This manual is presented in its entirety, aside from the following sections, which have been redacted in accordance with Minnesota State Statute 13.37 for containing security information:

- *Policy 128: Eye Witness Identification Procedures Model Policy (10 pages)*
- *Patrol Procedure 304 Bomb/Bomb Threats (4 pages)*
- *Patrol Procedure 314 Alarm Response Procedure (5 pages)*
- *Investigative Procedure 410 Vice Operations (1 page)*

BLOOMINGTON POLICE DEPARTMENT MANUAL

POLICY: 100

EFFECTIVE DATE: May 6, 2013

SUBJECT: CODE OF CONDUCT

I. STATEMENT:

The effective policing of a community depends on respect, trust, and confidence. Conduct or behavior of employees that detracts from this confidence and trust is detrimental to the public and the professional police community. It is the policy of the Bloomington Police Department to expect compliance of all employees to all principles listed in this policy. The department will accept and investigate complaints and circumstances suggesting that an officer has engaged in inappropriate conduct and impose actions appropriate to eliminate the behavior.

II. APPLICATION OF RULES AND STANDARDS:

The Bloomington Police Department will use the contents of the policy manual to formalize its expectations and internal controls on the issue of officer or employee
Conduct. We have included an addendum to this manual called "Professional Conduct of Peace Officers Model Policy" as required per MN STATUTE 626.8457. This is a model policy **mandated** by the Peace Officers Standards and Training (POST) Board. It is our intent to use the existing policy for any issue that is discussed or listed in both documents. We may use the "Professional Conduct of Peace Officers Model Policy" addendum when an issue is in the addendum and **not** in the policy manual.

CANCELS AND REPLACES:
Policy 100 – Code of Conduct, Issued September 6, 2012

BLOOMINGTON POLICE DEPARTMENT

POLICY: 101

EFFECTIVE DATE: SEPTEMBER 16, 2021

SUBJECT: Response to Aggression and Resistance

PURPOSE:

This policy provides guidelines on the response to aggression and resistance. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of the Bloomington Police Department (BPD) is expected to use these guidelines to make such decisions in a professional, impartial, and reasonable manner.

SCOPE:

The provisions of this policy shall be applicable to all officers of the BPD while engaged in their official duties, whether within or outside the City of Bloomington. The BPD recognizes the value of all human life and is committed to respecting the human rights and dignity of every individual. In the course of effectively enforcing laws, making arrests, and protecting citizens, officers of the BPD may be required to use force.

Based on the Fourth Amendment's "reasonableness" standard, sworn BPD employees shall treat everyone with dignity and without prejudice and only use the amount of force that is objectively reasonable in light of the facts and circumstances perceived by that employee at the time force is used to accomplish a legitimate law enforcement purpose. The force used shall be consistent with current BPD training.

Officers should exercise special care when interacting with individuals with known physical, mental health, developmental, or intellectual disabilities as an individual's disability may affect their ability to understand or comply with commands from peace officers.

STATE REQUIREMENTS:

The BPD shall provide officers with guidelines in the use of force and deadly force in accordance with Minn. Stat. §626.8452 Deadly Force and Firearms Use; Policies and Instruction Required; Minn. Stat. §626.8475 Duty to Intercede and Report; Minn. Stat. §609.06 Authorized Use of Force; Minn. Stat. §609.065 Justifiable Taking of Life; and Minn. Stat. §609.06 6 Authorized Use of Force By Peace Officers.

DEFINITIONS:

Active Resistance: A response to police efforts to bring a person into custody or control for detainment or arrest. A subject engages in active resistance when engaging in physical actions (or verbal behavior reflecting an intention) to make it more difficult for officers to achieve actual physical control.

Assaultive Aggression: Behavior initiated by a subject that may or may not be in response to police efforts to bring the person into custody or control. A subject engages in assaultive aggression when presenting behaviors that constitute an assault or the circumstances reasonably indicate that an assault or injury to any person is likely to occur at any moment.

Approved Weapon: Approved weapon means a weapon for which an officer has received authorization to carry and use in the course of the officer's duties, and, for which the officer has:

1) Obtained training in the technical, mechanical, and physical aspects of the device; and
2) Has developed a knowledge and understanding of the law, and regulations regarding the employment of such weapons.

Bodily Harm: Physical pain or injury.

Choke Hold: Deadly force option. A method by which a person applies sufficient pressure to a person to make breathing difficult or impossible, and includes but is not limited to any pressure to the neck, throat, or windpipe that may prevent or hinder breathing, or reduce intake of air. Choke hold also means applying pressure to a person's neck on either side of the windpipe, but not to the windpipe itself, to stop the flow of blood to the brain via the carotid arteries.

Chemical Agents/Munitions: Chemical agents/munitions means any chemical irritant that can be deployed by hand, aerosol projector, or launch-able device.

Conducted Energy Weapon (CEW): Is a product marketed by TASER having the capability of using an electrical circuit to affect a subject in two separate modes (Probe and Drive Stun).

- **Probe Mode:** When a CEW is used with a live cartridge to deploy probes at a person for the purpose of causing neuromuscular incapacitation (NMI).
    - **NMI** is when an electrical current causes the individual to lose voluntary muscle control.

DEFINITIONS CONTINUED:

- **Drive Stun:** Regarding CEW's There are two separate modes of drive-stun backup: (1) drive stun utilizing the electrodes (no cartridge) on the front of the CEW, and (2) three-point deployment (with cartridge).
    - Mode 1 is applying direct CEW contact with the subject and will generally cause localized pain compliance only and rarely have any NMI effect.
    - Mode 2 is using the Probe Mode followed by using the drive stun far enough away from the probes to complete the circuit and cause NMI.

Deadly Force: Minn. Stat. §609.066: "…Force which the actor uses with the purpose of causing, or which the actor should reasonably know creates a substantial risk of causing death or great bodily harm. The intentional discharge of a firearm other than a firearm loaded with less-lethal munitions and used by a peace officer within the scope of official duties, in the direction of another person, or at a vehicle in which another person is believed to be, constitutes deadly force..."

De-Escalation: Taking action or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary.

Enhanced Checks: Enhanced checks consists of looking for any unusual or suspicious movement, ensure breathing, and see skin to:

1) Ensure a subject is alive and present; and
2) Identify subject(s) who may be experiencing difficulties.

Enhanced checks will be performed by the BPD jail officer at least every fifteen (15) minutes for four (4) hours.

Enhanced checks will be conducted on subjects who have been exposed to a Conducted Electric Weapon (CEW) to the point of Neuro-Muscular Incapacitation (NMI).

The jail officer shall immediately report any subject deficiencies to the Admin or on-duty Sergeant.

Exigent Circumstances: Circumstances that would cause a reasonable officer to believe that immediate action is necessary to save a life or prevent injury.

Flight: Is an effort by the subject to avoid arrest or capture by fleeing without the aid of a motor vehicle.

DEFINITIONS CONTINUED:

Great Bodily Harm: Bodily injury which creates a high probability of death, or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ, or other serious bodily harm.

Improvised Weapon: Object(s) that are not defined as an "authorized weapon," however, based upon the totality of the circumstances may be used by officer(s) to prevent bodily harm to themselves or another.

Less Lethal Munitions: Projectiles which are designed to impact a person with the intent to stun, temporarily incapacitate, or cause temporary discomfort.

Non-Deadly Force: Force that does not have the reasonable likelihood of causing or creating a substantial risk of death or great bodily harm. This includes, but is not limited to, physically subduing, controlling, capturing, restraining or physically managing any person. It also includes the actual use of any less-lethal and non-lethal weapons.

Objectively Reasonable Force: The amount and type of force that would be considered rational and logical to an "objective" officer on the scene, supported by facts and circumstances known to an officer at the time force was used.

Passive Resistance: Behavior initiated by a subject, when the subject does not comply with verbal or physical control efforts, yet the subject does not actively resist to defeat an officer's control efforts.

Precision Intervention Technique (PIT): The intentional act of utilizing a police vehicle by pushing the rear end of a fleeing vehicle, out of alignment with the front end, which induces a spin-out of the fleeing vehicle. The spin-out typically brings the fleeing vehicle to a stop allowing officers to end the pursuit more safely.

Use of Force: The application of physical techniques, chemical agents, or weapons to another person. It is not a use of force when a person, or persons, allows themselves to be searched, escorted, handcuffed or restrained.

THREAT MITIGATION AND DE-ESCALATION:

De-escalation

Whenever reasonably feasible, according to BPD policies and training, officers should attempt to use de-escalation tactics to gain voluntary compliance and seek to avoid or minimize use of physical force.

1. When safe and feasible, officers should:
    a. Attempt to slow down or stabilize the situation so that more time, options, and resources are available.

        i. Mitigating the immediacy of a threat gives officers more time to call additional officers or specialty units and to use other resources.
        ii. The number of officers on scene may make more force options available and may help reduce overall force used.

    b. Consider whether a subject's lack of compliance is a deliberate attempt to resist or an inability to comply based on factors including, but not limited to:
        - Medical conditions
        - Mental impairment
        - Developmental disability
        - Physical limitation
        - Language barrier
        - Influence of drug or alcohol use
        - Behavioral crisis

Such consideration, when time and circumstances reasonably permit, shall then be balanced against incident facts when deciding which tactical options are the most appropriate to resolve the situation safely.

2. De-escalation tactics include, but are not limited to:
    - Placing barriers between an uncooperative subject and an officer;
    - Containing a threat;
    - Moving from a position that exposes officers to potential threats to a safer position;
    - Reducing exposure to a potential threat using distance, cover or concealment;
    - Communication from a safe position intended to gain the subject's compliance, using verbal persuasion, advisements or warnings;
    - Avoidance of physical confrontation, unless immediately necessary (e.g. to protect someone or stop dangerous behavior);
    - Using verbal techniques to calm an agitated subject and promote rational decision making; and

- Calling additional resources to assist, including more officers, Crisis Intervention Team (CIT) officers and officers equipped with less-lethal tools.

AUTHORIZED USE OF FORCE:

Minn. Stat. §609.06 subd. 1 states, "…When authorized…except as otherwise provided in subdivision 2, reasonable force may be used upon or toward the person of another without the other's consent when the following circumstances exist or the actor reasonably believes them to exist…

When used by a public officer or one assisting a public officer under the public officer's direction:

- In effecting a lawful arrest; or
- In the execution of legal process; or
- In enforcing an order of the court; or
- In executing any other duty imposed upon the public officer by law…"

In addition to Minn. Stat. §609.06 sub. 1, BPD policies shall utilize the United States Supreme Court decision in *Graham vs Connor* as a guideline for reasonable force.

The *Graham vs Connor* case references that: "…Because the test of reasonableness under the Fourth Amendment is not capable of precise definition or mechanical application, its proper application requires careful attention to the facts and circumstances of each particular case, including..:"

- The severity of the crime at issue,
- Whether the suspect poses an immediate threat to the safety of the officers or others, and;
- Whether the suspect is actively resisting arrest or attempting to evade arrest by flight.

The "reasonableness" of a particular use of force must be judged from the perspective of the reasonable officer on the scene, at the time force was used, rather than with the 20/20 vision of hindsight.

"The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments - in circumstances that are tense, uncertain, and rapidly evolving - about the amount of force that is reasonable in a particular situation."

Use of physical force should be discontinued when resistance ceases or when the incident is under control.

Physical force shall not be used against individuals in restraints, except as objectively reasonable to prevent their escape or prevent imminent bodily injury to the individual, the officer, or another

person. In these situations, only the amount of force necessary to control the situation shall be used.

TREATMENT/MEDICAL AID:

Treatment (Medical Aid) for a person whom has had force used on them shall include the following:

- Determine if the person is injured or requires EMS.
- When appropriate, visually inspect the areas for signs of injury.
- Render medical aid consistent with training and request EMS response for evaluation when feasible.

AUTHORIZED USE OF DEADLY FORCE:

Minn. Stat. §609.066 sub. 2 – "The use of deadly force by a peace officer in the line of duty is justified only if an objectively reasonable officer would believe…that such force is…necessary:"

- To protect the peace officer or another from death or great bodily harm.
- To effect the arrest or capture, or prevent the escape, of a person whom the peace officer knows or has reasonable grounds to believe has committed or attempted to commit a felony involving the use or threatened use of deadly force.
- To effect the arrest or capture, or prevent the escape, of a person who the officer knows or has reasonable grounds to believe has committed or attempted to commit a felony if the officer reasonably believes that the person will cause death or great bodily harm if the person's apprehension is delayed.
- Where feasible, the officer shall identify themselves as a law enforcement officer and warn of his or her intent to use deadly force.
- In addition to Minn. Stat. §609.066, BPD policies shall utilize the United States Supreme Court decision in Tennessee vs Garner as a guideline for the use of deadly force.

The *Tennessee vs Garner* case references that: "Apprehension by the use of deadly force is a seizure subject to the Fourth Amendment's reasonableness requirement."

Sworn BPD employees shall recognize that:

- For the safety of the public, warning shots shall not be fired.
- The use of a firearm, vehicle, less-lethal or non-lethal weapon, or other improvised weapon may constitute the use of deadly force.
- This policy does not prevent a sworn employee from drawing a firearm, or being prepared to use a firearm in threatening situations.

DUTY TO INTERCEDE AND REPORT:

Any officer present and observing another officer or supervisor using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force and promptly report these observations to a supervisor. A written report must be submitted to the Chief of Police within 24 hours.

REPORTING AND POST INCIDENT REQUIREMENTS:

Any sworn BPD employee who uses force shall comply with the following requirements:

Authorized responses to aggression and resistance requires careful attention to the facts and circumstances of each case. Sworn BPD employees shall write a response to resistance and aggression report documenting each application of force used. The exception to this reporting requirement is officers who are involved in critical incidents. The response to resistance and aggression report should document the use of any trained technique, manipulation, or untrained technique used dynamically to overcome resistance and aggression.

The response to resistance and aggression report is intended to track and trend techniques used by sworn and authorized non-sworn personnel. As such, the report should include the types of resistance encountered, any attempts at de-escalation, the types of techniques used, and the environment in which the force was used and whether the techniques used resulted in injury or complaint of injury to the suspect or officer.

The supervisor of the employee reporting a response to resistance shall:

- Review any video documentation of the incident, if available.
- Review reports and make additional inquiries, if necessary, to determine whether the use of force or tactic was in compliance with this policy and other policies that may be relevant to the incident.
- Endorse the report indicating the action taken was either justified or requires further investigation.
- In cases that are not justified or require further investigation, include details of that determination.
- The Commander of Professional Standards shall be responsible for conducting further review or investigation.

USE OF CONDUCTED ELECTRICAL WEAPON (CEW):

The BPD approved Conducted Electrical Weapon (CEW) is considered a less-lethal weapon. The use of CEWs shall be consistent with current BPD training and policies governing the use of force.

BPD officers are only authorized to carry CEWs that are issued by the department. In addition, the CEW shall be carried on the officers' reactionary side in an approved holster.

Emergency Response Unit (ERU) members and Investigators may carry/secure their CEW to their tactical vest.

CEW USE CONSIDERATIONS:

Officers should take into consideration the possibility of increased risk of serious injury and/or death when the CEW is used upon certain individuals such as:

- Persons with known heart conditions;
- Elderly persons or young small children;
- Frail or infirm persons or persons with low body mass;
- Women known to be pregnant;
- Persons on elevated positions/platforms or are submerged in water; and
- Targeting sensitive areas (head, throat, chest and groin).

POST EXPOSURE TREATMENT/MEDICAL AID:

- Determine if the subject is injured or requires a paramedic response.
- If NMI is achieved, request a paramedic response for an evaluation.
- Officers may remove probes that are not embedded too deeply or located within the sensitive areas (face, neck, throat, groin or female breast area). Probes that are deeply embedded or are within the sensitive areas require EMS removal.
- Examine probes and barbs to ensure they are intact after removal.
- Probes are to be considered biohazard material and shall be handled properly.
- When appropriate and if feasible, visually inspect probe entry sites and/or drive stun locations for signs of injury.
- When appropriate and if feasible, photograph probe entry sites and/or drive stun locations.
- Advise on-duty supervisor.
- Advise on-duty jail officer to perform enhanced checks.

USE OF CHEMICAL AGENTS/MUNITIONS:

The BPD approved chemical agents/munitions is considered a less-lethal force option(s). The use of chemical agents/munitions shall be consistent with current BPD training and policies.

The BPD authorizes the use of the following chemical agents/munitions:

1. Hand, aerosol projector, or launch-able device that contain a chemical irritant.
    - As a general patrol function that is spontaneous and/or rapidly developing any of these devices can be deployed in conformance with Policy 101.

- For the deployment of chemical agents/munitions for crowd control in an event deemed a Civil Disturbance all personnel must adhere to **General Order 250 Crowd Control and Civil Disturbances**.

Authorized users:

1. Only Licensed Peace Officers trained through the BPD in their use.
2. Community Service Officers, Police Reserves and Explorers may carry and use chemical aerosol projector after the Supervisor of the Training Unit confirms they receive the proper training.

Deployment/Considerations:

- Officers should consider weather & wind direction;
- The presence of additional officers and civilians and proximity; and
- Type of environment chemical agent will be introduce into.

Decontamination:

When safe and feasible:

- Remove the suspect from the contaminated area and into fresh air;
- Request medics if needed to aid in the decontamination; and
- Sworn employees shall keep a subject exposed to the chemical agent under close observation until they are released to medical or other law enforcement personnel. An officer who has used a chemical agent shall inform the individuals accepting custody of the subject that a chemical agent was used on them.

USE OF IMPACT WEAPONS:

Impact weapons may be used by an officer where it reasonably appears that such lesser force would be ineffective if attempted. The use of impact weapons is limited to the following circumstances;

- To block strikes from another person.
- To strike another person for the purpose of manipulating the skeleton, displacing balance and/or rendering that person incapacitated.
- To restrain another person.
- In an appropriate crowd, civil disturbance, or high-risk situation, to direct and control the movements of people or persons present.
- To use as a leverage tool for hand recovery and/or pain compliance.
- Used as a barricade or barrier.

Strikes from an impact weapon shall be directed at non-vital target areas unless the totality of circumstances justifies deadly force.

TREATMENT/MEDICAL AID:

Treatment (Medical Aid) for a person that has been struck with an impact weapon shall include the following:

- Determine if the person is injured or requires EMS.
- When appropriate, visually inspect the areas struck for signs of injury.
- Render medical aid consistent with training and request EMS response for evaluation when feasible.

Sworn employees shall routinely monitor the medical condition of a person that has been struck with an impact weapon until they are released to EMS, another law enforcement agency, or a sober adult capable of monitoring their medical condition. An officer who has used an impact weapon shall inform individuals accepting custody that it was used on the person.

CANINE USE (Apprehension):

The use of this level of force shall be done only under the direction of a canine handler. Details on this use of force is specified in the Canine Team's General Order 232.

LESS LETHAL DELIVERY SYSTEMS/MUNITIONS:

The BPD authorizes the use of less lethal munitions.

1. Less lethal delivery systems and less lethal munitions are a less lethal force option. The use of less lethal delivery systems and less lethal munitions shall be consistent with current BPD training and policies governing the use of force.
    - Firearms may be readied for use with less lethal munitions where it is reasonable to believe that the use of less lethal force may be required.
    - As a general patrol function that is spontaneous and/or rapidly developing any less lethal force option can be deployed in conformance with Policy 101.
    - For the authorized use of less lethal munitions for crowd control in an event deemed a Civil Disturbance all personnel must adhere to **General Order 250 Crowd Control and Civil Disturbances**

Authorized users:

1. Only Licensed Peace Officers trained through the BPD may use less lethal munitions.

Post Care:
Once the subject is controlled/overwhelmed, officers should;

- Handcuff subject and perform a weapons search
- Make arrangements for the subject to be transported to a hospital to be checked by a physician or their designee.

FIREARMS:

- Firearms may be readied for use in any situation where it is reasonable to believe that the use of deadly force may be required.
- Firearms should not be discharged or fired as a means to warn a person that deadly force will be used.

Post Care:
Once the subject is controlled/overwhelmed, and the scene is safe enough to do so, officers should;

- Handcuff subject and perform a weapons search.
- Make arrangements for the subject to be transported to a hospital to be checked by a physician or their designee, if the subject is alive. If the subject, or subjects are deceased at the scene, on scene personnel should resort to the Bloomington Police Department's critical incident policy.

Edged Weapons- Fixed Blade:

Authorized users:

1. Only Licensed Peace Officers trained through the BPD may carry the fixed blade force option.
    - Fixed Blade force options may be used in any situation where it is reasonable to believe that the use of deadly force may be required and is consistant with BPD training.

Post Care:
Once the subject is controlled/overwhelmed, and the scene is safe enough to do so, officers should;

- Handcuff subject and perform a weapons search.
- Make arrangements for the subject to be transported to a hospital to be checked by a physician or their designee, if the subject is alive. If the subject, or subjects are deceased at the scene, on scene personnel should resort to the Bloomington Police Department's critical incident policy.

RECORDKEEPING REQUIREMENTS:

The chief law enforcement officer shall maintain records of the agency's compliance with use of force training requirements.

SECURING OF ARRESTED INDIVIDUALS:

Arrested individuals may not be secured with all of their limbs behind their back, or in any way that results in transporting the person face down in a vehicle.

TRAINING:

All officers shall receive training, at least annually, on this policy and related legal updates. In addition, training shall be provided on a regular and periodic basis and designed to:

- Provide techniques for the use of and reinforce the importance of de-escalation;
- Simulate actual shooting situations and conditions; and
- Enhance officers' discretion and judgement in using non-deadly force in accordance with this policy.

Before being authorized to carry a firearm, all officers shall receive training and instruction with regard to the proper use of deadly force and to Federal law, State statutes, and BPD policies with regard to such force. Such training and instruction shall continue on an annual basis.

Before carrying an authorized device all officers shall receive training and instruction in the use of the device including training as it relates to its use in deadly force and/or non-deadly force situations. Such training and instruction shall continue on an annual basis.

Officers will carry and use only authorized devices unless circumstances exist which pose an immediate threat to the safety of the public or the officer requiring the use of a device or object that has not been authorized to counter such a threat.

With agency approval officers may modify, alter or cause to be altered an authorized device in their possession or control.

Quick Reference First Aid and Care Checklist:

Refer to individual methods of force for detailed care requirements.

METHOD	OFFICER/ SERGEANT CHECK	PARAMEDIC	HOSPITAL
Contact Weapon	X		
Chemical Agents (aerosols)	X		
CEW/Drive Stun/No NMI	X		
K9 Bite	X		
CEW where NMI is achieved		XX	
Chemical Agents (Pepperball)		XX	
Less Lethal Munitions (40mm/sock round)			XXX
Fixed Blade Injuries			XXX
Firearms Discharge Injuries			XXX

Cancels and Replaces:
Policy 101 – Response to Aggression and Resistance
Issued August 9, 2021

BLOOMINGTON POLICE DEPARTMENT MANUAL

POLICY: 102

EFFECTIVE DATE: September 6, 2010

SUBJECT: TIME IN GRADE

For the purpose of resolving rank order in internal operations, we recognize the logic of using time in grade as a determining factor.

Therefore, rank-order lists based on time in grade will be established and kept current for each rank above patrol officer. Where dates of promotion are the same, starting date will determine rank order. Such lists will be used for internal Department purposes only.

If a commander is temporarily reduced in rank due to budget constraints, his/her time in grade will be based on the original appointment date to the reduced rank. If he or she is later "repromoted," the time in grade will then be determined by his/her original promotion date to the higher rank.

Example: Officer Ralph Jones promoted to sergeant 1/10/05.

Sgt. Jones promoted to commander 2/01/09.

Commander Jones is temporarily reduced to sergeant. His time in grade as a sergeant is based on 1/10/05.

He is later promoted back to commander. His time in grade as a commander is based on 2/01/09.

If a sergeant is reduced in rank to officer, he or she will be placed on the officers' seniority list based on his/her last hiring date. If the reduction in rank is temporary due to budget limitations and he or she is later restored to sergeant rank, the time in grade as a sergeant will be based on the original promotion date to sergeant.

If a reduction in rank is disciplinary and the officer is again promoted on a later date, his/her time in grade will be based on that date.

CANCELS AND REPLACES:
Policy 106 – Time in Grade, Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT MANUAL

POLICY: 103

EFFECTIVE DATE: September 6, 2010

SUBJECT: LABOR - MANAGEMENT DISPUTES

STATEMENT

Negotiation and collective bargaining are legally recognized methods of settling labor disputes. In such disputes it is not the function of the Police Department to deal with the issues involved; rather, it is the role of the Department to protect rights by enforcing the law and by maintaining order.

EACH OFFICER SHALL:

1) Prevent interference with the free and uninterrupted use of public roads, streets, highways, or methods of transportation or convenience, and to use such force as may be necessary and reasonable for that purpose.
2) Prevent disorderly conduct, assault and battery, malicious destruction of property, riot and other similar crimes and misdemeanors defined by statute or ordinance.
3) Have the right and are under duty to use such force as may be necessary to prevent injuries to persons or destruction of property in violation of the general laws of the State.
4) Have the right and are under duty to make arrests without warrants for acts of violence committed in their presence and resulting in such injury to persons or destruction of property.
5) Have the right and are under duty to make arrests pursuant to warrants issued by courts of competent jurisdiction.
6) Enforce any court order such as restraining order or injunction which provides that the Police Department shall enforce its provisions.

In short, the main duty of a police officer assigned to duty at a labor dispute is to maintain law and order. In no manner of word or action will he or she display any partiality toward either of the parties involved, but will maintain a courteous but firm attitude in the performance of his or her duties.

CANCELS AND REPLACES:
Policy 109 – Labor Management Disputes, Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT MANUAL

POLICY: 104

EFFECTIVE DATE: September 6, 2010

SUBJECT: VACATION

Vacations and time-off requests will be granted whenever the absence of the employee will not adversely affect the operations of the Department. Since the needs of the organization are in a constant state of change, it will be the responsibility of the division commanders to issue Special Orders concerning the maximum number of personnel that can be off at the same time. This maximum number must address itself to both police officers and supervisory personnel to provide a level of service commensurate with the needs and expectations of the community.

CANCELS AND REPLACES:
Policy 110 – Vacation, Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT MANUAL

POLICY: 105

EFFECTIVE DATE: September 6, 2010

SUBJECT: RESPONSE TO MEDICAL EMERGENCIES

PURPOSE: To provide direction and guidance to Bloomington Police Department personnel when responding to calls for medical service.

I. RESOURCES

A) BLOOMINGTON POLICE DEPARTMENT

1) Patrol officers of the Bloomington Police Department shall constitute the primary first response to all medical emergencies within the city of Bloomington.

B) ADVANCED LIFE SUPPORT AND TRANSPORTATION SERVICES

1) Advanced Life Support and medical transportation services shall be provided for in accordance with Hennepin County Ordinance Number 9.

a) Allina Transportation Services shall be used for all Advanced Life Support and Transportation Services within the city of Bloomington, as provided for under Hennepin County Ordinance Number 9.

II. UTILIZATION OF RESOURCES

A) The initial response to any call of a medical emergency within the city of Bloomington shall be determined by the dispatcher working with Allina pre-arrival and information from the citizenry:

1) Two patrol officers for serious medicals or medicals at on-sale liquor establishments; one patrol officer for minor medicals.

2) An Advanced Life Support Ambulance from Allina Transportation Services.

3) Medicals at health care facilities, long-term care facilities, or requests for Allina transport only may not require a police response. This will be determined by Bloomington Police Dispatch and pre-arrival information obtained by Allina Dispatch from the citizenry.

B) A patrol supervisor or patrol officer assigned to the medical emergency may specify a different response by requesting additional units, canceling units, or specifying the type of emergency response of responding units based upon the nature of the call and the officer's knowledge of the principals or location.

C) Fire Department response to calls for medical service:

1) The on-duty police supervisor may determine that a response by the Bloomington Fire Department is necessary to a call for medical service. Factors to consider in this determination are:

a) Call load requires the consideration of mutual aid.

b) Protracted incidents such a Code 10, significant crime or prolonged police action.

III. DIRECTION AND CONTROL

A) The primary patrol officer (call car) or, if not specified, the senior patrol officer assigned to a medical emergency, shall have the authority to direct all resources in response to a medical emergency.

1) Police officers responding to a medical emergency shall follow the directions of the paramedics relative to treatment of any victim once the paramedics have initiated treatment of that victim.

a) This provision shall not negate the requirement of an independent appraisal by a police officer of the need for a medical transportation hold upon any victim who refuses to voluntarily seek medical attention.

B) During time of disaster or a broadly based emergency, other medical resources may be used for emergency medical transportation when authorized by the Director of Emergency Management, or as otherwise specified in the City of Bloomington Emergency Plan.

CANCELS AND REPLACES:
Policy 105 – Response to Medical Emergencies, Issued August 25, 2005

BLOOMINGTON POLICE DEPARTMENT MANUAL

POLICY: 106

EFFECTIVE DATE: September 6, 2010

SUBJECT: CEREMONIAL COURTESY

The purpose of this policy is to establish a procedure that demonstrates courtesy and respect toward the American Flag and the National Anthem.

SALUTES

When the National Anthem is played, all persons should come to attention and face the flag if it is displayed, whether in or out of doors; if no flag is displayed, they should face the source of music.

1) Members in uniform shall salute at the first note of the music and hold the salute until the last note.

2) Members in civilian clothes shall stand at attention and place the right hand over the heart until the last note of music.

When on a parade route and the American Flag passes by, members in uniform shall render the hand salute at the passing of only the first American Flag in the parade, if facing the procession. Those members on active traffic or security assignment shall not salute.

CANCELS AND REPLACES:
Policy 120 – Ceremonial Courtesy, Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT

POLICY: 107

EFFECTIVE DATE: September 6, 2010

SUBJECT: WRITTEN COMMUNICATIONS

I. GENERAL PROVISIONS

A) Rules Applicable to All Written Communications

1) Communication shall not violate Section XX Conduct and Ethics, of the City of Bloomington Personnel Rules.

2) Communication shall not violate General Order 200, Rules and Regulations 2.09, Conduct Toward Other Officers.

B) Written memoranda and letters of the Bloomington Police Department should be submitted to the Chief of Police's Administrative Aide, when appropriate, for the following purposes:

1) To place the communication in an appropriate form consistent with standards adopted by the Chief of Police.

2) To seek signature and endorsements consistent with priorities adopted by the Chief of Police.

3) To be maintained and filed in accordance with the Police Department's record management function where the memorandum or letter is not incorporated into the general incident files of the Bloomington Police Department.

II. SPECIFIC WRITTEN COMMUNICATIONS

A) Regular Police Reports

1) All regular police reports should be reviewed and endorsed by the employee's supervisor prior to transmittal. A supervisor's endorsement shall constitute the following:

a) That the facts fairly describe the crime or incident reported.
b) That the documentation of the crime or incident is sufficient and consistent with standards of the Bloomington Police Department.

c) That the appearance, grammar and spelling are consistent with the standards of the Bloomington Police Department.

B) Internal Memoranda - Internal memos and communications of police department, including computer messaging and phone messaging, may be submitted directly to the employee to whom it is directed.

C) External Business Communications to Individuals - Individual memoranda and letters representing external business communication between a sender and addressee that is not likely to be posted or circulated to other persons may be transmitted directly to the intended recipient.

III. PUBLIC COMMUNICATION/PRESS RELEASES

A) Written public statements and press releases should be reviewed and endorsed by unit commanders prior to transmittal. During non-business hours, written public communication and press releases may be endorsed by police department supervisors on behalf of their unit commander.

B) The following additional criteria should be considered with respect to all public communication/press releases:

1) Written correspondence should be as accurate as circumstances allow and should not contain any information that would interfere with an investigation.

2) Private or Confidential Data should not be released.

3) The following information should be prominently indicated:

a) Date and time of release
b) A report number, if applicable
c) Person originating the press release
d) Person to be contacted for further information, or a press conference time, if applicable
e) Intended duration of the press release
f) Should be on department letterhead or press release form (in desk office)

C) Copies of all public communications and press releases shall be submitted to the Chief of Police's Administrative Aide.

CANCELS AND REPLACES:
Policy 107 – Written Communications, Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT MANUAL

POLICY: 108

EFFECTIVE DATE: September 6, 2010

SUBJECT: CHAPLAIN CORPS

The Department has a Chaplain Corps to serve people in emergencies and strengthen the service rendered by the police to the community. The chaplains are available on call to provide a counseling service for human relations problems such as:

1) Domestic disturbances

2) Death messages

3) Bereavement counseling

4) Suicide attempts

5) Lonely and despondent persons

6) Alcohol and drug abuse

7) Persons in jail and their families

Officers are encouraged to use the Chaplain Corps whenever their services would be helpful. The chaplains are on a shared pager and can be contacted 24 hours a day. Check the phone book log in the desk office for the pager number which is currently 660-2986.

A schedule of the on-call Chaplain is in the Patrol Schedule book.

CANCELS AND REPLACES:
Policy 108 – Chaplain Corps, Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT

POLICY: 109

EFFECTIVE DATE: September 6, 2010

SUBJECT: POLICE RESERVES

PURPOSE:

The Police Reserves function as an auxiliary unit of the Police Department. When called out in an emergency situation or as a scheduled assignment, they will provide support to the Patrol Division. The reserves are volunteers and assist at the discretion of the Chief of Police. Their use is determined by the needs of the department based on services essential to the public welfare and safety. As volunteers, the department accepts that they are not always available for these support services.

The services provided by the reserves shall **not** be used to circumvent or influence the determination of staffing levels of sworn licensed peace officers. This unit is to support and assist, but **not** to replace police officers or police services.

Volunteers must pass an interview with the Special Events Sergeant and a background investigation coordinated by the Professional Standards Commander.

ACTIVITIES:

The mobile scheduled reserve unit may engage in the following activities providing the circumstances that exist at the time do not dictate a regular police officer should be involved. They can be sent by Dispatch or Patrol Sergeant or may notify Dispatch that they are in the area standing by for use by Patrol.

- Park gate closings and checks
- Standby for tows (stalls, arrests by regular officers, accidents)
- Traffic direction (accidents, crime scenes, unusual events, “high school” events)
- Crowd or pedestrian control at events or crime scenes as directed by patrol officers or sergeants.
- Guarding police vehicles and equipment while police officers are breaking up parties, demonstrations or other occurrences

- Neighborhood Watch activities assigned by the Proactive Police Services Unit through the Patrol Sergeant.

- May at times "standby" traffic stops. Will not be assigned as a back-up unit to any patrol officer's traffic stop. They may, if in the immediate area, standby the stop at the direction of the officer on the stop.

- Other appropriate activities as assigned by the street sergeant.

- May provide first aid on cases in which the incident happens in their presence or their immediate area. They will **not** be assigned to medical calls nor shall they respond to them.

RULES:

1) Reserve officers will wear the complete reserve officer uniform.

2) Reserve officers must check in with the duty Patrol Sergeant.

3) The scheduled mobile unit must be staffed with two or more reserve officers.

4) The current scheduled days and hours will be: Thursday, Friday, and Saturday from 1900 to 0100. These commitments can be reduced or eliminated by conflicts of the volunteer reserves or at the discretion of the department. Extended hours are only allowed on Patrol Sergeant approval based on need.

5) Reserves must notify Dispatch of **any** activity they get involved in.

6) The Patrol Sergeant is their supervisor and has full discretion on their use.

7) Traffic laws shall be followed at **all** times.

8) Emergency lights may be used **only** when stationary and only to protect a scene. **NO** use of siren and lights while moving is allowed.

9) Person or vehicle checks may be done only at the direction of a police officer.

10) Reserve officers are not expected to make arrests or apprehensions. They are to be "eyes and ears" to the regular police officers.

11) Reserve officers will not respond to hazardous calls (calls that expose the officer to physical harm, such as domestics, or felony crimes in progress).

CANCELS AND REPLACES:
Policy 109 – Police Reserves, Issued April 7, 2008

BLOOMINGTON POLICE DEPARTMENT MANUAL

POLICY: 110

EFFECTIVE DATE: September 6, 2010

SUBJECT: POLICE OFFICER RANK SENIORITY

Seniority shall be a consideration for lateral transfers, promotions, shift selections and overtime extension of shifts.

Within appropriate work groups, seniority shall be considered for vacation selection and call-outs.

CANCELS AND REPLACES:
Policy 132 – Police Officer Rank Seniority, Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT MANUAL

POLICY: 111

EFFECTIVE DATE: March 17, 2017

SUBJECT: TEMPORARY LIMITED DUTY ASSIGNMENTS

Purpose: This policy establishes the authority for temporary limited duty assignments and procedures for granting requests for temporary limited duty assignments. This policy is applicable to employees who become unable to perform their normally assigned duties due to injury, illness or temporary disability. The Commander of Professional Standards shall process all injury reports and requests for limited duty assignments and forward a recommendation to the Chief of Police or their designee.

Policy: It is the policy of the Bloomington Police Department to provide, when reasonable, limited duty assignments to employees who because of injury, illness or disability, are temporarily unable to perform their regular assignments but are capable of performing available tasks and assignments consistent with their medically documented restrictions. This policy is intended to provide general guidelines applicable to limited duty assignments, to explain the nature of work assignments and to assign oversight responsibilities. All limited duty assignments should be considered a progression of temporary assignments leading the employee back to their primary full duty assignment.

