space themselves at a distance that will ensure proper braking and allow adequate reaction time in the event the lead vehicle stops, slows, or turns.
6. Number of Police Vehicles - No more than two police vehicles from the Lincoln Heights Police Division will become actively involved in a pursuit, unless specifically directed otherwise by the commanding officer or field supervisor. Other officers should be alert to the pursuit progress and location.
7. Unmarked Police Vehicles – Officers operating unmarked vehicles (provided the vehicles is equipped with emergency lights and siren) may engage in hot pursuit only when the fleeing vehicle presents an immediate and direct threat to life or if an aggravated felony has been committed prior to the pursuit starting. Whenever a marked vehicle becomes available to take over the pursuit, the unmarked vehicle will withdraw from active pursuit and serve in a support role.
8. Police Motorcycles - Officers operating police motorcycles may participate in a hot pursuit only until a marked patrol unit can assume pursuit.
9. Lincoln Heights Police Division personnel SHALL NOT under any circumstances institute or initiate a vehicle pursuit involving a motorcycle, motor bike, dirt bike, moped or mini bike.
10. Controlled Access Highways - Officers shall not pursue suspects the wrong way on interstate or other controlled access highways or divided roadways unless specifically authorized by the commanding officer or field supervisor.

11. Roadblocks - The use of a roadblock must be authorized by the commanding officer, shift officer in charge or the field supervisor. Generally, a roadblock will be employed only as a last resort. The use of a roadblock must be directly associated with the seriousness of the crime for which the suspect is wanted and aggravated felony circumstances must apply as the original reason for the pursuit.

The roadblock must be clearly visible and provide adequate warning to allow vehicles to come to a safe stop. The roadway shall not be completely blocked unless the use of deadly force would be authorized.

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

13. Aerial Assistance - Aerial assistance will be utilized if available. The air unit shall direct the movement of the primary unit and coordinate assistance of other ground units under the direction of the field supervisor.

14. The shift supervisor or officer in charge shall make attempts to see if alternate means of attempting to stop the fleeing vehicle are available (ex. stop sticks). A roadblock shall be the last resort.

Y. Inter-jurisdictional Pursuits shall be carried out by;

1. The communication center, with the approval of the commanding officer, field supervisor or the officer in charge will notify outside agencies if this department is in pursuit in their jurisdiction. The informing person will specify that the call is either a request for assistance or merely a courtesy notification with no participation desired.

2. Officers shall not become involved in another agency's pursuit unless specifically authorized by the field supervisor, or unless it is clearly demonstrated that a unit from an outside agency is unable to request assistance, or the emergency nature of the situation dictates the need for assistance. In these instances, all departmental pursuit policies are in effect. (Ref: CALEA 41.2.8, item eight)

Z. Overtaking/Pursuit of Violators shall be done by;

1. The responsibility for the decision to overtake rests with the individual officer. In arriving at his decision he must carefully consider all factors involved, including the seriousness of the offense, the possible consequences and, most importantly, the safety of the general public. In order to diminish the likelihood of a pursuit, officers intending to stop a vehicle should, when practical, be within a close proximity to the vehicle prior to activating the emergency lights and siren.

2. During the course of enforcement activities, specific incidents may escalate from routine overtaking situations if the suspect attempts to evade apprehension. If this occurs, applicable hot pursuit policy and procedures apply. (Ref: CALEA 41.2.8)

3. If two pursuit related accidents occur during the course of the pursuit as a result of the vehicle being pursued or the pursuing police units the pursuit shall be immediately terminated after the second accident. If injuries occur as a result of the accident or the accident appears to be serious in nature, one of the secondary units in the pursuit will stop at the accident scene and render assistance and summon the appropriate medical assistance.

POLICIES AND PROCEDURES

ADMINISTRATIVE RULE -
EMPLOYEE INJURY OR DEATH
SECTION LIX

PURPOSE:

To insure the timely, proper and appropriate care for employees who encounter injury or death while on official duty within the police division.

ARTICLE

RULE

A. Anytime that an employee of the police division is injured while on duty the shift supervisor, the officer in charge of the shift and the employee shall but not necessarily in the order listed below;

1. Cause the Chief of Police to be notified immediatly.
2. Have the employee get the necessary medical attention and have them transported to a medical facility if needed.
3. Secure all of the employee's work equipment.
4. In the event of a serious injury, accompany the employee or have a member of the police division accompany the employee to medical treatment facility and stay with the employee until relieved or advised of the same.
5. Cause the employee to fill out all of the necessary police division forms pertaining to the incident, and in the event that the employee's injuries are disabeling or major, the shift supervisor or shift officer shall complete the necessary forms.
6. Cause a personal notification to be made to the employee's next of kin and provide transportation for them if necessary. (NO PHONE CALLS)
7. Provide a full and detailed report of the incident along with the employee reports.
8. Insure that all reports are completed within (24) twenty four hours.

B. SHALL NOT:

9. Make any statements to any news media without the permission of the Chief of Police.
10. Cause the relative of any employee to be notified of the injury by by the method of a telephone call.
11. Release any information about the incident or the employee to any non-police division personnel.
12. Release any of the employees personal property to anyone without the permission of the Chief of Police.

13. Provide false information verbally or on any police division report.

14. Alter, tamper with or remove any items or evidence that is in relationship with the injury or the injury investigation.

C. In the event that an employee death shall occur while the employee is on official police duty, the shift supervisor, officer in charge or police division employee shall, but not necessarily in the order listed below;

A. Cause the Chief of Police to be notified immediately.

B. Follow all of the procedures as listed in the section LXII Hamilton County Coroners Death Reporting Policy and Section XLII, Major Crimes Task Force Call Out and Response Policy.

C. Follow all of the procedures as listed in Article and Rule A-(1 thru 8 and B-(9 thru 14) of this section LIX.

D. workers Comp.

Preface to Section LX

Chief Jail Officer
Earnest McCowen, Jr.
Chief of Police
Lincoln Heights Police Division
Village of Lincoln Heights

Assistant Jail Officer
LaRoy Smith
Patrol Officer
Lincoln Heights Police Division
Village of Lincoln Heights

In the absence of the chief jail officer or the assistant jail officer, the shift supervisor or shift O.I.C. will oversee all operations of the Village of Lincoln Heights Police Division Holding Facility. The Lincoln Heights Police Division desires to operate an (8) eight hour holding facility. It will be the responsibility of all supervisors and shift O.I.C.'s to ensure that the jail meets these standards daily, and ensure that the attached rules, regulations, policies and procedures are adhered to. For all intents and purposes the jail cells will be numbered as follows:

- A. South Cell #2
- B. North Cell #1

Please make the necessary identifications on all of the appropriate forms.

INTRODUCTION/PURPOSE

The Lincoln Heights Police Department holding facility will serve as an eight hour detention facility for pretrial inmates who are awaiting citation release, court ordered release. Transfer to the Hamilton County jail or transfer to other approved facilities.

Lincoln Heights Police station a pretrial prisoner holding facility will meet the three basic responsibilities of security, safety and service:

A. Security - the hold facility will provide sufficient security to prevent escapes by foreseeable means. Primary security will be maintained at the perimeter so as to allow the internal environment to be the least restrictive possible, consistent with prisoner classification. Assignment of inmates shall be based upon the consistent application of thorough and rational classification and segregation systems.

B. Safety - Lincoln Heights holding facility will be maintained in a manner that gives the highest priority to protecting all inmates, staff and public from any foreseeable physical harm or property loss.

C. Service - The holding facility shall have as a goal that individuals will depart in no worse condition, physically or psychologically, than that in which they entered. Achievement of this goal is to be promoted through humane and dignified treatment of prisoners. This will include the provision of adequate space, privacy, personal necessities and the access to attorneys. The provision of services and programs for self-development, work and education will not be provided because of the limited time the prisoner will spend in the facility.

The policies and procedures written in this manual will help to establish effective security, safety and service as well as standardizing jail operations, protecting inmates; rights and health, and protecting jail personnel from civil litigation.

JAIL STAFF CODE OF ETHICS

All Lincoln Heights Police Department employees shall not:

1. Exchange personal gifts or favors with prisoners, their family or friends.
2. Accept any form of bribe or unlawful inducement.
3. Perform duties under the influence of intoxicants or consume intoxicants while on duty.
4. Violate or disobey established rules, regulations or lawful orders from a supervisor.
5. Discriminate against any prisoner on the basis of race, religion, creed, gender, national origin or other individual characteristics.
6. Employ corporal punishment or unnecessary physical force.
7. Subject prisoners to any form of unwarranted physical or mental abuse.
8. Intentionally demean or humiliate prisoners.
9. Engage in critical discussion of staff members or prisoners in the presence of prisoners.
10. Engage in any form of business of profitable enterprise with prisoners.
11. Inquire about, disclose, or discuss details of a prisoner's crime(s) other than as may be absolutely necessary in performing official duties. (i.e. court appearance or prosecuting attorney)
12. Through negligence or neglect, endanger the well being of self or others.

13. Divulge confidential information without proper authorization.
14. Include prisoner medical records with arrest paperwork.

All Lincoln Heights Police Department employees shall:

1. Comply with this and all established rules, regulations and lawful orders from superiors.
2. Treat all prisoners in a fair, impartial manner.

POLICIES AND PROCEDURES

ADMINISTRATIVE RULE
JAIL STANDARDS AND BOOKING REGULATIONS
SECTION LX

PURPOSE:

It is the purpose of this section to insure that all rules and regulations that are required by the Ohio Department of Rehabilitation and Corrections are adhered to and that all individuals that are placed under arrest are treated fair and equal while in the custody of the Lincoln Heights Police Division.

When booking a prisoner into the Lincoln Heights Jail, the booking officer shall follow the procedures below to insure consistency and completeness:

These standards will apply to individuals that are under arrest that are placed in the holding cells or detailed at the police department.

BOOKING PROCEDURES PRISONER PERSONAL PROPERTY

ARTICLE

RULE

- A. The booking officer shall remove all the prisoner's property and place it on the counter in the booking room. Property shall include all items except for personal clothing. The prisoner shall remove the belt and/or shoe laces and/or non-essential clothing and maintain them with the other property.
- B. The prisoner's property will then be inventoried in the prisoner's presence. Inventory and description will be recorded on a property inventory form. The property inventory form will be kept with the property and placed in arrest jacket once property is released back to arrestee or in case of lockup H.C.J.C. released to H.C.J.C. personnel. A copy shall be given to the property control officer. The prisoner will review the property list and sign for its completeness.

MEDICAL SCREENING:

- C. In order to protect the inmate's health, the booking officer shall complete the medical form getting as much medical history as possible of the inmates. These facts will help us provide adequate medical help for the inmate when a medical emergency occurs. Observe the prisoner looking for signs and symptoms of medical problems. This observation shall include questions to gather a medical history of the prisoner.
- D. All prisoners booked, except for a minor misdemeanor or as otherwise set forth here in arrested by a Lincoln Heights Police Officer shall be fingerprinted and photographed when charged with a criminal offense.

RELEASE PROCEDURES:

- E. When the need arises for the release of a prisoner from the Village of Lincoln Heights jail facility, the following procedure will be adhered to; upon release the servicing officer will cause a prisoner release form to be completed, it is attached to the procedure.
 - 1. If the prisoner is being transferred to another jail facility, it shall be listed as such. If the prisoner is taken by another law enforcement agency, the agency shall sign the 527 and it will be noted on prisoner release. If the prisoner is released with no charges, it shall be noted under "Special Comments" on the prisoner release form.
 - 2. All of the information must be completed in full on the Prisoner Release Form.
 - 3. If a prisoner is combative, or refuses to sign any of the forms, booking or release, a witness will be secured to observe all of the arrest or release.
 - 4. Final disposition will briefly state what the prisoners release status will be.

LINCOLN HEIGHTS POLICE DIVISION
PRISONER RELEASE

Date of Prisoner Release: _____

Time of Prisoner Release: _____ Booking Number: _____

Released by: _____ Badge #: _____

Released to, or taken to: _____

Property Released to, transferred to: _____

Prisoner Condition on Release: _____

Written Complaint on Jail Filed: Yes _____ No _____

Written Complaint on Officers Filed: Yes _____ No _____

Prisoner Name: _____

Prisoner Address: _____

Phone Number: _____ Age: _____ D.O.B. _____

Final Disposition: _____

Jail Cell# _____ Disinfected, cleaned, and inspected

For damage by: _____ Badge #: _____

Prisoner Signature: _____

Releasing Officer Signature: _____

If refused, witness: _____

Total Time Individual Confined: _____ Hrs. _____ Mins.

MEDICAL - SUICIDE PREVENTION,
DETECTION, INTERVENTION, RESPONSE

- F. The policy of the Village of Lincoln Heights Jail shall be the prevention of suicides and suicide attempts through the use of "DETECTION, INTERVENTION AND RESPONSE".

"DETECTION", the primary step in the prevention of suicides and suicide attempts is the detection of "SIGNS" of suicidal behavior, physical and mental.

1. Jail staff shall recognize the following warning signs and symptoms.
 - a. Current depression or paranoia.
 - b. Expresses or evidences strong guilt and/or shame over offenses.
 - c. Talks about or threatens suicide.
 - d. Under influence of alcohol or drugs.
 - e. Previous suicide attempts and/or history of mental illness.
 - f. Severe agitation or aggressiveness.
 - g. Projects hopelessness/helplessness - no sense of future.
 - h. Expresses unusual or great concern over what will happen to him/her.
 - i. Noticeable behavior changes.
 - j. May act very calm once decision is made to kill self.
 - k. Speaks unrealistically about getting out of jail.
 - l. Has increasing difficulty relating to others.
 - m. Does not effectively deal with present -pre-occupied with past.
 - n. May try to hurt self: Attention-Getting gestures.
 - o. Paranoid delusions or hallucinations:
 - (1) Delusions: Persecution, being controlled, grandeur,
 - (2) Hallucinations: Audio and/or visual.

- G. SITUATIONAL RISK FACTORS TO BE CONSIDERED WILL BE;
- a. First time arrestee or insignificant arrest.
 - b. Persons with high status in the community.
 - c. Prior suicide by close family member or loved one.
 - d. Previously imprisoned - facing new, serious charges and long prison term.
 - e. Prior jail suicide or recent attempt - a "copycat".
 - f. Harsh, condemning, rejecting attitudes of officers.
 - g. Prior experience with pain/suffering of alcohol/drug withdrawal.
- H. Upon booking/accepting a prisoner, the staff shall, by viewing, talking, questioning prisoner and arresting and/or conveying officers, determine if any of the above warning signs, symptoms and situational risk factors.
- I. The officer making the rounds and inspections, check the prisoners for any of the above warning signs, symptoms and situational risk factors.
- J. All jail staff shall be on the "LOOK-OUT", for any of the above warning signs, symptoms and situational risk factors.
- K. If one (1) or more of the above signs or symptoms are noted, the officer shall advise the OFFICER IN CHARGE.
- L. The OFFICER IN CHARGE shall determine if the signs or symptoms observed necessitate if a suicide watch should be placed on the prisoner or medical staff notified, transport to University Hospital for evaluation or a combination thereof.

MEDICAL SCREENING FORM

Lincoln Heights Police Division

Name: _____ Control #: _____ Date: _____ Time: _____

Working Officer's Visual Opinion

If the answer is yes to any of the following questions, please explain in the remarks section. If additional space is needed, use reverse side.

- 1. Yes No Is the prisoner unconscious?
- 2. Yes No Does the prisoner have obvious pain, bleeding, difficulty in movement, or other symptoms suggesting the need for emergency medical care?
- 3. Yes No Are there visible signs of trauma or illness requiring immediate emergency or doctor's care?
- 4. Yes No Is there obvious fever, swollen lymph nodes, jaundice or other evidence of infection which might spread through the jail?
- 5. Yes No Is there evidence of rashes, bruising, poor skin condition or infestation with vermin?
- 6. Yes No Does the prisoner appear to be under the influence of alcohol and/or drugs?
- 7. Yes No Are there any signs of alcohol/drug withdrawal?
- 8. Yes No Does the prisoner display any signs of emotional/mental illness or behavior that suggests the risk of suicide?
- 9. Yes No Does the prisoner's behavior suggest the risk of assault on jail staff or other prisoners?
- 10. Yes No Is the prisoner in possession of medication or claim being on medication which should be continuously administered/available?

Officer - Inmate Questionnaire

If the answer is yes to any of the following questions, please explain in the remarks section. If additional space is needed, use reverse side.

- 11. Yes No Are you currently taking medication for diabetes, heart disease, seizures, arthritis, asthma, ulcers, high blood pressure, or psychiatric disorder? (Circle any that apply)
What medication? _____
- 12. Yes No Do you have a special diet prescribed by a physician? Type: _____
- 13. Yes No Do you have a history of venereal disease or abnormal discharge?
- 14. Yes No Have you recently seen a medical or psychiatric doctor or been hospitalized for any illness?
What illness? _____
- 15. Yes No Are you allergic to any medications? Which? _____
- 16. Yes No Have you recently fainted or suffered a head injury?
- 17. Yes No Do you have epilepsy, diabetes, hepatitis, a history of tuberculosis, HIV or AIDS?
- 18. Yes No Have you ever thought about suicide or attempted suicide?
- 19. Yes No Do you have a painful dental condition?
- 20. Yes No Do you have any other medical problem we should know about?
What problem? _____

FEMALE:

- 21. Yes No Are you pregnant?
- 22. Yes No Have you recently given birth?
- 23. Yes No Are you currently taking birth control or hormone pills?

REMARKS: _____

Personal Physician _____ Phone: _____

Special Medical Needs: _____

Disposition: *If applicable, i.e., (isolate, refer to physician, nurse, psychiatric care)* _____

Not accepted into this facility pending health clearance for the following reasons:

Intake Officer: _____

- M. PREVENTION AND INTERVENTION - once warning signs and symptoms are observed, the next important step is the prevention of the suicide attempt or suicide. Jail staff shall:
1. Try to calm prisoner and relieve anxiety by being calm.
 2. Explain to the prisoner:
 - a. How you see the problem.
 - b. What is being done.
 - c. Say that the crisis is just temporary - things can be worked out
 3. Encourage inmate to:
 - a. Speak freely.
 - b. Express feelings
 - c. Relate to you.
 4. Remove from the scene of the crisis, if possible, when other prisoners are present as there may be psychological contagion.
 5. Avoid arguing with the prisoners.
 6. Help inmate structure experience so that:
 - a. It is not so chaotic.
 - b. It does not appear unusual
 7. KEY POINTS into effective handling of suicidal inmates:
 - a. TRUST OWN JUDGMENT - if you believe someone is in danger of suicide, act on your beliefs.
 - b. If at all possible, STAY WITH SUICIDAL PRISONER. Don't leave alone if there is immediate danger.
 - c. MAINTAIN CONTACT AND CONVERSATION - express concerns about person.

- d. LISTEN PATIENTLY - encourage suicidal person to talk and express feelings.
8. Be "TUNED-IN" to obvious and sometimes subtle signals which every inmate sends out.
 9. Be aware of symptoms ordinarily displayed by inmate prior to a suicide attempt.
 10. Be empathetic - don't be judgmental.
 11. When dealing with a prisoner who previously has attempted suicide or who is a definite risk to commit suicide, jail staff shall:
 - a. Conduct observation checks of the prisoner, at least, every five (5) to ten (10) minutes.
 - b. Contact Lincoln Heights EMS, or officer to transport to University Hospital for further evaluations.
 - c. Contact University Hospital for further evaluation for possible transport to a facility of their choosing.
 - d. All officers involved will complete written report and forward to Chief of Police.
- N. RESPONSE - quick, calm and professional response to a suicide attempt may save the life of the prisoners. In case of hanging, staff shall proceed to do the following:

1. The officer that discovered the hanging will contact the dispatch to contact the OFFICER IN CHARGE and advise him of the situation, assist the other officer in cutting the prisoner down, one (1) will hold the body while the other cuts the prisoner loose.
 2. Give basic first aid.
 3. Contact Hamilton County Communications Center in dispatching Lincoln Heights EMS for emergency medical treatment and transport to University Hospital for treatment.
 4. Do not leave the prisoner alone.
 5. If there are other prisoners in the same cell transfer them to another cell.
 6. After the situation is stable have all parties involved, jail staff, other prisoner and anyone witnessing the attempt to write a statement and forward this to the chief of police.
 7. The chief of police shall be notified immediately by the shift supervisor or shift office in charge.
- O. In case of any other means of attempts of suicide or bodily injury;
1. The officer that discovered the attempt will contact the dispatch to contact the OFFICER IN CHARGE and advise them of the situation, assist the other officer in giving basic first aid.

2. Contact Hamilton County Communication Center in dispatching Lincoln Heights EMS for emergency medical treatments and transport to University Hospital for treatment.
3. Do not leave the victim alone.
4. If there are other prisoners in the same cell transfer them to another cell.
5. After the situation is stable have all parties involved, jail staff, other prisoners and anyone witnessing the attempt to write a statement and forward this to the chief of police.
6. The chief of police shall be notified immediately by the shift supervisor or officer in charge.

PRISONER RULES:

- P. All prisoners booked into the Lincoln Heights jail shall be given a copy of prisoners rules and rights.
- Q. Jail staff explain these rules to the inmate and answer any questions they might have in regards to the rules.
- R. The suspension of qualified rights will be documented on the jail log. Both the date and time of the violation and the date and time of suspension of qualified rights will be noted in the "Purpose" section. Justification for the suspension of qualified rights will be clearly stated. Suspension of qualified rights will be approved by the OIC or their designee.

S. The following rules are the regulations governing the conduct and demeanor of persons confined in the Lincoln Heights jail. It is the responsibility of the chief of police and his staff to maintain the facility in a safe, clean condition at all times. The prisoner rules are posted in a conspicuous location in the jail. Violations that police division employees must make prisoners aware of and that the prisoners are required to obey in this facility are that the following conduct is prohibited:

1. Horse playing, teasing or harassing another prisoner
2. Smoking is not permitted in the jail cells
3. Excessive loud noise
4. Obscene conduct
5. Gambling
6. Fighting or molesting
7. Damage of Village property
8. Attempting to control the behavior of other prisoners
9. Disrupting the jail activity
10. Assault on another prisoner or staff member
11. Escape or attempted escape, or aiding another escape
12. Possession of contraband
13. Theft
14. Interfering with security operations of the jail
15. Arson
16. Failure to keep themselves clean and in proper clothing
17. Failure to obey the instructions of police staff
18. Failure to keep or maintain their cells in a clean fashion and in proper order
19. Any criminal act of criminal like act not previous mentioned.

