



MARION POLICE DEPARTMENT POLICY MANUAL INDEX

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SECTION I ORGANIZATION, MANAGEMENT, AND ADMINISTRATION

1.01 PURPOSE AND MISSION STATEMENT:

ISSUE DATE:
09/02/1998

REVISION DATE:
06 /20/2011

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ISSUE DATE:
09/02/1998

REVISION DATE:
/ /

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ISSUE DATE:
09/02/1998

REVISION DATE:
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ISSUE DATE:
09/02/1998

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06 /20/2011

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ISSUE DATE:
09/02/1998

REVISION DATE:
/ /

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ISSUE DATE:
09/02/1998

REVISION DATE:
06 /20/2011

1.07 RECORDS MANAGEMENT/CRIME INTELLIGENCE:

ISSUE DATE:
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REVISION DATE:
/ /



PURPOSE AND MISSION STATEMENT

NO. 1.01

PURPOSE: The purpose of this policy is to establish a clear purpose and mission statement for the department.

POLICY: The mission of the Marion Police Department is to provide quality service and protect all members of our community, Marion, Indiana.

We, the members of the Marion Police Department, commit to providing the safest possible environment for our community and to exhibiting professionalism and community-mindedness.

We pledge to reduce crime and increase our citizens' sense of safety whenever possible. We will also provide quality services to the public, even in areas not directly related to law enforcement.

We pledge to evaluate and educate ourselves constantly in order to improve and grow as individuals and as a team. We will strive to treat others as we would expect to be treated.

VALUES STATEMENT

The Marion Police Department exists to serve the community by protecting life and property; by preventing crime; by enforcing local, state, and federal laws, and by maintaining order for all people.

Central to our mission are the values which guide our work and decisions. These help us contribute to the high quality of life in Marion, Indiana.

The public trust and confidence given to those in the police service requires the adoption and compliance of stated values, which are the foundation upon which our policies, goals, and operations are structured.

In fulfilling our mission, we need the support of citizens and elected officials in order to provide the quality of service our values commit us to providing.

We, the men and women of the Marion Police Department, value:

HUMAN LIFE

We value human life and dignity, as guaranteed by the Constitution. Therefore, we pledge:

To give our first priority to those situations that threatens human life;

To use force only when necessary and when all other reasonable alternatives have failed;

To treat every person with courtesy and respect; and

To provide for the delivery of services to the public in a manner that reinforces the strength of the neighborhood.



INTEGRITY

We believe that integrity is the basis for community trust. Therefore, we pledge:

To be honest and truthful, and to be consistent in our beliefs and actions;

To make decisions without regard to personal gain or benefit; and

To hold ourselves to high standards of moral and ethical conduct both on and off duty.

LAWS AND CONSTITUTION

We respect the principles which are embodied in the Constitution of the United States. We recognize the authority of federal, state, and local laws. Therefore, we pledge:

To respect and protect the rights of every individual;

To treat everyone fairly and without favoritism in the enforcement of the laws of the land; and

To ensure that our policing strategies preserve and advance democratic principles and values.

EXCELLENCE

We strive for personal and professional excellence. Therefore, we pledge:

To seek out and employ the best qualified individuals, and to be equitable in our hiring practices;

To train and develop our employees to their highest potential;

To seek the advice of employees in matters that affect employee job satisfaction and effectiveness; and

To recognize and reward those individual employees who excel in their work performance and service to the neighborhood.

ACCOUNTABILITY

We are accountable to the people of the community, and to each other. Therefore, we pledge:

To understand the importance of community values and expectations, and to be responsive to neighborhood concerns;

To encourage public comment regarding the development of policies that directly affects the quality of neighborhood life;



PURPOSE AND MISSION STATEMENT

NO. 1.01

To manage our resources effectively and efficiently; and
To thoroughly and equitably investigate complaints made against people of our organization.

COOPERATION

We believe that cooperation with the community and the people of our organization will enable us to combine our diverse backgrounds, skills, and styles to achieve common goals beneficial to the community and the Marion Police Department. Therefore, we pledge:

To work as a team, and to share our responsibilities, to serve the people of the City of Marion along with other agencies and organizations;
To involve the community in all policing activities that directly affect the quality of neighborhood life; and
To deliver our services in a manner that is responsive to neighborhood concerns.

PROBLEM-SOLVING

We are most effective when we can identify and solve community problems. Therefore, we pledge:

To endeavor to anticipate and prevent crime-related problems and to recognize that crime is a neighborhood problem;
To plan, analyze, and evaluate information which will enable us to solve crime in the neighborhood, and to be objective in our approach to crime and problem-solving;
To seek innovative solutions to crime prevention and the apprehension and successful prosecution of criminals within our neighborhood; and
To maintain crime prevention as our primary goal, while vigorously pursuing those who commit serious crimes.

OURSELVES

We are dedicated, caring, and capable people who are performing important and satisfying work for the people of the City of Marion, Indiana. Therefore, we pledge:

To respect, care about, trust, and support each other, and to maintain our perspective and sense of humor;



PURPOSE AND MISSION STATEMENT

NO. 1.01

To be disciplined, professional, and reliable, and to maintain a balance between our professional and personal lives;

To maintain the high values and standards we espouse both on and off duty; and

To seek to provide stability, continuity, and consistency in all department operations.



MANUAL PURPOSE

NO. 1.02

PURPOSE: The purpose of this manual is to establish general guidelines and specific procedures to:

1. Increase the efficiency and effectiveness of the delivery of law enforcement services;
2. Increase capabilities to prevent and control crime;
3. Increase cooperation with other law enforcement agencies;
4. Increase citizen and officer confidence in law enforcement standards and practices; and
5. Effect greater standardization of operational practices.

POLICY: This manual shall be issued under the authority of the Chief of Police as provided by the Board of Public Works and Safety whose authority is derived from I.C. 36-8-3-2. Violations of the general orders, policies, procedures, rules, and regulations in this manual are grounds for disciplinary action. Therefore, each officer of the Police Department will be provided a copy of this manual.



DISSEMINATION/AMENDMENT

NO. 1.03

PURPOSE: The purpose of this manual is to provide direction for carrying out the duties and responsibilities of a Marion Police Officer.

POLICY:

1. It is the responsibility of every officer to have knowledge of all general orders, policies, procedures, rules, and regulations contained in this manual.
2. Every officer, upon receiving a copy of the manual, shall sign and date an acknowledgment indicating receipt of the manual and understanding of the responsibility to read and become familiar with its contents.
3. Each officer is responsible for the security of this manual and shall maintain strict confidentiality of its contents, especially information regarding emergency response operations. Loss of a manual or any sections of a manual shall be reported to the Chief of Police or a supervisor immediately.
4. Officers are responsible for maintaining their manual and keeping it current. Upon receiving manual updates, officers shall sign and date an acknowledgment form indicating receipt of an update, become familiar with its contents, place the update in the manual, and remove any section that may have been nullified by the new section as instructed.
5. Officers should consult this manual when they have a question regarding responsibilities or procedures. If after consulting the manual the officer's question is not resolved, a supervisor should be consulted.
6. Manuals shall be subject to inspection by supervisors to ensure the manual has been kept current and complete by officers.



UNITY OF COMMAND

NO. 1.04

PURPOSE: The purpose for this directive is to establish a policy and procedure for unity of command that ensures efficient, effective operations, avoids confusion, and establishes accountability.

DEFINITION: Unity of Command - The concept that each individual in the organization has one (1) immediate supervisor but may receive direction or supervision from any higher ranking authority.

POLICY: It is the policy of the Marion Police Department that each officer is accountable to only one (1) supervisor at any time.

PROCEDURE:

- A. In ordinary circumstances, patrol officers are accountable to the ranking supervisor of their shift. Personnel assigned to special assignments are accountable to the officer commanding the special assignment.
- B. Orders shall be directed through the chain of command, except when circumstances are such that following the chain of command is not practicable. The chain of command is as follows:

Chief of Police

Deputy Chief of Police

Captain

Lieutenant

Sergeant

Corporal

Patrol officer

Probationary officer

- C. Whenever two (2) or more officers of equal rank are present, unless specifically directed by the Chief of Police, the officer with the most seniority in rank shall be in command.
- D. In circumstances in which special teams have been dispatched, the ranking officer of the special team shall be considered the officer in charge to whom other officers are accountable, regardless of rank.



UNITY OF COMMAND

NO. 1.04

- E. If an officer receives conflicting orders or directives from different supervisors, the officer is charged with the responsibility of informing the supervisor who issued the most recent order of the conflict and to request resolution of the conflict. If the conflicting order is not altered or retracted, the officer shall follow the most recently issued order.
- F. In the absence of the officer's immediate supervisor, the officer may receive direction or supervision from the next higher ranking officer or senior officer present.
- G. All officers shall comply with all **lawful** orders issued by a supervisor.
- H. If an officer needs clarification of an order, it should be requested as early as possible.
- I. If an officer questions the legality of an order, the officer should question the order as soon as possible. In doing so, officers are required to articulate the reason(s) for the illegality of the order. If the issue cannot be resolved, the officer should contact the next higher ranking officer in command.



FIREARMS REVIEW BOARD

NO. 1.05

PURPOSE: The purpose of this policy is to ensure all incidents involving the use or discharge of a firearm by departmental personnel is reviewed to ensure the safety of the public was not compromised and departmental policies and procedures are sufficient.

POLICY: It is the policy of the Marion Police Department that the discharge of any firearm by any member of the Marion Police Department will be investigated by the Firearms Review Board as deemed necessary by the Chief of Police.

PROCEDURE:

A. Firearms Review Board: The firearms review board shall be comprised of:

1. The supervisor in charge of the Investigative Division;
2. The Director of Training
3. The immediate supervisor of the involved officer;
4. A command officer selected by the Chief of Police; and
5. A peer member from the involved officers division.

The highest ranking officer shall serve as the chairman of the review board. If more than one officer holds the same rank, those officers shall decide who shall serve as chairman.

*** Any officer who has first hand knowledge of the circumstances surrounding the discharge of a firearm shall be disqualified to serve on the firearms review board.**

B. The firearms review board shall review the investigation into the circumstances surrounding the discharge of the firearm. Hearings on police action shootings that resulted in a fatality shall be recorded by a court stenographer during the proceedings when instructed to do so by the Chief of Police or his designee. All police action shootings that come before the “firearms review board” shall be documented.

C. Board Responsibilities:

1. Determine the causes (s) of discharge of the firearm.
2. Determine if the discharge was justified or unjustified.
3. Determine if there was carelessness or recklessness if the discharge was justified.
4. If appropriate, recommend safety procedures to avoid re-occurrences.
5. Determine if departmental policies, procedures and general orders were followed.



FIREARMS REVIEW BOARD

NO. 1.05

6. Submit the findings in a written report to the Chief of Police within fifteen (15) days after the boards review.



LOSS REVIEW BOARD

NO. 1.06

PURPOSE: The purpose of this policy is to ensure all incidents which result in loss to the department, through loss or damage to property or equipment or personal injury, are investigated to ensure the safety of the public and departmental policies, procedures and training are sufficient.

POLICY: It is the policy of the Marion Police Department that all incidents involving departmental personnel where there is loss or damage of equipment or personal injury are investigated and reviewed by an incident review board.

PROCEDURE:

A. Loss Review Board: An incident review board will be selected by the Chief of Police through a lottery process, except for the deputy chief, whenever a review board must be convened. Any officer who was involved in the initial investigation of an incident shall be excluded from the review board. The board shall be comprised of:

1. A Deputy Chief or designee as assigned by the Chief of Police;
2. A Captain or Lieutenant;
3. A Sergeant; and
4. A Patrol officer.

The Deputy Chief or designee shall serve as the board chairman.

B. Review Procedure:

1. All reports prepared for the incident investigation shall be completed and forwarded to the Deputy Chief of Uniform Division as soon as possible.
2. The board, upon receipt of the reports from the Deputy Chief shall:
 - a. Review traffic accidents involving departmental personnel or equipment;
 - b. Review accidents or incidents which result in loss of property, property damage or employee injury; and
 - c. Determine what preventative measures and or training may prevent future occurrences.

C. Board Responsibility:

1. Determine the cause (s) of the incident, loss or damage to property;
2. Determine if the incident, loss or damage to property was avoidable.



LOSS REVIEW BOARD

NO. 1.06

3. Determine whether carelessness or recklessness was involved if the incident, loss or damage to property was avoidable;
4. Recommend safety procedures, as necessary, to avoid future occurrences of similar incident, loss or damage to property;
5. The Deputy Chief presiding over the board will prepare a written report, for the Chief of Police, detailing the findings of the board and recommendation of action to be taken.



SECTION II PERSONNEL

2.01 SEXUAL HARASSMENT:

ISSUE DATE:
09/02/1998

REVISION DATE:
/ /

2.02 RULES OF CONDUCT:

ISSUE DATE:
09/02/1998

REVISION DATE:
06 /20/2011

2.03 CITIZEN COMPLAINTS:

ISSUE DATE:
09/02/1998

REVISION DATE:
/ /

2.04 CREDITOR COMPLAINTS:

ISSUE DATE:
09/02/1998

REVISION DATE:
/ /

2.05 FLAG ETIQUETTE:

ISSUE DATE:
09/02/1998

REVISION DATE:
06 /20/2011

2.06 GROOMING:

ISSUE DATE:
09/02/1998

REVISION DATE:
07/01/2009

2.07 OFF-DUTY EMPLOYMENT:

ISSUE DATE:
09/02/1998

REVISION DATE:
06 /20/2011

2.08 PROFESSIONAL PROTOCOL:

ISSUE DATE:
09/02/1998

REVISION DATE:
/ /



SECTION II PERSONNEL

2.09 UNIFORMS:

ISSUE DATE:
09/02/1998

REVISION DATE:
06 /20/2011

2.10 CRITICAL INCIDENTS AND STRESS DEBRIEFING:

ISSUE DATE:
09/02/1998

REVISION DATE:
/ /

2.11 ALTERNATIVE DUTY ASSIGNMENT:

ISSUE DATE:
03/25/2008

REVISION DATE:
/ /



SEXUAL HARASSMENT

NO. 2.01

PURPOSE: The purpose of this policy is to establish a clear statement regarding what conduct is determined to be sexual harassment by the City and the Chief of Police and thereby, unacceptable behavior for personnel of the Marion Police Department.

POLICY: The City and the Chief of Police strictly prohibits sexual harassment of any person in the workplace by any person, in any form. It is illegal and contrary to policy of the City and the Chief of Police for any person, male or female, to sexually harass another person. The City and the Chief of Police has identified three (3) situations in which unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment:

- A. When an employee must submit to such conduct as a condition of employment;
- B. When decisions about an employee's job such as promotion, demotion, benefits, and wages or a person's receipt of service from the department are based on submission to or rejection of such conduct; and
- C. When such conduct "unreasonably interferes" with job performance, receipt of service, or creates an "intimidating, hostile, or offensive" environment.

The first two (2) categories are commonly referred to as "quid pro quo" sexual harassment, in which acquiescence to sexual advances or some type of sexual consideration is required in exchange for a tangible benefit. The third category prohibits sexual harassment based on a "hostile or offensive" environment, even when there has been no conditioning of employment benefits or receipt of service for sexual favors. Such harassment typically involves workplace conduct such as lewd or explicit sexual remarks, innuendos, jokes, gestures, touching, discussions of sexual activity, or the display of obscene or suggestive pictures or cartoons.

Any complaint of sexual harassment by another employee shall be reported and investigated as provided in the Personnel Policy and Procedure Manual. Any complaint of sexual harassment received from a citizen shall be reported and investigated as provided in Section 2.03 of the Personnel Policy and Procedure Manual.



RULES OF CONDUCT

NO. 2.02

PURPOSE: The purpose of this policy is to establish standards of conduct for all employees of the department that will ensure the public receives both ethical and moral law enforcement services. The following procedural examples serve as a guide and should not be considered totally inclusive.

POLICY: It is the policy of the Marion Police Department that all officers and employees of the department shall conduct themselves, both on and off duty, within the highest ethical, moral, and legal standards.

PROCEDURE:

- A. General Conduct: Officers and employees of the Marion Police Department shall not:
1. Knowingly violate any law of the United States, the State of Indiana, or any political subdivision(s) thereof;
 2. Frequent any establishment or residence that is under investigation or known to have a reputation for the illegal sale of intoxicants, narcotics, or unruly behavior of patrons;
 3. Associate with known criminals except to further a legitimate law enforcement purpose;
 4. Habitually contract for debts that cannot be paid or refuse to pay legal debts;
 5. Disclose to any unauthorized person outside the department any information regarding an ongoing investigation, proposed investigation, the identity of any person providing information to the department, or any other confidential information;
 6. Consume any alcoholic beverage while in uniform or on duty except as authorized in the course of an investigation;
 7. Become so intoxicated that undue attention is drawn to the employee in a public place or that renders the employee unavailable in times of emergency;
 8. Report for duty under the influence of alcohol as defined as 0.02% blood alcohol content;
 9. Contact, recommend, or act as a bail bondsman for any person arrested;



RULES OF CONDUCT

NO. 2.02

10. Gossip or make false reports about any employee of the department or any activity of the department;
11. Accept any gift or gratuity including reduced cost for any article or meal (including a free cup of coffee) when it is suspected or known the reduction is offered with some expectation of receiving favored treatment or something else in return due to the employee's relationship with the Marion Police Department;
12. Obtain confidential information from the Indiana I.D.A.C.S. or any other law enforcement computer network for other than an official law enforcement purpose or disclose or divulge such information to any person who is not an employee of the Marion Police Department or otherwise authorized access to such information;
13. Display any form of partiality, discrimination, or any other form of disparate treatment to a complainant, suspect, violator, or any other person;
14. Fail to cooperate with an internal investigation;
15. Fail to forward or report all information or intelligence regarding any crime or criminal activity or significant incidents which an officer becomes aware;
16. Prepare or file a false report or statement or otherwise enter or cause to be entered inaccurate, improper, or false information into departmental records and information systems or tamper with such records;
17. Remove official department records or evidence from the department without proper authorization;
18. Fail to take appropriate police action; regardless of assignment, unless such assignment would prohibit such action;
19. Fail to promptly respond to a call or request for assistance from a citizen or another officer of the department;
20. Advise, counsel, order, or otherwise interfere with or attempt to dissuade another officer from making a lawful arrest, issuing a citation or filing an official report;
21. Read newspapers, periodicals, or books while on duty and in public view for other than an official purpose;



RULES OF CONDUCT

NO. 2.02

22. Sleep while on duty;
23. Use obscene or profane language or make derogatory remarks about another person in public or over the police radio or telephone;
24. Misappropriate departmental equipment or property or incur debts on behalf of the City without authority or in excess of appropriate funds;
25. Retaliate against any person who files a complaint against the employee;
26. Purposefully abuse departmental equipment or property; or
27. Participate in any illegal gambling activity.

B. Reporting:

1. Any employee who becomes aware of misconduct by any other employee either on or off duty shall report the misconduct to the Chief of Police for investigation.
2. Any employee who is arrested or convicted of a criminal offense or for driving under the influence of alcohol or drugs shall report such arrest and/or conviction to the Chief of Police no later than the next business day after the arrest or conviction.
3. Employees shall report incidents or investigations being conducted by another law enforcement agency into the activities or conduct of any employee of the department to the Chief of Police.



CITIZEN COMPLAINT

NO. 2.03

PURPOSE: The purpose for this directive is to establish a policy and procedure for processing and investigating complaints against employees of the department that ensures the professional integrity of the Marion Police Department and assures public confidence in the department.

POLICY: It is the policy of the Marion Police Department that every citizen's complaint of misconduct against an employee will be promptly and courteously recorded, investigated, and promptly adjudicated as may be required.

PROCEDURE:

- A. Any complaint received from the public, or from another officer, of misconduct on the part of any employee of this department shall be referred to the shift supervisor for recording and a preliminary investigation to collect readily accessible details that will aid in the investigation of the complaint.
 1. Any complaint against the department or an employee, received by any employee shall be recorded on a "Police Citizen Complaint Form" and be signed by the shift supervisor or other officer of higher authority who received the report.
 - a. Complaints received by telephone or by mail shall be recorded in the same manner.
 - b. Complainants who personally file the complaint should be requested to sign the complaint.
 2. All reports of misconduct shall be forwarded to the on-duty shift supervisor for assignment to a supervisor for investigation and/or resolution.
 - a. Allegations of corruption, brutality, misuse of force, breach of civil rights, or criminal misconduct shall be investigated by the Chief of Police or designee immediately.
 - b. Shift supervisors may examine complaints and apply appropriate discipline in cases of alleged rudeness, insubordination, tardiness, etc.
 3. Any employee who is the subject of an investigation for criminal or administrative misconduct shall be served a written statement informing the employee of:
 - a. The allegations;



CITIZEN COMPLAINT

NO. 2.03

- b. That an investigation is in process;
- c. The employee's rights to have a representative present during any questioning; and
- d. That the employee must give a statement or be subject to discipline for insubordination, up to and including termination. (NOTE: If the alleged misconduct is of a criminal nature for which the officer may be prosecuted, the prosecutor should be consulted prior to reading the "Employee's Rights" [Garrity] form granting immunity from prosecution.)

*** Employees may be relieved of duty with pay pending the investigation, if deemed appropriate by the Chief of Police or the Mayor.**

4. Any employee who is the subject of an investigation shall be interviewed by the investigating supervisor and shall prepare a written statement in response to the allegations.
 5. The investigating supervisor will interview the complainant and any witnesses and collect any pertinent evidence.
- B. Anonymous complaints alleging employee misconduct shall be investigated as other complaints of misconduct. In some cases, the extent of the investigation may be limited to substantiating the complaint as false.
- C. Records of internal investigations shall be maintained by the Chief of Police, separate from other files and records and remain confidential as investigatory records until the complaint is resolved. The Chief will provide written acknowledgement, by letter to the complainant, of receipt of the complaint and assurance that the complaint is being processed and investigated.
- D. Upon completion of the investigation by the investigating supervisor, the report shall be forwarded to the Chief of Police through the chain of command for review with the investigating supervisor's summary and findings. The Chief of Police will review the report and finding(s), which include:
1. Unfounded - The allegation was false;



CITIZEN COMPLAINT

NO. 2.03

2. Exonerated - The allegation is true but was proper and lawful;
 3. Inconclusive - There is insufficient evidence to prove whether there is misconduct or not;
 4. Sustained - There is sufficient evidence to support the complaint of misconduct;
 5. Withdrawn - The complaint was withdrawn by the complainant;
 - a. In such cases, the Chief may determine the investigation should be continued or cease the investigation.
 6. Misconduct - The original complaint is not sustained; however, during the investigation other misconduct was discovered.
- E. For complaints found to be sustained or for which other misconduct was found, the appropriate discipline consistent with progressive discipline as identified in the "Guidelines for Discipline" section of the department's Personnel Policy and Procedure Manual shall be applied.
- F. Upon conclusion of the investigation, the complainant should be notified by letter from the Chief of Police of the findings and; if the employee was determined to be guilty of misconduct, that the employee will be disciplined in accordance with applicable personnel policies and applicable collective bargaining agreement provisions.



CREDITOR COMPLAINTS

NO. 2.04

PURPOSE: The purpose for this policy is to ensure the professional integrity of the Marion Police Department and assure public confidence in the department.

POLICY: It is the policy of the Marion Police Department that employees pay their legal debts in a timely manner in order to avoid bringing discredit upon the police department or a loss of confidence or public respect in the department.

PROCEDURE:

- A. Any complaint received from a creditor regarding non-payment or delinquency in payment of a debt by an employee of the department will be handled in the following manner:
 - 1. The complainant will be referred to the courts to file a garnishment against the employee's wages if the debt is legal and is not paid in a reasonable time.
 - 2. The employee will be provided an opportunity to provide an explanation, counseled on how to manage a personal budget, and informed of departmental policy regarding garnishments.
- B. Court ordered legal claims against the wages of an employee by a creditor for non-payment of a debt will be recognized and executed per the court order. Repeated garnishments on the wages of an employee may result in disciplinary action.
- C. An employee will not be disciplined for garnishments when an employee has demonstrated to the Chief of Police willingness and effort to resolve the employee's financial problems.



FLAG ETIQUETTE

NO. 2.05

PURPOSE: The purpose of this policy is to establish a standard of acceptable etiquette for officers when respect should be shown for the United States flag and the National Anthem.

POLICY: It is the policy of the Marion Police Department that proper respect is shown for the flag of the United States and the National Anthem by officers extending a hand salute at appropriate times.

PROCEDURE:

A. Parade Duty:

1. When wearing headgear uniformed officers shall extend a hand salute for the flag of United States during parades when the flag is part of the lead unit or carried by a military color guard passing an officer's post or location. If not wearing headgear, they shall stand at attention and place their right hand over their heart.
 - a. As the flag approaches, officers shall face the flag, come to attention, extend a hand salute when the color guard is within six (6) steps of the officer's location, and hold said salute until the color guard has passed the officer's position by an equal distance.

B. National Anthem:

1. When wearing headgear uniformed officers shall face the flag, come to attention, and extend a hand salute during the playing of the National Anthem. If not wearing headgear, they shall stand at attention and place their right hand over their heart.

C. Exceptions:

1. Officers assigned to and engaged in traffic control during parades may disregard extending a salute while engaged in controlling heavy traffic.
2. Officers assigned to executive protection for parades or crowds may disregard extending a salute and shall focus full attention to observing the surrounding crowd to ensure the executive's safety.



GROOMING

NO. 2.06

PURPOSE: The purpose of this policy is to ensure officers and employees reflect a professional image that enhances opportunities for respect of the department within the community.

POLICY: It is the policy of the Marion Police Department that all officers and employees be well groomed and bathed within policy standards unless otherwise approved by the Chief of Police or a designee. Variations in this policy are at the sole discretion of the Chief of Police.

PROCEDURE:

A. Hair Standards -- Male:

1. All male personnel's hair shall be kept neat, clean, and trimmed within the following guidelines:
 - a. Tapered and trimmed so as to not touch the collar;
 - b. Trimmed so that the length and style of the cut does not extend below the eyebrows, does not prevent properly wearing uniform headgear, and does not cause undue attention to be drawn to the officer's appearance;
 - c. Trimmed above the ear so as to not extend over the top of the ear;
 - d. Sideburns trimmed so as to not extend below the middle of the external ear opening.
2. Officers and employees shall be clean shaven, with no facial hair, while on duty, except as follows:
 - a. Mustaches may be worn but shall be neatly trimmed and shall not extend below the corners of the mouth or more than one-half (1/2) inch outward beyond the corners of the mouth.
 - b. Mustaches shall not be overly bushy, be twirled, or have waxed ends.
3. All officers and employees shall practice good personal hygiene and bathe regularly prior to reporting for duty.

B. Hair Standards -- Female:

1. All female personnel shall maintain a hair length or style that does not touch the collar at the rear of the neck and permits proper wearing of all uniform headgear.
 - a. The wearing of braids, pigtailed, and/or ponytails is not permitted.



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- b. Conservative hair clasps or barrettes corresponding to the female officer's hair color may be used in uniform.
- C. Fingernails shall be kept clean and neatly trimmed, so that they do not extend beyond the tip of the finger.
 - 1. Officers who desire to wear fingernail polish may; however, it shall be clear or colorless.
- D. Tattoos/Body Adornment:

Before obtaining a tattoo or a brand that can be viewed by the public in a Marion Police Department Uniform, officers shall get approval from the Chief of Police. Applicants of the Marion Police Department are subject to approval by the Chief of Police of tattoos or brands that can be viewed during the application process.

The follow types of tattoos or brands are prejudicial to good order and discipline and are therefore, prohibited on an officer's body in view of the public:

- (1) Extremist. Extremist tattoos or brands are those affiliated with, depicting, or symbolizing extremist philosophies, organizations, or activities. Extremist philosophies, organizations, and activities are those which advocate racial, gender, ethnicity, religion, or national origin; or advocate violence or other unlawful means of depriving individual rights under the U.S. Constitution, and Federal or State Law.
- (2) Indecent. Indecent tattoos or brands are those, when applying contemporary community standards, finds that the dominant theme of the tattoo or brand, taken as a whole (a) appeals to the prurient interest in sex; (b) depicts or describes, in a patently offensive way, sexual conduct; and (c) taken as a whole lacks serious literary, artistic, political, or scientific value.
- (3) Sexist. Sexist tattoos or brands are those that advocates a philosophy that degrades or demeans a person based on gender.
- (4) Racist. Racist tattoos or brands are those that advocate a philosophy that degrades or demeans a person based on race, ethnicity, or national origin.

Tattoos and brands, regardless of subject matter, are prohibited on the head, face, neck (anything above the t-shirt neckline to include on/inside the eyelids, mouth, and ears), and hands, except officers may have one ring tattoo on each hand, below the joint on the bottom segment (portion closest to the palm) of the finger. Applicants must adhere to this same policy.



GROOMING

NO. 2.06

Officers may not cover tattoos or brands with bandages, make up or any other type of cover to comply with this policy.

Mutilation. Intentional body mutilations, piercing/branding/intentional scarring or adding decorative implants on the head, face, neck, scalp, tongue, or exposed skin are prohibited. Some examples include but are not limited to:

- (1) Split or forked tongue
- (2) Foreign objects inserted under the skin to create a design or pattern
- (3) Earlobe hoops or plugs which stretch out holes on ears (other than normal piercing)

Dental Ornamentation. The use of gold, platinum, other veneers or caps for purposes of ornamentation is prohibited. Teeth, whether natural, capped or veneer will not be ornamented with designs, jewels, initials, etc.



OFF DUTY EMPLOYMENT

NO. 2.07

PURPOSE: The purpose of this directive is to ensure that the off-duty employment of officers does not inhibit the efficiency of the Marion Police Department.

POLICY: Officers of the Marion Police Department may engage in **approved** off-duty employment that does not interfere with the efficient operation of the department. It is understood that officers who participate in off-duty employment are employed by the other employer and not the Marion Police Department.

- A. Officers of the Marion Police Department must give first priority to the duties and responsibilities of a police officer for the City of Marion. Their off-duty employment is secondary to their duties with the Marion Police Department.
- B. Officers shall not engage in work for an off-duty employer while performing duties for the Marion Police Department.
- C. Off-duty employment which conflicts with the department's objectives, policies, rules, general orders, or which compromises the work performance of an officer is forbidden. This prohibition includes, but is not limited to, situations in which the off-duty employer directs or attempts to direct an officer to arrest or not arrest a person.
- D. Officers shall not use their influence to direct customers or businesses to any off-duty employer; including, but not limited to wrecker services, investigation or security agencies, alarm companies, etc.
- E. Compensation for depositions, court appearances, or other activities that result in an off-duty employment arrest shall not be paid by the Marion Police Department.
- F. Any claims or expenses which arise out of off-duty employment shall not be submitted to the department for compensation.
- G. For off-duty employment, officers are not permitted to work more than twenty (20) hours in their regular scheduled workweek. This does not apply to vacations or regularly scheduled days off. For the purpose of computing the permissible off-duty employment hours, an officers' workweek shall consist of the officer's regularly scheduled workweek.
- H. Officers who have approval to wear their uniforms while working in an off-duty capacity shall carry their:
 1. badge;



OFF DUTY EMPLOYMENT

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2. identification card;
3. department issued weapon in authorized holster;
4. police radio; and
5. handcuffs.

* The Marion Police Department uniform patch or badge shall not be worn unless authorized by the Chief of Police.

I. While performing private security functions while off-duty in civilian clothes, officers shall carry their:

1. badge;
2. identification card;
3. department issued weapon in authorized holster;
4. police radio; and
5. handcuffs.

J. Officers shall not use any departmental facility or property for off-duty employment, unless an arrest is made, including:

1. records;
2. criminal histories;
3. investigative files;
4. computer terminals and data;
5. telephones;
6. offices; and
7. vehicles, unless approved otherwise by the Chief of Police or designee.

* Any departmental report which may be copied and purchased by the public may be purchased for an off-duty employer by the officer.

K. Probationary officers are not permitted to engage in off-duty employment until the officer is off probationary status and has graduated from the Indiana Law Enforcement Academy.



OFF DUTY EMPLOYMENT

NO. 2.07

- L. Officers on sick leave shall not engage in off-duty employment until the officer has returned to work and worked one shift. Engaging in off-duty employment while on sick leave will result in disciplinary action up to and including termination.

PROCEDURE:

- A. Approval: Officers, who desire to engage in off-duty employment, including self-employment, shall submit a signed and notarized "Off-Duty Employment Request" form before engaging in such employment. If the employment duration is less than one week then the Off Duty Employment Request form is not required but authorization from the Office of the Chief of Police is still required prior to the officer beginning any off duty employment.
1. The form shall be submitted to the officer's supervisor and shall be forwarded to the Chief of Police for approval or disapproval.
 2. Examples of off-duty employment which may be denied by the Chief of Police include: working for bail bond agencies, investigative work for insurance agencies, private guard services, collection agencies, attorneys, gambling establishments, businesses involved in labor disputes, or selling alcoholic beverages.
 3. Details which may require officers to wear the Marion Police Department police uniform for identification must be approved by the Chief of Police.
- B. Approval may be denied in cases where it may appear that the outside employment might:
1. Render the officer unavailable during an emergency;
 2. Cause physical or mental exhaustion of the officer to the point that the officer's performance may be affected;
 3. Require special consideration be given to scheduling of regular duty hours; or
 4. Bring the department into disrepute or impair the operation or efficiency of the department or officer.
 5. Expose the officer to clientele or activities that are known to be criminal in nature or are inconsistent with the mission of the police department.



OFF DUTY EMPLOYMENT

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- C. The Chief of Police or designee shall forward a signed copy of the "Off-Duty Employment" form to the officer, which designates whether the off-duty employment is approved or denied. Copies shall also be placed in the officer's personnel file and a copy sent to the officer's supervisor.



PROFESSIONAL PROTOCOL

NO. 2.08

PURPOSE: The purpose of this directive is to establish standards of protocol that will enhance and ensure the delivery of professional law enforcement services in the City of Marion.

POLICY: It is the policy of the Marion Police Department that all persons be addressed courteously and accorded every courtesy when contact with the department has been occasioned.

PROCEDURE:

- A. Members of the general public shall be addressed as Mr., Mrs., Ms., Miss (surname), or sir or ma'am. First names should not be used with members of the public whom officers are not very well acquainted.
- B. Officers of the Marion Police Department **shall always** address each other by rank and/or surname in public. Subordinates should afford ranking officers the courtesy of addressing them by rank at all other duty times.
- C. Officers shall address members of other departments by rank and surname.
- D. Officers who have been dispatched to another jurisdiction shall defer to the agency of the jurisdiction and offer all assistance to the other agency unless requested by that agency to take command.
 1. Reports, as required in this manual, shall be afforded the other agency as requested.



UNIFORMS

NO. 2.09

PURPOSE: The purpose of this policy is to ensure that officers of the department reflect a uniform and professional image readily identifiable to the citizens of the City of Marion, Indiana.

POLICY: It is the policy of the Marion Police Department that all uniformed personnel report for duty in proper uniforms as prescribed by the Chief of Police.

PROCEDURE:

- A. Uniforms prescribed by the Chief of Police remain the property of the City of Marion, Indiana.
 - 1. Uniforms shall be kept clean and in good condition.
 - 2. Uniforms in disrepair due to normal wear (e.g., frayed button holes, seams, or collar ends; lost buttons; holes; etc.) shall be repaired or replaced by the officer.
- B. The change from winter to summer uniforms shall be at the direction of the Chief of Police. Uniforms shall be as specified below:
 - 1. Winter shirts shall be navy blue long-sleeve with a concealed zipper front closure. The shirt shall have two (2) pleated pockets with a pencil division in the left pocket and three (3) point pocket flaps with Velcro closures. The sleeves shall be banjo-style with two (2) button cuffs and a third button on each vent. The shirts shall have sewn military creases front and back, a badge sling above the left pocket, shoulder epaulets, and the prescribed "Marion Police Department" patch on each sleeve one-half (1/2) inch below the shoulder seam, centered on the epaulet.
 - a. A black long-sleeve turtleneck shirt may be worn under the winter shirt instead of a necktie. The turtleneck shall have "MPD" embroidered on the left side of the collar.
 - b. A navy blue clip-on tie shall be worn if the turtleneck is not worn or during formal dress occasions (e.g., funeral details, dignitary/executive protection, etc.). An approved tie tack or tie bar matching the color of the rank insignia shall be worn with the tie between the top and bottom edges of the shirt pockets.
 - c. Sleeves on long-sleeve shirts shall be buttoned and shall not be rolled up.



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2. Summer shirts shall be navy blue short-sleeve with a concealed zipper front closure, a one (1) inch cuff on the sleeves, two (2) pleated pockets with a pencil division in the left pocket and three (3) point pocket flaps with Velcro closures. The shirts shall have sewn military creases front and back, a badge sling above the left pocket, shoulder epaulets, and the prescribed "Marion Police Department" patch on each sleeve one-half (1/2) inch below the shoulder seam, centered on the epaulet.
 - a. A white crew neck t-shirt shall be worn under the summer shirt.
3. Trousers shall be navy blue with a two and one-half (2 1/2) inch "Ban-Rol" type waistband that closes with a button-over flap and hook fastener, zipper, and two (2) inch double stitched belt loops. The trousers shall have two (2) slant front pockets and two (2) hip pockets, the left having a button and strap closure. The front of the trousers shall have military creases.
 - a. Trousers shall be worn with a one and three-quarter (1 3/4) inch wide black full grain leather belt.
 - b. Trousers may have an accessory pocket on the outside of both pant legs. If an officer chooses to have an accessory pocket, it must be placed on both pant legs. The pocket will be made from the same material as the pants and sewn onto the pants. It will be 5' wide by 7' deep. The pocket will be centered with the outside hem and placed 3' below the bottom corner of the front slant pocket.
4. Footwear shall be black boots or shoes with a black lug sole. The toe of the chosen footwear must be able to be shined to a high gloss. The Chief of Police shall have discretion as to the suitability of any footwear.
5. The duty jacket shall be navy blue three (3) ounce tadel nylon with Velcro cuffs, two (2) pleated pockets, heavy duty front zipper, badge tab, and left inside pocket. The jacket shall be water repellant and have a thinsulate zip-in liner and removable pile collar. The prescribed "Marion Police Department" patch shall be sewn on each sleeve in the same manner as prescribed for uniform shirts.

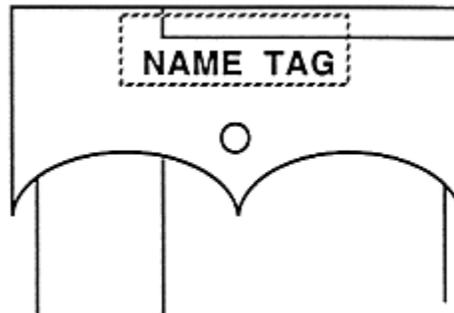


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- a. A navy blue duty sweater with shoulder epaulets may be worn with the uniform. The departmental patch shall be sewn on each sleeve as prescribed for uniform shirts.
 - b. All officers with the rank of corporal and above shall wear their rank insignia on the epaulet of the jacket and/or sweater with what would be considered the bottom of the insignia facing outward toward the sleeves.
- C. Only such uniform accessories as approved or issued by the Chief of Police shall be worn. All "brass" accessories shall be of the same color (silver or gold) as befits the rank of the officers.
1. Name tags shall be 5/8 inch by two and one-half (2 1/2) inches with an officer's first and last name embossed in blue, block lettering (lengthy names may use the first initial with approval of the Chief of Police). The name tag shall be worn on the left pocket flap with the top edge of the tag in line with the top of the pocket flap.

a.



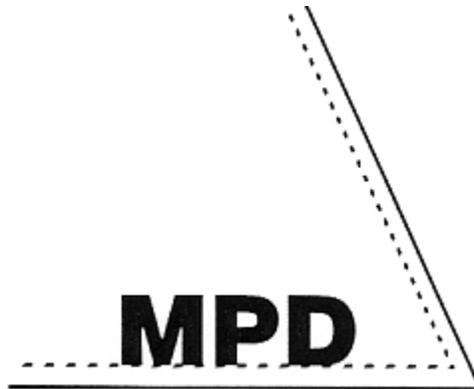
2. For all officers with the rank of sergeant and below collar insignia shall be shall be worn on both collars as shown. The collar insignia for all officers shall be 3/8 inch M.P.D.(with periods).



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NO. 2.09

a. Open collar:

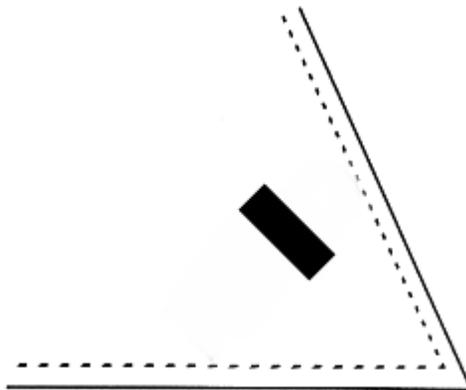


b. Closed collar with tie.



3. For all officers with the rank of Lieutenant and above the rank insignia will be worn on the collar in place of the MPD insignia. The rank will be worn in such a way as to be centered on an imaginary line from the tip of the collar and breaking the collar in half, regardless of whether the collar is opened or closed.

a.



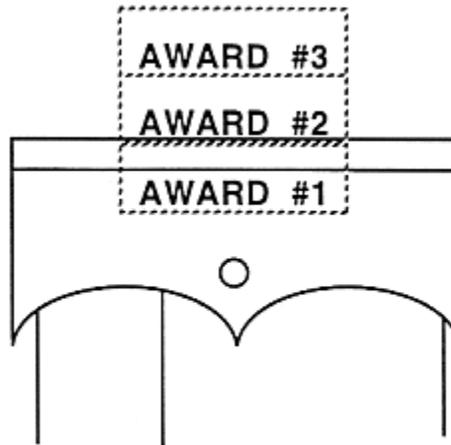
4. Department issued awards shall be worn above the right pocket. The first award shall be centered over the pocket with the top edge in line with the top of the pocket flap; the second, centered with the bottom edge in line with the top of the pocket flap; and the third, centered atop the second award.



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a.