I. INJURIES OR ILLNESSES ON DUTY

An officer or employee who is injured on duty may be assigned temporary limited duty work that is consistent with the employee's medically documented limitations due to that injury or illness. The Commander of Professional Standards will determine assignments. The employee will be compensated at the same level of pay as their pre-injury assignment or position.

II. INJURIES OR ILLNESSES OFF DUTY

When an employee becomes ill or is injured away from work and can no longer perform their full duty assignment, the Chief of Police <u>may</u> offer a temporary limited duty assignment.

A work assignment will <u>not</u> be created solely to find work for an ill or injured employee. This assignment will not be of an indefinite duration, and there will be

times when no temporary limited duty work is available. The department will determine the hours, days, and nature of the temporary limited duty assignment consistent with the employee's medically documented limitations and needs of the City. There will be no guarantee of a full-time assignment, and any assignment to temporary limited duty rests solely with the Chief of Police or their designee.

Procedures:

1) The Department's capacity to offer temporary limited duty assignments are limited in number and variety, therefore;

   a) Personnel injured or otherwise temporarily disabled in the line of duty shall be given preference in initial assignment to limited duty; and

   b) Assignments may be changed at any time, upon the approval or direction of the treating physician, if deemed in the best interest of the employee or the agency.

   c) This policy in no way affects the privileges of employees under provisions of the Family and Medical Leave Act, Fair Labor Standards Act, Americans with Disabilities Act, or other federal or state law.

2) Limited duty assignments are intended to be temporary and normally should not exceed six months in duration. After six months, personnel on temporary limited duty who are not capable of returning to their original duty assignment shall present a request for extension of temporary limited duty, with supporting documentation, to the Chief of Police or their designee or pursue other options as provided by employment rules of the City, or federal or state law.

3) Officers/employees injured in the line of duty may not refuse temporary limited duty assignments that are supported by and consistent with the written recommendations of their attending physician and/or licensed health-care provider, although officers may protest such assignments through established grievance procedures.

4) Officers/employees that become ill or injured away from work may opt to use accrued benefit time in lieu of the proposed limited duty assignment.

5) In addition to other considerations included in this policy, decisions on temporary limited duty assignments shall be made based upon the availability of an appropriate assignment given the applicant's knowledge, skills and abilities; availability of limited duty assignments; and the physical limitations imposed on the employee by their licensed health care provider/physician.

Requests for and Assignment to Temporary Limited Duty

1) Requests for temporary limited duty assignments shall be submitted to the employee's immediate supervisor. Requests must be accompanied by a statement of medical certification to support a requested reassignment, which must be signed either by the treating physician and/or their licensed health-care provider. The certificate must include an assessment of the nature and probable duration of the disability, prognosis for recovery, specific nature of work restrictions, an acknowledgment by the health-care provider of their familiarity with the temporary limited duty assignment, and the fact that the employee can physically assume a temporary limited duty assignment.

   The request for temporary limited duty and the physician's statement shall be forwarded to the Commander of Professional Standards who shall make a recommendation regarding the assignment to the Chief of Police or their designee.

   A sworn employee on temporary limited duty may be prohibited from the driving of a department assigned take-home vehicle; restricted from wearing the departmental uniform; carrying the service weapon; or otherwise limited in employing police powers as determined by the Chief of Police or their designee. Such limitations will be documented in a Department Memorandum from the Commander of Professional Standards to the employee assigned to temporary limited duty.

   In addition to the above potential restrictions, the aforementioned Memorandum shall outline who the temporary limited duty employee shall report to, the employee's duties/assignment and work schedule.

   Any restrictions and/or limitations that are imposed will be directly related to the medically documented limitations from the employee's attending physician and/or licensed health care provider. In addition, all restrictions and/or limitations must be consistent with other sections of this policy.

2) As a condition of continued assignment to temporary limited duty, employees shall be required to submit a professional assessment from their attending physician and/or licensed health care provider regarding changes to the employee's condition, updates to temporary limited duty limitations, and an anticipated timeline for return to regular duty, EVERY 90 DAYS, or as specified by the Chief of Police.

Obligations of Employees on Temporary Limited Duty Assignment

1) Follow all departmental and attending physician documented restrictions.

2) Provide medical updates as they are received and as stated in this Policy.

CANCELS AND REPLACES:
Policy 111 – Temporary Limited Duty Assignments, Issued September 6, 2010

BLOOMINGTON POLICE DEPARTMENT MANUAL

POLICY: 112

EFFECTIVE DATE: September 6, 2010

SUBJECT: EMPLOYEE DEATH AND SERIOUS INJURY

It is the policy of the Bloomington Police Department to provide all appropriate assistance to the immediate survivors of an employee who dies or is seriously injured, on or off duty.

The Department will assist the surviving family, as requested, in a compassionate manner, providing both tangible and intangible support.

Immediate Responsibilities:

1) Make notifications to Chief of Police, Deputy Chief of Police and Command Staff (see General Order 233).

2) The name of the deceased/injured employee may only be released by the Chief of Police (or his designee).

3) The name of the deceased/injured employee must never be released prior to notification of immediate survivors living in the area.

4) Notification of immediate survivors must always be made in person. Notification will be made by the Chief of Police (or his designee), the police chaplain, and at least one other employee.

5) Appropriate personnel will be assigned to the immediate family to assist in any way possible.

6) Only the Chief of Police (or his designee) will provide press releases or press conferences.

CANCELS AND REPLACES:
Policy 138 – Employee Death and Serious Injury, Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT MANUAL

POLICY: 113

EFFECTIVE DATE: AUGUST 11, 2021

SUBJECT: FIREARMS

PURPOSE:

The purpose of this policy is to establish guidelines regarding the demonstration of proficiency with approved firearms by sworn personnel.

DEFINITIONS:

A) Duty Firearm: Department approved firearm used by sworn personnel during their normal work.

B) Off-duty firearm: Department approved firearm carried by sworn personnel while off duty.

C) Undercover firearm: Department approved firearm provided by the department for use by officers conducting on-duty undercover operations where concealment is a concern. The use must be approved by the Commander of Investigations.

D) Standard department firearms:
   1) Glock Model 17 pistol
   2) Remington 870 shotgun
   3) .223 rifle

E) Non-standard department firearms. Handguns other than the department issued Glock Model 17 approved by the Chief of Police for officers to carry either on duty or off duty. Only 9mm caliber handguns are to be carried on duty. (Note exception for undercover firearms and back-up weapon).

F) Back-up weapon. Approved non-standard firearm, which the officer may choose to carry on-duty in addition to their approved duty weapon. Approval from the Chief of Police is required.

PROCEDURE:

As a condition of employment, all sworn personnel shall demonstrate proficiency with approved firearms by passing departmental qualification courses. The Chief of Police, through the Professional Standards Division, shall establish minimum qualification standards (see Appendix A) and the training sergeant shall maintain the qualification records. Range officers shall complete the non-standard firearm form at the time of qualification with the non-standard weapon and forward the completed form to the training sergeant.

Training and qualification records for specialized weapons utilized by the department SWAT Team will be kept by the ERU Commander.

Department-certified armorers shall complete all repairs and/or detailed cleaning of standard department firearms.

Maintenance and repair of undercover firearms will be performed by a qualified gunsmith and shall be the responsibility of the Commander of Investigations. Maintenance and repair of non-standard firearms shall be the responsibility of the officer who owns the firearm.

Any modification made to the Glock 17 and/or any other department issued weapon needs to be approved by the firearms group with the final approval made by the Commander of Professional Standards.

Prohibiting modification including but not limited to

- Any physical modification that permanently changes the internal or external appearance or function of the weapon. Including:
- Any sanding, polishing or stippling of the polymer frame or metal slide.
- This includes internal components magazine, releases, slide release and trigger and trigger group.

Any ammunition magazine and/or accessory other than department issued magazines and Glock 17 must be approved by the firearms group with the final approval made by the Commander of Professional Standards.

Accessories include but are not limited to:

- Weapon-mounted lights
- Weapon sights/sighting systems including (Red Dot / RMR / Lasers)
- Holsters *see uniform policy for a list of authorized holsters
- Flared magazine wells

- Extended magazines w/proper springs
- *the application of a rubber grip, grip tape or substrate used to increase grip friction will continue to be permissible.

AMMUNITION:

The department shall provide 9mm ammunition for standard or non-standard firearm training, qualification and authorized use. The department shall provide ammunition for the department undercover firearms training, qualification and authorized use. Officers shall supply their own ammunition for non 9mm non-standard firearms.

CANCELS AND REPLACES:
Policy 113 – Firearms, Issued September 6, 2010

BLOOMINGTON POLICE DEPARTMENT

POLICY 113 - APPENDIX A

EFFECTIVE DATE: AUGUST 11, 2021

SUBJECT: QUALIFICATIONS

All sworn personnel will be required to qualify with standard and non-standard firearms according to the following schedule:

Qualification	Mandatory Firearms
First Quarter: (Standard Qualification)	Glock Model 17 **or** other Approved Non-Standard Duty Pistol
Second Quarter: (Training Qualification)	Glock Model 17 Approved Non-Standard Duty Pistol Off-Duty Pistol Undercover Pistol
Third Quarter: (Training Qualification)	Glock Model 17 **or** other Approved Non-Standard Duty Pistol Less Lethal Qualification
Fourth Quarter: (Training Qualification)	Glock Model 17 Approved Non-Standard Duty Pistol Off-Duty Pistol Undercover Pistol

Department approved .223 rifle qualifications will be conducted twice each year and will be scheduled by the Training Sergeant. Low Light/Inclement Weather training will be conducted once a year and will be scheduled by the Training Sergeant. Training, qualifications, and record keeping for specialized weapons utilized by the Bloomington Police Department SWAT Team will be the responsibility of the ERU Commander or designee.

CANCELS AND REPLACES:
Policy 113 – APPENDIX A, Qualifications, Issued August 11, 2021

BLOOMINGTON POLICE DEPARTMENT

POLICY 113 – APPENDIX B

EFFECTIVE DATE: February 20, 2018

SUBJECT: FIREARMS QUALIFICATION FOR RETIRED PERSONNEL

The Bloomington Police Department (Department) will provide identification cards to qualified former or retired officers who meet the following criteria under the Law Enforcement Officers' Safety Act (LEOSA) (18 USC § 926C):

1) Have separated from this department in good standing.
2) Had regular employment as an officer for 10 years or more.
3) If employed less than 10 years, separated from service after probation and due to a service-connected disability.
4) Have not been disqualified for mental health reasons.
5) Have not entered into an agreement with this department where the officer acknowledges that they are not qualified to receive a firearms qualification certificate for mental health reasons.
6) Are not prohibited by federal law from possessing a firearm.

The LEOSA identification card should identify the person as a former officer and contain their photograph.

If the Bloomington Police Department qualifies the former officer, the LEOSA firearms qualification card will indicate an expiration date one year after testing.

Any former law enforcement officer that qualifies may carry a concealed firearm under 18 USC § 926C when they are:

1. In possession of photographic identification that identifies them as having been employed as a law enforcement officer and one of the following:
    a. A firearms qualification card from the person's former law enforcement agency stating that they have, within the last year, been tested or otherwise qualify against the agency's active duty standards.
    b. A firearms certification issued by the state of residence or a qualified firearms instructor that the person has been qualified to the standards of the state or another agency of the state.
2. Not under the influence of drugs or alcohol.
3. Not prohibited by federal law from possessing a firearm.
4. Not in a location prohibited by state law.

Responsibilities of Former Officers

A former officer with a card issued under this policy shall immediately notify both the Chief of Police and a shift supervisor if they are arrested, cited, or otherwise charged or convicted with any criminal offense or if they become the subject of a disqualifying court order or other disqualifying legal action.

In order to be issued or keep a firearms qualification card, the former officer shall:

1. Agree to a waiver of liability releasing the Department of any responsibility for acts taken related to carrying a firearm.
2. Remain subject to any relevant department policies as well as local, state and federal laws.
3. Demonstrate the appropriate judgment and good character equal to the responsibility of carrying a loaded firearm.
4. Authorize and pass an annual criminal background check showing that they are not prohibited by law from possessing a firearm.
5. Successfully pass a Department designed and approved LEOSA qualification course.

Denial or Revocation

A LEOSA firearms qualification card may be denied or revoked by showing good cause as determined by the Department. In the event that a firearms qualification card is denied or revoked the former officer may request a review by the Chief of Police. The Chief of Police's decision is final.

Qualification Requirements

Written documentation of the qualification and the weapon(s) used will be provided and shall contain the date of qualification and expiration. The former officer is responsible for all record maintenance.

BLOOMINGTON POLICE DEPARTMENT

POLICY: 114

EFFECTIVE DATE: September 6, 2010

SUBJECT: DOMESTIC DISTURBANCES

It is the policy of this agency to reduce the incidence and severity of domestic violence. This will be achieved by providing the victims of domestic violence with support through a combination of strict enforcement of domestic abuse laws and referrals to appropriate community services. Arrests will be made when probable cause and lawful authority exists. We will ensure that officers are prepared to respond to and effectively deal with domestic violence calls for service through effective training and support.

BLOOMINGTON POLICE DEPARTMENT MANUAL

POLICY: 115

EFFECTIVE DATE: March 2, 2022

SUBJECT: PREDATORY OFFENDER REGISTRATION AND COMMUNITY NOTIFICATION

PURPOSE:

This policy is intended to ensure compliance with the requirements of Minnesota Statute Sections 243.166, 243.167, 244.10, 244.052, 244.053 and Chapter 13, providing for the registration of predatory offenders and community notification relative to the release of certain registered predatory offenders consistent with the legally specified privacy rights of those offenders.

POLICY:

It is the policy of the Bloomington Police Department to protect the public by disclosing information on predatory offenders residing in this agency's community. This agency will decide what information to disclose and who to disclose it to based on the level of danger posed by the offender, the offender's pattern of offending behavior and the needs of community members to enhance their individual and collective safety. This will be done in accordance with Minnesota Statutes and will provide as much information as may be authorized by law to other law enforcement agencies, persons, entities and the public consistent with the requirements of public safety and the legal rights of the offender.

DEFINITIONS:

Predatory Offender Registration and Community Notification refers to the Minnesota law that requires certain predatory offenders to register with the Minnesota Department of Public Safety Predatory Offender Unit. The law also provides for community notification about certain adult predatory offenders who have been incarcerated by the Minnesota Department of Corrections (DOC) or confined by the Minnesota Department of Human Services (DHS).

Offender Risk Levels means the level of notification is governed by the level of risk assigned by the DOC. Three possible risk levels can be assigned to an offender. They are:

- Level 1 – low risk of re-offending
- Level 2 – moderate risk of re-offending
- Level 3 – high risk of re-offending

Note: Some offenders who are required to register as predatory offenders are not assigned a risk level because their sentence was completed prior to predatory offender legislation or because they have not spent time in state or federal prison. These offenders are not subject to community notification.

I. Predatory Offender Registration

For questions concerning predatory offender registration refer to the Bureau of Criminal Apprehension (BCA)'s Predatory Offender Registration website www.dps.state.mn.us/bca for detailed information or contact the Predatory Offender Unit (BCA-POR) by calling (651)-793-7070 or 1-888-234-1248.

When an offender arrives to register with this agency, determine what state the offense was committed in and if the individual is required to register by reviewing the list of registrable offenses on the POR website.

If the offender is required to register, contact the BCA POR to verify if the offender is already registered and that a DNA sample has been submitted.

- If the offender is already registered, complete a Change of Information Form included on the BCA's website at www.dps.state.mn.us/bca.
- If the offender is not registered, complete a Predatory Offender Registration Form included on the BCA's website at www.dps.state.mn.us/bca.
- If the offender is from another state, contact the state (information for each state is listed on the BCA's website at www.dps.state.mn.us/bca) and request a copy of the offender's original registration form, criminal complaint and sentencing documents.

It is recommended the agency verify the address of offenders living in their community.

- If the offender is not in compliance with their mandatory requirements of registering their primary residence, their employment and their vehicle information contact the BCA-POR to determine if a Change of Information Form was submitted. If it was not, the offender may be charged with failure to register. To make this charge, request a prosecution packet from the BCA- POR secure online site. Upon receiving the packet, prepare your case and submit it, along with the packet, to the county attorney's office to file a formal charge.
- If the person is in custody, request that the packet be electronically forwarded to you or faxed to the Bloomington Police Department.

Note: It must be personally verified that the offender is no longer in compliance with their requirements prior to submitting the prosecution packet for charging.

A. Predatory Offender Registration

1. All forms required are available online at the BCA secure POR website.

2. Unless otherwise arranged, all registrations and changes of information shall be accepted between the hours of 8:00 AM and 5:00 PM at THE BLOOMINGTON POLICE DEPARTMENT.

3. If an offender reports to the police department after the listed hours the officer/desk person should collect the offenders full name, date of birth, and contact information. This information should be sent to the sergeant of the Investigations Division for follow-up. It is acceptable to send the information to the sergeant through the department email system. An Information or Offense Report is not required or necessary.

4. Change of Information forms are to be completed online and submitted to the BCA as per requirements except in the case of an offender being physically unable to report to THE BLOOMINGTON POLICE DEPARTMENT in which case, a form will be printed, and an officer will respond to offender's location to complete the form.

B. Predatory Offender Registration Form

1. Original Registration

   a. Offender, if not previously registered, will complete the original registration form as required by the BCA.

      - Original signed copy will be forwarded to the BCA
      - One copy will remain with BPD to be processed by the Records Unit
      - One copy will be provided to offender

   b. The registering officer will also obtain a digital image of the offender providing frontal and profile views, also digital images of identifying marks, scars and tattoos.

c. The officer will make a copy of the first page of the Information form and will email digital images to the investigator who is assigned to handle POR registrations (DO NOT INVENTORY).

d. The photo will be uploaded in the BPD Data Base and forwarded to the BCA in electronic form by the Records Unit.

e. Registering officer will also obtain a DNA sample from the offender using the convicted offender collection kit provided by the BCA.

2. Change of Information Form

a. Offenders are required to report all changes of information regarding changes to address (primary or secondary), vehicle(s), and employment. This form shall be signed by assigned officer and the offender.

i. The original form shall be forwarded to the BCA within 2 days.

ii. Copies will be provided, one each to offender and to the BPD Records Unit.

iii. A digital image shall also be provided and uploaded by BPD personnel upon request from the BCA.

3. Registration of Homeless Predatory Offenders

a. All homeless predatory offenders must register weekly with a law enforcement agency.

i. When a homeless predatory offender checks-in with Bloomington Police Department, an assigned officer completes the Predatory Offender Lack of Primary Address Weekly Check-In Form.

This should include as much specificity as possible, for example "in the vicinity of____".

ii. Record Unit updates the BCA website on each completed check-in form weekly.

iii. Weekly check-ins are to take place between the hours of 9:00 AM and 5:00 PM per MN SS 243.166 (3a) (e).

4. Maintenance of Predatory Registration Information within the Bloomington Police Department:

   a. Predatory Offender Registration Forms and Predatory Offender Change of Information Notice received by the Bloomington Police Department shall be processed by the Records Unit and maintained in the general files of the Bloomington Police Department.

      i. The predatory offender's name shall be maintained in the police department's computerized record system indicating that the person is a registered predatory offender.

      ii. The RMS computerized record shall have an advisory to indicate that the information is Private.

      iii. A record will be maintained of the law enforcement agencies to which an original Predatory Offender Registration Form or a Predatory Offender Change of Information Notice is transmitted in accordance with this policy and the date of that notification.

      iv. The original Predatory Offender Registration Form or the original Predatory Offender Change of Information Notice will be submitted to the Bureau of Criminal Apprehension within two working days by the Records Unit.

      v. The BCA will forward a Change of Information Notice to be submitted to the following persons and/or units by the Records Unit:

         1. All Command Staff on predatory offenders designated by the Department of Corrections as Level II and Level III offenders.

         2. CAD hazard entry and digital image download to BCA and BPD database on all registered predatory offenders.

         3. Investigative Division's Supervisors and the POR Investigator.

   b. The information contained on the Predatory Offender Registration Form and the Predatory Offender Change of Information Notice is classified as Private Data on Individuals and may only be used for law enforcement purposes, including:

i. Submission to other law enforcement agencies having an interest in the predatory offender, including any community where the predatory offender regularly works. Notification to other law enforcement agencies is done at the discretion of the Investigations' Supervisors and/or the POR Investigator.

c. Upon receiving notice that a predatory offender registered with the Bloomington Police Department has moved out of the community, a notation shall be made in the predatory offender's name record and the Records Unit shall remove the "hazard" file entry.

II. Community Notification

For questions regarding community notification or the risk level assigned to an offender contact the Risk Assessment/Community Notification Unit of the Department of Corrections (DOC RA/CN Unit) at 651-361-7340 or at notification.doc@state.mn.us. The DOC will answer questions about the notification process and agency responsibilities.
The DOC is also available to assist agencies in conducting public notification meetings when an offender subject to notification moves into a law enforcement jurisdiction.

Available on the DOC website are examples of forms that are provided to law enforcement agencies by the DOC to assist them in performing community notifications:

- CONFIDENTIAL - Fact Sheet - Law Enforcement Agency Use Only
- Law Enforcement Agency Fact Sheet - Notification of Release in Minnesota- Risk Level Two
- Law Enforcement Agency Fact Sheet - Notification of Release in Minnesota- Risk Level Three
- Law Enforcement Fact Sheet - Health Care Facility Notification - Information on a Registered Offender Not for Distribution to Facility Residents
- Law Enforcement Fact Sheet - Health Care Facility Notification - Information on a Registered Offender for Distribution to Facility Residents
- VICTIM DATA - CONFIDENTIAL - For Law Enforcement Agency Use Only

A. Notification Process

1. Law enforcement agencies receive information from the BCA and DOC pertaining to the risk levels of offenders. The duty of law enforcement to provide notification depends on the risk level assigned as described below.

2. Public notification must not be made if an offender is placed or resides in one of the DOC licensed residential facilities (halfway houses) operated by RS- Eden, Alpha House, 180 Degrees, Damascus Way, or Bethel Work Release. Do NOT disclose any information until the law enforcement agency is notified the offender will move to a residential location.

    a. **Level 1** – Information maintained by law enforcement and may be subject to limited disclosure. See attachment 1: Confidential Fact Sheet – For Law Enforcement Agency Use Only.

        i. Mandatory disclosure
            1. Victims who have requested disclosure

        ii. Discretionary disclosure
            1. Other witnesses or victims
            2. Other law enforcement agencies

    b. **Level 2** – Information subject to limited disclosure for the purpose of securing institutions and protecting individuals in their care while they are on or near the premises of the institution. See attachment 2: Law Enforcement Agency Fact Sheet – Notification of Release in Minnesota – Risk Level 2.

        - In addition to Level 1 disclosures, the law enforcement agency may disclose information to:

        - Staff members of public and private educational institutions, day care establishments and establishments that primarily serve individuals likely to be victimized by the offender.

        - Individuals likely to be victimized by the offender.

        - Discretionary notification must be based on the offender's pattern of offending or victim preference as documented by DOC or DHS.

    c. **Level 3** – Information subject to disclosure, not only to safeguard facilities and protect the individuals they serve, but also to protect the community as a whole is provided on the Law Enforcement Agency Fact Sheet – Notification of Release in Minnesota.

        - In addition to Level 2 disclosures, law enforcement shall disclose information to other members of the community whom the offender is likely to encounter, unless public safety would be compromised by the disclosure, or a more limited disclosure is necessary to protect the identity of the victim.

        - A good faith effort must be made to complete the disclosure

within 14 days of receiving documents from DOC.

- The process of notification is determined by the agency. The current standard for a Level 3 offender is to invite the community to a public meeting which, at the Chief's (or their designee's) discretion, may be held in person or via online platforms (such as WebEx, Zoom) and disclose the necessary information. Assistance is available from DOC RA/CN Unit.

d. Health Care Facility Notification

i. Upon notice that a registered predatory offender without a supervising agent has been admitted to a health care facility in its jurisdiction, law enforcement shall provide a fact sheet to the facility administrator with the following information: name and physical description of the offender; the offender's conviction history, including the dates of conviction; the risk level assigned to the offender, if any; and the profile of likely victims. See Law Enforcement Agency Fact Sheet - Health Care Facility Notification Information on a Registered Offender Not for Distribution to Facility Residents and Law Enforcement Agency Fact Sheet - Health Care Facility Notification Information on a Registered Offender for Distribution to Facility Residents.

3. Specialized Notifications

a. Offenders from Other States and Offenders Released from Federal Facilities Subject to Notification

i. If a local law enforcement agency learns that a person under its jurisdiction is subject to registration and desires consultation on whether the person is eligible for notification, the agency must contact the DOC. The DOC will review the governing law of the other state and, if comparable to Minnesota requirements, inform law enforcement that it may proceed with community notification in accordance with the level assigned by the other state.

ii. If DOC determines that the governing law in the other state is not comparable, community notification by law enforcement may be made consistent with that authorized for risk level 2.

iii. In the alternative, if a local law enforcement agency believes that a risk level assessment is needed, the agency may request an end-of-confinement review. The local law enforcement agency shall provide to the DOC necessary documents required to assess a person for a risk level.

b. Victim Notification

i. Law enforcement agencies in the area where a predatory offender

resides, expects to reside, is employed, or is regularly found shall provide victims who have requested notification with information that is relevant and necessary to protect the victim and counteract the offender's dangerousness.

ii. DOC will provide victim contact information to the law enforcement agency when there is a victim who has requested notification. This is provided on the VICTIM DATA – CONFIDENTIAL – For Law Enforcement Agency Use Only form.

iii. Law enforcement personnel may directly contact the victim. Community victim advocacy resources may also be available to assist with locating a victim and with providing notification. Assistance is also available from the DOC Victim Services staff.

iv. Law enforcement also may contact other victims or witnesses as well as other individuals who are likely to be victimized by the offender.

c. Homeless Notification Process

i. If public notice (Level 2 or 3) is required on a registered homeless offender, that notice should include as much specificity as possible, for example "in the vicinity of_____". These offenders are required to check in with local law enforcement on a weekly basis.

III. Police Department Community Notification Concerning Registered Predatory Offenders:

A. A community notification plan shall be made for all registered Level Three predatory offenders reported to the Bloomington Police Department in accordance with Minnesota Statute Section 244.052 and 244.10.

1. A committee composed of the Commander of Patrol Special Operations, Commander of Investigations, and their designees shall prepare a proposed community notification plan consistent with this policy and submit it to the Chief of Police or his designee within fourteen (14) days of receipt of any notice concerning a registered predatory offender to which community notification is applicable.

2. The community notification plan developed by the committee shall include a predatory offender fact sheet substantially similar to the following <u>Predatory Offender Information Fact Sheet</u>:

a. <u>Predatory Offender Information Fact Sheet, Level I, II or III Notification of Release</u>

b. Predatory Offender Information Fact Sheet, Notification of Probation

B. Implementing Community Notification Plan for Level 3 Offenders

1. The Investigations Division shall be responsible for Implementing the Community Notification Plan once it is approved by the Chief of Police or their designee.

2. The Crime Prevention Unit will assist with notifications utilizing authorized social media, City of Bloomington e-alerts, and other authorized notification methods.

3. A copy of the community notification plan shall be filed with original notification, as specified in clause I.C., which will include the following supplemental information:

   a. Date and times of any meetings.

   b. Summary of who will be notified of the Predatory Offender Information Fact Sheet.

   c. Other law enforcement agencies which were sent a copy of the Predatory Offender Registration Form or the Predatory Offender Information Fact Sheet.

IV. Information and Address Verification

A. Police Department Verification of Registered Predatory Offender's Information

1. Because the information provided on the original Predatory Offender Registration Form or the Predatory Offender Change of Information Notice is in part provided by the Predatory Offender him/herself, this information needs to be verified.

2. All information received on a Predatory Offender by the Records Unit shall be put together in one case file. The Commander of Investigations will coordinate the verification for all predatory offenders. All information will be verified twice a year.

3. The assigned detective will make contact with the Predatory Offender. If the assigned detective is unable to make contact after several attempts, the detective will note this on the lower portion of the Bloomington Police Department's Predatory Offender Registration Compliance Checklist (Other Law Enforcement Agencies Section) and return it to the Investigations Supervisor.

4. If contact is made with the Predatory Offender, the detective will document the contact, indicating who was contacted and the information obtained. This information can be noted on the lower portion of the Bloomington Police Department's Predatory Offender Cover Sheet or a separate supplemental report.

5. If the information cannot be verified the Investigator will notify, if applicable:
    a) Minnesota Bureau of Criminal Apprehension
    b) State of Minnesota, Department of Correction
    c) Offender's Assigned Parole or Probation Authority

6. If sufficient information is gathered, the Investigations Division may seek criminal charges against the Predatory Offender.

CANCELS AND REPLACES:
Policy 115 – Sex Offender Registration & Community Notification,
Issued June 3, 2013

BLOOMINGTON POLICE DEPARTMENT

POLICY: 116

EFFECTIVE DATE: September 6, 2010

SUBJECT: USE OF ASSIGNED VEHICLES

SCOPE:

This policy shall apply to all officers and supervisors of the Bloomington Police Department whose job assignment provides for a "take-home" vehicle.

PURPOSE:

The sole purpose of take-home vehicles is to facilitate the delivery of services and support to the community and to units within the Bloomington Police Department.

GUIDELINES:

1) Officers shall assure that any damage or necessary maintenance on vehicles assigned to them is reported promptly and that all repairs and maintenance are made in a timely and appropriate manner.

2) Officers shall secure and maintain equipment in their assigned vehicle necessary to carry out their assigned duties.

3) Officers are authorized to drive their assigned vehicles between their residence and the location where they begin and end their duty assignment.

4) The department does recognize that officers may occasionally make incidental stops not directly related to their normal duties while traveling between their residence and their duty assignment.

5) Officers will not be compensated for time spent traveling to and from their duty assignments.

6) All department and City rules governing the use of City-owned vehicles will be applicable to the operation and use of "take-home" vehicles.

CANCELS AND REPLACES:
Policy 116 – Use of Assigned Vehicles, Issued January 31, 1997

BLOOMINGTON POLICE DEPARTMENT

POLICY: 117

EFFECTIVE DATE: September 6, 2010

SUBJECT: CRIMINAL CONDUCT ON SCHOOL BUS

PURPOSE:

To present guidelines for responding to calls of criminal conduct on school buses. This should also serve to promote cooperation among schools, parents, students, transportation providers and the police. The results of this cooperation should help to provide a safer passage for students, drivers and chaperones.

GUIDELINES:

1) Officers are expected to respond in a timely manner to a report of criminal conduct or disturbance on school buses. Officers will handle this type of complaint as they would any other report or call for assistance. Complaints will be thoroughly investigated and, when warranted, they will be referred to the appropriate agency for follow-up investigation or prosecution.

2) Officers are expected to use discretion when handling incidents on school buses. They should take into account as many circumstances as possible when dealing with the situation and act accordingly.

3) Officers should be aware that school districts and transportation providers have disciplinary policies which regulate behavior while students are on buses. In no way should these policies be enforced as if they were law. In situations where citizen arrests are necessary, transportation providers should be made aware of what is required of them to complete this process.

4) In instances where students are questioned by police officers, the standard information requests are required: full name, DOB, parents' names, address, phone number, school attending, and grade.

CANCELS AND REPLACES:
Policy 117 – Criminal Conduct on School Bus, Issued April 30, 1998

BLOOMINGTON POLICE DEPARTMENT

POLICY: 118

EFFECTIVE DATE: May 5, 2013

SUBJECT: RESPONSE TO REPORTS OF MISSING AND ENDANGERED PERSONS

PURPOSE:

The purpose of this policy is to establish guidelines and responsibilities for the consistent response to, and investigation of, all reports of missing and endangered persons as defined in Minnesota Statutes, Chapter 299C.52, subd. 1,(c), and (d), ("Minnesota Missing Children and Endangered Persons Program" referred to as Brandon's Law). This policy addresses investigations where the person has been determined to be both missing and endangered and includes all procedures required by MN STAT 299C.52.

POLICY:

This department recognizes that there is a critical need for immediate and consistent response to reports of missing and endangered persons. The decisions made and actions taken during the preliminary stages may have a profound effect on the outcome of the case. Therefore we have established the following responsibilities and guidelines for the investigation of missing and endangered persons. All peace officers employed by this department will be informed of, and comply with, the following required procedures.

DEFINITIONS:

Missing – According to Minnesota Statutes, Chapter 299C.52, subd. 1 (d), missing means "the status of a person after a law enforcement agency that has received a report of a missing person has conducted a preliminary investigation and determined that the person cannot be located."

NCIC – means The National Crime Information Center.

CJIS – means The Criminal Justice Information System.

DNA – means "DNA" has the meaning given it in MN STAT 299C,52, subd. 1 (b), Deoxyribonucleic acid from a human biological specimen.

Child – According to Minnesota Statutes, Chapter 299C.52, subd. 1,(a), child means "any person under the age of 18 years or any person certified or known to be mentally incompetent."

Endangered – According to Minnesota Statutes, Chapter 299C.52, subd. 1 (c), endangered means that "a law enforcement official has received sufficient evidence that the missing person is at risk of physical injury or death." The following circumstances indicate that a missing person is at risk of physical injury or death:

1. The person is missing as a result of a confirmed abduction or under circumstances that indicate that the person's disappearance was not voluntary.
2. The person is missing under known dangerous circumstances.
3. The person is missing more than 30 days.
4. The person is under the age of 21 and at least one other factor in this paragraph is applicable.
5. There is evidence the person is in need of medical attention or prescription medication such that it will have a serious adverse effect on the person's health if the person does not receive the needed care or medication.
6. The person does not have a pattern of running away or disappearing.
7. The person is mentally impaired.
8. There is evidence that the person may have been abducted by a noncustodial parent.
9. The person has been the subject of past threats or acts of violence.
10. There is evidence the person is lost in the wilderness, backcountry, or outdoors where survival is precarious and immediate and effective investigation and search and rescue efforts are critical; or
11. Any other factor that the law enforcement agency deems to indicate that the person may be at risk of physical injury or death, including a determination by another law enforcement agency that the person is missing and endangered.

PROCEDURES:

This agency will respond according to the following six types of general procedures:

1. Initial Response
2. Initial Investigation
3. Investigation
4. 30 Day Benchmark
5. Prolonged Investigation, and
6. Recovery/ Case Closure

I. INITIAL RESPONSE PROCEDURES

1. As required by MN STAT 299C.53, subd. 1(a), Law Enforcement shall accept, without delay, any report of a missing person. Law enforcement shall not refuse to accept a missing person report on the basis that:

    a. The missing person is an adult;
    b. The circumstances do not indicate foul play;
    c. The person has been missing for a short amount of time;
    d. The person has been missing for a long amount of time;
    e. There is no indication that the missing person was in the jurisdiction served by the law enforcement agency at the time of the disappearance;
    f. The circumstances suggest that the disappearance may be voluntary;
    g. The reporting person does not have personal knowledge of the facts;
    h. The reporting person cannot provide all of the information requested by the law enforcement agency;
    i. The reporting person lacks a familial or other relationship with the missing person; or
    j. For any other reason, except in cases where the law enforcement agency has direct knowledge that the person is, in fact, not missing, and the whereabouts and welfare of the person are known at the time the report is filed.

2. Dispatch an officer, to the scene, to conduct a preliminary investigation to determine whether the person is missing, and if missing, whether the person is endangered.

3. Immediately enter the complete descriptive and critical information, regarding the missing and endangered person, into the appropriate category of the NCIC Missing Person File.

    a. As required by 42 U.S.C. 5779(a) (Suzanne's Law) law enforcement shall immediately enter missing children less than 21 years of age into the NCIC.

    b. As required by MN STAT 299C.53, subd. 1(b), if the person is determined to be missing and endangered, the agency shall immediately enter identifying and descriptive information about the person into the NCIC.

4. Enter complete descriptive information regarding suspects/vehicle in the NCIC system.

5. Assign an investigator or officer whose duties will include coordination of the investigation.

MISSING FOR OVER 30 DAYS

If the person remains missing after 30 days from entry into NCIC the local law enforcement agency will be contacted by the BCA Missing and Unidentified Persons Clearinghouse to request the following information (if not already received):

a. DNA samples from family members and, if possible, from the missing person.
b. Dental information and x-rays.
c. Additional photographs and video that may aid the investigation or identification.
d. Fingerprints.
e. Other specific identifying information.

This information will be entered into the appropriate databases by BCA Clearinghouse personnel. If the person is still missing after 30 days, review the case file to determine whether any additional information received on the missing person indicates that the person is endangered and update the record in NCIC to reflect the status change.

II. RECOVERY/CASE CLOSURE

1. **Alive:**

a. Verify that the located person is the reported missing person.
b. Notify the family/reporting party that the missing person has been located. (In adult cases, if the located adult permits the disclosure of their whereabouts and contact information, the family/reporting party may be informed of this information.
c. Cancel alerts (Minnesota Crime Alert, AMBER Alert, etc.), remove case from NCIC (as required by MN STAT 299C.53. subd. 2) and other information systems and remove posters and other publications from circulation.