BOOKING RECORD

TIME IN: _____ TIME OUT: _____ BOOKING LOG# _____

DATE IN: _____ DATE OUT: _____

NAME: _____ ALIAS: _____
(LAST FIRST MIDDLE)

DOB _____ SSN _____ SEX _____ RACE _____ AGE _____

HT _____ WT _____ MARKS/SCARS _____

MARITAL STATUS _____ SPOUSE/NEXT OF KIN _____

EMERGENCY NOTIFICATION _____ PHONE _____

EMPLOYER _____ ADDRESS _____

PHONE _____ ARRESTING/TRANSPORTING OFFICER _____ AGENCY _____

	CHARGE	ORC/WARRANT/LEAD#	OFFENSE/CITATION#
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
	_____	_____	_____

ISSUING/CHARGING AGENCY _____ DATE OF ISSUE/CHARGE _____

PROPERTY RECEIPT# _____ LOCKER# _____

PRISONER TELEPHONE LOG

TIME ATTEMPTED	REASON	COMPLETED (YES/NO)
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____

TELEPHONE ASSISTANCE PROVIDED: _____ TYPE OF ASST: _____

TIME: _____

OFFICER: _____

PRISONER ADVISED OF RULES AT _____ HOURS

T. The booking officer shall ensure that all inmates understand the rules and penalties listed below;

1. Verbal reprimand
2. Referring your misconduct to the judicial authority reviewing your present charge
3. Placing you in a separate cell
4. Immediately transfer you to the Hamilton Council Jail
5. Filing of additional charges against you
6. Suspension of your following qualified rights:
 - a. Clothing
 - b. Water to the toilet or lavatory

NOTE: Qualified rights will only be suspended as a disciplinary action when the violation is a serious threat to security, or if jail property is seriously abused.

U. Other regulations that arrested or detained individuals have shall be;

1. Rights
2. You have the right to two completed phone calls, not to exceed five (5) minutes each, except for calls to attorneys or clergy.

R. You have the following fundamental rights which can not be suspended as a punitive action:

1. Visits by attorneys
2. Visits by clergy
3. Phone calls to attorneys or clergy
4. Adequate light, ventilation, temperature control and sanitation
5. Medical care

- V. Grievances shall be handled by the shift supervisor or the shift officer in charge, individuals under arrest or detained are entitled to file a grievance with the chief of police concerning their treatment and or confinement at the Lincoln Heights jail.
- W. If individuals under arrest or being detained have a grievance, request pencil and paper from the jail officer and record your grievance, being as detailing as possible. When the grievance is completed, the duty warden will see that it is forwarded to the chief of police. The chief of police or his designee will conduct an investigation and take the appropriate action. If you are classified as a security risk or a suicide risk you will not be issued a pencil and paper. Instead you will in a normal tone, voice your grievance to the jail staff, who will put your grievance in writing and forward your grievance to the chief of police.
- X. Individuals under arrest or being detailed may visit with an attorney, a member of the clergy, or any person seeking to arrange bail at any reasonable time. The duty warden will approve all visits.
- Y. The below listed rules will be adhered to for individuals that are under arrest or being detailed by the Lincoln Heights Police Division;
1. All visitors must show proper identification and sign the visitors journal.
 2. All visitors subject to external search.
 3. No intoxicated person will be permitted to visit prisoners.
 4. No cigarettes or food item accepted.

5. Length of visit will be determined on an individual basis according to need (but no less than 10 minutes).
6. Maximum of (1) visitor is allowed to visit the prisoner at any one time.
7. Anyone knowingly bringing unauthorized items into the facility may be subject to prosecution.
8. Visitation may be denied by the chief, warden, or duty warden if in his/her opinion visitation would be a security risk.
9. If lieu of visitation the duty warden may authorize phone contact with the prisoner and the visitor.
10. Violation of the above rules will be just cause to deny visitation rights. If warranted, criminal prosecution will be pursued with the assistance of the Hamilton County Prosecuting Attorney.
11. Authority for the above rules: O.R.C.
5120: 1-12-07

JAIL MAINTENANCE PROCEDURE:

- Z. The jail cells will be visually inspected prior to placing any individual in them for confinement. They will be inspected for cleanliness, contraband and damage. When each prisoner is released the jail cell will have the following completed:
 1. Disinfect will be sprayed
 2. Visible objects will be removed
 3. Damage will be documented and reported in writing
 4. Minor cleaning will be performed

5. Toilet paper will be removed and only issued to prisoners upon request, and removed after usage.
6. This will be documented on the prisoner release form.
7. Toilet will be flushed
8. Cell doors will remain in the open position when not in use
9. No items will be stored in the halls in the cell areas.
10. The south jail door will be used to enter and exit with all prisoners and the door will remain locked at all times.
11. All major maintenance, clean-up and damage must be reported to the chief of police in writing so that the items can be referred to the appropriate agency for clean-up on repair.
12. Cleaning supplies and all toiletries will be maintained in the radio cabinet when not in use.
13. All necessary log books will be maintained in the patrol squad room.
14. All necessary jail related forms will be kept in the blank form file drawer in the police station.

JAIL FEEDING PROCEDURE:

AA. It will be necessary for any prisoner that will be "HOUSED" in the jail cells to be given a meal. The meals will be provided at the time intervals that are listed below. No matter the length of the stay, if the prisoner is incarcerated at the time, he/she must be offered a meal. The meal will consist of the items listed by the provided on the procedure. The schedule will be in four hour increments.

1. Feeding Times:

08:00 a.m.
12:00 Noon
16:00
24:00
24:00 Midnight
04:00

2. Providers:

#1 Location

Moxley's Market, 1109 Simmons Avenue -733-5587
08:00 through 18:00

Meal: (1) cold sandwich, (1) potato chips,
(1) fruit juice or coffee. Vegetarians may get a
salad in place of sandwich. Sandwiches will be
ham or beef.

#2

White Castle, E. Benson and Reading Road - 821-3440
18:01 through 07:59

Meal: (3) three White Castle hamburgers (1) small
fry and (1) small pop or coffee. Fish may be
substituted for vegetarians in place of sandwich
(2) fish only.

3. It shall be the responsibility of the shift supervisor or the shift officer in charge to insure that prisoners are given meals at the appropriate time.
4. A charge account exist for account No. 1 - Moxley's Market. Prisoners name will be given for each meal, and placed on the receipt. It will also be noted on the release if the prisoner had a mean. This is between the hours of 08:00 in the morning until 18:00 in the evening. Times for Moxley's Market may vary whenever Moxley's is closed use location No. 2 - White Castle.
5. There will be \$4.00 petty cash in the radio cabinet for purchase of meals from location #2. The meal will be paid for with this money, a receipt will be presented to the chief and the money will be replaced after each use. The money will be in a

folder on the wall labeled "Prisoner Meal Fund". If the need arises for a meal and the fund is depleted, the shift supervisor will contact the chief of police. If the supervisor so chooses, he/she can pay for the meal and be reimbursed the next day.

EMERGENCY SITUATION RESPONSE
GUIDELINES

BB. The following procedures will be in effect should any of the following emergency situations arise while a prisoner is in the Village of Lincoln Heights jail facility. The shift supervisor or shift officer in charge shall be responsible to insure that this is completed;

1. Escape: The Hamilton County Communication Center will be notified immediately by radio when an escapee occurs. The information will contain, expected time of escape, prisoner name, description, clothing, and physical description, last known direction of travel, what the individual is charged with, plus escape and last known address. An immediate area search will be generated to the chief of police before the shift ends. An offense report will also be generated for the escape.
2. Taking of Hostages: If a prisoner takes a civilian or a patrol officer as a hostage while in custody or during an escape attempt. Officers will do the following: if radio communications is available notify the dispatcher of the situation and the severity of the situation. If the situation warrants and the officer has the opportunity, the SWAT team can be notified of the situation and they can attempt to abate the situation. If the prisoner has no weapon the officers will not

permit the prisoner to leave the police station. If a prisoner should retrieve and officer's weapon, the patrol officer in charge shall not put another officer, or a civilian in immediate risk. "Use Common Service:." If the prisoner commandeers the jail or the police station, as soon as the situation is discovered the chief of police or his/her designate will work to abate the situation. The Lincoln Heights Police Division "will not" participate in officer prisoner exchange during any hostage situation. Upon resolve of this incident a written report will be provided to the chief of police by the shift supervisor or the O.I.C. and the jailer or assistant jailer within (24) twenty-four hours of the situation end.

3. Fires: The officer assigned to the prisoner will cause immediate evacuation of the jail area and the entire building. The dispatcher will be notified immediately of any and all fires that occur within the jail area, and the fire department and a fire investigator will be dispatched immediately and notification will be made to the chief of police and the assistant jailer. Once the prisoners are evacuated, they must be secured as soon as possible. If the prisoner shall be injured he/she shall be taken to University Hospital, under guard for treatment. If the fire is a result of the prisoner's action, he/she will be charged with the appropriate statute. A report will be given to the chief of police and assistant jailer within (48) forty-eight hours of termination of the event. If applicable an offense report will also be filed.
4. Civil Disturbances: During a civil disturbance no prisoners will be held in the Village of Lincoln Heights jail. All prisoners will be transported to the Hamilton County Justice Center. If the disturbance occurs while a prisoner is in the

Village jail the supervisor or O.I.C. will use any available assistance to transport the prisoner to the Hamilton County Justice Center. The prisoner will not be transported until he/she can be transported with caution and safety. A prisoner is the responsibility of the officer having care during a civil disturbance until the prisoner can be transported to a safe facility. Prisoners will not be abandon, relinquished to protesters, or left unattended in the Village jail at any time during a civic disturbance. If a civil disturbance is in process prior to an arrest, the supervisor or O.I.C. will request permission from a mutual aid police agency to house the prisoner until the individual can be transported to the Hamilton County Justice Center. If during a civic disturbance martial law has been deemed necessary and appropriate security is in place at the Village jail, it may then be used for prisoners. A combined report will be prepared by the chief of police on the incident with all necessary input.

5. Natural Disasters: Depending upon the type of disaster the officer having charge of the prisoner will be responsible to do the following: Get the prisoner to immediate safety. A prisoner being held for anything less than an aggravated felony will be taken to the nearest safe haven and released. The individual will be advised once the emergency situation has subsided that they will return and surrender to the Village jail on his/her own merits. Any prisoner charged with an aggravated felony will be kept in custody and transported to the nearest secure facility for safe keeping until the situation subsides. The officer having control will return to the Village to see if their services are needed any further for the emergency. Aggravated felony prisoners will not be left in the jail under any circumstances during a natural disaster. Prisoners are the responsibility of the officer in charge of the arrest.

6. F. & G. Suicides and Other Deaths: will be handled in accordance to the attached Hamilton County Coroners Policy and Procedure. Section LXII

PRISONER CORRESPONDENCE:

- CC. Prisoners will only be permitted to receive written information that is not in a sealed envelope. The item will be inspected for safety purposes, but contents not ready by police personnel. If a prisoner receives correspondence from either his designated legal Counsel or from a member of clergy, it shall be treated as confidential correspondence. Prisoners may not receive correspondence until after questioning, booking and until they have been placed on the jail cell. Correspondence from legal Council may be received by a prisoner at anytime after arrest, but may not cause hindrance to the arrest procedure. Prisoners may not be questioned by patrol officers in reference to the contacts of their correspondence. All correspondence will be released with the prisoner when they leave the Village of Lincoln Heights jail facility.

TRAINING REQUIREMENTS:

- DD. Each patrol officer that must use the Village of Lincoln Heights jail facility must have a minimum of (2) two hours training. This training will cover the usage of the facility, the procedures and all safety requirements. This training must occur within (1) one year of appointment to the Lincoln Heights Police Division. The chief jailer and the assistant jail will be required to have the minimum training that is required by the State of Ohio Department of Rehabilitation and Correction, that pertains to the operations of a (8) eight hour jail facility. All training must be a part of the officer's record of training in their personnel file. All police division employees shall take the Ohio Department of Rehabilitation and Corrections (24) (twenty-four) hour training when it becomes available.

POLICIES AND PROCEDURES

ADMINISTRATIVE RULE
USE OF CHEMICAL SPRAY
IRRITANT AND CARE OF VICTIMS
SECTION LXI

PURPOSE:

To ensure that all officers of the Lincoln Heights Police Division recognize their legal responsibilities and Division procedure/policy relative to the "use of chemical spray";

To set forth "use of chemical spray" guidelines which are consistent with both Federal and State statutes, current legal decisions and the concern for the protection and preservation of human life, inclusive of the life of a Lincoln Heights Police Officer;

To ensure the documentation of all incidents involving "use of chemical spray".

DISCLAIMER:

This operating procedure is for Police Division use only. This division procedure does not purport to create a higher legal standard of safety or care with respect to third party claims. Any violation of this procedure will only form the basis for division sanctions, after a careful subjective review. Any violations of law may form the basis for civic or criminal action within the appropriate judicial forum.

DEFINITIONS:

1. OFFICER PRESENCE. It is the initial point of every contact. The subject is normally cooperative and no force is necessary. At this time the dynamics of the situation comes into play. The incident may become a confrontation. The need for necessary reasonable force may be established. The very presence of an officer, in some situations, may be the catalyst for the eventual need for deadly force.
(Example: walking in on an armed street robbery in progress,

or situation where arriving at the scene of a crime in progress necessitates the immediate use of deadly force).

2. USE OF VERBAL COMMANDS. In dealing with people, each officer must attempt to inspire respect and generate cooperation, public approval and voluntary compliance with the law and lawful orders. The manner in which the officer or other personnel speaks can be an effective means of exerting verbal force in order to control a situation. The encounter may be characterized by cooperation or possibly passive resistance. Quite often the assured/confident manner of the officer may control the situation. The facts of the incident shall determine whether a reasoning or authoritative approach should be used.

a. Verbal warnings may be in the form of advice, persuasion, or warnings. Volume and tone control along with facial and body language may in itself be progressive in nature depending upon circumstances.

b. By using reasonable and necessary verbal force, an officer may not have to resort to use of other forms of force. The purpose of verbal force is to achieve compliance with an officer's lawful order and in a manner which defuses the situations as opposed to escalating the situation.

c. Officers will routinely confront persons who resist an officer's authority and question an officer's orders. Some persons will become aggressive and hurl insults and epithets at the officer. Officers are to keep their dignity and professionalism and ignore the impact of another person's insults. Officers are to enforce the authority of their position, not the power of personal anger.

3. CHEMICAL AEROSOL SPRAY. At this point passive may become active resistance. The officer may perceive a threat to himself or another. Verbal commands have proven ineffective. Some control is mandated. Chemical Aerosol Spray, in particular Oleoresin Capsicum (.) Spray has proven to be a humane, safe method for controlling agitated, resisting subjects.

a) O.C. Spray - History. It is believed that the use of chemical weapons goes back about 2000 years. The Chinese are said to be the first group of people to use chemical agents by placing ground pepper in rice paper then flinging it into the face of an opponent. About 1975 research into using Oleoresin Capsicum (OC) as a chemical agent for law enforcement was started in the United States. During the period of July 1987 to May 1989 the Federal Bureau of Investigation conducted an independent study on OC and approved it for Special Agent personnel. OC is a chemical aerosol spray. It is NOT mace and should never be alluded to as such in conversation or in written reports.

b. O.C. Spray - Characteristics.

"Cap Stun" is the commercial trade name of the OC Chemical Aerosol Spray product that has been introduced to the police division arsenal. The aerosol has a commercial color code of black. It is an inflammatory agent and is a derivative of cayenne pepper. It will cause the involuntary closing of the eyes and impair the person's breathing when inhaled by reducing the size of the airway resulting in coughing, shortness of breath and gasping with a gagging sensation. It swells the mucous membranes. It gives an acute burning sensation of affected skin and will redden skin of the affected area like a sunburn. It works immediately and on everyone, including people under the influence of alcohol and/or drugs and on people that are highly motivated or highly agitated. The response to the use of OC is more physiological than psychological. It works on emotionally disturbed people (EDP) and on attack dogs. It is issued to forest rangers to ward off grizzly bear attacks. The symptomatic effects will last up to forty-five (45) minutes, however, respiratory functions usually return to normal within two (2) to five (5) minutes.

The affected skin can have a burning sensation for up to four (4) hours, even after OC has been flushed away with water. At this time no long term, lasting effects have been observed in subjects sprayed with OC. Application targets are the EYES, NOSE, FACE and MOUTH.

None of the agencies using OC have ever reported any medical problems through its use. An OC aerosol which has an alcohol base, which Cap Stun has, is FLAMMABLE. OC is a great equalizer for older, out of shape or smaller, officers. OC will enter a running vehicle through the radiator by being blown into the car vents. The Scoville Heat Unit Rating goes from zero (0) to one point five million (1.5 million). A bell pepper is zero (0) on the S.H.U. and cayenne pepper rating is 1.5 million. The best/hottest cayenne pepper is imported from Africa or South American. Capt. Stun uses this type of pepper. OC is used in medicines, such as Ben-Gay and other ointments that feel hot, to penetrate the skin, of course in a much smaller percentage. To be fatal, you would have to inject one hundred (100) cubic centimeters of OC into the blood of a thirty-seven (37) pound youth. OC will not affect people with asthma any more than anyone else.

ARTICLE

RULE

a. O.C. Spray policy shall be that every officer of the Lincoln Heights Police Division shall receive training on Chemical Aerosol Spray. The officers shall be instructed as to: usage, hazards (medical and physical), and decontamination procedures. Chemical Aerosol Sprays are a viable alternative to traditional use of force techniques. OC spray has proved to be an effective agent in the control of aggressive, assaultive, resistant subjects. Thus far in its use no long term impairment or disability has been noted. It is generally accepted as being a safe, humane method of control. Subsequently, it has been given a position of high priority in the Lincoln Heights Police Division use of force continuum.

b. Chemical Irritant and O.C. Spray Procedure shall be that every officer of the Lincoln Heights Police Division, after being trained in the use of Chemical Aerosol Spray, shall be issued a canister of such spray.

c. Each officer will be issued a holder for carrying of the Chemical Aerosol Spray. The use of Chemical Aerosol Spray devices is considered to be a safe, humane method for coping with certain situations or individuals. Chemical Aerosol Spray is an addition to the police arsenal. In

certain instances, it may be a viable alternative to traditional police techniques.

d. An officer selecting the option of using the Chemical Aerosol Spray device shall use it in a REASONABLE MANNER.

e. An officer using Chemical Aerosol Spray is subject to applicable use of force restrictions.

f. If an officer elects to use the Chemical Aerosol Spray, he/she shall spray the violator until the offender ceases to resist and/or stops assaultive behavior.

g. After using Chemical Aerosol Spray, the officer, as soon as practicable, shall relieve the discomfort of the offender. If necessary, or requested, medical attention will be obtained for the offender on whom the spray was used.

h. After usage of Chemical Aerosol Spray, a Use of Chemical Aerosol Spray Report form #126, (UF-1 training form) shall be completed by officer(s) using the spray, who shall sign and date the report and submit it to the Unit Commander on duty (Lt. or Sgt.).

i. The shift supervisor or officer in charge of an officer using the Chemical Aerosol Spray shall:

1. Review the Use of Chemical Aerosol Spray form #126;
2. Indicate whether use of Chemical Aerosol Spray was justified;
3. If not justified, explain;
4. Note any recommendations;
5. Sign and date the form;
6. Forward form #126 to the police division captain, or in the event there is no police captain, to the chief, within 12 hours of receipt.

Intended Effects of O.C.: Distract, Disorient, Disrupt Activities, Disperse and Disable.

j. O.C. or Chemical Irritant Spray Decontamination Methods for Humans shall be as follows;

1. Remove the person from the spray area.
2. Tell the person to blow the nose to remove lodged particles of O.C.
3. Flush the eyes with a saline solution or large amounts of water.
4. Flush the skin with large amounts of water.
5. Seek professional medical attention if the person complains of injury or if you think the person needs medical attention.
6. Machine wash affected clothing.

k. O.C. or Chemical Irritant Spray Decontamination Methods for Buildings shall be as follows;

1. Open all the doors and windows.
2. Wash all affected areas with soap and water.
3. In about forty-five (45) minutes, the building and area should be clear of the O.C.
4. If the O.C. was sprayed on any food, wash the containers after throwing away the food.

l. Don'ts of O.C. or Chemical Irritant Spray, Police Division Employees shall not;

1. Do not put a salve on the affected areas. This will trap the particles which are present against the skin. This includes butter, cold cream, vaseline, lanolin, etc.
2. Do not withhold medical attention from the person whether requested or not, if the person looks in need of such attention or requests such attention.
3. Do not let anyone use a stun gun or Taser on the person after they have been sprayed with Chemical Aerosol Spray. For example, "Capt Stun is FLAMMABLE."
4. Do not use Cap Stun near or around any open flames or sparking electrical devices. Cap Stun is FLAMMABLE. There is no hazard or danger in spraying a lit cigarette, however.

- m. Safely Storing O.C. or Chemical Irritant Spray shall be as follows;
1. Do not store in direct sunlight. Do not store in areas where the temperature will exceed 120 degrees fahrenheit (F). Do not store in the trunk or on the dashboard of vehicles. Like all aerosols, do not incinerate. Shake the OC canister at least once a month, that you are issued.

Training Information

O.C. Nomenclature. The following is nomenclature for Cap Stun weapons systems standard duty 1 ounce canister: Tear off tab (Remove before using); Nozzle; Actuator - Trigger Type; Valve; Tube; Canister.

O.C. Student Performance Objectives. Given an inert or real OC hand held aerosol canister with a trigger top, holster, leather gear, training clothing, instruction and a situation where an opponent runs at the student, the student will demonstrate the: Vertical Spray Technique, Horizontal Spray Technique; Circular Spray Technique; all with a minimum performance level of 100%.

O.C. Student Performance Objectives - Steps to be performed:

- a) The student will maintain good balance.
- b) The student will properly grip the aerosol canister.
- c) The opponent will face the student.
- d) The opponent will run at the student.
- e) The student will point the nozzle at the opponent.
- f) The student will spray the opponent's face.
- g) The student will create distance from the opponent.

NOTE: Training Information is terminal steps and must be completed/passed individually.