- D. The duty belt shall be two and one-quarter (2 1/4) inch black leather with an embossed basketweave pattern with a black "Safariland" Model 295 or 6280 holster or "Blackhawk" Serpa Level 3 holster, a black basketweave double magazine ammunition pouch, a black "Safariland" Model 77 basketweave handcuff case with a minimum of two (2) black leather belt keepers. Optional items that may be worn on the belt include a flashlight/baton holder, mace holster, knife holster, an additional magazine pouch, and a rubber glove pouch.
1. Plain clothes holster, "Safariland" Model 28 or 518 or Blackhawk Serpa CQC. Magazine carrier Model 81 (Safariland).
 2. All uniform leather shall be black basketweave and snaps and buckles shall be kept shined and in good repair.
 3. All radio holders MUST have a strap that secures the radio in the holder.
- E. Rank insignia (stripes) shall be centered one-half (1/2) inch below the shoulder patch on each sleeve.
- F. The official uniform dress cap shall consist of a navy blue seven-point cap on a black frame with one and three-quarter (1 3/4) inch black visor. A one-quarter (1/4) inch band shall reinforce the navy blue serge with eyelets on each side for ventilation and an eyelet



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on the front for the hat badge. A button on each side matching the brass color commensurate with the officer's rank shall hold the dress strap in place.

1. A black elastic band shall be placed over the cap frame for winter.
 2. A plastic cover shall be worn over the cap in inclement weather.
- * The police cap shall be worn for all funerals, inspections, and other details as deemed appropriate by the Chief of Police.

1. A navy colored vinyl covered "trooper" style cap with pile earflaps and visor cover may be worn in cold weather conditions.
2. A navy or black knit watch cap may also be worn for cold weather conditions. There shall be no markings on the watch cap unless approved by the Chief of Police.

G. Civilian clothing shall not be worn with any part of the official uniform and no part of the official uniform shall be worn as civilian attire.

1. Jewelry, eyeglasses, and sunglasses worn while in uniform shall be inconspicuous, conservative, and in good taste.
2. Necklaces shall not be worn outside the uniform shirt.
3. Earrings may be worn by female officers, provided that:
 - a. The earrings are "post" type and do not exceed 5mm in diameter; and
 - b. Not more than one (1) earring shall be worn in each ear.
4. Not more than one (1) ring shall be worn on either hand and rings shall not be of a size that hinders, obstructs, or otherwise interferes with an officer's ability to perform law enforcement duties.

H. Shift supervisors shall conduct periodic inspections to ensure officers project a professional image and are properly maintaining uniforms and equipment. Variations from the prescribed uniform must be approved by the Chief of Police.

I. Body armor shall be worn every time the uniform is worn unless written permission is granted by the Chief of Police in advance.



J. Class B Uniform

1. Class B Uniform shirts shall be a navy blue smooth finish 100% polyester short-sleeve polo shirt. The shirt shall have microphone loops on shoulders and/or chest. The shirt shall have pen pockets on sleeve. The only navy blue polo uniform shirt brands approved are Cornerstone, Elbeco and 5.11.
2. Officers with rank shall have their rank abbreviation (Cpl., Sgt., Lt., Capt.) and capitalized last name embroidered (.50" x 4.00" max. in College Font) on left breast below an embroidered badge (3.31" x 2.41") on Class B Uniform Shirts. "MARION POLICE" shall be capitalized, centered, and embroidered (1.02" x 4.01" 59d arc, in College Font .51") above the badge in a bridged arc design. Buttercup Gold color will be used for all embroidered lettering and the majority of the badge.

Patrol officers shall have their capitalized last name embroidered on left breast below an embroidered badge on Class B Uniform Shirts. "MARION POICE" shall be capitalized, centered and embroidered above the badge in a bridged arc design. Skylight Gray color will be used for all embroidered lettering and the majority of the badge.

Detectives with rank shall have detective abbreviation (Det.) followed by their rank abbreviation (Sgt., Lt., Capt.) and capitalized last name embroidered on the left breast below an embroidered badge on Class B Uniform Shirts. "MARION POLICE" shall be capitalized, centered and embroidered above the badge in a bridged arc design.

Detectives without rank shall have detective abbreviation (Det.) and capitalized last name embroidered on Class B Uniform Shirts. "MARION POLICE" shall be capitalized, centered and embroidered above the badge in a bridged arc design.

All Detectives shall have Buttercup Gold color embroidery.

Refer to first paragraph in #2 for all embroidery guidelines.

3. "MARION POLICE" shall be screen printed and centered seven (7) inches below the collar on the back of all Class B Uniform Shirts. "MARION" shall be 11.60"

x 1.76” in Arial Regular Font. “POLICE” shall be 11.60” x 3.50” in Eurostile MN Extended Bold Font. “MARION POLICE” shall be White with Old Gold colored outline.

4. A white crew neck short sleeve undershirt shall be worn under the Class B Uniform Shirt.
5. Class B Uniform pants shall be navy blue in color and cargo style. Approved pant brands are LA Police Gear (Operator Tactical Pant with elastic waist), Elbeco and 5.11.
6. The chief’s office must approve anything other than above mentioned brands.

K. Class C and K9 Uniform

1. The BDU (Battle Dress Uniform) and K9 Uniform will be navy blue in color. The shirt brand and style shall be the 5.11 Tactical Taclite TDU in both short and long sleeve.

The pants brand and style shall be 5.11 Tactical Taclite TDU.

The BDU and K9 Uniform shall only be worn as a set with above mentioned 5.11 Tactical Taclite TDU shirt and pants.

2. Guidelines for the BDU and K9 Uniform shall be as follows:
 - a. No collar brass shall be worn on this uniform. Instead, officers with the rank of Sergeant and below will have “MPD” embroidered (.49” x 1.25”) on both collars in same location as worn on the open collar Class A Uniform. Refer to Class A Uniform SOP for photo.
 - b. Officers with the rank of Lieutenant and Captain shall have their rank insignia embroidered (Lieutenant Bar $\frac{3}{4}$ ” x $\frac{5}{16}$ ” and Captain Bars $\frac{3}{4}$ ” x $\frac{7}{8}$ ”) on both collars in such a way as to be centered on an imaginary line one inch (1”) above the tip of the collar and breaking the collar in half. Refer to Class A Uniform SOP for photo.
 - c. All uniforms shall have the “Marion Police Department” patch on each sleeve one-half ($\frac{1}{2}$) inch below the shoulder seam and centered on the sleeve in line with the shoulder epaulets.

- d. Corporals and Sergeants shall have their rank insignia (stripes) sewn on (not embroidered) and centered one-half (1/2) inch below the Marion Police Department Shoulder Patch on each sleeve.
- e. Patrol Officers shall have gray embroidered badge and lettering. Officers with rank shall have gold embroidered badge and lettering. (Skylight Gray shall be the thread color for all lettering and the dominant thread color on patrol officer badges. Buttercup Gold shall be the thread color for all lettering and the dominant thread color on officer with rank badges.)
- f. The officer's last name shall be embroidered (.60" x 4.00" max.) and centered on the left breast pocket flap. A badge shall be embroidered (3.31" x 2.41") above the name .50" above the top of pocket.
- g. All lettering shall be embroidered in College Font.
- h. Award pins shall not be worn on this uniform.
- i. There will be no closed collar or tie option with this uniform.
- j. Long sleeve uniform shirts require a black mock turtleneck or regular turtleneck underneath the uniform shirt. Short sleeve shirts require a black crew neck short sleeve t-shirt underneath the uniform shirt.
- k. In addition to above requirements, K9 Uniforms shall include "K9" embroidered (.80" x 1.33") on the right breast centered .50" above the top of pocket.

L. Guidelines for court dress shall be as follows:

1. The standard uniform is always appropriate for any court.
2. For SUP I, SUP II, SUP III, or any court outside Grant County, a suit and tie or jacket and tie shall be worn if the uniform is not worn.
3. For Marion City court or Juvenile Court, a collared shirt, dress pants, and dress shoes shall be worn if the uniform is not worn.
4. Section G of 2.09 and standard grooming for duty also applies.



CRITICAL INCIDENTS

NO. 2.10

PURPOSE: The purpose of Critical Incident Stress Debriefing is to provide constructive support for department personnel by diminishing emotional trauma through review of the incident and providing coping strategies and a forum for addressing officer feelings.

POLICY: It is the policy of the Marion Police Department to provide officers, other emergency personnel, victims, and/or their families a Critical Incident Stress Debriefing after events involving major trauma or disaster.

DEFINITION: Critical Incident Stress Debriefing is defined by Dr. Jeff Mitchell as, "Any situation faced by emergency service personnel that causes them to experience unusually strong emotional reactions which have the potential to interfere with their ability to function either at the scene or later."; including, but not limited to homicides, suicides, blunt traumas, fatal traffic accidents, fires in which police are involved, and abuse and/or death of children.

PROCEDURE:

In a critical incident, each participant perceives and deals with the event differently.

Administration and staff should, in weighing the need for stress debriefing, consider: (a) the officer's involvement in the event and/or relationship with victims (if any), (b) the participants cognitive behavior, (c) the visible emotional state, and d) any body language that would denote shock/stress.

A. Officer Death -- In Line of Duty:

1. Provide defusing of the situation;
2. Notify the State Fraternal Order of Police CISD Team
 - a. All department personnel should receive a debriefing from six (6) to forty-eight (48) hours following such incident. Department personnel shall not lead this session.
3. Schedule debriefing(s) for the entire department (mandatory attendance).
4. Continue to provide information to all department personnel that do not compromise any ongoing investigation.
5. Provide individual counsel and support as needed.

B. Officer Injury -- Police Actions Shootings -- Non-Duty Deaths:

1. Note all personnel at the scene as they are potential CIS victims.



CRITICAL INCIDENTS

NO. 2.10

2. Defuse the situation.
 - a. Shooting: Defuse officer(s) in shooting by informing them of the review process, provide encouragement and emotional support.
 - b. Death/Injury: Defuse participant(s) by disseminating information on the death or injury as much as possible.
 3. Provide one or two Critical Incident Stress Debriefing sessions to accommodate all emergency workers and investigators (mandatory attendance).
 4. Provide individual counsel and support as needed.
- C. Crimes and Accidents:
1. Note all participants at the scene as they are potential CIS victims.
 2. Bring on-site emotional support and defuse the situation.
 3. Make available one Critical Incident Stress Debriefing session to officers and emergency personnel within six (6) hours of the event.
 4. Provide individual counsel and support as needed.



ALTERNATIVE DUTY ASSIGNMENT

NO. 2.11

PURPOSE: The purpose of the Alternative Duty Assignment is to provide the employee with an opportunity to remain productive while convalescing.

POLICY: It is the policy of the Marion Police Department to provide employees with a work option when performance of their regular duties may risk their health and safety and/or the safety of others.

PROCEDURE:

- A. Eligibility -- All full-time officers are eligible to be placed in an alternative duty assignment provided both of the following criteria are met:
 1. The employee suffers from a medically certified illness, injury, or disability requiring the treatment of a licensed health-care provider.
 2. Because of the injury, illness, or disability, the employee is **temporarily** unable to perform the regular assignment but is capable of performing alternative assignments.
- B. Placement – Will be determined as follows:
 1. Alternative duty assignments are limited in number and variety. Personnel injured or otherwise disabled in the line of duty will be given preference in initial assignment to alternative duty. Assignments may be changed at any time upon the recommendation of the treating health-care provider, if deemed in the best interest of the employee or the agency.
 2. This policy in no way affects the privileges of employees under the provisions of the Family and Medical Leave Act, Fair Labor Standards Act, Americans with Disabilities Act, or other federal or state law.
 3. No specific position within the Department will be established for use as an alternative duty assignment, nor will any existing position be designated or utilized exclusively for personnel on alternative duty.
 4. Alternative duty assignments are **strictly temporary** and normally shall not exceed 520 hours for non-job related illnesses or injuries



ALTERNATIVE DUTY ASSIGNMENT

NO. 2.11

and 1,040 hours for job related illnesses or injuries. After expiration of these time limits, personnel on alternative duty who are not capable of returning to their original duty assignment will, at the discretion of the Chief of Police, fall under the guidelines of section 36.9 of the agreement between the City of Marion and Fraternal Order of Police.

C. Job Assignments – Officers assigned to work alternative duty assignments may maintain their current shift and days off. Officers may be given the opportunity to work alternate shifts and days when alternate duty assignments are available.

1. Alternative duty assignments may be drawn from a range of technical and administrative areas that include, but are not limited to the following:
 - a. Administrative functions
 - b. Clerical functions
 - c. Dispatch functions
 - d. Telephone reporting and case follow-up
2. Decisions on alternative duty assignments will be made based upon the overall availability of assignments, the availability of an appropriate assignment given the employee's knowledge, skills, and abilities, and the physical limitations imposed on the employee. The Chief of Police or designee will make the final decision as to whether the employee will be assigned an alternative duty assignment.

D. Activities Prohibited on Alternative Duty – Officers are placed on alternative duty because a physician believes they are temporarily incapable of performing normal duties of a law enforcement officer. With this in mind officers who are assigned to an alternative duty shall refrain from the following:



ALTERNATIVE DUTY ASSIGNMENT

NO. 2.11

1. Operating a marked patrol vehicle.
 2. Wearing a departmental uniform.
 3. Employing police powers unless it is necessary to prevent potential injury or death to the officer or others.
- E. Conclusion – If a conflict is found to exist between this policy and Federal and/or State law, or the contract agreement between the City of Marion and the Fraternal Order of Police then this policy will be determined to be secondary and the rule of law and/or contract agreement followed.



SECTION III EQUIPMENT

3.01 FIREARMS:

ISSUE DATE:
09/02/1998

REVISION DATE:
/ /

3.02 PATROL RIFLE:

ISSUE DATE:
09/02/1998

REVISION DATE:
06/20/2011

3.03 RADIO COMMUNICATIONS ACCESS:

ISSUE DATE:
09/02/1998

REVISION DATE:
/ /

3.04 SEAT BELT USE:

ISSUE DATE:
09/02/1998

REVISION DATE:
/ /

3.05 DEPARTMENT VEHICLES AND EQUIPMENT:

ISSUE DATE:
09/02/1998

REVISION DATE:
/ /

3.06 HOME FLEET VEHICLE POLICY:

ISSUE DATE:
09/02/1998

REVISION DATE:
03/17/2008



FIREARMS

NO. 3.01

PURPOSE: The purpose of this policy is to ensure the safety of the public and the officers of the department by governing what firearms may be carried, who may carry such firearms, and requiring proficiency be maintained in the use of such firearms.

POLICY: It is the policy of the Marion Police Department that only such weapons and ammunition approved by the Chief of Police will be authorized to be carried and only those officers who have received training and demonstrated proficiency in the use of each weapon will be authorized to carry the weapon in which proficiency is regularly demonstrated.

PROCEDURE:

- A. Authorized Personnel: Sworn officers with arrest authority as defined by state law, approved by the Chief of Police shall be armed with a firearm while on official business for the Marion Police Department. Officers may also be armed when off-duty unless otherwise directed by the Chief of Police.
- B. Authorized Firearms: All weapons carried while on official business or off-duty must be issued or must first be approved by the Chief of Police. The following guidelines for weapons are hereby established:
1. Duty Firearm - City issued handgun.
 2. Duty Shotgun - City issued shotgun.
 3. Off-Duty Firearm - At the officer's discretion and expense with written approval and registration with the Chief of Police.
 4. Secondary/Back-Up Firearm - Officers may elect to carry a secondary weapon on duty.
 - a. Officers requesting permission to carry a personally owned weapon for use as a secondary weapon while on duty in addition to the issued firearm shall submit a written request to the Chief of Police with the following information:
 - (1) Manufacturer, model, caliber, barrel length, serial number, proposed method of carry, and proposed duty ammunition specifications.



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- b. Approved requests shall be placed in the officer's personnel file. Disapproved requests shall be returned to the requesting officer.
- c. Officers who have been authorized to carry a personally owned firearm as a secondary weapon while on duty must successfully demonstrate proficiency with the weapon during scheduled training with a department firearms instructor before the weapon is carried on duty.
- d. Approved secondary weapons will be carried concealed in a manner recommended by the firearms instructor.

C. Ammunition:

1. Only department issued ammunition may be carried or used in City owned duty firearms. Ammunition for other firearms shall be approved by the Chief of Police or designee.
 - a. Inspections shall be made by supervisors to ensure officers' weapons are maintained properly by officers, in good working order, and that approved ammunition is being carried.
 - b. No reloaded or remanufactured ammunition shall be used in department issued weapons.
 - c. Spare ammunition shall be carried as follows when the officer is on duty:
 - (1) Officers in Uniform: Two (2) spare charged magazines carried on the officer's duty belt in the authorized magazine carrier either vertically on the weak side near body center or horizontally on the strong side near body center.
 - (2) Plainclothes Officers: At least one (1) spare charged magazine carried on the belt/waistline in an authorized magazine carrier.

D. Weapon Carry Condition and Security:

1. While on-duty, handguns will be secured in a holster approved by the Chief of Police.
2. The City issued handgun shall be carried in the following condition on duty:



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NO. 3.01

- a. Secured in the authorized holster, worn as it was designed to be, on the officer's strong side.
 - b. With a round in the chamber and with a charged magazine in the magazine well.
3. The only exception will be for the purposes of an undercover operation and only after the following requirements have been met:
- a. The undercover operation is authorized by the Chief of Police and the officer involved is assigned to act as an actual participant in direct contact with suspects without the suspects' knowledge of the officer's identity as a police officer; this does not include support personnel involved in preparation, surveillance, debriefing, etc.
 - b. Due regard to safety is recognized despite the absence of a conventional holster.
 - c. As soon as possible after the completion of the undercover contact, the involved officer will safely return to a holstered carry condition as outlined above.
- E. Training and Proficiency Testing:
1. Officers will be required to train with the department issued handgun at least two (2) times per year with proficiency demonstrated during a qualification course at least one (1) time annually. Officers will train with duty shotguns and any other firearm that will be carried by an officer at least one (1) time annually.
 - a. Minimum proficiency on the handgun qualification course prescribed by the firearms instructor will be eighty-five percent (85%).
 - b. Officers who fail to qualify with the department issued handgun will be scheduled for additional training and qualifying by the firearms instructor.
 - c. Ammunition for practice and proficiency testing for City owned weapons will be provided by the Chief of Police. Ammunition for officer owned weapons shall be provided at the officer's expense. Only firearms approved by the Chief of Police and with which an officer has



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demonstrated proficiency may be carried. Officers who fail to qualify after two (2) attempts will not be permitted to carry the issued handgun and thereby will be subject to remedial training, demotion, or dismissal, at the discretion of the Chief of Police.

- F. Use: Firearms should only be discharged for training, practice, qualifying, or any other lawful purpose. Improper use or horseplay with a firearm will be cause for disciplinary action up to and including dismissal. Department issued weapons shall not be altered without approval of the Chief of Police and firearms instructor. Any department owned weapon that malfunctions shall be turned in to the firearms instructor for replacement or repair.



PATROL RIFLE

NO. 3.02

PURPOSE: The purpose of this policy is to create a guideline for officers who wish to carry a patrol rifle.

POLICY: It is the policy of the Marion Police Department that only those officers selected, trained, qualified, and certified in the approved training course, shall be authorized to carry and utilize the patrol rifle. Patrol rifles may only be used under certain conditions specifically outlined in this policy. The officer is responsible for ensuring the proper and safe handling of the weapon at all times, including storage of the weapon while the officer is off-duty. Use of the patrol rifle is considered lethal force; therefore officers are to adhere to all department policies, guidelines, and procedures contained in the **Use of Force** policy, as well as all other related policies.

DEFINITIONS:

Patrol Rifle Any semi-automatic rifle approved for use by the Chief of Police. Officers wishing to carry a personally-owned patrol rifle must comply with all applicable training and qualification requirements *prior* to carrying the weapon. Upon approval personally-owned rifles must also be inspected and approved by the Lieutenant in charge of training. Lieutenant may request that weapon be inspected by certified armorer. Lieutenant will make recommendation to the Chief of Police for final approval.

PROCEDURE:

A. Patrol Rifle Requirement

1. Officers will submit in writing a request for carry privileges and training. Upon completion officers will submit rifle type and serial number.
2. Patrol rifles must be carried with the safety on, a loaded magazine inserted in the weapon, and the chamber empty.
3. The patrol rifle will be secured in a locked storage rack in the police vehicle, if said rack is available.
 - a. If a lockable storage rack is not available, the weapon must be stored in a case in the trunk of the vehicle for security purposes.



PATROL RIFLE

NO. 3.02

- b. At no time will a patrol rifle be left unsecured inside the vehicle and/or in plain view of the public.
 - c. Officers when off-duty will not store patrol rifles in their cars.
 4. No officer will carry, use, or discharge a patrol rifle without successfully completing the department-approved training course unless a life threatening situation exist in a deadly force encounter and there is no other reasonable course of action.
 5. All guidelines contained in current policies and other department directives relating to the accountability, use, training and qualification of firearms, also apply to the patrol rifle, unless specifically addressed within this policy or other department directives regarding patrol rifles.
 6. Any officer who is found in violation of the guidelines contained within this policy, or who acts in a manner contradictory to established training guidelines, will forfeit the ability to utilize a patrol rifle for a two-year period. Once the two-year period has passed, the officer must successfully complete the approved departmental training course before being allowed to carry the weapon.
- B. Patrol Rifle Deployment and Use
 1. There is no requirement that the field supervisor must be present to make said authorization. If the patrol rifle is deployed, notification to a field supervisor must be made as soon as possible.
 2. The patrol rifle is authorized for use under the following conditions:
 - a. Active Shooter Incidents
 - b. High Risk Critical Incidents, which include but are not limited to the following:
 - i. Felony crimes in progress where there is reason to believe the perpetrator may be armed with unusual weaponry or incidents involving multiple armed suspects;
 - ii. Perimeter support for patrol personnel;



PATROL RIFLE

NO. 3.02

- iii. Support of special operations (i.e. hostage situations, barricaded subjects, and armed suicidal suspects); or
 - iv. Civil disorder, when specifically authorized by the Chief of Police or designee.
3. Patrol supervisors have the authority to direct officers to deploy the patrol rifle when deemed necessary to control a given incident.
4. The field supervisor must take into consideration the following factors when deciding to deploy the patrol rifle:
 - a. The criticality of the incident;
 - b. The incident location; and
 - c. The expected effectiveness of the weapon.
5. The Chief of Police has the authority to overrule the prohibitions outlined in this directive.
6. If officers elects to change to a different patrol rifle he will need to submit in writing his serial number and complete a qualification course.

C. Patrol Rifle Qualifications / Ammunition

1. Officers must qualify no less than once a year.
 - a. Utilizing a B27 Target all hits must be in the 8-ring
 - b. Course of Fire is the current Indiana Law-Enforcement Academy Patrol Rifle Course.
2. A record of all qualifications will be kept by the Lieutenant in charge of training.
3. Officers will be issued and utilize "Duty Grade Ammo" approved by the Chief of Police or his designee.



RADIO COMMUNICATIONS ACCESS

NO. 3.03

PURPOSE: The purpose for this policy is to ensure that all uniformed officers who are on duty have and maintain the capability to communicate with other officers and dispatch to ensure their own safety and the safety of the public.

POLICY: It is the policy of the Marion Police Department that all uniformed officers engaged in field assignments and patrol functions maintain radio contact with dispatch and other officers.

PROCEDURE: All officers are provided with radio communication equipment. It is each officer's duty to ensure the equipment is in operable condition including sufficient battery charge enabling them to maintain contact with dispatch for reasons of exchanging information, requesting assistance, receiving orders or instructions, or receiving calls for service. To ensure officers are able to maintain contact with dispatch, all officers are required to:

1. Carry issued portable transceivers and to have them turned on whenever they are away from their patrol unit;
2. Report their location and arrival at the scene of any incident, or any other time the officer exits the patrol vehicle, comes on station, or leaves the station;
3. Report their location and any identification information when making vehicle or pedestrian stops and report the reason for the stop;
4. Notify dispatch when the officer is back in service.



SEAT BELT USE

NO. 3.04

PURPOSE: The use of seatbelts is required by law and significantly reduces the number of traffic deaths and the severity of injuries resulting from traffic accidents. Seatbelts also aid in maintaining proper control of a vehicle during pursuits or other emergency situations in which the patrol vehicle is being operated at high speeds.

POLICY: It is the policy of the Marion Police Department that all officers and any passengers shall have the vehicle safety restraint belts properly worn about their person and secured during times the vehicle is being operated on public roadways.

PROCEDURE:

- A. Officers shall report damaged or defective restraint equipment to their supervisor immediately so the vehicle can be repaired as early as possible.
- B. Officers injured in a traffic accident that are found to have not worn the vehicle restraints will be subject to disciplinary action, citation, and fine and/or loss of disability leave pay or any combination of the aforementioned.



PURPOSE: The purpose of this policy is to establish a standard of care for the use of department owned vehicles and equipment.

POLICY: It is the policy of the Marion Police Department that officers assigned to department owned vehicles shall be responsible for their care and use.

PROCEDURE: All officers assigned a department owned vehicle or other equipment shall ensure the equipment is properly used and maintained as follows:

A. Maintenance and Care:

1. The interior and exterior shall be kept clean;
2. Vehicles shall be kept in a state of emergency readiness (i.e., fuel not less than 1/2 tank, fully supplied first aid kit, fuses, fire extinguisher charged, etc.);
3. Maintenance/service needs are reported and performed as scheduled;
4. Vehicle condition complaints are forwarded to the shift supervisor for scheduling repair;
5. Perform daily inspections of auxiliary equipment operation;
6. Perform inspections at the beginning and end of each tour of duty of passenger compartment areas for items which could be utilized as a weapon against an officer or for other contraband at the beginning and end of each shift and after any prisoner has been transported.

B. General Use:

1. No unauthorized passengers in departmental vehicles are allowed;
2. All unattended vehicles shall be locked;
3. No smoking or chewing of tobacco products in departmental vehicles; and
4. No alterations may be made to vehicles or equipment without approval of the Chief of Police or his designee.

C. Inspection/Liability:

1. Vehicles and equipment shall be inspected periodically, including fluid levels, auxiliary equipment, form(s) supply, and general condition.
2. Officers may be held liable for equipment lost or damaged due to misuse or negligence.



D. Lost or Damaged Equipment:

1. Officers shall immediately notify the shift supervisor of any lost or damaged equipment or equipment that is no longer serviceable to arrange for replacement.
2. A written report shall be filed by the end of an officer's shift for lost or damaged equipment or equipment no longer serviceable. Such report shall include information regarding:
 - a. What item was lost or is not serviceable;
 - b. Where a loss occurred;
 - c. When a loss occurred; and if applicable,
 - d. The reason an item is no longer serviceable.



HOME FLEET VEHICLE

NO. 3.06

PURPOSE: The purpose of this policy is to enable officers to respond quickly in times of emergency and to be prepared with necessary equipment at all times. It is recognized that officers assigned Home Fleet vehicles will provide supplemental police presence, visibility, and services during travel to and from work, prior to and after their assigned shift, and during off-duty use of the vehicle which will provide for increased safety for citizens, crime prevention, and a better overall service. Assigned Home Fleet vehicles will also increase the visibility of the police in neighborhoods where officers live, thereby encouraging communication and interaction between citizens and the police department.

A purpose of this policy is also to save significant money on vehicle replacement in the long term and to provide officers with safer equipment as vehicles assigned to this program will have a useful life that is significantly longer than vehicles assigned in the pool vehicle model, even as their condition remains reliable and mechanically viable.

DEFINITIONS:

- A. Home Fleet Vehicle: A vehicle assigned to a police officer that the officer is allowed to use off-duty and for which the officer is personally responsible for the operation and maintenance of.
- B. Vehicle: Any motor vehicle owned by the City of Marion, Indiana, and assigned to the police department fleet.
- C. Marked Police Vehicle: Any vehicle in control of the Marion Police Department that is visibly marked with the Marion Police Department logo, lettering, or identification and red/blue emergency lights and siren.
- D. Unmarked Police Vehicle: Any vehicle in control of the Marion Police Department that does not meet all of the criteria of a marked police vehicle.

POLICY: It is the policy of the Marion Police Department that certain officers will be assigned police vehicles that will be stored at an officer's home and that the officer is authorized to drive while off-duty. It is the policy of the department that officers who are assigned Home Fleet vehicles shall be responsible for the care and maintenance of their assigned vehicles and shall properly use all safety equipment while operating the vehicle. Continued use of a Home Fleet vehicle shall be contingent upon safe driving habits, proper performance of duty, and



HOME FLEET VEHICLE

NO. 3.06

adherence to departmental rules and regulations. The Chief of Police maintains authority to manage all aspects of the Home Fleet program.

PROCEDURE:

A. Vehicle Assignment Criteria:

1. Generally, Home Fleet vehicles will be assigned to qualified officers by seniority, assignment to specialized units, and availability of vehicles.
2. Assignment of Home Fleet vehicles will be governed generally as follows:
 - a. Uniformed Officers/Marked Units: Residency is generally required within the outer boundaries of the City of Marion.
 - b. Command Staff/Plainclothes/Unmarked Units: Residency is required within Grant County.
 - c. Appointment to a unit or specialized function as determined by the Chief of Police.
 - d. The Chief of Police maintains the authority to assign Home Fleet vehicles in situations other than those described above in the best interest of the department or to further quality police service provision. The Chief of Police also maintains authority to withdraw any vehicle from the Home Fleet program if the vehicle may be used more effectively elsewhere or is needed in another capacity.

B. Optional Equipment -- Vehicle Maintenance:

1. Officers may install optional equipment on their assigned vehicle with permission. The equipment must meet OSHA standards and must not interfere with the operation of the air bag system, seat belts, or other safety equipment provided.

* All equipment additions or modifications shall be requested in writing and approved by the Deputy Chief of the officer's division or designee prior to installing the equipment in the vehicle. The following guidelines shall apply:

- a. Equipment Permitted: Grille lights, dash lights, cellular phones, and rechargeable flashlights.



HOME FLEET VEHICLE

NO. 3.06

2. During off-duty use of a Home Fleet vehicle, the police radio shall be turned on and be turned to the appropriate police channel. Officers will not be required to call-in and out of service, but must monitor the radio and advise the dispatcher if they are near an emergency call and whether or not they have passengers.
3. The safety of any passengers rests solely with the officer operating the vehicle. Off-duty officers shall take whatever steps are necessary to ensure the full and complete safety of any passengers, including their removal from the vehicle prior to responding to an emergency. Officers shall not permit any person other than department personnel to accompany them on an emergency or while on their tour of duty, except as may be provided under other policies.
4. When off-duty and responding to an emergency priority call, any passengers with an officer other than sworn personnel shall be removed from the vehicle. If removing the passengers is not feasible, the call shall not be taken by the officer.
5. All officers assigned a Home Fleet vehicle shall be armed and have their identification, badge, and handcuffs when operating the vehicle off-duty.
6. Officers who operate a Home Fleet vehicle shall respond with appropriate action in the following on-view situations: crimes in progress, vehicular accidents, serious illness/personal injury accidents and/or flagrant traffic violations (if properly marked and/or equipped), and other citizen requests for police service made of the officer.
7. When responding to calls involving a felony while off-duty, officers may be required to handle the call from start to finish in order to protect life and property and to preserve the chain and continuity of evidence.
8. In minor cases encountered while off-duty, an officer may summon an on-duty district car to handle the call and stand by and assist until the district car arrives. If immediate action is necessary, the off-duty officer may handle the situation. Off-duty officers who initiate traffic stops, unless unusual or lengthy circumstances are involved, shall be completed from start to finish by the off-duty officer.



HOME FLEET VEHICLE

NO. 3.06

9. It is mandatory, whether on or off duty, that officers who encounter a disabled motorist shall stop and render assistance or assist the motorist in obtaining assistance. The same requirement applies for any citizen who hails or flags down an officer for help or information purposes. Pushing another vehicle with a City-owned vehicle to start the other vehicle is prohibited.
10. Off-duty officers who have assigned Home Fleet vehicles and are engaged in authorized police duties required by policy or which are initiated by the officer, will receive overtime compensation for the actual time involved, provided the actual time is greater than thirty (30) minutes in duration. Overtime will be granted under existing overtime policies and procedures. Overtime will not be granted for police action taken when the officer is employed in an outside/off-duty employment status with the Home Fleet vehicle.
11. Officers may utilize Home Fleet vehicles while engaged in authorized off-duty employment.
12. Home Fleet vehicles may not be parked in locations and left unattended for outside employment purposes (e.g., displaying the car for security purposes only, etc.).
13. Home Fleet vehicles shall be locked when unattended.
14. All parking restrictions and traffic laws shall be obeyed when using Home Fleet vehicles unless it is necessary to not do so in the course of responding to an emergency call or while continuing an official investigation.
15. All officers shall respond promptly when notified that their Home Fleet vehicle is scheduled for service or repair.
16. Officers are required to submit the Home Fleet vehicle for a monthly inspection. Supervisors shall closely inspect the cleanliness of the vehicle inside and out, the mechanical condition, and shall initial all entries in the vehicle mileage and maintenance log.
17. Officers who are assigned a Home Fleet vehicle are required to radio to dispatch their beginning mileage when reporting in service and ending mileage when



HOME FLEET VEHICLE

NO. 3.06

reporting out of service. In addition officers will radio to dispatch the amount of fuel received when refueling their vehicles.

18. An officer's and passenger's appearance and conduct during off-duty use of a Home Fleet vehicle shall conform to the following guidelines:
 - a. Officers shall be responsible for the proper conduct of all passengers during off-duty use of a Home Fleet vehicle.
 - b. Proper and suitable attire shall be worn by officers and passengers during off-duty use.
 - c. Officers may wear shorts, provided they are not cut-offs and are not above mid-thigh in length. Shirts shall cover the shoulders and the upper portion of the body.
 - d. The following are examples of clothing that shall not be worn by passengers or officers while in the Home Fleet vehicle: short shorts, bathing suits, any extremely revealing clothing. Children under the age of twelve (12) should wear appropriate youth apparel. The officer and passengers should use caution when wearing slogans, patches, or other items of clothing that may be construed as offensive.
19. Under no circumstances should an officer leave any weapon(s) or a portable radio in an unlocked Home Fleet vehicle. If a weapon or radio must be left in a locked or unattended Home Fleet vehicle, the items shall be secured in the vehicle's trunk.
20. No bumper stickers, signs, or decals may be placed on the Home Fleet vehicle without the written approval of the Chief of Police.
21. Off-duty Home Fleet vehicles must be legally parked at the curb or in a driveway of the assigned officer's home. Vehicles shall not be garaged.
22. Indiscriminate use of the police radio by non-sworn personnel shall not be permitted. Use of the radio shall conform to job functions and for reporting emergencies or requesting emergency services for such situations as accidents, break-downs, etc.



HOME FLEET VEHICLE

NO. 3.06

23. Any marked or unmarked car leaving the City on official business while in an on-duty capacity must be approved by the Shift Commander or above. Any marked or unmarked car leaving Grant County while the officer is off-duty must be approved by the Chief of Police or designee.

D. Discipline:

1. The issuance of a Home Fleet vehicle may be reviewed in examinations of disciplinary matters involving an officer or in the case of abuse to or irresponsible use of the vehicle by an officer.
2. If an officer is suspended, the vehicle shall be secured at the department and the keys provided to the duty supervisor.
3. Take-home vehicles are subject to regular inspection by an officer's supervisor. Should a vehicle be found in an unclean state or in avoidable or correctable disrepair, the officer may be found in violation of the policies regarding neglect or abuse of City equipment.
4. An officer found at fault in two (2) or more automobile collisions in any twelve (12) month period may be subject to revocation of assignment to the Home Fleet vehicle program.
5. Revocation of assignment of a Home Fleet vehicle is at the discretion of the Chief of Police.



SECTION IV USE OF FORCE

4.01 USE OF FORCE:

ISSUE DATE:
09/02/1998

REVISION DATE:
01 /19/2010

4.02 RESISTANCE CONTROL CONTINUUM:

ISSUE DATE:
09/02/1998

REVISION DATE:
01/19/2010

4.03 DEADLY FORCE:

ISSUE DATE:
09/02/1998

REVISION DATE:
/ /

4.04 VEHICULAR PURSUIT:

ISSUE DATE:
09/02/1998

REVISION DATE:
06/20/2011

4.05 ROADBLOCKS:

ISSUE DATE:
09/02/1998

REVISION DATE:
/ /



USE OF FORCE

NO. 4.01

PURPOSE: The primary goal of the Marion Police Department is the protection of life. The purpose of this policy is to provide guidelines for officers of the department regarding the order and level of force that may be utilized to accomplish the law enforcement purpose and to establish an appropriate reporting and review procedure.

POLICY: It is the policy of the Marion Police Department that only such force that is reasonably necessary to overcome resistance and gain control to affect a lawful enforcement objective may be employed. Further, all incidents in which force is used shall be reported in a written report and will be reviewed to ensure the safety of the public and officer(s) was not compromised.

PROCEDURE:

- A. **Resistance Control Continuum:** Officers may employ physical force, non-deadly force (non-lethal weapons) or deadly force, depending on the level of the threat to life and public safety the situation or subject(s) represent and the level of training the individual officer has received in the use of the force to be employed, consistent with the level of force reasonably necessary to overcome resistance or gain control of a subject or situation.
- B. Any use of force an officer employs to affect an arrest or to otherwise bring a situation or subject under control, whether injuries are evident or alleged, shall be reported in a written "Use of Force" report in addition to any other report required to be filed for the incident.
- C. The Chief of Police or a designee will investigate all use of force incidents. The investigation may include:
 1. Interviews of the subjects involved;
 2. Interviews of witnesses;
 3. Recording/documenting all statements and should result in findings of the following:
 - a. Relevant facts and circumstances surrounding the incident;
 - b. Whether the use of force was necessary and in compliance with departmental rules, policies, and directives;



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NO. 4.01

c. What, if any, injuries are evident or alleged.

- D. If the incident has resulted in a death or serious physical harm to an individual, the officer(s) involved will be placed on administrative leave with pay immediately upon the officer's completion of the required reports.
1. Administrative leave shall not imply the officer has acted improperly. Administrative leave is intended to:
 - a. Protect the officer and allow time for any necessary counseling; and
 - b. To protect the public's interest.
 2. Officers on such leave shall remain available for interviews and/or recall.
- E. Post Lethal Force Procedure:
1. A "Use of Force" report shall be filed by an officer when any of the following occurs, on or off duty:
 - a. Any time a firearm is discharged other than for training, practice, qualifying, or lawful hunting;
 - b. Any time use of a firearm/lethal force has resulted in a death or physical harm; or
 - c. Any time a non-lethal weapon (e.g., O.C. aerosol, baton, TASER, etc) is used to bring a subject or situation under control and results in a death or serious bodily injury
 2. The on-duty supervisor shall be notified immediately and the Chief of Police or a designee shall conduct an investigation when:
 - a. If a firearm is discharged for any other purpose than for training, practice, qualifying, or lawful hunting;
 - b. The use of a firearm/lethal force has resulted in a death or physical harm; or
 - c. Any person alleges they have been injured as a result of the use of a firearm/lethal force.



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NO. 4.01

F. Investigation:

1. Any officer who has used a firearm/lethal force shall submit the weapon and all live or spent ammunition from the weapon to the Chief of Police or designee for purposes of the investigation;
2. Any officer who uses a firearm/lethal force from which death or physical harm occurs will be placed on administrative leave as soon as all initial investigative requirements are met, until:
 - a. The use of force has been ruled appropriate and justifiable by the department and prosecutor; and
 - b. A mental health professional has examined and determined the officer is capable of returning to duty.
 - c. Upon conclusion of the investigation, the evidence will be presented to the Grant County Grand Jury for review.

G. Post-Trauma Counseling:

Officers should seek counseling from a psychologist or other counselor qualified in post trauma counseling within seventy-two (72) hours of any incident that has resulted in a death or serious physical harm. Such counseling will:

1. Be at the department's expense.
2. Be confidential and all information privileged, except that attendance of the counseling must be reported to the department.
3. Such counseling shall not interfere with the investigation/inquiry into the incident.

H. Administrative Review:

1. Any use of a firearm/lethal force will be reviewed by the Chief of Police and the critical incident review board to determine if:
 - a. Department rules, policy, or procedure were violated;
 - b. The policy/procedure was clear and effective given the circumstances; and
 - c. Departmental training is adequate.



USE OF FORCE

NO. 4.01

2. Any findings of policy/procedure violations will be directed through the appropriate disciplinary procedure by the Chief of Police.
3. All "Use of Force" reports shall be kept on file as any other investigative file.
4. Any training inadequacies found as the result of the administrative review shall be forwarded to the training officer of the department to ascertain what new training may be required.
5. The Chief and administrative staff shall review applicable policies to determine if any policy changes are necessary.



RESISTANCE CONTROL CONTINUUM

NO. 4.02

PURPOSE: The purpose of this policy is to provide officers with a guideline of a deemed acceptable resistance continuum for the use of force and use of less lethal weapons. This policy is an administrative tool only and does not create a higher evidentiary standard for third party claims. Violations of this policy shall only form the basis for departmental administrative sanctions.

***** A law enforcement officer is justified in using reasonable force if that officer reasonably believes that the force is necessary to affect a lawful arrest (IC 35-41-3-3c)

POLICY: It is the policy of the Marion Police Department for the **Use of Force** and the use of Less Lethal Weapons Systems that only such force that is reasonably necessary to effectively bring a suspect(s) or incident under control or to effect an arrest may be employed in order to protect the officer or any other person from physical harm or prevent the escape of a suspect who may be reasonably assumed will cause physical harm to another person.

DEFINITION:

Resistance Control Continuum - The level of force used to bring a subject or situation effectively under control shall be commensurate to the prevailing conditions or circumstances, based on the following resistance control continuum (least to most severe).

Less Lethal Weapon /Less Lethal Munitions- A device, which when used within its normal operating parameters, is less likely to cause serious bodily injury or death. In certain extreme circumstances, many of these devices may be used as a deadly force alternative, should deadly force be warranted.

PROCEDURE:

1. **Officer Presence-** the mere presence of a uniformed officer may be sufficient to control certain situations (crowd control, dignitary protection, emergency scenes, etc)
2. **Verbal Direction-** Verbally issued requests or orders to request compliance, to stop resistance, or leave an area, etc.;
3. **Empty Hand Controls-** including;
 - a. **Soft Empty Hand Controls:** those which have little likelihood of causing injury (e.g. strength techniques, pressure points, etc.)



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- i. **C.E. W.(Taser) Deployment** – after any use of the Taser appropriate first aid shall be provided and a “Use of Force” report filed.
- ii. **OC Defensive Aerosols** – after any use of OC Defensive Aerosols the appropriate first aid shall be provided and a “Use of Force” report filed.