2. **Deceased:**

a. Cancel alerts and remove case from NCIC and other information systems, remove posters and other publications from circulation.

CANCELS AND REPLACES:
Policy 118 – Response to Reports of Missing and Endangered Children,
Issued September 6, 2010

BLOOMINGTON POLICE DEPARTMENT

POLICY: 119

EFFECTIVE DATE: September 6, 2010

SUBJECT: POLICE COMMUNITY SERVICE OFFICERS PROGRAM

PURPOSE:

The purpose of the Police Community Service Officer (CSO) program is to provide prompt delivery of a variety of public safety related services by non-sworn uniformed personnel.

ACTIVITIES:

The CSOs shall report to the on-duty Special Events Supervisor/Patrol Duty Sergeant for assignments. Assignments are not limited to those within the Patrol Division and may come from any division of the Police Department. Assignments may include:

- Assist in fleet maintenance, shuttling vehicles as needed.
- Provide tours of the police department to various groups.
- Complete routine report forms.
- Assist in crime prevention activities such as Neighborhood Watch, Citizen's Academy, and as a support resource to the Proactive Police Services unit.
- Provide delivery service to the entire department, including but not limited to, packages to the BCA, documents or reports to the City or County Attorney's Office, jail meal functions, City Council packet delivery.
- Assist Investigations and the Property Room Technician in recovering transportation of evidence or found property; assist in delivery of reports, photographs, or prints to other law enforcement agencies.
- Handle animal complaints if the Animal Wardens are off duty.
- Limited amount of clerical function, including data entry and filing.
- Other duties or tasks as assigned.

TRAINING:

Each hired Community Service Officer will receive training relative to the tasks of his or her position. The Special Operations Commander shall develop an orientation and assignment schedule for the CSOs.

The Special Events Supervisor/Patrol Duty Sergeant will provide on-the-job training for the CSOs, along with other assigned police officers. This orientation period will include a review of department rules and regulations, procedures and policies, along with working conditions and responsibilities of City employees.

Once the orientation period is completed, the Special Events Supervisor/Patrol Duty Sergeant will direct the work schedule and assignments for the Community Service Officers. The vehicle assignments will be made by the Special Events Supervisor/Patrol Duty Sergeant and will normally be a vehicle designed specifically for the CSO program.

CANCELS AND REPLACES:
Policy 119 – Community Service Officers Program, Issued October 15, 2003

BLOOMINGTON POLICE DEPARTMENT

POLICY: 120

EFFECTIVE DATE: September 6, 2010

SUBJECT: CRIME SCENE TECHNICIANS GUIDELINES

PURPOSE:

This policy is intended to provide Bloomington Police Crime Technicians guidelines for the collection, preservation, and processing of evidence.

I. EVIDENCE PROCESSING AND RECOVERY GUIDELINES FOR CRIME TECHNICIANS

A. Latent Fingerprints

Determine the type of surface to be processed.

Porous: The type of surface which absorbs the latent print (paper, cloth, wood, etc.)

Non-Porous: The type of surface which does not absorb the latent print (glass, plastic, etc.)

Choose the processing procedure to be used. (Generally, this will be known to the technician based on experience.)

Porous surfaces will generally be processed with ninhydrin or sent to Hennepin County Crime Lab to be processed with other chemicals or techniques.

Non-porous surfaces are generally processed with any of several techniques (cyanoacrylate, black, white, magnetic powders, etc.)

Documentation of fingerprint lifts:

All latent lifts will be marked with the following:

- The recovering officer's initials or badge number
- The date and time recovered
- Type of offense
- Case number
- Description of location of recovery and any serial/VIN numbers if applicable

The labeled fingerprint cards will then be sealed in an envelope and property inventoried at the Bloomington Police Department.

B. Cast Impressions

- Cast impressions (e.g. toolmarks, footwear impressions or tire impressions) should be photographed whenever possible with a scale prior to making the cast. The cast impression will then be made and property inventoried at the Bloomington Police Department.

B. Biological and other trace evidence

- Trace evidence that Bloomington Crime Technicians may recover are: paint, glass, wood, metal, hair, fiber or blood. Whenever trace evidence is recovered, a known sample should also be recovered whenever possible. The known sample and evidence sample should be inventoried separately at the Bloomington Police Department. Bloomington Crime Technicians will recover this type of evidence primarily as it relates to property crimes.

II. DOCUMENTATION

- When any evidence is recovered, the evidence should be labeled in the same manner as latent fingerprint evidence.
- Crime Scene Technicians will write a supplemental report whenever they process a scene regardless of whether or not any evidence is recovered. The offense report is still the responsibility of the original responding officer. When evidence is recovered, Crime Scene Technicians will also complete an "Evidence Collection/Processing Report." This report will include any appropriate sketches.
- All items recovered as evidence will be property inventoried at BPD, and the chain of custody of the evidence will be documented on the property sheet.

III. SAFETY PRECAUTIONS

- Proper safety precautions, including the wearing of protective gloves, should be followed in the handling/collection of any evidence thought to contain bodily fluids. Other protective clothing and equipment should be used when needed.
- Protective clothing should also be used to prevent the contamination of evidence.
- Protective gloves, eye protection, and respiratory protection should be worn when chemically processing evidence using techniques such as cyanoacrylate fuming and ninhydrin which can produce irritant vapors.

CANCELS AND REPLACES:
Policy 120 – Crime Scene Technicians Guidelines, Issued March 21, 2005

BLOOMINGTON POLICE DEPARTMENT

POLICY: 121

EFFECTIVE DATE: September 6, 2010

SUBJECT: USE OF CRIME SCENE TECHNICIANS

PURPOSE:

This policy is intended to provide officers of the Bloomington Police Department with guidelines regarding the use of Crime Technicians.

I. POLICY

It is the policy of the Bloomington Police Department to utilize Crime Scene Technicians for the recovery of: latent fingerprint evidence, cast impressions, toolmark evidence, photographic evidence and, in some instances, they may recover biological and trace evidence. Crime Scene Technicians will serve as a liaison between the Bloomington Police Department and other crime labs.

II. OFFICER REQUIREMENTS

1) Take the necessary actions to make the scene safe.
2) Preserve the integrity of the crime scene.
3) Document if items have been disturbed at the scene.
4) Request a Bloomington Crime Scene Technician to respond.

III. BLOOMINGTON POLICE DEPARTMENT TECHNICIAN RESPONSE GUIDELINES

1) Type of crime
2) Severity of crime
3) Time constraints that may be present with the scene
4) Availability of Hennepin County Crime Lab
5) Availability of Bloomington Crime Technician

IV. AUTHORITY

1) The program will be administered by the Property Crimes Supervisor.
2) An on-duty supervisor will have the authority to determine if a scene is to be processed by a Bloomington Crime Technician or by Hennepin County Crime Lab.

CANCELS AND REPLACES:
Policy 121 – Use of Crime Scene Technicians, Issued March 21, 2005

BLOOMINGTON POLICE DEPARTMENT

POLICY: 122

EFFECTIVE DATE: NOVEMBER 8, 2021

SUBJECT: WELLNESS PROGRAM

PURPOSE:

The Department recognizes that police work is a demanding profession. The job makes constant demands that accumulate over time, resulting in physical, psychological, and spiritual wear. This policy aims to allow employees to be physically fit to perform their job well, while remaining healthy and resilient to deal with the many stressors they encounter. Recognizing that conscious effort is needed to maintain readiness, a Wellness program, as outlined below, is implemented to maintain the conditioning and resilience of our sworn personnel.

PHYSICAL FITNESS

I. INTENT

It is the specific intent of the Physical Fitness Program to:

A. Improve performance on the job;
B. Reduce health risks;
C. Reduce job related injuries;
D. Reduce absenteeism due to illness;
E. Decrease disability and worker's compensation claims; and
F. Increase employee morale.

II. PROCEDURE

The first component of the Wellness Program covers physical fitness. Employees should be prepared to respond to the physical demands of the job, for their own safety and as an effective partner. In addition, employees should maintain their physical health to maximize their lives in the long-term and beyond their employment at the Bloomington Police Department.

The Bloomington Police Department's Physical Fitness Program has been developed into a four-part program, which is explained below.

A. Medical Screening

All sworn personnel are encouraged to have physical examinations conducted by their personal physician on a regular basis. This should include but is not limited to; cardiac risk profile screening, blood tests and a medical history questionnaire.

The results of the physical examination are confidential but, may be voluntarily shared by the officer with one of the department fitness specialists to assist in development of an individual fitness plan to address specific concerns revealed during the physical examination.

Prior to participating in the Fitness Program the officer will obtain a Medical Authorization Form and have the form signed by his/her doctor allowing participation in the program. The signed form will be retained by the Fitness Specialist(s). Once authorized to participate in the Fitness Program it is the officer's responsibility to consult with his/her doctor to insure they are healthy enough to continue participation in the program.

B. Annual Fitness Assessment

This includes an annual, in-house fitness assessment to determine the present state of physical fitness of each officer. It is administered yearly to all officers.

The assessment will consist of a 2,000 meter row test on the Concept2 Rower. This test has been validated as a sound measure of overall aerobic and total body fitness.

The Texas Department of Public Safety Fitness and Wellness Unit provides a calculator to determine performance based on age and gender norms. The calculator is available at https://www.dps.texas.gov/ETR/concept2RowerCalc.htm.

Upon completion of their physical fitness assessment, each officer will provide their results to the Fitness Specialist(s) conducting the testing. The results will be categorized by age group and the officer will be shown where they compare to others in their age group. The officer may request an individual physical development program from the Fitness Specialist(s) if he/she wishes to improve in the assessment. Assessment results will be confidential and will not be shared with anyone who is not directly involved in the implementation of the assessment portion.

Only officers who have completed the Bloomington Police Department Physical Fitness Exemption Form, which has been signed by the officer and approved by the Chief of Police, will be exempt from testing. Any exemptions from testing will remain confidential and will not be shared with anyone who is not directly involved in the implementation of the assessment portion of the program.

C. Allowable Fitness Times

1. Scheduling: An officer's immediate supervisor will be responsible for authorizing the exercise periods. Supervisors should use discretion in authorizing these periods to minimize the impact on overall operations and

responsibilities. If the supervisor deems that the call load will not allow officers to exercise, the supervisor shall not release officers to exercise.

2. There are three ways to schedule fitness times:
   - **Off-duty:** Employees may use the Civic Plaza work out facility any time off-duty.
   - **Interrupted shift**: Employees may, with approval of their supervisor, interrupt their shift for an hour to work out. This is not considered duty-time, thus the shift will be extended one hour.
   - **On-duty using break times:** Officers may use up to one hour per shift in lieu of their allotted break times. The one hour time period starts when the officer leaves his/her work area or calls out of service and ends when the officer has returned to his/her work area or is ready for calls. Patrol officers using the Fitness Center on duty should advise Dispatch by radio that they are on break in the Fitness Center.

3. Employees assigned to light duty positions **are not** allowed to use the fitness center during on-duty hours. Fitness center access during on-duty hours may resume upon a doctors note clearing that employee to return to full duty status.

D. Fitness Center Rules

1. Employees participating in fitness activities while on-duty using break time may do so in the Fitness Center located at Civic Plaza. A signed waiver releasing the City from liability regarding any injuries resulting from participation in the program must be on file.
2. Authorized Activities: Workouts that occur during an officer's allotted break-time/on-duty time may only occur in the Fitness Center at Civic Plaza. Sworn officers in uniform are responsible for having and monitoring a police radio while in the fitness room.
3. Any physical injury which occurs while engaged in on-duty exercise will be immediately reported and documented to a supervisor.
4. Participation in the on-duty using break times option for fitness times may be suspended or revoked due to a violation of exercise room rules of conduct.

E. Miscellaneous

This policy can be reviewed, revoked or amended at any time.

MENTAL HEALTH

I. INTENT

It is the specific intent of the Mental Health Program to:

A. Improve performance on the job;

B. Mandatory checks for all officers removes possible stigma associated with engaging in discussions with a mental health provider;

C. Identify possible Post Traumatic Stress or related symptoms;

D. Provide stress reduction and coping strategies; and

E. Assist with referrals or follow-up sessions.

II. PROCEDURE

All sworn personnel will meet annually with a mental health professional contracted with the Bloomington Police Department. Non-sworn personnel will have the option to voluntarily meet with a department provided mental health professional.

A. These sessions will be approximately 50 minutes in length and will be conducted while on duty.

B. The sessions are not considered a fitness for duty examination and all conversations between the officer and mental health professional will be considered confidential. The mental health provider will not take notes during the session.

C. If determined necessary by both the officer and mental health professional, follow-up sessions with the contracted mental health worker may be approved. These sessions will also take place during on-duty time.

D. For additional follow-up sessions, or referrals to other mental health resources, the employee shall utilize the Employee Assistance Program (EAP) or another provider via health insurance and/or at his or her own cost.

PEER SUPPORT

I. PURPOSE

The Peer Support Program is committed to enhancing resiliency of staff by educating, influencing and assisting staff to invest in themselves to ensure stability and longevity in their personal and professional lives. A PST (PST) will develop and support sustainable programs to impact officer wellness and longevity.

II. MISSION

The mission of the PST is to offer safe, non-judgmental and private assistance to all consortium agency employees in times of personal need or due to the unique experiences of this career.

The PST works to provide proactive support to peers to enhance overall employee well-being, including mental, physical, social and spiritual wellness. The PST does not replace psychological treatment but can facilitate pathways to professional help through the city Employee Assistance Program (EAP) or other providers. PST members may provide additional support during traumatic events and critical incidents with the guidance of approved mental health professionals, which may be agency specific.

III. PRIMARY OBJECTIVE:

Provide support for Bloomington Police Department employees and consortium police department employees by being available for personal contacts.

IV. DEFINITIONS:

A. PST/Members:

1. A team lead by a Peer Support Sergeant and staffed by trained members of the police department who provide support to police department and consortium members.

2. PST members are not counselors or therapists.

3. PST members may provide day-to-day support, referrals to mental health professional(s), provide support during traumatic events and critical incidents, augment EAP and other outreach programs that support staff's well-being.

4. The PST members ***shall not*** conduct fitness for duty evaluations. (Refer to sub-section "C" below).

B. Consortium

South West Metro PST Consortium

Bloomington PST members will work in conjunction with the South West Metro PST. This consortium will be governed by the South West Metro PST Consortium Policy. Bloomington Police Department personnel may contact any PST member from any consortium department for support.

The PST Consortium consists of the Bloomington, Eden Prairie, Edina, Hopkins, Minnetonka, and St. Louis Park Police Departments.

C. Approved Mental Healthcare Professional

1. A licensed mental healthcare provider who has undergone the approval process with the police department and has established a current contract with the police department, which includes the City of Bloomington's EAP.

2. The mental healthcare providers ***shall not*** conduct fitness for duty evaluations.

3. A list of current contracted mental healthcare providers will be maintained by the support sergeant or assigned team administrator from each consortium agency if applicable.

4. The approved mental healthcare professional's role within the PST will be determined by each agency.

VI. PRIVACY

A. Information discussed in PST interactions is private and protected by MN State Statutes 181.9731, 181.9732 and 13.43 Subd. 9 & 9a, and not subject to disclosure by PST members, even at the request/order of police department administration, supervisors, or fellow PST members with the following exceptions:

1. The PST member reasonably believes the disclosure is necessary to prevent harm to self by the person in receipt of public safety peer support or to prevent the person from harming another person, provided the disclosure is only for the purpose of preventing the person from harming self or others and limited to information necessary to prevent such harm;

2. The person receiving peer support discloses information that is required to be reported under the mandated reporting laws, including, but not limited to, the reporting of maltreatment of minors under section 626.556 and the

reporting of maltreatment of vulnerable adults under section 626.557, provided the disclosure is only for the purpose of reporting maltreatment and limited to information necessary to make such a report. The person who received public safety peer support provides written consent authorizing disclosure of the information;

3. Any employee who receives public safety peer support is deceased and the surviving spouse or administrator of the estate of the deceased employee gives written consent authorizing disclosure of the information; or

4. Any employee who receives public safety peer support voluntarily testifies, in which case the peer support counselor may be compelled to testify on the same subject.

B. Due to the sensitive nature of information shared, PST members will sign a confidentiality agreement when assigned to the PST and may be dismissed from the peer support role for any breach of the confidentiality agreement, behavior that violates trust, agency policy violations that would violate trust, failure to attend training or loss of good standing with their agency.

VII. ADMINISTRATION

A. The Peer Support sergeant will be the highest rank held by an agency's PST.

B. Scheduling
   1. Each PST Member will be responsible for their own schedule to attend required and optional training and will follow the same procedures for training requests as they do for any other department training.

C. Call-Outs and Off-Duty Contacts
   1. PST members may be contacted at any time by police department employees or consortium employees for personal or business reasons.
   2. Department employees may contact their departments PST or consortium PST members directly and do not need to contact a supervisor or follow a call-out schedule.
   3. If a PST member is unavailable to provide support or speak with the employee the Team member should refer the employee to another PST Team member for immediate assistance.

D. Documentation
   1. Anonymous statistical information may be recorded regarding utilization of peer support and may be collected by the Peer Support Committee for the consortium. Information that could identify staff members ***shall not*** be collected.

E. Selection Process
   1. PST members are selected via a process determined by each agency and report to the Peer Support Sergeant of their respective department.

VIII. DESIRABLE KNOWLEDGE, ABILITIES, AND SKILLS

A. Be available via phone while off-duty for police department or consortium employees to contact (overtime compensation may apply).

B. Team Members should be:
   1. Trustworthy;
   2. Familiar;
   3. Good Listener;
   4. Supportive;
   5. Encouraging;
   6. Helpful;
   7. Compassionate;
   8. Voluntary;
   9. Protective; and
   10. Respectful.

C. Be knowledgeable of available behavioral health and physical health resources available to police department or consortium employees.

D. When cross agency peer-to-peer support is provided and further resources are needed or requested, staff should be referred to their city's or agency's EAP, approved mental healthcare professional or resource list of mental health professionals approved by the consortium group coordinator.

VIIII. OPERATIONAL GUIDELINES

A. PST members will be available to provide support, guidance, and resources to any police department employee or consortium employee in need. Members of the PST are not mental healthcare professionals, but specially trained to provide support to fellow members of the police department.

B. Any staff of the department may be referred to the PST in a number of ways, including:

1. Self-Referral
   i. Any employee of the police department may contact PST directly.

2. Supervisor-Referral
   i. An employee of the police department may be referred to the PST by a supervisor or peer. The department employee is under ***no obligation*** to follow through with peer support.

3. Employee-Referral
   i. An employee may ask PST member to reach out to another employee in need, that employee is under no obligation to take the offered support.

C. It is up to each agency to define the rules of their program for staff involved in active Internal Affairs investigations. It is recommended that the PST member caution staff involved in Internal Affairs investigations about sharing information about an investigation or incident during peer support.

D. Staff involved in active Critical Incident or Internal Affairs investigations should not seek out peer support outside of their agency's PST. Staff involved in active Critical Incident or Internal Affairs investigations may utilize the support services of their City's EAP or the approved mental healthcare professional if available.

E. PST members will be provided with an optional leave of absence from the PST when personal issue or obligations require it. The length of leave is up to each individual agency.

CANCELS AND REPLACES
Policy 122 – Physical Fitness Program
Issued May 27, 2020

BLOOMINGTON POLICE DEPARTMENT

POLICY 122 - APPENDIX A

EFFECTIVE DATE: NOVEMBER 8, 2021

SUBJECT: Wellness Program- Privacy Agreement

History and Purpose
Eden Prairie, Edina, Hopkins, Minnetonka, Bloomington and St. Louis Park Police Departments recognized the need for a Peer Support Team (PST) to support sworn and civilian staff members of the area and developed the consortium PST. The PST is governed by policy drafted and entered into each individual department policy.

Mission
The mission of the PST is to offer safe, non-judgmental and private assistance to all consortium department employees in times of personal need or due to the unique experiences of this career. The PST works to provide proactive support to peers to enhance overall employee well-being, including mental, physical, social and spiritual wellness. The PST does not replace psychological treatment but can facilitate pathways to professional help through the City Employee Assistance Programs and contracted mental health professionals. PST members may provide additional support during traumatic events and critical incidents with the guidance of approved mental health professionals.

PST Members
PST members are selected and employed by an individual agency and are bound by policy to the agreements made in such policies.

Data Sharing and Consultation
PST members shall observe privacy of peer interactions through Minnesota State Statutes 181.973, 13.43 sub 9, and Bloomington Police Department Policy 122 Wellness Program.

Agreement
I agree to participate in the Bloomington Police Department PST. I acknowledge and understand my participation in this program is voluntary.

I further acknowledge that as a member of this Team, I agree to the following:

- I will keep all information I obtain in connection with the PST private to the extent permitted by City and Police Department policies, as well as all relevant laws;
- If, as a member, I reasonably believe someone may be in danger to themselves or others, I will share necessary information with the peer support supervisor;
- I understand any disclosure of information obtained as a member of the PST will undermine the reputation and effectiveness of the entire program. Any non-permitted

disclosures will be subject to review and are grounds for immediate dismissal from the PST; and

- I understand the expectation of confidentiality remains if I am no longer a member of the PST or an employee of the City of Bloomington Police Department.

Printed Name: _____

Department: _____

Rank: _____

Signature: _____

Date: _____

Policy 122 – APPENDIX A
Wellness Program- Privacy Agreement
Issued November 8, 2021

BLOOMINGTON POLICE DEPARTMENT MANUAL

POLICY: 123

EFFECTIVE DATE: SEPTEMBER 1, 2017

SUBJECT: BRADY/GIGLIO DISCLOSURE REQUIREMENTS

PURPOSE: It is the purpose of this policy to provide employees of the Bloomington Police Department with the information necessary to properly fulfill the reporting and testimonial requirements mandated under U.S. Supreme Court decisions including *Brady* v. *Maryland* 373 U.S. 83 (1963) and *Giglio* v. *U.S.* 405 U.S. 150 (1972).

POLICY: The Bloomington Police Department (Department) shall conduct fair and impartial investigations and provide the prosecution both incriminating and exculpatory evidence, as well as information that may adversely affect the credibility of a witness. In addition to reporting all evidence of guilt, the Department will assist the prosecution by complying with its obligation to disclose information that is both favorable and material to the defense. The *Brady* decision, and subsequent court rulings, have made it a duty of prosecutors to work with law enforcement agencies to (1) identify and provide to the prosecution any exculpatory material that would have a reasonable probability of altering the results in a trial, or any material that could reasonably mitigate the sentencing of a defendant and (2) any material relevant to the credibility of all government witnesses, including, police officers. It is the policy of this Department to follow *Brady* disclosure requirements consistent with the law.

DEFINITIONS:

Material Evidence: Exculpatory evidence is "material" if there is a reasonable probability that disclosing it will change the outcome of a criminal proceeding. A "reasonable probability" is a probability sufficient to undermine confidence in the outcome of the trial or sentencing of a criminal case.

Exculpatory Evidence/*Brady* Material: Exculpatory evidence is evidence that is favorable to the accused; is material to the guilt, innocence, or punishment of the accused; and that may impact the credibility of a

government witness, including a police officer. *Brady* violations are, by definition, violations of an individual's 14th Amendment right to due process of law. Impeachment material is included in the *Brady* disclosure requirements.

Duty to Disclose: The affirmative constitutional duty of this Department to notify the prosecutor of any *Brady* material.

PROCEDURES:

1. **General Provisions of Disclosure:**

   a. Affirmative Duty to Report: This Department shall exercise due diligence to ensure that material of possible *Brady* relevance is made available to the office of the prosecutor. Officers shall include in their investigative reports all material evidence and facts that are reasonably believed to be either incriminatory or exculpatory to any individual involved in a case. This applies to both initial investigative information and any subsequent information learned after the case has been submitted to the prosecution.

   b. It is this Department's responsibility to disclose Brady material as soon as reasonably possible to the office of the prosecutor, or in time for effective use at trial. Responsibility for disclosing such material extends from case charging/indictment through the trial and sentencing process.

   c. It is the prosecutor's responsibility to establish whether material disclosed by this Department must be provided to the defense.

   d. Suppression of evidence favorable to an accused violates due process when the evidence is material either to guilt or to punishment, irrespective of good or bad faith. There is no distinction between "impeachment evidence" and "exculpatory evidence" for *Brady* disclosure purposes.

   e. Allegations that cannot be substantiated, are not credible, or have resulted in an individual's exoneration are generally not considered to be potential impeachment/Brady information.

2. **Examples of *Brady* material:** Examples of *Brady* material that may be subject to disclosure include, but may not be limited to, the following:

a. Information that would directly negate the defendant's guilt concerning any count in an indictment, complaint or any other charging instrument.

b. Any criminal conviction or criminal case pending against any witness whom the prosecution anticipates calling upon for testimony.

c. Information that casts doubt on the credibility or accuracy of a witness or evidence.

d. A false or inconsistent statement made orally or in writing by any witness.

e. Information that tends to diminish the degree of the defendant's culpability or the defendant's offense level under state or federal sentencing guidelines.

f. Evidence that a witness has a racial, religious, or personal bias against a defendant individually or as a member of a group.

g. A sustained finding of officer misconduct by a Board, including but not limited to the Minnesota Department of Human Rights, Police Officer Standards and Training (P.O.S.T.) Board or an Internal Affairs Investigation that reflects negatively on the witness's moral turpitude.

h. A sustained finding of misconduct involving an officer's excessive use of force, untruthfulness, dishonesty, bias, or other misconduct in conjunction with their service as a law enforcement officer.

i. A sustained finding of misconduct involving an officer's inappropriate or unauthorized use of government data.

j. A sustained finding of misconduct involving an officer's undisclosed or improper promises, offers, or inducements to witnesses or suspects.

k. A sustained finding of misconduct involving an officer's mishandling of evidence or property.

l. Other misconduct that involves the abuse of police authority, or otherwise potentially discoverable under *Brady*, not fitting into any of the above categories.

Officer/employee personnel files that include sustained findings related to matters stated above may be provided, or open to the prosecution or defense, as part of a *Brady* disclosure consistent with the law.

3. **Departmental Response to Officer Testimonial Impeachment:** The Department will provide written notice to any employee regarding personnel data that has been identified as being potential *Brady* material. If an employee elects, they may submit a written explanation regarding the data in question which will be reviewed by the office of the prosecutor. When appropriate, the employee's written explanation will be included with any other disclosures that are required relative to the data in question.

   Officers who have sustained findings of misconduct, as referenced in Section 2 (Examples of *Brady* material), are potentially subject to impeachment of testimony at trial. Such officers may also be subject to transfer from current assignment(s) and disciplinary action up to and including termination of employment.

4. **Training:** All sworn law enforcement officers of this Department shall receive training in *Brady* disclosure requirements.

5. **Records Retention:** It shall be the policy of the Bloomington Police Department to maintain materials relevant to the Brady/Giglio Disclosure Requirement for the entirety of an employee's term of employment. After employment ends the employee's personnel file shall be maintained consistent with the City of Bloomington's established records retention schedule.

Policy 123 – Brady/Giglio Disclosure Requirements, Issued September 1, 2017

BLOOMINGTON POLICE DEPARTMENT MANUAL

POLICY: 124

EFFECTIVE DATE: March 29, 2019

SUBJECT: CRISIS INTERVENTION TEAM - FUNCTIONS AND RESPONSIBILITIES

Purpose: The purpose of this General Order is to establish written policy within the Department concerning the functions and responsibilities of the Crisis Intervention Team

Policy: The policy of the Bloomington Police Department Crisis Intervention Team is to equip officers with the training, skills and abilities necessary to support individuals in crisis, promote wellness and acceptance of those in our community who are dealing with mental illness and or substance use, or are developmentally disabled, and work collaboratively with all of our community partners to divert persons in need from the criminal justice system to the community's system of care.

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GENERAL

A. The Bloomington Police Department's Crisis Intervention Team (CIT) is composed of specially trained licensed peace officers who have completed the 40 hour Minnesota CIT Training program. Their function is to respond to incidents involving mentally ill or developmentally disabled persons and those in crisis, where the officer's specialized skills may be used to successfully conclude such an incident and to provide further assistance, beyond the actual call, for the individual involved.

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B. The policies contained in this Order do not supersede those outlined in general orders involving use of force or the notification of specialized units for incidents where the situation depicts such a notification.

DEFINITIONS

Crisis: An event or situation where an individual's safety and health are threatened by behavioral health challenges, to include mental illness, developmental disabilities, substance use, or overwhelming stressors. A crisis can involve an individual's perception or experience of an event or situation as an intolerable difficulty that exceeds the individual's current resources and coping mechanisms and may include unusual stress in her/his life that renders her/him unable to function as he/she normally would. The crisis

may, but not necessarily, result in an upward trajectory or intensity culminating in thoughts or acts that are possibly dangerous to himself//herself and/or others.

Crisis Intervention: The temporary emergency approach given to an individual in crisis by an officer of the BPD to de-escalate and divert the individual to other services when appropriate.

Crisis Intervention Team Coordinator (CIT) Coordinator: A Commander of the BPD who is responsible for the CIT Program. The CIT Coordinator is the point of contact between mental health and crisis intervention issues involving the BPD and the community, including crisis intervention training, reporting and policies. The CIT Coordinator will maintain continuous working relationships with all community partners, with specific emphasis on mental health and advocacy partnerships.

Crisis Intervention Team (CIT) Officer: A licensed peace officer of the BPD who has completed the Memphis Model of CIT training. CIT officers work in cooperation with community partners, mental health facilities and organizations.

Crisis Intervention Team (CIT) Program: A partnership program between police, mental health agencies, advocates, and the community that seeks to achieve the common goals of safety, understanding, and service to individuals in crisis, those suffering from mental health issues and their families. The goals of the CIT Program are to:

- Improve the safety and security of officers, individual in crisis, their family, and community members.
- Improve the quality of life for people suffering from mental illness or crisis.
- Change how society and systems view individuals suffering from mental illness or crisis.
- Change how healthcare and criminal justice systems respond to individuals suffering from mental illness or crisis.

Developmental Disability: "Having substantial limitations in present functioning, manifested as significantly sub average intellectual functioning, existing concurrently with demonstrated deficits in adaptive behavior and who manifests these conditions before the person's 22nd birthday (MN Statute 9525.0016, Sub. 2(B)). Developmental disabilities are a group of conditions due to an impairment in physical, learning, language, or behavior areas. These conditions begin during the developmental period, may impact day-to-day functioning, and usually last throughout a person's lifetime.

Mental Illness: "An organic disorder of the brain or a clinically significant disorder of thought, mood, perception, orientation, memory, or behavior that is detailed in a diagnostic codes list published by the commissioner, and that seriously limits a person's

capacity to function in primary aspects of daily living such as personal relations, living arrangements, work, and recreation" (MN Statute 245.462, Sub. 20).
Mental illness conditions may be characterized by impairment of an individual's normal cognitive, emotional, or behavioral functioning, and caused by social, psychological, biochemical, genetic, or other factors.
Signs or symptoms which may indicate the presence of Mental Illnesses:

- Loss of memory/disorientation
- Delusions - These are false beliefs that are not based in reality. The individual will often focus on persecution or grandeur
- Depression
- Hallucinations - hear voices, or see, smell, taste or feel things
- Manic behavior - accelerated thinking and speaking or hyperactivity with no or little need for sleep - may also be delusional
- Anxiety - feelings are intense, state of panic or fright
- Incoherence - difficulty expressing themselves, disconnected ideas and/or thoughts
- Response - may process information more slowly

PROCEDURE

A. Dispatch a Call

1. When a call is received by Dispatch that is believed to involve a mental health crisis, the dispatcher should immediately dispatch the two closest street officer(s). Whenever possible, the closest available CIT officer should then be located and directed to respond to the call if they were not one of the two originally dispatched. The goal on every mental health call is to have at least one CIT trained officer respond.

2. If Dispatch receives a report of a situation that is not immediately recognized as a mental health crisis, but the first arriving officer determines a CIT officer is needed, that officer should immediately request a CIT officer to respond.

B. Control of Scene

1. The CIT officer should maintain scene responsibility, as it relates to the de-escalation of the person(s) in crisis, when a supervisor is not present.

This does not preclude other officers on scene to assist in scene safety and/or overall scene management in a supervisor's absence.

2. In cases where a supervisor is on the scene along with a CIT officer, the supervisor will have primary control of the scene. The CIT officer will have no further control of the scene beyond the use of his/her specialized skills to successfully conclude the incident.

3. Officers are encouraged to consider appropriate referrals or other alternatives to arrest when investigating violations of a minor nature committed by persons who are mentally ill or developmentally disabled.

C. Responsibilities of the CIT Officer

The primary responsibility of the CIT officer on the scene is to use his/her specialized skills for the successful conclusion of the incident. Upon arrival at the scene involving persons in crisis who are believed to be mentally ill or developmentally disabled, the CIT officer should determine, when able, a(n) appropriate resource(s) to assist the person in crisis. Once such a determination is made, the CIT officer should assist the person in crisis by attempting to facilitate such resource(s).

1. If the CIT officer is not the first officer on scene and contact/rapport with the individual in crisis, who is believed to be mentally ill or developmentally disabled, has been made by a non CIT officer, the CIT officer should monitor and assess the progress of the call and, if need be, offer coaching suggestions to the primary officer or transition to the primary officer role to utilize their specialized CIT skills.

2. If the CIT officer determines that the individual involved is a danger to their self or others and will be taken into protective custody, the CIT officer should have primary responsibility to arrange for transportation to a care facility.

3. If the individual is not a danger to their self or others and therefore will not be taken into protective custody or taken into custody for a crime committed, the CIT officer will be responsible for offering referral resources to the individual and making notifications to mental health professionals for further care of the individual (i.e., Public Health referral, Community Outreach for Psychiatric Emergencies-COPE.)

D. Reporting Procedures

1. The primary officer, who may be a non-CIT officer, will have responsibility for completing the required reporting concerning the call. **All crisis calls will be documented with a Crisis Transport Hold (formally known as the Health and Welfare Hold) or a Crisis Response Report.** In order to better track and provide future follow-up, all calls involving a person in crisis who are not transported on a hold, will be documented with a Crisis Response Report. In the event the person in crisis is arrested or an offense report is taken, the Crisis Response Report will accompany those reports.

2. If a CIT officer is not on scene, the Primary Officer is responsible for offering referral resources to the individual and making notifications to mental health professionals for further care of the individual (i.e., Public Health referral, Embedded BPD Social Worker, Community Outreach for Psychiatric Emergencies-COPE.)

3. Prior to clearing any call resulting in protective custody, involving a mental health crisis, and / or a mentally ill person, and / or otherwise caused or involving mental illness, the primary officer or supervisor should request dispatch to tag the disposition of the call as mental health/crisis related.

4. When the crisis call involves someone who could pose a future threat to themselves or others, including first responders, the primary officer should complete a Hazard File Entry Request for that address and forward to the request to the Dispatch Supervisor.

Policy 124
Crisis Intervention Team - Functions and Responsibilities
Issued March 29, 2019

BLOOMINGTON POLICE DEPARTMENT

POLICY: 125

EFFECTIVE DATE: APRIL 26, 2021

SUBJECT: CRIMINAL SEXUAL CONDUCT (CSC) RESPONSE

PURPOSE:

The purpose of this policy is to provide employees with guidelines for responding to reports of sexual assault. The Bloomington Police Department (BPD) strives to:

a) Afford maximum protection and support to victims of sexual assault or abuse through a coordinated program of law enforcement and available victim services with an emphasis on a victim centered approach;

b) Reaffirm peace officers' authority and responsibility to conducting thorough preliminary and follow up investigations and to make arrest decisions in accordance with established probable cause standards; and

c) Increase the opportunity for prosecution and victim services.

POLICY:

All employees should take a professional, victim-centered approach to sexual assaults, protectively investigate these crimes, and coordinate with prosecution in a manner that helps restore the victim's dignity and autonomy. While doing so, it shall be this agency's goal to decrease the victim's distress, increase the victim's understanding of the criminal justice system and process, and promote public safety.

Peace officers will utilize this policy in response to a sexual assault reported to BPD. This agency will aggressively enforce the laws without bias and prejudice based on race, marital status, sexual orientation, economic status, age, disability, gender, religion, creed, or national origin.

PROCEDURES:

Dispatch Protocol
Dispatch personnel should inform the victim of ways to ensure the victim is safe and critical evidence is not lost. The following are examples of what should be relayed/asked:

1) Determine if the suspect is still present.
2) Determine if the victim is injured and if medical attention is needed.
3) Obtain pertinent information regarding the location of the crime and victim information.
4) Obtain information on the suspect.
5) Relay all vital information to the responding officer(s).
6) Reassure the victim that help is on the way.
7) Advise the victim of the importance of not disturbing the crime scene if possible.
8) Suggest that the victim not bathe or clean him or herself if the assault took place recently.
9) Recommend that if a victim needs to relieve themselves, they should collect urine in a clean jar for testing and that they should avoid wiping after urination.
10) Asking the victim to collect any clothing worn during or after the assault and if possible, place in a paper bag; instructing the victim not to wash the clothing (per department policy).
11) Reassure the victim that other evidence may still be identified and recovered even if they have bathed or made other physical changes.