O.C. Warning. Chemical aerosol sprays containing Oleoresin Capsicum (OC) are being sold to the general public. Officers should be aware that this device may be used against them. If

an assailant is armed with the OC spray, an officer may be placed in a deadly force situation. If the officer has no means to escape, verbalization does not work, the officer must consider that if he is sprayed he would be at the mercy of the opponent.

REMEMBER: REASONABLENESS AND TOTALITY OF CIRCUMSTANCES.

COMPLIANCE TECHNIQUE. Active resistance or perceived threat may necessitate other means of force. OC sprays may not be available or are contraindicated (open flames or electrical sparks). Compliance techniques such as arm locks, takedowns, striking of non-structural areas, etc. may be reasonable. Only reasonable, necessary force shall be used.

CHEMICAL; ELECTRICAL AGENTS. The Lincoln Heights Police Division does not authorize the use of electrical equipment such as "stun" guns or Tasers. The only chemical agent that is approved and authorized for carry and use by members of the Lincoln Heights Police Division is Oleoresin Capsicum Chemical Aerosol Spray ("O.C." Spray).

n. BATON; STRUCTURAL STRIKING. This may be utilized when the officer or another person is in imminent danger or actually under attack, there is a real risk of physical harm, and other control methods have not been successful, or, because of the situation, were inappropriate. Use of baton against structural areas, Lateral Vascular Neck Restraint or hand-to-hand defensive tactics may be necessary and appropriate.

o. The "Monadnock PR-24 Police Baton", "retractable steel baton" and "straight baton" are batons that are approved for carry and use by Lincoln Heights Police Officers. Officers will not strike another person in the neck or above with any of these type batons unless circumstances require the use of deadly force to protect the officer or others. Officers must receive training in order to be authorized to carry and use a baton. NOTE: All officers who qualify, carry and use a baton must be familiar with training concepts including "Vital points of the body":

INFORMATION

The following is a partial list of vital and sensitive points of the body:

- Temple - A highly sensitive and vital spot. A blow to this area may cause unconsciousness or death.
- Ears - A blow to the ears may cause deafness, unconsciousness, serious injury or death.
- Eyes - A blow to the eyes may cause loss of sight.
- Bridge of Nose - A blow to this area may cause unconsciousness or death.
- Upper Lip - Specifically, the spot directly under the nose at the top of the upper lip. Bone chips or cartilage from the nose may be driven into the brain cavity, causing death.
- Jaw - Specifically, the point at which the jaws hinge. A blow here may shatter the jaw or cheekbone.
- Throat - Highly vulnerable. A blow here may shatter the windpipe, causing serious injury or death.
- Collarbone - Non-lethal, in most cases. Breaks easily with PR-24 baton.
- Solar Plexus - Shock may result from a blow to this area.
- Lower Abdomen - The spot just below the naval.
- Groin - A blow will result in pain which could cause shock.
- Knee Joint - A blow may dislocate or fracture the knee joint.
- Shin - A sensitive, non-lethal area.
- Instep - A sensitive, non-lethal area.
- Back of Neck - Highly vulnerable. A blow may cause shock.
- Hollow Behind Ear - Used in defensive tactics (empty hands). A blow in this area may cause serious injury or death.
- Shoulder Blades - (This vital area was formerly known as the Upper Center of Back.) - Effective

striking area. Used to break some holds.

Kidney - Very sensitive. A blow may cause shock.

Tail Bone (coccyx) - A blow to this point may cause shock.

Achilles Tendon (back of heel) - Used to temporarily disable.

Inside of Wrist - A very effective striking area for restraint; for striking.

Elbow Joint - An extremely sensitive point. A blow may possibly fracture or dislocate the elbow joint. for restraint; for striking.

Back of Hand - A blow to this area may open the hand. for restraint; for striking.

p. Written Report a Requirement - Use of Chemical Aerosol Spray. For employees of the police division;

1. A Division Use of Chemical Aerosol Spray form will be completed anytime an officer uses force by Use of Chemical Aerosol Spray.
2. The officer using the Chemical Aerosol Spray will complete the report and submit it to the shift supervisor or officer in charge at the time of the incident, no later than the end of the tour of duty on which the incident occurs.
3. If the officer sustains an injury/death which prevents the completion of a report, that officer's appropriate supervisor will complete the report and forward it to the chief of police who was on duty at the time of the incident, no later than the end of the tour of duty on which the incident occurs.
4. The shift supervisor or officer in charge will review review the report, note any comments, sign/date it and forward it to the chief of police, within 12 hours of receipt. The chief

of police will review the report, note any comments, sign/date it and file it within 12 hours of receipt. A copy of division form is attached as part of this procedure and may be reproduced if needed.

Lincoln Heights Police Division (NON-CHEMICAL AEROSOL)

DATE OF REPORT: _____ TIME: _____

ADDRESS OCCURRED: _____

OFFICER/S _____ INJURED? Yes () No ()
INVOLVED: _____

_____ INJURED? Yes () No ()

MEDICAL TREATMENT ADMINISTERED BY: _____

SUBJECT FORCE EXERTED AGAINST: _____

SEX: _____ DATE OF BIRTH: _____ RACE: _____ SSN: _____

ADDRESS: _____ PHONE #: _____

WAS SUBJECT INJURED? Yes () No ()
(If "Yes", and force occurred in Norwood Jail,
Complete "Norwood Police Jail Incident Report" form # 114)

MEDICAL TREATMENT RECEIVED? Yes () No () Refused ()
MEDICAL TREATMENT ADMINISTERED BY: _____

WAS SUBJECT ARRESTED? Yes () No ()

CHARGE/S: _____

TYPE OF FORCE USED: _____

DISCHARGE OF FIREARMS UTILIZED? Yes () No ()

NUMBER OF ROUNDS FIRED: _____ MANUFACTURER: _____

MODEL: _____ SERIAL #: _____

DISPOSITION OF FIREARM: _____

PLACED INTO EVIDENCE? Yes () No () EVIDENCE #: _____

PLACED INTO EVIDENCE BY: _____

POLICIES AND PROCEDURES

ADMINISTRATIVE RULE -
DEATH INVESTIGATIONS AND
CORONERS POLICIES
SECTION LXII

PURPOSE:

In certain cases, initial examination of the body of a decedent at the scene of death by a forensic pathologist is of inestimable value in determining the cause and manner of death. Livor and rigor mortis, body temperature, ambient temperature, and vitreous chemistry results change during the post mortm interval, and should be evaluated as early as possible after death. The position of the body and its relationship to nearby fixed and movable objects are best evaluated at the scene rather than from photographs. Failure to examine the body in situ can compromise death investigation and potentially crime investigation and/or prosecution.

For practical reasons, a forensic pathologist is not available to respond to all death scenes, and deaths must be prioritized according to the expected value of such response. In many cases, a trained forensic investigator can serve as the eyes and hands of the forensic pathologist on the scene, or provide preliminary evaluation prior to dispatch of a pathologist.

The staff of the Hamilton County Coroner's office will support all law enforcement agencies countywide through death scene response following notification in certain cases and upon request in others. The responsibility for investigation of the crime, if any, rests with the investigating law enforcement agency, and coroner's office staff will not hinder or interfere with the activities of law enforcement personnel. Responding Coroner's office staff will view the body at the scene of death, performing the preliminary examinations necessary and possible, and secure the body and certain portable objects for transportation to the coroner's office.

ARTICLE

RULE

A. Pursuant to statute (ORC 313.12), notification of the coroner's office by emergency and law enforcement personnel is anticipated in all cases of death by criminal or other violent means, by casualty, by suicide, or suddenly when in apparent good health, or in suspicious or unusual circumstances. Response by Coroner's office staff will be as follows. The notification shall be made by the shift supervisor or the shift officer in charge.

- | | | |
|----|---------|--|
| 1* | Level 0 | Release of the body for transport without scene response. |
| 2* | Level 1 | Dispatch of a coroner's investigator. |
| 3* | Level 2 | Dispatch of a forensic pathologist, with or without an investigator. |

- 4* Level 3 Dispatch of a forensic pathologist, with or without an investigator, accompanied by selected criminalistics staff or other laboratory personnel.

In the following circumstances -		routine	selected cases
a*	known or suspected homicide	Level 2	3
b*	industrial accident	Level 2	3
c*	death in custody	Level 3	
d*	decomposed body	Level 1	2
e*	apparent suicide	Level 1	2
f*	accident, non-industrial, non traffic	Level 1	2
g*	crib death, 13 months & under	Level 1	
h*	accident, motor vehicle	Level 0	1
i*	the body has been transported from the scene prior to notification	Level 0	1

B. Upon notification of a death, when requested by law enforcement or deemed appropriate by the coroner, a forensic pathologist and/or coroner's investigator will respond promptly to the scene. There the responding personnel will;

1. Ascertain the essential facts, preceding and the circumstances surrounding the death.
2. Elicit pertinent history, when available.
3. Record the names and addresses of any proper witnesses present.
4. Photograph the body at the scene in the position found. Make diagrams when necessary. Record whether the body has been moved prior to examination. Complete the investigation worksheet, copy appended.
5. Make a preliminary identification of the body and make observations helpful in estimating the time of death.
6. Take possession of any portable objects which may be useful in establishing the cause and manner of death. Retain those objects essential for such determinations (e.g., suicide notes, medications) and deliver all others (e.g., guns, trace evidence) to the investigating law enforcement agency, if they have not already been retained by the agency. A coroner's investigator may accept other evidence for transport to the coroner's laboratory if permitted by the investigating law enforcement agency's policy, in accordance with coroner's office chain of custody procedure.
7. Insure, prior to leaving the scene, that the body and any of its parts are properly wrapped in a clean sheet or enclosed in a clean body bag so that no evidence on the body is disturbed. Secure reliable transportation of the body.

C. Thereafter, the responding parties will record all the findings at the scene and complete an investigative report to be available to the pathologist prior to the autopsy. When circumstances permit, the responding forensic pathologist will conduct the autopsy, if one is performed.

D. It shall be the responsibility of the shift supervisor or shift officer in charge to make sure that all of the guidelines in Section LXII are adhered to in the event of a death.

E. The shift supervisor or shift officer in charge shall contact the Coroner's office in the event of all deaths by telephone to report the record of the death. If the death is suspicious or a homicide the shift supervisor or officer in charge shall fax a copy of the incident report to the Hamilton County Coroner's office by the end of the shift relief.

F. The shift supervisor or shift officer in charge shall be the incident commander at the scene of a death until the major crime task force or the chief of police relieves them. The shift supervisor or officer in charge shall remain on the scene.

G. In all death investigations where the victim is confirmed deceased, the victim's body shall be transported for confirmation to University Hospital unless otherwise advised by the staff at the Hamilton County Coroner's office.

H. Victims of crimes and offenses in the Village of Lincoln Heights that have sustained injuries that appear to be non-life sustaining shall not be taken to any medical facility outside of the limits of Hamilton County. The shift supervisor or the shift officer in charge shall monitor the injured victim's condition.

I. The shift officer in charge or the shift supervisor shall contact the medical facility that the victim has been transported to and advise the facility not to release any of the victim's personal effects. The victim's personal effects shall only be released to the Hamilton County Coroner's office or the Lincoln Heights Police Division. The items shall be properly bagged and tagged.

J. The shift supervisor or the shift officer in charge shall be responsible to see that all of the required Lincoln Heights Police Division and Hamilton County Coroner's office forms and reports are completed by the end of the tour of duty.

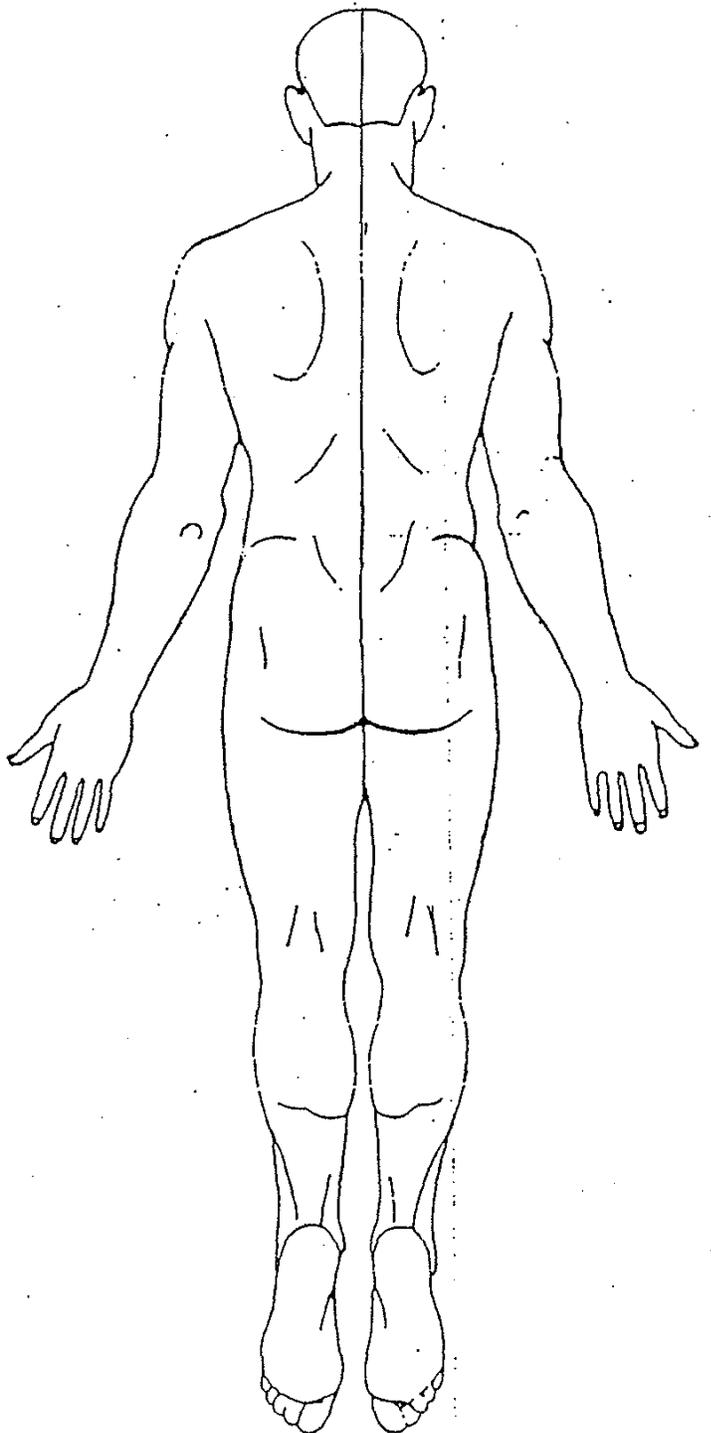
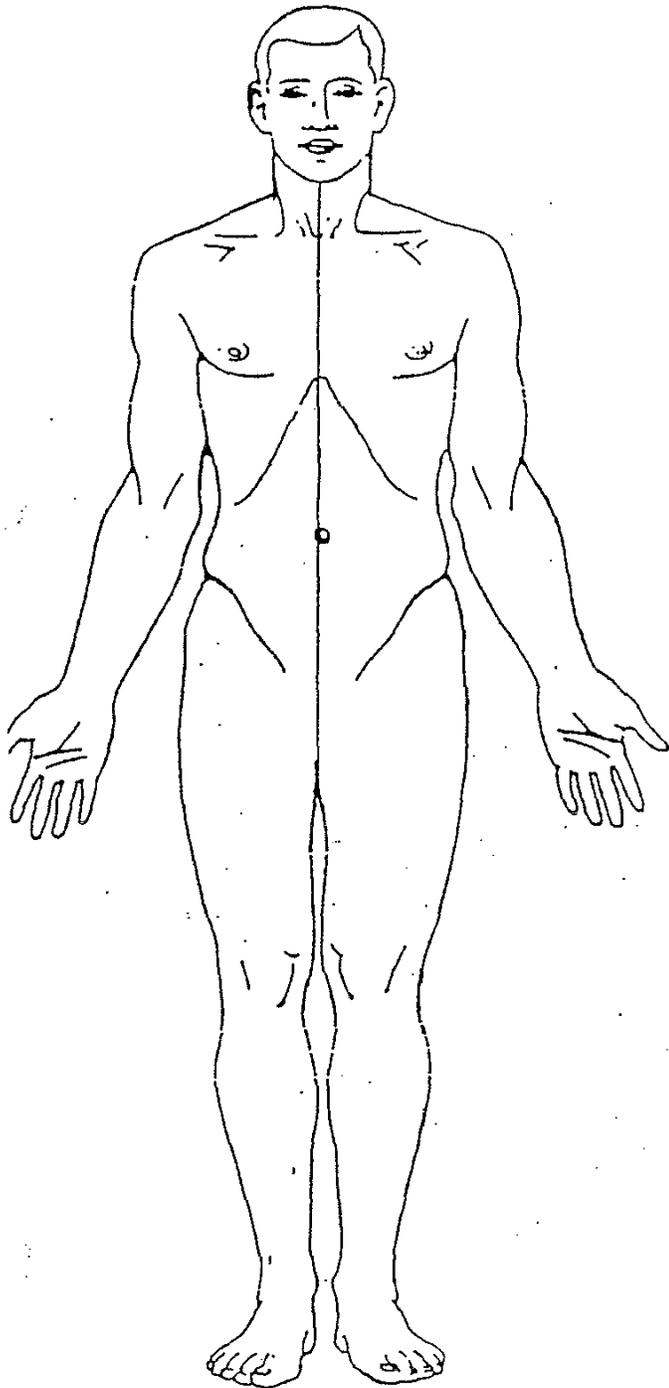
K. Unauthorized individuals shall not be permitted at the crime scene in a death investigation. A patrol officer shall be stationed to prohibit unauthorized persons from entry.

L. Police division employees may be required to duplicate reports or forms during investigations. There are requirements for the police division investigation unit and requirements for the Hamilton County Coroner's office that require the same information, but on separate and different forms or reports. All must be completed.

M. Employees of the police division shall not discuss the terms, conditions, circumstances, results or specifics of any death being investigated by the police division. Discussions may only be held with Lincoln Heights Police Division personnel or authorized agencies assisting with or conducting the investigations.

N. Police division employees shall not provide copies or statements of any death investigation being conducted by the police division to any agency except the Hamilton County Prosecutors' office or the Hamilton County coroner's office without the permission of the chief of police.

Hamilton County Coroner's Office Scene Investigation Worksheet
Additional Information Sheet



Hamilton County Coroner's Office Scene Investigation Worksheet

(use additional sheets and diagrams as needed)

NAME OF INVESTIGATOR: _____ DATE _____

NAME NOTIFIED: _____ TIME OF ARRIVAL: _____ TIME OF DEPARTURE: _____

ADDRESS OF SCENE: _____

GENERAL DESCRIPTION OF SCENE: _____

WEATHER CONDITIONS AT THE SCENE : _____

LIST NAMES AND AGENCIES OF POLICE AND FIRE PERSONNEL AT SCENE

NAME OF DECEASED: _____

HOW WAS DECEASED IDENTIFIED: _____

WAS MEDICAL CARE GIVEN AT THE SCENE: NO YES

WHAT KIND : _____ BY WHOM : _____

CIRCUMSTANCES SURROUNDING THE DEATH AS CURRENTLY KNOWN:

POLICIES AND PROCEDURES

ADMINISTRATIVE RULE -
HAMILTON COUNTY COMMUNICATIONS
CENTER POLICIES
SECTION LXIII

PURPOSE:

To maintain a level of professionalism when conducting police division communications. To communicate within the applicable laws of the Federal Communications Commission and the Hamilton County Communications center.

ARTICLE

RULE

A. The employees of the Lincoln Heights Police Division shall operate under all of the adopted policies and procedures of the Hamilton County Communications Center while utilizing radio communications.

B. The employees of the Lincoln Heights police division shall be governed by and shall abide by the Hamilton county Communications Center Police Radio Procedures Section "C", page 1 through 38. Employee's can be disciplined under this section for all violations that occur relating to this policy.

SECTION "C"

Police Radio Procedures

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- I. The Hamilton County Communication Center serves as the licensed base station for Police, Fire, and EMS agencies throughout Hamilton County. The base station is operated under direction of the Director of Communications. The base is operated by Communication Officers, whose duties are to provide radio communications to all Police, Fire and EMS Units/Agencies, maintain all necessary records connected therewith, and to adhere to all policies and procedures to include:
 - A. The rules and regulations of the Federal Communication Commission shall be strictly observed at all times.
 - B. Members of the network shall obey such directions, rulings, and orders in reference to operating procedure as may be issued by competent authority.
 - C. Suggestions, or questions, concerning operating procedures shall be submitted in writing, to a shift supervisor, who will forward the suggestion to the proper administrative authority for consideration. Whenever possible, the response to the suggestion shall be returned in writing to the person initiating the suggestion.
 - D. Fire and Police radio frequencies are licensed and classified as emergency, therefore, transmission of messages of a personal, or non-emergency nature are prohibited. Any violation may cause citation of the base license by the Federal Communication Commission and may result in a request for disciplinary action against the person responsible.
 - E. The system shall be operated in an impersonal manner. The use of names, or nicknames, is prohibited. Reference made to field personnel and their officers, shall be by unit number only.

- II. **PURPOSE FOR PROCEDURE:**
 - A. To provide an official guide, outlining the mechanics to be employed in the many operations of Police/Fire and EMS Communications.
 - B. To insure efficiency, uniformity, and high standards of procedure in the use of the communications system. It is impossible to develop specific procedures, or plans, for all situations that may arise. Therefore, the Officer-in-Charge will be responsible for monitoring radio activities for proper conduct and procedure.



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III. PROCEDURE - COMPLIANCE:

- A. The Procedure Manual will be used as a guide in performing various tasks.
 - 1. Strict compliance with the instructions in this manual shall be the responsibility of all members of the Police, Fire, and EMS communications system
- B. Communication, Police, Fire, and EMS personnel shall thoroughly acquaint themselves with all policies and procedures.
- C. After all Communication, Police, Fire and EMS personnel are thoroughly informed, the procedure will be filed in the "Procedure Manual" and made readily available for easy and quick reference for all personnel.
- D. All requests for new procedures, or revisions of old procedures, must first be submitted, in writing, for review by the Fire Chiefs', or Police Chiefs' Communications Committee and then the Communications Liaison Officer and lastly, to the Director of Communications for final approval.
- E. Fire and police agencies requesting individual deviations, or changes in dispatching procedure, shall submit the changes in writing, for review by the Director of Communications, or designee.
- F. All reporting areas, Police, Fire and EMS, must be predetermined, programmed, and entered in the Computer-Aided-Dispatch System to utilize maximum efficiency of the various system files.
 - 1. In accordance with the above, it is imperative that all changes, or revisions of predetermined reporting areas, be submitted in writing at least thirty (30) days prior to desired implementation date.
- G. The field supervisor, has the authority to countermand or change any unit assignment within their jurisdiction. However, effectiveness of the system is best served when the radio operators, field units, and supervisors work together in a spirit of cooperation.