***** ALL OFFICERS WHO CARRY PEPPER SPRAY WILL ONLY BE AUTHORIZED TO CARRY NON-FLAMMABLE WATERBASED PEPPER SPRAY**

- b. Hard Empty Hand Controls: those which have some degree of probability of causing possible injury (e.g. kicks, striking with hand, elbow, or knee, joint manipulation, neck restraints, takedowns holds, etc.)
4. **Intermediate Weapons**-Intermediate Weapons are weapons that are used to assist an officer in gaining control of a situation involving resistive, threatening or combative subject(s). Some examples include any impact weapons or emergency/improvised impact weapons (flashlight, radio, broomstick, K-9, Kinetic Energy Munitions, baton, etc.).
- **** The officer would be justified in using Intermediate Weapons when lower forms of empty hand control have failed, or when the officer believes their skill in empty hand control will be insufficient.
- ****The officer should always use Intermediate Weapons with the intent to temporarily disable a subject and cause the least amount of injury possible.
- ****Whenever an impact weapon is used and a subject is injured or complains of injury, appropriate first aid or medical attention shall be provided and a “USE of FORCE” report filed.
5. Lethal Force – See SOP 4.03

A. Reporting Use of Force

A written “USE of FORCE” report shall be filed on any incident in which the use of a physical control technique occurs; whether or not injuries are alleged or apparent, and after any deployment of O.C. Aerosol, Conducted Electronic Weapon(TASER), Intermediate or Lethal Weapon.

B. Use of Force Escalation

1. Officers must evaluate the factors of each situation to determine the level of force to be used based on the following criteria:
 - a. Level of resistance encountered
 - b. Age of the officer and subject encountered
 - c. Size of the officer and subject encountered



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- d. Skill level of the officer and subject encountered
- e. Influence of alcohol/drugs on the subject encountered
- f. Injury / Exhaustion of officer during a confrontation
- g. Availability / Proximity of assistance for officer
- h. Availability / Proximity of weapons available to subject
- i. Any environmental factors.

C. Use of Less Lethal Force: Less Lethal force may be employed by an officer in any situation in which it is not permissible to use deadly force to bring a suspect under control, i. e. :

1. When the use of physical force is necessary to protect the officer or another person from physical harm;
2. To restrain or subdue an individual who is resisting arrest;
3. To bring an unlawful incident safely and effectively under control

Definitions of Less Lethal

1. **“Taser” or Conducted Electronic Weapon**: See Taser Use SOP 4.02 Page 14-17).
2. **OC Defensive Aerosol**: A device in canister form which utilizes an aerosol propellant to spray a stream of liquid irritant containing Oleoresin Capsicum (OC). OC Defensive Aerosol refers to the device that an officer uses on regular patrol assignments are authorized to utilize.
**** The most common effects of OC Defensive Aerosols are:
Blepharospasm (uncontrolled blinking and closing of the eyes caused by an involuntary contraction of the eyelid muscle), Rhinoreha (the secretion of excessive amounts of mucous from the nose), and a burning sensation on the affected skin (See OC Defensive Aerosols SOP 4.02 Page 5-6). These physical effects are temporary in nature.
3. **OC/CS Chemical Munition**: Refers to the active agents within the munitions of Oleoresin Capsicum (OC) or 2-chlorobenzalmalonitrile (CS). These devices may be delivered as a hand-thrown object, or launched by a 37mm Less Lethal munitions delivery system (See OC/CS Chemical Munitions SOP4.02 Pages 6-8).
4. **Kinetic Energy Munitions (KEM)**: Also referred to as “Extended Range” Impact Weapons or “Specialty Impact Munitions” (SIM’s) (See Kinetic Energy Munitions SOP 4.02 Pages 10-12).
---Kinetic Energy Munitions are projectiles, in varying shapes and densities that are designed to be fired at a subject with a lesser possibility of producing serious bodily injury or death.
---Kinetic Energy Munitions may be delivered via 12 Guage Less Lethal Shotgun, via hand thrown Stingball, via 37mm Less Lethal munitions system, or via Pepperball delivery system.



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---Kinetic Energy Munitions are designed to be used when the officer must remain at a safe distance from a dangerous subject and therefore cannot utilize traditional impact weapons such as Taser, baton or OC Defensive Aerosols.

---Kinetic Energy Munitions will not be intentionally fired at the head, neck, face or genital areas unless lethal force is required. These munitions may cause injuries similar to those of traditional police impact weapons. Although designed to incapacitate without causing serious bodily injury or death, that possibility still exists even when the munitions are deployed properly.

***** Approved 12 Gauge Shotgun Kinetic Energy Munitions- All approved 12 Gauge Kinetic Energy Munitions are designed to be direct fired.

5. Less Lethal Shotgun rounds authorized:

- A. ALS1204 Hornets Nest
- B. ALS1212 Pen Prevent bean bag / ALS1212T Triton bean bag rounds
- C. ALS1202 Rubber Rocket
- D. Other KEM's not listed, as approved by the Chief of Police or designee such as a Less Lethal Munitions Instructor.

6. Stingball (Kinetic Energy Munition / NFDD): A hand thrown or launched bursting rubber ball designed to project several small rubber pellets in all directions over a short distance. The primary uses of this device are crowd dispersal, to gain compliance of several dangerous subjects, or when confronting a barricaded and / or armed subject (See Stingball SOP 4.02 Page 12). Pepperball (Kinetic Energy Munition / OC Chemical Agent): A .68 cal plastic sphere that contains Oleoresin Capsicum (OC) is launched via compressed air and upon impact delivers a small amount of OC in air around the impact (See Pepperball SOP 4.02 Page 13-14).

7. Noise and Flash Diversionary Device (NFDD): Also referred to as "flash bangs". An NFDD is a non-bursting canister that produces a sound level of approximately 174 dB at a distance of 5 feet and an instantaneous 6-8 million candella flash of light. The purpose of an NFDD is to temporarily disorient a suspect through a sudden combination of heat, light, noise and overpressure. *****An NFDD could be a hand thrown device such as a DefTec #25 or an ALS 4140 with ALS 09 fuze insert. *****An NFDD could also be the ALS 1208 Bore Thunder round fired through a 12 Gauge Shotgun. This round produces the same effects of a traditional NFDD, however there are no projectiles emitted from the barrel of the weapon.



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D. OC Defensive Aerosols Deployment / Post Deployment Procedures

1. Deployment Procedures

If the tactical / situational prerequisites given under training guidelines for deploying an OC Defensive Aerosol have been met and the officer elects to deploy OC Defensive Aerosols the following procedures shall be followed:

- a. The deploying officer will attempt to notify other officers present that he/she is about to deploy OC Defensive Aerosols by giving a loud, verbal command of "Spray, Spray, Spray" or similar command.
- b. Once the subject has been controlled and handcuffed and the situation is under control the subject must be given the opportunity, equipment and instruction to decontaminate him/herself.

2. Decontamination

****After a subject has been sprayed with an OC Defensive Aerosol, the subject should be given verbal commands of what they should do. The subject should be reassured that they are safe and will be cared for as soon as they are cooperative.

After a subject has been secured and handcuffed, remove the subject to an area of uncontaminated air.

- a. The subject should be transported with a rear window of the patrol unit opened slightly to provide fresh air.
- b. Upon reaching the Grant County Jail or hospital emergency room, soap, water, and a towel should be provided to the subject.
- c. The arresting officer is responsible for ensuring the subject is provided an opportunity to wash by jail or hospital staff. Eyes should not be washed with commercial eye washes, only cool water. Contact lenses should be removed prior to flushing eyes.
- d. Officers should monitor the subject's condition and should call the EMS if the subject exhibits emergency medical problems or distress or the affects of the spray have not subsided after forty-five (45) minutes. The officer should accompany the subject to the emergency room in the ambulance.

E. OC/CS Chemical Munitions Deployment / Post Deployment Procedures

1. Deployment Procedures

If the tactical / situational prerequisites given under training guidelines for deploying OC/CS Chemical Munitions have been met, set forth by a qualified Less Lethal Instructor, and the officer elects to deploy OC/CS Chemical Munitions the following procedures shall be followed:

- a. Only specially trained officers certified by a Less Lethal Munitions Instructor will deploy OC/CS Chemical Munitions.
- b. CS Munitions will be deployed using a "Burn Box" or "Smoker Box" depending on the tactical situation at hand in order to reduce the risk of fire. Only under extreme exigent circumstance shall a CS be deployed without such container.



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- c. Prior to deploying OC Munitions, whether hand thrown or launched via 37mm Less Lethal delivery system, the officer must meet the following criteria:
- i. The deployment must be approved by the Chief of Police or designee such as the on scene commander or ERT Commander.
 - ii. Once Authorized, the deploying officer has the final decision on whether or not to deploy any OC/CS or Smoke Chemical Munition.
 1. The deploying officer will make his decision based upon several factors including but not limited to:
 - a. Type of munitions available and quantity.
 - b. Type of structure and size.
 - c. Temperature and humidity.
 - d. Presence of non-combatants within the structure.
 - e. Actions of the subject within the structure.
 - iii. The deploying officer must make every available attempt to ensure that no children are within the structure and that the line of fire is clear of all human beings and animals.
 - iv. The deploying officer will make every available attempt to ensure that the structure does not contain an extreme flammable environment such as a Methamphetamine Lab or similar flammable environment.
 - v. No OC/CS Chemical Munition will be aimed at another person unless deadly force is required (excluding Pepperball or OC Defensive Aerosols).
 - d. The officer will announce his/her intent to deploy the munitions to the officers in the immediate area.

2. Post Deployment Procedures

Decontamination

- a. Move the subject to fresh air for 30 minutes. If symptoms persist, follow the decontamination steps for an exposure to OC Defensive Aerosols.
- b. If injuries appear to be present, the subject will be evaluated by medical personnel as soon as the situation permits.

Documentation

- a. The deploying officer will be responsible for obtaining photographs of any significant injury or significant property damage to the structure. It is understood that these munitions will generally be fired through a window. This would be documented in the deploying officer's supplemental report and would not be considered significant property damage.
- b. The deploying officer will complete a "Use of Force" report any time an



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OC/CS Chemical Munitions is deployed, including when the munition does not affect any subjects in the building or area.

F. **Noise and Flash Diversionsary Device (NFDD) Deployment / Post Deployment**

1. Deployment Procedures

If the tactical / situational prerequisites given under training guidelines for deploying an NFDD have been met, set forth by a qualified Less Lethal Munitions Instructor, and the officer elects to deploy an NFDD the following procedures shall be followed:

a. Only specially trained officers certified by a Less Lethal Munitions Instructor will deploy an NFDD.

b. Prior to deploying an NFDD, whether hand thrown or delivered via “Flash Bang Pole”, the officer must meet the following criteria:

- i. The deployment must be approved by the Chief of Police or designee such as, but not limited to the on scene commander or ERT Commander.
- ii. Under extreme exigent circumstances an officer certified in the use of NFDD’s may deploy the munition without prior approval.
- iii. The deploying officer has the final decision on whether or not to deploy any NFDD.
- iv. The deploying officer will make his decision based upon several factors including but not limited to:

1. Type of munitions available and quantity.
2. Type of structure and size.
3. Presence of elderly persons
4. Presence of children
5. Presence of non-combatants within the structure.
6. Actions of the subject within the structure.

c. The deploying officer must make every available attempt to ensure that no persons are within a short distance to the NFDD upon detonation.

d. Officers deploying the ALS 1208 Bore Thunder NFDD will ensure that they do not fire the round directly at a human being.

e. Prior to deployment, the deploying officer will make every available attempt to ensure that the structure does not contain an extreme flammable environment such as a Methamphetamine Lab or similar environment.

f. The officer will announce his/her intent to deploy the NFDD to the officers in the immediate area and follow the following procedures:

i. Hand Deployment

1. Prepare the NFDD
2. Look into the intended deployment area
3. Toss the NFDD towards the intended landing area.

ii. “Bang Pole” deployment

1. Prepare the device
2. Look into the intended deployment area and if possible look directly above, below, and the sides of that area.



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2. Post Deployment Procedures

The deploying officer will be responsible for obtaining photographs of any significant injury or significant property damage to the structure.

a. It is understood that when an NFDD is hand tossed there may be slight burns to carpet, tile, furniture or clothing in close proximity to the NFDD upon detonation. These minor property damages would not need to be photographed, however they shall be documented in the deploying officer's "Use of Force" report.

b. When an NFDD is deployed via "Bang Pole" this limits the risk of burns to an individual inadvertently too close to the device upon detonation. It is understood that in order to deploy the NFDD in this fashion, a secondary point of entry such as a window, must be broken and utilized. This property damage would not need to be photographed, however they shall be documented in the deploying officer's "Use of Force" report.

c. If any injuries appear to be present, the subject will be evaluated by medical personnel as soon as the situation permits.

d. The deploying officer will complete a "Use of Force" report.

G. **Kinetic Energy Munitions Deployment / Post Deployment Procedures**

1. Deployment Procedures

a. Any time a Less Lethal Munitions system is likely to be deployed the Less Lethal officer **WILL** have at least one officer designated as a Lethal Cover Officer.

b. Only specially trained officers certified by a Less Lethal Munitions Instructor will deploy Kinetic Energy Munitions.

c. The deploying officer will always have the final decision in munition selection and whether or not to fire.

d. Only the aforementioned munitions will be fired.

e. All manufacturer's guidelines for minimum firing distances will be followed, however there are many variables that will drastically effect the minimum firing distance of a particular munition (e.g. heavy clothing worn, subject under the influence of alcohol / drugs, age and build of subject, improper flight of projectile, or improper impact of projectile, etc.).

f. The Kinetic Energy Munition must be fired through a weapon that has been designated by bright yellow, green or orange markings or parts that designate that weapon as a Less Lethal Weapons platform.

g. Only under extreme exigent circumstances will the officer fire lethal ammunition through a Less Lethal shotgun.

h. While stored in the appropriate space of the vehicle, the weapon will be loaded only with Less Lethal Munitions. Lethal ammunition may be readily available; however it may not be loaded in or on the weapon unless deadly force is required.

i. At any time during an incident, the officer may be required to use the Less Lethal Kinetic Energy Munition as a lethal projectile if deadly force is required.



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j. The deploying officer will use the appropriate munition for the distance and variables at hand, and announce "Impact" in a loud and clear voice to alert other officers that he/she is about to fire a weapon with Less Lethal munitions.

k. The deploying officer will only fire as many rounds as required to successfully resolve the situation at hand.

2. Deployment Procedures

a. **At no time will an officer intentionally fire a Kinetic Energy Munition at the subjects Head, Face, Neck, Spine or Groin unless Deadly Force is required.**

b. The deploying officer will select an impact munition based on the following criteria:

i. Accuracy

ii. Effectiveness

iii. Potential for Serious Injury or Death

c. If the tactical / situational prerequisites given under training guidelines for deploying a Kinetic Energy Munition have been met, set forth by a qualified Less Lethal Munitions Instructor, and the officer elects to deploy Kinetic Energy Munitions the following firing procedures must be followed:

i. **Verbalize:** Instruct the subject to stop his aggressive behavior and comply with instructions or a "bean bag" round will be fired.

ii. **Engage:** If the subject does not comply, the officer will choose the appropriate target area, take aim and fire the appropriate munition.

iii. **Order:** Again order the subject to comply with instructions

iv. **Assess:** Assess the effectiveness of the impact, or miss, to determine whether to fire again.

v. **Repeat:** Fire again and repeat sequence until compliance is gained or the munitions are deemed ineffective. The deploying officer may be required to fire subsequent rounds before ordering and assessing.

3. Post Deployment Procedures

i. The deploying officer will complete a "Use of Force" report any time KEM's are deployed, regardless of whether or not the projectile strikes the subject.

ii. If the subject is injured, he/she will be photographed in the clothes he/she was wearing at the time of the deployment of the KEM. If possible, photograph any injuries prior to medical treatment.

iii. **The subject will be evaluated or treated by medical personnel prior to being taken to the Grant County Jail.**

H. **Stingball Deployment / Post Deployment Procedures**

1. Deployment Procedures

The Stingball is designed to be tossed near the feet of the resisting subject(s).

If the tactical / situational prerequisites given under training guidelines for deploying a Stingball have been met, set forth by a qualified Less Lethal Munitions Instructor, and the officer elects to deploy the Stingball the following



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procedures shall be followed:

- a. The deploying officer will ensure that no children are present in the immediate area where the intended burst will occur.
- b. Only specially trained officers certified by a Less Lethal Munitions Instructor will deploy the Stingball.
- c. The deploying officer will always have the final decision in munition selection and whether or not to deploy the munition.

2. Post Deployment Procedure

Decontamination

If the Stingball also contains powder OC or CS the decontamination procedures for OC/CS Chemical Munitions will be followed.

Documentation

The deploying officer will complete a "Use of Force" Report and obtain photographs of any injuries. The subject will be offered medical treatment if necessary.

K. **Pepperball Deployment / Post Deployment Procedures**

1. Deployment Procedures

Immediately prior to firing, the deploying officer will announce "Pepperball, Pepperball" or a similar verbal warning to the officers around him in a loud and clear voice.

If the tactical / situational prerequisites given under training guidelines for deploying the Pepperball system have been met, set forth by a qualified Less Lethal Munitions Instructor, and the officer elects to deploy the Pepperball system the following procedures must be followed:

The deploying officer will follow the following firing protocol:

- a. Verbalize: Instruct the subject to stop his aggressive behavior and comply with instructions.
- b. Engage: If the subject does not comply, the officer will choose the appropriate target area, take aim and fire a burst of 6-8 rounds.
- c. Order: Again order the subject to comply with instructions
- d. Assess: Assess the effectiveness of the impacts, or misses, to determine whether to fire again.
- e. Repeat: Fire another burst and repeat sequence until compliance is gained or the munitions are deemed ineffective.

The deploying officer may be required to fire subsequent rounds before ordering and assessing. The deploying officer will only fire as many rounds as required to successfully resolve the situation at hand.

**** At no time will an officer intentionally fire the Pepperball system at the subjects Head, Face, Neck, Spine or Groin unless Deadly Force is required.



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2. Post Deployment Procedures

Decontamination

Move the subject to fresh air for 30 minutes. If symptoms persist, follow the decontamination steps for an exposure to OC Defensive Aerosols.

As soon as the situation permits, the subject will be either evaluated by medical personnel on scene, or transported to a medical facility for treatment.

Documentation

The deploying officer will complete a "Use of Force" report any time Pepperball munitions are deployed, regardless of whether or not the projectile strikes the subject.

If the subject is injured, he/she will be photographed in the clothes he/she was wearing at the time of the deployment of the Pepperball. If possible, photograph any injuries *prior* to medical treatment.

L. **CONDUCTED ELECTRONIC WEAPON(TASER) USE**

PURPOSE: The purpose of this policy is to ensure the safety of the public and the officers of the department by governing the use of the **Conducted Electronic Weapon(TASERS)** and requiring training and proficiency be maintained in the weapon's use. **Conducted Electronic Weapon (C.E.W)** is an alternative less-lethal application of force not intended to replace verbal problem solving skills, self-defense techniques or firearms.

POLICY: It is the policy of the Marion Police Department that only **C.E.W. (Tasers)** issued by the Chief of Police shall be carried or used while on duty.

PROCEDURE:

- A. Authorized Personnel: All officers of the department who carry an **C.E.W. (Taser)** shall be trained in the proper use of and periodically demonstrate proficiency in the proper use of the weapon.

C.E.W. (Taser): Model X26/X26P Taser

1. Acceptable Uses/Restrictions: No officer shall playfully, maliciously, or intentionally use the unit against another individual, unless in the field and to gain control of a situation. Display of power, playful use, and/or carelessness within the confines of the Police Department or other locations is expressly forbidden. Violations of the above will result in disciplinary action.

The C.E.W. (Taser) can be used in the following situations:

- Against animals, such as dogs, menacing the officer;
- Prior to an arrest, or during arrest in an effort to break resistance;
- To subdue a suicidal subject threatening or attempting to injure themselves;
- To prevent officer injury;
- To prevent civilian injury;



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f. Against any subject already in custody utilizing a drive stun as a pain compliance facilitator to overcome physical resistance.

The **C.E.W. (Taser)** **shall not** be used in the following situations:

- a. Against a handgun or other firearm;
- b. To threaten or attempt to gain information from a subject;
- c. Against any subject already in custody utilizing the probes is strictly prohibited to overcome physical resistance.

2. The actual use of the **C.E.W. (Taser)** will normally require an arrest be made. However, as with any arrest, proper "probable cause" shall exist.

When the **C.E.W. (Taser)** is used to repel an attacker the officer shall normally affect a probable cause arrest for applicable criminal charges including but not limited to, battery, resisting law enforcement, disorderly conduct, or any combination of the above listed offenses.

- a. A detailed report is to be made indicating what precipitated the use of the C.E.W. (Taser), to what extent it was used, and what results were derived from the use. This report shall be incorporated with the required arrest report and does not need to be made separately.
- b. When the C.E.W. (Taser) is used on a subject, normally there is no need for medical/hospital treatment. However, if, in the officer's opinion, there exists a possibility of an adverse reaction caused by the use of the Taser, he/she shall immediately notify the supervisor and cause the subject to receive medical/hospital observation and examination. This action is to be included in the written report of the arresting officer.
- c. Every time the device is used the officer shall complete a "Use of Force report" to determine the overall effects of the use of the C.E.W. (Taser). All parts of the form are to be completed properly and it shall be attached to the arrest/incident report.
- d. When the presence or presentation of the Taser is used to deter the subject (without deployment of the Taser), **it should be documented in a the police report , and accompany the arrest report.**
- e. In some extraordinary circumstances, when facts come to light that were not available at the time of the application of the **C.E.W. (Taser)**, a custodial arrest and transport to the jail may not be appropriate. If an officer believes this type of circumstance may exist, the officer shall immediately communicate with a staff officer or the Captain of Detectives.

3. Only authorized holsters shall be used to carry the C.E.W. (Taser).



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4. The **C.E.W. (Taser)** will be worn according to training instructions.
5. Each officer will perform a spark test at least once each week to ensure the **C.E.W. (Taser)** is charged and properly functioning.
6. **C.E.W. (Taser)** will not be left unattended unless properly stored.
7. If the Digital Power Magazine (DPM) on the X26/X26P reaches 20% or lower, it shall be replaced. The used DPM will be turned in for training purposes.
8. Use of the **C.E.W. (Taser)** should be backed up with the availability of lethal force.
9. Whenever possible, use of the C.E.W. (Taser) will be preceded by a verbal warning that force will be used if compliance is not obtained.
10. The officer must consider the potential injury caused by use of the C.E.W. (Taser) to subjects who are running, traveling at high speeds (bikes, mopeds, skateboards, etc.) or situated in elevated places (roofs, ladders, trees, etc.)
Age and physical handicaps should also be taken into consideration.
11. Officers will not deploy the **C.E.W. (Taser)** from or at moving vehicles.
12. The **C.E.W. (Taser)** shall only be used as instructed in training and only in accordance with Department policy and state law.
**** Subjects shall be handcuffed prior to probe removal.
13. Do not attempt probe removal if subject is combative or if the location of the barb is in the face, ear, breast, groin, or deeply imbedded.
14. Barbs superficially in the skin may be removed by an officer who is trained to do so and in the presence of another officer.
15. At no time shall an officer discuss or render his opinion regarding the usage of the **C.E.W. (Taser)** for public information or news media release, without first obtaining the permission of the Chief of Police.
16. Each officer shall maintain his or her assigned unit. The responsibility shall rest with the officer to keep his unit clean, in good working order, and maintain an acceptable power source at the required levels.

**** This device, as provided by the Department, is found to be acceptable for law enforcement applications. If an officer chooses to use it, it shall be his decision to do so, but within the prescribed guidelines of this agency.

**** There shall be no attempt by an officer to alter, tamper with, or repair the unit. If the unit appears to be dysfunctional or needs repair, immediately inform the supervisor both verbally and with a written notice, and return the unit to the supervisor who shall return the unit and the written notice to the **Training Officer** for return to the manufacturer for examination and repair. The unit is not to be carried on duty until repairs are completed. If the unit is dropped or knocked out of the hand, upon recovery the unit is to be immediately tested to determine any damage.



DEADLY FORCE

NO. 4.03

PURPOSE: The purpose of this policy is to provide officers of the department with guidance for when a decision must be made whether or not to use deadly force. This policy is an administrative tool only and shall not create a higher evidentiary standard of care in third party claims. Violations of this policy shall only form the basis for departmental administrative standards.

DEFINITION:

- A. Deadly force is defined as any force that is likely to cause death or serious bodily injury.
- B. Serious Bodily Injury is defined as an injury that creates a substantial risk of death or that causes serious permanent disfigurement, unconsciousness, extreme pain, or permanent or protracted loss or impairment of the function of a body member or organ.

POLICY: It is the policy of the Marion Police Department that:

- A. Law enforcement officers may use deadly force to protect their own life or the life of any other person believed to be in imminent danger of death or serious bodily injury; or,
- B. To prevent the escape of a fleeing felon, when there is probable cause to believe that allowing the felon to continue to flee poses a significant threat of death or serious bodily injury to others.
- C. Deadly force shall only be used when all other reasonable alternatives have been exhausted.

PROCEDURE:

- A. Use of Deadly Force/Firearms:
 - 1. The use of deadly force/firearms shall be regulated by the following rules, in addition to those of the force continuum:
 - a. Prior to discharging a firearm to protect life or to prevent the escape of a fleeing felon, law enforcement officers shall identify themselves as a police officer and give warning of the intent to shoot, when it is feasible;
 - b. Warning shots are prohibited;
 - c. Firearms shall not be fired from a moving vehicle;



d. **SHOOTING AT MOVING VEHICLE**

When a moving motor vehicle is involved, use of deadly force by discharging a firearm is dangerous, can be ineffective and should not occur when there is an unreasonable risk to the safety of people other than the perpetrator. When approaching any vehicle, officers should always consider tactical positioning in an effort to avoid the vehicle being used as a weapon against them.

Even when deadly force is justified, officers shall not discharge firearms at a moving vehicle unless:

1. The officer has a reasonable belief that an occupant of the moving vehicle poses an immediate threat of death or serious bodily injury to the officer or another person by means other than the vehicle (i.e. gun) or;
2. The officer has a reasonable belief that the operator is using the moving vehicle in a manner that poses an immediate threat of death or serious bodily injury to the officer or another person, **and there is no safe and immediate avenue of escape.**
3. To prevent the escape of an individual known to have committed a violent felony involving the infliction or threatened infliction of serious bodily harm or death and the subject's escape they pose an imminent threat of serious bodily harm or death to another and there are no safe or immediate means of preventing this imminent threat.

- e. Firearms shall not be discharged when conditions are such that it is likely an innocent person may be injured (e.g., via ricochet, into crowds, etc.).
- f. Firearms shall not be fired at a person ordered to halt on mere suspicion of committing a crime who runs away to avoid arrest.
- g. Firearms shall not be fired at a fleeing suspect if there is any doubt whether the use of deadly force is permitted in accordance with this policy.



DEADLY FORCE

2. The justification to use deadly force shall be limited to reasonable facts known by the officer at the time of the decision to use deadly force.
3. No firearms shall be held in direct contact with an individual (i.e., to be used as a threat) except as a last resort where the use of deadly force is justified and it is the only manner in which the firearm can be discharged without increasing the likelihood of causing serious bodily injury to the officer or another person.
 - a. When a firearm is drawn, the trigger finger shall be kept outside the trigger guard and parallel to the frame until the decision to fire has been made.
 - b. An officer drawing his weapon to control a suspect shall maintain a safe distance between the suspect and the weapon.
4. Officers shall not draw, flaunt, or otherwise display a firearm except in strict compliance with departmental policy.
 - B. The Chief of Police or the Board of Works shall have the authority to overrule the prohibitions outlined in this policy if it is believed the officer was justified under the circumstances in using his firearm and its use did not present a hazard of serious bodily injury to other persons.
 - C. Nothing in this policy shall preclude an officer from unholstering a firearm in a dangerous or life-threatening situation.



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POLICY: This agency recognizes the need for a comprehensive policy covering the operation of departmental vehicles during a pursuit. It is the policy of the Marion Police Department that all officers operate city owned or controlled vehicles with due regard for the safety of all persons, and that safety is to be the first and foremost concern of all its personnel. All department personnel operating vehicles in a law enforcement capacity shall be thoroughly familiar with all the laws of the State of Indiana concerning the use of emergency vehicles and equipment as well as applicable department procedures and policies.

LEGAL REFERENCE

1. Under Indiana Code 9-21-1-8, drivers of authorized emergency vehicles are granted exemptions from certain traffic laws when exercising their official duties.
2. Sykes Vs. U.S. (2011) Any fleeing suspect in a vehicle pursuit is considered a "violent felon".

DEFINITIONS

Pursuit Vehicle - A vehicle designed, tested and backed by the manufacturer to meet the standards set forth by the manufacturer to handle the duties of a pursuit vehicle for performance and handling, i.e.....brakes, radiator, suspension, transmission, etc...

Authorized Emergency Vehicle - A vehicle of this agency equipped with operable emergency equipment as designated by state law.

Primary Unit - The police unit which initiates a pursuit or any unit which assumes control of the pursuit.

Due Regard Driving with caution- the consideration of existing circumstances to determine the reasonableness of one's actions as they relate to the totality of the circumstances.

Traffic Stops - Any situation where the officer is deploying directly from a patrol vehicle.

Departmental Vehicle - Any vehicle that is owned, leased, borrowed, or otherwise controlled by this agency.

Unmarked Vehicle - Any departmental vehicle, van type vehicle, or SUV type vehicle that cannot be clearly identifiable by the average person (markings, i.e. color, shield, labeling).

Emergency Run - Driving conditions requiring the use of emergency equipment.

Emergency Equipment - Emergency red/blue lights and sirens.



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Emergency Situation - A condition where a reasonable and prudent person would believe that a crime is in progress, a person or persons life may be in jeopardy, or any situation which requires an immediate police presence.

Lawful Intervention Technique – Indiana Statute 9-21-1-0.5 as used in this chapter, “lawful intervention technique” means a method by which a pursuing motor vehicle causes, or attempts to cause, a fleeing motor vehicle to stop.

Marked vehicle – Any vehicle that is owned, leased or controlled by this agency that displays our MPD door shield on the side doors of the vehicle. A marked vehicle must also have emergency equipment.

Silent Run - Situation where only the red/blue emergency lights are used.

Pursuit – An attempt by a law enforcement officer in an authorized emergency vehicle (see IC 9-21-20-1) to apprehend the occupant(s) of a moving motor vehicle when the officer reasonably believes the driver of the fleeing vehicle is aware of the officer’s attempt to stop the vehicle and is resisting apprehension by maintaining or increasing vehicle speed, ignoring the officer or otherwise attempting to allude the police.

Vehicular Use of Force – During the pursuit a “Lawful Intervention Technique” used by a pursuing motor vehicle in an attempt to cause or stop the fleeing vehicle. These methods may include but are not limited to a rolling road block, P.I.T. maneuver, road block or ram.

Paralleling - To actively follow the pursuit at a distance by maintaining the same direction on adjacent streets.

Ramming - The use of one’s vehicle to strike another in an attempt to slow down, disable, or stop that vehicle. Ramming may take place in deadly force situations only.

Boxing in - An active attempt at using several vehicles to enclose or confine a suspect vehicle.

Roadblock - A deliberate obstruction by physical means (as barricades, police cars, stop-stick, etc.) at one or more selected points on a roadway for a specific purpose of controlling traffic as to capture a pursued car.

Precision Immobilization Technique “Pit Maneuver” - A lawful intervention technique as set by IC 9-21-1-0.5.



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Adrenaline Rush - Increases awareness and helps the body get ready for the fight or flight syndrome which prepares the body for emergencies.

Stress - A force; strain; tension; accent; pressure; emphasis. Stress produces adrenaline.

Operational Driving Stress - Stress caused by the exposure to the everyday stress caused by long periods of driving. This can have tendency to make a driver more accident-prone, forgetful, angry or even ill.

Tire Deflating Device - A device that provides a means to penetrate and deflate the tire(s) of a moving vehicle in a manner that will provide control and avoid a catastrophic failure (blow-out) of the penetrated tire(s), thus ensuring the safest possible means of reducing the mobility of that target vehicle.

Violent Felony – Sykes v. United States rules using a vehicle while knowingly or intentionally fleeing from a law enforcement officer after being ordered to stop is a situation that meets the definition of a “violent felony,” as prescribed by Indiana Law for purposes of the Armed Career Criminal Act.

S.T.O.P.S – Strategies and Tactics Of Patrol Stops is a program that gives patrol officers the tactics and know-how needed to safely conduct vehicle traffic stops, reduce department liability and officer complaints, and teach necessary survival from both vehicular and felonious assaults.

SAFETY & EMERGENCY LIGHTS & SIRENS

A. Normal Driving Conditions / Non-Emergency Calls

1. Refer to SOP NO. 5.10

B. Urgent Calls / Emergency Calls

1. Refer to SOP NO. 5.10

PURSUIT POLICY

A. Initiation/Pursuit Responsibilities

It is the violator who initiates a pursuit. A pursuit may be initiated when a suspect operating a motor vehicle has failed to stop when properly signaled or directed to by a law enforcement officer. The pursuit may be initiated for any violation of the State of Indiana or Marion City Ordinance. Under Sykes Vs. U.S. (2011) Any fleeing suspect in a vehicle pursuit is considered a “violent felon”. The officer



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must then make a series of decisions as to whether the pursuit shall continue or be terminated. The decision to continue the pursuit must be based on careful consideration, not rash, or sudden, willful rather than intentional, as a result of careful thought. Our goal during a pursuit is to apprehend the suspect as quickly as possible while trying to maintain safe roadways for our citizens.

1. The pursuing officer shall consider the following factors in determining whether to give or maintain pursuit:
 - a. Special Considerations:
 1. Neighborhood (time of day, children and adult presence.)
 2. School Zone (School hours, after school activities, playground)
 3. Congested traffic area.
 - b. The offense or suspected offense committed
 - c. The performance capabilities of the pursuit vehicle.
 - i. Any known problems w/ vehicle, i.e. Low tire pressure
 - d. The condition of the road surface.
 - e. The amount of vehicular and pedestrian traffic in the area.
 - f. Weather conditions.
 - g. The utmost due regard for the safety of all persons including citizens, suspect(s) and officers.
 - h. Type of vehicle being pursued
 - i. Information on suspects available
 - j. Is the driver driving over 80% of pursuing officer's ability?
 - k. Officers in the area to assist
 - l. Is there reasonable suspicion or probable cause
 - m. Operational driving stress in check
 - n. Vehicle Force Continuum



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1. Police Vehicle presence (emergency equipment activated)
 2. Tire Deflating Devices
 3. Rolling Road Block “Boxing In”
 4. Precision Immobilization technique (as trained/certified)
 5. Ramming / Deadly Force
 6. Firearms / Deadly Force
2. Any pursuing vehicle must be a departmental emergency vehicle with all emergency warning devices (lights and siren) continuously activated at all times during the pursuit. Any non-pursuit rated emergency vehicle must discontinue the pursuit once there are sufficient primary pursuit rated emergency vehicles involved in the pursuit.
 3. There shall be no more than four (4) police vehicles in direct pursuit of a fleeing vehicle, unless authorized differently by supervisor for the safety of the pursuing officer/s. Such considerations as number of violators in vehicle, type of crime committed, etc... When possible the (4) police vehicles should include at least (1) Staff Officer.
 - a. If there is a second unit in direct pursuit, the second unit should assume responsibility for radio traffic concerning the directions of the pursuit if possible. This allows the lead pursuit vehicle to concentrate on the pursuit.
 4. The police vehicle shall maintain a safe distance behind the fleeing vehicle to allow for the safe turns or sudden stops that may occur.
 5. Paralleling a pursuit in emergency status is not authorized. A supervisor may authorize officers to respond in emergency status to points in front of the pursuit to place Tire Deflation Devices in order to stop the pursuit as soon as possible, or attempt to control route of pursuit with regard to busy intersections, known hazards, and gatherings of people.



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6. Officers following the same route in an attempt to catch up to the pursuit will use “Due Regard” as will all officers involved with the pursuit.
7. The officer must be reasonable and prudent while involved in a pursuit. When the risk to public and officers exceed the need to catch the violator, the pursuit shall be terminated.
8. The P.I.T. will be used in order to stop the pursuit at the safest, fastest, and most appropriate opportunity before the pursuit continues; placing civilians, officers, and the suspect in further danger. If, in the judgment of the member(s) trained in the P.I.T. maneuver, the fleeing vehicle must be stopped immediately to safeguard life and preserve public safety, the P.I.T. may be used in accordance to Indiana State Statute IC 9-21-1-0.5 if trained in this technique. Safety of bystanders, adequate space, suspects speed and trajectory, risk of injury to occupants of the vehicle, officer(s) involved and citizens must be considered prior to implementation. A high risk felony traffic stop will be implemented at the completion of the spin.

B. Transporting Prisoners or Civilians

1. Police vehicles with prisoners or civilians who are being escorted shall **NOT** under any circumstances engage in direct pursuit, or act as an assist unit while the prisoner or passenger remain in the vehicle.
2. Exceptions shall be ride-alongs or interns, who have signed waivers and have been approved to ride in police vehicles; however, officers should consider the fact that they have a civilian in their vehicle, and that the officer is responsible for their safety.

C. Initiating/Initial Pursuing Officer Responsibilities

1. Notify the communications center as soon as reasonably possible that a pursuit is underway and provide the following information.
 - a. Police unit identification number
 - b. Location, speed, and direction of travel
 - c. Vehicle description, including license number if known.



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- d. Reason for pursuit.
- e. Number of occupants in the vehicle.
- f. Any known information about the driver or occupants of pursued vehicle.

*** Failure to provide the above information may be cause for a supervisor to order a termination of the pursuit.

2. Have the authority to terminate the pursuit if he/she feels the pursuit is life threatening or dangerous to others.
 3. Bear operational responsibility for the pursuit unless relieved by a supervisor. This authority pertains to the immediate field operation and is, at all times, subordinate to his/her supervisor.
 4. Be responsible for the arrest of the suspect(s) when the suspect(s) voluntarily terminates the pursuit, is involved in a traffic accident, or is forced to stop by other means.
 5. Be responsible for completing proper paperwork / reports on the pursuit to be forwarded through the chain of command. A supplement will be completed even if we only assisted with the pursuit and/or whether or not an apprehension is made.
- D. Back Up Unit Responsibilities
1. The first backup unit, upon joining the pursuit, shall immediately notify the communications center. The assisting unit will assume radio communication responsibility, allowing the primary unit to devote full attention to driving.
 2. The backup units will maintain a safe distance behind the primary unit but close enough to render assistance if and when required
 3. If the primary unit becomes disabled, the first back up unit will become the primary unit and so on.
 4. If the primary unit initiating the pursuit is unable to proceed to the termination point (e.g. involved in an accident, etc.) the first unit in the



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pursuit at the time of apprehension shall be responsible for the arrest. This officer and any other officer involved in the pursuit shall complete a supplementary report.

5. Whenever a Canine Unit is available they should join the pursuit as safely and as quickly as possible. The canine handler shall notify all units in the pursuit of the potential for canine release upon termination of the pursuit.
6. If the primary officer is not a P.I.T. certified member, a P.I.T. certified member shall, when safely able, communicate with the primary vehicle that he will take over as primary in order to attempt a P.I.T. maneuver to end the pursuit at the first opportunity if conditions exist to do so in accordance with all training and is granted permission by a supervisor. Deliberate vehicle contact delivered to a suspect vehicle by a pursuit vehicle to force the suspect to stop is prohibited except for two instances:
 - a. That the officer performing a P.I.T. is authorized by the Chief of Police and has completed the ILEA Certified P.I.T. Training Course.
 - b. Deliberate vehicle contact is necessary for the officer to defend himself or another person from imminent threat of death or serious physical harm, in which the department's policy regarding the use of deadly force applies.

E. Dispatch / Communications Center Responsibilities

1. Receive and record all incoming information on the pursuit and pursued vehicle.
2. Immediately notify the shift supervisor when a pursuit is initiated.
3. Clear radio channel of any unnecessary traffic and advise all other units a pursuit is in progress, provide all relevant information. Routine radio traffic will be handled on the primary talk group only if necessary. The pursuit will remain on the pursuing officers primary talk group until a supervisor requests units to go to the designated pursuit channel.



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4. Perform relevant record and motor vehicle checks and pass on relative information to the pursuing officers.
5. Control all radio communications during the pursuit.
6. Coordinate assistance under the direction of the shift supervisor.
7. Continue to monitor the pursuit until it has been terminated by this agency.

F. Field Supervisor's Responsibilities

1. Upon notification that a vehicular pursuit incident is in progress, the on-duty supervisor shall assume responsibility for monitoring and control of the pursuit as it progresses. The highest ranking officer monitoring the pursuit will be in charge of the pursuit.
2. The supervisor shall continuously review the incoming data to determine compliance with this policy and whether the pursuit should be continued or terminated.
3. In controlling the pursuit incident, the supervisor shall be responsible for coordination of the pursuit as follows:
 - a. Directing pursuit units into or out of the pursuit.
 - b. Re-designation of primary, support or other backup vehicle responsibilities.
 - c. Approval or disapproval and coordination of pursuit tactics.
 - d. Approval or disapproval to leave jurisdiction to continue pursuit.
 - e. Ability to cancel the pursuit due to considerations mentioned.
 - f. Directing vehicles in order to control pursuit route and to also assist in clearing intersections of other traffic.
4. The supervisor may approve and assign additional backup vehicles to assist the primary and backup pursuit vehicles based on analysis of:
 - a. The nature of the offense for which pursuit was initiated.
 - b. The number of suspects and any known propensity for violence.
 - c. The number of officers in the pursuit vehicles.



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- d. Any damage or injuries to the assigned primary and/or backup vehicle or officers.
 - e. The number of officers necessary to make an arrest at the conclusion of the pursuit.
 - f. Any other clear and known facts that would warrant the increased hazards caused by numerous pursuit vehicles.
5. The supervisor shall proceed to the termination point to provide guidance and necessary supervision when applicable.
- G. Termination of Pursuit / Pursuit Conclusion
1. Pursuit will be terminated under the following circumstances:
 - a. Upon the authority of the primary pursuing officer.
 - b. Upon the authority of the supervisor when such officer has reason to believe that the pursuit is unnecessary.
 - c. When it becomes apparent that the lives or safety of innocent persons are in danger.
 2. Officers shall employ a High Risk “Felony Stop” from the S.T.O.P.S. program at the termination of the pursuit, special attention shall be given to any persons needing medical attention once safety is maintained.
 3. If our pursuit ends in an accident outside our jurisdiction, the jurisdiction where the accident occurred should cover the accident investigation. If the jurisdictional agency refuses to take the accident report, our shift supervisor will ensure a report is taken. If another agencies pursuit ends in our jurisdiction, our agency will take the crash report.
 4. Special attention should be given to strict personal discipline and proper use of force immediately following a pursuit and during apprehension of an offender. Assisting officers and supervisors shall be aware and watch for officers displaying signs of “Pursuit Rage”.
 5. Damage caused by “Lawful Intervention Techniques” is not an accident or crash. Any damage that occurs shall be documented in the case report and



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photos shall be taken, regardless of whether there is damage to the police vehicle or not.