Patrol Protocol
The initial officer(s) responding should follow the EASIER Response Guide *(this is also available in the Patrol Resource Guide)*:

Remember the acronym: ***EASIER***	
E is for ***EXPLAIN***	• Offer compassion and empathy to encourage a positive rapport with victims. Use wording at initial contact such as: *"I am sorry this was done to you, this is not your fault, and I am here to help you."* • Only ask for information immediately needed to assess the situation; investigators will conduct a more detailed interview. • Explain to victim how the initial reporting process will be conducted and steps included. • If interpreter is needed, ***Do Not*** use children, family, friends or other witnesses. Call the Language Line at: 877-245-0386 (Client ID 509282; Customer #13284). • Call the Sexual Violence Center (SVC) at 612-871-5111, 24hrs/7days to ensure advocacy is provided at every step of the process. Advise victim of various advocates that will be involved throughout the process.

	• If a victim wants to report a sexual assault, regardless of the jurisdiction the crime occurred, the officer shall assist the victim. If the assault just occurred (active crime scene or suspect) or if the victim would be in danger if not immediately dealt with, the officer should assist the victim in making contact with the appropriate agency. If there is no immediate needs to address, the officer shall take the initial report and Investigations will forward the case onto the proper agency.
A is for ASSESS	• Immediate Healthcare Needs: Was the assault recent (within 7 days) or past action? Any physical injuries? Self-harm? Safety concerns? • Detox: A sexual assault victim who is intoxicated should be taken to the hospital for a SANE exam before being assessed for Detox. If date rape drugs are suspected (e.g., Rohypnol, GHB, etc.) request a urine test by SANE asap. • Report Location: Make sure the space is safe and private for the interview.
S is for SANE	• Sexual Assault Nurse Examiners provide medical care and evidence collection at any ER in Hennepin County. • Victims aged 13 and older may be examined at ANY ER in Hennepin County if the assault occurred within 7 days. For children age 12 and under, please call the Hennepin Abuse Response Team (HART) at 612-873-5832 for guidance 24 hours a day. • Law enforcement will NOT be present during the exam, but CAN accompany/assist/transport victim to the hospital. • Hennepin County hospitals partner with SVC to provide on-site advocacy with SANE exams. • If incident is not recent (within 7 days), medical follow up should still be advised in order to address other potential issues, such as pregnancy, STDs, mental health, physical injuries.
I is for INTERVIEW	**Victim Interview** Respond to every victim of sexual assault with a professional, compassionate demeanor. Interviews of victims with special considerations must comply with the mandated reporting requirements of Minnesota Statute Section 260E.06, 260E.22 and 626.557, as applicable. Any victim or witness interviews conducted with individuals having special considerations must be audio and video recorded whenever possible. All other interviews must be audio recorded whenever possible. 1) Assume every sexual assault report is valid and investigate thoroughly, fairly, and competently. 2) Tell the victim that you are sorry this happened. 3) Reassure the victim that s/he is safe. 4) Acquire only information immediately needed to assess situation and meet criminal elements for reporting, including victim, offender and witness information; request victim and witness phone numbers, including alternate numbers where the victim can be reached. Verify if it is safe to contact the victims at those numbers.

	Questions: 1) Address injuries or immediate medical needs first. 2) Ask open-ended questions such as, "can you tell me what you're able to remember about _____ (incident, description of suspect, location, senses, feelings, etc.)?" 3) Ask the victim to describe what they recall thinking, feeling, saying and doing before, during and after the sexual assault. 4) Take care not to ask the victim to explain or justify actions or responses, reassure you're not there to judge them. 5) Ask about any witnesses or person(s) the victim talked to about the assault. Ask for contact information for that person. **Juvenile victims (*If you are not able to obtain the information another way)*:** For victims under the age of 18, ask only basic questions needed to write a report that meet criminal elements – investigations will follow up with the victim and their parents/guardians. Interview parents/guardians separately for any additional information that the victim shared with them. **Delayed reporting:** Document the reason the victim waited to report. Keep in mind that most sexual assaults are reported after a delay, for several legitimate reasons.
E is for EVIDENCE	1) Collect any immediate evidence such as clothing, bed linens, condoms, or other items that may contain DNA. Explain to the victim why this is important. 2) Photograph entire crime scene and any visible injuries on victim (for corroboration of details). 3) Consider evidence preservation for suspects, including suspect exams. 4) Obtain a medical release authorization form with victim's signature from the hospital. 5) Collect and inventory the CSC kit as evidence.
R is for RESOURCES	1) Provide victim with: a. The file number b. Hennepin County Sexual Violence Center, 612-871-5111 (24 hours, free, confidential) c. Victim services information card

Investigations Protocol

The BPD Investigations Division will conduct a compassionate, caring, and thorough Investigation on all CSC cases to ensure that the victim gets proper support and justice is served. The following establishes the protocol to achieve a thorough investigation:

1. All CSC reports will be assigned for investigative review.

2. The case detective should make contact with the victim within 24 hours of receiving the case.
3. Assure that the correct evidence is sent to the BCA lab.
4. If a CSC kit is not sent to the BCA, include documented approval from the prosecutor.
5. Keep the victim informed of the case status. In the event that the case is declined by the County Attorney, inform the victim of the reason for the declination. If the victim has further questions, refer the victim to the charging attorney.

The BPD recognizes that victims of sexual assault due to their age or physical, mental, or emotional distress, are better served by utilizing trauma informed interviewing techniques and strategies. Such interview techniques and strategies eliminate the duplication of interviews and use a question and answer interviewing format with questioning nondirective as possible to elicit spontaneous responses.

Interviews of victims with special considerations must comply with the mandated reporting requirements of Minnesota Statute Section 260E.06, 260E.22 and 626.557, as applicable. Any victim or witness interviews conducted with individuals having special considerations must be audio and video recorded whenever possible. All other interviews must be audio recorded whenever possible.

In recognizing the need for non-traditional interviewing techniques for sexual assault victims, officers should consider the following:

- Offer to have a confidential victim advocate present (if possible) if the victim would benefit from additional support during the process.
- Whenever possible, conduct victim interviews in person.
- Make an effort to conduct the interview in a welcoming environment.
- Let the victim share the details at their own pace.
- Be culturally sensitive when approaching victims from other cultures. Where applicable, use professional interpreter services. Do not use family or friends.
- Assure the victim that they are in control and the case will not go forward without their approval.
- Recognize victims of trauma may have difficulty remembering incidents in a linear fashion and may remember details in days and weeks following the assault.
- After the initial interview, consider reaching out to the victim within a few days, after at least one sleep cycle to ask if they remember any additional details.
- Depending on the victim, additional interviews might be needed to gather additional information. Offer support from a victim advocate to the victim to help facilitate engagement with the investigative process and healing.
- Some victims do remember details vividly and might want to be interviewed immediately.

- During initial and subsequent victim interviews, officers should note the following information as victims share it, recognizing that a victim may not be able to recall all the details of the assault during a particular interview:
    a. Whether the suspect was known to the victim.
    b. How long the victim knew the suspect.
    c. The circumstances of their meeting and if there is any indication of the use of drugs or alcohol to facilitate the sexual assault.
    d. The extent of their previous or current relationship.
    e. Any behavioral changes that led the situation from one based on consent to one of submission, coercion, fear, or force.
    f. Specific actions, statements, and/or thoughts of both victim and suspect immediately prior, during, and after assault.
    g. Relevant communication through social media, email, text messages, or any other forms of communication.
- Victims of sexual assaults will not be polygraphed.

Evidence Collection and Testing Protocol
Those investigating sexual assaults or handling related evidence should do the following (MSS 299C.106 **Sexual Assault Examination Kit (CSC Kit) Handling**; MSS 299C.155 **Standardized Evidence Collection; DNA Analysis**):

1. Utilize the CSC kit and procedures established by the BCA.
2. Retrieve the CSC kit from the health care professional within 10 days of receiving notice that the kit is available when the victim has consented in writing to its testing.
3. Submit the CSC kit to the BCA lab for testing within 60 days of receipt. Submission is not required if the case detective and the county attorney determine that the testing would not be of evidentiary value and that determination is documented by the county attorney.
4. Not submit a CSC kit when the victim has not consented to its testing. If the victim later provides written consent, then that kit should be submitted as soon as practical (MSS 611A).

Forensic Examination and/or the Collection of Evidence from the Suspect
Note: A suspect's forensic examination and/or the collection of evidence from a suspect may be done by either an investigating officer/investigator, forensic medical examiner, or the agency/county crime lab personnel.

1) Prior to or immediately after the preliminary suspect interview, photograph any injuries.
2) Determine whether a sexual assault medical forensic examination should be conducted.

3) Ask for the suspect's consent to collect evidence from their body and clothing. However, officers/investigators should consider obtaining a search warrant, with specific details about what evidence will be collected, and should be prepared in advance to eliminate the opportunity for the suspect to destroy or alter evidence if consent is denied.
4) During the suspect's sexual assault medical forensic examination, the investigator, evidence technician, or forensic examiner should do the following:
    a. Strongly consider penile swabbing, pubic hair combings, and collection of other potential DNA evidence;
    b. Collect biological and trace evidence from the suspect's body;
    c. Document information about the suspect's clothing, appearance, scars, tattoos, piercings, and other identifiable marks;
    d. Seize all clothing worn by the suspect during the assault, particularly any clothing touching the genital area;
    e. Document the suspect's relevant medical condition and injuries.
    f. Whenever possible, the suspect's examination should not take place in the same facility at the same time as the victim's forensic examination or by the same examiner.

DNA Test Results
Upon written request from the victim or the victim's written designee for investigative data, the case investigator should release the following information, providing it does not interfere with the investigation (MSS 611A.27 **Victim Rights to Sexual Assault Evidence Information**):

1) The date the CSC kit was submitted to the BCA.
2) The date that the results were returned to the BPD.
3) Whether a DNA profile was obtained from the testing.

If the information does not interfere with the investigation, it must be provided within thirty days.

Supervisor Protocol
Supervisors may do the following:

1) Assist officers investigating incidents of sexual assault when possible or if requested by an officer.
2) Provide guidance and direction as needed.
3) Review sexual assault reports monthly to ensure that necessary steps were taken during initial response and investigations.

Case Review/Case Summary:

A supervisor should ensure cases are reviewed on an on-going basis. The review process should include an analysis of:

1) Case dispositions.
2) Decisions on evidence collection.
3) Submission of evidence for lab testing.
4) Interviewing decisions.
5) Submitting cases to appropriate charging attorney.

CANCELS AND REPLACES:
Policy 125 - Criminal Sexual Conduct (CSC) Response
Issued May 13, 2019

BLOOMINGTON POLICE DEPARTMENT MANUAL

POLICY: 126

EFFECTIVE DATE: JANUARY 27, 2021

SUBJECT: UNMANNED AERIAL VEHICLE

A. PURPOSE

The purpose of this policy is to establish guidelines for the Bloomington Police Department's use of Unmanned Aerial Vehicles (UAV).

Definitions:

Unmanned Aerial Vehicle (UAV): An aircraft that is intended to navigate in the air without an on-board pilot. Also called a drone or unmanned aircraft system.

Pilot: A member of the Bloomington Police Department (BPD) or Bloomington Fire Department (BFD) who is trained, certified, and authorized to exercise control over a UAV during flight.

Observer: A member of the BPD or BFD who will act as an observer of the UAV while in flight.

Program Coordinator: A supervisor of the Bloomington Police Department's UAV program.

B. POLICY

The BFD purchased and operates UAVs to assist with its emergency and lifesaving operations. The BPD may utilize BFD's UAVs to assist with its duty to protect lives and property when other means or resources are not available or are less effective. BPD's use of UAVs will be consistent with the provisions of the United States and Minnesota Constitutions and federal and state laws. The use of a UAV will be only for Public Air Operations and shall not be used for commercial purposes. Any operations of an UAV will be in accordance with Federal Aviation Administration (FAA) regulations.

The use of a UAV potentially involves privacy considerations. BPD personnel will consider the protection of individual civil rights and the reasonable expectation of privacy as a key component of any decision made to deploy the UAV. Operators will take reasonable precautions to avoid inadvertently recording or transmitting images that infringe upon an individual's right to privacy.

Use of vision enhancement technology (e.g. thermal and other imaging equipment not generally available to the public) is permissible in viewing areas only where there is no

protectable privacy interest, in compliance with a search warrant, court order, or for reasons listed in Section C of this policy. In all other instances, legal counsel should be consulted. The UAVs will not be deployed with facial recognition or other biometric-matching technology unless expressly authorized by a warrant.

C. PROCEDURES FOR DEPLOYMENT OF UAV

BPD use of a UAV will require a search warrant unless the intended use meets one of the following authorized uses:

1. During or in the aftermath of an emergency situation that involves the risk of death or bodily harm to a person;
2. Over a public event where there is a heightened risk to the safety of participants or bystanders;
3. To counter the risk of a terrorist attack by a specific individual or organization if the agency determines that credible intelligence indicates a risk;
4. To prevent the loss of life and property in natural or man-made disasters and to facilitate operational planning, rescue, and recovery operations in the aftermath of these disasters;
5. To conduct a threat assessment in anticipation of a specific event;
6. To collect information from a public area if there is reasonable suspicion of criminal activity;
7. To collect information for crash reconstruction purposes after a serious or deadly collision occurring on a public road;
8. Over a public area for officer training or public relations purposes;
9. For purposes unrelated to law enforcement at the request of a government entity provided that the government entity makes the request in writing to the law enforcement agency and specifies the reason for the request and proposed period of use.

All Police related UAV deployments will be authorized through the on-duty shift supervisor for BPD or BPD command staff.

Operation

The UAV will only be operated with a two person team consisting of a pilot and observer.

The UAV pilot must have been trained and certified in the operation of the system. The pilot and observer can be a member of BFD or BPD or a combination or personnel.

Any police use of the UAV will be governed under this policy, federal and state constitutions, and Minnesota State Statute, regardless if the operators/pilots are BPD or BFD employees.

If the UAV is being deployed solely by BPD personnel, a notification will be made to the BFD Assistant Chief.

The UAV Pilot must obtain applicable authorizations, permits, or certificates required by the (FAA) prior to deploying or operating the UAV and these authorizations, permits, and certificates shall be maintained and current.

The UAV pilot shall inspect and test UAV equipment prior to each deployment to verify the proper functioning of all equipment and the airworthiness of the device.

All Police UAV flights will be documented with a flight log. Each police flight log will have a unique case number assigned. The flight log shall include factual information regarding the reason for the flight; time, date, and location of the flight; the name of the supervisor approving the deployment and the staff assigned; and a summary of the activities covered, actions taken, and outcomes from the deployment. The flight log must indicate the reason for deployment (outlined in Section C) unless a search warrant was obtained.

D. PROHIBITIONS

UAV units will not be used in the following manners:

1. To conduct random surveillance;
2. To target a person based solely on individual characteristics such as race, ethnicity, national origin, religion, disability, gender or sexual orientation;
3. To discriminate, harass, or intimidate any individual or group;
4. To conduct personal business;
5. To collect data on public protests or demonstrations unless expressly authorized by a warrant or an exception applies under Section C of this policy; and
6. Will not be equipped with weapons.

E. EVIDENCE COLLECTION

Data collected by a UAV during police use will be managed according to Minnesota Statue section 626.19 subd. 6, is private data on individuals or nonpublic data, and subject to the following:

(1) if the individual requests a copy of the recording, data on other individuals who do not consent to its release must be redacted from the copy;

(2) UAV data may be disclosed as necessary in an emergency situation listed in Section C

(3) UAV data may be disclosed to the government entity making a request for UAV use listed in Section C

(4) UAV data that are criminal investigative data are governed by Minnesota Statute section 13.82, subd. 7;

(5) UAV data that are not public data under other provisions of chapter 13 retain that classification.

(6) Section 13.04, subdivision 2, does not apply to data collected by a UAV.

(7) Notwithstanding section 138.17, a law enforcement agency must delete data collected by a UAV as soon as possible, and in no event later than seven days after collection unless the data is part of an active criminal investigation; and

(8) Data collected as part of a criminal investigation will be retained and managed according to BPD's data retention policy and schedule.

Unauthorized use, duplication, and/or distribution of UAV videos are prohibited. Personnel shall not make copies of any UAV videos for their personal use and are prohibited from using a recording device such as a personal camera or any secondary video camera to capture UAV videos. All police UAV operations recorded media, images and audio are the property of BPD and shall not be copied, released or disseminated in any form or manner outside the parameters of this policy and data practices law without the expressed written consent of the Chief of Police. Violations of this policy are subject to discipline, up to and including discharge.

F. REPORTING

By January 15 of each year, the UAV Program Coordinator (as identified by the Chief of Police) shall report to the commissioner of public safety the following information for the preceding calendar year:

(1) The number of times a UAV was deployed without a search warrant issued under this chapter, identifying the date of deployment and the authorized use of the UAV listed under Section C.

(2) The total cost of the agency's UAV program.

CANCELS AND REPLACES:
Policy 126 – Unmanned Aerial Vehicle
Issued September 5, 2019

BLOOMINGTON POLICE DEPARTMENT MANUAL

POLICY: 127

EFFECTIVE DATE: February 26, 2020

SUBJECT: VOLUNTEERS IN POLICE SERVICE

PURPOSE: This policy establishes the Bloomington Police Department's (Department) guidelines and management of its Volunteers in Police Service (V.I.P.S.) program.

POLICY: Volunteers have proven to be a valuable asset to law enforcement agencies. Volunteers can be utilized to improve Department efficiency and service delivery. They can also be utilized to assist in facilitating new program opportunities and strengthen the bond between police and the community. In addition, volunteers can bring new skills and expertise to the job and prompt new enthusiasm. It is the policy of this Department to use qualified volunteers for specified tasks and duties that can improve efficiencies for the Department and improve services to the community. Volunteers are intended to supplement and support sworn officers and civilian personnel.

DEFINITION: *Volunteer:* Someone who performs service for the Department without promise, expectation, or receipt of compensation for services rendered. This may include Police Chaplains, Reserve Officers, interns, persons providing administrative support, and youth involved in the Department's Law Enforcement Explorer Post, among others.

PROCEDURES:

1. **Administration:**
   The V.I.P.S. program coordinator (Crime Prevention Unit Sergeant), or their designee, shall be responsible for the following:
   A. Recruiting, selecting, and training qualified volunteers for various positions.
   B. Maintaining employment records for each volunteer.
   C. Maintaining the volunteer handbook, which outlines expectations, policies, and responsibilities for all volunteers.
   D. Maintaining a record of volunteer schedules and work hours.

E. Completion and dissemination as appropriate of all necessary paperwork and information.

All requests for volunteers shall be routed through the appropriate chain of command for review and volunteer selection.

2. **Recruitment**:
Volunteers shall be recruited on an as-needed basis. A primary qualification for participation in the application process shall be an interest in and an ability to assist the Department in serving the public, as-well-as graduation from the Department's Citizen Academy.

3. **Hiring:**
   A. All volunteer candidates shall complete a volunteer application form.
   B. The volunteer coordinator, or their designee, shall conduct a face-to-face interview with all applicants under consideration.
   C. Prior to providing volunteer services a background investigation shall be completed on volunteer candidates.

4. **Selection and Placement:**
   A. Upon selection, volunteer applicants shall receive a confirmation letter prior to the start of service.
   B. All volunteers shall receive a copy of the volunteer handbook.
   C. All volunteers shall be required to sign a volunteer agreement.
   D. Volunteers shall be placed only in job assignments or programs that are consistent with their knowledge, skills, abilities, and needs of the Department.

5. **Position Description:**
   A. Volunteers shall be provided with a comprehensive written position description detailing their duties.
   B. Volunteers shall be used only in accordance with this written job description.
   C. Volunteers shall not work outside the limits of job responsibilities specified in the job description.
   D. Position descriptions shall be reviewed periodically to ensure that they accurately reflect the volunteer's duties and responsibilities.

6. **Training:**
   A. Volunteers shall be provided with an orientation program to acquaint them with the Department, personnel, policies, and procedures that have a direct impact on their work assignment.

B. Volunteers shall receive position-specific training to ensure they have adequate knowledge and skills to complete tasks required by the position.
C. Volunteers shall receive periodic ongoing training as deemed appropriate by their supervisor or volunteer coordinator.
D. Training shall reinforce to volunteers that they may not intentionally represent themselves as, or by omission infer that they are, sworn officers or other full-time members of the Department.
E. Volunteers shall comply with the rules of conduct, policies, procedures, general orders and other directives, either oral or written, issued by the Department.

7. **Fitness for Duty:**
   A. No volunteer shall report to work or be on duty when their judgment or physical condition has been impaired by alcohol, medication, other substances, illness, or injury.
   B. Volunteers shall report to their supervisor any changes in status that may affect their ability to fulfill their duties. This includes, but is not limited to, the following:
      1) Driver's license status
      2) Medical condition
      3) Arrest(s)
      4) Involvement in any criminal investigation

8. **Dress Code:**
   A. Volunteers shall conform to Department-approved dress consistent with their duty assignment.
   B. Uniforms authorized for volunteers shall be readily distinguishable from those worn by sworn officers.
   C. No volunteer shall wear his or her uniform or identifiable parts of that uniform while off duty.
   D. Volunteers shall be required to return any issued uniform or Department clothing at the termination of service.

9. **Confidentiality:**
   A. With appropriate security clearance, volunteers may be granted access to confidential information such as criminal histories or investigative files. Unless otherwise directed by a supervisor or Departmental policy, all police information shall be considered confidential. Only that information specifically identified and approved by authorized Departmental personnel shall be released.
   B. Each volunteer shall sign a nondisclosure agreement. Subsequent disclosure of any confidential information verbally, in writing, or by any

other means, shall be grounds for immediate dismissal and possible criminal prosecution.

C. Volunteers shall not address public gatherings, appear on radio or television, prepare any article for publication, act as correspondents to a newspaper or other periodical, release or divulge any information concerning the activities of the Department, or maintain that they represent the Department in such matters without obtaining prior permission.

10. **Property and Equipment:**
    A. Volunteers shall be issued an identification card that must be worn at all times while on duty.
    B. Any fixed and portable equipment issued by the Department shall be for official and authorized use only.
    C. Any property or equipment issued to a volunteer shall remain the property of the Department and shall be returned at the termination of service.

11. **Disciplinary Procedures/Termination:**
    A volunteer may be removed from the V.I.P.S. program at the discretion of the Chief of Police. Termination of volunteers shall not be subject to due process considerations and volunteers shall have no property interests in their continued employment.

12. **Evaluation:**
    An evaluation of the V.I.P.S. program shall be conducted on an annual basis by the Special Operations Commander or their designee.

BLOOMINGTON POLICE DEPARTMENT MANUAL

POLICY: 129

EFFECTIVE DATE: October 8, 2021

SUBJECT: PROPERTY AND EVIDENCE POLICY

PURPOSE:

The purpose of this policy is to establish guidelines for maintaining the integrity of the Bloomington Police Department property room and evidentiary chain of custody.

DEFINITIONS:

- Inventoried Property – Any property which has been submitted to the Bloomington Police Department Property Room by placing the property in a secure locker and entering said property into the barcoding software.
- Property and Evidence Technician – The City of Bloomington employee assigned to maintain custody and control of all inventoried property.
- Property Room Manager – The Police Department's Civilian Services Manager.
- Audit – For purposes of this policy, it is the procedure completed by departmental personnel of a formal periodic examination and verification of the accounts and records to verify their accuracy.
- Inventory – For purposes of this policy, it is the procedure completed by departmental personnel of an examination to verify description, quantity and location of inventoried property.
- Safekeeping – Includes the following types of property:
    - Personal property not taken as evidence.
    - Property taken for safekeeping under authority of a law.
    - Property obtained by the Department for safekeeping, such as a firearm.
- Found Property – For the purposes of this policy, items that have been lost or abandoned and turned into the police department.
- Biological Evidence – includes the following:
    - The samples obtained in a sexual assault examination kit.
    - Any item that contains blood, semen, hair, saliva, skin, tissue, or other identifiable biological material present on physical evidence or preserved on a slide or swab if such evidence relates to the identification of the defendant.

GENERAL PROVISIONS:

- The Property and Evidence Technician shall be responsible for receiving, storing, maintaining, releasing and accounting for all property processed in compliance with this procedure.
- The Property and Evidence Technician shall maintain a detailed procedural manual for the operation of the property room.
- An employee acquiring custody and control of inventoried property shall maintain exclusive custody and control of the inventoried property until turned over to another appropriate person (documented according to policy) or returned to the property room.
- The original property sheets and the maintaining of the barcoding software program shall remain under the control of the Property and Evidence Technician.
- The Property and Evidence Technician shall report non-conformity of this policy to the Property Room Manager immediately upon discovery.
- The Property Room Manager shall inspect the property room on a monthly basis.
- A departmental audit of the property room shall be conducted under the direction of the Commander of Professional Standards annually and when there is a change in property room personnel.

PROCESSING PROPERTY:

Property which has been discovered, gathered, received, or collected in connection with departmental responsibilities will be processed in accordance with established departmental procedures. Employees shall not convert to their own use, manufacture, conceal, falsify, destroy, remove, tamper with, or withhold any property or evidence in connection with an investigation or other police action, except in accordance with established departmental procedures.

PROPERTY INVENTORY PROCEDURE

All property must be inventoried and placed in secure storage prior to the employee going off-duty. Employees inventorying property shall observe the guidelines found in the property room procedure manual.

CONTROLLED SUBSTANCES

I. PURPOSE:

To establish procedures for the processing of narcotics, controlled substances, and other dangerous drugs.

II. PROCEDURES:

A. Upon receipt or discovery of any quantity of drugs, the following actions shall be taken by the officer:

1. As soon as practical and before going off duty, the drugs shall be weighed, documented, and properly packaged as evidence. The true weight shall be documented in the evidence database including whether or not the weight includes packaging.

2. All packaged narcotic evidence shall require two barcode labels. One barcode label shall be used for the narcotics, and the second label shall be used for the packaging material. An investigator from the Special Investigations Unit (SIU) shall separate the narcotics from the packaging material. The only exception shall be any narcotics recovered with no packaging, such as loose pills, etc.

3. All narcotics must be properly sealed in the appropriate packaging. The inventorying officer should initial the packaging at the seal.

4. Narcotics associated with in-custody felony narcotics arrests must be placed in the narcotics lockers in the evidence processing area. After placing the narcotic evidence and a copy of the chain of custody report in the locker, the key shall be dropped in the evidence room wall slot.

5. Non-narcotic evidence associated with the same case should be placed in the same narcotics locker or a standard evidence locker.

6. Large amounts of narcotic evidence that will not fit in a narcotics locker should be placed in the standard evidence locker.

7. In cases where there is **no arrest** associated with the narcotics, the standard evidence lockers should be used to store the narcotic evidence.

8. After obtaining a weight without packaging and performing a field test if appropriate, the SIU investigator should then seal and initial the packaging before returning the evidence to a standard evidence locker. Field tested and sealed narcotic evidence may be turned over to the property technician, if present. The property technician shall enter the test results, weights and dollar amount into the evidence database, along with the SIU investigator's badge number.

9. The narcotics shall be turned in to the property room as soon as documentation and packaging are completed. Narcotics will not remain in the officer's personal possession, duty vehicle, desk, file cabinet or other office area.

B. Upon receipt by the property technician of any quantity of drugs, the following actions shall be taken:

   1. A SIU investigator shall be contacted as soon as practical to verify the weight and to assign a street value to the narcotics.

   2. All drugs shall be secured in the drug vault inside the property room as soon as practical, but not to exceed five business days from the time the narcotics were property inventoried.

C. Upon removal of narcotics from the property room for chemical testing at the Bureau of Criminal Apprehension or any other approved testing facility or recognized laboratory, the following actions shall be taken:

   1. Drugs shall be transported to and from the lab by a licensed peace officer, community service officer or any other approved Bloomington Police Department staff member.

   2. Any discrepancies in weight not attributable to packaging or normal handling shall be reported at once to the SIU Supervisor or the Commander of Investigations.

D. When the need arises to remove drugs from the property room to facilitate training for narcotics detection canines, the following actions will be taken:

   1. The drugs will be released from the property technician to the supervisor of the canine unit in the presence of the Commander of Investigations. The property technician will sign over the narcotics to the canine unit in the presence of the Canine Supervisor and/or the Commander of Patrol and/or the Commander of Investigations and/or the Commander of Professional Standards.

   2. The canine unit accepts the drugs and signs the chain of custody within the barcoding database.

   3. The supervisor of the canine unit will maintain a narcotics log indicating which narcotics have been assigned to the canine unit. This log will be inspected on a periodic basis by the Commander of Patrol.

   4. The canine unit will store the drugs in a locked container maintained at the police department. The canine unit will be responsible for maintaining the drugs and notifying the canine supervisor of any loss or destruction as a result of training.

5. In order to preserve the scent of the drugs, they will be exchanged as often as needed. The canine supervisor will need to procure the original property receipt from the property technician to allow the canine handler to indicate return of the narcotics in the chain of custody and/or sign the chain of custody within the barcoding database, dependent on the age of the narcotic. The canine supervisor will return the narcotics and the original property receipt and/or a copy of the transfer receipt if the narcotics were inventoried in the barcoding database to the property technician in the presence of the Commander of Investigations.

6. The Commander of Professional Standards may take periodic and random samples of the drugs used for training from the canine unit. The tests will consist of weighing and field testing the samples by certified personnel. Two sworn personnel shall be present for these tests. An information report will be written by the Commander of Professional Standards indicating test results and a copy forwarded to the property technician to be attached to the original property receipt and/or scanned into the barcoding database. The random testing and age of the narcotics will be factors in the event of weight discrepancies.

EXPLOSIVES

Explosives will not be accepted into the police facility. The Property and Evidence Technician shall contact the Bomb Unit to remove any ammunition, fireworks, road flares or other flammable materials that are not retained as evidence.

EXCEPTIONAL HANDLING

Certain property items require a separate process. The following items shall be processed as described:

A. Bodily fluids such as blood or semen stains, as well as other wet items, shall be air-dried and packaged in paper prior to inventory.

B. Bicycles and bicycle frames require a property tag. The property shall be placed in the bicycle storage area.

C. All cash and coin shall be counted in the presence of another officer and the envelope initialed by both officers.

    1. Cash and coin shall be removed from wallets, purses, backpacks, and other items prior to counting and packaging.
    2. Upon receipt of coin or currency in excess of $100, the property technician shall promptly verify the currency and coin count in the presence of a witness and

transfer the coin and/or currency to the City Cashier for deposit to a bank account unless the envelope has been marked to hold for evidence.

3. Coin and/or currency to be held for evidence shall be kept in the property room drug vault.

D. All evidence collected by employees processing a crime scene requiring specific storage requirements should clearly indicate storage requirements on the property label.

E. Digital evidence such as photos, videos and statements shall be submitted prior to the employee going off duty.

PACKAGING OF PROPERTY
Packaging will conform to established property packaging procedures.

RIGHT OF REFUSAL
The Property and Evidence Technician has the authority and responsibility to refuse to accept property that is not properly packaged, secured or described accurately in the barcoding software. In such cases, the Property and Evidence Technician shall maintain secure custody of the item in a temporary property locker and inform the submitting officer.

TRANSFER OF CUSTODY
The person assuming custody of the property shall be recorded within the barcoding software and if necessary receive a copy of the transfer receipt.

The person who assumes custody of the property shall use a transfer receipt to obtain the signature of whomever else assumes custody of the property (i.e. prosecuting attorney, Crime Lab, BCA, etc.). The signed copy of the transfer receipt will then be returned to the Property and Evidence Technician.

An indication shall be made on the signed copy whether the transfer is a permanent disposition of the property or whether it will be returned.

Evidence should never be left unsecured or unattended and officers should not maintain evidence outside the property room overnight except for unusual circumstances. The officer's supervisor should be notified in such cases.

The Property and Evidence Technician shall maintain an electronic log of property signed out of the property room. The Property and Evidence Technician shall notify the Property Room Manager if any property is not returned or property receipt with transfer signatures is not returned within 48 hours.

RETURNING PROPERTY TO THE PROPERTY ROOM

Every effort should be made to return property directly to the Property and Evidence Technician. If this is not possible, the person returning the property shall secure the property in a secure locker, noting the date and time that this was done.

INSPECTIONS OF THE PROPERTY ROOM

The Civilian Services Manager shall conduct monthly inspections of the property room. An audit under the direction of the Commander of Professional Standards shall occur annually and when there is a change in property room personnel to ensure the integrity of the property room system.

DISPOSAL OF PROPERTY/EVIDENCE

When no longer needed for evidentiary purposes, all evidence/property, with the exception of firearms and contraband, shall be returned to its lawful owner unless title to the evidence/property is transferred by court order to the Bloomington Police Department or other jurisdiction. Items may be placed into department use only under authority of State Statute and City Code and the approval of the Chief of Police. It shall be at the discretion of the Property and Evidence Technician to place on auction, donate to charity or destroy any properties whose final disposition is return to owner but remain unclaimed more than 90 days after notification of right of redemption. Items inventoried for safekeeping but not claimed within 60 days after notification (or receipt, if notification is not feasible) will be disposed of.

On Bloomington City Attorney cases only, all liquor bottles, paraphernalia and small amounts of marijuana may be properly disposed of upon the successful photographing of the individual items for evidentiary purposes. Paraphernalia or small amounts of marijuana shall not be destroyed if the items are part of a gross misdemeanor controlled substance offense.

DISPOSAL OF SPECIFIC ITEMS

<u>Disposal of Firearms</u>

When any firearm is taken into custody, it shall be promptly placed in the Police Department Property Room and held as evidence or for safekeeping. A person seeking the return of a firearm shall make the request in writing to the Chief of Police or his designee for the return thereof.

Firearms that are evidence in a criminal matter will only be considered for release pursuant to all applicable rules of evidence retention and disposition. This determination will be specified by Federal, State and County legal requirements.

The Chief of Police or designee may authorize the return of firearms under the following circumstances:

A. When ordered to return the weapon by a court of competent jurisdiction:
    1. If any criminal charges have been made as a result of a criminal act, an order specifically directing that the weapon be returned should be requested of the judge finally adjudicating those charges.

B. The Chief of Police or designee determines if the firearm should be returned to its owner, the owner of the firearm may be requested to complete a permit to transfer a firearm application and subsequent investigation. The Chief of Police or designee may also require a reasonable waiting period from the time of inventory. The Chief of Police or designee has full authority to deny release and require a court order for the return.

Disposal of Narcotics and Dangerous Drugs

Upon removal of drugs from the property room for destruction, the following actions shall be taken:

A. The Professional Standards Unit Commander shall be notified long enough in advance to have random samples of the drugs being destroyed tested. The test shall consist of weighing and field testing the samples. Two sworn personnel shall be present for this test.

B. The results of these tests shall be compared to the original analysis reports attached to the property inventory sheets or scanned within the barcoding database, dependent on the age of the narcotic. Any discrepancies shall be reported immediately to the SIU Supervisor or the Commander of Investigations. In the event of unresolved discrepancies, the sample in question shall be forwarded to a certified laboratory for quantitative/qualitative analysis, and no further destruction shall take place prior to discrepancy being resolved and approved in writing by the Commander of Professional Standards.

C. At least two people shall be present during the transportation and transfer to another agency of any drugs for destruction; one sworn Bloomington Police officer, excluding Professional Standards personnel, and a property technician.

In any instance where narcotics or other dangerous drugs are determined to be missing or otherwise unaccounted for, facts shall be immediately reported to a supervisor who will in turn notify the Chief of Police as soon as practical.

Disposal of other items – per property room procedure

The Property and Evidence Technician shall request a disposition or status on all evidentiary property that has been held in excess of 120 days and for which no disposition has been received.

RETENTION OF BIOLOGICAL EVIDENCE

Biological evidence shall be retained for a minimum period established by law or the expiration of any sentence imposed related to the evidence, whichever time period is greater.
Biological evidence related to a homicide or sexual assault shall be retained indefinitely and may only be destroyed with the written approval of the applicable prosecutor's office.

DISCREPANCY NOTIFICATION

The Property and Evidence Technician or the Civilian Services Manager shall immediately notify the Chief of Police and the Commander of Professional Standards of any instance where evidence or property has been lost or stolen.

Policy 129
Property Evidence Policy
Issued October 8, 2021

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENERAL ORDER: 200

EFFECTIVE DATE: MARCH 2, 2022

SUBJECT: RULES AND REGULATIONS

SCOPE: All members of the Bloomington Police Department.

PURPOSE: This General Order is concerned with employee conduct. In some cases, the rules pertain to conduct off duty but, for the most part, the rules are concerned with on-duty conduct. The rules contained in this General Order also apply to employee conduct on social networking sites, blogs, and other forms of electronic media.

These rules have been divided into six (6) major areas of conduct:

1) Discipline
2) Professional Conduct
3) Job Performance
4) Property, Equipment and Reports
5) Alcohol and Drugs
6) Job-Related Conditions

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APPENDICES

A) Interpretation Procedures

1) DISCIPLINE

1.01 Violation of Rules

Employees shall not commit any acts or omit any acts which constitute a violation of any of the rules, regulations, directives, orders or policies of the Department, whether stated in this General Order or elsewhere. Rules, regulations, directives, orders and policies may be delivered verbally, in writing, or electronically (voicemail or email). Ignorance of the rules, regulations, directives, orders or policies shall not be considered as a justification for any such violations. Employees shall be responsible for their own acts, and they shall not shift to others the burden of responsibility for executing or failing to execute a lawful order or duty.