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IV. OPERATING AND BROADCAST PROCEDURES:

- A. It should be remembered that every broadcast is being advertised to all listeners, which includes other departments; the news media; and in many cases, the general public. If the operation of the radio system sounds efficient, it is likely the listener's impression will be that the Police, Fire and EMS radio network operates efficiently.
1. Any discourteous treatment or unprofessional radio transmission may result in disciplinary action. Personnel assigned to the operation of the radio equipment shall be held responsible for the conduct and traffic transmitted. You are the guardian of FCC Regulations.
 2. It is the responsibility of the radio operator to properly acknowledge ALL radio calls. Clearance of a radio call assures the field unit(s) that their radio message was received and understood. "DO NOT CLEAR A RADIO CALL UNLESS YOU COMPLETELY UNDERSTAND IT."
 3. Alertness and concentration are significant qualities of a successful Communication Officer. Radio operators shall be held responsible for any delays of service resulting from inattentiveness. The reply to a radio call should be immediate and decisive. The radio operator's voice should be "clear, impersonal, and project authority".
 4. In broadcasting, the voice shall be held to a monotone, regardless of the situation. Emotion tends to distort the voice and render it difficult to copy. **MESSAGES REQUIRE NO EXPRESSION, BUT A HIGH DEGREE OF INTELLIGIBILITY.** Pronounce words distinctly.
 5. When broadcasting, the mouth should be kept close to the headset microphone and a normal voice should be used, without shouting. The radio has all the amplification required and above a certain point, the voice is distorted so that it becomes unintelligible. This is technically known as "over-modulation".
 6. Radio data shall be transmitted (broadcast) slowly enough to allow the field unit to copy down all necessary information, but not prolonged to occupy the air unnecessarily.
 7. Radio transmissions shall be answered promptly. When the base, or a mobile unit is not prepared to accept traffic, the calling unit shall be advised to "standby" and excuses for not accepting the radio traffic, such as, "I'm busy"; "being on the telephone;" shall not be stated on the radio.



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8. Any mobile unit attempting to call the base station and is not acknowledged by the radio operator after three attempts, shall call the Communication Center as soon as possible via telephone, to check the units radio.
9. Expressions such as "roger, will do, out, come in, go, my bad, etc." shall not be used. Courtesy expressions such as, "sir, please, clear and thanks or thank you" shall not be used on the air.
10. Base station radio operators and mobile units alike, when not acknowledged on the first call, shall place their calls for that unit at intervals and not continuously.
11. If a radio dispatch requires copying, the radio operator shall say "*prepare to copy*", or, use the word "*copy*" in calling the unit, when the duration of the information will be longer than normal. All radio dispatches require some copying. If a field unit is unable to copy the information, they should advise the radio operator of same, until such time as they are able to accept the information.
12. Base station radio operators and field units alike shall always use the word "Car" or "Unit" before the number. It serves as an alert, since the field unit must receive clearance from the radio operator before transmitting a message, other than "2-6", "3-5" or "2-7". Also, in case the transmitter is keyed late, the word car or unit will be omitted, but not the unit's identification number.
13. Mobile units should monitor the frequency before keying the radio in order to ascertain availability of the radio. This is especially important when switching back and forth from the primary radio channel to the inquiry or area wide channels.
14. Base station radio operators and field units alike shall never acknowledge, or answer radio transmissions without including the unit identification number.
15. The dispatcher will grant any "REASONABLE" request from a field unit, however the radio operator "WILL NOT" make decisions for the field units
16. Strict and diligent adherence of the field unit/s status is the primary responsibility of the radio operator and is an absolute necessity for an efficient and professional performance.
17. It shall be the responsibility of each individual Police Agency to inform the Communication Center "by telephone" the number of police units at the start of each shift or tour of duty.



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B. UNIT CONTACT TIMERS

The CAD system maintains a contact timer for every active unit and other units specified by the radio operator. The unit contact timer allows the system to monitor the length of time between unit status updates and notify the radio operator when a unit is overdue for radio contact. The timer is reset automatically whenever a status change is entered, the unit keys the radio (police only), or the radio operator manually enters the command to reset the timer.

1. **Law Enforcement** - Police Officer safety is one of the radio operators primary responsibilities. It is mandatory that radio operators make appropriate safety checks on field units operating in potentially dangerous situations. Unit contact timers shall be considered a "maximum" time lapse for safety checks. Nothing in this procedure shall prohibit the radio operator from making more numerous safety checks with or without the use of the unit contact timer. When a unit contact timer expires for a police unit the radio operator should immediately check on the unit, keeping in mind the following guidelines:
 - a. The time lapse between the last radio contact or other contact with the unit and expiration of the contact timer.
 - b. Any extenuating circumstances such as the type of incident, time of day or night, or number of units at the scene.
 - c. Reset the timer whenever the police officer remains in a potentially dangerous situation.
2. **Fire & EMS** - Contact timers are also maintained for fire and EMS units to notify the dispatcher that the five minute period permitted for fire and EMS unit run acknowledgment is about to expire. This is not an immediate notification for a second call, but a warning to the radio operator to check on the unit and to be prepared to initiate the second call procedure.
3. When a check up is made on any unit after expiration of a contact timer the radio operator shall note what actions were taken in the comments field before clearing the timer. The comments, which can be as simple as "Unit checked O.K." will be noted on the units history. When resetting the contact timer the radio operator has the option to turn the timer off or reset it for an additional specified period of time. The guidelines noted in Section 1 should also be followed when the radio operator resets the timer for additional time periods.



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C. RADIO AIR-TIME CONSERVATION.

1. Radio air time is a limited commodity that should be of primary concern to all users. The use of air time should be monitored by all agencies and blatant, or continued misuse should be reported and referred to the Communications Committee, (Police or Fire) for examination.
2. Most misuse of air time can be attributed to habits formed when the frequencies are not over-crowded and prudent use of air time is not a major concern.
3. The following are some of the most frequent abuses of air time.
 - a. Long, drawn out radio broadcasts both by the base station and the mobile operators.
 - b. **THINK** before opening the transmitter. Form your thoughts so to make your broadcast as **BRIEF AND TO THE POINT AS POSSIBLE**. Radio broadcast should be slow enough to copy, but never **PROLONGED NEEDLESSLY**.
 - c. A great percentage of wasted air time is caused by the field unit's request for incidents and radio broadcasts to be repeated.
 - d. When dispatching details such as, signal one, two, fifty-five, thirty, fifty-two, etc., it is not necessary to first call the unit and wait for a response.



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- I. The UHF Police Radio System consists of a series of receiver and transmitter locations (sites) that are linked together using microwave, or telephone lines, which are controlled at the Communication Center.

A. REPEATER:

The repeater is a transmitter that is used to "repeat" all messages that are transmitted by the mobile unit. It is also the base station's method for originating radio calls. Normally the repeater will be left on at all times, however, the Dispatcher will have the capability to "disable" the repeater function, should this be necessary. The main repeater sites are:

West Channel: Miami Heights
Communications Center

Central Channel: Communication Center

East Channel: Indian Hill
Communication Center
Anderson Township (Sweetwine)

Inquiry Channel: Communication Center
Indian Hill
Miami Heights

Area Wide Channel: Communication Center
Calhoun Hall (Univ. of Cincinnati)

B. RECEIVER:

Receiver sites pickup the appropriate radio signals and send them back to the Communications Center, via either telephone lines and microwave links where a "comparator" selects the best possible signal and rebroadcasts it over the repeater. The Dispatcher also hears this radio signal. There are remote receiving sites strategically located throughout Hamilton County.

1. It should be pointed out, the portable radio transmits on a different frequency, (known as the repeat input), than the base station, (known as the repeat output).



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2. The comparator will select radio signals from different receiver sites simultaneously and automatically selects the "best" signal while the user is talking. This is done faster than the users will be able to detect.
3. Since the police portable radio user will be transmitting on a different frequency (repeat input) than the base station (repeat output), the user can transmit an emergency message simultaneously while Communication Center personnel are also transmitting. The feature may also be utilized during an All County Broadcast, regardless of the broadcast originator. User consideration should be exercised when interrupting an A.C.B. since it may also be of an emergency nature. This function is designed to provide field units with an additional safety feature.



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II. RADIO FREQUENCIES-CHANNELS-CALL LETTERS AND MONITORING PRIORITIES

<u>RADIO CHANNEL</u>	<u>PRIMARY POSITION</u>	<u>CALL SIGN</u>	<u>MONITORING PRIORITY</u>
POLICE WEST	41	KCZ-416	P
POLICE CENTRAL	42	KZC-417	P
POLICE EAST	43	KZB-495	P
POLICE AREA WIDE	ALL	KZC-417	P
POLICE INQUIRY	T/T	KZC-417	P
OHIO LEERN	44	KXV-553	S*
POLICE VALLEY	ALL	WBE-213	S
FIRE CHANNEL 1	44	KQI-316	P
FIRE CHANNEL 2	44	KQI-316	S
FIRE CHANNEL 3	44	KQI-316	S
FIRE CHANNEL 4	44	KQI-316	S
HOSPITAL RADIO NET	44	KQM-706	S
VALLEY FIRE	44		S
ENGINEERS	ALL	KET-26	S
INTERSTATE	ALL	KQA-230	S
COMMAND	ALL	KTN-345	
ADMINISTRATIVE	ALL	KGY-327	
CINCINNATI	ALL	KLY-957	RECEIVE ONLY
NORWOOD	ALL	KQB-254	S

* Radio Operators should be alert to calls for service on the L.E.E.R.N. Radio, and also aware of a daily radio test on this frequency by OSP Wilmington.



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- A. The Communication Officer assigned to radio positions shall be responsible to monitor that primary frequency, (East, Central, West, Fire). Other radio channels should be considered secondary. Certain circumstances may dictate an alternate monitoring situation. Radio operators shall, under those conditions, monitor other radio channels as the need arises.
- B. Each radio console is equipped with a "talk-around" feature to allow field units constant accessibility to the radio operator/s. This feature has a variable volume control that can be completely muted. It shall be each radio operator's responsibility to adjust the volume level so as to be able to hear a radio call from a field unit.

III. AREA WIDE CHANNEL - RADIO PROCEDURE.

- A. The MUTUAL-AID FREQUENCY, (460.500), is to be considered an area-wide radio channel. The frequency was developed primarily to give all Hamilton County Police Agencies the ability to coordinate activities with other surrounding departments, by using a common radio channel.
- B. A repeater system is utilized on this channel, which should allow sufficient radio communications, and range. The area-wide repeater will remain ON at all times and under the control of the Communication Center. The radio operator will be able to talk on the channel, and it will be recorded. The area-wide frequency is to be used, primarily, for mutual-aid, and not for dispatching and exchange of non-essential information.
- C. Although the Communication Center will monitor this frequency for any abuse of proper radio procedure(s), and report any misuse to the appropriate agency department head, it should be the responsibility of all departments to report any misuse of this channel to their department head for investigation. Proper radio procedures shall be adhered to and utilized at all times.
- D. In the event of an emergency, any agency may request exclusive use of the frequency. The radio operator shall notify the supervisor and initiate an A.C.B. to alert all departments of the restricted use of the channel. In the event of two emergencies, occurring simultaneously, the Communication Supervisor will determine which agency is to have use of the channel.
- E. A reminder to all departments and radio operators, there are a few non-repeated, simplex frequencies that may be used at any time, without prior authorization. (Channel two - five - seven) depending on the radio configuration).



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- F. Communication Center personnel will not generally be required to keep status of units while the unit is on the area wide frequency. It is, therefore, extremely important for a unit to return to the primary channel as soon as possible.
- G. When an emergency exists, it is the option of the Watch Commander to assign a Communication Officer to monitor the frequency. During an emergency it shall be the responsibility of the radio operator to monitor the channel, keep status, and assist the unit(s) on this frequency as required.

IV. AUTOMATIC RADIO IDENTIFICATION OPERATION

- A. The police portable radios are equipped with a signaling feature known as "Automatic Identification." Each radio has a unique "number" assigned to it and each time the "transmit" function is activated, a tone burst is transmitted to the Communication Center indicating what unit is transmitting.
- B. This feature enables the radio operator to identify a portable radio user and to minimize unauthorized traffic. This feature shall not be used for making status changes, or for acknowledging radio calls. Its primary use is to provide individual emergency call identification. Subsequently, pre-established radio procedures shall be followed and all radio communications will be verbal, (with the exception of emergency alert activation!)
- C. When an officer keys the portable radio, the RIN (Radio Identification Number) and radio channel are received in the C.A.D. system. The system, in turn, associates the RIN with the unit number that has been entered into the C.A.D. system. If successful, the unit number and radio channel (West - East Central- Inquiry) the RIN was received on, is displayed on the "unit-on-radio" line of the status screen that "owns" the particular unit. If a different RIN is subsequently received that should be displayed on the same status screen, the previous unit-channel information is displaced one position to the right on the unit-on-radio line of the screen.
- E. The "LUI" command is available to include the provision for entry of up to four RIN numbers. This feature will accommodate four individual portable radios assigned to a single unit number.



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- F. It is essential that every agency using portable radios equipped with Automatic Identifiers, telephone or teletype their lineup(s) to the Communication Center at the beginning of each shift. Along with each unit number, the individual four digit numbers engraved on the portable must also be assigned to the unit number. If a unit fails to call in his RIN(S) and an exception condition occurs, the user will be advised to Signal 55, so the proper unit/RIN identification can be established.

V. EMERGENCY ALERT FEATURE

A. CAD OPERATION:

When an emergency message is received from a portable radio, the following sequence of events occur. First, the system attempts to correlate the RIN, (Radio Identification Number), to a unit number. If it cannot, because the RIN was not entered into the system, an exception condition will be displayed. When entered properly, the appropriate unit number and channel the emergency was received on, is displayed on the status screen. Along with this, the word "EMERGENCY", followed by the unit number, is displayed on the status screen. An audible alarm is also activated to gain the radio operator's immediate attention. The CAD system will generate an emergency message to all radio positions. If another emergency is received from a different unit and is displayed on the same status screen, the previous unit channel, along with the word "EMERGENCY", is displaced one position to the right on the emergency line of the status screen. Up to four different emergencies can be viewed in this manner. A "FUNCT" plus the 0 (zero) command will clear the display in the marquee area of the status screen.

B. EXCEPTION PROCESSING:

If a RIN is received by the CAD system for which no correlation to a unit can be established, the exception condition arises. If this occurs, the RIN and channel it was received on, is displayed with the word "EXCEPTION" on all of the status screens. The reason for this, is that there is no way of telling which radio operator has responsibility for this RIN, so all receive this data. The responsible radio operator can correct the event by entering the RIN and appropriate unit number by using the "LUI" command function.



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C. CODE I CONDITIONS

In the event of a computer malfunction at the Communication Center which results in a shut down, and normal computer operations are temporarily unavailable, a "CODE I CONDITION" shall be announced to all police agencies on the east, west, and central radio positions. It is important that the users realize, fully, the ramifications of such a condition.

When the radio operator broadcasts the statement "*ATTENTION ALL CARS AND DEPARTMENTS, THIS STATION IS NOW OPERATING UNDER A CODE I CONDITION.*" This statement should alert the field units of two important conditions.

1. The portable radio emergency alert call operation is not available; and...
2. The portable radio automatic identifier cannot be decoded by the C.A.D. system.

The Communication Center will continue to broadcast the status of the "CODE I CONDITION" every twenty to thirty minutes until operations can be restored to normal. Upon restoration of the computer system, the radio operator/s will broadcast the following statement: "*ATTENTION ALL CARS AND DEPARTMENTS, NORMAL OPERATIONS HAVE BEEN RESTORED, THE CODE I CONDITION NO LONGER EXISTS.*" This broadcast should be initiated at least two times within the next hour of normal operation.

IN BOTH INSTANCES, THE TELETYPE OPERATOR SHALL GENERATE A "GBDC" MESSAGE ANNOUNCING THE STATUS OF THE CODE I CONDITION.



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D. EMERGENCY CALL PROCESSING:

Upon receiving an emergency button alert from a field unit, the radio operator shall immediately broadcast the following statement. *"ALL CARS STANDBY, UNIT XXXX GO AHEAD WITH YOUR EMERGENCY"*. At this time, the field unit must immediately identify the nature of the emergency. Should the unit answer, the emergency shall be handled in the proper manner. However, if the unit does not immediately answer, the radio operator must assume the worst has happened, and instantly *"ACTIVATE THE A.C.B."*, and other appropriate radio channels and announce the nature of the emergency:

"POLICE OFFICER NEEDS ASSISTANCE" also GIVING THE LOCATION OF THE OFFICER, (provided it is known). When giving the LOCATION of the officer, include the area they are in such as, Mt. Healthy, Greenhills, Delhi Township, etc.

Should the radio operator be unaware of the location or if no location was given prior to the emergency, an ALL-OUT SEARCH will begin at the last known location, and continue until the unit is located.

E. SPECIAL CIRCUMSTANCES:

If a field unit informs the radio operator that a sequence of emergency tones are being transmitted on a non-repeater channel, (channels 2, 5 or 7), the following procedure shall be initiated;

- 1) First obtain the location of the unit reporting the emergency tones.
- 2) Begin a roll-call of all the units within a one (1) mile radius of the unit first reporting the alarm.

Should a unit fail to answer the roll-call, the same procedures taken on the primary channels will be implemented. (Refer to: Section "C" Emergency Call Processing). The roll call will continue until the entire area has been covered. Any unit that fails to answer the roll-call will be checked on.

This procedure is necessary because a unit may have gone out-of-service, ("2-7"), without the radio operator's knowledge. The only time a roll-call will be stopped short is when the unit activating the emergency tone is located. NOTE: Any misuse of the emergency call feature should be reported to the Watch Commander and appropriate documentation should be compiled and forwarded to the Personnel Director for further action.



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I. MOBILE DATA TERMINAL (MDT) PROCEDURE:

The MDT is designed to enhance the voice radio system, not replace it. Certain aspects of the MDT function will reduce air time and dispatcher dependence. However, while the use of MDT's is encouraged, the MDT in no way reduces the radio dispatcher's responsibility for units assigned to his/her radio position.

A. MDT DISPATCHING:

1. All incidents dispatched will be sent to MDT equipped vehicles. Priority "E", "1", "2", and "3" incidents will be dispatched by MDT and by voice in broadcast form. Priority "4" through "7" incidents will be sent to MDT equipped units and the unit will be notified by voice to check the MDT for information. For example:

Dispatcher: *"Car 9L35, 100 Main Street, see complainant reference a theft report".*

Unit 9L35: *"Car 9L35 clear".*

2. The assign and log function (AL) may be used when dispatching incidents not requiring status keeping to MDT equipped units. These incidents must also be voice broadcast before logging. An example of this type of broadcast would be *"Car 9L35 signal 1".*
3. When dispatching public safety service incidents to MDT equipped units the assign and log function is used and the unit alerted to the incident by the dispatcher stating *"Car 9L35 a public service logged to your MDT."* This and all incident assignments made by voice dispatch must be acknowledged by voice by the field unit.

B. STATUS KEEPING:

All status changes relative to a dispatch, from MDT equipped vehicles, can be done digitally. It is always the officers option to initiate a voice transmission based on individual field circumstances. Likewise, voice is always available to dispatchers for any reason. All requests or messages received by voice shall be processed by the radio operator into the CAD system.



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C. TRAFFIC STOPS:

The MDT system has a "Traffic Stop" function. A function key will display a mask to the field officer that prompts: location, license number and remarks. By default a QHW will be processed, if a QR or QOT is desired the officer must indicate with an "X" in the appropriate box on the mask. For officer safety it may not always be convenient for officers to use this mask and some departments have procedures that require that officers advise the Communications Center by voice of all traffic stops. If an MDT equipped unit advises a dispatcher of a traffic stop by voice, the dispatcher will acknowledge and process the request in the CAD system.

D. DATABASE INQUIRES:

Most RCIC, LEADS and NCIC inquiries are available by MDT. The response to these inquiries will be, in most all cases, abbreviated and formatted differently than those received on a CLEAR terminal. This is necessary because the MDT display is limited to 12 lines of 40 characters each. The reformatting provides readability on the MDT screen. Storage capacity at the MDT device is also limited and must be managed by the field officer. The data parsing of MDT responses assists the officer with buffer management.

1. The message switch software is designed to identify "hits" and notify the dispatchers when they occur. MDT inquiries initiated with a CTLNO: only, that result in a SIG 30, will not generate a message to the units' controlling dispatcher. LEADS and NCIC "HITS" will not generate a message to the dispatcher. The radio operator shall confirm that the field unit is aware of the information by stating "Car 9L35 are you clear on the MDT signal 30 information?"
2. "Hits" generated by MDT inquiries must be verified. The officer will be required to supply the dispatcher with enough information to allow the "hit" to be re-run at the Communications Center or other confirming point. If numbers such as control numbers, NCIC numbers, Soc. numbers, LID numbers, etc. are used a name, vehicle type, ORI, etc. should also be given so that there is no doubt that the confirming agency gets the correct person or property to confirm.

E. MESSAGES:

Messages can be sent between MDTs, between MDTs and CLEAR terminals, and MDTs and CAD terminals. The queries "who" and "where" are designed to allow an officer to determine if a specific officer is on duty and his unit number.



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1. For the protection of all users of the system a message log of all transactions occurring through the message switch is maintained on disk, and later transferred to tape for archiving. Requests for message log data can be directed to the communications center. This process will be nearly identical to a voice data request, where time of occurrence and units involved will be needed to begin a search.
2. Individual agencies should implement policies governing the usage of the message function. A basic rule should be, if the message is inappropriate to say on the voice system, it should not be sent as a message. E-mail and administrative messages shall be for professional and business use only.

F. SECURITY:

Every MDT user will be registered on the message switch and the CAD system. Each user requires a log-in password to access the systems. It will be the agencies responsibility to keep the RCC or the Communications Center aware of new hires and termination, retirements, promotions and demotions that affect access and changes in function. All Communication Center Supervisors will be authorized to make adjustments to the personnel access files. Changes will have to be requested in writing or via Administrative Message on a CLEAR terminal.