6. If the pursuit is terminated by the supervisor or any officer involved in the pursuit, the officers will notify dispatch that they have terminated the pursuit. They will also notify dispatch that their emergency equipment has been turned off and they are now traveling (direction/street) away from the pursuit.

H. Pursuit Tactics

1. Operational
 - a. 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 suspect vehicle prior to activating their emergency equipment.
 - b. An officer should make a distinction between attempting to overtake a violator when in pursuit. The officer should be aware that some drivers may not be aware of the officer's presence due to inattention, age, or a medical problem.
 - c. Be aware for indicators indicating the suspect may flee such as a drunk driver. Attempt if possible to have pursuit termination techniques readily available.
2. The following roadblocks and forcible stopping techniques are authorized by the Marion Police Department. These techniques may only be used and/or implemented under the specific circumstances and conditions covered in training for each technique. Only those officers trained in their use are authorized to use said techniques. Records of training will be maintained by the training director and covered each year during vehicular use of force training. If a forcible stopping technique is used, The "Use of Force" will be documented in the Pursuit Review.
 - a. Authorized roadblocks and forcible stopping techniques:
 - i. Tire Deflating Device (TDD) Stop-Stick/Stinger Device.



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- ii. Boxing / Rolling Road Block
- iii. Pit Maneuver (PIT)
- iv. Road Blocks
- v. Ramming (Deadly use of force only)

3. Supervisor Role

The supervisor role in the use of roadblocks and/or forcible stopping techniques will be to monitor and ensure the proper use of the techniques.

The pursuing officer should attempt to notify the supervisor of their use of a forcible stopping technique when possible. Officers should always notify the supervisor prior to the use of a roadblock. A supervisor may deny the request to use a roadblock or forcible stopping technique for any reason.

Supervisors will also ensure all use of force procedures and pursuit review paperwork is completed in a timely fashion.

I. Unmarked Vehicles

Unmarked vehicles may initiate a pursuit but must give way and remove themselves from the pursuit once mark units have joined. The only exception is a Canine Vehicle which is covered in the policy above.



ROADBLOCKS

NO. 4.05

PURPOSE: The purpose of this policy is to establish a standard for the deployment of roadblocks.

DEFINITION: For purposes of this policy, a roadblock is defined as using patrol vehicle(s) to completely obstruct the roadway to cause a fleeing suspect to stop.

POLICY: It is the policy of the Marion Police Department that roadblocks which completely obstruct the roadway shall not be employed.

PROCEDURE:

A. General Guideline:

1. Roadblocks may only be employed with authorization of a supervisor for the following reasons:
 - a. The circumstances and the seriousness of the offense for which a subject is pursued are such that the use of deadly force would be permitted (e.g., the suspect is a fleeing felon who has caused serious physical harm or death, or has committed a serious offense and is likely to cause serious physical harm or death if allowed to continue to flee); and
 - b. All other methods of stopping the fleeing subject have failed.
2. Roadblocks shall not be deployed in any residential area or area likely to be highly congested or containing pedestrians.
3. Roadblocks shall be visible, clearly marked, and provide adequate warning to allow vehicles a safe distance in which to stop, if feasible. The following shall be utilized to ensure that the roadblock is visible:
 - a. Emergency lights in operation on emergency vehicles;
 - b. Stop sticks deployed, if available;
 - c. A series of lights or fuses during diminished light conditions, if time permits; and
 - d. Officers shall wear reflective traffic vests, if time permits.
4. Roadblocks shall be set up so that a clear and unobstructed path allows an "out" for the fleeing suspect. The roadway shall not be completely obstructed with the



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patrol vehicle and officers should not remain in the patrol vehicle when it is being used to partially block a roadway.

- a. Stop sticks shall be deployed across the unobstructed path just beyond the patrol vehicle, if available.
5. A written report shall be filed for every roadblock deployment that explains the circumstances justifying the need for the roadblock.

B. Investigation:

1. A supervisor shall investigate any traffic accident that results from the use of a roadblock. Such supervisory investigation is in addition to the accident investigation. The supervisor's investigation shall focus on:
 - a. How the roadblock was marked to give warning;
 - b. Placement of the patrol vehicle(s); and
 - c. Circumstances leading to the use of the roadblock.

C. Administrative Review:

The Chief of Police and the loss review board will examine each report to determine if:

1. Department rules, policy, or procedure were violated;
2. The policy/procedure was clear and effective given the circumstances; and
3. Whether additional training in the deployment of roadblocks is required.



SECTION V PATROL FUNCTIONS

5.01 ACCIDENT INVESTIGATIONS:

ISSUE DATE:
09/02/1998

REVISION DATE:
/ /

5.02 ANIMAL BITES:

ISSUE DATE:
09/02/1998

REVISION DATE:
/ /

5.03 BLOCKED RAIL CROSSINGS:

ISSUE DATE:
09/02/1998

REVISION DATE:
/ /

5.04 CUSTODIAL ARREST AND TRANSPORTATION:

ISSUE DATE:
09/02/1998

REVISION DATE:
/ /

5.05 EMERGENCY ESCORTS:

ISSUE DATE:
09/02/1998

REVISION DATE:
/ /

5.06 EMERGENCY MENTAL ADMISSIONS:

ISSUE DATE:
09/02/1998

REVISION DATE:
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5.07 FIELD INTERVIEWS/INVESTIGATORY STOPS:

ISSUE DATE:
09/02/1998

REVISION DATE:
/ /

5.08 PARKING ENFORCEMENT:

ISSUE DATE:
09/02/1998

REVISION DATE:
/ /



SECTION V PATROL FUNCTIONS

5.09 RESIDENTIAL SECURITY CHECKS:

ISSUE DATE:
09/02/1998

REVISION DATE:
/ /

5.10 RESPONSE TO CALLS:

ISSUE DATE:
09/02/1998

REVISION DATE:
/ /

5.11 ROLL CALL/INTELLIGENCE COMMUNICATIONS:

ISSUE DATE:
09/02/1998

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5.12 SCHOOL BUS VIOLATIONS:

ISSUE DATE:
09/02/1998

REVISION DATE:
/ /

5.13 SHOPLIFTING INCIDENTS:

ISSUE DATE:
00/00/2005

REVISION DATE:
/ /

5.14 TRAFFIC ENFORCEMENT:

ISSUE DATE:
09/02/1998

REVISION DATE:
/ /

5.15 TELEPHONE HARASSMENT:

ISSUE DATE:
09/02/1998

REVISION DATE:
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5.16 VEHICLE THEFT INVESTIGATION:

ISSUE DATE:
09/02/1998

REVISION DATE:
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SECTION V PATROL FUNCTIONS

5.17 VEHICLE TOWING/IMPOUNDMENT:

ISSUE DATE:
09/02/1999

REVISION DATE:
/ /

5.18 LOUD PARTY COMPLAINTS:

ISSUE DATE:
09/02/1998

REVISION DATE:
/ /

5.19 CANINE (K-9) REPOSE:

ISSUE DATE:
09/02/1998

REVISION DATE:
/ /

5.20 COURT OFFICER RIDE-ALONG PROGRAM:

ISSUE DATE:
05/19/1999

REVISION DATE:
/ /

5.21 MISSING PERSON:

ISSUE DATE:
07 /01 /2013

REVISION DATE:
/ /



ACCIDENT INVESTIGATION

NO. 5.01

PURPOSE: The purpose of this policy is to establish a policy and procedure for responding to traffic accidents that come to the attention of the Marion Police Department that will ensure adequate staffing is available to respond to criminal and civil complaints and will ensure that a complete investigation to determine the cause of the accident will be conducted.

POLICY: It is the policy of the Marion Police Department to investigate all traffic accidents occurring on public roadways in the City that come to the attention of the police department to determine the cause of the accident.

PROCEDURE:

- A. Minor Property Damage/Injury Accidents: For minor property damage/injury accidents reported to the police department that have occurred on a public roadway in the City, the dispatcher or officer who receives the report shall notify the nearest Marion Police Department unit. The nearest unit should respond to the call as a routine call unless the accident is at a major intersection and is likely to impede traffic seriously; in which case the response should be handled as an urgent call. (Routine and urgent calls are defined in Section 5.10 of this manual.)
1. Measurements and photographs are not required for minor property damage and minor injury.
- B. Injury/Fatal Accidents: Accidents involving serious bodily injury or a fatality shall be investigated by the shift supervisor and an accident investigator. The dispatcher shall immediately notify the nearest unit and shift supervisor and dispatch appropriate emergency units to injury or fatal accidents. The shift supervisor shall determine when an accident investigator is required.
1. Accidents reported to the Marion Police Department which have occurred outside the City Corporation limits shall be referred to the Grant County Sheriff's Office.
- C. Marion Police Department Vehicle Accidents:
1. Accidents involving departmental vehicles shall be investigated by a supervisor.
 - a. If a departmental accident has resulted in injuries or fatalities, the departmental accident team shall be called to investigate the accident and the officer involved shall be tested by taking a blood



ACCIDENT INVESTIGATION

NO. 5.01

draw at a certified medical facility or by a certified breath and urine test.

- b. If a departmental accident occurs then photographs and measurements will be taken.
- c. In any accident with a departmental vehicle where reasonable suspicion exist the officer shall be tested for alcohol and drug use.

D. Traffic Violations:

- 1. A traffic citation, if deemed appropriate by the officer, will be issued to any person who is found to have violated a traffic offense from an investigation of a traffic accident.
 - a. If circumstances are such that a traffic offense was not the cause of the accident (e.g., a roadway engineering defect) such determination shall be clearly explained in the traffic accident report.
 - b. Vehicle occupant restraint use shall be determined and reported in all vehicle accident investigations.

- E. Reports: All pertinent information, including driver's and witness' statements shall be included in the accident report.



ANIMAL BITES

NO. 5.02

PURPOSE: The purpose of this directive is to establish a guideline for handling reports of animal bites.

POLICY: It is the policy of the Marion Police Department to forward a copy of all animal bite reports taken by the department to the City of Marion Animal Control.

PROCEDURE:

- A. When a report of an animal bite is received, officers shall:
 1. Ensure the victim receives medical aid as necessary;
 2. Prepare a written report for incidents that have occurred within the City;
 3. Attempt to locate the animal and obtain owner information; and
 4. Contact the City of Marion Animal Control and provide all known information.
- B. In cases where severe injury has resulted, or upon request of the City of Marion Animal Control, officers shall respond to assist with:
 1. Securing the animal; or
 2. Destroying the animal if necessary.



BLOCKED RAIL CROSSING

NO. 5.03

PURPOSE: The purpose of this directive is to establish a uniform systematic method of enforcement of stopped trains blocking rail crossings in order to ensure the efficient movement of traffic within the City.

POLICY: It is the policy of the Marion Police Department that stopped trains that are blocking rail crossings at public streets for an extended period shall be broken (uncoupled) and/or the train engineer and/or rail company be cited for a violation of I.C. 35-42-2-4, Obstructing Traffic.

PROCEDURE:

- A. Officers who observe or are dispatched to investigate a stopped train blocking a rail crossing shall:
1. Attempt to contact the engineer and/or conductor to have the train broken at blocked crossings;
 2. Contact the appropriate railroad company to ascertain why the crossing is blocked and request the crossing be cleared;
 3. Complete an incident report, including:
 - a. The complainant's name (City of Marion);
 - b. The date and time of the violation;
 - c. Reporting person's name (officer or citizen);
 - d. Rail crossing location(s);
 - e. Name(s) and addresses and/or other identifying information of the train engineer and conductor;
 - f. Engine identification number; and
 - g. An indication that a summons is requested.
- B. A copy of the incident report shall be forwarded to the municipal court prosecutor for a summons to be issued for a violation of I.C. 35-42-2-4. Upon receipt of the summons, the officer(s) shall:
1. Attempt to serve a local railroad ticket agent, yard master, train master, or other railroad official.
 2. If no local railroad official is available, the summons shall be forwarded to the court officer for service via certified mail.



CUSTODIAL ARREST & TRANSPORTATION

NO. 5.04

PURPOSE: The purpose of this policy is to establish procedures intended to protect the safety and security of prisoners, officers, and the public after a custodial arrest or during prisoner transport.

POLICY: It is the policy of the Marion Police Department that all prisoners shall be restrained to the extent necessary; commensurate with the alleged crime, to afford safety, security, and proper protection for the prisoner, officers, and the public.

PROCEDURE:

- A. Custodial Arrests: All prisoners shall be handcuffed behind the back and then searched (pat down) for weapons at the time of a custodial arrest before being placed in the patrol vehicle.
1. When officers must search a person of the opposite sex, the officer shall use the back of the hand. It is recommended such searches be witnessed by another officer.
 2. A prisoner's hands shall both be handcuffed so that the handcuffs may not be used as a weapon;
 3. Multiple prisoners may be handcuffed together (e.g., right hand to right hand, etc.) to make it difficult to flee and thereby discourage fleeing.
 - a. Male and female prisoners should not be handcuffed and transported together unless no other alternative is available.
 4. All handcuffed prisoners who require medical attention shall remain handcuffed at the medical facility unless it is necessary to remove the handcuffs to administer medical treatment;
 - a. Prisoners shall not be left unattended.
 5. No prisoner shall be left unattended in any vehicle that is running or that has the keys in the ignition;
 6. When possible, prisoners should be transported separately;
 7. When transporting prisoners, officers shall report to dispatch the following information for recording on the radio log:
 - a. Type of prisoner being transported (i.e., male, female, juvenile);



CUSTODIAL ARREST & TRANSPORTATION

NO. 5.04

- b. Location transporting from and the destination; and
 - c. Beginning and ending mileage when transporting juveniles or prisoners of the opposite sex.
 8. Handcuffs shall be double-locked.
- B. Transports and Transfers: All prisoners who are being transported to court or to another institution shall be restrained with double-locked handcuffs.
 1. All prisoners shall be searched for weapons or contraband prior to leaving the jail facility;
 2. Prisoners shall be escorted in front of the officer(s) and not allowed out of the sight of officer(s);
 3. If the vehicle is equipped with a prisoner containment area, such as a cage, then that prisoner shall be transported handcuffed behind their back and in the rear seat of the patrol vehicle, with the seat belt secured around the prisoner. If the vehicle is not equipped with a prisoner containment area then the prisoner will be transported in the front passenger seat handcuffed behind their back with the seat belt secured around the prisoner.
 4. Maintain visual contact with prisoners during all court proceedings;
 5. Do not leave a prisoner at another institution until appropriate receipts and releases are obtained and signed by an authorized official from the receiving institution.
- C. Escape: If a prisoner escapes from custody during transport, officers shall immediately inform dispatch who in turn should notify the jurisdiction(s) of the immediate surrounding area prior to attempting to make apprehension.



EMERGENCY ESCORTS

NO. 5.05

PURPOSE: The purpose of this policy is to establish a guideline for officers who may receive a request to provide an "Emergency" escort.

DEFINITION: For purposes of this policy, "Emergency Escort" means leading another vehicle with a patrol vehicle with its emergency lights and siren in operation.

POLICY: Emergency escorts expose officers and the public to unnecessary risk. Therefore, it is the policy of the Marion Police Department that emergency escorts of private vehicles are discouraged and only permitted when the situation is life threatening and is authorized by the shift supervisor. Escorts of properly equipped emergency vehicles are unnecessary.

PROCEDURE:

A. Requests For Emergency Escort/Private Vehicle:

1. Officers should assess the severity of the "emergency" to determine if the condition(s) are life threatening;
2. If a true emergency exists and time permits, a properly equipped emergency vehicle should be summoned.
3. Officers should not transport victims in the patrol vehicle.

B. Requests For Emergency Escort/Emergency Vehicle:

1. Requests for an escort of a properly equipped emergency vehicle is not necessary. Officers may block a busy intersection for traffic control; however, officers should not run with lights and siren to reach an intersection.
2. If another emergency vehicle has experienced a malfunction of its emergency equipment and a true emergency exists, an officer may, with permission of a supervisor, provide an emergency escort if delay in awaiting another emergency vehicle would be life threatening for the victim.
3. If escorting another emergency vehicle, the patrol unit should slow at intersections to ensure the intersection remains clear for the following vehicle. If the emergency vehicle is disabled and another emergency vehicle cannot be timely summoned, officers may transport the victim with an EMT or other medical personnel in the patrol vehicle with a supervisor's permission.



EMERGENCY ESCORTS

NO. 5.05

- C. Communications:
 - 1. Dispatch should be informed of the destination, probable route, and the times of departure and arrival if an escort is provided.
- D. All non-emergency escorts shall be approved by the Chief of Police and shall be operated under safe driving conditions.



EMERGENCY MENTAL ADMISSIONS

NO. 5.06

PURPOSE: The purpose of this policy is to provide procedural guidelines for emergency admissions of mentally ill persons.

POLICY: It is the policy of the Marion Police Department that officers who respond to calls or incidents in the City of Marion in which a person whose actions lead the officer to believe the person's mental faculties are such that the person is a danger to the person's self or others, the person should be restrained and transported to Grant-Blackford Mental Health Center for evaluation.

PROCEDURE:

- A. Officers who are called to handle a person whose mental faculties are in question; who, in the officer's opinion, may cause physical harm to himself or others shall:
 1. Attempt to convince the person to willfully admit their self to a mental facility for evaluation;
 - a. The officer shall document such in the written case report.
 2. Attempt to contact the person's personal physician to request the physician admit the person to a mental facility for evaluation; or
 3. Transport the person to the Grant-Blackford Mental Health Center, depending on the circumstances, for evaluation by a mental health professional to determine if an emergency commitment to a mental facility is necessary.
- B. Officers should transport such persons in the patrol vehicle in accordance with the policy on Custodial Arrest and Transportation (5.04).
- C. When serving an "Emergency Detention Order" (EDO), officers shall complete a written arrest report, listing the arrest charge as "Emergency Detention Order."
- D. If an officer determines an individual is a danger to themselves or others and is uncooperative and an emergency commitment is necessary, a general written case report shall be prepared, listing "EDO Paperwork" as the charge.



FIELD INTERVIEW INVESTIGATORY STOPS

NO. 5.07

PURPOSE: The purpose of this policy is to establish a guideline for officers to determine when field interviews and investigatory stops are appropriate and to ensure information obtained is communicated through the department as a method of gathering information.

POLICY: Field interviews and investigatory stops are an affective pro-active method of crime prevention; therefore, it is the policy of the Marion Police Department that officers will conduct field interviews and investigatory stops as a normal patrol activity and log such field information in the C.A.D. system via dispatch.

PROCEDURE:

- A. Officers should be familiar with their patrol areas and of reported criminal activity in their assigned area.
- B. If an officer is able to articulate facts that amount to “reasonable suspicion” to believe a person is committing, has committed or is about to commit a crime, but does not have “probable cause” to make an arrest, the officer is justified in stopping the person believed to be involved to further their investigation. An officer making this type of stop, may use the force necessary, short of deadly force, to accomplish this stop. If the officer can further articulate facts which lead him to believe that the subject may be carrying a weapon, the officer may conduct a limited pat-down (frisk) of the subject’s outer clothing to determine if the person is carrying a weapon.
- C. Vehicles may be searched if the officer observes contraband or evidence of a crime in “plain view” from a position the officer has a legitimate right to be. However, seizure of evidence cannot be made without a warrant unless there is probable cause to believe the item is related to a crime.



PARKING ENFORCEMENT

NO. 5.08

PURPOSE: The purpose of this policy is to establish a standard guideline for parking violation enforcement.

POLICY: It is the policy of the Marion Police Department that parking violations are vigorously enforced in the following circumstances:

- A. When an unattended vehicle is a traffic hazard;
- B. When a vehicle clearly compromises public safety (e.g., blocking a fire lane, etc.);
- C. When a vehicle not marked as a vehicle of a handicapped individual occupies a clearly marked handicapped parking space; and
- D. When a vehicle has not moved from the same parking spot within the posted time limits or for longer than ninety-six (96) continuous hours on a public street.
- E. Private property parking complaints will be handled by citizen complaint.

PROCEDURE:

A. Traffic/Public Safety Hazards:

- 1. Unattended parked vehicles that are a traffic hazard or that compromise public safety shall be ticketed with a parking ticket.
- 2. Reasonable effort shall be made to locate the driver/owner of the vehicle to have it removed.
 - a. Depending on the severity of the hazard created, the vehicle may be ordered towed (e.g., blocking fire apparatus doors, etc.).

B. Handicapped Parking:

- 1. Vehicles parked in clearly marked parking spaces reserved for the handicapped, not bearing proper handicapped vehicle markings, shall be ticketed with a parking ticket whether on public or private property.
- 2. Officers who observe a person park a vehicle bearing vehicle markings for the handicapped in a handicapped parking space that clearly has no handicapped person within shall:
 - a. Stop and question the driver regarding the purpose for parking in the handicapped space; and



PARKING ENFORCEMENT

NO. 5.08

- b. If there is no legitimate purpose for parking in the handicapped space, issue a parking ticket to the driver; and
- c. Order the vehicle removed.

C. Abandoned Vehicle:

1. Vehicles abandoned on public streets for over ninety-six (96) hours shall be issued a "Notice to Remove." After ninety-six (96) hours has expired from the time the notice was issued, the vehicle shall be towed.
2. Abandoned vehicles that are on private property without authorization of the property owner shall be handled in accordance with Indiana State Statute 9-22-1-15. The property owner will be notified on the proper procedure according to the law.

D. Private Property Parking Complaints:

1. Complaints regarding unauthorized parking on private property shall be recorded in the C.A.D. system by the dispatcher and an attempt made to contact the vehicle's owner. The property owner should be advised they may have the vehicle towed at the vehicle owner's expense.
 - a. In an emergency situation the vehicle may be immediately towed. Officers should refer to Indiana State Statute 9-22-1-16.

E. Parking Ticket Cancellation:

1. Vehicle owner/drivers who provide evidence of a legitimate purpose for parking that resulted in the issuance of a parking ticket may have such ticket voided by the Chief or the traffic supervisor, if circumstances warrant. A statement shall be appended to any cancelled parking ticket explaining why it was cancelled.

F. Enforcement by Example:

1. Marion police vehicles shall be parked in compliance with all parking and motor vehicle laws except when parking otherwise is necessary to accomplish a legitimate public safety purpose.



RESIDENTIAL SECURITY CHECKS

NO. 5.09

PURPOSE: The purpose of this policy is to establish standard procedures for responding to citizen requests for residential security checks during extended periods of absence from their home(s).

POLICY: It is the policy of the Marion Police Department that residential security checks will be provided for all City residents upon request.

PROCEDURE:

A. Requests for Residential Security Checks:

1. Citizens who request a residential security check of their home or property should complete a vacation watch form.
2. The form should be given to Dispatch who will assign a control number and file the form.
3. A police employee should assist the citizen with completing the form to obtain complete information. In addition, the police employee should inform the citizen(s) that:
 - a. Occasional checks will be made, but that it is not a guarantee the property will not be vandalized and/or burglarized; and
 - b. To contact the police department upon returning, **particularly if they return home early.**

B. Conducting Residential Security Checks:

1. Shift supervisors shall assign officers to randomly check residences during each shift.
 - a. Residential security checks shall consist of completely walking around the residence and/or property and checking the security of windows and doors and making observations of any activity in the area.
2. The officer shall radio Dispatch that they will be conducting a security check by utilizing the assigned control number, not the address. Officers shall radio Dispatch when the security check is complete.



RESIDENTIAL SECURITY CHECKS

NO. 5.09

- C. Residential Security Breaches:
1. Signs of any vandalism should be noted in the C.A.D. system and the resident's key holder contacted to inspect the residence.
 2. If a residence has been burglarized, the officer should contact the shift supervisor and key holder to come to the residence. (The officer should not enter the residence until the shift supervisor arrives.)
- D. When the resident returns and notifies the department of their return, the on-duty staff officer will provide a printout of the C.A.D. record of security checks upon request of the resident.



RESPONSE TO CALLS

NO. 5.10

PURPOSE: The purpose of this policy is to provide a guideline for officers for responding to non-emergency, urgent, and emergency calls.

POLICY: It is the policy of the Marion Police Department that when responding to emergency calls, officers shall have in operation the siren, headlights, and emergency lights of their patrol vehicles to provide warning to motorists and pedestrians of their approach and that officers operate their vehicle with due care for safety in relationship to prevailing traffic, patrol vehicle, and weather conditions.

PROCEDURE:

A. Non-Emergency Calls:

1. When responding to non-emergency calls, officers shall respond expeditiously at normal traffic speeds and in adherence to traffic laws. Non-emergency calls include:
 - a. A reported crime or suspected crime of a non-emergency nature;
 - b. Traffic accidents or traffic problems of a non-emergency nature;
 - c. Any call for service from a citizen.
2. Dispatch will prioritize calls with the advice and consent of the shift supervisor.

B. Urgent Calls:

1. When responding to urgent calls and requests for assistance, officers shall respond as rapidly and as safely as possible. Officers are authorized to violate traffic laws when responding to urgent calls except for operation of their vehicle at intersections marked with stop or yield signs or traffic signals. Officers shall approach and enter all intersections with due regard for the safety of other motorists and pedestrians.
2. When responding to urgent calls, officers shall have their vehicle headlights in operation and may have their emergency lights in operation to provide better visibility of their approaching patrol vehicle to other motorists and pedestrians. Examples of urgent calls include:
 - a. Reported rape;
 - b. Reported robbery;



RESPONSE TO CALLS

NO. 5.10

- c. Calls involving weapons;
 - d. Dead body -- no suspected criminal activity;
 - e. Reported kidnapping or abduction;
 - f. Reported lost child;
 - g. Burglary alarm;
 - h. Family disturbance or domestic;
 - i. Officer needs assistance;
 - j. Crime in progress with suspect present from which apprehension is likely;
 - k. An accident at a major intersection or where traffic is likely to be seriously impeded.
3. If traffic and pedestrian conditions are such that a rapid response is hindered, officers should seek consent from the shift supervisor to utilize their siren, headlights, and emergency lights to provide warning of their approach to motorists and pedestrians.

C. Emergency Calls:

1. When responding to emergency calls and requests for assistance, officers shall have their siren, headlights, and emergency lights in operation to provide warning of their approach to other motorists and pedestrians. Such calls will be referred to as Priority One calls. Examples of Priority One calls include:
 - a. Officer needs help;
 - b. Shooting, stabbing, cutting, or other offense of violence in which a victim is seriously injured;
 - c. Homicides;
 - d. Personal injury accidents;
 - e. Attempted suicide in progress;
 - f. Serious bleeding or breathing problems;
 - g. Robbery in progress.
2. Officers should note that when operating with emergency lights and siren, they are only "requesting" the right-of-way and are expected to have their vehicle



RESPONSE TO CALLS

NO. 5.10

under control at all times. Officers shall proceed through intersections only when they are assured they have been seen and can expect clear passage.

3. Officers responding to emergency calls shall not operate the vehicle at a speed that places themselves or others in jeopardy, taking into consideration the patrol vehicle's condition, weather conditions, traffic conditions, condition of the roadway, and their level of experience in operating the patrol vehicle at high speed.
- D. Approach: As officers reach an area within reasonably close proximity of a Priority One call to which they are responding, sirens should be turned off on calls where it is probable offender(s) may be present and the warning sound of the siren could cause the offender(s) to panic and cause physical harm, death, or taking a crime victim hostage (e.g., bank and business robbery alarms).
- E. Shift Supervisors:
1. Shift supervisors shall monitor calls of their assigned units in order to determine when it is appropriate to alter personnel assignments.
 2. Shift supervisors should poll officer locations and shift response assignments for responses to urgent and Priority One calls if it would accomplish a more rapid response with less exposure to the public of speeding emergency vehicles. Nearest units should be assigned to respond and other units should be assigned to continue patrol of perimeters or other assigned areas as deemed appropriate by the shift supervisor.



PURPOSE: The purpose of this policy is to ensure officers of the Marion Police Department maintain current knowledge regarding ongoing activities, new directives, and keep supervisors and other officers informed of any information which may enhance the effectiveness and efficiency of providing law enforcement services.

POLICY: It is the policy of the Marion Police Department that all officers maintain knowledge of ongoing activities and new directives in order to effectively function. Officers shall also inform their supervisor and other officers of any new information they obtain which may be of benefit to the operations of the police department.

PROCEDURE:

- A. Officers are required to report to the roll call room in uniform for roll call at the beginning of the shift for uniform inspection and briefing by the shift supervisor.
 - 1. Information which officers are responsible for which may be communicated at the briefing, through their mailbox, or the bulletin board includes, but is not limited to:
 - a. New or changed directives from the Chief of Police;
 - b. Individual schedule changes or special duty assignments;
 - c. Special requests or orders for individual officers from superiors;
 - d. Individual court notices, etc.;
 - e. Work schedules;
 - f. Stolen vehicles, wanted individuals, major investigations, surveillance assignments, alarm locations, and other pertinent information from the preceding shift(s).
 - 2. The on-coming shift supervisor should consult with the previous shift supervisor to receive information regarding ongoing activities.
 - 3. Officers not regularly required to attend roll call shall check their mailbox for communications and read the daily radio log, the clipboard, and bulletin board, to become familiar with all ongoing activity.



ROLL CALL/ INTELLIGENCE COMMUNICATIONS

NO. 5.11

- B. To effectively accomplish the mission of the uniform division information, officers should take note of the following types of information (e.g., unusual situations or circumstances which officers may encounter, or for which they should be alert; stolen vehicles, wanted individuals, major investigations, surveillance assignments, alarm locations, etc.).
- C. Officers are required to give notice to Dispatch by radio when they begin their tour of duty. Officers may be requested by Dispatch to call in by telephone to receive information that may require the officer's knowledge and attention.
- D. Officers who become aware of information that may be useful to an ongoing investigation shall forward the information to the appropriate division by way of supplemental report and/or electronic mail.
 - 1. Information regarding narcotics or gang activity which officers become aware shall be forwarded to the J.E.A.N. Team and Criminal Investigations by way of electronic mail.



SCHOOL BUS VIOLATIONS

NO. 5.12

PURPOSE: The purpose of this directive is to establish a policy and procedure for the investigation and subsequent enforcement of complaints of violations of passing a school bus when prohibited.

POLICY: It is the policy of the Marion Police Department that complaints of passing a school bus when the bus was loading or discharging students while stop signals are activated will be promptly investigated and the offender cited upon identification.

PROCEDURE:

- A. All school bus driver complaints of passing a school bus when the busses' red stop signals were activated that occur in the City received by Dispatch shall be:
 - 1. Documented on a written report; and
 - 2. An officer assigned to investigate the complaint.
- B. The officer assigned to investigate shall:
 - 1. Obtain a statement from the bus driver;
 - 2. Contact the registered owner of the vehicle;
 - 3. Attempt to identify the driver of the vehicle for the time and date of the offense; and
 - 4. If the identity of the driver is determined, issue a citation for a violation of I.C. 9-21-12-1 -- "Passing a school bus while loading or unloading."
 - a. The citation should be signed by the officer and an arraignment date set.
 - b. The citation shall be filed with a written statement of facts.
 - c. If the vehicle driver's identification cannot be ascertained, the complainant shall be informed of such and the complainant and complaint form shall be forwarded to the county prosecutor if the complainant desires to further pursue the matter.



SHOPLIFTING INCIDENTS

NO. 5.13

PURPOSE: The purpose of this directive is to establish a policy and procedure for responding to shoplifting complaints.

POLICY: It is the policy of the Marion Police Department that complaints of shoplifting will be promptly investigated and the offender charged with a theft-related offense.

PROCEDURE:

- A. Merchants may detain shoplifters for a reasonable period of time, up to two (2) hours and call police.
- B. Juveniles shall be transported to the Grant County Juvenile Justice Center.
- C. The responding officer shall investigate the facts of the situation and determine whether to make an arrest. If probable cause should exist for the offense of theft, the investigating officer **shall** make the arrest (for theft) and transport the suspect to the Grant County Security Complex. Upon making the arrest the following things shall be completed.
 1. An arrest report shall be completed by the investigating officer. If an arrest is made it will not be necessary to complete a Prosecutor's Report.
 2. Witness statements (written or taped) shall be taken from any witness at the scene and shall be included with the report.
 3. Photographs of the stolen items shall be taken and placed into evidence. If photographs do not properly depict the stolen items, then those items shall be confiscated and placed into evidence. If pictures are taken then the evidence will be left with the retailer.
 4. After informing the suspect of his constitutional rights by using a Marion Police Department Miranda Waiver / Consent to Search form, a statement from the suspect shall be taken by the investigator. If the suspect refuses to give a statement the investigating officer shall note this in his report.
- D. If exigent circumstances exist, the investigating officer shall seek permission from the staff officer on duty, not to make an arrest. If exigent circumstances



SHOPLIFTING INCIDENTS

NO. 5.13

exist for an arrest not to be made the investigating officer shall do the following:

1. A case report and a Prosecutor's Report shall be completed by the investigating officer.
2. Witness statements shall be taken from any witness at the scene and shall be included with the report.
3. Photographs of the stolen items shall be taken and placed into evidence. If photographs do not properly depict the stolen items, then those items shall be confiscated and placed into evidence.
4. After informing the suspect of his constitutional rights, by using a Marion Police Department Miranda Waiver / Consent form, a statement from the suspect shall be taken by the investigator. If the suspect refuses to give a statement the investigating officer shall note this in his report.



TRAFFIC ENFORCEMENT

NO. 5.14

PURPOSE: The purpose of this directive is to establish selective traffic enforcement guidelines and procedures with a goal of reducing the number of traffic accidents in the City.

POLICY: It is the policy of the Marion Police Department that traffic enforcement actions and decisions are based on: prevailing conditions at the time of the violation, the degree of seriousness of the offense, and accident experience in the area.

PROCEDURE:

- A. Radar/Laser Unit: Officers who utilize Doppler traffic radar or a laser speed measuring device as an enforcement tool shall, as a minimum:
1. Check the calibration of the unit each day prior to any use for enforcement. The calibration check shall be logged on the traffic citation issued.
 - a. Doppler radar calibration shall be checked with tuning forks, the internal calibration check, and to the patrol vehicle's speedometer.
 2. The calibration of the unit shall be checked with the internal calibration check after each radar traffic stop.
 - a. The time of the calibration check shall be logged on the traffic citation in the officer's statement.
 3. If the traffic radar or laser unit displays any incorrect readings during any calibration check or any LED light is inoperative, the unit should be removed from service and submitted for repair through the shift supervisor.
- B. Enforcement Decisions: Enforcement decisions should be based on the prevailing conditions at the time (i.e., weather, traffic, type of area, pedestrian presence, etc.). Examples of situations wherein enforcement actions should be taken include but are not limited to the following:
1. When a driver fails to make a reasonable effort to stop at a stop sign and ensure the intersection is clear of all hazards.
 2. When a vehicle's speed exceeds the prima-facie or posted speed by an unreasonable amount.
 3. When a vehicle's front wheels cross the rear curb line of the intersection after the yellow light changes to red at intersections controlled by traffic control signals.



TRAFFIC ENFORCEMENT

NO. 5.14

4. Any time a driver's ability appears impaired due to the use of alcohol or drugs.
- C. Standards and Policies: The above listed general latitudes are confidential guidelines for officers to use in making enforcement decisions. However, prevailing conditions at the time a violation is observed shall be the ultimate factors upon which an enforcement decision is based.



TELEPHONE HARASSMENT

NO. 5.15

PURPOSE: The purpose of this policy is to establish a standard procedure for handling reports of telephone harassment.

POLICY: It is the policy of the Marion Police Department to assist residents of the City in maintaining personal privacy and not be subject to threat or intimidation; therefore, reported incidents of telephone harassment will be documented and information provided to complainants on how to stop such calls.

PROCEDURE:

- A. Upon receiving a complaint of telephone harassment, officers shall:
 - 1. Complete a case report; and
 - 2. Provide information to the complainant regarding available options.
- B. If the calls are of a threatening or continuing harassment type and the complainant desires charges to be filed, the complainant should be instructed to:
 - 1. Contact the telephone company business office for the "Nuisance Call Bureau," request a tap on the phone line, following the guidelines of the telephone company.
 - 2. Calls of a threatening nature, where the suspect is known, shall be investigated as any other criminal offense.



VEHICLE THEFTS

NO. 5.16

PURPOSE: The purpose of this directive is to establish a standard guideline for handling reports of vehicle thefts.

POLICY: It is the policy of the Marion Police Department to investigate all reports of vehicle theft.

PROCEDURE:

- A. Upon receiving a report of vehicle theft, Dispatch shall dispatch the nearest officer to the scene and provide a description of the vehicle, including the vehicle's year, make, model, color, and license number via a general radio broadcast.
- B. The investigating officer(s) should contact the complainant and attempt to determine whether a theft/conversion offense has occurred, including:
 1. The location from where the vehicle was taken;
 - a. If the location is a shopping mall or other area with a large parking lot, is the complainant certain where the vehicle was parked; is the complainant completely coherent?
 2. Whether the vehicle was locked;
 3. Whether the keys were in the vehicle;
 4. How much fuel was in the vehicle;
 5. Whether the vehicle was financed (if so, what lending institution and whether all payments are current);
 6. Whether the vehicle is on loan or rented;
 - a. If loaned or rented, was a specific date of return or period of time for return specified?
 7. Any special identifying marks or damage that would aid in identifying the vehicle.
- C. If the investigating officer(s) determines or suspects a vehicle is stolen, a case report and "MPD Auto Theft Report Card" shall be completed. In addition, if the vehicle is stolen or is a loaned or rented vehicle that has not been returned by the specified time, a case report shall be completed. The "Auto Theft Report Card" shall be signed by the complainant.



VEHICLE THEFTS

NO. 5.16

1. If the vehicle is a loaned or rented vehicle where a date and time of return was not specified, a case report shall be prepared and the complainant and a copy of the report shall be referred to the prosecutor's office. The vehicle will not be entered into N.C.I.C./I.D.A.C.S. until a warrant has been issued for the suspect.
 2. Vehicle theft reports should also list individually the contents of the stolen vehicle as stolen items.
 3. Stolen rental vehicle reports shall have a copy of the rental agreement attached and a copy of the any letters or other attempts by the rental company to contact and recover vehicle from rentee.
- D. If the vehicle is determined to be stolen and cannot be located in the immediate area of the complaint, all additional information obtained by investigating officers listed in (B)(1-4) and the direction of travel, if known, should be forwarded to Dispatch for:
1. A general "attempt to locate" broadcast to Marion Police Department officers and other area agencies;
 2. Entry of the vehicle into N.C.I.C./I.D.A.C.S.
- E. Stolen Vehicle Recovery: Upon recovering a reported stolen vehicle, officers shall:
1. Notify Dispatch of the recovery, location, and condition of the vehicle; to notify the originating agency (if not Marion Police Department) for an N.C.I.C./I.C.A.C.S. entry of the recovery; and to remove the vehicle entry from N.C.I.C./I.D.A.C.S. if Marion Police Department is the originating agency.
 2. Determine where the vehicle should be processed for evidence and contact the shift supervisor.
 - a. An attempt should generally be made to collect physical evidence from the vehicle. This shall include collecting trace evidence from the exterior as well as interior, such as blood, hair, foreign items and latent fingerprints. Collection attempts should be made to lift latent fingerprints from the driver's side of the vehicle, including the window, rearview mirror, etc. (If the vehicle was stolen from another jurisdiction, that agency's instructions should be followed).



VEHICLE THEFTS

NO. 5.16

3. The vehicle shall be photographed in the place it was recovered and a supplemental report prepared indicating the action taken and the status of the vehicle.
4. The vehicle may be released to the owner unless the vehicle is evidence or was used in the commission of a felony; in such case, the vehicle must be released by the investigation division with approval of the prosecutor.
5. If an apprehension was made when the vehicle was recovered, the arrested subject shall be photographed beside the vehicle where the vehicle was recovered and the license plate and vehicle identification number should also be photographed.



VEHICLE TOWING/IMPOUNDMENT

NO. 5.17

PURPOSE: The purpose of this policy is to establish a procedure for impounding vehicles that ensures protection of a vehicle owner's personal property, which safeguards the Marion Police Department from claims or disputes over lost or stolen property, and for the protection of officers from potential danger.

POLICY: It is the policy of the Marion Police Department that in every circumstance for which a vehicle is towed and impounded by a Marion police officer, an impound form shall be completed and an inventory of the vehicle contents completed.

PROCEDURE:

A. Conditions For Impound:

Conditions which may warrant an officer ordering a vehicle to be towed and impounded include but are not limited to:

1. The officer has probable cause to believe the vehicle has been used in the commission of a crime or may be evidence to a crime;
2. The vehicle is illegally parked in violation of state law or is a hazard to traffic;
3. The driver is placed under custodial arrest and no licensed driver is available to drive the vehicle, which is in a public area; or
4. The vehicle is parked in a designated "No Parking" area for special circumstances which the public has been given warning (i.e., parades, snow emergencies, etc.).

B. Vehicle Inventory: An impound form and inventory sheet shall be completed for every vehicle towed by order of a Marion police officer and the contents or property inside the vehicle's passenger compartment, glove box, console, and trunk entered on the inventory form prior to towing. Officers are further directed to open and inventory the contents of closed containers (boxes, bags, unlocked suitcases, and briefcases). DO NOT open locked containers but list them as one item on the vehicle inventory. Any closed container unlocked or locked, taken to the Police Property Room, must be opened and its contents inventoried for safety purposes.

The impound form shall contain at least the following information:

1. Visible vehicle condition;
2. Vehicle identification information;



VEHICLE TOWING/IMPOUNDMENT

NO. 5.17

3. Reason towed;
4. Location towed from;
5. Location where the vehicle is impounded;
6. Name of officer(s) impounding and conducting the inventory;
7. Name and telephone number of the towing operator.

*** The original impound form shall be attached to the appropriate case file until the vehicle is released and shall then be forwarded to records. Officers shall provide Dispatch with information regarding the tow to be recorded in the "Tow Log."