1.02 Conduct

Employees shall maintain a level of conduct in their departmental affairs which is in keeping with the highest standards of the law enforcement profession. Employees shall not participate in any incident or conduct themselves in such a manner, whether on or off duty, which tends to impair their ability to perform as employees of the Bloomington Police Department by bringing discredit to themselves or disrepute to the Department. This section also governs employee conduct on social networking sites, blogs and other forms of electronic media.

1.03 Conformance to Laws

A) Employees shall obey the laws of the United States, of this state, and of the local jurisdiction.

B) An indictment or judicial information filed against an employee, or a conviction for the violation of any criminal law, may be cause for disciplinary action.

C) Employees shall notify both the Chief of Police and their immediate supervisor if they are arrested, cited, or charged with any crime. The mandatory reporting shall be done within 24 hours of the incident or charging. Employees are also required to report, as described above, any suspension, revocation, cancellation, or limitation to their driver's license.

1.04 Insubordination

Employees shall not violate any lawful or official regulation or order or fail to obey any lawful direction given by a supervisor where such violation or failure to obey amounts to an act of insubordination.

1.05 Conflicting or Illegal Orders

Employees who are given an otherwise proper order which is in conflict with a previous order, regulation, directive or manual, shall respectfully inform the supervisor issuing the order of the conflict. If the supervisor issuing the order does not alter or retract the conflicting order, his or her order shall stand. Under these circumstances, the responsibility for the order shall be upon the supervisor. Employees shall obey the conflicting order and shall not be held responsible for disobedience of the order previously issued. Employees shall not obey any order which they reasonably believe would require them to commit an illegal act. If in doubt as to the legality of the order, employees shall request the issuing supervisor to clarify the order or confer with higher authority.

1.06 Identification

Officers, while on duty, shall carry their badges and identification cards on their persons at all times, except when impractical or dangerous to their safety or to an investigation. Uniformed officers must wear their badge as prescribed in Departmental orders and shall not cover badges, numbers or name tags in a manner so as to make them indiscernible to the public. Plain clothes officers must identify themselves to the public during their course of duty by producing their badge or identification card or both unless dangerous to their safety or impractical to an investigation.

Employees shall furnish their name or badge number to any person requesting that information, except when the withholding of such information is necessary for the performance of police duties or is authorized by proper authority. "Furnish" means verbally identifying oneself as well as showing identification if requested. Uniformed officers are required to verbally give name and/or badge number if requested even though the badge and name tag are visible.

Officers, when off duty, shall have on their person’s badges and/or identification cards when they are in possession of their firearms.

Clarification: An officer is required to give his or her name or badge number or both, if requested, while on duty, as stated in this rule. The rule also applies when off duty and carrying a weapon or taking some form of police action. The rule does not apply when off duty and not carrying a weapon unless the officer is taking some form of police action. Certain circumstances are accepted such as undercover operations, riot situations, etc., when it would not be practical to give the information.

1.07 Citizen Complaints

A) Employees shall courteously and promptly accept any complaint made by a citizen against any employee or any Department policy or procedure.

B) Employees shall never attempt to dissuade any citizen from lodging a complaint against any employee or any Department policy or procedure.

C) Employees shall notify a supervisor of the complaint, as required by Department procedure.

1.08 Lineups, Photographs, Medical Examinations, Other Tests

Upon the order of the Chief or the Chief's designee, employees shall submit to any medical, ballistics, chemical or other tests, photographs, or lineups. All procedures shall be specifically directed and narrowly related to a particular investigation being conducted by the Department.

2) PROFESSIONAL CONDUCT

2.01 Courtesy

Employees shall be courteous to the public. Employees shall be tactful in the performance of their duties, shall control their tempers, and exercise the utmost patience and discretion, and shall not engage in argumentative discussions even in the face of extreme provocation. In the performance of their duties, employees shall not use coarse, violent, profane, or insolent language or gestures, and shall not express any prejudice concerning race, religion, politics, national origin, life style or similar personal characteristics. This section also governs employee conduct on social networking sites, blogs and other forms of electronic media.

2.02 Intervention

Employees shall not interfere with cases being handled by other employees of the Department or by any other agency or person unless:

A) Ordered to interfere by a supervisor, or

B) The interfering employee believes beyond a reasonable doubt that a manifest injustice would result from inaction.

2.03 Abuse of Process

Employees shall not convert to their own use, manufacture, conceal, falsify, destroy, remove, tamper with or withhold information, or make false accusations of a criminal or traffic charge.

2.04 Seeking or Accepting Gifts, Gratuities, Bribes or Rewards

It is improper for employees to solicit or accept from any person, business or organization any gift for the benefit of the employee or the Department, if it may reasonably be inferred that the person, business or organization:

A) Seeks to influence action of an official nature or seeks to affect the performance or non-performance of an official duty, or

B) Has an interest which may be substantially affected directly or indirectly by the performance or non-performance of an official duty.

For the purposes of this rule, the word "gift" shall include money, tangible or intangible personal property, loan promise, service or entertainment.

Employees may solicit for bona fide charities or organizations in fund raising capacities if off duty and they do not identify or represent themselves as Bloomington police employees or solicit in such a manner so that it could be reasonably inferred they are sponsored, represented or working for the Department. Employees shall not accept rewards from any person, business or organization for any acts done in the performance of their duties without approval of the Chief of Police.

2.05 Endorsements and Referrals

Employees shall not recommend or suggest in any manner, except in the transaction of personal business, the employment or procurement of a particular product, professional service, or commercial service (such as an attorney, bondsman, mortician, etc.). In the case of ambulance or towing service, when such service is necessary and the person needing the service is unable or unwilling to procure it or requests assistance, employees shall proceed in accordance with established Departmental procedures.

2.06 Testimony

Upon the order of the Chief or the Chief's designee, employees shall truthfully answer all questions specifically directed and narrowly related to the scope of employment or operations of the Department. Employees shall cooperate with the Internal Investigation Unit and answer specifically directed questions concerning Department investigations.

2.07 Labor Activities

A) Employees shall have the right to join or not to join a labor organization of their choice. Nothing shall compel the Department to recognize or engage in collective bargaining with any such organization(s) not certified by the State of Minnesota as the exclusive representative of the employees.

B) Obligations of the Department and the employees shall be those defined in the collective bargaining agreement and pertinent federal, state and local statutes and ordinances.

C) Employees shall not engage in any job action. "Job action" includes the authorization, instigation, aid, condoning or participation in: a strike, a slowdown, a failure to report for duty, a willful absence from one's position, unauthorized holidays, the abstinence in whole or in part from the full, faithful and proper performance of the duties of employment for the purposes of inducing, influencing or coercing a change in conditions, compensations, rights, privileges or obligations of employment, or other interference with the City's operation.

2.08 Abuse of Position

A) Use of official position or identification.

Employees are prohibited from using their official position, official identification cards or badges: (1) for personal or financial gain, (2) for obtaining privileges not otherwise available to them except in the performance of duty, or (3) for avoiding consequences of illegal acts. Employees may not lend their identification cards or badges to another person, or permit them to be photographed or reproduced without the approval of the Chief. Nor shall they give, use, or grant favorable reaction to the "courtesy cards" from this or another department.

B) Use of name, photograph or title.

Employees shall not permit or authorize the use of their names, photographs, or official titles which identify them as employees, in connection with testimonials or advertisements of any commodity or commercial enterprise without the approval of the Chief.

2.09 Conduct Toward Other Employees

All employees shall treat supervisors, subordinates and associates with respect. They shall be courteous and civil at all times in their relationships with one another. When on duty, and in the presence of the public, officers should be referred to by rank. This section also governs employee conduct on social networking sites, blogs and other forms of electronic media. Employees shall not publish or post to the internet images of co-workers that identify them as members of the Bloomington Police Department without first obtaining permission from that employee.

3) JOB PERFORMANCE

3.01 Reporting for Duty

Employees shall report for duty at the time and place required by assignment or orders and shall be physically and mentally fit to perform their duties. They shall be properly equipped and cognizant of information required for the proper performance of duty so that they may immediately assume their duties.

Judicial subpoenas, Departmental notices of court appearances, part-time assignments, and call-out procedures shall constitute an order to appear under this section. Officers on duty shall carry their authorized weapon at all times when they are away from the police offices except when a command officer has specifically authorized the officer to work unarmed.

3.02 Personal Appearance

A) Employees on duty shall wear uniforms or other clothing in accordance with established Departmental orders.

B) Employees on duty shall maintain a neat, clean, and well-groomed appearance. Male personnel shall comply with the following grooming standards unless excluded by the Chief of Police due to special assignment:

1) Hair shall be neat, clean, trimmed, and present a groomed appearance. Hair may touch, but not extend more than one-half (1/2) inch below the collar when the head is in a normal level position. Hair in front will be groomed so that it will not touch the eyebrows when hatless or extend below the band when wearing headgear in the proper manner. In no case will the bulk or length of hair protrude outward in a curled-up manner or interfere with the proper wearing or appearance of any authorized headgear. The acceptability of member's hair style will be based upon the criteria in this paragraph and not upon the style in which he chooses to wear his hair. Extreme fad and/or dyed (other than natural colors) hair and haircuts are not authorized. (The division commander may authorize a temporary deviation from this requirement.)

2) Sideburns will be neatly trimmed and tapered. They will not extend below the lowest part of the ear lobe, will be of even width, not flared, and will end with a clean-shaven, horizontal line.

3) If an individual chooses to wear a mustache, it shall be neatly trimmed and not extend over the top of the upper lip. It shall not extend below or more than one-half (1/2) inch beyond the corners of the mouth.

4) The face will be clean-shaven other than the wearing of acceptable mustache or sideburns. Beards and goatees are prohibited, except when a physician recommends a waiver for the wearing of a beard for medical reasons, with the approval of the Chief of Police. With the approval of the directly aforementioned waiver, the beard will be kept trimmed symmetrically and all beard hairs will be kept trimmed so that they do not protrude more than one-half (1/2) inch from the skin surface of the face.

C) Female employees shall comply with the following grooming standards unless excluded by the Chief of Police due to special assignment:

1) Hair must be clean, neat, and combed. The bulk or length of hair shall not interfere with the normal wearing or detract from the normal appearance of all standard headgear.

2) Wigs or hairpieces are permitted if they conform to the above standards for natural hair.

D) Tattoos and Body Piercing:

Tattoos will be presented the Command Staff. The Command Staff will make recommendations to approve or disapprove the tattoo or body piercing presented. The Chief of Police will make the final decision on all tattoos and body piercings.

1) The tattoo must be considered non-offensive by the Chief of Police or the Chief's designee. The following tattoos are prohibited:
- Obscene tattoos that are grossly offensive to modesty, decency, or propriety.
- Extremist tattoos that are affiliated with, depicting, or symbolizing extremist philosophies, organization, or activities.
- Sexually discriminative tattoos that advocate a philosophy that degrades or demeans a person based on gender.
- Racially discriminative tattoos that advocate a philosophy that degrades or demeans a person based on race, ethnicity, or national origin.

- Distasteful, political in nature, indicative of membership in a hate, racist, subversive organization, criminal gang, or any symbol that can be commonly associated with hate, racist, subversive organization, or criminal gang.
- Any tattoos above the collarbone, on the neck, head, face, tongue, lips, and/or scalp, are prohibited.

2) When assessing tattoos personnel will be reviewed in a standing position wearing a short sleeve uniform shirt.

3) Personnel wanting to have a new or pre-existing tattoo approved shall submit a memorandum including a scaled image of the current or proposed tattoo to the Command Staff and final approval of the Chief prior to having the tattoo exposed while on duty.

4) The Chief of Police has the authority to rescind any previous tattoo approval.

Body piercing jewelry will not be visible on any employee, except that female employees may wear earrings. One earring per ear is allowed. Female officers are limited to stud-like silver, gold or white in color and not more than 1/8 inch in diameter. (The division commander may authorize a temporary deviation from this requirement.)

Each employee who wishes an exemption from a grooming standard must submit a request, in writing, to the Chief in which he/she specifies the exemption desired and explains the reason for the request. If a physician's statement is required, such statement must be submitted before action will be taken on the request for exemption.

An employee who is on training leave is covered by these rules.

3.03 Appropriate Action

When any person applies or requests assistance or advice or makes complaints or reports either by telephone or in person, all pertinent information will be obtained and will be properly and judiciously acted upon consistent with established Departmental procedures.

3.04 Unacceptable Performance

Employees shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Employees shall

perform their duties in a manner which will tend to establish and maintain the highest standards of efficiency in carrying out the functions and objectives of the Department. Unacceptable performance may be demonstrated by an employee's lack of knowledge regarding laws for their application; an unwillingness or inability to perform assigned tasks; the failure to conform to work standards established for the employee's rank or position; the failure to take appropriate action on the occasion of a crime, disorder, or other condition deserving police attention; absence without leave; or the unnecessary absence from an assigned responsibility during a tour of duty. In addition to other indications of unacceptable performance, the following will be considered prima facie evidence of such performance; repeated poor evaluations or a written record of repeated infractions of the rules, regulations, manuals or directives.

3.05 Neglect of Duty

Employees while on duty shall not engage in personal business, read for personal purposes, play games, watch television or movies, or otherwise engage in entertainment, except as may be required in the performance of duty or approved by a supervisor.

3.06 Sleeping on Duty

Employees shall remain awake while on duty. If an employee is unable to stay in an alert-conscious frame of mind, he or she shall report to a superior, who shall determine the proper course of action.

3.07 Illness or Injury

Employees wishing to leave work or unable to report to work due to ill health or health-related reasons shall submit a written report consistent with departmental orders, and shall not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive or attempt to deceive any official of the Department as to the condition of their health.

If, in the judgment of the Department, an employee's physical or mental condition is affecting performance or appearance, he/she shall be required to submit to a physical and/or mental examination at Department expense.

Employees injured on duty and requiring medical attention shall present a doctor's statement of fitness to return to duty, including a statement of the nature of the injury, prior to returning to duty.

3.08 Use of Force

Officers shall not use more force in any situation than is reasonably necessary under the circumstances. Officers shall use force in accordance with law and established Departmental procedures.

3.09 Treatment of Persons in Custody

Officers shall not mistreat persons who are in their custody. Officers shall handle such persons in accordance with law and established Departmental procedures.

3.10 Arrest, Search and Seizure

Officers shall not make any arrest, search or seizure which they know or ought to know is not in accordance with law and established Department procedures or policies.

3.11 Use of Tobacco

The use of tobacco is prohibited in all department facilities and vehicles. The only exception is persons in custody while in the holding cells.

Employees may not use tobacco if:

1) They must leave their assignment or position for the sole purpose of doing so, or

2) They are engaged in traffic direction or control, or

3) They have been given an order to refrain from use due to circumstances, activities or events, or

4) They are in direct contact with the public and have not obtained previous permission from the party involved.

3.12 Breaks

Officers shall be permitted to suspend patrol or other assigned activity, subject to immediate call at all times, for the purpose of having breaks during their tours of duty, but only for such period of time and at such time and place as established by Departmental procedures.

4) PROPERTY, EQUIPMENT AND REPORTS

4.01 Use of Department Equipment

Employees shall utilize Department equipment only for its intended purpose, in accordance with established Departmental procedures, and shall not abuse, damage, or tamper with Department equipment. All Department equipment, issued to employees, including manuals, shall be maintained in proper order and available for inspection upon Department request. Employees shall be accountable for the loss or damage to such property and shall report the loss, damage or unserviceable condition of this equipment immediately to a superior.

4.02 Operation of Vehicles

Employees shall operate official vehicles in a careful and prudent manner and shall obey all laws of the State and all Departmental orders pertaining to such operation and shall set a proper example for other persons by their operation of a vehicle. Employees shall not operate Department vehicles unless they have a valid Minnesota driver's license. Employees driving official vehicles involved in accidents, damage to private or public property, or any damage to their vehicle shall immediately notify their superior of the incident.

Use of a cell phone device while driving during non-emergency situations is limited to operating in hands-free mode. Use of a hand-held device is permissible during an emergency response only when necessary to communicate with other law enforcement officials or other emergency services where radio communication is impractical or not feasible.

Crashes will be evaluated in accordance with Bloomington Police Procedure 318. Loss or suspension of a civilian driving license shall be reported to the Department immediately. (Official vehicles are those owned or used by the City or the Department and includes vehicles rented or leased by the City or the Department.)

4.03 Departmental Reports

Employees shall submit all official police reports and Departmental procedures. These reports shall be truthful and complete, and no employee shall knowingly enter or cause to be entered any inaccurate, false or improper information, or knowingly withhold factual or pertinent information.

4.04 Dissemination of Information

Employees shall treat the official business of the Department as confidential. Information regarding official business shall be disseminated only to those for whom it is intended, in accordance with established departmental procedures. Employees may remove or copy official records or reports from a police installation only in accordance with established Departmental procedures. Employees shall not divulge the identity of persons giving confidential information except as authorized by proper authority in the performance of their duties.

Employees shall not alter, destroy or remove any Department record, report or document for any reason without authorization from a supervisor. This section also governs employee conduct on social networking sites, blogs and other forms of electronic media. Official Department data, including but not limited to; Images, Audio Files, and Official Accounts, shall not be posted or published to the internet or other public forums, and shall only be disseminated to those for whom it is intended, in accordance with established Departmental procedures. Personal images that may be relevant to official business of the Department shall not be posted or published to the internet or other public forums.

4.05 Processing Property

Property which has been discovered, gathered, received, or collected in connection with Departmental responsibilities will be processed in accordance with established Departmental procedures. Employees shall not convert to their own use, manufacture, conceal, falsify, destroy, remove, tamper with, or withhold any property or evidence in connection with an investigation or other police action, except in accordance with established Departmental procedures.

4.06 Recording of Non-Public Conversations

The recording of conversations between employees of the City of Bloomington, regardless of rank, is prohibited except under the following circumstance, unless waived upon a finding of exigency by the Chief of Police:

1) Unless the person seeking to record the conversation clearly discloses the fact that the conversation is being recorded to all persons whose conversations are or may be recorded.

In addition to the above mandate, the following requirements shall be applicable to all audio and video recording made by employees, regardless

of whether the recorded communication is a private conversation between employees or other interaction between an employee and citizen or other individual.

1) Any recording, as described above, shall be inventoried according to the Bloomington Police Department Inventory procedures, training, and/or practices regarding audio and/or video recordings.

5. ALCOHOL AND DRUGS

5.01 Use of Drugs

Employees shall not use any controlled substances, narcotics or hallucinogens, except when prescribed by a physician or dentist. When the use of prescribed substances on duty affects the employee's physical or mental capacity, the employee shall notify his or her supervisor.

5.02 Alcohol or Drugs in Police Installations

Employees shall not store or bring into any police facility or vehicle alcoholic beverages or non-prescription drugs, except those which are to be held as evidence or inventoried as found property, personal property, or recovered goods. By definition, "non-prescription" excludes commercially available, over-the-counter chemicals which are for the use of the individual employee such as aspirins, over-the-counter cold tablets and similar substances.

5.03 Use of Alcohol/On Duty

Employees shall not consume alcoholic beverages while on duty except where the assignment specifically requires consumption or is specially approved by a superior officer. Employees shall not appear for duty, or be on duty, while under the influence of intoxicants to any degree, or have an odor of intoxicants on their breath.

5.04 Use of Alcohol/Off Duty

Employees, while off duty, shall not consume alcoholic beverages in a public place or establishment while wearing any part of the Bloomington police uniform recognizable to the public. Employees shall also refrain from consuming such beverages to the extent that it results in obnoxious or offensive behavior which would tend to discredit the Department or render them unfit to report for their next Department assignment or tour of duty.

6) JOB-RELATED CONDITIONS

6.01 Telephone

Employees shall have telephones in their residences. They shall immediately report changes in telephone numbers and/or addresses and provide such current numbers and addresses to their supervisor and to such other persons as may be appropriate.

6.02 Carrying of Firearms

Officers, when on duty, shall carry in their immediate possession an approved handgun and at least one additional fully loaded magazine, except under the following circumstances:

1. When the officer is in the Bloomington Police Department jail, or other facility, where the possession of a firearm is specifically prohibited.

2. When the officer is involved in training activities where the officer's supervisor or the supervisor coordinating the training activity has specified that officers may not be armed during the training activity.

3. When an officer is exempted from this standard by the written order of the Chief of Police.

Any officer driving a marked Bloomington Police vehicle, regardless of the purpose, **shall be armed.**

When off duty, officers may also carry a firearm with which they have qualified, but they shall not consume any alcoholic beverages while armed. When carrying a firearm off duty, an officer shall keep the firearm concealed from public view and shall have a badge or identification card in possession.

6.03 Public Appearance and Statements

Employees shall not publicly criticize or ridicule the Department, its policies or other employees by speech, writing, or other expression where such speech, writing or other expression is defamatory, obscene, unlawful, tends to undermine the effectiveness of the Department, interferes with the maintenance of discipline, or is made with reckless disregard for truth or falsity. Employees shall not address public gatherings, appear on radio or

television, prepare any articles for publication, act as correspondents to a newspaper or a periodical, release or divulge investigative information, or any other matters of the Department while holding themselves out as having an official capacity in such matters without first obtaining official sanction or proper authority.

Employees may lecture on "police" or other related subjects only when they have the prior approval of the Chief or their job description specifically states such a responsibility. This section also governs employee conduct on social networking sites, blogs and other forms of electronic media.

6.04 Associations

Employees shall avoid regular or continuous associations or dealings with persons whom they know, or should know, are racketeers, sexual offenders, gamblers, suspected felons, persons under criminal investigation or indictment, or who have a reputation in the community for present involvement in felonious or criminal behavior, except as necessary for the performance of official duties, or where unavoidable because of family relationships of the employees.

6.05 Gambling

Employees shall not engage or participate in any form of illegal gambling at any time, except in the performance of duty and while acting under proper and specific orders from a superior.

6.06 Visiting Prohibited Establishments

Employees shall not knowingly visit, enter, or frequent a house of prostitution, gambling house, or establishment where the laws of the United States, the State or the local jurisdiction are regularly violated except in the performance of duty or while acting under proper and specific orders from a superior.

DEFINITIONS

shall - mandatory

may - permissive

superior officer - any officer of a higher rank

should - recommended but not mandatory

bona fide charities - those registered with the State of Minnesota and meeting the State definition of a charity

Department - Bloomington Police Department

officers - refers to singular as well as plural

employees - includes sworn and civilian employees

CANCELS AND REPLACES
General Order 200 – Rules and Regulations
Issued August 11, 2021

BLOOMINGTON POLICE DEPARTMENT

GENERAL ORDER: 201

EFFECTIVE DATE: September 6, 2010

SUBJECT: RELEASE OF FIREARMS

When any firearm is taken into custody, it shall be promptly placed in the Police Department Property Room and held as evidence or for safekeeping. A person seeking the return of a firearm shall make the request in writing to the Chief of Police for the return thereof.

Firearms that are evidence in a criminal matter will only be considered for release pursuant to all applicable rules of evidence retention and disposition. This determination will be specified by Federal, State and County legal requirements.

The Chief of Police or designee can authorize the return of firearms under the following circumstances:

1) When ordered to return the weapon by a court of competent jurisdiction; (If any criminal charges have been made as a result of a criminal act, an order specifically directing that the weapon be returned should be requested of the judge finally adjudicating those charges.)

2) The Chief of Police or designee determines if the owner of the firearm should get it back. The owner of the firearm may be requested to complete a permit to transfer a firearm application and subsequent investigation. The Chief of Police or designee may also require a reasonable waiting period from the time of inventory. The Chief of Police or designee has full authority to deny release and require a court order for the return.

CANCELS AND REPLACES:
General Order 201 – Release of Dangerous Weapons, Issued October 12, 2006

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENERAL ORDER: 202

EFFECTIVE DATE: February 14, 2018

SUBJECT: LINE OF SUCCESSION

In the absence of the Chief of Police, the following listed personnel, in descending order, shall assume the administrative duties and responsibilities of Chief of Police. The normal operational responsibilities of supervisors remain the same.

1. Deputy Chief of Operations
2. Deputy Chief of Administration
3. Patrol Division Commander (Day)
4. Patrol Division Commander (Night)
5. Special Operations Division Commander
6. Investigations Division Commander
7. Professional Standards Division Commander
8. Patrol Shift Supervisor

In the absence of anyone of higher rank, the Patrol Shift Supervisor is in charge of the department. At times when the Patrol Shift Supervisor is in charge of the department, command of the department moves to a higher ranking officer who comes on duty only after informing the Patrol Shift Supervisor of his/her intent to assume command.

CANCELS AND REPLACES:
General Order 202 – Line of Succession, Issued December 4, 2013

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENERAL ORDER 203

EFFECTIVE DATE: November 21, 2012

SUBJECT: SECURITY OF RECORDS

CRIMINAL JUSTICE DATA COMMUNICATIONS NETWORK (CJDN) ACCESS/USE/DISSEMINATION

PURPOSE:
This document shall be considered the official Criminal Justice Data Communications Network (CJDN) Security Policy for Bloomington Police regarding the physical and personnel security of the CJDN system. All staff must follow the policies contained herein. This will assure proper usage of the system and adherence to all local, state, and federal regulations that govern the use of the Minnesota Justice Information Services (MNJIS) computer system. The Terminal Agency Coordinator (TAC) for Bloomington Police is the Communications Sergeant. The TAC manages the operation of the CJDN terminal on a local agency level and is responsible for ensuring that all state and local policies are enforced regarding the use of the CJDN terminal.

ACCESS TO CJDN SYSTEM
Access to the CJDN shall be limited to employees who have been certified by the BCA to operate the terminal. Currently, at Bloomington Police, this is limited to TAC, Assistant TAC, Dispatchers, Investigators and Selected Records Personnel. All other personnel of Bloomington Police must make their Criminal Justice inquiries through their CJDN operators.

Staff having access to the CJDN system must meet the follow requirements:
1) Be an employee of Bloomington Police.
2) Successfully pass a State and National fingerprint background check.
3) Be trained and certified within six months of hire or assignment to Investigations and biennially thereafter.
4) Complete Basic Security Awareness Training within six months of hire or assignment and biennially thereafter.

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

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

The TAC will issue a unique username and password to authorized users with access to the CJDN and Portal 100. Authorized users will be given a unique password to have access to criminal histories. That Criminal History Password will be changed by the TAC at least every 2 years. A list of these assigned passwords shall be kept secure by the TAC.

Training of Sworn Officers and Non-Sworn Officers
NCIC requires that all sworn/non sworn personnel must receive basic, formal MNJIS/NCIC training within the first 12 months of hire, and refreshers every two years thereafter. All training of officers must be documented.

Bloomington Police will meet this requirement by having all officers watch the BCA's recorded training for MDT/MDC officers. The training is fifteen minutes long and will be viewed annually by sworn personnel. All authorized personnel will complete BCA online testing for compliance with this training.

Security of Terminal
The CJDN terminal(s) and Criminal Justice Information for Bloomington Police is/are maintained in a secure area. Only authorized personnel who have passed a State and National fingerprint background check are allowed unescorted access to the secure area(s).

All personnel who have direct responsibility to configure and maintain computer systems and networks with direct access to FBI CJIS systems must successfully pass a fingerprint based background check.

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

DISCIPLINE FOR MISUSE OF CJDN SYSTEM
CJDN – The Criminal Justice Data Communications Network is the overall system, which provides criminal justice agencies computer access to data stored on state and national systems.

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

Any employee misusing information or obtaining information for other than official criminal justice purposes from the Criminal Justice Data Network will be subject to disciplinary action.

When performing any file inquiries or making any entries into NCIC or MNJIS, it is important to remember that the data stored in MNJIS/NCIC is documented criminal justice information and this information must be protected to ensure correct, legal and efficient dissemination and use. The individual receiving a request for criminal justice information must ensure that the person requesting the information is authorized to receive the data. The stored data in NCIC and MNJIS is sensitive and should be treated accordingly, and unauthorized request or receipt of NCIC or MNJIS material could result in criminal proceedings.

When the Chief or the Terminal Agency Coordinator (TAC) becomes aware that an employee of Bloomington Police is using a CJDN terminal, CJDN terminal generated information, CJDN equipment, or CJDN access not in accordance with agency policies, state policies, or NCIC policies and said problem is not deemed merely operator error, the Chief or his/her designee, or the (TAC) shall promptly address the violation.

The Chief or his/her designee shall meet with the person who is alleged to have violated the policy and determine appropriate sanctions, which may include any or all of the standard discipline policies currently in place at Bloomington Police including verbal reprimand, written reprimand, suspension, or termination. Intentional misuse of the CJDN system is a serious violation and the BCA will be informed of such violations.

The TAC, with the Chief's approval may at any time terminate a staff person's access to the CJDN system for any rule violation.

VALIDATION OF RECORDS ENTERED INTO CJDN

The entering agency must validate all hot file records, except for Article File records. Validation takes place 60-90 days from the date of entry and yearly thereafter.

Validation requires the entering agency to:

1) Remove all records that are no longer active from the MNJIS/NCIC Hot Files.
2) Compare all records against the current supporting documentation to ensure:
   a. That the information in each field is accurate.
   b. That the records contain all available information found in the case files.
3) Remove all records for which corresponding case file documentation cannot be located OR recreate the case file so our agency meets NCIC requirements.
4) Update records as needed when:
   a. NCIC Code changes occur.
   b. Agency related information, such as extradition limits or hit confirmation, and/or contact information changes.
   c. New or additional information becomes available.
5) Update records as needed when:
   a. Missing Person - consult the complainant to verify that the person is still missing for all missing person records.
   b. Stolen Property - contact the owner or insurance company for stolen property validations to verify that the property is still missing. On stolen vehicles, run a new registration to see if the vehicle has been re-registered to an insurance company or possibly in another person's name.

Note: All entries in any of the Hot Files must be documented for entry. In addition, upon the entry of any Hot File, a second party check must be completed.

CJDN IDENTITY THEFT FILE ENTRY REQUIREMENTS

Before an entry can be made in the Identity Theft File, an official complaint (electronic or hard copy) must be recorded and on file at our law enforcement agency. Our agency may make an NCIC Identity Theft entry only if we are the agency that takes the identity theft complaint and the following criteria are met:

1) Someone is using a means of identification of the victim.
2) The identity of the victim is being used without the permission of the victim.
3) The victim's identity is being used or intended to be used to commit an unlawful activity.
4) The victim must sign a consent waiver, prior to the information being entered into the Identity Theft File.

5) Information on deceased persons may be entered into the File if it is deemed by the police officer that the victim's information has been stolen. No consent form is required with the entry of deceased person information.
6) If the Identity Theft File is going to contain the Social Security Number of the victim, our agency is required to inform the individual of this fact and they must sign the "Notice about Providing Your Social Security Number" form.

NOTICE ABOUT PROVIDING YOUR SOCIAL SECURITY NUMBER

_____
(Name of agency)

The federal Privacy Act of 1974 (5 U.S.C. § 552 a) requires local, state, and federal agencies to inform individuals whether sharing that individual's Social Security number is mandatory or voluntary, the basis of authority for requesting the information, and the uses which will be made of it.

Disclosure of your Social Security number is voluntary; it is being requested pursuant to 28 U.S.C. § 534 (Acquisition, Preservation, and Exchange of Identification Records and Information) for the purposes explained below.

The _____ is asking you to provide us with private data, your Social Security number. This agency will forward that number to the Federal Bureau of Investigation (FBI) as part of the criminal investigation for the crime of identity theft, which you state has occurred. Your private information will be added to the FBI's National Crime Information Center (NCIC) Identity Theft File. You will create or help a law enforcement officer create a unique password that will enable you to verify your identity with law enforcement.

You do not have to supply your Social Security number and may legally refuse to give it. The Social Security number will be used to identify you in the NCIC system. Consequently, failure to provide the Social Security number may reduce law enforcement's ability to verify your identity or to investigate the crime.

Your personal information, including your Social Security number, will be available to law enforcement and other agencies that investigate financial crimes and have access to the FBI's National Crime Information Center (NCIC) files. These agencies include police departments and sheriff offices in all states. Additionally, the FBI and other federal agencies will have access to your information for the purpose of investigating identity fraud and other violations.

Your Social Security number will also be available to the Minnesota Bureau of Criminal Apprehension and NCIC employees or contractors whose job duties require that they access the data. The Social Security number may be shared as required by court order or sent to the state auditor or the legislative auditor for auditing purposes. The FBI also has auditing requirements and those responsible for that will have access to your private data.

By signing this notice, I affirm that I have read this notice and that I understand that I may refuse to give my Social Security number to this agency. I understand that this agency will submit my Social Security number, along with other personal information, to the FBI's National Crime Information Center Identity Theft File, where it will be able to be accessed and used by local, state and federal law enforcement agencies for the purpose of investigating identity theft and other crimes. I understand that I will leave with a unique password that I may use in the future to verify my identity.

_____	_____
SIGNATURE	DATE

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENERAL ORDER 204

EFFECTIVE DATE: September 6, 2010

SUBJECT: NOTIFICATIONS TO SUPERVISORY PERSONNEL BY DISPATCHERS

In order to properly fulfill the responsibilities of their assigned roles, Shift Supervisors must be kept informed of certain important events by the dispatcher. This order specifies what these important events are.

This order applies to all personnel permanently or temporarily assigned to dispatching.

The dispatcher receiving or becoming aware of any of the following must immediately notify the Shift Supervisor:

1) Incoming calls which constitute a complaint against a police officer, reserve officer, or any employee of the Bloomington Police Department.

2) Malfunctions of radio equipment, telephone equipment, other dispatching equipment, City Hall mechanical or electrical equipment.

3) Malfunctions of alarm systems. Reports of non-operational alarm systems including identity of the reporting person.

4) Out-of-the-ordinary problems with prisoners both during booking and incarceration.

The dispatcher receiving or becoming aware of any of the following must notify the Shift Supervisor immediately after it is practical:

1) Natural disasters, airplane crashes, "All-Call" fires, or other disasters. Also notify the Emergency Management Coordinator.

2) Any incident involving death, great bodily harm, or possible death of a human being.

3) Hostage situations.

4) All incidents wherein a police officer, reserve officer, explorer, ride-along guest, or Department employee has sustained an injury.

5) All incidents wherein someone is injured by a police officer, reserve officer, explorer, or ride-along guest.

6) Public demonstrations, labor disputes, riots, or other disturbances requiring more than two police officers and a sergeant.

7) Discharge of firearms by a police officer (except at the range for practice).

8) Robbery alarms, bank alarms, and bomb threats.

9) Felony in progress.

10) All felony arrests (by Patrol Division officers).

11) All incidents wherein an officer used mace on a person, or struck a blow to a person with a police baton or other object.

12) Injuries to prisoners.

13) Incidents resulting in damage to an officer or Department equipment.

14) All pursuits.

15) Accidents involving police vehicles.

16) Complaints about or reports of misconduct or questionable conduct by officers from other jurisdictions or agencies while in Bloomington.

17) Any other incident which the dispatcher thinks the supervisory team should be made aware.

CANCELS AND REPLACES:
General Order 204 – Notifications to Supervisory Personnel by Dispatchers, Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENERAL ORDER 205

EFFECTIVE DATE: July 24, 2012

SUBJECT: OPERATION OF POLICE PISTOL RANGE

SCOPE: This Order governs the activities of all persons using the Bloomington Police Ranges.

PURPOSE: The purpose of this Order is to establish operating rules for use of the Police Ranges.

COMPLIANCE: All persons using the Ranges will comply with these rules.

I. POLICIES

A) Police officers are encouraged to make use of the ranges for practice firing.

B) The purpose of practice firing is to improve upon or maintain shooting skills.

C) A Bloomington Police range officer must be present during firing because:

1) The average shooter benefits only if someone who can identify and correct improper shooting practices is present for that purpose.

2) Safety on the range dictates that one person should be in charge whenever firing is done.

3) The training sergeant and the designated range officer are responsible for enforcing all range rules and regulations.

4) The insurance carrier requires that a qualified range officer be present whenever any firing is done.

II. ADMINISTRATION

A) The Police Department Training Sergeant is responsible for the operation of the ranges. Noise generated at the outdoor range facility violates the City's Noise Ordinance, and the range operates with a conditional exception to the noise ordinance. Use of the outdoor range *must* be approved by the Commander of Professional Standards and coordinated through the Training Sergeant. Requests for use of the outdoor range should be made a minimum of two weeks in advance. The Training Sergeant shall be responsible for limiting the use of the outdoor range to 30 days or less annually, notifying interested persons through E-subscribe of scheduled range use at least 7 days in advance, and preparing an annual report of range use. The annual report will be presented to the City Council and will provide a summary of range use and any related complaints.

B) The keys for the ranges will be kept in the Training Sergeant's office. Police Dispatch must be advised as to the number of shooters, duration of shooting, and weapons being used.

C) Competitive shoots other than Department qualification shoots for regular and reserve personnel require prior written approval of the Chief of Police.

D) Definition – Qualified Range Officer

Any Bloomington Police officer who has successfully completed a department approved formal course of training in firearms instruction and is on the current range officer list.