G. OTHER FEATURES:

1. Premise History. CAD premise history data will be available at the MDT by use of a function key. The same data seen by the dispatchers will be sent to the MDT. Purge and entry criteria will remain unchanged. MDT equipped field units will have the ability to enter short term (7 days) premise data, at will. Extended entry will require written documentation.
2. Address History. This is an RCIC file that will be queried on demand from and MDT. The current assigned address will be checked for past activity. Up to ten dispatches in the past 30 days will be stored and accessible.
3. Street Locator. This is a CAD file that will display the physical location of the street in text form.
4. E-Mail. Fashioned after PC type Electronic Mail. The system checks the E-Mail file for content each time an individual logs onto the system, if it finds mail the system will notify the user to retrieve it. There is a limit to the number of messages that are stored and a 30 day automated purge routine. Individual agencies need policies on usage. Dispatchers using a CAD terminal are not notified of pending E-mail at sign



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on. It will be necessary to periodically inquire with the "EMAILR" command to check for E-mail. Because of this, critical or time sensitive E-mail should not be sent to dispatchers.

5. BOLO. This feature is designed to store current APB, ACB, GBDC, type data to be recalled if needed in the field. This feature will also have an automatic purge routine that will keep the data at a manageable level. Individual agencies will need policy and possibly some system-wide parameters, also, global rules will need to be established.
6. Emergency Button. An emergency button activation on an MDT device will be processed exactly like one received from a personal portable radio. The dispatcher will be able to distinguish between the two and will indicate on the radio broadcast that it is an "MDT" activation.

Example: . *"ALL CARS STANDBY, UNIT XXXX GO AHEAD WITH YOUR MDT EMERGENCY"*. At this time, the field unit must immediately identify the nature of the emergency. Should the unit answer, the emergency shall be handled in the proper manner. However, if the unit does not immediately answer, the radio operator must assume the worst has happened, and instantly *"ACTIVATE THE A.C.B."*, and other appropriate radio channels and announce the nature of the emergency:

"POLICE OFFICER NEEDS ASSISTANCE" also GIVING THE LOCATION OF THE OFFICER, (provided it is known). When giving the LOCATION of the officer, include the area they are in such as, Mt. Healthy, Greenhills, Delhi Township, etc.

Should the radio operator be unaware of the location or if no location was given prior to the emergency, an ALL-OUT SEARCH will begin at the last known location, and continue until the unit is located.

7. Should the MDT system be unavailable, radio operators shall broadcast that we are operating under "CODE 1M (MARY) CONDITIONS", this will advise the field units that the MDT system and associated "emergency button" are not functional.
8. Requests for wreckers, utilities and other miscellaneous service requests shall be handled by voice radio over the primary radio frequency. The MDT message switch function shall not be used for this purpose.



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- I. The following procedure for assigning incidents to non-MDT equipped police mobile units is designed to insure the field unit ample opportunity to record all the necessary data and to eliminate the time consuming process of repeating the incident.
 - A. When assigning an incident to a mobile unit, the Communication Officer will call the proper unit to copy.
 1. By first calling the unit and waiting for the response, it will alert the unit to prepare to copy.
 2. The radio operator is responsible for relaying all available information to the field unit. It shall be the responsibility of the field unit to record all the information to carry out the assignment.
 3. In case the field unit is not completely clear on all or part of the transmission, he shall request clarification at the time the incident is given and not wait until the incident has been processed.
 - B. To further insure the field unit has the opportunity to record all the pertinent information, the Communication Officer "SHALL ALWAYS" first give the address and then the qualifying information, such as, an auto accident; burglar alarm; see complainant for a specific report, and then repeat the location again.
 - C. When a unit is equipped with an MDT terminal, the dispatch shall be done in the broadcast mode without waiting for the unit to acknowledge the call first.

NOTE: THE ABOVE PROCEDURE DOES NOT PERTAIN TO RADIO BROADCASTS THAT DO NOT REQUIRE COPYING. E.G.: SIGNAL ONE, SIGNAL TWO, ETC.

II. RADIO SIGNALS AND CODES.

- A. Generally all radio dispatching of incidents shall be in plain language, however there are a few applicable codes used to conserve air time and to quickly relay information to the field units.
- B. Signals and Codes that do not require copying of information shall be uniformly used and accepted by both Communication Officers and field personnel alike.
- C. A current list of Signals are placed at each telephone complaint and radio dispatch position for the Communication Officers' use. Revision of this list is made as necessary.



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III. OUT OF TERRITORY ASSIGNMENTS: Unless otherwise pre-arranged, the following procedure is designed as a guideline for incident assignments in the event the primary, or jurisdictional field unit(s) are unavailable. All out of territory assignments are in accord with the current mutual-aid agreements.

A. DISPATCHING UNITS OUT OF TERRITORY:

In villages or cities, should an incident be judged to be urgent:

1. Attempt to notify the responsible agency first.
2. Assign the incident to the nearest available unit, either village, city, sheriff or township unit(s).
3. As soon as possible after dispatching a unit out of jurisdiction, the radio operator must notify the field units' on duty supervisor.
4. Advise the primary unit, when again available, of the current activity and current status of the incident.

B. DISPATCHING SHERIFF'S UNITS OUT OF TERRITORY:

1. In the unincorporated areas, each field unit is responsible for an assigned territory, (which henceforth will be designated as a beat). In order to avoid an unregimented crisscrossing of units from one beat to another, the beat file established in the C.A.D. will recommend the appropriate unit. This method shall be adhered to, unless an unusual circumstance dictates otherwise.

C. DISPATCHING OF PARK DISTRICT UNITS OUT OF TERRITORY.

1. Hamilton County Park Rangers will respond out of their assigned district if one of the following conditions are met.
 - a. Another agency requests their unit(s) to respond.
 - b. The dispatcher determines that a "TRUE EMERGENCY" exists and there are no other units available.



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OPERATING PROCEDURE MANUAL

Subject: ALL COUNTY BROADCAST PROCEDURES			Section: C	
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I. DEFINITION AND PURPOSE:

The "ALL COUNTY BROADCAST" (ACB) is a radio feature which permits a radio operator to broadcast information over all police frequencies in Hamilton County. The primary purpose of the "ACB" is to alert all police departments in Hamilton County that a serious crime has occurred, and to increase the likelihood of an apprehension and to enhance police officer safety by rapidly disseminating information.

A. ACTIVATION:

The "ACB" can be activated by Hamilton County Communications Center; the City of Cincinnati Communications; and the City of Norwood. Agencies on the Valley Communication System may contact one of these Communication Centers to request an ACB. In the event of a local emergency, an individual agency may recapture its own frequency by using the "ACB DISABLE" button. This will not affect other departments from receiving the ALL COUNTY BROADCAST.

B. CRITERIA:

Those incidents that meet at least one of the following criteria, should be "considered" for an ACB. They are not all inclusive, but together, they should be used as a guideline by the radio operators when making a decision for an ACB. If in doubt, check with your Supervisor.

1. **SERIOUSNESS OF OFFENSE** - in general, only a serious crime, (felonies, police officer needing assistance, crimes involving weapons, etc.). Minor offenses such as failure to pay and hit skip accidents without injury generally would not meet the standard.
2. **LOCATION OF INCIDENT** - the information should be of interest to all jurisdictions on the ACB system. In a case of limited interest, alternatives should be considered such as direct telephone contact or a simul-select radio broadcast.
3. **TIME ELEMENT** - normally, the incident should have just occurred. If a substantial period of time has elapsed it may be more appropriate to relay the information via the telephone or teletype message (GBDC).
4. **VISUAL INFORMATION** - an ACB should contain a good physical description of the suspect(s) or vehicle, which would be useful to the field units.



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C. EXCEPTION:

In order to maintain a degree of professionalism on the radio, all requests "over the radio" from field units at the scene of an offense, will be honored. If the radio operator feels the requests are excessive and fail to meet the ACB criteria, the radio operator should refer the matter to the Watch Commander for disposition.

D. SPECIAL BROADCASTS:

1. **MISSING PERSONS** - the ACB should not be used to broadcast missing persons unless the incident is deemed a "CRITICAL MISSING". A missing person is a small child, considered critical when there is reason to suspect foul play; or the person poses a threat to themselves or others.
2. **HOLDUP ALARMS** - the ACB should be used to broadcast holdup alarms when possible trouble is indicated, or if the location is within a reasonable distance to a jurisdiction not on our radio system. Refer to Page 9 Section B for ACB usage for Uniform Robbery Response Plan Procedure.
3. **AREA WIDE RESTRICTION** - use the ACB to broadcast a restriction of the area wide frequency (Channel 6). The Watch Commander may grant a restriction when routine radio traffic could jeopardize the success of a police operation or the safety of police officers.

E. OTHER IMPORTANT OPERATING PROCEDURES:

1. Be sure to obtain clearance from other police radio operators in the radio room. Include other radio frequencies when appropriate, such as OHIO LEERN, and the Interstate System.
2. Do not use codes or "in-house" terminology when using the ACB. (E.G.: SIG 77; CAD; Red Alarm, etc.). **USE PLAIN LANGUAGE TEXT IN ALL ACB RADIO TRANSMISSIONS.**
3. Sign off properly. If the information is from a complainant, sign off the broadcast with... *"information received from the complainant, relayed...Hamilton County Communication Center"*. Should the broadcast information be from a police officer, end the ACB with *"Authority _____ Police Department"* and again, *"relayed Hamilton County Communication Center."*
4. "DO NOT" use the frequency call letters when signing off an ACB..



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Subject: CRIMES IN PROGRESS - POLICE RADIO PROCEDURE			Section: C	
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- I. When receiving information of an armed robbery, holdup, or any serious crime in progress, or just occurred, the following steps should be followed when applicable.
 - A. The radio operator has the "option" to announce a period of radio emergency to prevent non-urgent radio transmissions.
 - B. The radio operator shall attempt to keep as many field units in service as possible, by NOT acknowledging any Signal "2-7", except in those matters requiring immediate attention.
 1. Assign no less than two units to the scene.
 - a. Advise the nature of the incident in a brief radio broadcast with pertinent information, such as the number of suspects, weapons if known, method and direction of escape.
 2. Alert all other units on the frequency to standby for additional information and quadrant assignments that may be required.

NOTE: ACTIVATE THE ACB TO ALERT ALL FIELD UNITS OF THE CRIME, NOTING ANY BASIC INFORMATION KNOWN.
 3. If appropriate designate a quadrant center, (use intersection nearest the address of the incident), and assign at least one unit to each quadrant.
 4. At this point, a more complete and detailed description should be available and ready for broadcast.
 5. The radio broadcast information should be made in the following sequence:
 - a. What - nature of the crime.
 - b. Location of the incident to include the nearest intersecting street.
 - c. When - time of occurrence (DATE-TIME).
 - d. Who - description of suspect/s.
 - e. How - give weapon/s involvement; method and the direction of escape (on foot - vehicle - etc.).



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6. **IMPORTANT:** It is the responsibility of the field unit in charge of the incident to cancel the quadrant. This is often neglected. It must be remembered that the police agencies assigned to the quadrants have other duties. The radio operator may "remind" the agency that the quadrant is still in effect, in order to cancel the quadrant.

- C. The following is an example of the correct sequence used in making a wanted broadcast.

EXAMPLE: "ATTENTION ALL CARS AND DEPARTMENTS":

WHAT: "AN ARMED ROBBERY OCCURRED; JUST OCCURRED";

WHERE: "AT THE STAR BANK LOCATED AT HAMILTON & KINNEY IN MT. HEALTHY";

WHEN: "APPROXIMATELY 10 MINUTES AGO. THE QUADRANT CENTER WILL BE HAMILTON AND KINNEY AVENUES". (NEAREST FAMILIAR INTERSECTION).

NOTE: BROADCAST THE ABOVE ONE TIME ONLY.

WHO: "WANTED ARE THE FOLLOWING SUSPECTS":

- #1 - suspect's description and weapon
- #2 - suspect's description and weapon
- #3 - suspect's description and weapon

(NOTE: The best described suspect shall always be the first suspect given to the field units.)

1. Sign off properly. If the information is from a complainant, sign off the broadcast with... "information received from the complainant, relayed...Hamilton County Communication Center". Should the broadcast information be from a police officer, end the ACB with "Authority _____ Police Department" and again, "relayed Hamilton County Communication Center."
2. Descriptive information of the broadcast shall be repeated routinely every 15 minutes or sooner should pertinent information become available.



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OPERATING PROCEDURE MANUAL

Subject: TRAFFIC STOP PROCEDURE			Section: C	
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- I. When a traffic stop is processed by the Radio Operator it shall be performed in the following manner.
 - A. The Radio Operator is required to use the "T" command, along with the license plate number and location given by the field unit.
 1. Refer to the PRC Manual for conventions and/or any restrictions relative to the "T" command.
 - B. All license plates preceded by the "@" sign will be formatted into an RCIC QHW Query and processed accordingly. The response to the inquiry will be returned, in message form, to the initiating dispatch console.
 - C. A "NIF" (nothing-in-file) response will not require further action by the Radio Operator.
 - D. A caution indicator or wanted response will require that the Radio Operator immediately notify the field unit that data has been received on the traffic stop.

(Example: "ATTENTION 8-NORA-11, POSSIBLE SIGNAL 30")

1. This may be accomplished by either a radio response on the Primary Radio Channel to the requesting field unit, or contacting the Channel Three Operator via the telephone comm-line.



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- I. When ever possible the CAD Traffic Pursuit (TP) or Foot Pursuit (FP) function will be used to process the pursuit. This feature not only automatically notifies the other radio dispatchers in the room of the pursuit but documents the incident in the CAD system.
 - A. When a unit advises a pursuit has been initiated the dispatcher shall obtain:
 1. The license plate number and/or a description of the person or vehicle pursued.
 2. The street name and direction of travel.
 3. What the vehicle or suspect is wanted for.
 - B. Make the appropriate re-broadcast of pertinent information. Use the ACB if necessary.
 - C. If the pursuing officer has an OIC on duty, notify them as soon as possible.
 - D. As the pursuit enters adjoining jurisdictions notify the appropriate units from that jurisdiction. Some departments may have individual vehicle pursuit policies in effect that:
 1. Prevent them from responding.
 2. Cause them to ask for clarification on the dispatch to determine if it is a request to respond or merely a courtesy notification.
 3. Decide to respond without question.

Note: In any of the above cases the officer will advise or act according to their individual policy and notify the dispatcher of their status.
 - E. It will be at the discretion of the radio operator or the radio room supervisor to restrict the frequency to emergency traffic only, during the pursuit. A pursuit alone does not automatically indicate frequency restriction.
 - F. All changes in status, additional information, and termination's should be added to the "TP" or "FP" incident by the dispatcher. Remember that timely updates with the "change location" function of the CAD will keep other radio operators in the room constantly updated on the present location of the pursued vehicle.
 - G. When mutual aid is requested by the pursuing officer, notify the adjoining department(s) of the request. Use specific unit identifiers (8H31) not "Attention Harrison units".



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Subject: ALARM PANEL MONITORING			Section: C	
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- I. The following procedures apply to businesses with alarm monitored at the police radio positions;
 - A. **HOLD-UP ALARM:** In the event of a "RED" or "YELLOW" alarm activation during normal business hours, or one hour prior to opening or one hour after closing of the business.
 1. Dispatch TWO police units to the scene and describe the alarm as a red "hold up alarm" or a yellow "circuit hold-up" alarm.
 2. Follow the Uniform Robbery Response Procedure
 3. Activate the A.C.B. (if applicable).
 4. Activate the quadrant system (if applicable).
 - B. **INTRUSION ALARM, BURGLAR ALARMS** - a RED or YELLOW alarm activated after normal business hours.
 1. Dispatch TWO police units and describe the alarm as a "intrusion alarm" if red or a "circuit intrusion alarm" if yellow.
 - C. Activation of a RED alarm can only be caused at the bank, or business. The alarm is normally activated by an employee. However, in some cases, it may be activated on the doors, windows, or by other sensor devices.
 1. A RED alarm can only be cleared by resetting the alarm at the bank or business.
 - D. Activation of a YELLOW (circuit) alarm can be caused if the telephone lines or interface equipment were tampered with, or cut, or a problem occurs with the telephone lines, or interface equipment.
 1. A YELLOW alarm can only be cleared when the alarm company and the telephone company technicians trace and rectify the problem.
 - E. In cases where a repairman (telephone, or alarm company), notifies the Communication Center that an alarm is being worked on, the Center shall immediately dispatch the proper police agency for verification.
 - F. IT IS NOT THE RESPONSIBILITY OF THE COMMUNICATION CENTER TO ENSURE THAT AN ALARM IS RESET.



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OPERATING PROCEDURE MANUAL

Subject: ALARM PANEL MONITORING			Section: C	
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1. When an alarm has been activated and a Communications Officer receives notice from an official of the bank or business, telephone or alarm company, etc. the normal police assignments described in "I-B" shall be adhered to, although, the information of the notice, shall be forwarded to the police units that have been dispatched for verification.
2. When an alarm (RED or YELLOW) activates, then resets, dispatch TWO police units and notify them that the alarm has reset.

II. MOSLER 2550 ALARM PANEL SYSTEM

This system is owned by the Hamilton County Communication Center. Service and repair is contracted through MobilComm.

A. TROUBLE LIGHT

1. A trouble light on any of the 2550 alarm panels will indicate that the control box for this panel has been opened in the alarm room (B-6) located in the basement of the Communication Center. A trouble light does not require notification of repair service.

B. STAND-BY LIGHT

1. This light denotes a failure of electrical power at the Communication Center and the alarm system will automatically switch to battery power. To remedy this condition, the on-duty Supervisor should first check the breaker box located in the basement hallway. If breaker #B-11 is tripped, merely reset it. If the stand-by light remains on, then go into the alarm room (B-6) on the far wall near the floor is a multiple outlet switch with a red light. If the red light is off, reset the plug by depressing the button on the right of the outlet strip. When the stand-by light is on, it should indicate so at all of the alarm panels, at the same time. If this light is only on a few of the panels, then repair service should be called at once.

C. CALL SERVICE LIGHT

1. This light indicates a failure in the 2550 system, and repair service should be called immediately.



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OPERATING PROCEDURE MANUAL

Subject: WRECKER ROTATION SYSTEM - DESCRIPTION		Section: C		
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I. WRECKER ROTATION SYSTEM - DESCRIPTION

- A. The wrecker rotation system is designed to insure that all wreckers receive calls on a fair and equitable rotation basis and that no preferential treatment is given to any wrecker company.
- B. The Hamilton County Communication Center does not participate in the selection of wrecker companies. Wrecker companies are designated by the affiliated Police Agencies in writing.
- C. In the unincorporated area of Hamilton County, wrecker maps are provided for the Communication Officer to refer to when pin-pointing the proper wrecker to be dispatched. The correct wrecker district can also be verified by utilizing the geo-file.
 1. All of the user agencies' wrecker districts are divided into numbered areas in the geo-file and on the wrecker maps for rapid processing.
 2. When a wrecker is requested by a Police Officer, the radio operator can enter the location into the detail mask which allows the geo-file to verify the location and recommend the proper wrecker district to be utilized. It will be the responsibility of the radio operator initiating the wrecker request to insure the correct reporting area is entered.
- D. Separate wrecker rotation card files are used for the unincorporated area (Sheriff's Wreckers) and for the affiliated cities, village, and township agencies.
 1. The wrecker rotation card file for the un-incorporated areas is subdivided into districts which are numbered to coincide with the wrecker maps.
 2. All wrecker cards are designated by the name of the agency and a unique number.
 3. The geo-file uses the agencies RCIC mnemonic substituting the last character with the number "1" to form the wrecker district reporting area.
 4. Both files list the name, address, telephone number and identification number of each participating wrecker company.
 5. The wrecker identification number is used whenever a wrecker is dispatched for referral purposes.



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6. When a wrecker is dispatched on a "rotation basis" the wrecker card is then placed to the rear of the district, or subdivided file so that an orderly rotation system is maintained.
- E. Wreckers are dispatched at the request of Police personnel who, when making the request, should specify the type of wrecker desired. These are commonly known as rotation, owner's request, police request, and emergency. Should the field unit not specify the type wrecker wanted (rotation, owner's, etc.), the Communication Officer processing the request shall dispatch a rotation wrecker.
1. Rotation Requests - are normally used when the operator of a motor vehicle has no preference as to a specific wrecker.
 2. Owner's request - is used when the owner of a vehicle has the option to request a specific wrecker company for the vehicle, which may or may not be on the wrecker list.
 - a. If the wrecker is on the wrecker rotation list, it is to be dispatched, but not rotated.
 - b. Should the requested wrecker not be on one of the wrecker lists, then the owner **MUST** provide the telephone number.
 3. Police requests are utilized when a field unit requests a specific wrecker, usually from the department's wrecker list, to be dispatched.
 4. Emergency requests are utilized in emergencies, i.e. persons trapped in, or under a vehicle, etc. Generally, the nearest available wrecker shall be dispatched from the rotation lists within the wrecker district when feasible, however the field unit may request a specific wrecker be dispatched.

II. WRECKER COMPANIES - OUT OF SERVICE

- A. Wrecker companies reporting out of service, or back in service, shall be instructed to notify the appropriate Police Agency, if applicable, or have a member of the Police Agency return his call.
1. The Police Agency will then contact the Communication Center to insure proper notification.



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2. The wrecker card shall be kept in the proper file with a note attached as to the wrecker's status.
 - a. The notation shall include the name of the person calling to place the wrecker out of rotation, along with the date/time of the call, and the initials of the Communication Officer taking the out of service call.

III. WRECKER FORMAT FIELDS

In order to increase the possibility of a "match" when the IHQ Function is performed on a Wrecker Incident the following rules will apply:

A. FORMAT FIELDS.

1. NUM License Plates and VIN numbers can occupy this space as well as "no tag" or other data depending on the request, but when a license plate number is given use this format.
 - a. Use only the License Plate number, the data should be justified to the left, with no spaces, dashes or other punctuation/s entered or following the actual license plate number.

(EG; NUM 123ABC)
 - b. All License Plates will be assumed OHIO, unless otherwise stated in the comments field.
 - c. Any other pertinent information should be in the comments area of the mask.
2. WRN Use only the wrecker number shown on the card in the wrecker card file box or in the "WC" entry in the CAD System in this field. These numbers are unique and can be used to successfully search for a specific wrecker company in a jurisdiction. Since wrecker companies are not unique to jurisdictions, the wrecker number that applies to the jurisdiction in question will be required.