C. Impoundment For Evidence: Vehicles to be towed and held for evidence shall be taken to the street department garage upon order of a detective or supervisor. All other vehicles shall be taken to the towing company facility. A supervisor or detective should be consulted to determine the most appropriate facility; depending on the level of security required, whether the vehicle requires further processing, etc. In addition to a tow-in sheet, the following procedures should be followed:

1. The vehicle and immediate area where the vehicle was found should be photographed;
2. Evidence inside a vehicle should be photographed in place prior to removal;
3. The vehicle should be appropriately marked as evidence, secured with evidence ribbon, and the openings sealed with evidence tape to prevent tampering; and
4. An evidence tag should be attached to the vehicle and a notation made on the impound form filed with records.

D. Vehicle Release/Owner Notification:

1. Dispatch shall be responsible for notifying the owner when and where a vehicle may be released, as provided by the officer who ordered the impounding of the vehicle.
2. Dispatch shall log in the "Tow Log" when the owner of a vehicle has been notified. Attempts to contact the owner shall be made daily by Dispatch until notice is made.



VEHICLE TOWING/IMPOUNDMENT

NO. 5.17

E. General:

1. Abandoned vehicles should be checked through N.C.I.C. to determine if the vehicle is stolen. If not, the owner should be contacted to determine why the vehicle is in the location found.
2. Owner's requests for a particular towing service for a vehicle involved in an accident may be honored if the request is reasonable and does not cause undue delay.
3. All other towing shall be conducted by the towing service next in rotation on the list maintained at Dispatch.



LOUD PARTY COMPLAINTS

NO. 5.18

PURPOSE: The purpose of this policy is to establish guidelines for officers on the method and means for responding to and effectively controlling loud gatherings where the consumption of alcoholic beverages is likely.

POLICY: It is the policy of the Marion Police Department that officers shall take some type of action when the peace and tranquility of the community is disturbed by intrusive, loud noise, and disturbances caused by large gatherings. In addition, officers shall enforce minors (under age 21) consuming or possessing alcoholic beverages and ensure the safety and security of all persons present at such gatherings.

PROCEDURE:

A. Initial Response:

1. Officers who initially respond to a loud party call should assess the magnitude of the problem, such as:
 - a. The number of cars;
 - b. Noise levels;
 - c. The number of people present;
 - d. Whether minors are present and consuming intoxicants; and
 - e. The demeanor of the crowd.
2. Contact complaining citizens and document names, addresses, statements, and other pertinent details (e.g., dressed for bed, etc.) that will aid in justifying police action/intervention.
3. If the party is out of control or there is an excessive number of people and cars, contact a supervisor and request sufficient/available back-up units.
4. Photograph and/or video tape the party scene of an out-of-control party, including:
 - a. Cars blocking the street, driveways, fire hydrants, or parked on yards; and
 - b. Continue this process up to and at the premises of the party.
5. Issue parking tickets for parking violations. Determine whether vehicles that compromise the safety of the public should be towed.



LOUD PARTY COMPLAINTS

NO. 5.18

B. Contact:

1. Officers shall knock and ask to speak with the owner or other responsible adult of a private residence. If contact is NOT made with anyone inside, officers shall NOT make or force entry. The exceptions to make or force entry shall be consent, established probable cause, a warrant or exigent circumstances that are described in the officer's narrative.
2. Upon legal entry into a private residence, officers should secure the premises and record the identity of all persons present, their age, and whether it is apparent they have been drinking alcoholic beverages if they are a minor (under age 21)
 - a. The premises should be searched for the safety of all involved.
 - b. Identify those who are incapacitated, ensure treatment is provided and, if necessary, take persons into protective custody.
 - c. If underage drinking has occurred, officers shall determine whether to arrest or issue citations for "Contributing to the Delinquency of a Minor" (I.C. 35-46-1-8) and/or "Minor Possessing or Consuming Alcoholic Beverages" (I.C. 7.1-5-1-6.5).
3. If no contact is made, officers shall make every effort to make contact with the owner/resident of the residence later in the shift or during a future shift. When contact is eventually made with the owner/resident, the officer will determine whether a citation needs issued for the City of Marion Noise Ordinance Violation 8-1982.
4. Prior to clearing the scene, determine whether to perform breath alcohol testing of drivers with a portable breath analyzer before allowing them to leave the premises.
5. Contraband that is in plain view shall be confiscated and handled as evidence. Appropriate enforcement action should be taken if it can be determined who was in possession of the contraband.

C. Follow Up:

1. Officer shall complete a written case report and any other required reports. Officers will describe the statements of complainants, observations and demeanor of all parties observed.
2. Forward paperwork to the prosecutor's office regarding filing, if deemed necessary.



CANINE RESPONSE

NO. 5.19

PURPOSE: The purpose of this directive is to establish a policy for the effective use of canine units and procedures that ensure the readiness and efficient use of canine units to enhance law enforcement operations and the safety of officers and the public.

POLICY: It is the policy of the Marion Police Department that canine (K-9) units shall maintain a training proficiency that will enhance the detection of illicit drug and other criminal activity and aid in apprehending suspects of such activity.

PROCEDURE:

A. Training:

1. Officers assigned as canine handlers shall train regularly with their canine to ensure the canine's readiness. Such training shall include:
 - a. Tracking;
 - b. Building search;
 - c. Area search;
 - d. Crowd control;
 - e. Gun fire reaction;
 - f. Fleeing suspect;
 - g. Officer protection;
 - h. Criminal apprehension;
 - i. Narcotics/drug detection (if applicable)
 - (1) Outside areas;
 - (2) Vehicles;
 - (3) Buildings; and
 - (4) Packages or containers.

B. Training Records:

1. Each canine officer shall maintain records of all training exercises, including success and failure rates.
 - a. Daily training exercises shall be recorded on the officers' daily activity report.



CANINE RESPONSE

NO. 5.19

- b. Comprehensive biweekly training shall be recorded in the canine's training record and shall be submitted to the patrol division commander.
 2. The canine officer shall submit a written request for additional training through the shift supervisor to the patrol division commander if a canine is consistently exhibiting failures during training exercises.
- C. Narcotic/Drug Sample Controls:
 1. All drug samples utilized for canine training shall be obtained from the property room custodian with permission of the patrol division commander.
 2. Samples removed for training shall be logged upon removal and return, including:
 - a. Type of samples;
 - b. Date and time removed and returned;
 - c. The weight of the sample(s); and
 - d. The officer's signature upon removal and return.
 3. A written report shall be filed with the patrol division commander by the canine officer any time the amount of the drug sample returned is .10 grams or more less than the sample removed from the property room. The report shall detail how the sample was lost.
- D. Canine Call-In:
 1. Canine teams will patrol assigned areas in specially equipped vehicles and will respond to other areas of the County as necessary.
 2. Canine teams generally will respond automatically to:
 - a. Burglary in progress calls and burglar or robbery alarms;
 - b. Felony or misdemeanor crimes where the suspect has fled the scene on foot and a successful track may still be accomplished;
 - c. Open door or window calls for primary building searches; and
 - d. Major disturbances or fights where the canine may be utilized for crowd control.
 3. The canine team shall be available for call-in during non-scheduled work hours. Canine call-ins shall be approved by the shift supervisor who will contact the



CANINE RESPONSE

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canine officer and provide necessary information to the canine officer who will enable the officer to determine whether use of the canine will be beneficial.

E. Narcotics Canine Deployment:

1. Vehicle searches for illicit drugs shall be conducted by:
 - a. The canine officer, who shall determine whether to conduct a search. Searches shall not be conducted in an unsafe area;
 - b. The requesting officer and any back-up units shall maintain observation of the operator and occupants;
 - c. If the vehicle interior is to be searched by the canine, all food and occupants shall be removed and any visible drugs and/or drug paraphernalia shall be removed; and
 - d. The canine officer shall advise the requesting officer of the search result; any evidence recovered shall be handled as prescribed in Chapter 7 of this manual.
2. Building searches for illicit drugs shall only be conducted when the canine officer has determined the area is safe.
 - a. The requesting officer and canine officer have secured as evidence any drugs or drug paraphernalia in plain view;
 - b. All occupants of the building have been removed from the building or moved to an area separate from the area being searched;
 - (1) If a building is searched with the owner's consent, the owner or representative may be present during the search.
 - c. The requesting officer and any back-up units shall maintain observation of the occupants of the building; and
 - d. Upon conclusion, the canine officer shall advise the requesting officer of the search result; any evidence recovered shall be handled as prescribed in Chapter 7 of this manual.
3. Area searches for illicit drugs shall only be conducted when the canine officer has determined the area is safe.



CANINE RESPONSE

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- a. The requesting officer and any back-up units shall maintain observation of any suspects in the area;
- b. The requesting officer shall secure as evidence any drugs or drug paraphernalia in plain view prior to the search;
- c. Upon conclusion, the canine officer shall advise the requesting officer of the result; any evidence recovered shall be handled as prescribed in Chapter 7 of this manual.

F. Patrol Canine Deployment:

1. Tracking and area searches for suspects, etc., may be conducted after:
 - a. Officers have cleared the area of all persons and secured the perimeter;
 - b. The canine officer may request another officer accompany the canine team, all other officers must stay out of the secured area unless ordered otherwise by the canine officer;
 - c. Officers shall not initiate a foot chase of a fleeing suspect without authorization of the canine officer if a canine is to be deployed.
2. Missing person searches will be conducted by the canine team in emergency situations (e.g., missing or lost child, evidence of foul play and a person is missing, there is cause to believe a missing child may be harmed if not located, or a missing elderly or mentally ill person).
3. Building searches for a suspect believed to be hiding in a building will be conducted provided officers have remained outside the building and secured the perimeter. The canine team will:
 - a. Provide verbal warning three (3) times on a public address system that any person in the building must exit before the canine searches;
 - b. Only the canine team and one (1) back-up officer will enter the building unless others are authorized by the canine officer;
 - c. The canine officer will give warning on each floor in multi-floored buildings, if practicable.



CANINE RESPONSE

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4. Article searches will be conducted when the canine officer determines it is safe and:
 - a. The perimeter of the area has been secured and all persons have been cleared from the area with no previous attempt to conduct a search has been made;
 - b. The requesting officer and back-up officers shall maintain observation of any suspects; and
 - c. Upon conclusion, the canine officer shall advise the requesting officer of the result; any evidence recovered shall be handled as prescribed in Chapter 7 of this manual.
5. Crowd control by a canine may only be authorized by a supervisor for incidents such as:
 - a. The presence of the canine may likely prevent or deter a serious breach of the peace;
 - b. When it is necessary to prevent or avoid injury to a police officer or citizen; and
 - c. When necessary to prevent or avoid serious property damage.
 - d. The canine may be assigned to a foot patrol assignment in areas that large crowds are expected with authorization of the patrol division commander.
6. Suspect apprehension by the canine is considered a use of force; therefore, the guidelines for using force outlined in Chapter 4 of this manual shall guide the use of the canine in apprehending a suspect and:
 - a. The suspect shall be given warning, if possible, that the canine will be released if the suspect fails to stop;
 - b. Other officers shall not attempt to pursue the suspect on foot or the canine will not be released;
 - c. The canine officer shall provide warning via radio when the canine is released for an apprehension and any officers involved in pursuit shall stop, seek cover and remain still.



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d. The canine may be released any time an officer is being assaulted or is under fire from a suspect.

7. Drug Detection - The patrol canine may be used in the same manner as the narcotics canine.

G. Use of Force Report:

1. The canine officer shall prepare a written "Use of Force" report any time a canine grabs, bites, nips, or pinches a suspect during an apprehension, when protecting a citizen or police officer, when the canine is assaulted or protecting department property or equipment. Such report shall be filed with the shift supervisor and forwarded to the patrol commander by the end of the shift. The person injured shall be provided immediate medical attention as necessary. Photographs shall be taken of the subject and the affected area to document the extent of any injury.

H. Canine Vehicle:

1. The canine vehicle shall be cleaned, disinfected, and maintained by the canine officer.
2. Prisoners shall not be transported in the canine vehicle; however, one (1) passenger may ride in the vehicle provided the dividing screen is closed.

I. Canine Officer Injury:

1. If a canine officer becomes injured and is unable to maintain control of the canine:
 - a. Officers on the scene should attempt to secure the canine in the canine vehicle if the canine is not acting aggressively;
 - b. If the canine is aggressive, another officer familiar with the canine or the canine officer's spouse should be contacted to control the animal.
 - c. Attempts to provide first aid to the canine officer should not be made until the canine is secured unless the officer's injuries are life threatening, in which case, the animal may be destroyed as a last resort to effect giving medical treatment.



COURT OFFICER RIDE ALONG

NO. 5.20

PURPOSE: The purpose of the "Court Officer Ride-Along Program" is to establish a cooperative effort between police and probation officers of the court to observe the daily activities of their assigned charges/probations to ensure compliance with terms of probation.

POLICY: It is the policy of the Marion Police Department to provide court probation officers with opportunities to ride with uniformed patrol officers to observe the work and activities performed by officers of the Marion Police Department and to monitor the activities the probation officers assigned charges/probationers engage in daily to ensure compliance with their terms of probation and proper rehabilitation.

PROCEDURE:

A. Ride-Along Requests:

1. The Probation Department will furnish the Police Department with a list that will contain the names of those Probation Officers who wish to participate in the Court Ride-Along Program. The list will also contain the dates and times for which the Probation Officers are requesting to ride. This list will be given to the Police Department at least twenty-four (24) hours prior to the Probation Officer riding. A copy of the list will be given to each shift commander. Prior to being allowed to ride for the first time the shift commander will:
 - a. Review this policy with the Probation Officer
 - b. Determine whether the Probation Officer has signed a written release and waiver (required one time only-to be kept on file);
 - c. Notify the Probation Officer that they may be subject to being called as a witness regarding their observations while participating in the program.

* The Chief of Police or designee must approve any deviation from these guidelines.
2. The identity and credentials of the probation officer should be verified on each participant prior to approval of the first participation.
3. Ride-along participation is limited to four (4) hour sessions, unless otherwise approved by the Chief of Police or the shift supervisor.



COURT OFFICER RIDE ALONG

NO. 5.20

4. Requests for participation may be denied or privileges canceled for the following reasons:
 - a. Prior problems with the participant, i.e.:
 - (1) Inappropriate dress, appearance or poor hygiene;
 - (2) Discourteous behavior or foul language;
 - (3) Disobeying or contradicting a police officer's order;
 - (4) Finding a concealed weapon or contraband on the participant;
 - (5) Consumption of any alcoholic beverage or controlled substance; or
 - b. Any act deemed irresponsible or disrespectful by the assigned officer.
5. Probation Officers will not be allowed to carry a firearm during participation in the Court Ride-Along Program.

B. Ride-Along Participation:

1. Participants are required to be dressed and groomed in appropriate business type attire upon reporting for the ride-along program.
2. After arriving at the Police Department the participant shall request to speak with the on-duty staff officer, who will determine which officer the participant will be assigned to ride with.
3. Participants shall follow all instructions and directions given by the officer and shall not interfere with the officer's duties or investigations, including:
 - a. Conversing with victims, suspects or witnesses;
 - b. Handling evidence or police equipment unless otherwise directed;
 - c. Questioning the officer or police practice in public except for instructional purposes.
 - d. Participants shall remain in the patrol vehicle during traffic stops, unless instructed otherwise by the officer.
4. Participants shall not enter prohibited areas within the police headquarters, including:
 - a. Dispatch room, evidence room or any other secured area.



COURT OFFICER RIDE ALONG

NO. 5.20

C. Officer Responsibilities:

1. For safety reasons, officers with ride-along participants in their vehicle shall not:
 - a. Enter vehicular pursuits or establish a roadblock; or
 - b. Respond to calls with the participant where it is likely there will be violence or weapons may be used.
2. Upon responding to a call, officers should introduce the probation officer to the complainant/victim as a ride-along participant and request permission for the probation officer to observe.
 - a. If the complainant/victim does not wish to allow the entry of the probation officer, the officer shall comply with such request and order the probation officer to wait in the patrol vehicle.
3. Probation officers may request that officers stop at their probationer's residence, workplace, or school to ensure compliance with the probationers terms of probation. Upon stopping at such locations, the probation officer should introduce the officer. The officer should remain at the entry door unless instructed otherwise by the probation officer or invited to enter by the resident/owner. Officers shall assist the probation officer as requested.

D. Training:

1. Safety Training for Participants
 - a. The Police Department will provide training for Probation Officers in the areas of safety concerns while riding with the officer. For example: violent aggressive response from people, proper use of radio equipment, proper weapon safety for handling of weapons if found and/or recovered by a Probation Officer, proper procedure of handling any type of evidence that may be found, and drug identification training.
2. Training for Officers on Probation Department issues
 - a. Training for Police Officers on Probation Department issues and reasons for house checks; such as how to do house checks, why they do house checks, when they can do house checks, and on whom they can do house checks.



MISSING PERSON

NO. 5.21

PURPOSE: To establish guidelines which describe the investigation of missing persons by all members of the Marion Police Department.

POLICY: It is recognized that people are reported missing for a variety of reasons; some leave home voluntarily for personal reasons, some missing reports are unfounded, and some people may disappear for unexplained reasons. The role of the responding officer is critical in identifying the circumstances surrounding missing persons and in identifying persons at risk. It shall be the policy of this agency to dispatch an officer to all reports of a missing person and to thoroughly investigate all such reports. An officer responding to the report of a missing person shall conduct a thorough investigation, with particular care in instances involving missing children and those who through mental or physical impairments cannot care for themselves.

DEFINITIONS:

Missing Adult: Is an individual 18 years of age and over who is the subject of a missing persons report filed with a law enforcement agency and whose whereabouts are unknown.

Missing Child: Is an individual under the age of 18 years whose whereabouts are unknown.

High Risk Missing Person: Means a person whose whereabouts are not known and who may be at risk of injury or death. The term by IC 5-2-17-1 includes the following:

1. Missing as the result of abduction by a stranger.
2. A person whose disappearance may be the result of the commission of a crime.
3. A person whose disappearance occurred under circumstances that are inherently dangerous.
4. A person who is missing for more than thirty (30) days.
5. A missing person who is in need of medical attention or prescription medication.
6. A missing person who may be at risk due to abduction by a noncustodial parent.
7. A missing person who is mentally impaired.



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8. A missing person who is less than twenty-one (21) years of age.
9. A missing person who has previously been the victim of a threat of violence or an act of violence.
10. A missing person who has been determined by a law enforcement agency to be at risk of injury or death, or that meets any of the descriptions in subdivisions (1) through (9).
11. A missing person who is an endangered adult as defined by IC 12-7-2-131.3 (missing endangered adult).

Missing Endangered Adult: Means an individual at least eighteen (18) years of age who is reported missing to a law enforcement agency and is, or is believed to be:

1. A temporary or permanent resident of Indiana;
2. At a location that cannot be determined by an individual familiar with the missing individual; and
3. Incapable of returning to the missing individual's residence without assistance by reason of:
 - a. Mental illness
 - b. Mental retardation
 - c. Dementia; or
 - d. Another physical or mental incapacity of managing or directing the management of the individual's property or providing or directing the provision of self-care.

PROCEDURE:

A. Missing Adult:

1. A Dispatcher is usually the first person to receive a call concerning a missing adult. Therefore, the dispatcher shall attempt to determine the nature of the call such as; is the person an adult or child, the personal information for both the missing person and the reporter. Once the dispatcher has enough information to determine where an officer should be dispatched an officer shall be sent to meet with the reporter.



MISSING PERSON

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2. The responding officer will thoroughly investigate the facts surrounding the reported missing adult. If it is determined the criteria is met to classify the missing adult as either a **high risk missing person or endangered adult** a staff officer will be notified immediately.
3. The responding officer will prepare a detailed report containing all of the facts of the case. The report shall be completed by the end of the officer's shift and shall be disseminated to all of the appropriate outside agencies to include other law enforcement agencies, IDACS/ NCIC Missing Person File if appropriate, and the media and public if it is deemed they can be helpful in locating the missing person.
4. When investigating the report of a missing adult the officer shall do a thorough check of victim's residence and vehicles if possible, search the immediate area and last place he/she was seen and interview all potential witnesses and/or individuals who may have information about the case.
5. The investigating officer along with a staff officer will determine if the criteria exists for the issuance of a Silver Alert.
 - a. The person must be eighteen (18) years old or older.
 - b. The person must meet the following criteria:
 - c. Missing Endangered Adult, I.C. 12-7-2-131.3; or
 - d. High Risk Missing Person, I.C. 5-2-17-1.
 - e. A request must be recommended by the law enforcement agency of jurisdiction and must be received within a reasonable amount of time of the disappearance considering overall facts and circumstances surrounding each individual disappearance, to ensure that the alerts issued are timely and effective. The law enforcement agency, through its own investigation must:
 - f. Verify the disappearance and eliminate alternative explanations for the disappearance;
 - g. Validate the mental impairment through a credible medical



MISSING PERSON

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- authority; and enter the missing endangered adult, and vehicle information (if applicable), into the National Crime Information Center (NCIC) database as an Endangered Missing Person.
- h. Sufficient information must be available to disseminate to the public that could assist in locating the missing endangered adult.
 - i. For a Statewide alert, a vehicle must be involved. A statewide alert may also be issued if other exceptional circumstances warrant, such as abduction.
 - j. If a vehicle was not involved, or if it is otherwise appropriate, a Regional alert will be initiated and the law enforcement agency is encouraged to utilize the A Child Is Missing (ACIM) program which can be used to locate children, the elderly (often with Alzheimer's), disabled persons and college students. The size and coverage area of the regional alert may be based on the specific facts and circumstances surrounding the person's disappearance.
6. If it is determined, after a thorough investigation, that a missing person is either voluntarily missing or not missing, the investigation may be closed by documenting the investigative steps taken and the results of the investigation that led to the conclusion that the person reported missing is either voluntarily missing or not missing.
 7. If an investigation is stopped because the person is either voluntarily missing or not missing and that person requests his/her location not be disclosed, then no information concerning their location will be released.
- B. Missing Child:
1. Dispatch will gather as much information as possible from the reporter and shall send an officer to the location of the person who is reporting the missing child. The responding officer will thoroughly investigate the facts surrounding the reported missing child.



MISSING PERSON

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2. The responding officer will prepare a detailed report containing all of the facts of the case. At the very least to include;
 - a. Child's name and a physical description of the child.
 - b. The date and place of birth of the child.
 - c. The name and address of the last school attended by the child, if any.
 - d. If possible a recent photograph of the child.
 - e. The location where the child was last seen.
3. The report shall be completed by the end of the officer's shift and shall be disseminated to all of the appropriate outside agencies to include other law enforcement agencies, IDACS/ NCIC Missing Person File if appropriate, National Center for Missing and Exploited Children, and the media and public if it is deemed they can be helpful in locating the missing child.
 - a. The reporting officer will report ALL abductions and attempted abductions to the National Center for Missing and Exploited Children so the information can be added to a distribution report that is sent to other law enforcement agencies by the Center. Detail information including the date and time and location of occurrence, descriptive suspect and vehicle information and method of operation shall be e-mail to the center at attempts@ncmec.org.
4. In addition to the case report the officer shall also complete the Indiana Clearinghouse report.
5. When investigating the report of a missing child the officer shall do a thorough check of victim's residence, **paying special attention to the child's bedroom**, and any vehicles if possible, search the immediate area and last place he/she was seen and interview all potential witnesses and/or individuals who may have information about the case.
6. The investigating officer along with a staff officer will determine if the criteria exists for the issuance of an amber alert.



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- a. The Amber Alert Plan is a cooperative effort between the Indiana radio and television stations and law enforcement agencies. The plan calls for law enforcement agencies to provide radio and television stations with an alert upon the immediate confirmation of a qualifying child abduction. All participating radio stations will break programming to broadcast the alert and subsequent information provided by law enforcement.
 - i. The child must be under 18 years of age.
 - ii. The child must be believed to be abducted, and in danger of serious bodily harm or death.
 - iii. There must be enough descriptive information to believe the broadcast will help.
 - iv. Request must be recommended by the law enforcement agency of jurisdiction.
7. The investigating officer along with a staff officer will determine if the criteria exists for the issuance of a Child is Missing Alert. Unlike an Amber Alert, A Child is Missing Alert does not have the strict requirements to activate and can be used to locate children, the elderly (often with Alzheimer's), disabled persons and college students. A Child is Missing Alert can be activated simply at law enforcement request. The following is the information needed to activate the alert;
 - a. Reporting Agency Name
 - b. Officers Name and Contact Number
 - c. Case Number
 - d. Name and Description of Missing Person
 - e. Location last seen, zip code, county and search area
 - f. Time and Date last seen
 - g. Police Department phone number for citizens to report sightings.
 - h. Answer all technicians' questions



MISSING PERSON

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**** Additionally the requesting officer should be prepared to answer the questions on the included officers/communications information sheet.

C. Dispatch Requirements

1. When a call is received regarding a missing person, the dispatcher will attempt to get as much detailed information as possible about the missing person, to include; name, address, physical description, age, clothing description, last time they were seen, where they were last seen and by whom.
2. The dispatcher will get as much information as possible about the reporter, to include; their relationship to the missing person, where they are calling from and a phone number where they can be contacted.
3. Dispatch will log all of the information they have gathered in the CAD/Records Management system and they shall send an officer to investigate.

D. Law Enforcement Requirements

1. Regardless if the missing person is an adult or child the investigating officer will complete all of the required paperwork **prior** to the end of his/her shift.
2. A complete investigation will be done to include documenting the facts of the case in a report. Special attention will be given to collect potential evidence such as computers, iPods, iPads, cell phones and other electronic devices that may contain information on the missing person's whereabouts. All potential social media sites and e-mail addresses used by the missing person should be obtained and listed in the report.
3. The investigating officer will do a thorough search to include the last known location where the missing person was seen and all known places where the missing person may frequent.
4. A missing person case shall remain active until that person has been located or it is determined they are an adult and are voluntarily missing. It



MISSING PERSON

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will be the responsibility of the investigating officer to make sure that all outside agencies such as the Indiana Clearinghouse, A Child is Missing, National Center for Missing and Exploited Children and NCIC are notified that the person is no longer missing.

5. The investigating officer will continue to follow leads on the case until the missing person is located and will keep the appropriate family members updated on his/her progress.



SECTION VI SPECIAL RESPONSES

6.01 ALL HAZARDS PLAN:

ISSUE DATE:

/ /

REVISION DATE:

08/16/2014

6.02 DOMESTIC/FAMILY VIOLENCE:

ISSUE DATE:

/ /

REVISION DATE:

/ /

6.03 FINANCIAL INSTITUTE ROBBERY ALARM RESPONSE:

ISSUE DATE:

/ /

REVISION DATE:

/ /

6.04 SUPERVISORS PRESENCE REQUIRED:

ISSUE DATE:

/ /

REVISION DATE:

/ /

6.05 EMERGENCY WEATHER SIREN:

ISSUE DATE:

02/01/2006

REVISION DATE:

/ /

6.06 CLANDESTINE LABS:

ISSUE DATE:

03/04/2013

REVISION DATE:

/ /



ALL HAZARDS PLAN

NO. 6.01

PURPOSE: The purpose of this order is to establish guidelines to be used in the event of a critical incident affecting the City of Marion by extending the capabilities of the Department's normal daily operations. When a declared disaster or emergency exists the Marion Police Department will work in a cooperative effort as described in the Grant County Comprehensive Emergency Management Plan. If the disaster or emergency exists within the City of Marion the Marion Police Department will act as the primary law enforcement agency.

DEFINITIONS:

Active Shooter: An offender actively engaged in causing death or great bodily harm to persons at a location containing multiple victims during an on-going event.

Barricaded Subject: Any person(s) armed with a weapon, explosive ordnance, or other destructive or dangerous device that occupies and/or fortifies a fixed location, and violently or by threat of violence resists lawful apprehension efforts by law enforcement officers.

Command Post: The temporary headquarters established for on-scene field management, established in the outer perimeter.

Critical Incident: An occurrence or event, natural or human-caused, which requires an emergency response to protect life or property. Incidents can, for example, include major disasters, emergencies, terrorist attacks, terrorist threats, wild land or urban fires, floods, hazardous materials spills, nuclear accidents, aircraft accidents, earthquakes, tornados, war-related disasters, public health and medical emergencies, and other occurrences requiring an emergency response, such as major planned events and law enforcement incidents.

High Risk Police Operation: An operation or investigation where a threat to the safety of police officers and/or civilians exists; including, but not limited to narcotics enforcement activity, felony warrant service, etc.

Hostage: Any person seized and detained by another with the intent of using the person as a shield to evade arrest, escape, obtain the release of persons in custody, or obtain money or property.

Incident Command System (ICS): A system for command, control, and coordination of a response that provides a means to coordinate the efforts of individual persons and agencies as they work toward the common goal of stabilizing an incident while protecting life, property, and the environment. There are five major components: command, planning, operation, logistics, and finance/administration.

Incident Commander: The person responsible for all aspects of an emergency response; including quickly developing incident objectives, managing all incident operations, application of resources as well as responsibility for all persons involved.

Inner Perimeter: The incident control area immediately surrounding the location occupied by a barricaded subject or by suspects in a high risk police operation. In most cases and if on the scene the Emergency Response Team (ERT) will be responsible for security of the Inner Perimeter.

Outer Perimeter: The area, or "safety/buffer zone," surrounding the inner perimeter which is sufficiently distant to ensure the safety of both support and administrative personnel and civilians.



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Staging Area: An area for assisting officers and agencies who arrive at a scene, to park vehicles, assemble and plan activities outside the outer perimeter.

PROCEDURE:

Procedures listed are not necessarily in priority or chronological order. Procedures covered in this order are as follows:

| | |
|--|-------------------|
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| Bomb Threats | Page -- 9 |
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ALL HAZARD PLAN-INCIDENT COMMAND (ICS)

- A. The Department maintains written plans for responding to critical incidents such as natural and man-made disasters, civil disturbances, bomb threats, hostage/barricaded person situations, acts of terrorism, and other unusual occurrences.
- B. The system's organizational structure is able to adapt to any emergency or incident in which public safety agencies would be expected to respond. The system is able to expand in a rapid manner from crisis phase to scene management phase and, if necessary, to the emergency operations center (EOC). It is able to reduce its size, just as readily as the organizational needs to the situation decrease. The system is able to expand in a logical manner as the incident grows and accelerates.

Command Function

- A. Activating the Incident Command System:

It is the responsibility of the supervisor in charge of the incident to verify the report of an incident, determine that it meets the criteria for a critical incident and begin the ICS. The supervisor in charge of the incident will establish the ICS and remain Incident Commander until relieved by a qualified higher ranking officer.

 1. Categories and Types of Critical Incidents include, but are not limited to:
 - a. Terrorist Activities and Weapons of Mass Destruction:
 - (1) Chemical
 - (2) Biological
 - (3) Radiological
 - (4) Nuclear
 - (5) Bombings/Explosions
 - b. Natural Disasters:
 - (1) Tornados



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- (2) Floods
- (3) Ice Storms/Blizzards
- (4) Earthquake
- c. Transportation Accidents:
 - (1) Serious motor vehicle accidents
 - (2) Plane crash
 - (3) Train derailment/collisions
- d. Criminal Activities:
 - (1) Barricaded gunman (bomber, etc.)
 - (2) Hostage-taking incidents
 - (3) Arson causing major fire or explosion
 - (4) Civil disorder
 - (5) Criminal incidents where the public is at risk or where there is a threat to property or major property damage has occurred.
- e. Fire/Hazardous Materials Accidents:
 - (1) Hazardous material spills or explosions
 - (2) Industrial fires/accidents
 - (3) High-rise, hotel, and multiple dwelling fires

B. Incident Command

The ICS organizational structure develops in a modular fashion based upon the size and type of incident. The organization's staff builds from the top down with responsibility and performance placed initially with the Incident Commander. Specific organizational structure established for any given incident is based upon the management needs of the incident. If one or more of the areas requires management, an individual is named to be responsible for that area. The Incident Commander may activate specific staff positions based on the nature and type of incident. Command Staff positions reporting directly to the Incident Commander are:

- 1. Public Information Officer
- 2. Safety Officer
- 3. Liaison Officer

General Staff positions reporting to the Incident Commander are:

- 1. Tactical/Operations Section Chief
- 2. Planning Section Chief
- 3. Logistics Section Chief
- 4. Finance/Administration Section Chief

C. Unified Command Structure

- 1. The need for a Unified Command is brought about because incidents have no regard for jurisdictional boundaries. The concept of "Unified Command" simply means that all agencies that have a jurisdictional responsibility for a multi-jurisdictional incident will contribute to the process of:
 - a. Determining overall Incident Action Plan.
 - b. Selection of strategies.
 - c. Ensuring that joint planning for tactical activities is accomplished.
 - d. Ensuring that integrated tactical operations are conducted.



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- e. Making maximum use of all assigned resources.
 2. A Unified Command structure consists of a responsible key official from each jurisdiction involved or it could consist of several functional departments within a single political jurisdiction.
 3. Common objectives and strategies for major multi-jurisdictional incidents should be written. The objectives and strategies (Incident Action Plan) guide the mission of the ICS. The implementation of the Incident Action Plan will be accomplished under the direction of the Incident Commander.
- D. Action Plan
 1. Every incident requires some form of an action plan. For small incidents of short duration, the plan need not be written. The following are examples of when written action plans should be used:
 - a. Resources from multiple agencies are being used.
 - b. Several jurisdictions are involved.
 - c. The incident will require change in shifts of personnel and/or equipment.
 2. The Incident Commander will establish goals and determine strategies for the incident based upon the size, seriousness, and scope of the incident. When a Unified Command structure has been implemented, incident objectives must adequately reflect the policy and requirements of all jurisdictional agencies. The action plan for the incident should cover all tactical and support activities for the operational period.
- E. Resource Management
 1. Incident Commander:
 - a. The Incident Commander is charged with the overall responsibility for all Incident activities, including the development and implementation of the Incident Action Plan and approval and release of resources.
 - b. Normally, the first responding Supervisor to the scene will assume the role of the Incident Commander and, if relieved, may be reassigned to another position.
 - c. The Incident Commander Checklist:
 - (1) Assume command of the scene.
 - (2) Establish a Command Post.
 - (3) Direct the establishment of a perimeter, if reasonable and not previously established.
 - (4) Initiate the notification and mobilization of additional department personnel. Ensure that all notifications are made to city and department personnel.
 - (5) Assess the incident using all available information that is provided by members of the police and fire departments, the public, and other governmental officials that are available.
 - (6) Obtain support from other agencies, if needed.



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- (7) Establish a staging area, if necessary.
 - (8) Determine the need for mutual aid and request same.
 - (9) Determine whether a unified Command structure with assisting agencies is necessary.
 - (10) Appoint Command Officers, as needed, and conduct initial briefings of Command Officers.
 - (11) Appoint Staff Officers, as needed, and conduct initial briefings of Staff Officers. Personnel assigned by the Incident Commander have the authority of their assigned positions regardless of the rank they hold within the department or within their respective agencies.
 - (12) Continually review and update the Incident Action Plan with staff.
2. Public Information Officer
- a. The Incident Commander will designate the Public Information Officer and is responsible for the formulation and release of information regarding the incident to the news media and other appropriate agencies and personnel.
 - b. Public Information Officer Checklist:
 - (1) Obtain briefing from the Incident Commander.
 - (2) Establish a single and separate incident information briefing center if possible.
 - (3) Obtain copies of all media releases pertaining to the incident.
 - (4) Prepare information summary on media coverage for specific Command Post personnel.
 - (5) Consult with the Incident Commander prior to the release of information to the news media.
 - (6) Provide press briefings and news releases as appropriate. Post all news releases in Command Post for review.
 - (7) Arrange for meetings between news media and incident personnel after consulting with the Incident Commander.
 - (8) Provide escort services to the media and other officials as necessary.
 - (9) Maintain a log of all activities.
3. Safety Officer
- a. The Safety Officer monitors safety conditions and develops measures for assuring the safety of all assigned personnel.
 - b. The Safety Officer is responsible for the safety function of the entire ICS organization and reports directly to the Incident Commander.
4. Liaison Officer
- a. The Liaison Officer is a supervisor responsible for initiating Mutual Aid agreements. The Liaison Officer serves as the point of contact



for assisting and cooperating agencies. This could include agency representatives and other jurisdictions in which Mutual Aid agreements are initiated; i.e., Grant County Sheriffs Department, fire, EMS, public works, etc.

- b. Liaison Officer Checklist:
 - (1) Obtain briefing from the Incident Commander.
 - (2) Provide a point of contact for assisting Mutual Aid agency representatives.
 - (3) Identify agency representatives from each jurisdiction including communications links and location of all personnel assigned to assist with the incident.
 - (4) Handle requests from Command Post personnel for inter-organizational contacts.
 - (5) Monitor incident operations to identify current or potential inter-organizational conflicts or problems.
 - (6) Provide information to appropriate governmental agencies.
 - (7) Maintain an activity log.

F. Command authority during critical incidents.

To provide for unity of command during critical incidents within the City of Marion, which may include personnel from different/neighboring agencies, the highest ranking Marion Police Department member working the incident shall, under normal circumstances, exercise command and control over all civil law enforcement resources committed to the resolution of the incident until relieved of such responsibility by a higher ranking department authority.

G. The order of command precedence during critical incidents will be:

- 1. Chief of Police.
- 2. Deputy Chief of Police
- 3. Captain
- 4. Lieutenant
- 5. Sergeant
- 6. Corporal
- 7. Officer in Charge.

H. After Action Report

- 1. The required Offense/Incident Reports will be forwarded to the Incident Commander. The Incident Commander will prepare a documented after action report which will include at a minimum:
 - a. The first indications of impending disaster (if any).
 - b. When required, departmental notifications were made.
 - c. The number of department personnel required to handle the disaster.
 - d. The level of response required (if any) of mutual aid departments.
 - e. The identification of assigned key personnel during the disaster.
 - f. What special equipment was required (if any).



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- g. The identification of any special issues/problems.
 - h. Cost calculations.
 - i. Recommendations for any improvements to future events.
 2. The after action report will be forwarded by the Incident Commander to the Chief of Police.

Operations Function

- A. Until Operations is established as a separate Section, the Incident Commander has direct control of tactical resources. The Incident Commander will determine the need for a separate Section at an incident. When the Incident Commander activates an Operations Section, an Operations Section Chief will be assigned. The Operations Section Chief will develop and manage the Operations Section to accomplish the incident objectives set by the Incident Commander. The Operations is normally the person with the greatest technical and tactical expertise in dealing with the problem at hand.
- B. Operations Responsibilities
 1. Establish perimeters, if not previously established by the Incident Commander.
 2. Conduct evacuations.
 3. Maintain Command Post and scene security.
 4. Provide for detainee transportation, processing, and confinement.
 5. Direct and control traffic.
 6. Conduct the post-incident investigation.
- C. The Operations will expand the Section, as necessary, to deal with the situation. The Operations Section Chief may add supervisory levels to help manage the span of control:
 1. Divisions are used to divide an incident geographically.
 2. Groups are used to describe functional areas of operation.
 3. Branches are used when the number of Divisions or Groups exceeds the span of control and can be either geographical or functional.

Planning Function

- A. The Incident Commander will determine the need for a Planning Section and designate a Planning Section Chief. If no Planning Section is established, the Incident Commander will perform all planning functions. It is up to the Planning Section Chief to activate any needed additional staffing.
- B. Planning Responsibilities
 1. Preparing a documented Incident Action Plan.
 2. Gathering and disseminating information and intelligence.
 3. Planning post-incident demobilization.
- C. The Planning Section can be further staffed with four units, as needed:
 1. Resources Unit - Conducts check-in activities and maintains status of resources.
 2. Situation Unit - Collects and analyzes information on the situation, prepares displays, summaries, maps and projections.
 3. Documentation Unit - Provides duplication services including the written Incident Action Plan. Maintains and archives all incident-related documentation.
 4. Demobilization Unit - Assists in ensuring that resources are released from the incident in an orderly, safe, and cost-effective manner.



Logistics Function

- A. The Incident Commander will determine the need for a Logistics Section and designate a Logistics Section Chief. If no Logistics Section is established, the Incident Commander will perform all logistics functions. It is up to the Logistics Section Chief to activate any needed additional staffing.
- B. Logistics Responsibilities
Provide personnel, facilities, services, and materials in support of the incident:
 - 1. Communications
 - 2. Transportation
 - 3. Medical Support
 - 4. Supplies
 - 5. Specialized team and equipment needs
- C. The Logistics Section can be further staffed by two branches and six units as needed:
 - 1. Service Branch - Encompassing:
 - a. Communications Unit
 - b. Medical Unit
 - c. Food Unit
 - 2. Support Branch - Encompassing:
 - a. Supply Unit
 - b. Facilities Unit
 - c. Ground Support Unit

Finance/Administration Function

- A. The Incident Commander will determine the need for a Finance/Administration Section and designate a Finance/Administration Section Chief. If no Finance/Administration Section is established, the Incident Commander will perform all finance functions.
- B. Finance/Administration Responsibilities
 - 1. Recording personnel time
 - 2. Procuring additional resources
 - 3. Recording expenses
 - 4. Documenting injuries and liability issues

Critical Incident Equipment/Operational Readiness

- A. The Department shall complete a documented quarterly inspection, for operational readiness, of equipment designated for use in support of its critical incident plan. This inspection shall be the responsibility of the Deputy Chief of Operations, or designee.

Training on All Hazard Plan

- A. The department training coordinator will be responsible for conducting documented annual training on the All Hazard Plan for affected Department personnel. Training will draw from available personnel and will not deplete field personnel to have a significant negative effect on normal field operations. The annual training may include tabletop, actual exercises, and multiple agency involvement.

Employee Identification for Emergency Operations

- A. Access to the Incident Command Center will be limited to persons authorized by the



Incident Commander. Individuals wishing to enter the Command Center will be required to show the proper identification.