III. REGULATIONS

A) A minimum of two adults will be present at the range at any time when weapons are fired.

B) All firing at the outdoor range will be done between 0800 hours and 1600 hours on week days. No shooting on Saturday, Sunday or holidays. Youth firearm training classes may cause deviation from the Saturday restriction. Written permission from the Chief of Police must be obtained to fire at any restricted time. Indoor range use will be scheduled through the Training Sergeant.

C) No one other than Bloomington Police officers, and police officers from other agencies participating in joint training exercises, will fire at the ranges without prior approval of the Chief of Police.

D) No weapons other than Department approved firearms will be fired unless written approval has been given by the Chief of Police. SWAT Sniper Rifles shall not be fired at the outdoor range facility.

E) A detailed written report is required on all accidents resulting in personal injury and on incidents where damage is done which requires repair. The report must be submitted to the Chief of Police and the Training Sergeant within eight (8) hours after the incident. If the reporter is incapacitated, the report shall be written and submitted by the duty sergeant.

F) Firing from places other than the firing line designated by the range officer is prohibited. All rounds fired at the outdoor range must impact at the north end of the range.

G) Range users must clean up all trash and brass prior to leaving the range.

H) Violation of any one or more of these regulations by any Bloomington Police officer or Bloomington Police Reserve officer may result in disciplinary action.

I) The range officer has the responsibility and authority for range use over anyone who is at the range, regardless of their rank or position.

J) The range officer may inspect any weapon or type of ammunition to ensure conformance to safety standards.

K) The range officer will order shooting stopped anytime an unsafe condition exists on the range. The training sergeant is to be notified of any such occurrence.

IV. RANGE RULES

A) No weapons will be handled except when on the designated firing line or express permission is given by the range officer. This includes loading and unloading.

B) When not on the designated firing line, all handguns will be holstered. All long guns will be carried with the empty chamber exposed and, if applicable, magazine removed. Unattended firearms will be unloaded with magazine removed, if applicable, and empty chamber exposed.

C) Body armor must be worn at all times when on the range while firing is taking place. This rule applies to both shooters and range officers.

D) Visually inspect the barrel and chamber(s) of your weapon prior to loading the first round of the day.

E) All firing will be at targets as directed by the range officer.

F) Don't point any weapon above a horizontal plane unless directed to do so by the range officer.

G) Loading and unloading of weapons off of the designated firing line will be done only at the direction of the range officer and in the bullet containment device.

H) No one will go forward of the designated firing line without permission of the range officer.

I) All dry firing must be done at firing points the same as live firing.

J) The range officer will be notified and given any ammunition that is defective.

K) Cease fire means fire NO more rounds.

L) All persons on or near the firing line will wear ear and eye protection. Double hearing protection (foam earplugs and ear muffs) shall be worn at the SMTC indoor ranges.

M) Cleaning of firearms will be done at the designated cleaning area at the direction of the range officer.

V. SAFETY CONSIDERATIONS

A) Treat all guns at all times as though they are loaded.

B) Don’t point the weapon at anything you are not willing to destroy.

C) Keep your finger off the trigger until your sights are on target and you’ve decided to shoot.

D) Be sure of your target and what is beyond it.

CANCELS AND REPLACES:
General Order 205 – Operation of Police Pistol Range, Issued September 6, 2010

BLOOMINGTON POLICE DEPARTMENT

GENERAL ORDER: 206

EFFECTIVE DATE: September 6, 2010

SUBJECT: POLICE DEPARTMENT SECURITY

Proper security of the police facility is the responsibility of every member of the department. Even though it is operationally ineffective to have a totally secure facility, we can prevent the influx of potentially dangerous persons by some simple precautions.

Security Measures:

A) A security device with entry confined to authorized persons shall be maintained on all entrances to the police facility.

B. A security device which prevents entry over the front counter will be provided and maintained for use during normal non-business hours.

C. Security devices are the responsibility of the Commander of Administration.

D. No person will be allowed into the police facility unless accompanied by a police employee or authorized City employee. Visitors shall be required to sign in and visibly wear a Visitor Badge.

E. Non-employees who have legitimate work to perform within our facility will be allowed access without an employee accompanying them. Visitors shall be required to sign in and visibly wear a Visitor Badge.

F. Each employee will stop and ascertain the business of any non-employee in the police facility whose legitimate purpose is not obvious.

G. All persons who have no legitimate purpose in the police facility will be questioned by a police officer before being escorted out.

CANCELS & REPLACES:
General Order 206 – Police Department Security, Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENERAL ORDER: 207

EFFECTIVE DATE: September 6, 2010

SUBJECT: EMPLOYEE TELEPHONE AND ADDRESS

It is incumbent on the Department to provide for the fastest possible communications with its officers and employees while at the same time establishing reasonable safeguards to protect them and their families from unnecessary and harassing phone calls inherent to the job.

To achieve this dual end:

A) All officers and employees must maintain a telephone at his or her place of residence.

B) All officers and employees will report any change in their address and/or telephone number to the office of the Chief of Police and their immediate supervisor within **72 hours** of the change.

C) No officer or employee is to release the first name, address or telephone number of any member of this Department to persons outside the Department except with the permission of the affected officer or employee or the explicit approval of the Chief of Police.

D) Department rosters will be released to agencies or persons outside the Department only upon the order of the Chief of Police.

E) Upon the issuance of a new Department roster, all officers and employees are to destroy any and all outdated rosters under their control.

F) Any deviation from this order must be requested in writing from the Chief of Police.

CANCELS AND REPLACES:
General Order 210 – Employee Telephone and Address, Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENERAL ORDER: 208

EFFECTIVE DATE: September 6, 2010

SUBJECT: ACCIDENTS – INJURED ON DUTY

Employees involved in accidents or who sustain a personal injury of any nature while on duty must immediately report the incident to their supervisor. If the employee's supervisor is not on duty or cannot be reached, the incident shall be reported to the on-duty shift supervisor. (For the purpose of this order, employees shall include both paid and volunteer personnel of the Police Department.)

The supervisor receiving the report of an injury to an employee shall interview the injured employee and complete a City Occupational Injury Report prior to going off duty. If the details of the injury to an employee cannot be fully explained on the Occupational Injury Report, a supplemental report shall be used to provide the additional information.

CANCELS AND REPLACES:
General Order 211, Accidents – Injured on Duty, Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENERAL ORDER: 210

EFFECTIVE DATE: October 8, 2021

SUBJECT: DEPARTMENT ORGANIZATION

Organization is simply the division of responsibilities among a group of people in such a manner that the proper exercise of these responsibilities will accomplish the mission of the enterprise as a whole. The mission of the Bloomington Police Department is to provide excellence in policing by protecting, serving and partnering with our community to improve its quality of life.

The major overall objectives associated with this mission are:

A) To provide emergency services.
B) To reduce crime by working on strategies of problem solving and by using pro-active interventions.
C) To investigate and report crimes.
D) To promote the peace and tranquility of the community.
E) To provide traffic control.

In order to achieve these objectives in the most efficient and effective manner, the Department is divided among the following areas:

I. OPERATIONS

A. PATROL
This is a line function. It is the main operational division of the Department. It provides a 24 hour police presence and rapid response to all calls for service. We will direct problem solving activities and connect officers to the neighborhoods they patrol. It is supplemented by the Traffic unit, the K-9 Unit, and the Bloomington jail.

B. SPECIAL OPERATIONS

1) Emergency Response Unit
This is both a line and support function that is responsible for the Emergency Response Team, Bomb Squad, and Crisis Negotiation Team. The duties complement those of Patrol.

2) Crime Prevention
This is both a staff and support function. It coordinates problem solving, crime prevention, and community policing activities with community residents and groups. It also coordinates the citizen

volunteer units, animal control, and the community service officers. It is also responsible for contractual overtime services, special projects and planning.

3) South Loop Unit
This is a line, staff, and support function. It is responsible for the Mall of America Unit, the Homeland Security Coordinator, and the Anti-Terrorism Unit. It provides police presence and rapid response to all calls for service at the MOA as well as coordinating the activities of the HSC.

II. ADMINISTRATION

A. INVESTIGATIONS
This is a line function whose primary responsibility is to use modern investigative techniques and technology as a means to effect the arrest of all persons who have committed crimes.

B. SUPPORT SERVICES
This is a staff function. It provides radio communications, technology support, clerical support, property and evidence control, and all other line support functions.

C. PROFESSIONAL STANDARDS
This is a staff function. This unit is responsible for training, employee recognition, pre-employment background investigations, investigation of employee misconduct, and investigation of Police Department motor vehicle traffic accidents.

NOTE: Position descriptions are kept in the Human Resources office.

CANCELS AND REPLACES:
General Order 210 – Department Organization, Issued December 4, 2013

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENERAL ORDER: 211

EFFECTIVE DATE: September 6, 2010

SUBJECT: INSURANCE INTERVIEWS

The purpose of this Order is to state the policies of the Department regarding insurance interviews, to establish procedures for scheduling payment, and to establish responsibilities.

The reasons for formulating this procedure are:

1) To reduce the amount of patrol time which is lost when officers are interviewed during on-duty time.

2) To avoid any criticism of the officer for receiving dual compensation; that is, the officer is paid by the insurance company for time which is also paid by the City.

The officer who gives an off-duty interview or deposition regarding information about a crash that was investigated is entitled to compensation. Because the information was gained while on assigned duty, the service to the insurance company or attorney is considered to be provided by the City of Bloomington.

The City of Bloomington will compensate the officer for the time spent in the interview and will in turn bill the person or agency requesting the interview. In all cases, the interviews will be scheduled on the officer's off-duty time.

In all cases, the interviews will be scheduled at the police offices.

PROCEDURES

Requests for Interviews. When insurance representatives or attorneys request an interview with an officer, they are to contact the officer directly. The officer will obtain the date and time of the crash, the names of the drivers, and the name and phone number of the person requesting the interview. The officer will also advise the person requesting the interview that a charge will be made for this service and when the interview is completed, the City will submit a bill to the person requesting the service.

A minimum charge of $200.00 will be made in all cases. In addition, the officer will advise the person requesting the interview that no payment is to be made at the time of the interview.

Scheduling. The officer will contact the person requesting the interview to schedule the interview at a time most convenient for all concerned. At the time of the interview, it will be the officer's responsibility to complete the “Request for Insurance/Crash Interview”. If this form is not completed, the officer will not be paid. The form shall be signed by the person who interviews the officer(s).

Control. The officer may not accept payment from the person who requested or conducted the interview. Instead, the officer is to complete the "Request for Insurance/ Crash Interview" form, filling in the required data, and submitting it to the part-time scheduling officer through normal channels.

After review by the part-time scheduling officer, the officer will be paid by the City at the rate established. The part-time scheduling officer is to submit the necessary information to the Finance Department so the City can bill the person requesting the service.

CANCELS AND REPLACES:
General Order 211 – Insurance Interviews, Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENERAL ORDER: 212

EFFECTIVE DATE: September 6, 2010

SUBJECT: DISMISSAL OF TRAFFIC CITATIONS

PURPOSE:

To keep proper documentation of citations voided after they are issued to ensure a system of integrity.

A) Whenever a traffic citation needs to be dismissed, the officer will write an Information Report stating the details of the incident and the reason for the request. This report will be routed to his/her supervisor for approval. Once approved, the report will be sent to Records where the Records Supervisor will complete the dismissal by contacting court. The Records Unit will make a notation of the completed dismissal in the case notes of the report.

B) The provisions of this General Order do not apply under the following circumstances:

1) If a cited individual is subsequently booked for the offense. Under these conditions, it is only necessary to write "BOOKED" across the face of the ticket or e-ticket copy and forward it to the Records Unit. The Records Supervisor will again notify court and correct the Bloomington Police Department records and log actions.

2) If a ticket is rendered unusable due to damage to the citation or a writing error and a new ticket is issued, the officer need only write "VOID" across the face of all copies of the citation and forward it to the Records Unit. The Records Supervisor will log the actions and destroy all copies of the citation.

CANCELS AND REPLACES:
General Order: 212 – Dismissal of Traffic Citations, Issued May 10, 2007

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENERAL ORDER: 213

EFFECTIVE DATE: September 6, 2010

SUBJECT: SICK RELATED ABSENCES

When an employee is going to be absent from work for one of the following reasons and the absence is unplanned, the employee must notify the on-duty shift supervisor of the intended absence, including the reason and the expected duration of the absence. Police command staff must report the pending absence to the Chief's Administrative Aide. When the absence is known in advance, employees should notify their immediate supervisor as soon as possible of the planned absence.

1) The employee is injured, ill, quarantined, or disabled, or:

2) There is a death or critical illness in his/her immediate family or: (Note: Immediate family is defined as the following relationship to the employee or the employee's spouse: spouse, children, mother, father, sister, brother, grandparents, grandchildren, son-in-law, or daughter-in-law.)

3) The employee is receiving dental or medical or other preventive care approved by the employee's division commander.

The employee's Division Commander may require the employee to file a physician's certificate to verify the medical problem or to verify the employee's suitability for returning to work.

Time away from work for these purposes will be reported on the time card as follows: personal leave should always be used if an employee has accrued personal leave. If the employee has no accrued personal leave, then vacation, or compensatory time can be used.

If an employee has no benefit hours accrued, no entry will be made on the time card and no compensation will be paid.

CANCELS AND REPLACES:
General Order 219 – Sick Related Absences, Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENERAL ORDER: 214

EFFECTIVE DATE: September 6, 2010

SUBJECT: INCIDENTS INVOLVING PUBLIC OFFICIALS

An officer will immediately notify his or her supervisor when investigating an incident which would normally require a report and involves any law enforcement officer or other public official.

CANCELS AND REPLACES:
General Order 220 – Incidents Involving Public Officials, Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT

GENERAL ORDER: 215

EFFECTIVE DATE: September 6, 2010

SUBJECT: EMPLOYEE CONDUCT

PURPOSE AND INTENT:

It is the policy of the Bloomington Police Department that all allegations of employee misconduct or criticism of its services be acknowledged and addressed. To succeed in this endeavor, this order establishes a comprehensive departmental process to respond to such inquiries and complaints. Its purpose is to provide citizens with a fair and effective avenue to voice their legitimate grievances against the actions of the Police Department, yet to protect departmental employees from false charges of misconduct and wrongdoing.

OBJECTIVES:

A) To maintain the community's support and confidence in its Police Department by providing a process that assures responsiveness to citizens' inquiries and complaints.

B) To create a process for dealing with inquiries and complaints, whether originating internally or externally, that permits police managers to monitor departmental compliance with established departmental rules, procedures, and norms.

C) To clarify employees' rights and the due process protection that will be afforded departmental employees in the investigation of inquiries and complaints.

DEFINITIONS:

A) *Administrative Hearing* means a meeting or hearing where the presiding person or group has the authority to recommend, approve or order disciplinary action against an employee of the Bloomington Police Department. Since there is no authority to "recommend, approve or order discipline," an Internal Investigation is not an administrative hearing and the requirements of Minn. Stat. Chapter 626.89 Peace Officer Disciplinary Procedure Act with respect to Administrative Hearings, are not applicable to that process.

B) *Chief* means the Chief of Police or the Chief's designee.

C) *Complaint* means an inquiry which alleges misconduct on behalf of an employee of the Bloomington Police Department.

D) *Disciplinary Action* means the following:

Oral Reprimand
Written Reprimand
Suspension
Demotion or Discharge

The term *Disciplinary Action*, however, does not include counseling and training provided by an employee's supervisor in methods of performance, whether originating internally or externally, unless the documentation of that activity specifically states it is an Oral or Written Reprimand.

E) *Employee* means all voluntary and compensated personnel of the Bloomington Police Department, including the Bloomington Police Reserves.

F) *Formal Statement* means the following:

1) A recorded or stenographic transcription of an employee's response to questions;
2) which is taken as part of an Internal Investigation; and
3) where the formal statement may be used as evidence in a disciplinary proceeding against the employee being questioned.

Note: The application of Minn. Stat. **626.89** is limited to situations where a "formal statement" is taken. The requirements of this statute are not applicable to situations where informal interviews are held and no recorded or transcribed statements are made, except that all rights to notice, representation and advisory of rights and privileges previously existing by policy, union contracts or personnel rules shall continue to be applicable.

G) *Inquiry* means a report by a *reporter* on the way police services were or were not provided by employees of the Bloomington Police Department or the specific actions of an employee of the Bloomington Police Department.

H) *Misconduct* means an act or omission by an employee of the Bloomington Police Department which does not conform to prevailing law, department rules and procedures, or personnel rules, and which could result in disciplinary action if sustained.

I) *Performance Matter* means specific issues or methods related to the provision of police services by an employee of the Bloomington Police Department that are not classified as misconduct due to the following factors:

1) The inquiry relates to a minor rule violation;
2) The inquiry is likely to be resolved by training and counseling even if the alleged facts are true;
3) There is no known pattern of similar conduct by the employee; and
4) There is no evidence of bad faith or intent to do wrong.

Minor issues such as attitude, demeanor, courtesy, tardiness, and attendance will frequently be classified in this category.

J) *Question* means an inquiry that relates to the actual and authorized methods of providing police services by the Bloomington Police Department.

K) *Reporter* means a person(s), whether identified or anonymous, who objects to the way police services were or were not provided by the Bloomington Police Department, or the specific actions of an employee of the Bloomington Police Department. It may also include a Bloomington Police Department supervisor who becomes aware of a performance matter and addresses those issues immediately with the employee.

AUTHORITY:

The Commander of Professional Standards is responsible for monitoring the compliance with this General Order, for recording, controlling, and reviewing all *inquiries* and *complaints*, and for coordinating all internal investigations, where the *inquiry* has been referred to the Internal Investigation Unit for formal investigation.

PROCEDURES:

A) Initiating an Inquiry

1) All *inquiries* shall be documented on an Inter-Office Memorandum form and shall record the *reporter's* name, address, telephone number, the name, address and telephone numbers of any witnesses, and a brief description of the facts and circumstances of the *inquiry*.

2) The documented *inquiry* shall be forwarded to the Commander of the affected unit who shall consult with the Commander of Professional Standards to classify the inquiry as one of the following based on definitions in this policy.

   a) A Question;
   b) A Performance Matter; or
   c) A Complaint

3) Once classified**,** the inquiry shall then be routed to the Chief's Administrative Assistant who will log the inquiry and assign a report number.

   After processing the inquiry, the Chief's Administrative Assistant shall route a copy to the Chief of Police and the Commander of Professional Standards.

B) INQUIRIES CLASSIFIED AS A QUESTION

1) If the documented *inquiry* is classified as a *question*, the Commander receiving the documented inquiry may respond to the question or assign as appropriate for further investigation and recommendations.

2) The documented response to the question shall be referred to the Chief's Administrative Assistant for processing and review by the Chief of Police and the Commander of Professional Standards. (See Dispositions section.)

C) INQUIRIES CLASSIFIED AS A PERFORMANCE MATTER

1) If the documented *inquiry* is classified as a *performance matter*, the Commander receiving the documented *inquiry* may assign it to an appropriate supervisor for resolution.

2) The supervisor to whom the *performance matter* is assigned shall discuss the incident with the officer(s) involved in the incident.

   a) The supervisor may contact the *reporter*, if necessary, to acquire a firm understanding of the alleged facts.

b) The supervisor should not make a specific determination of whether the alleged conduct occurred or whether it constitutes a violation of any rule.
c) The focus of the discussion with the officer(s) involved will be to discuss alternatives, if any, that might have led to a more positive outcome.

3) The supervisor assigned to resolve the *performance matter* shall then submit a report to the Commander briefly outlining the following information:

a) Name of Employee;
b) Details of the incident, emphasizing the subject of the inquiry, if not adequately documented in previous reports;
c) Action Taken; and
d) Recommendations for further counseling or training or reference to the supervisor's actions to accomplish this purpose, if appropriate.

Note: There is no intent to make specific findings on any such incident, but rather, to encourage meaningful discussion between supervisors and employees on how a given situation might have been handled differently, if appropriate.

4) Upon completion of the follow-up action by the supervisor to whom a *performance matter* is assigned, the original document and report shall be returned to the Commander who originally assigned the *performance matter*. Based upon that report, the Commander may take any of the following actions:

a) Place the report in the employee's departmental employee file for a period of one year, indicating that if there are no further similar training or counseling issues raised as of that date, the report should be removed and destroyed;
b) Conduct counseling and/or instruction with the employee, or recommend no further action be taken.
c) Refer the employee to any formal training that might be appropriate; or
d) Refer the incident to the Commander of Professional Standards for investigation as a formal complaint. (If statements have been taken, they will be retaken in a setting and under circumstances appropriate to an internal investigation of a complaint).

5) In the case of a *performance matter* report initiated by a supervisor, a report consistent with this section shall be made and forwarded to the Commander of affected unit who will route it to the Chief's Administrative Assistant for processing.

6) A completed performance matter and supporting documentation shall be routed to the Chief's Administrative Assistant for final processing and review by the Chief of Police and the Commander of Professional Standards.

C) INQUIRIES CLASSIFIED AS A COMPLAINT

1) If the documented *inquiry* is classified as a *complaint*, the Commander who received the documented *inquiry* shall assign the complaint to an appropriate supervisor for investigation and recommendation unless assignment to the Internal Investigation Unit is indicated in the case of serious incidents.

2) The supervisor assigned to investigate a complaint shall conduct the investigation and make a report to the Commander who assigned the complaint in the following format: (Categories indicated by underlining should be used as subheadings.)

a) Reporter identifying information
b) Alleged violation(s)
c) Background detailing events relevant to the act(s) or alleged misconduct
d) Interview which provides a written summary of the pertinent information obtained from each person interviewed or Statements where formal statements are obtained
e) Summary of the investigation, which details the findings

3) Recommendations:

a) Sustained – The accused employee committed all or part of the alleged acts of misconduct.
b) Not Sustained – The investigation produced insufficient information to clearly prove or disprove the allegations.

c) Exonerated – The alleged act occurred, but was justified, legal and proper.
d) Unfounded – The alleged act did not occur.
e) Misconduct Noted – Acts of misconduct were discovered during the investigation that were not alleged in the complaint.

Upon the completion of the investigation and recommendation, the Commander shall forward the report of the incident to the Commander of Professional Standards, along with any additional recommendations.

The Commander of Professional Standards shall review the investigative report and recommendation and forward it, along with any additional recommendations, to the Chief for a final determination.

4) Employee Statements

a) Sworn employees shall not be required to provide a formal statement until the following actions have been taken:

1) A signed statement has been taken from the person alleging facts which may constitute a basis for disciplining an employee.

i) In certain instances, a formal complaint signed by the Chief of Police or designee, based on facts made known to him, even where those facts are received from an anonymous source, shall serve as the required signed statement under this provision. In those instances, the Chief of Police shall be deemed the complainant.

2) The employee has been given a summary of the allegations, which shall include a brief description of the events from which the complaint arises, the facts giving rise to the alleged misconduct and the specific rule or regulation which may have been violated if the facts alleged are found to be accurate.

3) Conduct of meeting where a Formal Statement is to be taken:

i) An employee shall be notified in writing of the time and place where a formal statement is to be taken. The written notice shall include notice of the provisions of sub-clause 2, 3 and 4 of this clause.

ii) Any such meeting shall be held during the employee's regularly scheduled shift, whenever possible.

4) The employee shall be entitled to have an attorney or union representative of the employee's choosing present during the meeting.

i) Where the employee has initially elected to appear without an attorney or union representative, the employee may subsequently make a request for such representation and the meeting shall be adjourned for a reasonable period of time to allow the employee to obtain the presence of an attorney or union representative.

5) The meeting during which a formal statement is to be taken from an employee shall be recorded.

i) The employee shall also be entitled to record the meeting, if the employee so elects.

ii) The employee shall be entitled to a copy of the tape recording of the meeting, if requested in writing.

6) The employee shall be advised that any admissions made in the course of a formal statement may be used as evidence of misconduct or as a basis for discipline.

7) The employee shall be entitled to receive a copy of any formal statement made by the employee and shall initial the formal statement acknowledging that a copy has been received.

D) NOTIFICATION TO REPORTER

1) *Performance Matter* - Upon the receipt of an *inquiry* and determination that it will be handled as a *performance matter*, the Commander shall notify the *reporter* in writing of receipt of the *performance matter* and the fact that it has been assigned to a supervisor for resolution.

2) *Complaints* - Upon the receipt of an *inquiry* and determination that it will be handled as a *complaint*, the Commander of Professional Standards shall notify the *reporter* in writing of receipt of the *complaint*, its impending investigation, the name of the investigation supervisor or the supervisor in charge of the Internal Investigation Unit, and outline the investigative process.

3) *Questions* - The *reporter* of a *question* shall be notified in writing that the *inquiry* has been classified as a *question* and that it has been referred to staff personnel for further development of the issues raised and definition of the appropriate policies and procedures of the department.

Dispositions:

All complainants shall be notified of the final results of an inquiry, whether complaints, questions, or performance matters.

The supervisor assigned shall route a draft letter to the Chief's Administrative Assistant for a written response and processing.

INVESTIGATIONS CONDUCTED BY THE INTERNAL INVESTIGATION UNIT

1. The Chief of Police or the Chief's designee may determine that any *inquiry, criticism, or question* shall be dealt with as an Internal Investigation matter and may determine the appropriate means of investigating such matters, including any of the following:

   a) Investigation by the Commander of Professional Standards;
   b) Investigation by an Internal Investigation Unit composed of at least three members, one of whom is a supervisory employee, or
   c) Investigation by a designated person or a designated outside agency.

2) Members of the Internal Investigation Unit shall be selected from a list of persons designated to serve in that capacity.

B) The Commander of Professional Standards shall initiate an Internal Investigation by:

1) Notifying the *reporter* as indicated above.

2) Forwarding the necessary documents to the supervisory member of the Internal Investigation Unit.

3) Notifying the employee(s) who are subject to the investigation of its existence and impending investigation.

   a) This requirement may be waived if any such notification would jeopardize the conduct of the investigation; however, a notification must occur prior to the formal interview of any employee who is the subject of the investigation.

   b) The notification to any employee(s) who is subject to an investigation shall include the following information:

      1) Notice of the investigation and the supervisory employee assigned to conduct the investigation.
      2) Notice of the employee's right to representation in any interviews to be conducted as part of the investigation.
      3) A reference to the employee's labor union contract and the Police Officer's Discipline Procedure Act concerning additional rights the employee might have in the investigation process.
      4) The specific rule or regulation the employee's conduct may have violated if the alleged complaint is sustained.
      5) A brief factual description of the details of the *complaint*.

4) The Commander of Professional Standards shall notify the Commander of the Unit to which the members of the Internal Investigation Unit are principally assigned of their assignment to the Internal Investigation Unit.

5) An investigation shall be conducted and a report shall be made by the Internal Investigation Unit in the following format:

   a) <u>Reporter</u> identifying information
   b) <u>Alleged Violation</u>
   c) Identity of <u>Employee(s)</u> involved
   d) <u>Witness List</u>
   e) <u>Background</u> information
   f) <u>Statements</u>
   g) <u>Facts Found</u>

h) Summary
i) Recommendations

C) Review

1) Investigators will forward all completed investigations to the Commander of Professional Standards for review. The Professional Standards Commander may make any additional inquiries or investigative measures deemed necessary to verify, authenticate or clarify findings and recommendations of the investigative report and may include such findings and disposition recommendations with the report submitted to the Chief of Police.

2) The final copy of the investigative files, along with findings and recommendations, shall be submitted to the Chief of Police for review**.**

3) The Chief of Police, upon review of the file, may accept the findings and recommendations or remand the case for additional investigation in all or in part. The Chief may also order a hearing to aid in his determination of a finding.

D) Findings

1) Upon the completion of the internal investigation, the Chief of Police will make one of the following findings.

a) Sustained - The accused employee committed all or part of the alleged acts of misconduct.
b) Not Sustained - The investigation produced insufficient information to clearly prove or disprove the allegations.
c) Exonerated - The alleged act occurred, but was justified, legal, and proper.
d) Unfounded - The alleged act did not occur.
e) Misconduct Noted - Acts of misconduct were discovered during the investigation that were not alleged in the complaint.

2) If a complaint is sustained or misconduct noted, the Chief of Police may take one or more of the following recommendations or sanctions:

   a) Training or counseling
   b) Oral reprimand
   c) Written reprimand
   d) Suspension
   e) Demotion
   f) Discharge

E) Final Disposition

1) The Commander of Professional Standards, as directed by the Chief or his designee, will:

   a) Notify all complainants in writing of the result of the internal investigation.
   b) Notify officer(s) that were the subject of the investigation of the Chief's findings.
   c) Notify the appropriate collective bargaining unit if required by contract.
   d) Make a final entry into the Internal Investigation Log.

F) Appeals

1) When a sustained disposition is final, the accused employee may appeal the disposition according to the employee's labor agreement, City of Bloomington Personnel Rules, or if applicable, through the Minnesota Veteran's Preference Act.

2) The Chief of Police will accept appeals from complainants as appropriate.

CANCELS AND REPLACES:
General Order 215 – Employee Conduct, Issued May 19, 2005

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENERAL ORDER: 216

EFFECTIVE DATE: September 6, 2010

SUBJECT: OUTSIDE EMPLOYMENT

Employees may engage in off-duty employment subject to the following limitations:

1) Such employment shall not interfere with the employee's duties with the Department.

2) Employees shall submit an Outside Employment Section 20.5 City of Bloomington Personnel Rules form to the Chief of Police, whose approval must be granted prior to engaging in such employment.

3) Officers shall not engage in any employment or business involving the sale or distribution of alcoholic beverages, bail bond agencies, or investigative work for insurance agencies, private guard services, collection agencies, or attorneys.

4) It is required that each January a new Outside Employment form be completed by each member of the department. This form shall be made available to each employee at that time.

CANCELS AND REPLACES:
General Order 222 – Outside Employment, Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENERAL ORDER: 217

EFFECTIVE DATE: February 16, 2021

SUBJECT: UNIFORM REGULATIONS

I. WEARING OF THE UNIFORM

Unless otherwise ordered, members of the Department while on duty shall wear such uniforms and uniform equipment as prescribed by the Department. It is the responsibility of supervising officers to assure compliance with this General Order through regular inspection of their personnel.

A) When the uniform is worn, care shall be taken that it fits properly and is maintained in a clean, neat, pressed, and serviceable condition. All uniform items will remain free of rips, tears, worn, and faded fabric. If a uniform item displays rips, tears, worn, or faded fabric it becomes unauthorized for wear.

B) <u>Body Armor</u>

1) Soft body armor shall be worn by all uniformed officers when exposed to direct public contact.
2) Investigators and Task Force officers shall wear soft body armor when serving arrest and search warrants or any other time when directed by a supervisor.
3) An officer may be exempt from wearing body armor under each of the following circumstances:

    a) When an agency approved physician determines that an officer has a medical condition that would preclude the use of body armor; or
    b) When the officer is assigned to perform jail functions; or
    c) While serving an administrative search warrant in a non-hostile setting; or
    d) When the Chief of Police determines an exemption is appropriate due to an exceptional circumstance.

4) Officers will wear only National Institute of Justice approved soft body armor.

C) Officers awarded recognition awards may display them in the following manner:

1) Medallions may not be worn.

2) Ribbons will not be worn on civilian clothes. Ribbons may be worn on the uniform. Ribbons will be centered on the employee's name tag over the right shirt pocket. Ribbons representing different levels of awards will be displayed with the highest award to the wearer's right and with the dark blue portion of the ribbon to the wearer's left. In the case of the Purple Heart, the purple shall be worn to the wearer's left.

3) Officer of The Year ribbon will be issued to officers who are selected as the Bloomington Police Department Officer of The Year. The ribbon will display the year of the award in the middle on white and will display dark blue to each side.

4) Ribbons for subsequent awards of the same level will clearly identify the number of awards in that level. Consequently, one ribbon of each level is all that may be worn.

5) Military Pins: Those currently serving or retried from the United States Air Force, Army, Coast Guard, Marine Corps, or Navy may wear their respective branch pin on Memorial Day, Veterans Day and 4th of July. The authorized pin will be worn above the right shirt pocket. The pin would be centered and 1/8" above the name tag, or above any citation ribbons the officer displays on their uniform. Pins will be obtained from Armed Forces Gear. These will be the only military pins authorized to be worn on the uniform. Officers may use clothing allowance funds to purchase military pins. A supply of pins will be maintained within the department. The pins will be worn on Memorial Day, Veterans Day and 4th of July.

   a) Army Waving Flag Seal Lapel Pin
   b) USMC Waving Flag Seal Lapel Pin
   c) Navy Waving Flag Seal Lapel Pin
   d) Air Force Waving Flag Seal Lapel Pin

6) Nonmilitary officers may wear the American Flag Lapel Pin on Memorial Day, Veterans Day and 4th of July. The authorized pin will be worn above the right shirt pocket. The pin would be centered and 1/8" above the name tag or above any citation ribbons the officer displays on their uniform. A supply of pins will be maintained within the department.

7) Department-related unit pins, patches or insignia which are beyond the basic uniform are not authorized.

D) Service stripes may be worn on the lower left sleeve of uniform coats, jackets, and long-sleeved shirts for each five years of completed service with the Bloomington Police Department.

After the first five year mark, a stripe may be added on completion of the third year of the current five year period. The grace period is to encourage the wearing of service stripes and to make the planning of uniform purchases more convenient.

E) The wearing of non-regulation articles of clothing or items associated with the uniform is prohibited, except when a member's supervisor directs a deviation from the regulation uniform for unforeseen circumstances or when extreme weather conditions indicate that the regulation uniform is impractical. The member shall return to the regulation uniform as soon as practical.

F) When any identifying portions of the uniform are worn, the entire uniform must be worn. Members shall place the badge and name tag on the outermost garment of the uniform. Only the badge shall be worn on rain gear.

G) No part of the uniform recognizable by the public shall be worn in public while off duty, except in the pursuit of police-related duties.

H) Shoes are to be polished.

I) All buttons, including cuffs, will be fastened on shirts. Sleeves will not be rolled or turned up.

J) Identifying insignia shall be removed from worn out clothing so as to prevent its use by unauthorized personnel.

K) Only issued or approved equipment will be affixed to the belt.

II. BASIC UNIFORM GARMENTS AND STANDARDS

The uniform garments must conform to material and workmanship, according to standards prescribed by the Department. The following are specifications which describe the regulation uniform for all police officers of the City of Bloomington. Specifications for some of the items listed herein may change.

When exigent circumstances exist, they will be amended by the Chief of Police or the Chief's designee. Otherwise, the addendum will be accomplished by

publication and distribution. Each officer is required to maintain a complete uniform as per these standards. Items marked with an asterisk (*) are optional, but, when worn, will conform to the specifications. Those pieces of uniform not meeting standards are not acceptable and cannot be worn. Each officer will be responsible for replacing those pieces of uniform showing wear, and purchasing those additional items needed for a complete uniform as set forth.

A) Helmet

1. Color: Black RNC style (non-ballistic) helmet with visor
2. Accessories & Markings:
   a) Officers: Plain Black (non-ballistic) helmet with visor, badge number decals on left & right side.
   b) Sergeants: Plain Black (non-ballistic) helmet with badge number decals on left & right side with single white stripe down the crest (center) of the helmet.
   c) Commander: Plain Black (non-ballistic) helmet with badge number decals on left & right side with double white stripes down the crest (center) of the helmet.
   d) Deputy Chief: Plain Black (non-ballistic) helmet with badge number decals on left & right side with triple white stripes down the crest (center) of the helmet.
   e) Chief: Plain Black (non-ballistic) helmet with badge number decals on left & right side with quadruple white stripe down the crest (center) of the helmet.
   f) Face Shield

B) Fur-Trimmed Cap*

Authorized only for outside wear during cold, snow or inclement weather.

1) Color: Navy blue with simulated fur
2) Material: Cloth
3) Accessories: Badge shall be worn with cap.
4) Black or navy stocking cap may only be worn under Dept. helmet.

C) Garrison Cap

1) Color: Navy blue with black visor
2) Accessories: Metal cap badge
3) Band:
   a) Above the rank of Sergeant – Silver
   b) Sergeants – Gold
   c) Patrol Officers – Black

D) Stocking Cap—BPD Insignia*

Authorized only for outside wear during cold, snow or inclement

weather.

1) Blauer: Style #160 fleece lined hat (effective October 1, 2016)
2) Color: Navy Blue
3) Bloomington Police small patch sewn on front of cap. Cap shall be worn with patch centered to the front.

E) Trousers

Limited to three Department approved styles from Flying Cross

1) Polyester / Wool Blend (75/25)
   Style #47280 (men's)
   Style #47280W(women's)
2) Polyester / Wool blend (55/45)
   Style #32260 (men's)
   Style #35260 (women's)
3) Cargo Pants Polyester / Wool blend
   Style # 47680 (men's)
   Style # 47680W (women's)
4) Cargo Pants
   Style #39300 (men's)
   Style #39350 (women's)

F) Shirt

Current Department specifications with patches and optional service stripes on long sleeve shirts. Long-sleeve with tie, Department approved mock turtleneck, or Department approved navy crew neck undershirt**;** short-sleeve with white undershirt (optional March 1 to December 1).