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3. In general, a wrecker request will always use the Signal Type "38" and any other applicable fields or necessary comments added. The most accurate way to process a wrecker request is to use the geo-files verifiable location in the "LOC" field. This will properly complete the "AREA" field for the radio operator.
4. In the case of wrecker requests in the Green Township area the "AREA" field should be updated by the radio operator receiving the request, to reflect the agency of the requesting unit.

For example, the CAD will suggest "GNS7"; this indicates a wrecker from the Green Township North list, in which case the reporting area would be changed to "GRT1N". If the request was from a Sheriff's unit, the reporting area would be "SHE7".

5. When logging a wrecker incident from the CAD System it should be assigned/logged to the "MNEMONIC" that appears in the reporting area.

IV. CHANGE IN TELEPHONE NUMBERS

- A. All Police Agencies must furnish the Communication Center with a list of wrecker companies to be called. This list should include the Wrecker Companies' name, business address, and telephone numbers.
 1. Generally, no more than two (2) telephone numbers will be accepted. One should be a day number (used during normal business hours), and the second a night number.
 2. In addition to item #1, cellular telephone numbers of a wrecker company will be accepted.

V. WRECKER COMPLAINTS

- A. Participating Police Agencies shall instruct Wrecker Companies that all complaints, or differences of opinion, shall be directed to the appropriate Police Agency for investigation. Under no circumstances are Wrecker Companies to air their complaints directly to the Communication Center.



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VI. WRECKER ROTATION FILE - APPLICATION

- A. Ascertain the location of the incident, using map resources if necessary, to determine the proper wrecker district.
- B. The first wrecker card in the appropriate file is to be called.
- C. Removal of the card from the file should remind the Communication Officer to "rotate" the wrecker card.
- D. When the wrecker company is notified, provide them with the location of the incident; license plate number; or description of the vehicle to be towed.
- E. Should the first wrecker called be unavailable, that card is "rotated" to the rear of the file, and proceed to the next wrecker card in the file.
- F. In the interest of speed, efficiency, and accuracy, the Communication Center must have an acknowledgment from the wrecker company prior to the termination of the telephone call. If a wrecker company is unable to accept the request during the initial contact, they will be rotated and the next wrecker company on the rotation list will be contacted. The dispatcher shall add appropriate comments to the CAD detail in order to document the incident.
- G. Mechanical devices such as answering machines, voice mail, and pagers are not permitted. If an answering service is utilized they must have the authority to accept the wrecker request during the initial contact. Call backs to acknowledge a wrecker run will not be permitted.



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OPERATING PROCEDURE MANUAL

Subject: OHIO LAW ENFORCEMENT RADIO NETWORK (LEERN)			Section: C	
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I. The Ohio Law Enforcement Radio Network (LEERN) operates on frequency 154.935 Mhz. It is designed to provide radio and data communications to properly equipped Police vehicles of State, County, Municipal and Federal Agencies which require EMERGENCY contact with a unit of another jurisdiction when regular channels of communications are not adequate to successfully complete the operation. This radio network will also provide communication service to any itinerant law enforcement vehicles.

A. The LEERN radio installed in a police vehicle is the property of the State of Ohio. It shall be operated in compliance with Part 89, of the FCC Rules and regulations and those of the Law Enforcement Communications Committee, (LECC) as herein stated, or here-after amended.

1. Maintenance and repair of the radio is the responsibility of the agency to whom it is assigned.
2. Records for this radio maintenance are kept at:

Ohio Bureau of Criminal Identification and
Investigation
P. O. Box 365
London, Ohio 43140
Telephone: 614-852-2556, Extension: 55

II. RULES GOVERNING THE USE OF LEERN

A. The objective of LEERN is to provide an open channel for EMERGENCY communications. The channel must be kept free of unnecessary traffic to assure its availability at all times. EMERGENCY, or other authorized communications must be clear, concise, and to the point. The APCO Radio Procedure Manual should be followed by all users. All communications should be in clear language; SIGNALS, OR CODES SHALL NOT BE USED DUE TO THE LACK OF UNIFORMITY AMONG THOSE IN THE USE THROUGHOUT THE STATE.

1. Acceptance and use of LEERN equipment constitutes an agreement between the user to adhere strictly to the operating procedures as stated herein, or as later amended. Negligent use, or misuse of the network as determined by LECC, shall be just cause to revoke the certificate of membership and require the return of the equipment.



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III. ALLOWABLE COMMUNICATIONS

A. **EMERGENCY:** Those activities requiring immediate co-operation of member units of more than one operating agency. Such activities include, but are not limited to, riots and civil disorders, disasters, or apprehension of a suspect leaving the jurisdiction of the pursuing agency.

1. Call for assistance messages should contain sufficient information so that the listening unit is in the best position to assist will answer:

Example: LEERN - Butler County Car 57, (Agency and car number of unit calling) on Route 747, south of Route 4, we have an auto accident with injuries here, (location and nature of the assistance needed) one vehicle fled the scene north of Route 4, (direction of traffic).

a. All radio calls shall be in plain language, no signals or codes are to be used.

2. A unit hearing the call for assistance and in a position to assist will answer:

Example: Union Township Unit 3, to Butler County Car 57, I am north on Route 747 about one half mile from you, responding to assist. Do you have a description of the fleeing vehicle that was north from your scene?

3. After contact has been established, the remainder of the communications should be handled following normal police procedure including the use of any signals, or codes. When several units are involved in an activity, caution should be exercised not to overload the channel. This can be alleviated to some extent if units only transmit when they have pertinent information concerning a situation. Generally the initiating unit will control the operation.
4. If you do not receive a response from your initial call for assistance, direct the same message to the nearest LEERN Base Station. This would permit the LEERN Base Station Operator to dispatch assistance to the unit calling.

B. Those activities which provide a communication service to law enforcement vehicles while transporting prisoners, and providing certain information to local jurisdictions (example: vehicle accident) or other EMERGENCY service needs. In EMERGENCY situations, the vehicle may contact the nearest LEERN Base Station or mobile unit for assistance. The LEERN Base Station or mobile unit will utilize its own frequency to dispatch the necessary assistance.



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- C. A call for assistance message should contain sufficient location information so that the most monitoring LEERN Base Station or field unit will answer. Below are examples of proper radio message directed to a LEERN Base Station:
1. *"London Car 6 to Ohio State Highway Patrol Lima". (If there is no response, use the next example) "London Car 6 (agency and car number of the unit calling) on Route 53, north of Route 58, (location where help is needed) EMERGENCY, I have a person down here and request an ambulance (nature of assistance needed)".*
 2. The answer or response would depend upon who the call was directed to. In the first example the response should be; *"Lima Post to London Car 6, go ahead"*. In the second example the response should be; *"Miami County Car 276 to London Car 6, I am enroute"*.
 3. After contact has been established, the remainder of the communications would be handled following normal radio procedures.
- D. LEERN Base Stations will broadcast general alarm messages pertaining to felony acts, or felony vehicles. Acknowledgments of general alarm messages is not required. A mobile unit with a prospective response to a general alarm message, should utilize regular communication channels with his/ her dispatcher.
- E. The LEERN frequency shall be utilized (simul-cast) when making a general alarm broadcast (local or ACB) if the activity occurred in the northern, or eastern portion of Hamilton County, or circumstances indicate that the activity may move in those directions.
- F. By simul-selecting the LEERN frequency when making a general alarm broadcast, numerous Police Agencies that abut Hamilton County will also be alerted to the activity. (Butler and Warren Counties, Union, Miami Township in Butler and Clermont Counties, Fairfield Police Department, and the Ohio State Highway Patrol Posts).



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G. Station Identification:

1. A mobile station shall transmit the assigned call sign at the end of each transmission, or exchange of transmission. This identifies the licensee as specified by the FCC Rules and Regulations and indicates the end of the transmission. This call sign is the same for all LEERN mobile stations regardless of what department is using them.

Example: London Car 6 - KU-4924

IV. LEERN BASE STATION LOCATIONS

COUNTY	STATION IDENTIFIER
ALLEN	OSP LIMA
ASHLAND.....	OSP ASHLAND
ASHTABULA.....	OSP ASHTABULA
ATHENS.....	OSP ATHENS
AUGLAIZE.....	OSP ST. MARYS
BELMONT.....	OSP ST. CLAIRSVILLE
BUTLER.....	OSP HAMILTON
BROWN.....	OSP GEORGETOWN
CLARK.....	OSP SPRINGFIELD
CLERMONT.....	OSP BATAVIA
CLINTON.....	OSP WILMINGTON
COLUMBIANA.....	OSP LISBON
CRAWFORD.....	OSP BUCYRUS
CUYAHOGA.....	OSP BERIA
DEFIANCE.....	OSP DEFIANCE
DELAWARE.....	OSP DELAWARE
ERIE.....	OSP SANDUSKY
FAIRFIELD.....	OSP LANCASTER
FRANKLIN.....	OSP COLUMBUS
GALLIA.....	OSP GALLIPOLIS
GEAUGA.....	OSP SHARDON
GUERNSEY.....	OSP CAMBRIDGE
HAMILTON.....	HAMILTON COUNTY COMMUNICATION CENTER
HANCOCK.....	OSP FINDLAY
JACKSON.....	OSP JACKSON
JEFFERSON.....	OSP STEUBENVILLE



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KNOX OSP MT. VERNON
LAWRENCE OSP IRONSTON
LOGAN OSP BELLEFONTAINE
LORAIN OSP ELYRIA
LUCAS OSP TOLEDO
MADISON OSP WEST JEFFERSON
MEDINA OSP MEDINA
MIAMI OSP PIQUA
MONTGOMERY OSP DAYTON
MUSKINGUM OSP ZANESVILLE
PICKAWAY OSP CIRCLEVILLE
PORTAGE OSP RAVENNA
PREBLE OSP EATON
RICHLAND OSP MANSFIELD
ROSS OSP CHIULLICOTHE
SANDUSKY OSP FREMONT
SCIOTO OSP PORTSMOUTH
STARK OSP MASSILLION
TRUMBULL OSP WARREN
TUSCARAWAS OSP NEW PHILIDELPHIA
VAN WERT OSP VAN WERT
WARREN OSP LEBANON
WASHINGTON OSP MARIETTA

POLICIES AND PROCEDURES

ADMINISTRATIVE RULE -
CONDUCTION STREET SWEEPS AND
BUY/BUST OPERATIONS
SECTION LXIV

PURPOSE:

The Lincoln Heights Police Division is required to provide it's citizens with the best, safest and most efficient methods of law enforcement possible. During these times it is necessary for the police division to conduct street sweep and drug buy/bust operations. These operations shall be conducted lawfully and legally by the police division. They shall be conducted in the most professional and efficient manner possible to get the situation properly addressed.

ARTICLE

RULE

A. Employee's of the police division when conducting sweep or buy/bust operations shall not;

1. Utilize profanity towards anyone.
2. Utilize thraets of physical harm to anyone.
3. Utilize threats of shooting or deadly force to anyone.
4. Call individuals out of their name or gender.
5. Utilize racial or derogatory names or slogans towards anyone.

B. Employee's of the police division shall not be disrespectful to anyone under arrest or investigation of arrest.

C Employee's of the police division shall not intentionally or purposly attempt to or cause undue or unnecessarry humiliation of individuals under arrest or investigation.

D. Employee's shall not cause anyone under arrest or investigation to lay down onto the ground in inclement weather conditions or in hazardous areas. Individuals under arrest or being investigated can be secured by alternative means when these situations exist.

E. Employee's shall only physically arrest individuals after all attempts have been made to make the correct and positive identification of the individual to be arrested. Individuals can be detained for investigative purposes with probable cause.

F. All individuals being detained for arrest or investigation shall be immediately be advised as to why they are being detainee.

G. Employee's that participate in street sweeps or curfew roundup's shall not draw their weapon from their holster without just cause or being placed into a deadly force situation. (Officers shall refer to "Use of Deadly Force Policy".

H. Employee's of the police division shall not at anytime place their foot upon any suspect or arrestee's body for any reason. Only acceptable methods of suspect arrestee restraint shall be utilized.

I. Suspects or arrestee's that are in handcuffs shall not be sprayed with chemical mace or gas under any circumstances.

J. Police division employee's shall immediately verbally identify themselves when performing street sweeps or buy/bust operations. Employee's must verbally state "POLICE" and give the requested command a minimum of (2) two times. EX: "POLICE, GET DOWN ON THE GROUND" OR "POLICE, PUT YOUR HANDS UP".

K. All police division employees that participate in street sweeps or buy/bust operations shall be clearly and distinctly marked so that it is easily visible to any suspect or offender. The markings shall say "POLICE" in a minimum of 4" or 6" block letters in white for patrol officers and in white or gold for supervisors.

L. Their shall be assigned a supervisor or officer in charge of operations for each team that is assigned to street sweeps or buy/bust operations. This member is responsible for insuring that policy and procedure are followed.

M. Non-combative or non-resistive suspects or arrestees shall not be pushed or thrown down onto the ground. If an arrestee or suspect becomes combative, only the physical force necessary shall be utilized to effect the containment and arrest of the individual.

N. Employee's of the police division shall respect the Constitutional rights, Civil Rights and Procedures for arrest when detaining or effecting an arrest or interrogation of an individual being detained.

POLICIES AND PROCEDURES

ADMINISTRATIVE RULE -
SYSTEM FOR MERIT AND ACHIEVEMENT
SECTION LXV

PURPOSE:

Employee's of the police division engage in an occupation that is hazardous by nature. At times within an employee's tenure with the division the employee will have the occasion to perform duties and services that go beyond the normal and routine scope of the employee's job duties. For this employee's shall be given consideration with an acknowledgement of such activities by the Chief of Police, and upon heroism or valor a proclamation from the Village Council.

DEFINITIONS:

**** MEMORANDUM OF COMMENDATION** - When an employee of the police division exhibits service to fellow employee's, employee's of another division, agency or to any citizen, visitor or business within the Village of Lincoln Heights. This shall be awarded.

**** MEMORANDUM OF VALOR** - When an employee of the police division has been placed into a situation where their life has been placed in jeopardy or they have been placed in a position of receiving serious physical harm as a result of them having to perform their official duties, shall be awarded a memorandum of valor.

**** MEMORANDUM OF HEROISM** - When an employee of the police division places themselves at a risk of serious physical harm or death while attempting to assist another that could be placed in the position of serious physical harm or death, a memorandum of heroism shall be awarded.

ARTICLE

RULE

A. For an employee of the police division to receive any of the memorandums, they must be recommended by their supervisor, the Chief of Police, any elected official, the Village Manager or any citizen of the Village.

B. The request must be made to the Chief of Police in writing and it shall contain the reason for requesting the memorandum and give all of the available facts of the incident.

C. Upon the Chief of Police receiving the request it shall be verified and investigated. The Chief of Police shall then issue any memorandum that is determined to be justified and forward to the Village Mayor any memorandums that are required to be acted upon by the Village Council.

D. Copies of all memorandums that are issued to employee's shall become a permanant part of their personnel file within the Village.

E. Once memorandums are issued, they can only be recinded if the facts of the incident as they were presented are found to be false or were presented with false and decieving pretences.

F. Employee's of the police division shall accept no direct monetary compensation for activities that resulted in receipt of any memorandum. Any gift that is received which is not currancy shall be reported to the Chief of Police in writing within (24) twenty four hours of the employee receiving the gift.

POLICIES AND PROCEDURES

INTERNAL INVESTIGATIONS OF DIVISION EMPLOYEE'S SECTION LXVI

PURPOSE:

The Lincoln Heights Police Division members on a daily basis come into contact with the public and other agency employee's. The police division has the occasion to receive complaints from citizens and other agency individuals of alleged wrongdoing or division policy and procedure violations. It is necessary that these complaints be investigated as expeditiously and effectively as possible to ascertain if an actual violation has occurred and if further action is to be taken in the situation.

INTRODUCTION:

The Lincoln Heights Police Divisions Internal Investigative Unit shall consist of any sworn police division employee that is officially appointed to the unit by the Chief of Police. The Internal Investigations Unit shall report directly to the Chief of Police.

The Internal Investigations Unit shall investigate all complaints, infractions, policy and procedure violations and violations of State or Local Law that are alleged against division employee's. The Internal Investigations Unit shall investigate all complaints on division employee's with the rank of Sergeant or lower. The Chief of Police shall investigate all complaints of division employee's with the rank of Sergeant or higher. The Village Manager shall investigate all allegations against the Chief of Police.

The Internal Investigations Unit has the authority to request assistance from any outside official agency that they feel would be necessary to complete a thorough investigation.

When Internal investigations carry the possibility that employee's may have criminal charges filed against them, the employee shall have their Garrity Rights read to them prior to any questioning. Information obtained in an internal investigation shall not be utilized in criminal proceedings.

Internal investigations that are conducted against police division employee's that contain allegations of Federal Civil Rights Violations or when the offender has visible physical injuries that were alleged to have been inflicted by division employee's, the Internal Investigations Unit shall make a referral to the department of Justice through the Federal Bureau of Investigations office. This investigation shall not be in place of the division's internal investigation.

The findings of all internal investigations shall be forwarded to the Chief of Police. The Chief of Police shall forward a copy to the Village Manager for his review and approval.

ALL INTERNAL INVESTIGATIONS REPORTS SHALL BE "CONFIDENTIAL" UNTIL SUCH A TIME THAT THEY HAVE BEEN COMPLETED, FINALIZED, SUBMITTED TO THE CHIEF OF POLICE AND APPROVED BY THE VILLAGE MANAGER'S OFFICE. THE CHIEF IS PERMITTED TO RELEASE INITIAL STATEMENTS ON THE INVESTIGATION. THE FINAL REPORT SHALL ONLY BE RELEASED BY THE VILLAGE MANAGR'S OFFICE.

ARTICLE

RULE

- A. When an internal investigation requires a Police Division Employee to have to be interviewed the following shall apply;
1. The internal investigation's personnel will schedule and confirm in writing, the interview date and time with the affected employee (4) four days prior to the date and time of the interview.
 2. The internal investigation's personnel will notify the shift supervisor that the employee is assigned to, in writing, (3) three days prior to the date and time of the employee's interview that the employee WILL be interviewed. The shift supervisor WILL permit the employee whatever time is necessary to complete the interview.
 3. If the shift supervisor will not be on duty the date of the interview, the shift supervisor Will notify the shift O.I.C. that the interview is taking place and that they are required to have the employee attend.
 4. Shift supervisors or shift O.I.C.'s shall not interrupt or cause distractions during the interview for any reason while it is in progress. Upon the employee being completed the employee shall notify the shift supervisor that the interview is completed.
 5. All interviews will be scheduled while the employee is working their regularly scheduled shift. Exceptions can be made for 3rd relief personnel if necessary.
 6. Shift supervisors, shift O.I.C.'s or police division personnel will not question the internal investigations personnel or the employee being interviewed in reference to the investigation, the investigation status or the investigation results for any reason. All affected individuals or individuals that will need to be notified shall be notified upon the completion of the investigation.
 7. All written correspondence that is issued in reference to an internal investigation or the results thereof shall be considered as "CONFIDENTIAL" and it shall not be disseminated by any division personnel for any reason. Personnel are permitted to make copies for legal council in the event of an appeal.
 8. When internal investigations are conducted away from the main police station, police division personnel other than the internal investigators, witnesses and employees being interviewed are not permitted on, in or around the premises where the interview is being conducted until the interview is complete.
 9. Supervisors, shift O.I.C.s or other police division employees shall not attempt to intimidate, coerce or influence any testimony of any police division personnel, civilian witness or internal investigator in reference to an internal investigation matter.

- B. If the police division personnel are on duty on the scheduled date of the interview, the employee shall advise the Hamilton County Communications Center that they are 2-7 unavailable during the interview. Upon completion of the interview, the employee shall advise the Hamilton County Communications Center that they will be 2-6 and available for details.
- C. Radios will be turned off at all times during internal investigation's interviews.
- D. If an emergency should arise that conflicts with the interview date and time for the affected employee, the reason shall be submitted to the Chief of Police, in writing, in person (48) forty-eight hours prior to the scheduled date and time of the hearing. If the Chief of Police does not accept or approve the reason and advise the affected individual, the hearing will proceed as scheduled. NO EXCEPTIONS!
- E. All police division employee's shall submit to questioning by the Internal Investigations Unit when requested per the policy. Personnel that fail to attend scheduled Internal Investigative hearings shall be relieved from duty without pay until such a time that they attend the hearing and complete the requested investigation.
- F. Employee's may bring representation to a Internal Investigations Hearing. The representative shall not interfere with the hearing, nor will they be permitted to stop the hearing. Failure for the employee to complete or submit to all questioning from the Internal Investigations Unit shall result in the employee being relieved from duty without pay until the investigation has been completed.
- G. Employee's must bring all related documents, statements or witnesses to the Internal Investigations hearing that they feel they need to defend their allegations.
- H. Employee's shall be truthful with the information that they provide to the Internal Affairs Unit Investigators. Employee's shall not lie, deceive or intentionally attempt to mislead the members of the Internal Affairs Unit during the course of any investigation.
- I. Employee's shall not produce false or altered documents to the Internal Affairs board.
- J. Employee's shall not conspire as a group or as an individual to attempt to hinder any investigation by the Internal Affairs Unit.
- K. Employee's can be relieved from duty during any internal investigation, have their duty assignment altered or rearranged or be issued any other prohibition that the Chief of Police deems necessary for the best interest of the employee or the police division.