SPECIAL OPERATIONS AND SPECIAL THREATS:

Tactical Operations

- A. Responding to high-risk critical incidents.
When called upon to respond to a critical incident, Department members shall follow seven critical tasks in order to secure/stabilize the scene and minimize danger to officers and the public. The seven tasks are:
 - 1. **Secure Communications** – Clear the radio channels
 - 2. **Identify the Kill Zone** – What is the zone of imminent danger? Where can an offender’s bullets or weapons reach?
 - 3. **Establish Inner Perimeter** – Limit escape routes of offenders and contain the area.
 - 4. **Establish Outer Perimeter** – Secure an area around the inner perimeter. Restrict others from entry into the kill zone. Determine whether to shelter-in-place or evacuate.
 - 5. **Establish a Command Post** – Set up a Field Command Post within the outer perimeter.
 - 6. **Establish a Staging Area** – Set up a staging area within the outer perimeter for responding personnel and equipment.
 - 7. **Identify/Request Additional Resources** – Determine operational and tactical needs, and begin requesting additional assistance.
- B. Tactical Operation Assistance.
The Marion Police Department utilizes the Marion Police Department ERT (Emergency Response Team) in critical incident situations which call for the use of special weapons and tactics. Critical incidents requiring this type of assistance include, but are not limited to: hostage situations, barricaded subjects, home invasions, and high-risk search warrants. ERT may also be utilized in pre-planned situations with the approval of the Deputy Chief of Operations and/or Chief of Police or his/her designee.

BOMB THREATS

It is the policy of the Marion Police Department that all bomb threats shall be treated as true and an imminent threat to life and property. The purpose of this directive is to provide a guideline for officers who respond to bomb threats and to establish clear lines of authority and responsibility between the police department and fire department.

- A. Dispatch:
 - 1. Dispatch shall attempt to obtain as much detailed information as possible to provide to personnel in the field; and
 - 2. Shall inform the shift supervisor of the incident.
 - 3. Dispatch shall make sure all necessary information is passed on to the responding units by way of radio and/or computer communication. Some examples include: location of reported device and time given by caller for the device to be activated.
 - 4. Dispatch will notify fire department personnel, who will respond in accordance with their policy.



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5. Dispatch will contact other supplemental resources as directed by the on scene officer in charge. An example of supplemental resources includes bomb technicians.
 6. If the threat was made by telephone then dispatch will contact the necessary agency in an attempt to trace the telephone call.
- B. Patrol Officers:
1. Officer(s) in the area in which a reported bomb is located and the shift supervisor shall respond immediately to the scene.
 2. The shift supervisor shall:
 - a. Establish a security perimeter around the building or area of the reported bomb:
 - (1) 2-way radios should be turned off inside the perimeter to guard against detonating any radio controlled electronic device.
 - b. Request the Marion Fire Department be dispatched; and
 - c. Consult with the person in charge of the property as to whether they deem an evacuation of the building is necessary. The decision to evacuate will be made by the person in charge of the property, unless an imminent threat is found, such as an explosive device. In this event the on-scene supervisor will order an evacuation regardless of the wishes of the person in charge of the property.
 3. The responding officer will offer assistance in evaluating the threat and should consider:
 - a. Whether previous threats have been received;
 - b. Possible motives and/or suspects;
 - c. Vulnerabilities of equipment and personnel;
 - d. Information given by the person making the threat
- C. Preliminary Search:
1. The decision to search, evacuate or to reenter a building during a bomb threat will be the responsibility of the person in charge of the property. If the person in charge of the property decides they want to do a preliminary search then officers at the direction of the on scene staff as well as fire department personnel, in accordance with their policy, will conduct a search **with a person** who is familiar with the building or area, once it is deemed appropriately safe. Officers will not initiate a search unless the person in charge of the property has decided to evacuate the area in which the bomb is reported to be located.
 2. The scope of the search should be limited to a general, cursory search for anything out of the ordinary;
 3. Lockers and closed containers shall not be opened.
 4. In no case shall an officer declare that no bomb is present or in any way make the representation that the building is safe to occupy, no matter how thorough the search.
 5. If the person in charge of the property refuses to conduct a preliminary search in accordance with the guidelines of this policy then no further action will be taken



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by MPD with the exception of a written report which will be done on all bomb threats.

6. The on-scene supervisor will decide if there is a need to have a bomb detection K-9 brought to the scene. If it is decided a K-9 is needed the on-scene supervisor will advise dispatch to make contact with the proper agency.
- D. Suspect Object Found/No Explosion:
1. Suspect objects should not be touched by those untrained in bomb handling. The shift supervisor shall:
 - a. Order an evacuation of the building.
 - b. Keep all persons outside of the security perimeter;
 - b. Conduct all communications by land-line telephone outside the security perimeter to avoid possible detonation of suspect objects;
 - c. Contact the explosive ordinance unit from the appropriate agency if a suspect object is located.
 - d. Prepare a case report that contains all known information.
- E. Post-Explosion:
1. Immediate medical aid should be sought for injured persons;
 2. The Supervisor in charge of Criminal Investigations, both Deputy Chiefs and Chief of Police shall be called; and
 3. The F.B.I. and A.T.F. should be notified and requested to assist with processing the crime scene.
 4. Notify EMA Director reference IDHS requirements.

RAPID DEPLOYMENT/ACTIVE SHOOTER

Rapid deployment involves the swift and immediate deployment of law enforcement resources to on-going, life-threatening situations where delayed deployment could otherwise result in death or great bodily injury to innocent persons. By definition, this will not wait for the activation and deployment of the Emergency Response Team (though this will likely occur concurrently). Officers arriving on the scene where an offender is actively engaged in causing death or great bodily harm will take immediate action to locate and stop the offender's actions.

- A. Appropriate Deployments
1. The event is ongoing and the offender(s) is actively engaged in causing death or great bodily harm to persons, and
 2. The location is believed to contain multiple victims, or potential victims.
- B. First Responding Officer/s Responsibilities
1. Secure communications.
 2. Identify the Kill Zone.
 3. Determine inner perimeter, if practical.
 4. Identify and request any needed additional resources including, but not limited to:
 - a. Additional Patrol units, especially those with specialty equipment or patrol rifles.
 - b. Special Response Team.
 - c. Bomb Squad.
 - d. Fire Department.
 5. Relay critical information.



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- a. Location, description, and number of offenders if known.
 - b. Type of weapons or improvised explosive devices involved.
 - c. Type of location.
 - d. Safe approach route.
6. First responding officers are authorized to make entry to prevent the loss of life or serious injury to others. They **shall not** wait for the deployment of the Emergency Response Team if it is determined that an active shooter event is occurring.
 7. Officers making entry into a building or structure should relay to dispatch their entry point and if plain clothed officers are making entry they should alert dispatch that they are on the scene and making entry.
- C. First Responding Officer/s Responsibilities Entering Active Shooter Location
** Primary task is to rapidly seek out the offender/s and stop their life-threatening behavior.
Additional objectives include:
1. Limit opportunity for offender(s) to move about the location.
 2. Prevent offenders' escape.
 3. Continue past victims to end the immediate life-threatening behavior.
 4. Communicate with other teams.
 - a. Progress/location.
 - b. Victim information, location, number, medical needs.
 - c. Offender information, description, location, and weapons.
 - d. Explosives, if present, locations, types, sizes.
- D. Secondary Responsibilities of on-scene personnel. These **may not** precede the entry of the first responding officers:
1. Establish inner and outer perimeters.
 2. Establish Command Post.
 3. Establish staging area.
 4. Continue to relay critical information
 - a. Location, description, and number of offenders if known.
 - b. Type of weapons or improvised explosive devices involved.
 - c. Type of location.
 - d. Safe approach route.
 - e. Identify entrance point for contact and rescue teams.

BARRICADED/HOSTAGE SUBJECT/HIGH RISK POLICE OPERATION

The purpose of this directive is to establish a policy, procedure, and chain of command for officers for incidents in which a hostage has been taken or an armed subject is barricaded for cover and is a threat to persons in the surrounding area or would be a threat if allowed to escape. It is the policy of the Marion Police Department that only specially trained units of the Marion Police Department will conduct negotiations and strategic operations for incidents involving armed, barricaded subjects, or where hostages have been taken or other strategic operations conducted by the department.

- A. Any officer who believes it is necessary to request the Emergency Response Team (ERT) to reduce the risk associated with a high risk police operation, or to respond to the scene



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of an incident where a person has harmed and/or intends to harm himself or others shall immediately request a supervisor. In situations as outlined above, including the confirmed or suspected taking of hostages, the department Negotiating Unit should be called to conduct negotiations. The ERT Unit should be called to provide and maintain a controlled area during high risk operations.

1. Negotiating Unit personnel shall be directly responsible to the Negotiating Unit Coordinator or designee regardless of duty assignments when called upon to function as the Negotiating Unit.
2. ERT Unit personnel shall be directly responsible to the ERT Commander regardless of duty assignments when called upon to function as the ERT.
3. In incidents involving barricaded subjects or hostage situations, the Negotiating Unit Coordinator and the ERT Commander shall be directly responsible to the Incident Commander. In other high risk police operations, the ERT Commander will be directly responsible to the Chief of Police or designee.
4. In incidents involving barricaded subjects or hostage situations, the Incident Commander shall be responsible for coordination of services between all personnel and overall management of the incident and shall be directly responsible to the Chief of Police or designee.

B. Perimeter and Command Responsibility:

1. Perimeters:
 - a. If deemed necessary the Incident Commander shall select and assign an Operations Chief who will be responsible for establishment and maintenance of an "Inner and Outer Perimeter" at the incident scene.
 - b. Any command post set-up to manage a hostage/barricaded suspect incident shall be established in the outer perimeter whenever feasible.
2. Staging Area:
 - a. The Operations Chief shall be responsible for establishing and maintaining a "Staging Area" (an area for assisting officers, ERT members, etc., to park vehicles, assemble and plan activities).

C. Procedure for Barricaded Suspects and Hostage Situations:

1. Any officer who believes it is necessary to request the ERT and/or Negotiating Unit to respond to the scene of an incident where a person has harmed and/or intends to cause harm to self or others, shall immediately request a supervisor and:
 - a. Contain the individual(s) in the smallest area possible; the safety of all persons is the ultimate concern.
 - b. Provide Dispatch with as much information about the incident, by telephone whenever feasible, and request sufficient assistance to establish an inner perimeter to contain the suspect(s).
 - c. Advise assisting units, through Dispatch, of the



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- safest entry routes to the scene of the incident.
 - d. Detain all available witnesses, complainants, etc., with knowledge of the circumstances surrounding the incident, physical layout of the location, number, and description of the suspect(s) and/or hostage(s).
 2. The supervisor, after assessing the situation and determining whether the ERT and/or Negotiating Unit is required, shall:
 - a. Formally requests the ERT and/or Negotiating Unit (by telephone if possible);
 - b. Provide Dispatch (by telephone if possible) with as much information about the incident as possible;
 - c. Ensure firearms discipline and control and immediately establish an outer perimeter and an inner perimeter as outlined above.
- NOTE:** Any immediate evacuation of either the outer and/or the inner perimeters shall be conducted only as necessary upon the approval of the ranking supervisor on the scene.
- d. Identify a staging area as outlined above.
 - e. Establish a command post in the outer perimeter with capabilities for telephone communication.
 3. Assisting units enroute to the scene shall:
 - a. Refrain from the use of red/blue lights and sirens in the immediate area; and
 - b. Park away from the incident and approach the scene with caution on foot.
 4. Dispatch shall:
 - a. Contact the Deputy Chief of Operations and brief him/her on the situation.
 - (1) The Deputy Chief of Operations shall determine if ERT is needed and make contact with the ERT Commander and other Chiefs.
 - (2) The ERT Commander will arrange a meeting location for all ERT personnel.
 5. The Incident Commander or designee shall:
 - a. Manage and direct the activities of all personnel involved with the incident.
 - b. Identify and appoint appropriate investigative personnel to conduct a complete investigation including witness statements and other necessary evidence.
 - c. Identify and order necessary emergency/support services (i.e., ambulance, utilities, fire department, etc.).
 6. Once the ERT Unit is deployed and receives the command to tactically resolve the incident, absolutely no personnel except ERT personnel shall be permitted into the inner perimeter regardless of rank or position unless otherwise requested by the ERT Commander or designee.



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NOTE: Absolutely no ERT action to make entry to apprehend, subdue, etc., shall be taken without approval of the Incident Commander. Individual action shall be taken only under the gravest of circumstances and within the guidelines of departmental policy on the use of force in Chapter 4 of this manual.

8. No departmental personnel, other than law enforcement/emergency personnel assigned to the incident shall be permitted on or near the scene until an investigation has been completed and it has been declared safe by the Incident Commander. No civilians shall be permitted on or near the incident scene without authorization of the Incident Commander.
9. All ERT/Negotiating Unit personnel shall report immediately and directly to a predetermined location, after being relieved from the scene to conduct a detailed debriefing of the situation.

EXCEPTION: Any ERT/Negotiating Unit personnel directly involved in causing injury to any person as a result of the ERT operation shall remain on the scene to provide necessary statements until properly relieved. All other members shall report immediately to the debriefing.

10. Upon resolution of the incident, responsibility for investigation of the incident shall shift to the Criminal Investigations Division and shall include the collection of evidence, obtaining witness and suspect statements and officer arrest reports.

D. Procedure for High-Risk Police Operations:

1. The investigator or uniform supervisor who believes it necessary to request the services of the ERT Unit to reduce the hazards of a high-risk police operation or to supplement the investigation in terms of surveillance, intelligence-gathering, or other areas in which the ERT Unit possesses special skills shall:
 - a. Contact the Deputy Chief of Operations and brief him/her on the situation.
 - b. Whenever possible, the Deputy Chief of Operations should be contacted as far in advance of the operation which requires the use of the ERT Unit so that ERT personnel may be placed on alert.
2. The Deputy Chief of Operations, after assessing the situation and determining the ERT Unit is necessary, shall:
 - a. Contact the ERT Unit Commander and formally request the assistance of the ERT Unit.
 - b. If necessary, the Deputy Chief of Operations may direct the ERT Unit Commander to the officer in charge of the investigation for specific details of the case.

NOTE: In any situation where it appears likely that forced entry into a structure is anticipated to further an investigation, the Deputy Chief of Operations, shall be notified. The only exception to this requirement will be in emergency situations where the safety of person(s) involved in the investigation is compromised and no



opportunity exists for this contact. Upon notification, the Deputy Chief of Operations may confer with ERT Unit Commander to determine the need for a call-out of the ERT Unit with the Deputy Chief of Operations maintaining the final authority concerning the decision to activate the ERT Unit.

3. The ERT Unit Commander or designee shall:
 - a. Respond to the investigating officer's location or speak to him directly via telephone to begin gathering intelligence to determine:
 - (1) The need for involvement of the ERT;
 - (2) The required manpower for the assignment including additional personnel needed to assist the ERT;
 - (3) The schedule for activating the ERT; and
 - (4) Any other logistical considerations which may be relevant.
 - b. Organize, direct, and supervise the ERT once activated.
4. Nothing in this guideline precludes the immediate call-out of the ERT if an urgent situation exists where delay would hinder the investigation.
5. Once the ERT Unit is deployed and receives the command to tactically resolve the incident, the ERT Commander shall maintain authority over the implementation of the action including all personnel involved.
6. Authority over the investigation will return to the investigating officer when the ERT Commander has indicated that the action is complete.
7. After resolving the situation, all ERT personnel shall report immediately and directly to a predetermined location to conduct a detailed debriefing of the situation.

EXCEPTION: Any ERT member(s) directly involved in causing injury to any person as a result of the ERT operation shall remain on the scene to provide necessary statements until properly relieved. All other members shall report immediately to the debriefing.

E. Organizational Structure:

1. When the Negotiating Unit and/or ERT (for hostage/barricaded subject situations) or the ERT (for other high risk police operations) is activated, certain organizational and command structures are redefined. With regard to hostage/barricade subject situations, regardless of regular duty assignments, members of the Negotiating Unit, the ERT and various support units become functional units within the structure of the Incident Command. Concerning other high risk police operations, regardless of regular duty assignments, members of the ERT will be responsible to the ERT Commander.
2. Negotiation Unit members report to the Negotiating Unit Coordinator. ERT members report to the ERT Commander. With regard to incidents involving barricaded suspects or hostage situations, the Negotiating Unit Coordinator and the ERT Commander are directly responsible to the Incident Commander who is responsible to the Chief of Police. In situations involving other high-risk police



operations, the ERT Commander shall be directly responsible to the Chief of Police or designee.

SEARCH AND RESCUE

The preservation of life is the number one priority; therefore the Marion Police Department will work with all other agencies in an effort to provide the necessary assistance. The law enforcement response includes but is not limited to the following:

- a. Render whatever immediate lifesaving aid may be necessary.
- b. Evacuate any area requiring movement to a safe environment.
- c. Maintain order.
- d. Maintain the safe and efficient movement of citizens out of the area and rescuers into and out of the area.
- e. Provide security for residents, resident's property, and the scene.

Any other assignments that is necessary to complete the assigned mission.

SUSPECTED BIOTERRORISM HAZARDS

Due to terrorism threats, reports of letters, packages, and suspicious substances that may be contaminated with a chemical or biological agent should be considered legitimate until further investigation determines otherwise. Department personnel should take all necessary precautions to prevent contamination to themselves and Department equipment.

A. Communications Procedures:

- 1. Upon receiving a call regarding suspicious materials or substances, Dispatch personnel will:
 - a. Obtain the location of the caller and the suspicious material.
 - b. Ask why the caller believes the package/letter or substance is suspicious.
 - c. Ask the caller to isolate the area where the material or substance is and advise the caller not to have anyone touch the material or substance. If possible, have the caller wait outside the building/residence for the responding units.
 - d. Notify the patrol supervisor via telephone of the call **prior** to the dispatch. The Marion Fire Department will be notified via radio.
 - e. Dispatch the police and fire units using the designated code, limiting information to be given over the radio.

B. Response Procedures:

- 1. The patrol supervisor and patrol officer will be dispatched to the scene.
- 2. Respond to the scene in a non-emergency fashion unless directed by a patrol supervisor to expedite, or the urgency of an emergency response is heightened by additional information received from the complainant.



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3. Coordinate response with the Marion Fire Department units responding.
 4. Meet with the caller and determine where the suspicious material or substance is.
 5. Prior to taking any action with the suspicious material or substance, begin preliminary investigation with the caller.
 6. Initial screening questions include, but are not limited to:
 - a. Is the reporting person or business associated with a government entity or high profile activity (news agency, celebrity, political figure, etc.)?
 - b. Does the reporting person know someone or are they related to someone in the above category?
 - c. Does the reporting person have any ties to any foreign or domestic terrorist group or to any person or business that may be a target of such a group?
 - d. Did a direct threat accompany the package/letter (i.e. phone call, note, or letter attached)?
 - e. Did anyone become ill or injured as a result of having contact with the material or substance?
 - f. Why do you think you (or the business) would be a target?
 - g. Is the return address familiar to you?
 - h. Did you expect this package or letter?
 7. If the answer to any of the first five letters is “yes,” notify a police supervisor and the Criminal Investigations supervisor. The Criminal Investigations supervisor will determine if a call should be made to the Federal Bureau of Investigations.
- C. On-Scene Procedures/Threat Credibility:
1. The Marion Fire Department will be responsible for the scene and determination if a temporary command post should be established.
 2. HAZ-MAT personnel **only** will enter the scene after the initial screening questions are completed.
 3. Police personnel will remain on scene with the Fire Department to provide assistance with securing the scene, locating and interviewing potential witnesses, and other duties at the discretion of the on-scene patrol supervisor.
 4. Fire Department personnel will notify the on-scene patrol supervisor of the results of the field tests. The patrol supervisor will then determine the course of action.
 5. The patrol supervisor will be responsible for the following notifications in the event of a bona fide incident or hoax:
 - a. Criminal Investigations Supervisor
 - b. Deputy Chief(s) of Police



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- c. Chief of Police
 6. Follow-up with the caller – The patrol officer and/or on scene supervisor will meet with the caller and explain the field test findings to bring closure to the call. Findings will exhibit nothing indicating criminal intent (and case is closed) or the incident will be followed up by the Investigations Division (in cases of hoaxes or bona fide incident).
- D. Reporting/Documenting the Incident:
1. If the call is determined not to be a credible threat, but there was genuine concern, an incident report shall be completed that contains the identifiers and contact number(s) for the caller, as well as a brief description of what had occurred, whether the Fire Department responded, and the determination by the Fire Department.
 2. If the call is determined to be a hoax or prank, it will be classified as Suspected Biohazard Material with a written incident report required. This will then be forwarded to the Investigations Division for follow-up.
 3. If the call is determined to be bona fide, it will be initially classified as a Biohazard Material, with a written report required. This report will be forwarded to the Investigations Division for follow-up.

HAZARDOUS MATERIALS

Hazardous materials are transported through the city, thereby creating the risk of an accident involving a vehicle carrying hazardous substances. The extent of damage from such an accident depends on the response of emergency personnel. The purpose of this policy is to establish a guideline and procedure for responding to such accidents.

It is the policy of the Marion Police Department that officers are responsible for identifying the presence of hazardous materials and perform “first responder” services.

A. On Scene Procedure:

At the scene of an incident or accident where the presence of hazardous materials or substances is suspected, officers shall:

1. Advise dispatch to contact the fire department;
2. Quickly examine the scene for the presence of leaking vapor or liquid from an upwind safe distance;
3. Summon back-up units to establish a safety perimeter;
4. Set up roadblocks or barricades for traffic and crowd control;
5. Instruct all personnel to avoid contact with liquids or fumes;
6. Eliminate sources of ignition;
7. Instruct personnel not to eat or drink near the scene;
8. Establish a command post;
9. Evacuate the area and detain people as necessary.

NOTE: Personal protective equipment, leather gloves, and chemical masks provide no protection from hazardous materials.

B. Investigative:



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If possible, officers should attempt to identify the hazardous material(s) by using the U.S. Department of Transportation Guidebook on Hazardous Materials or from the shippers bill of lading by:

1. Locating hazardous materials placards on the vehicle(s).
2. Ask truck drivers about the cargo and examine their shipping papers.
(a. Shipping papers for hazardous materials should be on the drivers seat if the driver is not present).
3. Obtain chem-cards.
4. If a train is involved, obtain shipping papers and the train's manifest from the conductor that lists each car and its contents.
 - a. If the conductor is incapacitated or unavailable, obtain the manifest from the engine.
 - b. If the driver can produce shipping papers, record the name of the materials, classification information and the quantity.
 - c. Approach the incident or accident scene from an upwind position if possible to locate survivors and victims and to help contain a spill or leakage. (Such action should only be taken under direction of the fire department).
 1. If radiological materials are present, secure the scene from a safe distance. **DO NOT APPROACH THE SCENE.**
 2. If the nature of the hazardous material(s) does not permit approaching the scene, keep at least 300 feet away and keep bystanders at least 1,500 feet away.

C. Contact Agencies

1. Instruct dispatch to contact the following key agencies.
 - a. Local EMA Director.
 - b. Indiana Department of Agriculture (for pesticides)
 - c. Indiana Environmental Protection Agency
 - d. Indiana Emergency Management Agency
 - e. Department of Health (for disease causing agents)
 - f. Local EMS
 - g. Federal Highway Administration (roadway accidents)
 - h. Federal Railway Administration (rail accidents)
 - i. Carrier of the transport.
 - j. Chemical Transportation Emergency Center (CHEMTREC)
2. Instruct dispatch to relay the following information to the agencies called:
 - a. Location of the accident or incident;
 - b. Type of hazardous material involved;
 - c. Shipper of the hazardous material (if known)
 - d. Nature of the environment (town, business district, rural, etc.)
 - e. Size of the container and estimated amount of material spilled or leaked;
 - f. If a rail accident; the location of the hazardous material car counted from the head of the train, the car number and description of the car.



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- g. If an aircraft is involved, the serial number of the aircraft.
- D. Evacuation
- Upon direction from the fire department HAZMAT scene commander the Incident Commander will make the decision to evacuate affected areas. If the decision to evacuate is made and time allows then the Incident Commander or Planning Section Chief, if appointed, will develop an Action Plan to cover the evacuation. Possible things to consider in the Action Plan are;
1. The size of the area and estimated number of people to be evacuated.
 2. Assign personnel to notify the people concerned through public address (PA) systems and door-to-door methods.
 3. PIO will notify the news media of the evacuation.
 4. Arrange for mass transportation if necessary, i.e., school buses, etc.
 5. Arrange for temporary shelter for evacuees.
 6. Arrange for security of evacuated areas.



DOMESTIC VIOLENCE

NO. 6.02

PURPOSE: Domestic violence among family members often has far reaching affects which cannot be diminished because the parties involved are family members. Therefore, this policy is adopted to prescribe actions which officers of this department should take when responding to a domestic violence incident, which will ensure consistent enforcement, provide immediate intervention, and deter future incidents.

DEFINITIONS:

A. Family/Household Member includes persons who:

1. Is a current or former spouse of the person;
2. Is dating or has dated the other person;
3. Is or was engaged in sexual relationship with the other person;
4. Is related by blood or adoption to the other person;
5. Is or was related by marriage to the other person;
6. Has or previously had an established legal relationship such as; guardian, ward, custodian, foster parent, or a similar capacity as those listed.
7. Has a child in common with the other person.

B. Family Violence is at least one of the following acts committed by a family or household member:

1. Attempting to cause, threatening to cause, or causing physical harm to another family or household member.
2. Placing a family or household member in fear of physical harm.
3. Causing a family or household member to involuntarily engage in sexual activity by force, threat of force, or duress.
4. Beating, torturing, mutilating, or killing a vertebrate animal without justification with the intent to threaten, intimidate, coerce, harass, or terrorize a family or household member.

C. Domestic Violence is battery with injury committed against a victim by an offender who is or was a spouse, who is or was living as if a spouse, or who has a child in common:

1. Physical harm, bodily injury, battery, or threats of physical harm, bodily injury, or battery;
2. Sexual assault; or



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3. Restraint of freedom of movement.
- D. Crime involving Domestic or Family Violence means a crime that occurs when a family or household member commits, or attempts to commit those crimes listed in I.C. 31-9-2-29.5 against another family or household member.
- E. Reasonable Grounds, a combination of trustworthy information and facts, when viewed through the eyes of a police officer, sufficient to warrant a person of reasonable caution to believe that a crime or violation of a protection order or consent agreement has been or is being committed. Probable cause exists to believe that a particular person has committed an offense if any of the following occur:
1. A person executes a written statement alleging that the person in question has committed these offenses against the person who executes the statement or against a child of the person who executes the statement;
 2. No written statement is executed; but the officer, based on observation and investigation, including reasonably trustworthy information provided by the victim or witnesses, concludes that there are reasonable grounds to believe that the offense was committed and that the person in question is guilty of committing the offense;
 3. No written statement is executed, but the officer witnessed the person in question commit the offense.
- F. Bodily Injury means any impairment of physical condition, including physical pain that does not necessarily include visible physical trauma. (I.C. 35-41-1-4/Lewis v. State.)
- G. Preferred Arrest: Arrest is the preferred course of action in all cases of domestic violence when an officer has reasonable grounds to believe that a person is guilty of committing an offense of battery which caused bodily injury or violating a protection order or consent agreement. Preferred arrest is the immediate arrest and detention of such a person until a warrant can be obtained, or the prompt seeking of a warrant for such person if that person is not present.



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- H. Mandatory Arrest: Arrest is the mandatory course of action when an officer has reasonable grounds to believe that a person is guilty of the offense of felonious battery (I.C. 35-42-2-1 or 35-42-2-1.5) or that, after investigation, one of the participants in such an incident is determined to be the "primary physical aggressor." Mandatory arrest means shall arrest.
- I. Primary Physical Aggressor: The primary physical aggressor in incidents of domestic violence or a violation of a protection order, or an alleged incident of any other offense (e.g., felonious battery or aggravated battery), should be determined, based on the following:
1. Any history of domestic violence or of any other violent acts by either person involved in the alleged offense that the officer can reasonably ascertain;
 2. Whether the alleged violence was caused by a person acting in self-defense;
 3. Each person's fear of physical harm, if any, resulting from the other person's use or threatened use of force against any person or resulting from the other person's use or history of the use of force against any person, and the reasonableness of that fear; and
 4. The comparative severity of any injuries suffered by the persons involved in the alleged offense.

POLICY: It is the policy of the Marion Police Department to protect victims of domestic violence and provide them with support from the criminal justice system and various community service agencies without undue delay; to ensure officers are prepared to respond to domestic violence calls; and to reduce the incidence and severity of domestic violence through affective enforcement.

PROCEDURE:

- A. Dispatcher Responsibilities:
1. Dispatch is usually the first person to receive a call. Therefore, the dispatcher is the key to determining whether an officer is needed at the scene and the type of response required. The dispatcher should obtain the following, if possible:
 - a. The complainant's name, address, and telephone number;



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- b. Whether the crime is in progress;
 - c. Whether a weapon is involved;
 - d. Whether anyone is injured and an ambulance is needed;
 - e. The assailant's whereabouts, direction, and mode of travel;
 - f. Whether drugs or alcohol are involved; and
 - g. Whether there are previous history/reports.
2. The dispatcher should listen for background noise that will assist in evaluating the threat level (screams, shouts, shots, breaking glass, furniture) to guide the responding unit(s) in their response and possibly assist in establishing probable cause.
 3. Telephone contact should be maintained if possible to monitor the incident and provide support for the victim. Advise the victim of the intended department response.

B. Response and Initial Investigation:

1. Officers assigned to respond to a report of domestic violence or violation of a protection order shall respond without undue delay.
2. A written case report of any reported incident of domestic violence or violation of a protection order shall be completed **whether or not an arrest is made**, including the officer's findings and observations of:
 - a. Victim(s) or alleged offender(s) injuries;
 - b. Weapons found at the scene;
 - c. Statements made by the victim, offender, or witnesses; and
 - d. Any other significant facts or circumstances.
3. If the offender has been granted pre-trial release from custody on a prior charge of domestic violence or for violating a protection order and has violated one (1) or more conditions of the pre-trial release, the facts and circumstances of the violation shall be included in the case report.
4. The victim and alleged offender shall be separated and interviewed separately.
5. A written statement from the victim should be taken that:



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- a. Indicates the frequency and severity of any prior incidents of physical abuse caused by the alleged offender;
 - b. The number of times the victim has called peace officers for assistance; and
 - c. The disposition of such calls, if known.
6. Evidence shall be collected, identified, and logged as provided in Section 7 of this manual. Photographs of injuries should be taken at the time of the initial report and, if possible, within one (1) to three (3) days after the incident. All photographs shall be identified by notation on the back by person, time/date, and the officer who took the photos. Such photos shall be included with the case report.
 7. The victim shall be advised of the availability of a protective order (I.C. 34-26-5-2). The officer shall also provide the victim assistance pamphlets from the prosecutor's office and the officer's name, unit number, and office telephone number the victim can call for information about the case.
 8. The report shall be submitted no later than the conclusion of the officer's shift.
- C. Mandatory Arrest:
1. If an officer has probable cause to believe that the offender has committed a felony or misdemeanor battery offense under I.C. 35-42-2-1 that has resulted in bodily injury, the officer shall arrest and detain that person.
 2. If one (1) or more persons committed the offense against each other, the officer shall determine which of the persons is the primary physical aggressor and shall arrest and detain that person.
 3. The officer may arrest and detain any other person who has committed the offense who is not the primary physical aggressor if it is believed necessary. It is recommended that officers avoid "dual arrests" whenever it is reasonable to do so.
 4. Officers shall arrest persons who commit any other offense in the officer's presence or any person for whom a valid arrest warrant is on file.



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- D. Failure to Effect Arrest Report Required: If an officer does not arrest a person whom the officer has reasonable cause to believe has committed an offense of domestic violence or a violation of a protective order or consent agreement, as specified in this policy, the officer shall clearly explain in the written case report the reason for not arresting the person.
- E. Warrant to Arrest: If an officer intends to arrest and detain any person, until a warrant can be obtained, pursuant to any provision in the Indiana Code, and if the officer is unable to do so because the person is not present; the officer shall promptly seek a warrant for the arrest of the person. All available information concerning the incident, including copies of the report, witness or victim statements, photographs, and records of any evidence collected, shall be made available to the appropriate court at the time the warrant is sought by the officer.
- F. Factors Not To Be Considered For Arrest: The following factors shall not be considered by an officer investigating an offense covered by this policy and when probable cause exists to arrest an offender:
1. The reluctance or refusal of the victim to consent to the filing of a charge against the offender or to sign a criminal complaint against the offender. The officer shall not require the victim to specifically consent to the filing of charges or the signing of a complaint and shall advise both parties the charge(s) are being filed by the state, not the victim.
 2. The shortage of space in the Grant County Jail.
 3. Marital status of the persons involved.
 4. Ownership or tenancy rights of either party.
 5. Verbal assurance that the "violence will stop."
 6. Claims that the victim provoked the attack.
 7. Intoxication by either party.
 8. Doubt that the victim will "follow through" with a prosecution.
 9. Doubt that arrest will lead to a conviction.
 10. Non-existence of a protection order or consent agreement.



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11. The victim's emotional state.

G. Enforcement of Orders of Protection:

1. Any protective order issued pursuant to I.C. 34-26-5-2 by any court in this state shall be enforced; including removing the defendant or respondent from the premises, if applicable.
2. Violation of any terms of a protective order is a Class A misdemeanor for which an arrest for I.C. 35-46-1-15.1, "Invasion of Privacy" or I.C. 35-43-2-2, "Criminal Trespass" should be made.
3. Probable cause to believe that such a violation has occurred and reasonable belief that a specific person committed the violation is cause for arrest of the offender.
4. The validity of a protective order should be confirmed prior to arresting and detaining any person found violating the terms of such an order or agreement.

H. Interstate Protective Orders: Officers who investigate reports of alleged violations of domestic violence or a protective order from another state shall act in accordance with this policy. If probable cause exists to arrest an offender for a violation of the Indiana Code, officers shall follow the arrest provisions of this policy. As part of the offense report, officers shall note the existence of any out-of-state protection order if applicable.

I. Cancellation of Calls:

1. If a dispatcher receives a subsequent call to cancel the original call, patrol units shall still be dispatched and shall respond to ensure the family's safety.
2. Responding officers shall privately and individually interview any adult(s) at the scene, other than the alleged assailant/aggressor, and any age-appropriate children present to ensure the family will be safe without police intervention.

J. Offenses: Arrests may be made without a warrant for felony offenses and certain misdemeanor offenses, to protect victims of domestic violence. Offenses which may be charged include:

1. Battery (I.C. 35-42-2-1):



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- a. An officer may arrest a person for battery when the officer observes or has probable cause to believe a person has committed or attempted to commit battery that has resulted in bodily injury to another person.
2. Criminal Recklessness (I.C. 35-42-2-2):
 - a. An officer may arrest an offender for criminal recklessness when the officer observes or has probable cause to believe the person is committing or attempting to commit an act of criminal recklessness.
 - (1) If an officer observes an offender behaving in a way that would tend to endanger the victim (e.g., recklessly, knowingly, or intentionally acting in a manner that creates a risk of causing bodily injury), the officer should arrest the offender for criminal recklessness.
3. Disorderly Conduct (I.C. 35-45-1-3):
 - a. An officer may arrest an offender for disorderly conduct when the officer has probable cause to believe the person is engaging in disorderly conduct in the officer's presence.
 - b. An officer may arrest if the officer observes the offender recklessly, knowingly, or intentionally:
 - (1) Engaging in conduct that results in, or is likely to result in serious bodily injury to the victim;
 - (2) Engaging in conduct that results in, or is likely to result in substantial damage to property; or
 - (3) Makes unreasonable noise and continues to do so after being asked to stop.
4. Criminal Mischief (35-43-1-2):
 - a. An officer may arrest an offender for criminal mischief when the officer has probable cause to believe the person is committing an act of criminal mischief in the officer's presence (e.g., recklessly, knowingly, or intentionally damaging the property of another person without that



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person's consent). The officer should determine ownership by examining receipts, titles, or leases.

5. Criminal Trespass (I.C. 35-43-2-2):

a. An officer may arrest an offender for criminal trespass if the following conditions are present:

- (1) The offender is on the premises when the officer arrives;
- (2) The offender refuses to leave; and
- (3) The offender has no legal right to be on the premises, he is not a tenant, or is violating a protection order. Violation of a court order, whether civil or criminal, would be an element of criminal trespass.

6. Invasion of Privacy (I.C. 35-46-1-15.1):

a. An officer shall arrest, if witnessed, a person for Invasion of Privacy when the officer has probable cause to believe the person knowingly or intentionally violates:

- (1) A Protection Order;
- (2) A Temporary Restraining Order;
- (3) A No Contact Order.

b. It shall not be necessary for the officer to:

- (1) Ask the victim whether they want the offender arrested; or
- (2) Request the victim to execute an affidavit.

c. If the officer feels that the violator does not know the terms of the temporary protective order, the officer should advise the violator of the conditions of the order, and then insist on compliance based on the information just provided the violator.

- (1) The officer shall advise the dispatcher to note on the order that notification of the terms of the order were made to the violator.

d. If the violator does not comply with the order, then an arrest can be made for "Invasion of Privacy."



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- (1) If the officer has probable cause to believe the offender committed Invasion of Privacy, the officer shall contact the dispatcher for confirmation on the order and request a copy of the order to attach to the arrest report.



FINANCIAL INSTITUTE ROBBERY/ALARM RESPONSE NO. 6.03

PURPOSE: The purpose of this directive is to establish a policy and procedure for responding to silent robbery-in-progress alarms that ensures that the safety of the public and the responding officers is not compromised.

POLICY: It is the policy of the Marion Police Department that responses to robbery alarms will be made in a manner that does not jeopardize the public or motorists while an officer is enroute and that does not place the employee(s) or customer(s) of a bank or credit union from where an alarm originated, at risk.

PROCEDURE:

A. Alarm Response:

1. Officers assigned to respond to a robbery alarm shall respond as quickly as possible without compromising the safety of the public or other motorists.
 - a. Emergency lights may be utilized, but sirens shall not be used when the patrol vehicle is within hearing distance of the location of the alarm.
 - b. Officers shall use caution at each intersection to ensure that approaching motorists have seen the patrol vehicle before traversing the intersection.
2. Officers should not park in the immediate proximity of the bank or credit union from where the alarm originated if possible.
 - a. A position should be attained from where an officer is able to observe the establishment without immediate detection from inside the establishment, if possible.
 - b. Officers should note any vehicles leaving and any persons entering or leaving the establishment; and
 - c. Officers should not approach the establishment on foot, peer through a window, or enter the establishment until the dispatcher has attempted to make telephone contact and the status of the alarm has been determined.
3. After officers are in position to observe the establishment. Dispatch should advise whether the alarm was false or intentionally activated.



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B. Dispatch:

1. The dispatcher will telephone the business so officers at the scene and can be informed of the activity.
 - a. If the alarm is false, the dispatcher will advise an employee to exit the establishment and to contact an officer outside at the patrol vehicle.
 - b. If the alarm was intentionally set, officers shall be informed the call is a robbery in progress.

C. Surveillance Officers:

1. Upon the manager or other employee's exit, the officer in charge should call the person to a safe location from where the officer can safely maintain surveillance.
2. If any action other than coming to the officer's safe location is taken, the incident should be treated as a hostage incident and robbery in progress.
3. Every reasonable effort to protect and keep an employee from returning inside the building should be employed in suspected hostage or robbery in progress incidents.
4. When the manager or other employee reaches the officer's safe location, the person should be asked if the alarm activation was intentional.
 - a. For an intentional activation with perpetrators present, procedures for a hostage incident should be employed;
 - b. Attempts to make an apprehension should not be made until after the perpetrators have exited the building. The perpetrator's route to return to the building should be blocked to prevent re-entry.
 - c. When activation was intentional and it is after the perpetrators are gone, officers should begin a Preliminary Investigation and notify the shift supervisor and Criminal Investigation Unit. For bank robberies, the Fort Wayne office of the F.B.I. should also be notified.
 - d. All officers shall remain outside the bank or credit union unless authorized by a staff officer to enter.



SUPERVISOR'S PRESENCE REQUIRED

NO. 6.04

PURPOSE: Incidents of a serious nature may arise that require the presence of a supervisor who possesses authority commensurate with the situation.

POLICY: It is the policy of the Marion Police Department that shift supervisors shall respond to major incidents, take command, and determine whether to call for a detective and/or evidence technician, or special response unit. The shift supervisor shall also notify the Chief of Police and Deputy Chief of Police or a designee or other authority as is appropriate.

PROCEDURE:

A. Responsibility:

1. Shift supervisors shall contact the supervisor of the Criminal Investigation Unit or designee for all major or serious incidents. The decision to call may be made based on preliminary information provided by officer(s) at the scene or by Communications while the shift supervisor is enroute. Examples of incidents for which the supervisor of Criminal Investigation or designee should be called include, but are not limited to:
 - a. Homicide, suicide, etc.;
 - b. Armed robbery;
 - c. Hostage situations;
 - d. All A and B felonies with the exception of residential burglaries confirmed.
 - e. All confirmed shooting incidents regardless of injury.
2. The Chief of Police and Deputy Chiefs shall also be notified of all homicides, hostage incidents, fatal accidents, A and B felonies with the exception of residential burglaries and all incidents in which an officer is injured.

**** The County coroner shall be notified of all deaths that are of other than natural causes.

- B. Duty Status: Upon arrival of the shift supervisor or detective, patrol officers may be relieved to return to patrol after completing their initial case report or may be assigned to assist the detective, or to maintain security of the scene. If assigned to return to patrol, the shift supervisor shall direct any reassignment of patrol areas necessary to assure coverage of the entire City.



EMERGENCY WEATHER SIREN

NO. 6.05

PURPOSE: To provide the citizens of Marion an advance warning of potential dangerous and damaging weather so they may take precautions in protecting their life and property.

POLICY: Marion Police Department dispatchers have the responsibility to activate the “Emergency Weather Sirens” in the event inclement weather is approaching the city of Marion. In an effort to make sure there is no confusion on part of the dispatchers and citizens of Marion we will operate on the same procedure as the rest of Grant County.

PROCEDURE:

- A. The sirens will be activated when one of the below conditions exist:
 1. The National Weather Service (NWS) issues a severe thunderstorm warning for any portion of Grant County.
 2. A trained spotter reports a tornado or funnel cloud with or without NWS warning.
 3. A local jurisdiction deems it necessary due to severe weather warnings from an adjacent county or sub-jurisdiction.
 - a. Should the Grant County Sheriff’s Department activate the county’s “Emergency Weather Siren” the City of Marion will also activate the sirens under their control.
- B. The High-Low wail will be used on all sirens to alert citizens to impending weather emergencies.
- C. The sirens will be tested at least once a month as scheduled by the jurisdiction controlling the siren. The High-Low wail will be sounded for thirty seconds (30) and then canceled by the proper authority. In the event of unstable weather conditions, the test will be canceled.
 1. The City of Marion will test their Emergency Weather Sirens on the second Saturday of the month at 12:00 pm.
- D. The City of Marion will use police and fire personnel to monitor the sirens during the testing phase. Any malfunctions or problems with the “Emergency Weather Sirens” will be reported immediately to the IT Department.