* Short sleeve shirts may be worn during interior Mall of America Assignments, South Loop assignment, or Jail Officer Assignment year round.

For the purpose of covering tattoos, a long-sleeve shirt without tie or mock turtleneck is optional from April 1 to November 1.

Limited to Department approved style:

1) Flying Cross
   Style #6686 (men's and women's)
   Style #07W84 Poly / Wool long- sleeve (men's)
   Style #07W84Z Poly / Wool zipper long-sleeve (men's) Style #57R84 Poly / Wool short-sleeve (men's)
   Style #57R84Z Poly / Wool short-sleeve zipper (men's) Style #FX5020VS Hybrid Poly /Wool long-sleeve (men's) Style #FX50000VS

Hybrid Poly / Wool short-sleeve (men's) Style #107W84 Poly/Wool long-sleeve (women's)
Style #157R84 Poly/Wool short-sleeve (women's)
Style #FX5020VS Poly/ Wool long-sleeve Hybrid (women's) Style #FX50000VS Poly/Wool short-sleeve Hybrid (women's)

G) Load Bearing Vest: Safariland side, and front opening overt vest carriers are approved for optional wear. All carriers will be keep in clean, dark navy condition. All carriers will remain free of rips, tears, worn, and faded fabric. If a previously, or newly approved displays rips, tears, worn, or faded fabric it becomes unauthorized for wear.

- Approved Model DN67003 Safariland Carrier, Overt U1 Side Opening
- Approved Model DN670103 Safariland Carrier, Overt U1 Front Opening
- Only Safariland brand body armor may be worn in the carrier
- Items approved to be worn on the vest are:
    a. Radio
    b. Flashlight
    c. Cellphone
    d. Expandable baton
    e. Tourniquet
    f. Handcuffs
    g. Pin- on name tag
    h. Badge

- Cellular phones, notebooks, papers, and other non-equipment items shall not protrude from pockets or pouches.
- Only smooth pouches are authorized for wear. No pouches with molle exterior shall be worn.
- No officer shall modify vests or approved pockets and pouches once received from the vendor.
- No ammunition shall be worn on the vest.

H) <u>Tie, Mock Turtleneck, or Tactical Crew</u>

The tie will be navy blue (clip-on preferred). Tie will be worn with long-sleeve shirt during formal dress occasions. Optional Department issued tie tack or bar may be worn.

Officers may wear a mock turtleneck or Crew neck shirt in lieu of the tie for regular duty and court appearances. Limited to three Department approved styles:

1) Under Armour, UA-12N Navy cold gear mock turtleneck
2) Under Armour, 1236641 Dark Navy Long Sleeve Tactical Crew
3) Under Armour, 1005684 Dark Navy Short Sleeve Tactical Crew

I) Socks

Navy blue, black, or white solid color. White prohibited with low quarter shoes.

J) Shoes

Black, plain rounded toe, no buckles or straps; oxford-style police shoe; or Wellington-type black boot with quartered heel, round toe, no buckles or straps (if this type boot is worn, the pants must fall over the boot top); or Police chuka boot or high-top police shoe, black, plain rounded toe, no buckles or straps; or high top police shoe, black, plain rounded toe, no buckles or straps, black high jump (combat) boot, rounded toe, no buckles or straps. Toe of boot must be able to be polished, and may be either plain or have extra piece of plain leather protector. (If this type of boot is worn, the pants must fall over the boot top.)

K) Scarf*

Navy blue or black.

L) Sweater*

Navy blue, Limited to two Department approved styles:

1) Blauer Commando V-Neck
2) Blauer Windstopper

Sweater must display patches, badge, name tag, and rank identification. Cardigan and quilted vest prohibited.

M) Gloves*

Navy blue or black, knit or leather.

N) Jacket

Limited to six Department approved styles:

3) Taylor "Memphis" Leather jacket
4) Blauer 9910Z Navy Gortex with zip-out liner
5) Blauer 9820-60 3-in-1 jacket system
6) Blauer 9915Z Ike-Length Crosstech Jacket
7) Blauer 4660 Microfiber Softshell (zip-in) Navy jacket
8) Blauer 9970 Hi-Visibility Jacket* w/ or w/o liner option 4660

Jacket must display patches, badge, name tag, and rank identification. The Butwin parka is the only other jacket grandfathered in for approved wear.

*Blauer Hi-Visibility Jacket should only be worn while conducting traffic enforcement and/or traffic direction activities.

O) Raincoat or Rain suit

Limited to four Department approved styles:

9) Blauer rain jacket, black/yellow reversible
10) Blauer rain coat, black/yellow reversible
11) Black or Yellow rain jacket and pant
12) 5-11 Tac Dry Navy rain jacket w/ white POLICE back panel and matching 5-11 Tac Dry Navy rain pant.

Rain gear must display badge. Officers may opt to have a cloth badge patch sewn onto the exterior of the rain jacket or Hi-Visibility Jacket only.

P) Overshoes, Rubbers and Winter Boots*

Must be completely black in color, without buckles as fasteners.

Q) T-shirt (Undershirt)*

When a T-shirt (undershirt) is worn with the short-sleeve uniform shirt, the undershirt will be white in color and the undershirt will have sleeves short enough so as to not extend beyond the sleeves of the summer uniform shirt.

When a T-shirt (undershirt) is worn with the long-sleeve uniform shirt, the undershirt will be navy blue in color. T-shirts will be clean and in serviceable condition.

R) Sunglasses*

When sunglasses are worn they shall be conservative in style. The wearing of multi-colored, or any type of sunglasses that is not conservative in style is prohibited. A dark green or smoke colored lens is preferable. Mirrored lenses are not acceptable. Any lanyard used to secure glasses shall be black in color.

S) Mourning Bands

Each officer will be issued a mourning band to be worn on the badge. The Department approved band will be ¾" inch, black with a thin blue line in the center of the band. This will be the only mourning band authorized. Officers may use clothing allowance funds to purchase additional bands. A supply of extra bands will be maintained within the department. The band will be worn at the direction of the Chief of Police.

III. POLICE EQUIPMENT REGULATIONS

All leather gear shall be black basket-weave style or ballistic nylon (only with specific tactical assignment). Buckles and snaps, if worn, are to be nickel plated.

A) Smith & Wesson or Peerless handcuffs.

B) Handcuff case

C) Magazine holder

D) Key carrier

E) Flashlight, black in color

F) Snap or open case "Stinger style" flashlight holder

G) Chemical munition with carrying case

H) Basketweave collapsible baton carrier

I) Department approved collapsible baton 21" or 24" in length

IV. EQUIPMENT REQUIRED FOR POLICE OFFICERS

A) For uniformed personnel:

1) Worn on gunbelt:
   a) Department approved handgun fully loaded with Department approved ammunition, Department approved holster. Holster shall be minimum of Level II and no swivel.
   b) Double or triple magazine holder
   c) Minimum of two additional magazines, fully loaded with Department-approved ammunition
   d) Handcuffs and handcuff case
   e) Portable radio with basketweave case or swivel clip
   f) Collapsible baton and holder
   g) Department-issued Conducted Electronic Weapon (CEW) in approved holster (<u>at the Chief's discretion the wearing of CEW may be waived for certain events)</u>

2) Optional on belt, but readily accessible:
   a) Flashlight

3) Optional on belt (officer's discretion):
   a) Key-carrying strap with Department keys
   b) Chemical munition with carrying case

c) Flashlight holder
d) Glove pouch
e) Folding knife and holder
f) Rifle magazine holder (empty unless rifle is deployed)
g) Tourniquet holder

B) Minimum requirement for office assignment in uniform:

1) Worn on basketweave style belt:
a) Department approved handgun fully loaded with Department approved ammunition, black holster on outside of belt. Holster shall be minimum of Level II and no swivel.
b) One additional magazine fully loaded with Department approved ammunition and black magazine holder.
c) Handcuffs and handcuff case.
d) Department-issued Conducted Electronic Weapon (CEW) in approved holster

C) Officers assigned to the Investigative Division:

1) Department approved handgun fully loaded with Department approved ammunition.
2) One additional magazine fully loaded with Department approved ammunition secured in a magazine holder.
3) Handcuffs and handcuff case.
4) Badge and ID card
5) Whenever practical outside Police Department or City Hall areas, weapons and equipment shall be concealed.
6) When executing search warrant entries or on preplanned apprehension and enforcement details, the Department-issued CEW in approved holster.

V. DUTY UNIFORM FOR ALL SWORN PERSONNEL

A) Except as otherwise provided, all sworn uniform members shall wear the prescribed uniform of the season. That uniform will be the uniform of the day and appropriate for court attire. (Division Commanders may allow reasonable exceptions for their respective subordinates.)

B) Class A Uniform:

1) Long-sleeve shirt and tie
2) Standard non-cargo uniform pants
3) Garrison cap
4) Blauer jacket (if jacket is worn)

C) Acceptable court attire:

1) The officially designed uniform for the appropriate season of the year, or conservative clothing in conformance with current fashion standards of the business community.

D) Winter Weather:

Authorized only for wear during cold, snow or inclement weather at the discretion of the supervisor:

1) Black or Navy colored snow pant or suit, (Department approved outer jacket must be worn over suit or bibs).
2) Department approved head gear
3) Black or navy colored facemask
4) Black or navy colored gloves or mittens
5) Winter boots

E) Staff officers rank insignia:

1) Insignia of rank will be worn on all uniform shirts and jackets.
2) Shoulder insignia will not be worn on uniform shirts.
3) When in uniform, insignia denoting a sergeant will be gold chevrons on the shirt collar points and blue chevrons on both sleeves of the jacket, sweater, long and short sleeve shirts.
4) When in uniform, insignia denoting a commander will be a silver oak leaf on the shirt collar points and jacket epaulets.
5) When in uniform, insignia denoting a deputy chief will be a silver eagle on the shirt collar points and jacket epaulets.
6) When in uniform, insignia denoting Chief of Police will be a gold star on the shirt collar points and jacket epaulets.

F) Plain-clothes officers:

Plain-clothes officers shall wear conservative clothing in conformance with current fashion standards of the business community. Investigators shall be professionally attired at all times when working. The Division Commander may grant exemptions from this dress code for special duty assignments.

CANCELS AND REPLACES:
General Order 217 – Uniform Regulations, Issued August 5, 2020

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENERAL ORDER 217 - Appendix A

EFFECTIVE DATE: February 16, 2021

SUBJECT: DEPARTMENT APPROVED CLOTHING

Clothing:

Item #	Description
47W6686	Men's Flying Cross long-sleeve shirt
97R6686	Men's Flying Cross short-sleeve shirt
07W84	Men's Flying Cross long-sleeve shirt Poly/Wool
57R84	Men's Flying Cross short-sleeve shirt Poly/Wool
07W84Z	Men's Flying Cross long-sleeve shirt Poly/Wool Zipper
57R84Z	Men's Flying Cross short-sleeve shirt Poly/Wool Zipper
95VS6686	Men's Flying Cross short-sleeve Hybrid Patrol Shirt
45VS6686	Men's Flying Cross long-sleeve Hybrid Patrol Shirt
FX5020VS	Men's Flying Cross long-sleeve Hybrid Poly/ Wool Shirt
FX50000VS	Men's Flying Cross short-sleeve Hybrid Poly/Wool Shirt
104W6686	Women's Flying Cross long-sleeve shirt
154R6686	Women's Flying Cross short-sleeve shirt
95VS6686	Women's Flying Cross short-sleeve Hybrid Patrol Shirt
45VS6686	Women's Flying Cross long-sleeve Hybrid Patrol Shirt
107W84	Women's Flying Cross long-sleeve shirt Poly/Wool
157R84	Women's Flying Cross short-sleeve shirt Poly/Wool
FX5020VS	Women's Flying Cross long-sleeve Hybrid Poly/Wool Shirt
FX5000VS	Women's Flying Cross short-sleeve Hybrid Poly/Wool Shirt
47280	Men's Flying Cross pants – Polyester/Wool Blend (75/25)
32260	Men's Flying Cross pants – Polyester/Wool Blend (55/45)
47680	Men's Flying Cross pants - Polyester/Wool Blend (75/25) Cargo
39300	Men's Flying Cross Cargo pants
47280W	Women's Flying Cross pants – Polyester /Wool Blend (75/25)
35260	Women's Flying Cross pants – Polyester/Wool Blend (55/45)
47680W	Women's Flying Cross pants - Polyester/Wool Blend (75/25) Cargo
39350	Women's Flying Cross Cargo pants

455B0 UA-12N 1236641 1005684	Ties, navy, clip-on Under Armour Cold Gear mock turtleneck, navy blue Under Armour Dark Navy (465) long sleeve Tactical Crew Under Armour Dark Navy (465) short sleeve Tactical Crew
9010Z 9915Z 9820 9820-60	Blauer Navy Gortex duty jacket w/zip-out liner Blauer Ike-length Crosstech jacket Blauer TacShell duty jacket Blauer System Jacket w/ zip-out Blauer Microfiber Softshell jacket (4660)
4450NV 4461	Taylor Leather jacket – no longer approved for purchase but can be worn. Taylor "Memphis" Leather jacket
4660	Blauer Microfiber Softshell jacket, Navy
9970	Blauer Hi-Visibility Jacket
238	Name tags, gold/silver: 18 point-2" long by 3/8" high (First initial optional and full last name required /middle initial optional)
A-5	Midway round top hat Garrison cap
107	Visor cap cover, black/ yellow (Blauer)
MCFTNV	Fur trooper hat, Navy (Blauer)
210	Blauer Commando V-neck sweater (coarse)
210XCR 205XCR 205	Blauer Windstopper sweater (fine) Blauer Windstopper sweater (coarse) Blauer Commando V-neck sweater (coarse)
160	Blauer Navy Blue fleece lined stocking cap w/ BPD insignia
Thin Blue Line	Mourning Band
SB-EG.N	Ear Warmers (Ear Grips Police Navy)

Leather Gear (Black Basketweave):

Item #	**Description**
KRHVBW	Silent key holder
HCC-2 290-4HS OASP-2	Handcuff case, black basketweave – closed single Handcuff case, black basketweave – closed double Handcuff case, black basketweave – open top
5491-3	Asp holder, Boston
38-2-4HS	Mace holder, black basketweave
5549-3 5491PS-3	Flashlight holder, black basketweave – loop style Flashlight holder, black basketweave – stinger style
GCBW	Medical glove pouch, black basketweave
6520-3	Pants belt, black basketweave, (Velcro), Boston
6505-3	Pants belt, black basketweave, (silver buckle), Boston
6521-3	Gun belt, black basketweave (Velcro), Boston
6501-03	Gun belt, black basketweave (silver buckle), Boston

79-83-8-2 79-83-4	Mag holder, double, basketweave, open top Mag holder, triple, basketweave, slimline
77-83-4HS 777-83-PBL	Mag holder, double, basketweave, hidden snap Mag holder, triple, basketweave, slimline
5456-3	Belt keepers, black basketweave, snap (black or silver)
4121	Radio holder, black basketweave
307-9-4	Taser cartridge holder (spare), black basketweave
4010G	Gold whistle
52-White	White whistle cover
	Rifle Magazine Holder (black basket weave)
	Tourniquet Holder (black)

Holster:

Item #	**Description**
6360-8	ALS Level II, black basketweave (no light)
6360-83	Safariland holster (no light)
6360-832	Safariland holster (accepts light)
44H100BW	Serpa Level III, black basketweave (no light)
44H500BW	Blackhawk holster that accepts the Blackhawk light
44E00BW	Blackhawk Epoch holster that accepts the TLR-1

Rain Gear:

Item #	**Description**
	Initial Issue
26991	Blauer rain jacket, black/ yellow reversible (waist length)
	Optional
26990	Blauer rain coat, black/ yellow reversible (long length)
475PT	Rain jacket, black or yellow
475AJ	Rain pant, black or yellow
48098	5-11 Tac Dry rain shell w/ white “POLICE” back panel (navy)
48057	5-11 Tac Dry rain pant (navy)

Shoes: Refer to Policy.

External vest carrier:

Item #	Description
Navy	Uniform Shirt carrier – Second Chance/Summit series
Navy	External uniform shirt carrier – ABA Extreme series
DN67003	Safariland Carrier, Overt U1 Side Opening
DN670103	Safariland Carrier, Overt U1 Front Opening

Equipment:

Item #	Description
521B	Baton, black, Collapsible 21” or 26”

CANCELS AND REPLACES:
General Order 217 – Appendix A – Department Approved Clothing
Issued August 5, 2020

BLOOMINGTON POLICE DEPARTMENT

GENERAL ORDER: 217 – Appendix B

EFFECTIVE DATE: August 5, 2020

SUBJECT: Standard Issue and Clothing Allowance Purchasing Process

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The Bloomington Police Department has selected four vendors for which police personnel shall complete their uniform/equipment purchase requests and they are listed as follows:

A) STREICHER'S
B) GALL'S
C) TACTICAL SOLUTIONS (Body Armor Only)
D) TACTICAL ADVANTAGE (Firearms Only)

The clothing allowance funds shall be used for the maintenance, repair, replacement, and purchase of department approved optional/additional items of uniforms and equipment. The selected vendors will have annual purchase orders for department paid purchases and personal purchases to be billed against individual clothing allowance funds. Any item(s) listed in Appendix C are eligible for purchase with clothing allowance funds.

If uniform/equipment items of interest are found at lower prices from another source, personnel shall utilize the options outlined within the current labor contract as follows:

- Invoke your right to receive uniform clothing allowances in one single installment or two equal installments, payable in February and/or September.
- Purchase desired items from personal funds and report to IRS at the end of each year, provided it is classified as public safety equipment per IRS definitions.

Employees whose duties require the wearing of uniforms may use $200.00 per year of clothing allowance funds for cleaning, maintaining, or altering of uniforms and shall be paid in equal installments of $100.00 in February and September of each year. Supervisors shall be paid the sum of $200.00 in one installment paid on the first paycheck in May. Petty cash requests will not be considered for maintenance, cleaning, or altering of uniforms. The cost of alterations can be covered in the purchase of uniforms at the selected vendors.

Employees are allowed a maximum of $200.00 in negative balances to facilitate the purchase of cold weather uniform/equipment near the end of each year. Probationary employees are NOT allowed to go below their initial uniform/clothing allowance allocation.

If a regular full-time employee damages beyond repair any part of the employee's uniform or piece of personal equipment while diligently carrying out prescribed duties and through

no fault of the employee, said item(s) shall be replaced by the City; however, limited to a reasonably valued replacement. Personal property is defined as: "reasonably maintained and used" while carrying out prescribed duties. For example, a cell phone is not necessary for carrying out prescribed duties; therefore, this item would not qualify for replacement liability against the City. Personal property damaged shall be charged against the activity that the employee is assigned.

Uniform clothing allowance monies are NOT authorized for the purchase of labeled or logo clothing for personal use and or gifts.

A master list of all department approved uniform and equipment items will be maintained by the Commander of Professional Standards. The process of adding or deleting items from the master list is as follows:

1) Department personnel should make a written recommendation to the Uniform Committee.
2) The Uniform Committee will consider all requests on an annual basis.
3) The Chair (or designee) of the Uniform Committee shall make the committee's recommendation(s) during the fall department staff meeting.
4) The Chief of Police and senior staff will then consider the recommendation(s).
5) The Chief of Police will then authorize any changes to the master list effective January 1st of the following year.

Because the employee's clothing allowance entitlement is addressed in the police officers, police supervisors, and animal control officers' respective labor agreements, changes may occur as a result of the collective bargaining process. In any conflict between this policy and the language of an employee's labor agreement, the labor agreement shall control.

Badges are issued by the Department and are assigned to the officer by number. They are to remain the property of the City of Bloomington. No member shall order a badge without having first submitted a written request to the Chief of Police or designee and having received written permission to do so. The individually requested badge shall remain the property of the City of Bloomington.

The proper procedures for completing a purchase request can be found under General Order 224.

CANCELS AND REPLACES:
General Order 217 Appendix B – Standard Issue and Clothing Allowance Purchasing Process, Issued March 14, 2019

BLOOMINGTON POLICE DEPARTMENT

GENERAL ORDER: 217 – Appendix C

EFFECTIVE DATE: August 5, 2020

SUBJECT: STANDARD ISSUE AND UNIFORM ALLOWANCE ITEMS

The following uniform and equipment items are provided to paid and volunteer employees upon their initial employment with the Bloomington Police Department or upon the initial assignment to the specified position within the Department.

Upon resignation/termination of employment or from any specialized unit within the Department, all City purchased uniforms and/or equipment shall be returned to the Department at the discretion of the respective division commander. All initial issue uniform/equipment items are to be maintained, replaced or repaired by using clothing allowance funds as per established labor agreements.

CLOTHING AND PERSONAL EQUIPMENT ISSUE ITEMS BASED UPON JOB CLASSIFICATION

Police (Sworn) -Initial Issue

Quantity	Uniform Item	Quantity	Uniform Item
2	Badges, breast	1	Rain jacket
1	Badge, cap		Rank insignia (promotion only)
3	Uniform pants	16	Shoulder patches
3	Uniform shirts, short sleeve	1	Duty gear bag
3	Uniform shirts, long-sleeve	1	Hat, round top
1	Uniform jacket, all season Blauer	1	Blauer stocking hat
2	Ties	1	Hat cover
2	Name tags	1	Helmet & Face Shield
1	Asp baton	1	Key holder
1	Asp baton holder	1	Mace
4	Belt keepers	1	Mace holder
2	Belts, (gun & pants)	1	Magazine holder
1	Holster, Level II or III	1	Medical gloves holder
1	Flashlight	1	Gloves black or dark navy
1	Flashlight holder	1	Traffic vest, reflective
2	Handcuffs	1	Traffic wand
1-2	Handcuffs case (2 single or one double)	1	Whistle
1	Handgun	1	Body armor (replace 5 yrs.)
1	Uniform boots or shoes	1	ECW (Taser)
1	Reaction side Taser holster	1	Spare cartridge holster
1	Tan training pant (5-11 style)	2	Polo shirts (BPD logo)
1	Tie bar	1	Mourning band
1	Gas mask and bag	1	Portable Radio Holder

Police (Sworn) – Additional Items

Uniform Item	Uniform Item	Uniform Item
Body armor	Thermal underwear	Flashlight batteries
Clip board-report writing	Tie bar/tie-tack	Knife (duty)
Face mask	Uniform shoes	Gun locker, up to $250
Gloves	Uniform socks	Binoculars, up to $250
Grips for duty weapons	Winter boots	Sunglasses, up to $125
Leather jacket	Winter parka	Radio Holder
Night sights/installation	Winter sweater/vest	Badge Holder
Pager holder	Alterations/tailoring	Flashlight
Off-duty/concealment holster	*Badges: wallet, breast, cap	Knee Pads
*Building access fob	Weapon Light w/holster	Measuring tapes
Stocking cap	Boot resoling	Ear Protection (for range use)
Navy blue mock t-neck	Dark Blue Loosegear Crew	Shooting Glasses (for range use)
White t-shirt worn under body armor	Dark Blue Long sleeve Crew	Hi-Visibility Jacket
	Rifle Mag Holder (basket weave)	Tourniquet Holder

*Remains property of the BPD

Police K-9 – Initial Issue

Quantity	Uniform Item	Quantity	Uniform Item
2	Long sleeved K-9 uniform shirts	1	Boots (Replaced Annually)
2	Short sleeved K-9 uniform shirts		
1	BDU pant		
1	Jacket		

Traffic Investigations Unit – Initial Issue

Quantity	Uniform Item
1	Blauer 9970 high-visibility jacket
1	Navy blue coveralls – CVI only

Emergency Response Unit (SWAT)-Initial Issue

Quantity	Uniform Item	Quantity	Uniform Item
2	Camo BDU shirts (winter/summer)	1	Sig 516 (Department issued)
2	Camo BDU pants	3	Glock pistol mags
1	Camo winter jacket & liner	2	3-inch Name tapes
1	Camo Poncho	1	Flashlight
2	Short sleeve SWAT uniform shirts	1	Tactical holster
1	Long underwear (top & bottom)	1	Tactical pant belt
1	Stocking cap	1	Radio holder
1	Camo boonie hat	1	Radio headset

1	Winter gloves	1	Summer boot
1	Shooting gloves	2	Winter boot (pairs)
2	Nomex Balaclava (lgt. & hvy.)	2	POLICE tapes
1	Safety glasses	1	Ballistic helmet
1	Tactical body armor (Department issued)	2	Cargo bags, small & large
1	Knife	1	Rifle bag
1	Set Knee/Elbow	1	Camelback water pack
		1	Rifle mounted light

Bomb Squad – Initial Issue

Quantity	Uniform Item	Quantity	Uniform Item
2	Black 5-11 pants	1	Nylon mag pouch
2	Tan 5-11 pants	1	Tactical holster
2	Long-sleeve Bomb uniform shirts	1	Nylon flashlight case
2	Short sleeve Bomb uniform shirts	2	Name tapes
1	BDU top	1	Tactical vest
1	Winter cap	1	Kevlar ballistic helmet
1	Baseball cap	1	Hepa mask
1	Nomex fire resistant suit	1	Safety glasses
1	Nomex flight gloves	1	Ear muffs
1	Leather boots	1	Bomb knife
1	Velcro belt	2	Glock 40 magazines
4	Belt keepers	1	Non-electrical initiator
1	Nylon duty belt	1	Non-electrical cutter
1	Nylon cuff case	1	Department phone
1	Raingear	1	Keys
1	Black Carhartt winter jacket	1	Gas mask and carrier
		1	Black Carhartt bib overalls

Hostage Negotiator – Initial Issue

Quantity	Uniform Item	Quantity	Uniform Item
1	Black BDU winter jacket	1	Tan Royal Robbins or 5-11 pants
1	Black short sleeve shirt, logo	1	Nylon Pant belt

***The City will provide initial issue equipment; however, maintenance of the above items shall be from the employee's individual clothing allowance fund.**

Instructor Positions within the Department: Department Instructors may purchase the following items through their individual Clothing Allowance:

Quantity	Uniform Item	Quantity	Uniform Item
1	5.11 Tactical Pant	1	Department approved "Instructor" shirt. Purchased from one of the three authorized vendors.

Police Honor Guard – Initial Issue

Quantity	Uniform Item	Quantity	Uniform Item
1	Hat (w/ piping)	1	Pants (w/ piping)
1	Hat Badge	1	Shoes
1	Hat Rain Cover	1	Heal Plates
1	Ear Muffs	2	Long Sleeve Shirt (white w/ patch)
1	Class A Jacket (w/ piping)	2	Short Sleeve Shirt (white w/ patch)
1	Shoulder Cord	1	Tie
1	Breast Badge	1	Tie Tack (BPD Patch)
1	Collar Brass	1	Top Coat (w/ piping)
2	Name Tags	3	White Gloves
1	Sam Browne Gun Belt	1	M14 Rifle w/ magazine
1	Garrison Strap	1	Garment Bag
1	Gun Holster		
1	Double Magazine Pouch		

Crime Prevention Specialist – Initial Issue

Quantity	Uniform Item	Quantity	Uniform Item
2	BPD Logo polo shirt	2	511 Pant
1	Pair Boots		

Animal Control Officer – Initial Issue

Quantity	Uniform Item	Quantity	Uniform Item
2	Badges, breast	1	Raincoat, yellow
1	Badge, cap	1	Rain pant, yellow
2	Uniform pants	1	Winter hat
3	Uniform shirts, short sleeve	1	Cap
3	Uniform shirts, long-sleeve	1	Form holder
1	Uniform jacket, all-season Blauer	1	Tag book holder
14	Shoulder patches	1	Gloves, black thinsulate
2	Ties	1	Streamlight junior flashlight
1	Tie bar	1	Mini mag-light holder
2	Name tags	1	Key holder
1	Asp baton	4	Belt keepers
1	Asp baton holder	2	Belts, (equipment & pants)
1	Rocky boots or shoes	1	Mace holder

Animal Control Officer – Additional Items

Additional items that may be purchased using clothing allowance funds:

Uniform Item	Uniform Item
Clipboard-report writing	Thermal underwear
Face mask/stocking cap	Tie bar/tie tack
Gloves	Uniform shoes
Pager holder	Winter boots

Radio clip for portable radio	Winter parka
Alterations/ tailoring	Winter sweater/vest
Badges: wallet, breast, cap	Building access card / fob
Badge holders	Knife (duty)
Flashlight batteries	Binoculars, limited to $250
Brown Bicycle shorts	Handcuff Cases
Mock turtleneck-brown	

Community Service Officers – Initial Issue

Quantity	Uniform Item	Quantity	Uniform Item
2	Light blue uniform shirts, long-sleeve	1	Blauer navy jacket
2	Light blue uniform shirts, short-sleeve	4	Keepers
1	Glove case	1	Key Holder
2	Navy pants	2	Belts, duty and pant
1	Tie	1	Rocky boots
1	Name tag	1	Flashlight
2	Badges	1	Flashlight holder
1	Gloves	1	Radio holder
1	Traffic Vest	1	Raingear
1	Stocking Cap	1	Handcuffs with case
1	Mace	1	Mace holder

Police Reserve Officer-Initial Issue – Volunteer Position

Established by the City to be the necessary uniform/equipment required for duties:

Quantity	Uniform Item	Quantity	Uniform Item
2	Light blue uniform shirts, long-sleeve	1	Duty belt
2	Light blue uniform shirts, short-sleeve	4	Belt keepers
2	Pants	1	Handcuffs
1	Jacket, Blauer all-season	1	Handcuff case, open
1	Tie	1	Mace
1	Mock turtleneck	1	Mace holder
1	Sweater, navy/windstopper	1	Streamlight flashlight
1	Summer cap	1	Flashlight holder
1	Rain cover	1	Traffic wand
1	Winter cap	1	Asp
1	Traffic vest	1	Asp holder
1	Raincoat, black/orange	1	Whistle w/guard
2	Name tags	1	Radio belt clip
2	Badges	8	Patches & reserve rocker
1	Cap badge	1	Boots or shoes limited to $125

Emergency Communications Group – Initial Issue (volunteer position)

Quantity	Uniform Item	Quantity	Uniform Item
1	BPD Logo polo shirt	1	Reflective safety vest
1	BPD Logo sweatshirt	1	Flashlight
1	BPD baseball cap		

Police Explorers – Initial Issue (volunteer position)

Quantity	Uniform Item	Quantity	Uniform Item
1	Light blue uniform shirt	1	Badge
2	Patches	1	Name tag

Note: Jackets and rain gear for Explorers are kept at the Police Department and issued only for specific events as needed.

Police Chaplain – Initial Issue (volunteer position)

Quantity	Uniform Item	Quantity	Uniform Item
1	5.11 Tac. Series Jacket #109614	1	Long sleeve polo shirt w/ chaplain logo
1	Short sleeve polo shirt w/ chaplain logo	1	Name Tag

CANCELS AND REPLACES:
General Order 217C – Appendix C – Standard Issue and Uniform Allowance Items
Issued March 14, 2019

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENERAL ORDER: 218

EFFECTIVE DATE: September 6, 2010

SUBJECT: EMERGENCY OPERATION OF POLICE VEHICLES

PURPOSE:

To establish guidelines for the operation of Bloomington Police vehicles.

PHILOSOPHY:

Police vehicles are an invaluable tool for policing in the city of Bloomington. They provide a work space for officers and enable rapid response to emergency calls and other calls for service, as well as a tool for pursuit and apprehension of criminals and traffic violators. The presence of a police patrol vehicle provides reassurance to crime victims and law-abiding citizens. It provides a deterrent effect for law violators.

Operating a police vehicle is also one of the most consistently hazardous aspects of police work.

Under all circumstances, the police vehicle shall be operated in a way that reflects upon the competence and professionalism of the Bloomington Police Department and its staff.

GENERAL GUIDELINES:

Under all circumstances, Bloomington Police Department vehicles shall be operated in conformance with the state statutes and city ordinances. In most cases, this means the vehicle will be operated under the same laws and ordinances that apply to all drivers. The specific exceptions allowed by law for police vehicles are listed below:

Exceptions:

1)	Operation as an Authorized Emergency Vehicle	(M.S. 169.03) (M.S. 169.17) (M.S. 169.20)
2)	Lighting Exemptions; Law Enforcement Vehicles	(M.S. 169.541)
3)	Seat Belt Use Exemptions	(M.S. 169.686)

I. Authorized Emergency Vehicle

State statute exempts emergency vehicle operators from compliance with certain traffic regulations while they are operating as an emergency vehicle (displaying red lights and siren, unless otherwise permitted by law) in response to an emergency call or in pursuit of a suspected law violator.

The specific exemptions are:

- Speed
- Stop signs, stop signals
- One-way roadways
- Parking at emergency scenes

Minnesota Statute 169.03 authorizes law enforcement vehicles to proceed cautiously past stops signs or red signals after sounding an audible signal by siren *or* by displaying at least one lighted red light to the front.

Minnesota Statute 169.17 authorizes police vehicles to disregard speed limitations when responding to emergency calls when sounding an audible signal by siren *or* displaying at least one lighted red light to the front.

Minnesota Statute 169.20 requires drivers to yield the right-of-way to emergency vehicles when the emergency vehicle sounds an audible signal by siren *and* displays at least one lighted red light to the front.

This policy does not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of persons using the street, nor does it protect the driver of an authorized emergency vehicle from the consequences of a reckless disregard of the safety of others.

II. Lighting Exemptions

Minnesota Statute 169.541 exempts licensed peace officers from the lighting requirements of statutes 169.48 and 169.65 when the officer reasonably believes that operating the vehicle without lights is necessary under the circumstances to investigate a criminal violation of state laws, rules, or orders or local laws, ordinances, or regulations, and if, the officer's conduct is consistent with the standards adopted by the P.O.S.T. board under the same statute.

P.O.S.T Standards:
A peace officer may not operate without lights:

A) On inter-state highways.
B) At speeds greater than what is reasonable under existing weather, road, and traffic conditions.
C) Faster than the posted speed limit.
D) In situations where the peace officer is an active participant in pursuing a motor vehicle being operated in violation of Minnesota Statute 609.487.
E) Contrary to the elements of Minnesota Statute 169.541

III. Seat Belt Exemptions:

Minnesota Statute 169.686 requires that a properly adjusted and fastened seat belt, including both the shoulder and lap belt shall be worn by:

A) The driver of a passenger vehicle.
B) A passenger riding in the front seat of a passenger vehicle.
C) A passenger riding in any seat of a passenger vehicle who is older than three but younger than 11 years of age.

The same statute lists seven exemptions to these requirements. The most pertinent to police vehicle operation include:

A) A person driving a passenger vehicle in reverse.
B) A person who is actually engaged in work that requires the person to alight from and reenter a passenger vehicle at frequent intervals and who, while engaged in that work, does not drive or travel in that vehicle at a speed exceeding 25 miles per hour.

CANCELS AND REPLACES:
General Order 218 – Emergency Operation of Police Vehicles, Issued March 15, 2004

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENERAL ORDER: 219

EFFECTIVE DATE: September 6, 2010

SUBJECT: POLICE DEPARTMENT CALL-OUT

In the event that the on-duty shift supervisor or a member of the command staff initiates a department call-out, the following procedures will apply.

Full Call-Out:

- On-duty shift supervisor advises desk officer to contact all personnel by group page. Detailed instructions are available in the desk officer's emergency manual.

- Personnel receiving the call-out notification are to respond to the training room as soon as possible, in uniform. **Do not call the police station.**

- When the event causing the call-out has ended, the shift supervisor should direct the desk officer to send a cancellation message, as found in the paging instructions.

Platoon Call-Out:

- In the event that the on-duty shift supervisor or command officer directs a call-out of a specific work group, the desk officer shall contact the required personnel by pager. Instructions are located in the desk officer's emergency manual.

- Personnel receiving the call-out notification are to respond to the training room as soon as possible, in uniform. **Do not call the police station.**

- When the event causing the call-out has ended, the shift supervisor should direct the desk officer to send a cancellation message, as found in the paging instructions.

Testing:

- The full department call-out procedure shall be tested each Monday at 1900 hours by the established automated system. Personnel who do not receive the test properly should contact their supervisor upon their return to duty.

Paging System Failure:

- In the event of a failure of the paging system, call-outs shall be conducted by telephone in the manner described below. All personnel are required to maintain a current department telephone roster at home.

To initiate the call-out, the shift supervisor will call a supervisor from the platoon he wishes to activate. If no supervisor is available, the shift supervisor will then call any member of that platoon. The supervisor, or officer, called by the shift supervisor is then responsible for calling all other members of that platoon.

The same basic procedure will be used to call out any unit of the Department. To call out two platoons, for example, the shift supervisor or delegate will call a supervisor or other member of each platoon who will then call the rest of the platoon. To activate three (3) platoons, three (3) off-duty supervisors or officers are called; four (4) platoons, four (4) contacts by the shift supervisor.

The Investigative Division, civilian dispatchers, clerks, animal wardens, or any other unit of the department will be called out in the same manner, i.e., one member calls all others.

All personnel called out will report to the training room for assignments. Sworn personnel will report in uniform unless directed otherwise.