- L. Employee's that are relieved from duty can have any of the below disciplinary action issued against them;
1. Suspension with pay.
 2. Suspension without pay.
 3. Assigned to station work.
 4. Administrative leave.
- M. Members of the Internal Affairs Unit have the authority to have an employee removed from duty immediately. It shall be the responsibility of the shift supervisor or the shift O.I.C. to remove the employee from duty. The Chief of Police shall be notified immediately, and then shall notify the employee in writing as to the reason for their removal and their removal status. The employee shall be paid for the remainder of the shift. The employee shall surrender their police weapon, badge, identification and station keys.
- N. Any employee that is involved in a division related shooting shall be immediately relieved of their weapon by the shift supervisor or the shift officer in charge. The weapon will be surrendered to the first Internal Investigator that responds to the scene or the Chief of Police. The employee shall be placed on administrative leave for a minimum of (72) seventy-two hours.
- O. General violations of division operating policy shall be investigated by the shift supervisor and a report, with recommendation forwarded to the Chief of Police upon completion.
- P. Upon completion and conclusion of all internal investigations a written report shall be issued on the investigation with the report status. The status shall be labeled as follows;
1. **Exonerated** – incident did occur, actions taken were lawful and proper.
 2. **Sustained** – Allegation is supported by sufficient evidence.
 3. **Not Sustained** – Insufficient evidence to prove or disprove the allegations.
 4. **Unfounded** – Allegation is not factual and did not occur.
 5. **Sustained/Other** – A violation or misconduct other than the allegation in the original complaint occurred.
- Q. Criminal investigations of employee's shall not be conducted in conjunction with Internal Affairs Unit investigations. Criminal Investigations of employee's shall be conducted by the Major Crimes Task Force Commander and the Senior Sergeant. Employee's shall have all rights entitled to any person that has been accused of a criminal violation.
- R. All complaints that are alleged against a member of the police division shall be registered. Complaints can be received verbally or in written form. Any police officer can take a complaint against a police division employee. Once the complaint has been

received, it shall be placed on a Lincoln Heights Police Division Form # ADV 1019, (Employee Incident Complaint Referral). The police division employee taking the complaint shall fill it out completely and thoroughly. If the complainant takes the complaint with the intent of returning it, when it is returned the employee accepting it shall insure that it is complete and thorough. The complaint shall be logged into the complaint book and registered in the blotter. The completed complaint form shall be given to the Chief of Police who shall forward it to the Internal Investigations Unit.

- S. Employees shall not take complaints against themselves. The complainant shall be advised to return when the next available police division employee is available. If the complainant is not available to return. The employee shall take the complainants name, phone number and address and forward it to the immediate next shift supervisor or officer in charge so that they can contact the complainant.
- T. Employee's that take complaints against other employee's shall not advise the employee of the complaint or it's contents.
- U. Police division employee's that have had complaints filed against them shall not in any way, form or by any means attempt to make contact with the individual(s) that filed the complaint against them. Employee's shall not have any other police division employee's, other employee's, friends or relatives attempt to make contact with the complainant, complainants relatives or friends to attempt to influence the investigation or have the investigation discontinued.

*** ADMINISTRATIVE NOTE ***

These policies are subject to change due to legal decisions by the courts or the State or Federal Laws. The policies will be changed as soon as possible to reflect the changes. Where the contents of this policy conflict with court decisions or State or Federal Law, the court decisions and the Laws shall prevail.

POLICIES AND PROCEDURES

POLICE DIVISION CANINE OPERATIONS
AND ADMINISTRATION
LXVII

Administrative Regulation

1. It shall be the policy of the Lincoln Heights Division of Police to use professionally trained police canine team as a support tool to the police department. The use of the canine unit will follow the established policies and procedures as set forth by this administrative regulation. The Lincoln Heights Police Division Canine unit will have a primary function of drug interdiction and detection. Tracking will only be utilized for aggravated felony suspects.
2. Canines will be trained for the following tasks to assist the police department personnel.
 - A. **Narcotic Detection**-those canines commissioned by the police department and certified by the Ohio Peace Officer Training Council for narcotics detection, will be available for the purpose of detection and location of narcotics.
 - B. **Tracking** -To locate criminal suspects who have fled the scene of a crime, or to assist in the location of a lost person, reported missing Tracking shall not be instituted without pre-approved permission of the shift supervisor. NO EXCEPTIONS1 (Ecological ground disturbances)
 - B. **Obedience** -To be controlled both on and off of the leash in types of conditions and circumstances.
 - C. **Building Searches** -The canines will be trained to search buildings of structures for the presence of unauthorized persons whom the officers have probable cause to believe have committed an offense of violence, as defined by the Ohio Revised Code, Section 2901.01. The canine unit may only be utilized for building searches if a prior aggravated felony has been committed by the suspect in the structure. The canine or handler will not be sent into any structure that has been deemed or rendered unsafe for entry by any person having authority to be in-charge of the unit.
 - D. **Search and Rescue** -The canines can be utilized to search areas would require large numbers of rescue personnel.
 - E. **Criminal Apprehension** -The canines will be trained when necessary to make criminal apprehensions. The canines will be trained to only use the force reasonable and necessary, to effect the apprehension of a suspect which

the handler has probable cause to believe has committed an offense of violence, as defined in the Ohio Revised Code, Section 2901.01. The canine will only be utilized to apprehend suspects that are wanted for aggravated felony offenses that have occurred prior to the attempt at apprehension.

F. **Public Relations** -The canines will be used for public relations Demonstrations as a representatives of the Lincoln Heights Division of Police, to various community service groups, schools, churches, etc., upon Approval of the Chief of Police.

G. Horseplay, taunting of or with the canine shall be prohibited at all times.

3. Use of the canine unit by patrol division.

A. **Availability** - The canine unit will be available for call-outs, and may work varied hours depending on the mission of the department. The canine handler will report to the 3rd shift supervisor for direction. All shift schedules MUST be pre-approved by the 3rd shift supervisor prior to their operating.

B. **Felony Calls** - Whenever possible and the canine unit is in service, should be dispatched on all felony calls in progress, to assist, should the suspect flee on foot, abandon an auto used in the crime, or remain in a building or structure. The canine unit shall be utilized only for the attempt at or apprehension of suspects that have committed aggravated felony offenses prior to the attempt at apprehension.

C. **Alarm Calls** – The canine unit SHALL NOT be utilized on general alarm calls unless it is determined that a suspect is in the structure that has committed an aggravated felony.

D. **Vehicle Pursuits** - (Dependant Upon Current Vehicle Pursuit Policy) A canine will respond to the area should the driver abandon his automobile and flee on foot. The canine will only attempt to or apprehend aggravated felony suspects that are involved in vehicle pursuits.

E. **Protection of Police Officers and Civilian Persons** - The canine shall defend handler in the result of an assault against the handler, other police officers, or civilian personnel, which could result in physical harm to persons.

F. **Officers at the Scene** - The requesting officer shall upon arrival of the canine unit furnish all pertinent information, facts and details of the call to the handler. The canine handler with prior permission of the shift supervisor should be responsible for determining whether the circumstances justify the use of the canine team and how they win tactically deploy. Should the handler believe the use to be not warranted or technically not feasible the handler will so advise the requesting officer, or supervisor, of actions.

G. **Conduct of Officers on the Scene** - all police personnel shall make efforts prior to the canine unit arrival to:

1. Secure the scene
2. Do not contaminate the area more than absolutely necessary
3. If the scene is a burglary or break in, do not enter the building unless ordered to do so supervisor at the scene.
4. Assist canine team only as requested or ordered by the handler.
5. Use tactical common sense when working with a canine team
6. If assigned as a backup, the handler will explain in detail what is being requested for assistance.
7. Perimeter units on a burglary call should stay away from windows, doors or other openings into the premises to be searched.
8. Keep loud noises and excessive talking or rapid traffic to minimum while canine is deployed.
9. If at night, avoid lighting up the canine team with flashlights or spotlights.
10. Perimeter units should keep area clear of civilian personnel

H. **Shift Deployment** - Canine Unit should not be dispatched as the primary investigative unit unless all other shift units are tied up and unavailable.

I. **Canine Units, when other unit available, should not transport prisoners.**

J. **Containment or Back-ups** - Canine Unit will be available as a cover or backup car to all units.

K. **Mutual Aid** - All requests for mutual aid by canine units shall be authorized by the shift supervisor prior to the canine responding to the incident.

L. **Request for Out of County/State** - Must be authorized by appropriate supervisor and the Chief of Police MUST be notified within (15) fifteen minutes of the request.

4. Police Service Dogs

1. Tracking
2. Evidence recovery
3. Obedience
4. Tactical Application and Obedience
5. Criminal Apprehension with Minimal Force and Tactical Extraction's
6. Canine Officer Survival Tactics
7. All Police Canines must be trained according to the standards and regulations *LPSFURDHF* Stukenbrock, West Germany, and meet the standards of the PSP and the Ohio Peace Officer's Training Council's State minimum standards.
8. Narcotics Detection to meet the standards of the PFPR (Internationally recognized European Selection Tests for Police Service Dogs).

5. **Basic Training Course** - All canine handlers must complete a basic handler's course recognized by Ohio Peace Officer's Training Council.

6. **Records** - Canine Handler's immediate supervisor, with the assistance of the canine handler, shall be responsible for all records for the canine unit from selection, canine handler training, monthly evaluations, activities, arrests, and apprehensions. A monthly report of all of the canine and the handler's activities shall be submitted to the Chief of Police by the 25th of each month.
7. **Maintenance Training** - Unless otherwise instructed the supervisor shall insure each canine serves a minimum of sixteen (16) hours of maintenance training per month. Monitor Canines proficiency.
8. **Assignment of Canine Unit for Public Relations** - Canine Unit's immediate supervisor shall assign Canine unit for public relations demonstrations. With the prior permission of the Chief of Police.
9. **Home/Kennel and Vehicle Inspections** - Canine Unit's immediate supervisor shall be responsible for inspecting canine handlers kennel (If applicable) and K-9 vehicle to insure proper working order and safety for canines.

Handler Requirements

9. **Physical** - Each canine handler must demonstrate ability to:
 - A. **RunWalk** - Complete a 1-1/2run/walk within twenty (20) minutes to simulate a tracking situation with a canine unit.
 - B. **Sand Bag Carry/Fence Climb** - Will cradle carry an eighty (80) pound sand bag twenty (20) yards and lift the sand bag over a six (6) foot fence then using upper body strength, clear the fence, pick up the sandbag and carry it an additional twenty (20) yards. To simulate carrying a canine over debris or if an injury would occur to the canine
10. **Assignment as a Canine Handler**
 - A. Certified Ohio Peace Officer
 - B. Valid Ohio Driver's License
 - C. Completed and Passed Basic Handler School
 - D. Successfully completes physical requirements for the graduation of the Basic Handlers Course.

Responsibility of Canine Handler

11. Once the scene has been turned over to the canine handler, the handler is responsible for the tactical deployment of the canine.

12. The handler must constantly be aware of the fact that a police officer may only use the amount of force which is reasonable and necessary to effect the arrest of a suspect. In determining the degree of force to be use, the canine handler must take into consideration all circumstances known to him/her.
13. Complete Basic Handler Course and attend sixteen (16) hours in service training per month.
14. Maintain canine at peak operation status.
15. Keep a log of all training, activity and apprehensions of the canine. This shall be included in the monthly report from the handler to the shift supervisor.
16. Expected to care for health and well being of canine and provide kenneling at residence. Shall also care for all assigned equipment.
17. Shall report any injuries or illnesses to immediate supervisor within (12) twelve hours of its occurrence. If supervisor cannot be contacted or the situation is of grave danger to canine the handler shall seek immediate medical assistance.
18. Shall be expected to use skills to prevent and deter criminal activity.
19. Will respond to radio calls and requests for service to search buildings, structures, areas, yards, etc, for possible aggravated felons or suspected aggravated felons when available.
20. Will assist in the location of suspects, lost persons, or criminal evidence through canines scenting capabilities.
21. Work various shifts as pre-approved by the assigned shift supervisor.
22. Subject to call outs, only after prior approval from the shift supervisor.
23. Assigned to participate in public relations demonstrations as a representative of the Lincoln Heights Division of Police.
24. Handlers kenneling facilities and vehicle will be inspected at least once every six (6) months for the dogs health and safety.

Selection of Canines

25. Police Service Canines shall be selected using the criteria set forth by the *Landespolizieschula for Diensthundfuher* in Studenbrock, West Germany.

26. Canines must pass physical examination by a board certified veterinarian.
27. Canines must pass temperament testing.
28. Search of Building Apprehension
 - A. Handler shall insure that the building structure or premises is clear of innocent persons and that a secure perimeter is in place/
 - B. Handler shall issue three (3) verbal warnings before searching a building or premises unless it is tactically unfeasible in given situation.
 - C. Building searches shall only be initiated after it has been determined that the suspect or offender has committed or is suspected of committing an offense that is a minimum of an aggravated felony offense prior to the search being initiated.
 - D. In the event of a school or large building, a warning will be given on each floor or hallway unless it is tactically unfeasible.

29. Use of Canines in Physical Apprehension

- A. Should a situation arise that a canine is deployed to apprehend a suspect, the handler should have probable cause to believe the person has committed an offense of violence that is a minimum of a level of an aggravated felony, in violation of the Ohio Revised Code, Section 2901.01, or if it has been determined by the shift supervisor that another police officer or civilian person is in danger by another felon or felon suspect.
- B. The handler shall allow the canine to use only the force necessary to effect the arrest of the suspect whom the canine was apprehending.

30. Reports of Apprehension

Should a canine make a physical apprehension and cause injury to the suspect, handlers will use the following procedure:

1. Immediately notify immediate supervisor and the Chief of police.
2. Shall file all necessary use of force reports as required by Lincoln Heights division of Police and Canine Unit Physical Apprehension Reports before the end of the scheduled shift.
3. The handler shall interview the suspect along with arresting officer(s) and record any statements in regards to the crime and the canines activities.
4. Have the suspect when necessary and if possible sign a release for his/her hospital records.
5. Photograph areas.
6. All reports shall be turned in immediately following incident.
7. The same requirements shall prevail even if bite is accidental or occurs off duty.

8. Shall seek medical attention for the suspect, offender or individual that has been injured by the canine or as a result of the canine apprehension.

31. Death of Canine

- A. Immediately notifies supervisor and the Chief of Police.
- B. Immediately contact the departmental veterinarian to determine whether an autopsy is necessary and if so, where canine should be transported.
- C. If no autopsy is necessary, the handler shall contact the county Morgue and request permission to keep the canine at the County Morgue until arrangements can be made by Police Department for proper burial.

32. Miscellaneous

- A. No Canine shall be able to drink from public water fountains or toilets.
- B. No Canines shall be entered into any show or trial prior to approval of immediate supervisor.

33. **PROBABLE CAUSE AND REQUEST FOR DRUG INTERDICTION STOPS AND SEARCHES BY THE CANINE UNIT.**

The Supreme Court of the United States, through it's written opinions have determined that police division personnel MUST have probable cause of a drug violation on an offender prior to the initiation of a traffic stop that is to be classified as a drug interdiction stop. Police division personnel are not permitted to ask traffic offenders to search their vehicles for drugs if prior knowledge or suspicion of drug activities is not known prior to the traffic stop. Exceptions to this rule that have been upheld are;

- a. If after the officer approaches the vehicle drugs or drug paraphernalia are in plain sight or view.
- b. If after or as the officer approaches the vehicle smoke from illegal drugs can be seen or smelled. The officer must confirm the actual scent after securing the scene.
- c. If the offender discards items from the vehicle prior to or while the officer is attempting to initiate a traffic stop.
- d. If the canine unit is requested by a undercover or covert law enforcement unit that is investigating illegal drug activities.

34. Officers that make request to search vehicles on drug interdiction stops shall read the offender and the suspect(s) their Miranda Rights PRIOR to making the request for the vehicle search for illegal drugs. If consent is given, the officer must utilize a written consent form. If no consent is given and a search is conducted based on probable

cause, the officer initiating the stop MUST complete a written report on the incident to the shift supervisor and a copy to the Chief of Police before the completion of the regularly scheduled shift. A completed tow slip must accompany the vehicle to the impound lot. The tow slip WILL NOT be taken later.

35. Officers that perform inventory searches may not search closed or locked areas without consent as required in the procedures listed for drug interdiction searches. Inventory searches will be limited to areas of CLEAR and PLAIN VIEW ONLY. Inventory searches will not be initiated as an attempt to circumvent the drug interdiction search procedures.
36. The K-9 handler shall work under the direct supervision of the Sergeant that he is assigned to work under by the Chief of Police. All reports and correspondence shall be first submitted to the Sergeant in charge of the K-9 unit.

CANINE VEHICLE USAGE

37. The K-9 handler will be assigned a specifically designed vehicle, when available and possible, that is a marked vehicle for K-9 usage. Since the handler is on duty at all times, he shall be assigned the vehicle to take home with him.
38. The handler will not utilize the vehicle for personal use. Whenever the handler is available for call outs the vehicle may be utilized.
39. The K-9 vehicle shall not be utilized for off-duty or private details without the prior permission of the Chief of Police.
40. The following rules shall be issued for guidance in the K-9 handlers usage of the K-9 vehicle;
 - a. The interior and exterior of the vehicle will be kept clean and sanitary at all times.
 - b. No unauthorized stickers of emblems shall be placed upon the vehicle without prior permission of the Chief of Police.
 - c. Report all vehicle maintenance requests to the Sergeant in charge of the K-9 unit and contact the appropriate approved police division maintenance facility.
 - d. Keep the vehicle fueled and have all fluids checked on a regular basis by the maintenance facility that has been pre-approved by the police division.

THIS POLICY AND PROCEDURE IS SUBJECT TO CHANGE.

Exhibit I

Sponsor: Manager Stephanie Summerow Dumas

First Reading: October 9, 2012
Second Reading: October 22, 2012
Third Reading: Suspended, 2012
Adopted: October 22, 2012

VILLAGE OF LINCOLN HEIGHTS
HAMILTON COUNTY, OHIO
ORDINANCE NO. 2012-O-12

ORDINANCE AMENDING FRINGE BENEFITS FOR POLICE OFFICERS AND THE
MEMBERS OF THE POLICE DEPARTMENT CONTAINED IN TITLE III, PART ONE,
CHAPTER 33 OF THE CODE OF ORDINANCES

- WHEREAS,** Title III, Chapter 33, Section 33.03 of the Code of Ordinances for the Village of Lincoln Heights ("Ordinance") provides that all police officers are members of the Ohio Police and Fire Pension Fund ("OP&F") regardless of whether they are full-time employees;
- WHEREAS,** The Ordinance is in conflict with the rules and regulations of the OP&F, which only allows participation in OP&F by full-time police officers;
- WHEREAS,** The Ordinance further provides that police officers who work more than 30 hours per week averaged over a 52-week period shall receive hospitalization, medical and dental insurance coverage, disability and death benefits, and other benefits ("Fringe Benefits"); and
- WHEREAS,** Council for the Village of Lincoln Heights deems that it would be in the best interest of the Village to make subsection A of the Ordinance consistent with the rules and regulations of OP&F and limit Fringe Benefits to full-time police officers and the members of the Police Department.

NOW, THEREFORE, BE IT ORDAINED by the Council for the Village of Lincoln Heights, Hamilton County, Ohio that:

SECTION I A copy of Title III, Chapter 33, Section 33.03 is attached hereto as **Exhibit A**. Subsections 33.03(A) and (B) shall be amended to read as follows:

§ 33.03 FRINGE BENEFITS.

(A) *All full-time police officers who are regular employees shall be members of the Ohio Police & Fire Pension Fund.*

(B) *A full-time police officer who is a regular employee shall receive hospitalization, medical and dental insurance coverage, disability and*

death benefits, as well as any other applicable benefits approved by Council.

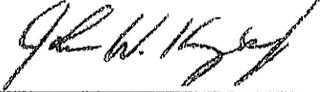
SECTION II

Upon passage, the language contained in Section I shall be codified in Title III, Chapter 33, Section 33.03 of the Code of Ordinances for the Village of Lincoln Heights. The Clerk of Council is hereby directed to forward this Ordinance upon passage to the codification service provider for the Village and to instruct said provider to codify this Ordinance in accordance with this Section II.

SECTION III

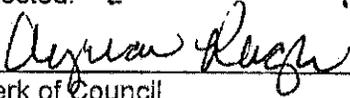
This Ordinance is hereby declared to be an emergency measure necessary for the health, safety and general welfare of the Village of Lincoln Heights. The reason for said emergency is the need to define Fringe Benefits of the Village of Lincoln Heights Police Department.

Passed this 22nd day of October, 2012.



Mayor, Village of Lincoln Heights

Attested: -



Clerk of Council

RECORD OF VOTES CAST

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Mayor John W. Key, Jr.	<u>✓</u>	<u>---</u>	<u>---</u>	<u>---</u>
Vice Mayor Richard Headen	<u>✓</u>	<u>---</u>	<u>---</u>	<u>---</u>
Tonya Key	<u>✓</u>	<u>---</u>	<u>---</u>	<u>---</u>
LaVerne Mitchell	<u>✓</u>	<u>---</u>	<u>---</u>	<u>---</u>
Deborah Seay	<u>✓</u>	<u>---</u>	<u>---</u>	<u>---</u>
Carolyn Smith	<u>✓</u>	<u>---</u>	<u>---</u>	<u>---</u>
Harold Stewart	<u>✓</u>	<u>---</u>	<u>---</u>	<u>---</u>

CERTIFICATION OF PUBLICATION

I hereby certify that I have published the foregoing legislation beginning on October 22, 2012 in accordance with Section 2.12 of the Charter for the Village of Lincoln Heights, Hamilton County, Ohio, by posting a complete copy of the legislation for at least 14 days after its adoption in 5 conspicuous places in the Village, to wit: 1) Healthcare Connection; 2) St. Simon's Church; 3) Friendship Plaza; 4) Centennial Apartments; 5) Oak Park; 6) Our Corner; and 7) Village Hall.

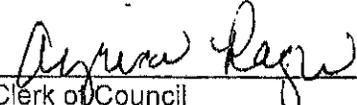

Clerk of Council

EXHIBIT A

§ 33.03 FRINGE BENEFITS.

All members of the Police Department and employees shall receive the following fringe benefits:

(A) All police officers who are regular employees shall be members of the State Police and Firemen's Disability and Pension Fund.

(B) A police officer who is a regular employee and works more than 30 hours per week averaged over a 52 week period shall receive hospitalization, medical and dental insurance coverage, disability and death benefits, and any other benefits in amounts established by the Village Manager in accordance with the limitations set forth in the annual budget approved by Council.

(1995 Code, § 33.03) (Am. Ord. 97-O-2, passed 2-10-1997)

Sponsor: Manager Stephanie Summerow Dumas

First Reading: October 9, 2012
Second Reading: October 22, 2012
Third Reading: Suspended, 2012
Adopted: October 22, 2012

VILLAGE OF LINCOLN HEIGHTS
HAMILTON COUNTY, OHIO
ORDINANCE NO. 2012-O-14

ORDINANCE AMENDING EMPLOYEE BENEFIT PLANS CONTAINED IN TITLE III, PART ONE, CHAPTER 37 OF THE CODE OF ORDINANCES

WHEREAS, Title III, Chapter 37, Section 37.21 of the Code of Ordinances for the Village of Lincoln Heights provides that employees who work more than 30 hours per week averaged over a 52-week period shall receive hospitalization, medical and dental insurance coverage, disability and death benefits, and other benefits;

WHEREAS, Council for the Village of Lincoln Heights deems that it would be in the best interest of the Village to limit employee benefits to full-time employees.