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- E. The proper news media will be notified to allow the citizens to be informed of the testing of Emergency Weather Sirens.



PURPOSE:

The purpose of this policy is to establish a working knowledge of the chemicals and substances used in clandestine labs, while providing a plan of action for all employees to follow when handling matters related to clandestine labs. This plan includes the proper method of securing the scene and protocol to follow when processing the scene for sampling of evidence and clean up.

POLICY:

It is the policy of the Marion Police Department to respond safely and efficiently when investigating clandestine labs used to produce controlled substances such as Methamphetamines. It is impossible to foresee every scenario an officer may encounter while dealing with these types of situations. However, this policy is meant to establish the operational plan and procedures to safely and efficiently handle a response to a clandestine lab with the primary goal being the preservation of human life and property. The response to a clandestine lab will involve multiple law enforcement agencies and requires that the strict protocol for response be established.

DEFINITIONS:

The following definitions apply throughout this directive:

Amphetamine – Central nervous stimulant designed to suppress appetite and increase energy levels.

Anhydrous ammonia – A colorless gas which is commonly used in the illegal manufacture of methamphetamine. Meth cooks use anhydrous ammonia in the place of red phosphorus to extract methamphetamine from ephedrine by way of a chemical reaction when mixed with lithium metal.

Birch Reduction Method (Nazi-Lab) - A lab that mixes pseudo-ephedrine, hydrous ammonia, lithium or sodium metal to manufacture Methamphetamines.

Clandestine Lab – Combination of chemicals and glassware that has the capability of producing a controlled substance. The location may be stationary in a kitchen or a shed, or in a trunk of a vehicle or in a van.

Methamphetamines – Chemical derivative of amphetamine often clandestinely produced and designed as a central nervous stimulant, which is significantly more potent than amphetamine.

Pseudo-ephedrine – Precursor chemical in the clandestine manufacturing of Methamphetamine.

P2P Lab (Phenyl 2 propylene) – Phenyl and propylene are chemicals commonly used to make, or “cook”, Methamphetamines. Propylene can only be obtained outside of the United States and when Propylene is in the United States it must be accompanied by an approval letter from the Drug Enforcement Administration.

Red P Lab (red phosphorous) – A lab that combines pseudo-ephedrine, red phosphorus, and iodine to produce Methamphetamines.

Decontamination – The process by which individuals that have come into contact with clandestine illicit drug laboratories are rendered safe and contaminating substances are removed and disposed of.

Liability – Responsibilities and possible penalties incurred by the Police Department as a result of failure to comply with OSHA standards involving the handling and processing of clandestine laboratories.

Shake and Bake (One Pot) - A method of making crystal meth in small batches without a heat source. The method involves mixing and shaking ingredients in a container, such as a small



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beverage bottle. The chemical reaction involved in shaking the ingredients can create an explosion.

Site Safety Officer – A Law Enforcement Officer who has attended and passed an approved 40 hour Clandestine Lab Enforcement Team and Clandestine Lab Safety certification school.

A. FAMILIARIZATION:

When entering unknown dwellings and during contacts with vehicles, all sworn officers, and non-sworn field personnel, should be alert for the following items which may be used in a clandestine lab:

1. Pseudo-ephedrine
2. Red phosphorus or anhydrous ammonia
3. Iodine
4. Solvents, such as:
 - a. Kerosene
 - b. Camp fuel
 - c. Acetone
 - d. Isopropyl alcohol
 - e. Denatured alcohol
 - f. Heet gas line antifreeze
 - g. Caustics
 - h. Drano
 - i. Red Devil lye
 - j. Sulfuric acid
 - k. Muriatic acid
5. Miscellaneous Aluminum foil
6. Epsom salts
7. Iodized salt
8. Peroxide
9. Mason jars
10. Plastic beverage bottles with unusual contents
11. Clear tubing (such as used in aquariums, duct taped to jars or plastic jugs)
12. Large quantities of matchbooks, or striker plates from matchbooks cut off.
13. Lithium Metal (Most common form is Lithium batteries).
14. Ammonium Nitrate (Fertilizer or as Cold Packs)

CAUTION - All officers must use caution when approaching a house or vehicle where any of the above listed suspected items are observed. Many of the chemicals and products used in clandestine labs are highly caustic and flammable. Vapors from some of the chemicals and products can cause serious injury or death.

B. INTELLIGENCE

Any sworn or non-sworn personnel that receive information in reference to the existence of a clandestine lab must immediately contact a member of the JEAN Team along with the Criminal Investigations Captain.



C. ON DUTY UNIFORM SUPERVISOR

The on duty uniform supervisor shall respond to all possible clandestine lab reports. He/she will assume command of the scene until being relieved by responding Criminal Investigations Supervisor. Some of the responsibilities of the on duty uniform supervisor include:

1. Make sure a safe perimeter is established.
2. Shall make sure all required personnel such as the JEAN Team Supervisor and Criminal Investigations Captain have been notified.
3. Work with the Site Safety Officer to make sure all needed resources are available, to include: fire personnel, medical personnel, department of child services, etc..

D. CRIMINAL INVESTIGATIONS

1. Upon being notified of a suspected clandestine lab, the JEAN Team member will do the following:
2. Contact the JEAN Team Supervisor and Criminal Investigations Captain to ensure they are both aware of the situation and have been briefed concerning the details of the incident.
3. If not a Certified Clandestine Lab Site Safety Officer, the JEAN Team supervisor will contact the Site-Safety Officer and direct that officer to respond to the scene.
4. Respond to the scene of the suspected clandestine lab.
5. Assist the Clandestine Lab Site Safety Officer.

E. CLANDESTINE LAB SITE SAFETY OFFICER RESPONSIBILITY

1. Respond to the suspected lab site and assume responsibility for the clandestine lab portion of the investigation. The Site Safety Officer must always follow the Occupational Safety and Health Administration (OSHA) and DEA guidelines for safety while conducting the clandestine laboratory investigation.
2. Evaluate the scene to ascertain the existence of a clandestine lab site and determine if the perimeter set by uniform patrol personnel needs to be extended. Once a clandestine laboratory has been discovered, only certified Clandestine Laboratory investigators and Site Safety Officers who have received the appropriate DEA and OSHA training shall be allowed into the secured area.
3. Immediately notify the Indiana State Police Meth Suppression Section (MSS) of the incident and location.
4. Determine the need for Fire Department / HAZMAT response on a case-by-case basis.
5. Coordinate with Criminal Investigations personnel in obtaining and executing any search warrants. A search warrant shall not be executed by personnel without the appropriate safety equipment.
 - a. If forced entry is to be made then consideration to use the Emergency Response Team will be made in accordance with SOP 6.01 Section titled Special Operations and Special Threats.



6. Coordinate with the State Police personnel for clean-up of the Clandestine Lab Site. A Site Safety Officer shall remain at the scene until the site has been completely cleaned and it is safe to leave.

F. COLLECTION AND CUSTODY OF EVIDENCE

1. Only Certified Methamphetamine Lab Site Safety Officers shall be allowed to enter the scene until the scene has been cleared as being safe. Once the scene has been deemed as safe, the on-scene Criminal Investigations Supervisor will assign personnel to process and collect evidence samples from the clandestine methamphetamine lab.
2. All samples taken from a methamphetamine lab will be placed inside Silica glass tubes and secured with Teflon lined caps. The sealed Silica glass tubes shall then be secured inside Nalgene plastic wide-mouth bottles. These bottles must then be placed inside a designated evidence box, and submitted to the JEAN Team Property and Evidence storage.
3. All custody of evidence history pertaining to methamphetamine lab samples shall be documented and maintained as part of the case file.

G. INVESTIGATION / CLEAN-UP

Any attempt by personnel from the Marion Police Department to continue the investigation or to clean up the scene without notifying the State Police Clandestine Lab Team personnel may place the Marion Police Department in a position to incur financial responsibility for the cleanup of a clandestine lab. It is imperative that all personnel limit themselves to the responsibilities outlined in this directive and allow the JEAN Team Supervisor and Criminal Investigations Captain to coordinate the needed resources. **All clean-ups will be coordinated through Indiana State Police.**

H. SEARCH WARRANT

Once a search warrant has been obtained for the location of a known or suspected Clandestine drug laboratory, a designated Site Safety Officer shall be notified to coordinate the execution of the search warrant pursuant to OSHA regulations. Due to the nature and hazards posed by these clandestine laboratories, along with the usual high-risks of executing search warrants, seizing and processing a clandestine drug laboratory shall be accomplished in the following stages:

1. Planning stage: Once a search warrant has been approved to be served, a Police Department Operational Plan shall be completed.
 - a. Notifications and requests for assistance from other agencies shall be conducted by the Site Safety Officer and supervisor at the scene, and/or a designee.
 - b. These include but are not limited to other local law enforcement agencies, local fire department, local HAZMAT Response Team, EMS and State Police.
 - c. An operational briefing shall be held for all search warrant participants, at which time the Site Safety Officer shall inspect each member's personal protective equipment.



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- d. The Deputy Chief of Operations along with the supervisor in charge of the Emergency Response Team (ERT) will be contacted to determine if the ERT should be used.
 2. Entry stage: The search warrant entry team shall consist of members with the proper safety equipment. The entry team shall only utilize non-sparking entry tools when making entry. Responsibilities of the entry team are as follows:
 - a. Securing the clandestine laboratory crime scene.
 - b. Arresting any suspect(s) present.
 - c. Removing any suspect(s) to a non-contaminated location.
 - d. Advising the assessment team and Site Safety officer as to the conditions in the laboratory site.
 3. Assessment and processing stage: The assessment/processing team shall consist of only certified clandestine laboratory enforcement team members. The responsibilities of the team are as follows:
 - a. Deactivate the clandestine laboratory.
 - b. Ventilate the clandestine laboratory site.
 - c. Assess the hazards of the clandestine laboratory.
 - d. Site Safety Officer shall determine the level of protection to be worn by members while in the laboratory.
 - e. Collecting and processing all evidentiary material found at the laboratory site.
 - f. Stand by at the scene while the Indiana State Police Meth Suppression Section (MSS) completes the clean-up of hazardous materials.
 4. Exit Stage: Upon completing the processing stage, prepare to exit the laboratory site. These preparations include decontamination and post raid notification.
 - a. Decontamination: Upon exiting the immediate area of the Laboratory (Hot Zone), each member shall undergo decontamination as outlined below:
 - (1) Personal decontamination: Each clandestine laboratory enforcement team member shall be decontaminated in accordance with procedures contained in the Clandestine Laboratory Safety Guide.
 - (2) Safety equipment and protective clothing decontamination: All safety equipment and protective clothing used in a laboratory site shall be decontaminated or disposed of in accordance with procedures contained in the Clandestine Laboratory Safety Guide.
 - (3) Prisoner decontamination: All prisoners shall be decontaminated before transporting them from the laboratory site to the jail, in accordance with procedures contained in the Clandestine Laboratory Safety Guide. In addition, in the event that the prisoner's clothing has been



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deemed to be contaminated, clothing shall be provided to the prisoner prior to their transport and their contaminated clothing will be disposed of in accordance with procedures contained in the Clandestine Laboratory Safety Guide.

- (4) Post Raid notification will be conducted in conjunction with OSHA regulation.

I. REPORTING REQUIREMENTS

The seizure of a clandestine laboratory is a significant enforcement activity and shall be reported immediately. In addition to a written incident report, the following forms shall be completed by the immediate supervisor and/or the Site Safety Officer, and maintained in the case file:

1. A department "Unusual Incident Report" shall be completed on each member involved in the on-site investigation of the clandestine laboratory. A Notice of First Report of Injury shall be completed on any officer who suffers an injury.
2. National Clandestine Laboratory Seizure Report, El Paso Intelligence Center (EPIC) will be completed by the ISP Meth Suppression Section.



SECTION VII CRIME SCENES

7.01 PRELIMINARY INVESTIGATIONS:

ISSUE DATE:
09/02/1998

REVISION DATE:
/ /

7.02 CRIME SCENE PROCEDURES:

ISSUE DATE:
09/02/1998

REVISION DATE:
/ /

7.03 EVIDENCE PRESERVATION AND HANDLING:

ISSUE DATE:
09/02/1998

REVISION DATE:
/ /

7.04 EVIDENCE CUSTODY:

ISSUE DATE:
09/02/1998

REVISION DATE:
06/20/2011

7.05 PROPERTY DISPOSITION:

ISSUE DATE:
09/02/1998

REVISION DATE:
/ /

7.06 CONTRABAND SEIZURE AND FORFEITURE:

ISSUE DATE:
09/02/1998

REVISION DATE:
/ /

7.07 INVESTIGATIONS – SUSPECT’S RIGHTS:

ISSUE DATE:
09/02/1998

REVISION DATE:
/ /



SECTION VII CRIME SCENES

7.08 ELECTRONIC SURVEILLANCE:

ISSUE DATE:
05/19/1999

REVISION DATE:
/ /

7.09 DIGITAL IMAGING GUIDELINES:

ISSUE DATE:
03/17/2007

REVISION DATE:
04 /08/2014

7.10 PRESCRIPTION MEDICATION THEFT:

ISSUE DATE:
02/08/2008

REVISION DATE:
/ /



PRELIMINARY INVESTIGATIONS

NO. 7.01

PURPOSE: The purpose of this directive is to identify and prioritize responsibilities of officers who conduct preliminary investigations.

POLICY: It is the policy of the Marion Police Department that first responding units to crime scenes are responsible for assisting injured persons, protecting a scene's integrity, and starting the investigation.

PROCEDURE:

A. First Responding Officer:

First responding patrol units shall:

1. Assist any injured persons. If a rescue squad is required, squad personnel entering the scene shall be identified and recorded in the officer's incident report;
2. Secure and protect the crime scene's integrity;
3. Determine if an offense has been committed;
4. Identify suspect(s) remaining at the scene;
5. Communicate to other units any known suspect's description, direction of flight, and any other known information that may aid in making an apprehension;
6. Identify potential witnesses; and
 - a. Names and addresses of persons at or near the scene, vehicle license numbers in the area, etc.
7. Prepare an initial incident report unless a supervisor relieves the officer of this responsibility.
 - a. Shift supervisors are encouraged to only direct the preliminary investigation for instructional purposes.

B. Supervisors shall:

1. Ensure that the crime scene is protected;
2. Determine whether detective(s) and/or evidence technician(s) are required and, if so, have the appropriate personnel notified;
3. Oversee the preliminary investigation; and
4. Assume command of a scene and/or processing of the scene until relieved by detective(s).



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- C. The department's detective(s) and/or evidence technician(s) shall process all major crime scenes, including any incident involving:
1. The loss of life or potential loss of life;
 2. Extreme property loss (i.e., thousands of dollars);
 3. An offense which requires immediate intensive interviews of suspect(s);
 4. When immediate investigation of a serious offense may solve the case but sufficient regular shift personnel are not available.
- D. Investigation Assignment:
1. The officer who prepares the initial case report is assigned as the crime scene investigator until released by staff.
- E. Follow-Up Investigation: The following elements should be an integral part of each follow-up investigation:
1. Identification and apprehension of offender(s);
 2. Collecting, preserving, analyzing, and evaluating evidence;
 3. Recovering stolen property;
 4. Interviewing victims and witness;
 5. Interviewing suspects;
 6. Determining the details and circumstances of the offense;
 7. Determining if other crimes have been committed by the suspect;
 8. Preparing and communicating reports; and
 9. Preparing case files for presentation to the prosecutor for prosecution.



CRIME SCENE PROCEDURES

NO. 7.02

PURPOSE: The purpose of this directive is to establish standard crime scene procedures for the Marion Police Department.

POLICY: It is the policy of the Marion Police Department that the first responding patrol officer(s) on a crime scene are responsible for securing the scene, causing the arrest of perpetrators still at the scene, and seeking medical assistance for injured persons.

PROCEDURE:

A. Approaching the Scene:

1. First responding officers shall approach the scene slowly and methodically, stop a short distance from the crime scene, and observe the conditions and events at the scene to determine if the perpetrator is still present. This is to ensure the safety of the officer, safety of innocent bystanders, and to ensure the preservation of evidence. Officers should note the presence of:
 - a. Weapons;
 - b. Evidence that the victim may have been moved from one point to another;
 - c. Prints of shoes, hands, weave of clothing, etc.;
 - d. Spent bullets or casings;
 - e. Material possibly torn from the perpetrator (hair, clothing, skin, blood, etc.); and
 - f. Weather conditions, room temperature, etc., for homicides.

*****NO SMOKING, EATING, GUM, OR TOBACCO CHEWING, etc., at or in the vicinity of the crime scene.

B. Perpetrators at Scene:

1. First responding officers who observe and can positively identify a suspect shall cause the suspect's arrest or detain and properly secure the suspect for further investigation. Any suspect arrested shall be removed from the scene at the earliest opportunity.
2. No detained suspect or person who is under arrest shall be left unattended in order to ensure evidence is not altered or destroyed. Suspect(s) shall be secured in the



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patrol vehicle and all remarks made by the suspect, whether solicited through interview or unsolicited, shall be noted and recorded if possible.

C. Supervisor: Officers should notify the supervisor whether the offense is a serious offense to have the determination made whether to call detective(s) to the scene. The criminal Investigation Unit Commander or designee shall be called for all Class A and B felony offenses.

D. Crime Scene Processing:

1. Crime scenes shall be photographed before any other evidence collection begins.
 - a. A narrative shall be included in the case report, noting: photo numbers, date, location, and the officer that photographed the scene.
 - b. Scenes should be photographed progressively, from outside the scene inward.
2. Major crime scenes should be recorded on video tape, if possible, in addition to being photographed.
3. A sketch of the scene shall be prepared and items of evidence photographed in place and then located on the sketch as the collection of evidence proceeds.
4. Each article of evidence shall be placed in a separate container by the officer who recovered the article that will:
 - a. Protect the artifact from contamination or the evidentiary value of the article from being disturbed;
 - b. Allow inspection of the artifact without handling or removal from the container, if possible; and
 - c. The container should be sealed.
5. Clean, disposable rubber gloves should be worn for evidence collection. Such gloves should be changed after handling each piece of evidence to avoid contaminating another piece with trace evidence, etc.
6. Evidence collected shall be listed on a property evidence inventory which shall include the following:
 - a. The date and time the evidence is collected;



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- b. The officer's name that collected the evidence;
 - c. A description of the article;
 - d. The location from where it was taken;
 - e. An inventory number or other identification corresponding to the crime scene sketch;
 - f. The assigned case report number; and
 - g. A successive list of signatures of all persons who have had custody of the article on the property control sheet chain of custody log.
7. Officers not assigned as an investigator, unless assigned to assist in processing the scene, shall stay out of the crime scene area. An officer should be stationed at the entrance to a major felony scene who shall keep a log of all persons who enter and leave the scene.
8. Any officer assigned to process the scene is responsible for marking and preserving any piece of evidence discovered by the officer according to established procedures and, when possible, checking all property recovered through N.C.I.C. records to determine whether the property has been reported stolen.
- E. Latent Fingerprints: Fingerprint powders may contaminate trace evidence; therefore, the collection of latent fingerprints at the scene should not occur until trace evidence has been collected.
- F. Follow-Up Investigations:
1. Other investigative steps that may be required include, but are not limited to:
 - a. Reviewing and analyzing all reports prepared during the preliminary investigation;
 - b. Conducting additional interviews of the complainant, witnesses, or suspects;
 - c. Reviewing departmental records;
 - d. Seeking additional information from other officers or informants;
 - e. Requesting laboratory testing and/or reviewing laboratory analysis results;



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- f. Attempting to lift or have lifted latent fingerprints from articles collected;
- g. Disseminating information deemed appropriate;
- h. Planning, organizing, and conducting searches;
- i. Identifying and apprehending suspects;
- j. Determining a suspect's involvement in other crimes;
- k. Checking a suspect's criminal history;
- l. Preparing case files for court.



EVIDENCE PRESERVATION

NO. 7.03

PURPOSE: The purpose of this policy is to establish standard procedures for handling and preserving articles of evidence.

POLICY: It is the policy of the Marion Police Department that standard procedures be employed in the collection, handling, and preservation of evidence to ensure the integrity of evidence is preserved as much as possible. All personnel who collect or handle evidence or property are responsible for the property or evidence handled or collected.

PROCEDURE:

A. Dry Clothing:

1. Clothing items that have not been in contact with each other shall be packaged separately.
2. Clothing that is still worn by a victim and is to be collected shall be:
 - a. Removed over a clean sheet when practicable;
 - b. All articles of clothing shall remain in/on the clean sheet;
 - c. The sheet should be folded inward and rolled to contain any trace evidence; and
 - d. The entire bundle shall be placed in a single paper package and sealed.
3. Each package shall be labeled with the case number, the date and time of collection, property description, and the officer's name who collected the article. A property sheet shall be completed and shall accompany the packaged item(s).

B. Wet/Bloody Clothing:

1. Clothing that is wet/bloody shall be air dried, packaged in clean paper sacks and sealed; and
2. Each package shall be labeled with the case number, the date and time of collection, property description, and the officer's name who collected the article. A property sheet shall be completed and shall accompany the packaged item(s).

C. Liquid Blood Samples:

1. Liquid blood samples shall be collected in proper containers (vials) and placed promptly in the intake refrigerator with instructions regarding what analysis and identification is requested.



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2. Each vial shall be labeled with the case number, the date and time of collection, property description, and the officer's name who collected the article. A property sheet shall be completed and shall accompany the item(s).
3. The sample(s) should be refrigerated in a refrigerator that is maintained by the evidence room custodian for storage of such evidence.

D. Other Physiological Fluids:

1. Other physiological fluids that may be utilized to identify a suspect at a scene shall be placed in proper containers and placed promptly in the intake refrigerator with instructions regarding what analysis and identification is requested; and
2. Each package shall be labeled with the case number, the date and time of collection, property description, and the officer's name that collected the article. A property sheet shall be completed and shall accompany the item(s).
3. Fluid samples which the laboratory will not accept until a matching sample is available for suspect identification shall be stored in a refrigerator maintained by the evidence room custodian for storage of such evidence.

E. Trace Evidence/Classifying Evidence/Small Items:

1. Trace evidence that may link a suspect to a scene should be collected first to avoid collecting contaminated control samples. Examples of trace evidence for which samples may be collected include:
 - a. Glass fragments;
 - b. Soil;
 - c. Ashes;
 - d. Cloth fibers;
 - e. Flesh or hair;
 - f. Semen, urine, or blood;
 - g. Paint chips;
 - h. Wood fibers or splinters; or
 - i. Other residues.



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2. Trace evidence and control samples shall be placed in separate containers (e.g., sealed clear plastic bags) which will allow examination without handling.
3. Each package shall be labeled with the case number, the date and time of collection, property description, and the officer's name that collected the article. A property sheet shall be completed and shall accompany the item(s).

F. Latent Evidence:

1. Latent evidence and objects that may possess individual identifying characteristics should be handled as little as possible and placed in separate containers. Examples of latent evidence include:
 - a. Handwriting;
 - b. Bullets;
 - c. Tool marks;
 - d. Shoe prints;
 - e. Tire mark/prints;
 - f. Pieces of glass □ match able broken edges;
 - g. Pieces of wood;
 - h. Pieces of putty/body filler, etc.
2. Some pieces of latent evidence may require special handling to protect possible latent prints from damage or other contamination caused by movement.
3. Each package shall be labeled with the case number, the date and time of collection, property description, and the officer's name that collected the article. A property sheet shall be completed and shall accompany the item(s).

G. Latent Fingerprints:

1. Latent fingerprints that are on objects that cannot be removed to a controlled environment for developing shall be developed and photographed at the scene.
2. Objects containing latent fingerprints that can be removed to the laboratory or to a controlled environment for developing shall be photographed in place prior to removal to the lab for processing. Examples include prints in:
 - a. Wax;



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- b. Putty;
 - c. Soap;
 - d. Butter;
 - e. Paint;
 - f. Blood;
 - g. Grease;
 - h. Ink;
 - i. Dirt, etc.
3. Objects that will be submitted for latent fingerprint examination should not be packaged in plastic and handling should be kept to a minimum.
 4. Developed latent prints shall be placed on a card that contains at least:
 - a. The date and time lifted;
 - b. The officer's name;
 - c. The location or object from which the print was lifted;
 - d. The assigned case report number;
 5. A successive list of signatures of all persons who have had custody shall be listed on the control sheet that lists the latent print card.
 6. Latent prints shall be maintained in the custody of the evidence room custodian until a suspect is identified for comparison purposes.

H. Bullets and Firearms:

1. Officers should search for ricochet marks or imbedded bullets and attempt to account for all bullets fired.
2. Officers shall record all known information about the weapon, e.g.:
 - a. Caliber;
 - b. Serial number;
 - c. Barrel length;
 - d. Load capacity;
 - e. Identifying marks;
 - f. Color;



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- g. Type grips;
 - h. Manufacturer;
 - i. Model number.
 3. Investigating officers shall count and record the number of remaining cartridges.
 4. If the weapon involved was a revolver, officers shall note the position of the cylinder when the weapon was discovered.
 5. Officers should mark bullets and spent cartridge casings and preserve them separately in gauze or cotton in a suitable container.
 6. The name of the person who recovered the item shall be listed on an evidence sheet and a list of signatures of all persons who take custody of the article shall be listed on the control sheet.
- I. Tire Impressions/Footprints:
 1. Officers shall measure the size of the mark and note any peculiarities or patterns in the print.
 2. The print shall be photographed with a ruler or other scale in the photograph.
 3. Officers shall prepare a plaster cast of the print.
 4. If both sides are visible, officers shall measure inside to inside for total wheel track or walking pattern.
 5. The name of the person who recovered the casting(s) shall be listed on an evidence sheet and a list of signatures of all persons who take custody of the article(s) shall be listed on the control sheet.
- J. Tool Marks and Tools:
 1. Officers should note any peculiarities on the surface of a tool (e.g., broken tips, deep cuts, etc.).
 2. Officers should look for broken pieces of tools, paint adhering to a tool, and for tool scrapes.
 3. If tools are readily available at a scene, officers should hold the tool next to any tool marks for comparison and photograph the marks with a ruler or other scale in the photograph.



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4. Tools should be marked and submitted for fingerprinting and microscopic comparison of any tool marks at the scene. The surface of the tool should be protected during transport.
5. The name of the person who recovered the item shall be listed on an evidence sheet and a list of signatures of all persons who have custody of the article shall be listed on the control sheet.

K. Hair and Fiber Evidence:

1. Officers should check victim's clothing, suspect clothing, impact areas, and tears in clothing for hair and fiber evidence for comparison.
2. Officers should place any such samples in separate manila envelopes, seal and mark the bags.
3. Officers shall collect control samples for comparison and place them in separate manila envelopes, seal and mark the bags as "control samples."
4. Hair samples must have roots for comparison -- DO NOT CUT.

L. Paint and Chips:

1. To enable possible comparison of paint and/or paint chips to determine if they came from a certain source, control samples should be collected from a place as near as possible to the source and shall be marked as "control samples."
2. If tools recovered at the crime scene appear to have paint on them, they should be covered before transporting to protect any possible evidence.
3. Samples should be placed in separate clear plastic bags, sealed, marked, and an evidence sheet submitted containing the name of the person who recovered the item and a list of signatures of all persons who take custody of the item.

M. Crime Scene Summary:

1. Officers who process crime scenes shall complete a Crime Scene Summary to ensure potential evidence is not lost in order to assist any officer subsequently assigned to the investigation. The summary should contain, but not be limited to:
 - a. Identification of the victim;



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- b. Identification of all officers on the scene and other persons present and the purpose for their presence;
- c. Brief scene description (e.g., one-story house, vacant lot, etc.);
- d. Area the scene encompasses (e.g., kitchen, basement, rear yard, etc.);
- e. Description of the point of entry, tools, or force used;
- f. Evidence collection procedures used at the scene;
- g. Fingerprints collected, from what item, and the location of the item;
- h. Inventory of all evidence collected and where it was found;
- i. Photographs taken, a list of camera settings, and a summary;
- j. Any special services performed at the scene (e.g., metal detector search, plaster casts, auxiliary lighting used, etc.).

N. Photography/Evidence Collection Not Performed: Investigating officers shall include in the incident report the reason(s) why photographs are not taken or physical evidence is not collected and why an evidence technician or detective may not have been called. Officers should consult with the shift supervisor when they are not certain whether the scene requires processing.



EVIDENCE CUSTODY

NO. 7.04

PURPOSE: The purpose of this directive is to establish a standard procedure for maintaining the custody of all evidence collected by the Marion Police Department.

POLICY: It is the policy of the Marion Police Department that all evidence collected shall be submitted to the evidence room custodian to secure in the evidence room. If the evidence room custodian is not available, the evidence shall be temporarily secured in an evidence locker until the evidence room custodian takes custody.

PROCEDURE:

A. Officer/Investigator:

1. All evidence shall be secured upon collection and as soon as physically possible. In no circumstance shall evidence be secured later than the end of the shift. If the evidence room custodian is not available, officers shall temporarily secure the evidence in an evidence locker with an evidence/property sheet listing each piece of evidence.
2. For evidence that does not require processing (e.g., lab testing or fingerprinting, etc.), an evidence receipt form shall be completed. The evidence/property and receipt shall be locked in the locker and the key placed in the locker.
3. All firearms and other property upon which it is possible shall be checked through N.C.I.C. by the investigating officer prior to submitting to the evidence room custodian.
 - a. N.C.I.C. checks shall be noted in the officer's report.
 - b. Firearms shall be unloaded before being secured in an evidence locker and secured with cable ties to show the evidence room custodian the weapon is secure.
4. Drugs that are to be secured as evidence shall be accounted for by gross weight, or in the case of individual unit doses, by the number of unit doses.
5. All liquids that are to be secured as evidence shall be sealed to prevent leakage and/or evaporation into the evidence room.



EVIDENCE CUSTODY

NO. 7.04

B. Evidence Room:

1. An evidence room custodian shall be assigned to maintain the evidence room. The evidence room custodian and the Chief of Police or designee shall be the only officers who have access to enter the evidence room.
2. The evidence room custodian, if on duty, may accept evidence directly from officers; otherwise, evidence shall be submitted as described in Section A. The evidence room custodian, upon finding evidence in the evidence locker, shall retrieve the evidence from the locker and secure same in the evidence room; and
 - a. Log the evidence into the evidence room inventory.

C. Laboratory Analysis:

1. Evidence upon which an officer desires a laboratory analysis be performed shall be submitted in the same manner as other evidence with a request noted on the evidence sheet.
 - a. Copies of all analysis reports shall be placed in the case file.
 - b. The case file shall reflect the disposition of all evidence and each change of custody.

D. Evidence Room Inventory:

1. Periodic inventory audits shall be conducted by the Chief of Police or a designee at irregular intervals to ensure all evidence is properly accounted.

E: Release of Property:

1. Property that has no further evidentiary value may be released to the owner, with approval of the prosecutor and/or Chief of Police.
 - a. All alcoholic beverages shall be dumped upon receipt of the court docket sheet indicating disposal of the case or upon an order from the court to destroy evidence.
 - b. Ammunition from a firearm held for any reason shall not be returned to the owner unless the owner has a valid permit to carry a firearm.



EVIDENCE CUSTODY

NO. 7.04

2. Property that may still have evidentiary value may be released with approval of the prosecutor provided that:
 - a. A photograph is taken; and
 - b. The signature of the owner appears on the property receipt.
3. Investigating officers are responsible for checking out evidentiary articles required for investigative purposes, laboratory analysis, or for court.
4. No property may be released for an extended period without the expressed written authorization of the Chief of Police or designee.

F. Inventory Record:

1. The evidence room custodian shall maintain an inventory record of all property which includes at least:
 - a. The property receipt control number;
 - b. The item description;
 - c. From whom the property was received; and
 - d. To whom it was released.
2. The property room inventory shall be verified and the verification inspection documented periodically by the Chief of Police or a designee.



PROPERTY DISPOSITION

NO. 7.05

PURPOSE: The purpose of this directive is to establish a procedure for the disposal of evidence and unclaimed property in the custody of the police department.

POLICY: It is the policy of the Marion Police Department that unclaimed property that has no further evidentiary value or that cannot be returned to the owner shall be disposed of at least annually or as otherwise directed.

PROCEDURE:

A. Ownership:

1. If the ownership of property that is in the custody of the Marion Police Department is known, notification shall be made to the owner by the investigating officer to claim such property. Notification shall be made by written notice which informs the owner when and where the property may be claimed.

B. Ownership Forfeiture:

1. Property that was used by the owner to commit a crime or possession of which constitutes an offense, shall not be returned to the owner unless ordered returned by the court.

C. Unclaimed money held by the department may be, upon approval of the court, transferred to the department for departmental use (i.e., D.A.R.E., G.R.E.A.T., etc.). Other unclaimed valuables and property shall be disposed of at auction, as follows:

1. Currency - Collectible/Auction Current/Court Order For Use;
2. Coins - Collectible/Auction Current/Court Order For Use;
3. Stamps - Collectible/Auction Current/Court Order For Use;
4. Precious Metals - Auction;
5. Precious Stones/Gems - Auction;
6. Securities - Destroy or return to issuer;
7. Art Objects - Auction;
8. Antiques - Auction;
9. Weapons - Auction



PROPERTY DISPOSITION

NO. 7.05

D. Evidence Disposal:

1. Evidence in a criminal case shall be disposed of upon making application to and receiving an order of the appropriate court as follows:
 - a. The evidence room custodian shall make application to the court of record to dispose of such property. The application shall include the following information for each article:
 - (1) Date of the offense, if any, case number (or court case number);
 - (2) The offense, if any;
 - (3) Ownership status;
 - (a) Whether determined;
 - (b) Whether notice has been given, etc.; and
 - (4) Disposition of any criminal case.
 - b. Upon approval and receipt of the court docket sheet showing the case disposition, or an order from the court, the evidence room custodian shall dispose of the property as directed:
 - (1) Drugs shall be destroyed by incineration;
 - (2) Firearms or dangerous ordnance shall be destroyed by melting down or submitted to the Indiana State Police Lab Firearms Section;
 - (3) Obscene material shall be destroyed;
 - (4) Other unclaimed property shall be sold at public action and the proceeds deposited in the City's police pension fund.
 - c. The evidence room custodian shall:
 - (1) Maintain a file regarding evidence/property disposal that includes:
 - (a) A list of evidence/property items with the related report/case file numbers and evidence room control numbers; and
 - (b) A copy of the court documents authorizing disposal of the evidence/property attached to the control sheet.



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- (2) Record on the related property room log:
 - (a) The date of disposal;
 - (b) Method of disposal; and
 - (c) Related property disposal report number.



CONTRABAND SEIZURE AND FORFEITURE

NO. 7.06

PURPOSE: The purpose of this directive is to establish a standard guideline for identifying contraband property that should be seized as contraband, or property that is subject to forfeiture because of its use in unlawful, felonious activity, and establishing a process for seizure and forfeiture.

POLICY: It is the policy of the Marion Police Department that property that is identified during an arrest or investigative proceeding as contraband as defined in I.C. 34-4-30, will be seized and civil proceedings to cause forfeiture of the property to the Marion Police Department will be implemented.

PROCEDURE:

A. Vehicle Seizure:

1. Vehicles that appear to be contraband property, as defined in I.C. 34-4-30.1, that are impounded by any officer of this department, in addition to completing a vehicle inventory form as required by Section 5.17 of this manual, shall:
 - a. Complete a "Seized Vehicle Inspection Form" including information regarding:
 - (1) The description and condition of the vehicle; and
 - (2) The estimated value of the vehicle.
 - b. Conduct a "seizure interview" with the driver of the vehicle if the owner is not present. Such interview shall be documented separately in the arrest or investigation report as prescribed in this directive under "Cash or Property Seizure Procedure."
 - c. A copy of the vehicle inventory/impound form and seized vehicle inspection form with the corresponding complaint/report number shall be placed in the "forfeiture" mailbox for follow-up by detectives.
2. The detective, upon receiving the forms and related reports for any vehicle seized described in I.C. 34-4-30.1 shall:
 - a. Determine vehicle ownership;
 - b. Ascertain if there are any liens on the vehicle;
 - c. Determine the wholesale value of the vehicle; and



CONTRABAND SEIZURE AND FORFEITURE

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- d. Notify the owner if the vehicle is subject to forfeiture.
 3. If the lien of a seized vehicle is more than one-half (1/2) the vehicle's wholesale value, the Chief of Police shall determine whether to:
 - a. Proceed with forfeiture; or
 - b. Notify the lien holder that they may repossess the vehicle; and
 - c. If the vehicle is repossessed, the lien holder shall be advised in writing upon release of the vehicle:
 - (1) The nature of the incident for which the vehicle was seized and the names of the parties involved;
 - (2) That the lien holder is no longer considered an innocent owner;
 - (3) That if the vehicle is seized again from felonious activity that the vehicle will be forfeited and the police department will not be liable for payment of the lien; and
 - (4) Such notification shall be witnessed and documented in a supplementary report.
 - d. If the vehicle is not repossessed, the vehicle shall be released to the owner and the lienholder notified by certified mail, return receipt requested, that:
 - (1) The nature of the incident for which the vehicle was seized and the names of the parties involved;
 - (2) That the lienholder is no longer considered an innocent owner;
 - (3) That if the vehicle is seized again from felonious activity that the vehicle will be forfeited and the police department will not be liable for payment of the lien; and
 - (4) The notification shall be documented in a supplementary report and a copy of the notice and return receipt attached.
 4. If the owner of the vehicle is not in the vehicle when it is seized and arrest(s) are made, the owner should be interviewed as soon as possible after the seizure, prior to allowing the arrested person(s) to make any phone calls in order to block an



"innocent owner" defense. The interview should be documented in a supplementary report. The purpose of the interview is to:

- a. Determine the relationship between the owner and the parties in possession of the vehicle when it was seized;
- b. Determine if the operator of the vehicle at the time of arrest is the primary driver of the vehicle and the registered owner is owner in name only;
- c. Determine if the owner knew or was aware the person to whom the vehicle was loaned had a record or reputation of criminal behavior or drug abuse; or
- d. Whether the owner made an inquiry into the reason for loaning the vehicle, or suspected or should have known the vehicle would likely be used in some criminal activity.

B. Cash or Property Seizure Procedure:

- 1. Cash or other property that is seized that arresting or investigating officers have reasonable cause to believe is the proceeds of or has been used in illegal felonious activity shall:
 - a. Conduct a "seizure interview" with the person arrested, documented separately in the arrest/investigation report, including:
 - (1) Who the owner of the money or property is, including:
 - (a) Name;
 - (b) Address;
 - (c) Phone number; and
 - (d) Relationship to the arrested person;
 - (2) Why the money or property was in the arrested person's possession;
 - (3) For what purpose the money or property was to be used;
 - (4) For what purpose the arrested person told the owner of the money or property it was wanted;
 - (5) Whether the money or property was given as a loan or gift;



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- (6) When the arrested person received the money or property.
- b. If the arrested person indicates another person is the owner of the money or property, the alleged owner should be contacted immediately, prior to allowing the arrested person to make any phone calls in order to block an "innocent owner" defense.
- c. The alleged owner of the money or property should be asked:
 - (1) If the owner knows the arrested person's name and what their relationship is to the owner;
 - (2) When the arrested person was last seen by the owner;
 - (3) Did the owner give anything to the arrested person at that time;
 - (4) If money was given, how much was given;
 - (5) Was the reason for giving the money or property to the arrested person discussed; and
 - (6) Was the money or property a loan or a gift?
- d. Refusals to answer questions by the arrested party or alleged owner shall be documented in the report. Inconsistencies in the answers of the parties shall be pointed out in a summary statement in the report.
- e. Questioning regarding this seizure process shall be completed after the investigation interview has been completed, as this process is a civil procedure. However, some questions and answers could directly relate to the criminal investigation; therefore, in order to ensure the admissibility of statements into evidence, the civil procedure must follow the criminal investigation interview, which should be conducted as prescribed in Section 7.07 of this manual.

C. Notification:

1. If the owner of a vehicle or other property is the, or is one of the persons arrested and the vehicle or other property has been used in some manner



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to commit a felony, including felony drug abuse or sales, the owner of the vehicle or other property should be informed that the vehicle or other property is being seized by the police department.

- a. Such notification shall be documented, including the name of the notifying officer and the time of the notification on:
 - (1) The "Seized Vehicle Inspection" form for vehicles; and
 - (2) On the arrest or investigation report for other property.
2. The assigned detective shall make notification of a vehicle or property seizure to an owner who was not present or arrested within seventy-two (72) hours of the seizure in the following manner:
 - a. Making personal contact and delivering a "Notice of Property Seized" form shall be signed, dated, and the time of service documented and a copy maintained for the case file; or
 - b. Notification by telephone with such notice documented on a notice form as described above; or
 - c. A copy of said notice sent to the owner's last known address by certified mail with return receipt requested.
 - d. All efforts to notify an owner shall be documented, even if contact was not made.

D. Case File:

1. A case file shall be prepared and forwarded to the Chief of Police that includes:
 - a. Certified copies of titles, deeds, liens, etc.;
 - b. All reports of the incident that led to seizure of the property;
 - c. Copies of the owner's and defendants criminal case histories;
 - d. Copies of the "Vehicle Impound" form and "Notice of Property Seized" form;
 - e. Supplementary report of the owner's interview (if not arrested);
 - f. Supplementary reports of any other interviews (e.g., occupants, etc.);



INVESTIGATIONS & SUSPECT'S RIGHTS

NO. 7.07

PURPOSE: The purpose of this directive is to ensure that during the course of a criminal investigation or arrest, officers exercise all procedures that protect the suspect's rights in order to prevent the loss of valuable evidence or the opportunity to prosecute offenders.

POLICY: It is the policy of the Marion Police Department that any person who is interviewed while in custody shall be afforded every constitutional guarantee during the investigation, detention, and/or prosecution for an offense.

PROCEDURE:

A. Suspect Interviews:

1. At the time any person is interviewed, while in custody, the person shall be informed of their Miranda rights.
 - a. Officers should utilize a standard warning form at all times and obtain an affirmative answer that the suspect understands their right to counsel and whether the suspect chooses to waive the right to counsel.
 - b. A written waiver of counsel should be obtained prior to any questioning unless immediate circumstances do not permit such written waiver. In such cases, the waiver should be obtained as soon as practicable, or if waived verbally, be noted in the officer's report that counsel was verbally waived by the suspect.
2. No statement or admission should be obtained via coercion, deception, or other means that would cause an involuntary admission.
3. Any time a suspect indicates a desire to consult with legal counsel, all questioning shall cease and the suspect afforded the opportunity to contact counsel.
4. Spontaneous, unsolicited statements made by persons in custody should be recorded. However, no questions should be asked to solicit further information unless the person has been asked again if they understand the right to have counsel present and have indicated they understand and waive such right. Subsequent waivers to counsel should also be noted in the officer's report.



B. Custodial Interrogation of Felony Suspect

1. A recent change in Indiana Rules of Evidence (Rule 617) requires the interview of all **Felony** suspects to be Electronically Recorded if that interview takes place in a place of detention. The rule reads as follows and contains certain exceptions to the rule; *In a felony criminal prosecution, evidence of a statement made by a person during a Custodial Interrogation in a Place of Detention shall not be admitted against the person unless an Electronic Recording of the statement was made, preserved, and is available at trial, except upon clear and convincing proof of any one of the following:*
 - a. The statement was part of a routine processing or "booking" of the person; or
 - b. Before or during a Custodial Interrogation, the person agreed to respond to questions only if his or her Statements were not Electronically Recorded, provided that such agreement and its surrounding colloquy is Electronically Recorded or documented in writing; or
 - c. The law enforcement officers conducting the Custodial Interrogation in good faith failed to make an Electronic Recording because the officers inadvertently failed to operate the recording equipment properly, or without the knowledge of any of said officers the recording equipment malfunctioned or stopped operating; or
 - d. The statement was made during a custodial interrogation that both occurred in, and was conducted by officers of, a jurisdiction outside Indiana; or
 - e. The law enforcement officers conducting or observing the Custodial Interrogation reasonably believed that the crime for which the person was being investigated was not a felony under Indiana law; or
 - f. The statement was spontaneous and not made in response to a question; or



ELECTRONIC SURVEILLANCE

NO. 7.08

PURPOSE: The purpose of this directive is to establish a policy and procedure for requesting an Intercept Warrant in accordance with the provisions of Indiana Code 35-33.5.

POLICY: It is the policy of the Marion Police Department that officers shall follow the prescribed procedures for obtaining an Intercept Warrant to intercept conversations transmitted by wire or other electronic means.

PROCEDURE:

A. Requests for Electronic Surveillance/Intercept:

1. Requests for an "Intercept Warrant Application shall be submitted by police officers through the chain of command, i.e. the officer's division Captain.
2. The Captain shall assess the request to determine that all requirements of I.C. 35-33.5-2-2(a)(2) through (a)(6) are met, including:
 - a. Facts which establish probable cause that
 1. an offense has been or is about to be committed;
 2. relevant communications about the offense is occurring or about to occur by electronic means, (e.g., telephone, telegraph, facsimile transmission, computer, etc.);
 3. the relevant communication is either being sent from or to a specific location /facility.
 - b. A detailed description of the nature and location of the facility or location from which the relevant communications are to be intercepted;
 - c. The identity of the parties whose communications are expected to be intercepted, if known;
 - d. A description of the type(s) of communication(s) desired to be intercepted, (e.g., telephone, telegraph, facsimile, computer, etc.)
 - e. A description of other investigative procedures that have been attempted which failed, may not succeed, or may be too dangerous to attempt;
 - f. The duration for the intercept request, not to exceed fourteen (14)



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- days for an initial request;
- g. Any previous action taken by a court on any previous application for an intercept warrant requested for the same person or facility;
 - h. Information regarding any belief it may be necessary to secretly enter upon private property to install an interception device, including information describing:
 - 1.) the property;
 - 2.) the property owner;
 - 3.) the occupants; and
 - 4.) the reason a secret entry is necessitated.
3. If all the required criteria for a warrant has been met, the Captain shall forward the request with recommendation to the Chief of Police. The Captain's recommendation should include:
- a. The Captain's plan for manpower and equipment allocation;
 - b. Any commitments received for assistant from other agencies;
 - c. Other comments deemed necessary by the Captain.
4. The Chief of Police or designee shall review the request and either approved or deny the request.
- a. If the Chief of Police denies the request, the Captain shall notify the requesting officer of the denial
 - b. If the Chief of Police approves the request, the Captain shall present the request to the appropriate prosecutor for consideration.
5. The prosecutor will review each request and either approve or deny the request.
- a. If the prosecutor denies the request, the Captain should request the reason for the denial and notify the Chief of Police and the requesting officer of the denial and reason for denial.
 - b. If the prosecutor approves the request, the Captain shall forward the approved warrant to the Chief of Police with information from the prosecutor regarding:



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- 1.) The commitment of personnel and resources from the prosecutor's officer; and
 - 2.) Commitments received by the prosecutor from other agencies.
6. Photocopies of the approved request shall be forwarded by the Chief of Police or designee to the Investigation Division Captain to determine what equipment is available.
7. No further action to secure or execute an Intercept Warrant should be taken until such action is ordered by the Chief of Police or designee. The execution of such warrants shall be in compliance with state and federal law and departmental rules, regulations, policies and procedures.



DIGITAL IMAGING GUIDELINES

NO. 7.09

PURPOSE: The purpose of this policy is to establish guidelines and procedures for the capturing, storing, and preserving for evidence, all digital images.

POLICY: It is the policy of the Marion Police Department that officers shall follow the prescribed procedures for all digital images. **The alteration of any original digital image is strictly prohibited.**

DEFINITIONS:

1. Digital Image – An image that is stored in numerical form.
 - a. Includes images produced directly from a digitized medium such as a digital camera, video recorder or any future recording device.
2. Capture – The process of recording an image.
3. Capture Device – A device used in the recording of an image.
4. File Format – The structure by which data is organized in a file.
5. Storage – The act of preserving an image.
6. Disk – A disk used to save/stored computerized data.
7. Memory Card – A unique data/information storage card in some digital cameras, utilized to record/save digital images.
8. CD – Compact disk utilized for storing of digital information.
9. CD-R (Write only CD-Rom System) – A computerized write/save system of storing digital information in a permanent manner. This media ensures the stored images may be viewed only, and not altered in anyway.

PROCEDURE:

- A. Equipment Use and Restrictions
 1. Only authorized devices and digital storage media will be allowed for use by personnel for the procedure of documenting information/evidence during an investigation.
 2. At no time will department issued capture devices or digital storage media be used for personal reasons.



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3. The original captured image **SHALL NOT** be altered or manipulated in anyway. Some examples of alterations or manipulations that are prohibited, include the following:
 - a. Cropping
 - b. Editing or enlarging selective areas.
 - c. The use of a cloning or rubber stamp tool.
4. Image enhancements are permitted on copies of the original image.
5. All captured images **SHALL** be saved to storage. As an example if five (5) photographs are taken and one (1) is deemed to be of poor quality, all five (5) photographs shall be saved. **No images will be deleted.**

B. Taking Photographs

1. The first digital image/photograph taken **SHALL** document the case number, date, location, type of crime, and name of officer taking the photograph. This shall be done by using a department issued paper form.
2. When taking photographs of an accident or crime scene start with general pictures and then move to the more specific pictures.
 - a. As an example photograph the street name and house address then photograph the specific evidence.
 1. Take overall photographs of the entire scene to show its relationship to the surrounding area.
 2. Take mid-range photographs to show the relationship of the evidence in the scene.
 3. Take close-up photographs of evidence for comparison.
3. Photographs of a person shall be done in the following manner:
 - a. Identification photographs – full frontal and facial close up.
 - b. Injury related photographs – full frontal view including face, midrange and close-up of injury.
4. Multiple photographs may be taken on the same memory card, however



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the first photograph of each new case **SHALL** be a separator referred to in Section B -- Subsection 1. When storing your photographs to a CD-R, only one case **SHALL** be saved to that CD-R.

C. Moving Digital Images to Permanent Storage

1. All digital images **SHALL** be burned to a CD-R and then attached to the records management system.
 - a. Only one case will be saved per CD-R.
 - b. Once the images have been burned to a CD-R and attached to the records management system they **SHALL** be deleted from the memory card.

D. Submission and Documentation of Storage Media

1. After burning images to the CD-R it **SHALL** be properly marked and turned in with the case report.
 - a. The CD-R **SHALL** be marked with the case number, date, location, type of crime, and name of officer taking the photograph.
 - b. The CD-R **SHALL** be placed into a paper or hard plastic cover and submitted with the case report.
 - c. Document in a written case report/supplemental report the type of camera used the number of photographs taken and what is being photographed.
2. All original CD-R's **SHALL** be filed away with the original case report.

E. Enhanced Images

1. No enhancements or alterations shall be made to any **original** digital image. Should it be necessary to make enhancements such as cropping a photograph or making a photograph larger or smaller then the following shall be done.
 - a. A working copy of the image shall be saved into a folder entitled Processed Images which will be located within the Digital Images folder mentioned in Section C -- subsection 1b. **At NO time shall**



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the original image be altered or manipulated in anyway.

- b. The enhanced image **SHALL** be saved with the case number and the letter E, followed by the appropriate image number (e.g. 200707-E1).
- c. All enhancements made to any working copy of an image **MUST** be documented in your written report.

F. Printing and Distribution of Images

1. Images will be printed on an as needed basis for trials and on going investigations. When images are printed they should be printed nine (9) to a page, unless there is a necessity to print a larger image.
2. In cases where an arrest is made, images **SHALL** be printed as listed above and attached to the case/arrest report.
3. Original CD-R's **SHALL NEVER** be released to outside agencies. Copies of specific case information requested will be made for the requesting agency and released to their authorized agent in printed or digital format.
4. Copies of imagery, printed or in digital format, will not be released outside of the criminal justice system except as required by state law, federal law or Marion Police Department policy.



PREScription MEDICATION THEFT

NO. 7.10

PURPOSE: The purpose of this policy is to establish guidelines and procedures for accepting reported theft of prescription medication.

POLICY: In recent years there has been a steady increase in the number of repeated reports of prescription medication thefts by the same complainant. In an effort to combat potential fraudulent reporting, it is the policy of the Marion Police Department that officers shall follow the prescribed procedures for the reporting of all prescription medication thefts. **We will no longer complete a report for lost medication.**

PROCEDURE:

When a complainant reports to the Marion Police Department that their prescription medication has been **stolen** the call taker will advise them that a letter from the prescribing doctor will be required before a report will be taken. If the reporter states he/she are going to their physician to obtain the letter, then the call taker will give to the reporter a copy of the department's letter, which describes what we need from the physician before the report can be completed. We **MUST** receive the original letter on the physician's letter head signed by the physician before a report will be completed.

A. Letter Requirments

1. Letter must be on the physician's letterhead and signed by the physician.
2. Must state victim is a patient of physician.
3. Victim has been prescribed the medication that is being reported as stolen.
4. Victim has or has not previously reported any other medication as stolen.
5. The name of the medication, number of pills, dosage amount, dosage amount to be taken daily, and date of prescription.

B. Police Departments Requirements

1. When a person attempts to report their medication stolen the report taker will advise the reporter of the need to have a letter from their physician.
2. The reporter will be given the department letter which states what is required from the physician before the report will be taken.
3. If it is determined a report will be filed then the officer will conduct a



PRESCRIPTION MEDICATION THEFT

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through investigation to document the validity of the report.

***** If exigent circumstances exist to which the reporter is unable to meet the requirements of obtaining a signed letter from the physician, then the officer will make a determination as to whether a report will be completed and it will be documented as to why the procedure could not be followed. Nothing in this procedure will prevent the officer from completing a stolen report without the letter, if the officer feels a crime has been committed and the medication stolen as reported.

1. An example would be there are signs of a burglary where other property was taken.



SECTION VIII PUBLIC/MEDIA RELATIONS

8.01 NEWS/PUBLIC INFORMATION:

ISSUE DATE:
09/02/1998

REVISION DATE:
/ /

8.02 PUBLIC SPEAKING REQUESTS:

ISSUE DATE:
09/02/1998

REVISION DATE:
/ /

8.03 POLICE CHAPLAINCY PROGRAM:

ISSUE DATE:
09/02/1998

REVISION DATE:
/ /

8.04 RELEASE OF RECORDS AND PHOTOGRAPHS:

ISSUE DATE:
09/02/1998

REVISION DATE:
11/04/2013

8.05 VICTIM ASSISTANCE:

ISSUE DATE:
09/02/1998

REVISION DATE:
/ /



PURPOSE: The purpose of this policy is to ensure that the public is provided access to current information that may be of benefit to the community and aid in furthering law enforcement efforts and maintaining personal safety.

POLICY: It is the policy of the Marion Police Department that current information regarding incidents and accidents that come to the attention of the Marion Police Department that does not compromise any investigation(s), invade a victim's right to privacy, or would be in conflict with law will be made available to the news media.

PROCEDURE:

A. Daily Activity News Distribution: Information regarding activities or incidents reported to the Marion Police Department about thefts, burglaries, vandalism, accidents, arrests, etc. that have been reviewed and approved for release by the Chief of Police or a designee will be made available to the public and news media upon request.

1. Information that is approved for release includes:
 - a. Date of the incident;
 - b. Type of incident;
 - c. Location;
 - d. Circumstances immediately surrounding the incident (i.e., accident cause, time and place of an arrest, any resistance or pursuit involved, possession or use of any weapons, and description of any items seized, etc.);
 - e. The accused's name, age, and address (except juveniles);
 - f. Victim's name and address (except juveniles and victims of sexual assault or domestic violence).

Note: Names of deceased victims shall not be released unless the family has been notified.

2. Information that is pertinent to an investigation or prosecution that could compromise the integrity of an investigation or conclusion of a case, or information specified by law to not be a public record shall not be released, including:



- a. Statements as to the character or reputation of an accused person or possible witness;
 - b. Admissions, confessions, or the contents of a statement or alibi attributable to an accused person;
 - c. The performance or results of tests or the refusal of an accused to take a test;
 - d. Statements concerning the credibility or anticipated testimony of witnesses;
 - e. The possibility of a plea of guilty to the offense or other disposition; and
 - f. Opinions concerning evidence or argument in the case, whether or not it is known whether the evidence will be used in trial.
3. The shift supervisor may release information in the absence of the public information officer.
- B. General Information News: News releases of general interest (i.e., schools or training completed by officers, crime prevention programs, etc.) shall be approved by the Chief of Police or a designee.
- C. Major Incident News: The Chief of Police or a designee will be the official on site public information officer for any major incident or crime to ensure no improper or inconsistent information is released. All officers shall refer any inquiries to the public information officer.



PUBLIC SPEAKING REQUESTS

NO. 8.02

PURPOSE: The purpose of this directive is to ensure a coordinated, total effort is put forth for police-community relations consistent with the department's mission.

POLICY: It is the policy of the Marion Police Department that all public speaking and public appearances by any officer be approved by and coordinated through the Chief of Police or designee.

PROCEDURE:

- A. Any officer who receives a request for a public speaking or public appearance engagement shall, prior to making any commitment, submit a written request to the Chief of Police which includes:
 - 1. From whom or what groups, etc., the request was received;
 - 2. What topic the speech or appearance is to cover;
 - 3. The date, time, and approximate time required.
- B. The Chief of Police will approve appropriate requests and approve or assign appropriate personnel to complete such assignments.



POLICE CHAPAINCY PROGRAM

NO. 8.03

PURPOSE: The purpose of the police chaplaincy program is to make spiritual guidance, counseling, and comfort available to police department employees, their families, and the public during times of personal, family, or community crisis or sorrow.

POLICY: It is the policy of the Marion Police Department to make available to police department employees, their families, and the public a trained, ordained minister of a mainline Christian denomination at all times to provide spiritual guidance, counseling, and comfort during times of crisis or sorrow.

PROCEDURE:

A. Chaplain Appointment and Authority:

1. The police chaplain will be appointed by the Chief of Police.
2. The police chaplain shall serve as a staff assistant to the Chief of Police and shall have access to all police department facilities, crime scenes, and accident scenes.
 - a. The police chaplain shall carry the official department identification at all times and shall properly identify himself to any police officer when access to such facilities or scenes is desired.
 - b. The police chaplain shall assist all officers, upon request, in matters which are within the realm of the chaplaincy program.
 - c. The police chaplain shall not interfere with the performance of an officer's duties and/or disturb any evidence at an accident or crime scene.

B. Chaplain's Duties:

1. The police chaplain shall become familiar with the duties of the police department and its personnel and the policies, procedures, and regulations of the Marion Police Department and shall attend "in-service" training and other training which will enhance the police chaplaincy program.
2. The police chaplain shall provide ministerial staff support services for the department by:
 - a. Assisting department personnel with making notifications to families of police officers injured or killed in the line of duty;



POLICE CHAPAINCY PROGRAM

NO. 8.03

- b. Responding immediately to the hospital upon request when an officer is injured in the line of duty, identify him to the hospital staff, and coordinate services with the hospital chaplain;
- c. Visiting sick and injured police personnel at the hospital and at home during their recuperation;
- d. Attending and assisting at funerals of active and retired personnel of the police department;
- e. Counseling officers and other personnel with personal problems upon request;
- f. Attending department graduations, promotion ceremonies, award ceremonies, dinners, social events, etc., to offer invocations and benedictions;
- g. Representing the police department and Chief of Police at public functions upon request;
- h. Organizing and developing voluntary spiritual organizations within the police department;
- i. Responding to major disasters (e.g., bombings, building collapse, explosions, multiple alarm fires, industrial accidents, etc.) and major demonstrations or civil disorder that requires the presence of extra police personnel.
- j. Assisting officers with delivering death notices or notices of serious injury to families of the public;
- k. Establishing a liaison relationship with other clergy in the community for providing notification of an individual officer's or person's personal clergy during times of crises; and
- l. Making referrals for specialized areas of counseling as necessary.
- m. Assisting citizens as is needed and/or directed by the Chief of Police.



POLICE CHAPAINCY PROGRAM

NO. 8.03

3. The police chaplain shall assist the Chief of Police in planning and presenting various public relations and public awareness programs regarding the police chaplaincy program.
- C. Chaplain's Spiritual and Professional Ethics and Protocols:
1. The police chaplain should visit each officer and the officer's family upon request to ascertain their religious affiliation and personal clergy's name to ensure the officer's and family's spiritual needs are and will be effectively met.
 - a. The chaplain shall maintain a directory of such individual officer and family affiliations to enable notification of personal clergy as necessary.
 2. The police chaplain should provide confidential counseling, consultation, and spiritual support to police personnel and their families for personal, marital, family, job related, or other problems upon request. Such confidential contact with an officer or an officer's family shall not be reported to an officer's superiors or recorded in the officer's personnel file.



RELEASE OF RECORDS

NO. 8.04

PURPOSE: The purpose of this directive is to address the access of public records requests and the release of information.

POLICY: It is the policy of the Marion Police Department that photographs and/or investigative records shall not be released except for a legitimate law enforcement purpose or as required by the Indiana Code 5-14-3-3&4 (Public Records). Because of discovery issues no information on criminal cases that involve an arrest shall be released to any attorney without first contacting the prosecuting attorney.

PROCEDURE:

- A. Compliance with Laws Regarding Privacy, Civil Rights, and Civil Liberties
 - a. All employees of the Marion Police Department will comply with all applicable laws protecting privacy, civil rights, and civil liberties in the sharing and disclosure of information.
 - b. The Marion Police Department is a public agency and is therefore required by Indiana Code 5-14-3 to release certain information to the general public when this information is requested. In releasing this information the employees of the Marion Police Department will do everything in their power to see that only the required information is released, and will safeguard against releasing personal information such as SSN, date of birth, and license numbers.
 - c. Requested access to public records will occur during normal administrative business hours by submitting the request on a form provided by the department. If a written request is received by mail or facsimile then the department form is not required.
 - d. Upon receipt of the written request a response indicating the request has been received will be given within 24 hours for those individuals who make a request at the police department and within 7 days for those requests received by mail and/or facsimile. For those individuals who make the request in person every effort will be made to provide the information at the time they request it. A response simply means that a request has been received and will be processed.



RELEASE OF RECORDS

NO. 8.04

- e. Records personnel shall maintain a record of all public access and/or release of information request. This can be done by electronically attaching the written request to the original document.
- f. Release of information to the media shall be done through the appointed public information officer (PIO) or his designee. The release of some information such as minor accidents can be done by the on-duty staff officer.

B. Definitions

- a. The section in this subpart provides definitions for words or phrases regularly used and to explain the meaning in the context of this policy.
- b. Investigatory record – means information compiled in the course of the investigation of a crime and includes but is not limited to items such as; supplements, prosecutor reports, witness statements, photographs and digital media.
- c. Public record – means any writing, paper, report, study, map, photograph, book, card, tape recording, or other material that is created, received, retained, maintained, or filed by or with a public agency and which is generated on paper, paper substitutes, photographic media, chemically based media, magnetic or machine readable media, electronically stored data, or any other material, regardless of form or characteristics.
- d. Law Enforcement Agency – means an agency or a department of any level of government that engages in the investigation, apprehension, arrest, or prosecution of alleged criminal offenders, such as the state police, the police or sheriff's department of a political subdivision, prosecuting attorneys, members of excise police division of the alcohol and tobacco commission, conservation officers of the department of natural resources, gaming agents of the Indiana gaming commission, gaming control officers of the Indiana gaming commission, and the security division of the state lottery commission.



RELEASE OF RECORDS

NO. 8.04

C. Right to Inspect and Copy Agency Records

- a. Any person may inspect and copy the public records of any public agency during the regular business hours of the agency with the following exceptions;
1. Those declared confidential by state statute such as; the name of victims of sex crimes and location of occurrence, and juvenile records.
 2. Those required to be kept confidence by federal law.
 3. A photograph, video, or audio recording of an autopsy.
 4. A social security number, date of birth, driver's license number.

(Officers shall make sure they are not included in the narrative of the report).

5. Investigatory records of law enforcement (See Definition).
6. Personnel files of public employees and files of applicants for public employment, **except for**; the name, compensation, job title, business address, business phone number, education and training background, previous work experience, or dates of first and last employment or present or former officers or employees of the agency, information relating to the status of any formal charges against the employee and factual basis for a disciplinary action in which final action has been taken and which resulted in the employee being suspended, demoted, or discharged.

***** All requested release of personnel information shall be cleared through the Chief's office before information will be released.**

7. Juvenile records
8. The name and address of sexual assault victims
9. Records requested by the suspect in a criminal case that contain personal information of the victim of a crime or a family member of the victim of a crime must have the addresses and personal information redacted.



RELEASE OF RECORDS

NO. 8.04

D. Guide to releasing information

- a. The following is an example of information that shall be available for inspection and copying by any individual.
 1. Accident reports to include information such as; time and date of accident, location of accident, driver and vehicle information and a brief summary of the circumstances surrounding the cause of the accident.
 2. Arrest reports(**except juvenile arrest**), to include such things as; person's name, address, charge information, location of arrest, date and time of arrest and brief summary of the circumstances of the case.
 3. Incident reports to include such things as; date, time, location of occurrence (**except for crimes involving sex offenses**), reporter's name, and a brief summary of the circumstances surrounding the report.
 4. Examples of things that are not to be released without prior authorization would include investigative records; pictures, digital recordings, supplemental reports and witness statements.
- b. The Marion Police Department shall maintain a daily log or record, commonly referred to as the calls for service, which lists suspected crimes, accidents or complaints. The following information shall be available upon written request;
 1. Time and location of all complaints or requests for assistance by agency.
- c. Reports, photographs and other documents provided to the Marion Police Department by another agency for investigative purposes **shall not** be available for release or copying. Persons requesting this information must make a request for access through the agency of record.
- d. A fee as set by the fiscal body will be charged for copying of requested information.



VICTIM ASSISTANCE

NO. 8.05

PURPOSE: Law enforcement officers often are in a unique position to provide assistance to victims of crime or other traumatic incidents. The assistance provided can have great impact on the victim's emotional recovery. In addition, victims who feel they have been treated with compassion are often more enthusiastic about cooperating with investigators and prosecutors. The purpose of this policy is to establish guidelines and procedures that emphasizes victim's needs and provides guidelines for how officers should respond to those needs.

POLICY: It is the policy of the Marion Police Department to provide victims with assistance and services to aid the victims' physical and emotional recovery and provide support to the victim as they interact with the criminal justice system.

PROCEDURE:

A. Safety and Security:

1. Officers shall secure any incident or crime scene to ensure the safety of victims and provide emergency aid to those who have been injured.
 - a. For child victims whose parents or legal guardians are not present and cannot be contacted, medical assistance should be summoned immediately to evaluate the child's condition.
2. Distraught victims should not be left alone. Officers should make every reasonable effort to summon a relative, friend, police department chaplain, or family clergyman to the scene. If the officer is unable to reach one of the above individuals, the officer should request that a victim advocate be summoned to the scene or attempt to arrange transportation for the victim to be with someone who can provide emotional support.

B. Providing Support:

1. Officers can provide an immense amount of emotional support to victims. Some recommended methods include:
 - a. Allow the victim time to express feelings and emotions while they describe the incident;



VICTIM ASSISTANCE

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- b. Express recognition and understanding for the victim's emotional reactions;
- c. Reassure the victim their feelings are normal and understandable;
- d. Redirect any feelings expressed by the victim of self-blame or responsibility for the incident from the victim back to the perpetrator;
- e. Emphasize the commitment of the police department to provide assistance to the victim.

C. Information and Referral:

1. Before leaving a victim, officers shall ensure necessary information and/or support has been provided to victims. Necessary information and support includes but is not limited to:
 - a. Providing a brief description of what steps or procedures will follow;
 - b. Providing answers to questions regarding the criminal justice system; and
 - c. Providing information regarding the Grant County Crime Victim Services Program.

D. Follow Up:

1. Officers assigned to follow-up investigations shall regularly call victims of crimes and/or survivors to ascertain whether they may have any new information regarding the case or are in need of any assistance from the police department or its resources.
2. Victims and survivors shall be kept informed of the status of the case, including:
 - a. The status of stolen, recovered, or property removed as evidence;
 - b. The arrest, detention, and any pre-trial release status of suspects;
 - c. Any court restraining orders;
 - d. Court schedules and proceedings; and
 - e. Other necessary operations or proceedings of the police department or the criminal justice system relating to their case.



SECTION IX JUVENILE

9.01 JUVENILE CUSTODIAL ARREST:

ISSUE DATE:
09/02/1998

REVISION DATE:
09/02/2014



JUVENILE CUSTODIAL ARREST

NO. 9.01

PURPOSE: The purpose of this policy is to establish guidelines for when juveniles should be taken into custody.

POLICY: It is the policy of the Marion Police Department that all officers will be familiar with juvenile operations and procedures as it relates to juvenile offenders.

PROCEDURE:

- A. All juveniles that are placed under physical arrest will be transported to the Grant County Detention Center and left in the custody of that facility. If a juvenile is taken into custody for any other reason, they will be transported to Marion Police Department for processing and are to be under constant supervision of Marion Police Department personnel until they are released to a parent or guardian, transported to the Grant County Detention Center or to a medical facility.
- B. Juveniles may be taken into custody for the following reasons:
 - 1. Delinquent Act (31-37-4-2)
 - 2. Court Order (IC 31-37-4-1) (31-37-5-2)
 - 3. Child in Need of (CHINS) (IC 31-34-2-3)
- C. All Felony and Misdemeanor crimes fall under the jurisdiction of Superior Court II, Juvenile Court.
- D. All Traffic Infractions and Marion City Ordinance Violations fall under the jurisdiction of Marion City Court.

Reports:

- A. All required Marion Police Department paperwork involving the arrest of a juvenile will be completed prior to the end of the officer's shift. Juvenile paperwork will be treated no different than Adult paperwork.
- B. All paperwork required by the Grant County Detention Center intake process is to be completed by Marion Police Department Officers upon the transferring of custody at their request.
- C. The Shift Supervisor will email the completed report to Juvenile Probation at the current email address once checked and approved.



JUVENILE CUSTODIAL ARREST

NO. 9.01

Notifications:

- A. The parent or legal guardian of any juvenile taken into custody for any reason shall be notified by Marion Police Department personnel or the Grant County Detention Center personnel. Notification / Notification attempts by Marion Police Department personnel will be documented in the report.

Questioning:

- A. All juveniles must be questioned with a parent or legal guardian present if he/she is a suspect in a crime.
- B. Miranda Warnings will be read if the juvenile is in custody, not free to leave, and is being questioned about the crime that was committed.
- C. Meaningful Consultation Time will be afforded to the juvenile and the parent or guardian.



MARION POLICE DEPARTMENT POLICY MANUAL APPENDIX

FORM TITLE

- A. Court Officer Ride along Release and Waiver
- B. Off-Duty Employment Form
- C. Professional Letter Prescription Medication Report
- D. Use of Force – Resistance Report



COURT OFFICER RIDE-ALONG PROGRAM RELEASE AND WAIVER

KNOWN ALL MEN BY THESE PRESENTS, that the undersigned hereby acknowledges that he/she has voluntarily requested permission to ride in a vehicle assigned to the Marion Police Department (hereinafter referred to as "Department") and to accompany a member or members of the Department during the performance of their official duties.

WHEREAS, the Department desires to prevent crime, to safeguard the property and welfare of its citizens, and to preserve the public peace in the City of Marion; and

WHEREAS, the Department is willing to allow the undersigned person to ride in a vehicle assigned to the Department and to accompany a member or members of the Department during the performance of their duties upon the following terms and conditions:

NOW THEREFORE, in consideration of being permitted to ride in a vehicle assigned to the Department and to accompany a member or members of said Department during the performance of their official duties, the undersigned does hereby agree as follows:

1. That the undersigned is aware that the work of the Department is inherently dangerous as such work includes, without limitation, the use of weapons, unlawful acts of others, forcible resistance by stopped and apprehended suspects and law violators, assault, riot, breach of peace, and fire, and that I may be subjected to the risk of personal injury, death, or property damage by accompanying a member or members of the Department during the performance of their official duties. The undersigned is voluntarily participating in the ride-along program with knowledge of the danger involved, and the undersigned hereby expressly assumes full responsibility for any and all risk of injury, death, or property damage while accompanying a member or members of the Department during the performance of their official duties or otherwise participating in any aspect of the ride-along program.
2. That the undersigned, for himself or herself, and his/her heirs, executors, administrators, legal representatives, and assigns will not make any claim against, sue, attach the property of, or prosecute the City of Marion, the Marion Police Department, any public officials, officers, employees, or agents of the City of Marion or its Police Department, or their respective sureties, on account of the injury and/or death of, or damage to, the undersigned arising out of or resulting from, regardless of the cause thereof, whether direct or indirect of foreseeable or unforeseeable, while the undersigned is accompanying any member or members of the Department during the performance of their duties or otherwise participating in the ride-along program of the Department.
3. That the undersigned, for himself or herself, and his/her heirs, executors, administrators, legal representatives, and assigns, does hereby release and forever discharge the City of Marion, its Police Department, all public officials, officers, employees, and agents of the City of Marion, and their respective sureties, from and against any and all actions, causes



COURT OFFICER RIDE-ALONG PROGRAM RELEASE AND WAIVER

of action, claims, charges, demands, complaints, damages, costs, loss of services, expenses, and compensation on account of personal injury, death, or other damages arising out of or resulting from accompanying a member or members of the Department during the performance of their official duties and/or my participation in the ride-along program, regardless of the cause of said injury, death, or other damages, or whether same are foreseen or unforeseen, or direct or indirect.

- 4. That the undersigned further expressly agrees that the above Release and Waiver agreement is intended to be as broad and as inclusive as is permitted by the laws of the State of Indiana, and that if any portion thereof is held invalid, it is agreed that the balance shall, notwithstanding, continue in full legal force and effect.
- 5. The undersigned hereby declares that the ride-along program policy and procedures has been fully read and understood by me and I agree to abide by such policy and procedure. The undersigned hereby further represents that he/she has no health or medical condition that will possibly manifest itself or otherwise jeopardize my health and well-being while voluntarily accompanying a member or members of the Department during their official duties or otherwise participating in the ride-along program.
- 6. THE UNDERSIGNED HEREBY FURTHER DECLARES THAT HE/SHE HAS READ AND UNDERSTANDS THIS RELEASE AND WAIVER AND HAS VOLUNTARILY SIGNED THIS DOCUMENT, AND FURTHER REPRESENTS THAT NO ORAL REPRESENTATIONS, STATEMENTS, OR INDUCEMENTS APART FROM THE ABOVE WRITTEN PROVISIONS HAVE BEEN MADE.

Witness

Participant

Witness

Date

STATE OF INDIANA

SS:

COUNTY OF GRANT

Before me, a notary public in and for said County and State, personally appeared the above-named individual, who acknowledged that he/she did sign the foregoing instrument and that the same is her/her free act and deed.

In Testimony Whereof, I hereunto set my hand and official seal at Marion, Indiana, this

_____ day of _____, 20__.

_____ My Commission expires: _____

Notary Public



OFF-DUTY EMPLOYMENT

Employee's Name: _____

Prospective Off-Duty Company/Employer: _____

Address: _____ Business Phone: _____

Anticipated Starting Date: _____ Hours per week: _____

Expected Termination Date (if known): _____

Nature of Work to be Performed: _____

Is the purpose of your prospective off-duty private employment to utilize your police skills and expertise?

___ Yes ___ No

I understand that my off-duty employment is with the above named company or employer and not the Marion Police Department.

Officer's Signature / Unit # / Date

Witnessing Supervisor / Unit # / Date

Request is: Approved Denied

Chief of Police Date



OFF-DUTY EMPLOYMENT

AGREEMENT

This AGREEMENT made on _____, 20 __, between the Marion Police Department (the Department), the City of Marion, Indiana and _____ (the Employer), having its principal place of business at _____

. In consideration of the mutual covenants and agreements set forth below, the parties agree as follows:

1.01 **Term.** The Department hereby agrees to provide for employment and the Employer hereby agrees to employ off-duty members of the Department subject to the conditions of employment hereafter contained, for a period of _____, subject, however, to prior termination of this Agreement as provided below.

1.02 **Duties of Department Personnel.** The Department employee(s) assigned to perform work for the Employer hereunder shall perform off-duty security duties as assigned by the Employer subject to the following:

- A. Off-duty employment of employees hereunder shall always be secondary to the performance of the employees' duties for the Department. Time and other conflicts between Department and off-duty work shall always be resolved in favor of the Department.
- B. Employees shall not engage in off-duty work while performing duties for the Employer while on sick or disability leave from the Department.
- C. Off-duty work which presents a conflict with the Department's objectives, policies, rules, general orders, or which in any other way presents a conflict of interest is forbidden. Such conflicts include, but are not limited to situations in which the Employer directs an employee to arrest or not arrest a person, working for bail bond agencies, investigative work for insurance companies, private guard services, collection agencies, attorneys, gambling establishments, establishments that serve alcoholic



OFF-DUTY EMPLOYMENT

beverages, and business involved in labor disputes.

- D. Employees shall not use the influence of their position to direct or influence persons with whom the employee has contact during their Department employment to become customers or clients of the Employer, including but not limited to wrecker services, investigation or security agencies, alarm companies, etc.
- E. Time spent by employees at depositions, in court, or at other proceedings which result from an off-duty employment arrest will not be compensated for by the Department and shall not conflict with an employee's Department work hours.
- F. All expenses incurred by employees while engaged in off-duty employment shall be submitted to and be the sole responsibility of the Employer.
- G. Employees shall not work over twenty (20) hours for the Employer hereunder during the employee's regular scheduled workweek for the Department. This prohibition does not apply to vacation leave or regular days off.
- H. Employees who have prior approval of the Department to wear their Department uniform(s) while performing off-duty work must carry at all times their:
 - 1. badge;
 - 2. identification card;
 - 3. Department issued weapon;
 - 4. police radio; and
 - 5. handcuffs.

* The Marion Police Department uniform patch or badge shall not be worn unless authorized in advance by the Chief of Police.



OFF-DUTY EMPLOYMENT

- I. Employees working off-duty in civilian clothes must carry at all times their:
 1. badge;
 2. identification card;
 3. Department issued weapon in authorized holster;
 4. police radio; and
 5. handcuffs.

- J. Employees are not permitted to use any departmental facility or property while performing off duty work unless an arrest is made. This prohibition includes, but is not limited to:
 1. Department records;
 2. criminal history records;
 3. investigative files;
 4. computer terminals and data;
 5. Department telephones;
 6. Department offices; and
 7. Department vehicles, unless approved otherwise by the Chief of Police or designee.

* Any departmental report available for purchase by the general public may be purchased for the Employer by employees.

1.03 **Termination.** This Agreement may be terminated by either party giving written notice of termination to the other party. Termination shall not prejudice any other remedy that the terminating party may have either at law, in equity, or under this Agreement.

1.04 **Liability.** It is hereby understood that any employee performing work for the Employer hereunder is an employee of the Employer and not the Department during all hours for which the employee is paid by the Employer and that during all such time the Employer is responsible for the payment of all income and other



OFF-DUTY EMPLOYMENT

taxes and withholdings, workers' compensation premiums and payments, unemployment compensation premiums and payments, and all other legally required payments. The Employer is further liable for all acts of employees so employed and agrees to maintain liability insurance to cover any claims arising out of the performance of duties under this Agreement and shall further indemnify, hold harmless, and defend the Department and the City of Marion from any claims arising from any act or omission of any employee performing services hereunder.

- 1.05 **Entire Agreement.** This Agreement supersedes any and all agreements between the parties hereto with respect to the subject matter hereof and no other agreement, statement, or promise relating to the subject matter of this Agreement that is not contained herein shall be valid or binding.

Dated: _____, 20__

Employer:

By: _____

Title: _____

Marion Police Department:

By: _____
Chief of Police



Professional Letter Prescription Medication Report

Dear Medical Professional:

In recent years there has been an increase both locally and nationally in the reported theft of prescription medication. We have most recently noticed an increase in individuals reporting their medication loss or stolen multiple times. In an effort to prevent what we believe to be an attempt to receive additional medication by reporting their medication lost or stolen, we will immediately require the reporter to have a letter signed by their medical provider, on official letterhead stating the following:

1. Victim is a patient of the physician.
2. Victim has been prescribed the medication that is being reported stolen.
3. Victim has or has not previously reported any other medication as stolen.
4. The name of the medication, number of pills, dosage amount, dosage amount to be taken daily, and the date of the original prescription.

We will no longer take a report for lost medication. If the reporter has simply lost their medication it will be up to their medical provider to decide whether they will refill the prescription without a police report.

We realize this may cause some extra work on your end, but we feel it is necessary to prevent abuse by those who are simply trying to get extra medication by filing a stolen report.

Sincerely,

Cliff Sessoms,
Deputy Chief of Police
Marion Police Department



USE OF FORCE/RESISTANCE REPORT

| | | |
|---------------------|-------------|-----------------|
| Officer: _____ | Date: _____ | Case No.: _____ |
| Subject Name: _____ | | Address: _____ |
| Witness: _____ | | Address: _____ |
| Witness: _____ | | Address: _____ |

A. SOURCE OF CONTACT

| | | | |
|--|----------------------|--|-------------------------|
| | Dispatched Call | | Jail/Custody |
| | Domestic | | Tactical Operation |
| | Assault | | Prisoner Transportation |
| | Crime in Progress | | Pursuit |
| | Disorderly Person(s) | | Vehicular |
| | Other: | | Foot |
| | On-View Offense | | Crowd Control |
| | Traffic Stop | | Other: |

B. SUBJECT RESISTANCE

| | | | |
|--|---------------------------------|--|--|
| | Cooperative | | Bludgeoning Tool Aggressive Resistance |
| | Passive Resistance | | Edged Weapon |
| | Verbal Resistance | | Firearm |
| | Empty Hand Defensive Resistance | | Other: |
| | Empty Hand Active Aggression | | |



USE OF FORCE/RESISTANCE REPORT

C. FORCE USED BY POLICE EMPLOYEE

| | | | |
|--|----------------------------|--|------------------------|
| | Non-Complaint Handcuffing | | Impact Tool/Baton |
| | Firearm Pointed at Subject | | Impact Tool/Flashlight |
| | Chemical Agent | | Impact Tool/Other: |
| | Joint Manipulation | | Canine |
| | Pressure Point Control | | Maximal Restraint: |
| | Leg Sweep or Trip | | Neck Restraint |
| | Struck with Hand: | | Firearm Discharged |
| | Kick | | Other: |
| | Electronic Tool | | |

D. SUBJECT INJURY:

| | | | |
|--|--------------------------------------|--|--|
| | Fatal | | Hospital Admission |
| | Moderate or Major Injury | | Treated and Released Hospital or Scene |
| | Injured | | Refused Medical Treatment |
| | Complained of but Not Observed | | No Medical Treatment Necessary |
| | No Injury Complained of Nor Observed | | Photographs Taken |

E. SUBJECT INJURY LOCATION(S):

| | | | |
|--|-------|--|---------------------------|
| | Head | | Torso (front, back, side) |
| | Face | | Arms |
| | Neck | | Hands |
| | Groin | | Legs |

F. ADDITIONAL DETAILS: _____



OFFICER/COMMUNICATIONS INFORMATION SHEET

When reporting a missing person to A Child Is Missing, you will need to provide the following information by Toll-free (888) 875-2246 or Emergency Back-Up Pager (954) 492-4778.

Name of missing person

DOB of missing person

Gender

Nationality

Height, Weight,

Eye color, Hair color

Any other characteristics such as glasses, tattoos, piercing, scars. Etc.

Clothing description

Location last seen with zip code

Provide accurate spelling of street names

Provide nearest major intersection

Residence if different than last seen location

Date and time last seen

Is the person a habitual runaway? First Time missing?

Were friends/family notified?

Is there water or wooded areas near the location last seen?

Did the missing person leave in a vehicle, on a bicycle or skateboard?

If in a vehicle, what is the vehicle description and license plate?

Is there foul play suspected? Parental/Stranger Abduction?

Was there a confrontation prior to the person's disappearance?

Does the person have a substance abuse problem?

Is the person taking medication?

Name of Law Enforcement Agency : MARION PD

State: INDIANA County: GRANT

Case # assigned to the case

Agency telephone number for the public to call if they have information

Name of officer in charge of the case

Contact number for the officer in charge of the case. Cell, beeper or land line.



REQUEST FOR RELEASE OF INFORMATION

Requestors Name: _____

Date of Request: _____

Contact Number: _____

Case Number if Known: _____

Information Requested: _____

Information Released By: _____

Date Released: _____

Every effort will be made to release the requested information at the time of the request. However, depending on the amount of information requested and the logistics involved in retrieving the information your request could take additional time. If this is the case you will be informed when the information is available to be received. All release of information request will only be processed during normal business hours of operations.