NOW, THEREFORE, BE IT ORDAINED by the Council for the Village of Lincoln Heights, Hamilton County, Ohio that:

SECTION I A copy of Title III, Chapter 37, Section 37.21 is attached hereto as **Exhibit A** and shall be amended to read as follows:

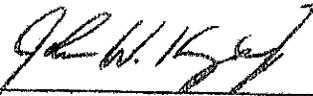
§ 37.21 EMPLOYEE BENEFIT PLANS.

Each full-time employee shall receive hospitalization, medical and dental insurance coverage, disability and death benefits, and any other applicable benefit approved by Council. The forms necessary for coverage shall be completed at the time of hiring.

SECTION II Upon passage, the language contained in Section I shall be codified in Title III, Chapter 37, Section 37.21 of the Code of Ordinances for the Village of Lincoln Heights. The Clerk of Council is hereby directed to forward this Ordinance upon passage to the codification service provider for the Village and to instruct said provider to codify this Ordinance in accordance with this Section II.

SECTION III This Ordinance is hereby declared to be an emergency measure necessary for the health, safety and general welfare of the Village of Lincoln Heights. The reason for said emergency is the need to define Employee Benefit Plans of Full-Time Employees of the Village of Lincoln Heights.

Passed this 22nd day of October, 2012.



Mayor, Village of Lincoln Heights

Attested:



Clerk of Council

RECORD OF VOTES CAST

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Mayor John W. Key, Jr.	✓	—	—	—
Vice Mayor Richard Headen	✓	—	—	—
Tonya Key	✓	—	—	—
LaVerne Mitchell	✓	—	—	—
Deborah Seay	✓	—	—	—
Carolyn Smith	✓	—	—	—
Harold Stewart	✓	—	—	—

CERTIFICATION OF PUBLICATION

I hereby certify that I have published the foregoing legislation beginning on October 22, 2012 in accordance with Section 2.12 of the Charter for the Village of Lincoln Heights, Hamilton County, Ohio, by posting a complete copy of the legislation for at least 14 days after its adoption in 5 conspicuous places in the Village, to wit: 1) Healthcare Connection; 2) St. Simon's Church; 3) Friendship Plaza; 4) Centennial Apartments; 5) Oak Park; 6) Our Corner; and 7) Village Hall.



Clerk of Council

EXHIBIT A

§ 37.21 EMPLOYEE BENEFIT PLANS.

Each employee who works more than 30 hours per week averaged over a 52 week period shall receive hospitalization, medical and dental insurance coverage, disability and death benefits, and any other benefits in amounts established by the Village Manager in accordance with the limitations set forth in the annual budget approved by Council. Forms necessary for coverage shall be completed at the time of employment.

(1995 Code, § 37.21) (Ord. 75-53, passed 6-9-1975; Am. Ord. 97-O-1, passed 2-10-1997)

Sponsor: Manager Stephanie Summerow Dumas

First Reading: October 9, 2012
Second Reading: October 22, 2012
Third Reading: Suspended, 2012
Adopted: October 22, 2012

**VILLAGE OF LINCOLN HEIGHTS
HAMILTON COUNTY, OHIO
ORDINANCE NO. 2012-O-11**

ORDINANCE AMENDING THE DEFINITION OF FULL-TIME EMPLOYMENT FOR POLICE OFFICERS AND OTHER MEMBERS OF THE POLICE DEPARTMENT CONTAINED IN TITLE III, PART ONE, CHAPTER 33 OF THE CODE OF ORDINANCES

- WHEREAS,** Title III, Chapter 33, Section 33.02 of the Code of Ordinances for the Village of Lincoln Heights provides that full-time employment for police officers and other members of the Police Department shall be construed to mean employment of nine hours or more per day or 44 hours or more per week ("Ordinance");
- WHEREAS,** The Ordinance is in conflict with the definition of a full-time police officer for purposes of participation in the Ohio Police and Fire Pension Fund ("OP&F"); and
- WHEREAS,** Council for the Village of Lincoln Heights deems that it would be in the best interest of the Village to make its definition of a full-time police officer and other members of the Police Department consistent with the definition used by OP&F.

NOW, THEREFORE, BE IT ORDAINED by the Council for the Village of Lincoln Heights, Hamilton County, Ohio that:

SECTION I A copy of Title III, Chapter 33, Section 33.02 is attached hereto as **Exhibit A**. Subsections 33.02(B) and (E) shall be amended to read as follows:

§ 33.02 APPLICANTS; HOURS OF WORK; BOND.

*(B) Such officers and other members of the Police Department shall be able to work rotating shifts. Patrolmen shall not be permitted to engage in full-time employment or any other job and shall obtain special permission from the Village Manager in order to engage in part-time employment. **FULL-TIME EMPLOYMENT** shall mean employment at 37.50 hours or more per week averaged over a 52-week period.*

(E) The standard work week for full-time police officers and other members of the Police Department shall consist of 37.50 hours or more per week.

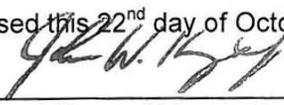
SECTION II

Upon passage, the language contained in Section I shall be codified in Title III, Chapter 33, Section 33.02 of the Code of Ordinances for the Village of Lincoln Heights. The Clerk of Council is hereby directed to forward this Ordinance upon passage to the codification service provider for the Village and to instruct said provider to codify this Ordinance in accordance with this Section II.

SECTION III

This Ordinance is hereby declared to be an emergency measure necessary for the health, safety and general welfare of the Village of Lincoln Heights. The reason for said emergency is the need to define Full-Time Employment of the Village of Lincoln Heights Police Department.

Passed this 22nd day of October, 2012.



Mayor, Village of Lincoln Heights

Attested: -



Clerk of Council

RECORD OF VOTES CAST

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Mayor John W. Key, Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vice Mayor Richard Headen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tonya Key	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LaVerne Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Deborah Seay	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carolyn Smith	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Harold Stewart	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

CERTIFICATION OF PUBLICATION

I hereby certify that I have published the foregoing legislation beginning on October 22, 2012 in accordance with Section 2.12 of the Charter for the Village of Lincoln Heights, Hamilton County, Ohio, by posting a complete copy of the legislation for at least 14 days after its adoption in 5 conspicuous places in the Village, to wit: 1) Healthcare Connection; 2) St. Simon's Church; 3) Friendship Plaza; 4) Centennial Apartments; 5) Oak Park; 6) Our Corner; and 7) Village Hall.


Clerk of Council

EXHIBIT A

§ 33.02 APPLICANTS; HOURS OF WORK; BOND.

(A) The Police Department as constituted herein, shall be classified by the Village Manager as required by law.

(B) Such officers and other members of the Police Department shall be able to work rotating shifts. Patrolmen shall not be permitted to engage in full-time employment or any other job and shall obtain special permission from the Village Manager in order to engage in part-time employment. *FULL-TIME EMPLOYMENT* shall be construed to mean employment of nine hours or more per day or 44 hours or more per week.

(C) Applicants for employment in the Police Department must meet qualifications determined by village and state laws.

(D) Each employee of the Police Department shall post bond in the amount of \$1,000 at the cost of the village.

(E) Standard work week for patrolmen and officers shall consist of 44 hours.

(ORC § 737.07) (1995 Code, § 33.02) (Ord. 71-14, passed 4-14-1971)

Sponsor: Manager Stephanie Summerow Dumas

First Reading: October 9, 2012
Second Reading: October 22, 2012
Third Reading: Suspended, 2012
Adopted: October 22, 2012

**VILLAGE OF LINCOLN HEIGHTS
HAMILTON COUNTY, OHIO
ORDINANCE NO. 2012-O-12**

**ORDINANCE AMENDING FRINGE BENEFITS FOR POLICE OFFICERS AND THE
MEMBERS OF THE POLICE DEPARTMENT CONTAINED IN TITLE III, PART ONE,
CHAPTER 33 OF THE CODE OF ORDINANCES**

- WHEREAS,** Title III, Chapter 33, Section 33.03 of the Code of Ordinances for the Village of Lincoln Heights ("Ordinance") provides that all police officers are members of the Ohio Police and Fire Pension Fund ("OP&F") regardless of whether they are full-time employees;
- WHEREAS,** The Ordinance is in conflict with the rules and regulations of the OP&F, which only allows participation in OP&F by full-time police officers;
- WHEREAS,** The Ordinance further provides that police officers who work more than 30 hours per week averaged over a 52-week period shall receive hospitalization, medical and dental insurance coverage, disability and death benefits, and other benefits ("Fringe Benefits"); and
- WHEREAS,** Council for the Village of Lincoln Heights deems that it would be in the best interest of the Village to make subsection A of the Ordinance consistent with the rules and regulations of OP&F and limit Fringe Benefits to full-time police officers and the members of the Police Department.

NOW, THEREFORE, BE IT ORDAINED by the Council for the Village of Lincoln Heights, Hamilton County, Ohio that:

SECTION I A copy of Title III, Chapter 33, Section 33.03 is attached hereto as **Exhibit A**. Subsections 33.03(A) and (B) shall be amended to read as follows:

§ 33.03 FRINGE BENEFITS.

(A) *All full-time police officers who are regular employees shall be members of the Ohio Police & Fire Pension Fund.*

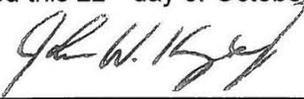
(B) *A full-time police officer who is a regular employee shall receive hospitalization, medical and dental insurance coverage, disability and*

death benefits, as well as any other applicable benefits approved by Council.

SECTION II Upon passage, the language contained in Section I shall be codified in Title III, Chapter 33, Section 33.03 of the Code of Ordinances for the Village of Lincoln Heights. The Clerk of Council is hereby directed to forward this Ordinance upon passage to the codification service provider for the Village and to instruct said provider to codify this Ordinance in accordance with this Section II.

SECTION III This Ordinance is hereby declared to be an emergency measure necessary for the health, safety and general welfare of the Village of Lincoln Heights. The reason for said emergency is the need to define Fringe Benefits of the Village of Lincoln Heights Police Department.

Passed this 22nd day of October, 2012.



Mayor, Village of Lincoln Heights

Attested:



Clerk of Council

RECORD OF VOTES CAST

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Mayor John W. Key, Jr.	✓	—	—	—
Vice Mayor Richard Headen	✓	—	—	—
Tonya Key	✓	—	—	—
LaVerne Mitchell	✓	—	—	—
Deborah Seay	✓	—	—	—
Carolyn Smith	✓	—	—	—
Harold Stewart	✓	—	—	—

CERTIFICATION OF PUBLICATION

I hereby certify that I have published the foregoing legislation beginning on October 22, 2012 in accordance with Section 2.12 of the Charter for the Village of Lincoln Heights, Hamilton County, Ohio, by posting a complete copy of the legislation for at least 14 days after its adoption in 5 conspicuous places in the Village, to wit: 1) Healthcare Connection; 2) St. Simon's Church; 3) Friendship Plaza; 4) Centennial Apartments; 5) Oak Park; 6) Our Corner; and 7) Village Hall.


Clerk of Council

EXHIBIT A

§ 33.03 FRINGE BENEFITS.

All members of the Police Department and employees shall receive the following fringe benefits:

(A) All police officers who are regular employees shall be members of the State Police and Firemen's Disability and Pension Fund.

(B) A police officer who is a regular employee and works more than 30 hours per week averaged over a 52 week period shall receive hospitalization, medical and dental insurance coverage, disability and death benefits, and any other benefits in amounts established by the Village Manager in accordance with the limitations set forth in the annual budget approved by Council.

(1995 Code, § 33.03) (Am. Ord. 97-O-2, passed 2-10-1997)

Sponsor: Manager Stephanie Summerow Dumas

First Reading: October 9, 2012
Second Reading: October 22, 2012
Third Reading: Suspended, 2012
Adopted: October 22, 2012

**VILLAGE OF LINCOLN HEIGHTS
HAMILTON COUNTY, OHIO
ORDINANCE NO. 2012-O-13**

**ORDINANCE AMENDING THE DEFINITION OF FULL-TIME EMPLOYEE CONTAINED IN
TITLE III, PART ONE, CHAPTER 37 OF THE CODE OF ORDINANCES**

WHEREAS, Title III, Chapter 37, Section 37.01 of the Code of Ordinances for the Village of Lincoln Heights provides that full-time employment for employees means a person engaged in employment for approximately 40 hours per week on a permanent or regular basis ("Ordinance"); and

WHEREAS, Council for the Village of Lincoln Heights deems that it would be in the best interest of the Village to make its definition of a full-time employee consistent with its definition for a full-time police officer and other members of the Police Department.

NOW, THEREFORE, BE IT ORDAINED by the Council for the Village of Lincoln Heights, Hamilton County, Ohio that:

SECTION I A copy of Title III, Chapter 37, Section 37.01 is attached hereto as **Exhibit A**. The definition of full-time employee therein shall be amended to read as follows:

§ 37.01 DEFINITIONS.

EMPLOYEE.

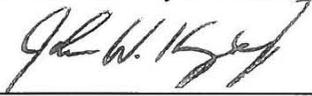
(1) FULL-TIME EMPLOYEE. A person engaged in employment for 37.50 hours or more per week on a permanent or regular basis.

SECTION II Upon passage, the language contained in Section I shall be codified in Title III, Chapter 37, Section 37.01 of the Code of Ordinances for the Village of Lincoln Heights. The Clerk of Council is hereby directed to forward this Ordinance upon passage to the codification service provider for the Village and to instruct said provider to codify this Ordinance in accordance with this Section II.

SECTION III

This Ordinance is hereby declared to be an emergency measure necessary for the health, safety and general welfare of the Village of Lincoln Heights. The reason for said emergency is the need make the definition of Full-Time Employee of the Village of Lincoln Heights Police Department consistent.

Passed this 22nd day of October, 2012.



Mayor, Village of Lincoln Heights

Attested:



Clerk of Council

RECORD OF VOTES CAST

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Mayor John W. Key, Jr.	✓	—	—	—
Vice Mayor Richard Headen	✓	—	—	—
Tonya Key	✓	—	—	—
LaVerne Mitchell	✓	—	—	—
Deborah Seay	✓	—	—	—
Carolyn Smith	✓	—	—	—
Harold Stewart	✓	—	—	—

CERTIFICATION OF PUBLICATION

I hereby certify that I have published the foregoing legislation beginning on October 22, 2012 in accordance with Section 2.12 of the Charter for the Village of Lincoln Heights, Hamilton County, Ohio, by posting a complete copy of the legislation for at least 14 days after its adoption in 5 conspicuous places in the Village, to wit: 1) Healthcare Connection; 2) St. Simon's Church; 3) Friendship Plaza; 4) Centennial Apartments; 5) Oak Park; 6) Our Corner; and 7) Village Hall.



Clerk of Council

EXHIBIT A

§ 37.01 DEFINITIONS.

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ALLOCATION. The assignment of an individual position to an appropriate class on the basis of the kind, difficulty, and responsibility of the work actually performed in the position.

APPOINTING AUTHORITY. The official having power to make appointments.

CLASS. A group of positions, or one position, that has similar duties and responsibilities, requires like qualifications, and can be equitably compensated by the same salary range.

CLASS SPECIFICATION. The written description of a class containing such of the typical duties, of the class, and the qualifications that are necessary or desirable for the satisfactory performance of the duties of the class.

CLASS TITLE. The official designation or name of the class as stated in the class specification. It shall be used on all personnel records and actions. Working or office titles may be used for purposes of internal administration.

DEMOTION. The change of an employee from a position in one class to a position in another class, having a lower maximum salary rate.

DISCHARGE. An involuntary permanent separation from employment for violation of specific provision of the personnel policies, or other departmental rules and regulations, or any other proper cause.

ELIGIBLE. A person whose name is on an employment list.

EMPLOYEE.

(1) **FULL-TIME EMPLOYEE.** A person engaged in employment for approximately 40 hours per week on a permanent or regular basis.

(2) **PART-TIME EMPLOYEE.** A person engaged in employment for substantially less than 40 hours per week on a permanent or regular basis. Fire Department personnel, among others, are **PART-TIME EMPLOYEES.**

(3) **REGULAR EMPLOYEE** or **PERMANENT EMPLOYEE.** An employee who has been permanently appointed to a full-time or part-time position by the Village Manager. Seasonal employees are not included in this category.

(4) **TEMPORARY EMPLOYEE.** A person engaged in employment of a nonpermanent and nonrecurring nature, the duration of which does not exceed 90 calendar days in the calendar

year. Temporary employment does not entitle one to vacation, holiday, pension, insurance (except workmen's compensation), or sick leave benefits.

IMMEDIATE FAMILY. Spouse or children, which includes a son or daughter who is the employee's biological, adopted, or foster child, stepchild, legal ward, or a child for whom the employee stands in *loco parentis*.

LAYOFF. The separation of an employee for the purpose of reducing the work force due to reasons not related to fault, delinquency or misconduct on the part of the employee.

PERSONNEL DIRECTOR. The Village Manager or such person as the Village Manager may designate.

POSITION. A group of currently assigned duties and responsibilities requiring the full- or part-time employment of one person. A position may be occupied or vacant.

PROBATIONARY PERIOD. A working test period during which an employee is required to demonstrate his or her fitness for the duties of the position to which he or she is appointed by actual performance of the duties of the position.

PROMOTION. A change in the position of an employee from one class to a position in another class having a higher maximum salary rate.

REALLOCATION. The reassignment of an individual position to an appropriate class on the basis of the kind, difficulty and responsibility of the work actually performed in the position.

RESIGNATION. Voluntary separation from employment on written notification to the Village Manager specifying the date and reason for separation.

RESIDENT. A person who has resided in the village for at least one year immediately preceding the date of application.

SUSPENSION. An involuntary separation from employment for a specified temporary period of time, without pay, for violation of a specific provision of the personnel policies, other departmental rules and regulations, or any other proper cause.

TRANSFER. A change of an employee from one position to another position in the same class or another class having the same maximum salary rate.

(1995 Code, § 37.01) (Ord. 75-53, passed 6-9-1975; Am. Ord. 2003-O-11, passed 2-10-2003; Am. Ord. 2010-O-2, passed 4-26-2010)

Sponsor: Manager Stephanie Summerow Dumas

First Reading: October 9, 2012
Second Reading: October 22, 2012
Third Reading: Suspended, 2012
Adopted: October 22, 2012

**VILLAGE OF LINCOLN HEIGHTS
HAMILTON COUNTY, OHIO
ORDINANCE NO. 2012-O-14**

ORDINANCE AMENDING EMPLOYEE BENEFIT PLANS CONTAINED IN TITLE III, PART ONE, CHAPTER 37 OF THE CODE OF ORDINANCES

WHEREAS, Title III, Chapter 37, Section 37.21 of the Code of Ordinances for the Village of Lincoln Heights provides that employees who work more than 30 hours per week averaged over a 52-week period shall receive hospitalization, medical and dental insurance coverage, disability and death benefits, and other benefits;

WHEREAS, Council for the Village of Lincoln Heights deems that it would be in the best interest of the Village to limit employee benefits to full-time employees.

NOW, THEREFORE, BE IT ORDAINED by the Council for the Village of Lincoln Heights, Hamilton County, Ohio that:

SECTION I A copy of Title III, Chapter 37, Section 37.21 is attached hereto as **Exhibit A** and shall be amended to read as follows:

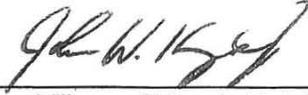
§ 37.21 EMPLOYEE BENEFIT PLANS.

Each full-time employee shall receive hospitalization, medical and dental insurance coverage, disability and death benefits, and any other applicable benefit approved by Council. The forms necessary for coverage shall be completed at the time of hiring.

SECTION II Upon passage, the language contained in Section I shall be codified in Title III, Chapter 37, Section 37.21 of the Code of Ordinances for the Village of Lincoln Heights. The Clerk of Council is hereby directed to forward this Ordinance upon passage to the codification service provider for the Village and to instruct said provider to codify this Ordinance in accordance with this Section II.

SECTION III This Ordinance is hereby declared to be an emergency measure necessary for the health, safety and general welfare of the Village of Lincoln Heights. The reason for said emergency is the need to define Employee Benefit Plans of Full-Time Employees of the Village of Lincoln Heights.

Passed this 22nd day of October, 2012.



Mayor, Village of Lincoln Heights

Attested:



Clerk of Council

RECORD OF VOTES CAST

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Mayor John W. Key, Jr.	<input checked="" type="checkbox"/>	_____	_____	_____
Vice Mayor Richard Headen	<input checked="" type="checkbox"/>	_____	_____	_____
Tonya Key	<input checked="" type="checkbox"/>	_____	_____	_____
LaVerne Mitchell	<input checked="" type="checkbox"/>	_____	_____	_____
Deborah Seay	<input checked="" type="checkbox"/>	_____	_____	_____
Carolyn Smith	<input checked="" type="checkbox"/>	_____	_____	_____
Harold Stewart	<input checked="" type="checkbox"/>	_____	_____	_____

CERTIFICATION OF PUBLICATION

I hereby certify that I have published the foregoing legislation beginning on October 22, 2012 in accordance with Section 2.12 of the Charter for the Village of Lincoln Heights, Hamilton County, Ohio, by posting a complete copy of the legislation for at least 14 days after its adoption in 5 conspicuous places in the Village, to wit: 1) Healthcare Connection; 2) St. Simon's Church; 3) Friendship Plaza; 4) Centennial Apartments; 5) Oak Park; 6) Our Corner; and 7) Village Hall.



Clerk of Council

EXHIBIT A

§ 37.21 EMPLOYEE BENEFIT PLANS.

Each employee who works more than 30 hours per week averaged over a 52 week period shall receive hospitalization, medical and dental insurance coverage, disability and death benefits, and any other benefits in amounts established by the Village Manager in accordance with the limitations set forth in the annual budget approved by Council. Forms necessary for coverage shall be completed at the time of employment.

(1995 Code, § 37.21) (Ord. 75-53, passed 6-9-1975; Am. Ord. 97-O-1, passed 2-10-1997)