CANCELS AND REPLACES:
General Order 219 – Police Department Call-Out, Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT

GENERAL ORDER: 220

EFFECTIVE DATE: September 6, 2010

SUBJECT: DEPARTMENTAL PAGERS

General Policy:
The police department issues personal pagers to all members of the police department. With the permission of the Communications Sergeant employees may direct pages to their personal or City issued cell phones. The pagers are intended to provide for fast and efficient recall of department personnel during emergencies, and also to facilitate departmental communication on a daily basis.

Pager Capabilities:
All police department pagers will be capable of receiving messages directed only to the individual user, groups of users, and messages intended for the entire department. The pagers are capable of receiving messages throughout the Twin Cities Metropolitan Area and much of central Minnesota.

Pager Roster:
A roster of pager numbers will be a part of the departmental telephone roster. Group call and full department call-out numbers will not be published on the roster. All employees are required to maintain a current roster at their place of residence.

Call-Out Paging:
In the event of a disaster or other large scale situations requiring a full department call-out, the paging system will be the sole method of notification used, except in the event of a failure of the paging system.

Personnel receiving call-out paging messages should not call the station.
Personnel called back to work by pager or other method will be compensated upon their arrival at the work place. Employees who have department issued vehicles are compensated from the time they check into service over the police radio system.

Employee Responsibilities:
Personnel assigned to carry pagers during their normal work day shall have them in the "on" position and shall respond to any departmental pages they receive. Personnel are encouraged, but not required, to carry their pagers when off duty and in the paging service area.

Departmental pagers shall not be left unsecured or unattended.

All personnel are required to ensure that their issued pager is kept in serviceable condition, capable of receiving communications from the police department and department personnel. Pager batteries will be provided by the police department.

Personnel are required to immediately report the loss, damage, or malfunction of their assigned pager to their supervisor, and to make the pager available for departmental inspection.

Procedures:
The Commander of the Administrative Division is responsible for establishment of procedures for paging, testing, and servicing pagers.

CANCELS AND REPLACES:
General Order 220 – Departmental Pagers, Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT

GENERAL ORDER: 221

EFFECTIVE DATE: September 6, 2010

SUBJECT: RADIO CALL SIGNS

Day 12	**Day 10**	**Power 12**	**Middle 10**
4800 - Admin. Sgt.	4801- Sgt.	4863	4804 - Sgt.
4810 - Jail	(4802 - Extra Sgt.)	4873	(4805 - Extra Sgt.)
4811	4812	4883	4814
4821	4822	4893	4824
4831	4832		4834
4841	4842		4844
4851	4852		4854
	4862		4864
	4872		4874
	4882		4884
	4892		4894

Mall Unit		**Dog 12**	**Dog 10**
4807 - Sgt.		4800 - Admin. Sgt.	4801 - Sgt.
4817		4810 - Jail	(4802 - Extra Sgt.)
4827		4815	4816
4837		4825	4826
4847		4835	4836
4857			4846
		4855	4856
			4866
			4876
			4886
			4896

K-9	**Traffic**	**Reserves**	**CSO's**
4819	4808 - TRF Sgt.	4961	4974
4829	4818	4962	4975
4839	4828	4963	4976
4849	4838	Etc.	4977
Etc.	4848		4978
	Etc.		4979

NOTE: 2 Officer cars end in "D" pronounced "David."

(over)

Command/Admin/Non-CAD Units

Police Administration
4101 - Chief of Police
4102 - Deputy Chief

Police Operations
4201 - Patrol Commander
4202 - Spec. Opns. Commander
4203 - Special Events Sgt.
4205 - PPSU Officer
4206 - PPSU Officer
4207 - Crime Watch Coordinator

Investigations
Property - 5+Badge
SIU - 5+Badge
CAP - 5+Badge

Off-Duty & Contractual OT
7+Badge

Police Support
4301 - Professional Standards Commander
4302 - Support Services Commander
4303- Training Sergeant
4304 - Property/Evidence Control
4305 - Radio Technician
4307 - PPSU Officer
4311 - Support Services Sgt.
4312 - 4325 - Dispatchers
4953 - Animal Control Officer
4956 - Animal Control Officer

CANCELS AND REPLACES:
General Order 221- Radio Call Signs, Issued May 10, 2004

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENERAL ORDER: 222

EFFECTIVE DATE: September 6, 2010

SUBJECT: P.O.S.T. LICENSING

It is the policy of this Department that the licensing requirements (M.S. 626.843) of sworn personnel is an individual responsibility. The continuing education and training, therefore, necessary to fulfill P.O.S.T. requirements must be monitored by the individual officer. In the event that an officer's license expires, is suspended or revoked, and he or she becomes ineligible to perform law enforcement duties, the officer will be suspended without pay pending a formal resolution by the Chief of Police.

CANCELS AND REPLACES:
General Order 222 – P.O.S.T. Licensing, Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENERAL ORDER: 223 – Appendix A

EFFECTIVE DATE: September 6, 2010

SUBJECT: POLICE "PEACE KEEPER" VEHICLE
(Converted Military Armored Personnel Carrier)

PURPOSE:
This vehicle was added to the police vehicle pool to serve as a tool in emergency-high risk incidents. The vehicle is owned by the City of Bloomington; however, the cities of Richfield, Edina, and Burnsville contributed funds for its reconditioning. It is our intent to make use of this vehicle available to **any and all** agencies requesting it.

ACTIVATION/DEPLOYMENT:
Only trained officers/supervisors may operate this vehicle. If Dispatch or the desk officer receive a request for use by another agency, the duty sergeant **shall be** notified.

Patrol Sergeant Actions:
Page a team leader and advise them of the request. If a tactical officer is working at the time, they may be directed to take the vehicle to the requesting agency. If no tactical officer is on duty, one of the ERU supervisors will personally or by delegation respond to the request. We will always deliver the vehicle to the agency requesting it.

If the requesting agency has trained on the vehicle, they can operate it independent of our operator. If they request that our officer drive it, that is approved under our mutual aid compact. If the agency has not trained with this vehicle, then our officer must be the driver and work with the team leader on its application.

Uses:

1) Deployment of personnel or chemical agents in areas unsecured from our perimeter.
2) Hostage, victim or officer rescues in areas of danger.

Keys:
We have three sets of keys. They are issued as follows:

1) SWAT Van
2) Within Peace Keeper
3) With a Team Leader (page out)

CANCELS AND REPLACES:
General Order 223 – Police "Peace Keeper" Vehicle, Appendix A,
Issued March 30, 2001

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENERAL ORDER: 223

EFFECTIVE DATE: October 8, 2021

SUBJECT: EMERGENCY RESPONSE UNIT

There is created within this Department an Emergency Response Unit (ERU).

I. ORGANIZATION:

The Unit is comprised of four separate components known as Bomb Squad, Crisis Negotiation, SWAT Team, and Medical Support Team. The Emergency Response Unit has a commander and five sergeants who each have component responsibility.

II. FUNCTION:

High risk situations require prompt response by highly trained and equipped teams of officers in order to resolve them safely. The Emergency Response Unit will be used to handle high risk situations at the decision of the Shift Supervisor. Examples of ERU callout situations are:

Hostage	Civil Disturbances
Barricaded/Armed Suspect(s)	Dignitary Protection
Sniper	Other Special Situations
Terrorists	High Risk Search/Arrest Warrants
Homicidal/Suicidal Person(s)	Explosive Devices/Incidents

III. AUTHORITY AND RESPONSIBILITY:

The ERU is committed to the completion of a mission that is assigned by the Field/Patrol Commander. The Field/Patrol Commander is responsible for the mission assignment. The ERU Commander is responsible for the tactical planning and control of the mission once it has been assigned.

Once the mission is clearly understood, the ERU Commander assumes full responsibility for its completion. Once the mission has been completed, the Field/Patrol Commander has final responsibility for completion of the original call; i.e. booking of prisoners, recovering of property, etc.

IV. PROCEDURE:

The purpose of this section is to establish a plan to use in cases where ERU intervention is appropriate. Following the plan will ensure quick and consistent response to high risk situations.

In hostage situations, the safety of the hostage(s) is our primary concern. Safe release of the hostage(s) is our primary goal and the arrest of the suspect our secondary goal. We will use all appropriate verbal and tactical abilities to resolve these events safely. We will attempt to use our crisis negotiators in this process. To ensure the safety of the hostages, we will attempt to contain and prevent the hostage taker from leaving the secured area with hostages. The safety of hostages is normally best assured by keeping them in the presence of officers. We will never negotiate for weapons or for the exchange of police officers. The incident commander will decide what, if any, demands will be met. We will not grant immunity nor pay ransom to resolve a hostage situation. Any exception to this must come from the Chief of Police or Acting Chief of Police.

When a suspect is barricaded and does not hold a hostage, we will use all reasonable tactics to make an arrest, based on the situation and the safety of department personnel and bystanders.

Strong command, control, restraint, and great flexibility are critical to a successful police response. Direct hasty action against the suspect is ill-advised and risky. Time is our greatest ally, and we should use it to our best advantage.

A. Things to Consider to Determine If an ERU Callout is Appropriate.

1. Is specialized equipment needed?

2. Is specialized knowledge of tactical operations needed?

3. Will the safety of citizens and police officers be increased by calling for ERU, knowing full well that a delayed response will follow?

4. Can the situation be contained pending the arrival of ERU?

5. Is the suspect known to be at a certain location and how valid is the information?

6. Is the suspect armed? If so, what weapons does he have?

7. Is there now, or will there be some obvious resistance to police officers in the performance of their duties?

B. Emergency Response Unit Actions

1. ERU members will report to headquarters for assembly, briefing, and assignment.

2. If the ERU commander and SWAT team supervisors are not available, SWAT team leaders will advise the Shift Supervisor on whether they can handle the situation or if tactical mutual aid should be activated.

3. Mutual aid to other communities will occur only after notification of the ERU Commander, or SWAT team supervisor in his absence. Responses to mutual aid requests will comply with established guidelines.

Explosive/Hazardous Device or Material

Based on the unstable nature and potential hazards present in these types of items, **no one** other than a trained bomb technician shall accept or transport them. These devices include, but are not limited to the following: blasting caps, pipe bombs, grenades, dynamite, molotov cocktails, "pop bottle" bombs, unknown chemicals, or any other suspected hazard. A page to the Bomb Squad sergeant or member is reasonable for these conditions. The routine transport and inventory of small amounts (under a case), of manufactured fireworks will **not** require the Bomb Squad to respond. (A phone call to discuss is always appropriate.)

Our Bomb Squad is state certified and can respond to assist an outside agency. Any request for this service to an outside agency will be referred to the Bomb Squad supervisor or the ERU commander. If neither are available, the on-duty patrol supervisor will consult with any Bomb Squad member and the sergeant will make the decision to activate the Bomb Squad or not. All costs incurred by the activation will be reimbursed by the requesting agency.

Chemical Agents

The tactical team of the ERU is fully trained and equipped to deploy various types of chemical agents. They can be called upon to deal with crowd control which indicate the use is warranted and reasonable in accordance with General Order 250 (Crown Control and Management) . Nothing in this section shall preclude officers from using individually issued chemical agents (response to aggression and resistance). A patrol sergeant may also deploy chemical agents in a tactical manner to deal with an event that occurs rapidly and that threatens the peace of the community.

V. SUMMARY:

The following is a simple guide to the successful handling of barricaded situations:

Officers should seal avenues of escape (cordon the area) and call for assistance. Once the suspect is isolated, time is generally to the benefit of the officers, and the full resources of the Department are available to assist the officers in removing the suspect from his location. If possible, an effort should be made to contact the suspect before force is used. Appropriate special equipment and trained personnel (ERU elements) should be requested to minimize the possibility of injury to officers and others.

CANCELS AND REPLACES:
General Order 223 – Emergency Response Unit, Issued September 6, 2010

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENERAL ORDER: 224

EFFECTIVE DATE: September 6, 2010

SUBJECT: PURCHASING PROCEDURE

The Police Department Accounting Clerk is responsible for the processing of purchases for the Police Department. The purpose of the Police purchasing function is to assist the Purchasing Division of the City, to control the expenditures as listed in the annual budget, and to obtain the materials needed at the lowest price.

I. REQUISITIONS

A) A requisition form must be completed and submitted to the Purchasing Division before a Purchase Order will be issued. No material can be purchased without a City Purchase Order except when the purchase is made with personal funds and the employee is reimbursed from the petty cash fund (see Section III), or when the purchase is related to a reimbursable clothing/equipment allowance item (see Section VI).

B) To order materials or services, Police employees must submit a completed requisition to their Division Commander or the Police Department Accounting Clerk. If the request is submitted directly to the Police Department Accounting Clerk, the request must include the signed approval of the Division Commander responsible for that portion of the budget.

The following information is needed on a requisition:

- Date of request
- Name of person submitting request
- Vendor's name, phone number and address
- Describe the requested material or service. Include brand name and model or other identifying numbers if available. Also include unique features, special shipping instructions, or other special needs.
- Deadline (if applicable)
- The activity number from which the funds were budgeted
- Include prices, when available.

C) City purchasing procedures require that price quotations are obtained for most purchases. If possible, this information should be provided on the back of the requisition form.

D) The Police Department Accounting Clerk will verify that funds are available, and if so, will prepare a requisition, and forward it to the Purchasing Division. If funds are not available, the requisition will be returned to the originating Division/Unit Supervisor.

II. PURCHASE ORDERS

A) When a purchase order is issued, a copy is sent to the Police Department Accounting Clerk. The original is mailed or delivered to the appropriate vendor directly from Central Purchasing.

B) Under no circumstances will additions or modifications be made to the purchase order without the written authorization of the Police Department Accounting Clerk. An employee who alters a purchase order without written authority may be personally responsible for any added costs incurred. An employee who orders material or services for City purposes for which no purchase order has been issued, is liable for all related costs.

C) Most merchandise ordered by purchase order is delivered to the City Print Shop. However, if the material is delivered to the department, the Police Department Accounting Clerk is to be notified immediately. In his/her absence, a department employee may accept the material provided the following is done:

1) Record the date of delivery and your initials on the packing slip or delivery ticket.

2) Examine the merchandise and the shipping containers for visible signs of damage. If damage is noted, inform the delivery person and note the damage on all copies of the packing slip and delivery ticket. If damage to the shipping container is noted, do not destroy the shipping container until it can be verified that the contents are not damaged.

3) Forward all documents to the Police Department Accounting Clerk.

4) If merchandise is delivered and is not appropriate or acceptable, notify the Police Department Accounting Clerk in writing that the material is to be returned or exchanged, and clearly state the reasons for the return. The individual who requested the material is not to return the merchandise to the vendor.

5) If the merchandise that is delivered is covered by a warranty, all copies of the warranty information are to be forwarded to the Police Department Accounting Clerk. All claims for repairs or replacement under the provisions of the warranty are processed through the Police Department Accounting Clerk.

III. PETTY CASH

A) Reimbursement of employees for personal expenditures for the cost of item(s) purchased for City use when the total cost is less than $50.00 can be made from the Petty Cash Fund, which is administered by the Police Department Accounting Clerk.

B) Petty cash claim forms are available from the Police Department Accounting Clerk, and no reimbursement will be made until a claim form which contains the authorization of the employee's supervisor has been submitted. The maximum reimbursement by petty cash is $50.00. When a petty cash claim is submitted by a supervisor, it must be approved by a supervisor of equal or higher rank.

C) All petty cash claims should include the receipt from the place of purchase.

D) You are not required to fill in the "charge to" line of the claim form. However, if you know the activity and account number from which the funds are to be paid, enter the appropriate information.

IV. REIMBURSEMENT FOR MILEAGE EXPENSES

A) Mileage costs cannot be reimbursed from the petty cash fund. Prepare and submit a "Claim for Mileage Reimbursement" form as described in this section.

B) Enter the required information and submit the form to the Police Department Accounting Clerk before 10:00 a.m. of the 20th day of each month.

C) Mileage reimbursement will be included on the first paycheck occurring after the week of the 20th.

V. TRAVEL EXPENSES

A) All overnight travel for the purpose of attending meetings and conferences at the expense of the City shall be subject to the prior written approval of the Chief of Police. In addition, out-of-state travel must be approved in writing by the City Manager.

B) A request for a travel advance, complete with the appropriate approval, shall be submitted to the Training Sergeant. The following information is required:

- Date of request
- Name of employee
- Reason for the travel
- A copy of seminar/conference brochure and registration information
- The activity and account numbers where the funds are budgeted for this purpose
- Include an estimate of the costs of: transportation (car, airplane taxi, or bus), meals, lodging, registration, and miscellaneous costs.
- The request must contain a copy of the original letter which requested the travel, including approval signature.

C) Travel advance checks are normally prepared each Friday. The deadline for submission to the Finance Division is Wednesday at noon. Therefore, requests for travel advances must be submitted to the Police Department Accounting Clerk by 8:00 a.m. on Wednesday for the check to be prepared on Friday. The amount advanced will not exceed $100 per day of travel. A travel reporting form, along with a copy of the City travel policy, will be attached to the advance check.

If the travel advance is needed earlier than the Friday preceding the start of the seminar or business trip, a notation to that effect must be noted on the travel request.

D) Upon return, the employee must submit a travel expense report to his/her supervisor for approval, who will in turn submit it to the Police Department Accounting Clerk.

The travel report must reflect all reimbursable expenses as outlined in the travel policy statement. Receipts shall be submitted for all items as listed. Finance must receive the document within 30 days following the conclusion of the business trip.

The approval of a travel advance does not constitute approval for the expenditure of the full amount of the advance. All items claimed for approval must be documented on the expense report and are subject to review by the City Internal Auditor.

VI. UNIFORM PURCHASES

A) The Commander of Administration has responsibility for the proper maintenance of clothing allowance accounts. Officers wishing to use their clothing allowance in the following ways must request authorization in writing to the Commander of Administration. All documents relating to such transfer of funds will be attached to the officer's clothing allowance ledger sheet for audit purposes.

1) Officers who wish to purchase department-approved items, but whose clothing allowance balance is not sufficient to cover the expenditure may be allowed to obtain an advance from their next fiscal year's dispersement. Such transactions will only be allowed for the maintenance and replacement of uniforms and equipment the officer will reasonably be using as a Bloomington Police officer.

2) Purchases, exchanges, or transfers of uniforms and/or equipment between officers using clothing allowance funds as payment may be approved if such approval is consistent with Article XIII, Clothing and Equipment, of the current labor agreements. Officers will not be permitted to transfer funds from their clothing allowance to another officer(s).

B) USE OF UNIFORM/EQUIPMENT FORM

(For annual allowances and list of approved uniform and equipment items, please see appropriate current labor agreement.)

All purchases which are to be credited to an officer's annual uniform/equipment allowance shall be initiated through use of the Bloomington Police Department Uniform/Equipment Order Form. This form is available in the squad room or from the Police Department Accounting Clerk. Completed forms should be submitted to the Police Department Accounting Clerk. Once received, he/she will verify that sufficient funds are available in the allowance account, and return the form to the officer.

An "open account" has been established by the Police Department with the vendors listed on the Uniform/Equipment Order Form. (See form.) These vendors are issued purchase orders on a monthly basis and will invoice the department for all merchandise purchased during that month. If it is necessary to obtain equipment items from other vendors, two other purchase options are available.

- The merchandise may be requisitioned and obtained via standard City purchasing procedures.
- The merchandise may be purchased and reimbursed by check after all receipts have been turned in to the Police Department Accounting Clerk.

An annual limit of $150 applies to purchases for which an officer is reimbursed. This method should be used only in emergency situations such as immediate need, or for vendors who will not normally extend credit to the City.

If an officer believes a desired uniform or equipment item should be deducted from his/her allowance, yet is not listed as an approved item according to his/her labor agreement, it may be purchased as described in the following chart.

In all cases, all receipts and documents relating to the purchases must be returned to the Police Department Accounting Clerk.

1. If the vendor is listed on the Uniform/Equipment Form, the following procedure should be used:

Listed* Uniform Item	Not Listed* Uniform Item
1) Officer must fill out Uniform/Equipment form. 2) Officer may go to vendor to order and pick up merchandise. Copy of form must be presented to vendor. 3) Officer must return all paperwork to the Police Department Accounting Clerk	1) Officer must fill out Uniform/Equipment form. 2) Written approval must be obtained from the Chief. 3) Officer may go to vendor to order and pick up merchandise. Copy of form must be presented to vendor. 4) Officer must return all paperwork to the Police Department Accounting Clerk.

1. If the vendor is **not** listed on the Uniform/Equipment Form, the following procedures should be used:

Listed* Uniform Item	Not Listed* Uniform Item
1) Officer must fill out Uniform/Equipment form. 2) Officer may either: A. Requisition goods through normal procedures or B. Pick up merchandise from selected vendor, returning all receipts and requesting reimbursement (up to maximum of $150 annually). 3) Return all paperwork to the Police Department Accounting Clerk	1) Officer must fill out Uniform/Equipment Form. 2) Written approval must be obtained from the Chief. 3) Officer may either: A. Requisition merchandise through normal purchasing or B. Pick up merchandise, returning all receipts and requesting reimbursement (up to maximum of $150 annually). 4) Return all paperwork to the Police Department Accounting Clerk.

*Listed uniform item - A listed uniform item is one which is listed in the current labor agreement as approved uniform/equipment.

CANCELS AND REPLACES:
General Order 237 – Purchasing Procedure, Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENERAL ORDER: 225

EFFECTIVE DATE: September 6, 2010

SUBJECT: CONTRACTUAL AND SPECIAL EVENTS

This order establishes rules of conduct for Bloomington Police officers working Contract Overtime at special events.

1. Officers will report at the prescribed time and location with all necessary personal equipment (including, but not limited to, tag books, report forms, and other items needed as dictated by your assignment).

2. Officers will check into service at the start of each event. If a supervisor is present, they may check all officers into service. The dispatcher will start a CAD incident for each event. Officers will check out of service at the completion of the event.

3. During a traffic assignment, officers will wear the seasonal uniform and a traffic vest with light reflective strips. When directing traffic at night, officers will use a flashlight with a yellow traffic cone attached.

4. Officers must extinguish all flares before leaving their traffic posts both before and after the event. No flares should be left burning when there are no officers on traffic duty.

5. At the start of the assignment, officers will report to the supervisor present, or directly to their assigned post if there is no supervisor assigned to the event.

6. Breaks will be taken as directed by the event supervisor. When not on break, officers will be at their assigned post.

7. Prior to going off duty from the event, officers will contact the event supervisor either in person or via radio.

8. The event supervisor **can and may change assignments** that were originally printed on the schedule board. The assignments posted by the COT supervisor are to be considered as a guideline of assignments, but the event supervisor makes the final decision on assignment issues.

CANCELS AND REPLACES:
General Order 225 – Contractual and Special Events, Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENERAL ORDER: 226

EFFECTIVE DATE: September 6, 2010

SUBJECT: SWAT TEAM ACTIVATION IN HIGH RISK ARRESTS AND WARRANTS

The purpose of the SWAT team is to provide trained personnel and special equipment for the safe and expeditious execution of planned arrests and searches. This service is available for our investigators or any outside jurisdiction through the patrol supervisor on duty.

Circumstances Warranting SWAT Team Assistance

Department personnel shall request SWAT team assistance for all planned arrest and search warrants whenever entry is to be made into a dwelling and the following circumstances exist:

1) The need for forcible entry is likely and

2) The suspect is likely to be present and

3) The suspect has a history of violence or may be armed.

Department personnel should explore and discuss alternatives to a high risk entry. Consideration of arresting the suspect away from the home should always be considered.

Initiating Requests

Requests for assistance should be made by the shift supervisor to a Tactical Team Leader. Requests should be made as early as possible to provide time for planning and, if necessary, additional personnel.

The circumstances enumerated above are representative of those warranting a request for SWAT team assistance. There are undoubtedly others and personnel should not hesitate to contact the SWAT team for advice relative to assistance available

The SWAT team leader has the authority to delay or decline executing the warrant. Manpower needs and other arrest options may be discussed and devised. We must have the tactics, personnel, and equipment to have a large advantage in these warrants. The SWAT team supervisor is in command of ERU personnel and entry tactics. Once the entry is made and the building is secure, the Investigative supervisor will take over the scene.

CANCELS AND REPLACES:
General Order 240 – SWAT Team Activation in High Risk Arrests and Warrants, Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENERAL ORDER: 227

EFFECTIVE DATE: September 6, 2010

SUBJECT: CRITICAL INCIDENT POLICY

Policy:

The Bloomington Police Department shall investigate all incidents of a critical nature where the involved employee acted within the course and scope of employment and which include, but are not limited to:

- Officer involved use of deadly force through the intentional or accidental discharge of a firearm, and/or;
- Any incident that has caused or is likely to have caused serious bodily harm or death to any person to include Bloomington Police employees.

Purpose:

The purpose of this policy is to provide guidelines and procedures that shall be uniformly applied following applicable critical incidents to ensure a thorough and objective investigation is conducted. It is also the purpose of this policy to take appropriate action after critical incidents to safeguard the continued good health of all involved personnel.

Procedures:

1) Whenever an employee of the BPD is involved in a critical incident, they shall immediately notify their supervisor. If the incident occurs outside the city limits, the employee shall notify the responsible law enforcement agency with jurisdiction and as soon as practical, an on-duty BPD supervisor.
2) Without unreasonable delay, the first responding supervisor shall respond to the scene and make necessary arrangements to notify the appropriate command staff and any other personnel.
3) If a response from the Investigative unit is necessary, the Investigative commander shall coordinate with any other investigative units and/or seek additional resources as appropriate.
4) All involved persons shall complete a supplemental report as to their role(s) and actions taken during the incident.

Responsibilities:

1) The involved employee(s) shall:

    a) Remain on the scene and provide the first responding field supervisor with a brief, factual account of the event to focus the investigation and provide for public safety, which will include, but is not necessarily limited to assisting in identifying and locating suspects, reporting approximate number and trajectory of rounds fired or exchanged, and any other information deemed pertinent to citizen or officer safety.

    b) Refrain from speaking to other officers about the incident.

    c) Be provided an opportunity to meet with union representative and/or legal counsel after the preliminary statement of basic facts.

    d) The involved officer(s) shall complete an offense report as soon as practical after consulting with legal counsel.

    e) Participate in an alcohol screening test and/or other chemical substance screening test in accordance with City of Bloomington Policy Section 20.11 as soon as practical after the incident.

    f) Meet with investigators for preliminary statement(s), and potential firearms inspection, and complete an offense report after having an opportunity to consult with legal counsel.

    g) Expect to meet with a designated department psychologist within 72 hours for critical incident debriefing.

2) The first responding assisting employee shall:

    a) Secure the scene until arrival of the first responding field supervisor and ensure witnesses and/or other involved persons do not discuss the incident.

3) The first responding field supervisor shall:

    a) Elicit information from the involved employee concerning issues of public safety and scene identification and security. Obtain a brief, factual account of the event, including information on approximate number of rounds fired or exchanged, and trajectories, all information concerning suspects and parties that may have witnessed the incident and any other pertinent information.

b) Ensure scene is secured and initiate a crime scene logging system.

c) Request additional resources and personnel as necessary.

d) Contact Hennepin County Crime Lab if necessary.

e) Assign an officer to accompany any injured persons to the hospital, recover evidence, record unsolicited statements and check on medical condition of injured persons.

f) Ensure command staff notifications are made as soon as possible.

g) Assign a supervisor or a senior on-duty, non-involved officer, to accompany the involved employee to the Bloomington Police Department, when appropriate, with instructions to not discuss the incident with each other or other parties.

h) Make certain that involved officers are allowed an opportunity to contact family members and/or other significant notifications.

i) If a directly involved officer(s) has requested legal representation they shall be allowed to consult in a private setting. Other than the initial oral summary of the facts, no detailed statements or reports will be taken or prepared until the officer(s) has consulted with legal representation. An offense report must be completed after having an opportunity to consult with legal counsel.

j) Complete supplemental report documenting an overview of supervisory actions taken, including times, specific assignments made, and the identities of all personnel involved in the critical incident.

4) The monitoring supervisor/officer shall:

a) Assume control of the involved officer as so directed by the on-scene supervisor.

b) Remain with the involved officer during transport and initial treatment in the event medical attention is necessary.

c) Bring the involved officer to a department vehicle and accompany the involved officer to headquarters.

d) Remain with the involved officer at headquarters until he/she is turned over to other supervisory personnel.

e) The involved officer should be advised not to discuss the incident with anyone except a personal or City of Bloomington Attorney, union representative or case investigator until the conclusion of the preliminary investigation.

f) The monitoring officer will write a report detailing his/her actions, including who had access to the involved officer, and specifically document the fact that the involved officer did not speak with anyone about the incident while in his/her company.

5) The Command Staff notifications shall include:

a) The Chief of Police and/or the Deputy Chief of Police

b) The Investigative Commander

c) Professional Standards Commander

d) Patrol Commander(s)

e) Employee's unit commander

6) The Investigative Commander shall:

a) Assume command of any criminal investigation resulting out of the critical incident.

b) Ensure that the involved employee is not directed to prepare a written police report or participate in a compelled interview in the criminal phase of the investigation without regard for the employee's rights, including the right to counsel.

c) Ensure the security of any firearms at the scene with safety being the paramount goal. Any weapon in possession of the involved employee should be retained by that employee until it is requested by an Investigative Supervisor. Under special circumstances, e.g., injury to officer, the weapon may have to be recovered at the scene by other personnel.

d) Ensure that all witness personnel, including all monitoring officers or supervisors, either prepare a written report or participate in taped interviews of incident as soon as practical after the incident.

e) Inform the Chief of Police or Deputy Chief of Police of the status of the case and a preliminary summary of what is learned from the interviews of involved employees, witnesses and physical evidence.

f) In the event the Chief of Police or designee determines that an outside agency will conduct the criminal investigation, the designated agency will have full authority and responsibility for conducting the investigation. The Professional Standards Commander will act as liaison and assist as appropriate.

7) The Professional Standards Unit Commander shall:

a) Ensure the internal administrative investigation is initiated as soon as practical and arrange for an incident debriefing at an appropriate time.

b) Ensure all internal administrative investigations are separate from the criminal investigation being conducted by the Investigative unit. Information obtained by the criminal investigation may be used to aid the internal administrative investigation. However, no information obtained during a compelled administrative investigation interview shall be disclosed to the criminal investigators without authorization of the Chief of Police.

8) The Shooting Review Board shall :

a) Act as an advisory body to the Chief of Police. They are charged with the responsibility of conducting an internal administrative examination of each shooting on or off duty, intentional or accidental, other than those necessary for the protection against dangerous or gravely injured animals or range activity.

b) Constructively critique each shooting and make non-disciplinary recommendations to the Chief of Police relative to training, equipment issues, tactics or procedures.

c) Not have the authority to recommend discipline.

Shooting Review Board

1) Make Up - 5 voting members

a) Commander of Professional Standards Unit

b) Commander of Patrol Administration

c) A sergeant from Investigations

d) An officer from Patrol, from names recommended to the Chief of Police by the President of the Police Federation.

e) An officer from Investigations, from names recommended to the Chief of Police by the President of the Police Federation.

f) Position 3 appointed by the Commander of Investigations.

g) Chairman - appointed by the Chief of Police from the Board.

2) Duties and Responsibilities:

a) The Chairman will convene the Board at the conclusion of a completed investigation and as soon as practical after the incident.

b) The Board derives its authority from the Chief of Police.

c) The Board will avail itself of any facilities and full cooperation of the department necessary to conduct a complete examination of the circumstances involved in a shooting incident.

d) At the conclusion of the examination, the Board will report its findings and recommendations in writing to the Chief of Police.

3) Findings - Based on a majority of the votes of Board members:

a) Justified - by State Statute and department policy

b) Unjustified - by State Statute and/or department policy

c) Unintentional

4) Final shooting review board report shall contain:

- Meeting(s); date(s) and times
- Officer involved; name, badge number, assignment
- Officers interviewed, witnesses interviewed, suspect(s) interviewed
- Board members present; and what department area they represent
- Observers present
- Firearm used; type, serial number, model number, modifications, holster description and ammunition
- Synopsis of incident

- Findings
- Conclusion
- Recommendations (training, weapon research, tactical planning, etc.)
- Signature blocks for approval; Board Chair, Chief of Police

Officer's Rights and Privileges:

1) An officer involved in a critical incident will be advised by the Chairman of the Board when and where a Shooting Review Board will meet.

2) Any officer involved in a shooting incident may have legal representation through all phases of the review process.

3) Appropriate Statement Advisory(s) - to be given to involved officer(s) prior to an interview and statements.

Administrative Leave:

1) Personnel directly involved in a critical incident shall, upon approval of the Chief of Police, be placed on three (3) days administrative leave with pay. The administrative leave may be extended by the Chief of Police based upon the particular facts of the incident, the needs of the officer(s) and after consultation with a designated department psychologist. This administrative leave shall be granted to the officer(s) without deductions from their incurred leave time benefits and is not to imply or indicate the officer(s) acted improperly. While on administrative leave, the officer(s) shall remain available for any necessary investigative/administrative requests and is subject to recall for duty and are not authorized to work COT events. The administrative leave may be changed to administrative duty at the discretion of the Chief of Police

Media Contacts - Officer Involved Shooting

All contacts with the news media in Officer Involved Shootings will be handled by the Commander of Professional Standards <u>under the direction of the Chief of Police or the Chief's designee</u>.

CANCELS AND REPLACES:
General Order 227 – Critical Incident Policy, Issued March 15, 2004

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENERAL ORDER: 228

EFFECTIVE DATE: May 24, 2013

SUBJECT: INTERNAL PROCESSING OF NARCOTICS AND OTHER DANGEROUS DRUGS

I. PURPOSE:

To establish procedures for the processing of narcotics, controlled substances, and other dangerous drugs.

II. PROCEDURES:

A. Upon receipt or discovery of any quantity of drugs, the following actions will be taken by the officer:

1. As soon as practical and before going off duty, the drugs will be weighed, documented, and properly packaged as evidence. The true weight will be documented in the barcode database to include whether or not the weight includes packaging.

2. All packaged narcotic evidence will require two barcode labels. One barcode label will be used for the narcotics, and the second label will be used for the packaging material. An investigator from CREU will separate the narcotics from the packaging material. The only exception will be any narcotics recovered with no packaging, such as loose pills, etc.

3. All narcotics must be heat-sealed in the appropriate plastic. The inventorying officer should initial the plastic at the heat seal.

4. Narcotics associated with in-custody felony narcotics arrests must be placed in the narcotics lockers mounted on the wall in the evidence processing area. After placing the narcotic evidence and a copy of the chain of custody report in the locker, the key shall be dropped in the evidence room wall slot.

5. If there is other non-narcotic evidence associated with the same case, that evidence should be placed in the same narcotics locker. If it will not fit, it should be placed in a standard evidence locker.

6. Large amounts of narcotic evidence that will not fit in a narcotics locker should be placed in the standard evidence locker.

7. In cases where there is **no arrest** associated with the narcotics, the standard evidence lockers should be used to store the narcotic evidence.

8. After obtaining a weight without packaging and performing a field test if appropriate, the CREU investigator will retain the originally initialed portion of the plastic bag. That portion will be placed inside the plastic bag with the narcotic evidence. The CREU investigator should then heat-seal and initial the plastic bag before returning the evidence to the narcotics locker. Field-tested and sealed narcotic evidence may be turned over to the property technician if present. The property technician will enter the test results, weights and dollar amount into the barcode database, along with the CREU officer's badge number.

9. In cases that involve currency **and** narcotics, the currency and narcotic evidence should be stored in separate lockers. Currency should always be stored in a standard evidence locker.

10. The narcotics will be turned in to the property room as soon as documentation and packaging are completed. Narcotics will not remain in the officer's personal possession, duty vehicle, desk, file cabinet or other office area.

B. Upon receipt by the property technician of any quantity of drugs, the following actions will be taken:

1. A CREU investigator will be contacted as soon as practical to verify the weight and to assign a street value to the drugs.

2. Any drugs with a street value of more than $1,000.00 will be secured in the drug vault inside the property room as soon as practical, but not to exceed five business days from the time the drugs were property inventoried.

C. Upon removal of drugs from the property room for chemical testing at the Bureau of Criminal Apprehension, the following actions will be taken:

1. Drugs will be transported to and from the lab by a licensed peace officer.

2. Copies of all laboratory analysis reports shall be given to the property technician and shall be scanned into the barcoding database by the property technician.

3. Any discrepancies in weight not attributable to packaging or normal handling shall be reported at once to the CREU Supervisor or the Commander of Investigations.

D. Upon removal of drugs from the property room for destruction, the following actions will be taken:

1. The Professional Standards Unit Commander shall be notified long enough in advance to have random samples of the drugs being destroyed tested. The test will consist of weighing and field testing the samples. Two sworn personnel shall be present for this test.

2. The results of these tests shall be compared to the original analysis reports attached to the property inventory sheets or scanned within the barcoding database, dependent on the age of the narcotic. Any discrepancies shall be reported immediately to the CREU Supervisor or the Commander of Investigations. In the event of unresolved discrepancies, the sample in question shall be forwarded to a certified laboratory for quantitative/qualitative analysis, and no further destruction shall take place prior to discrepancy being resolved and approved in writing by the Commander of Professional Standards.

3. At least two people shall be present during the transportation and transfer to another agency of any drugs for destruction; one sworn Bloomington Police officer, excluding Professional Standards personnel, and the property technician.

4. Prior to the actual disposal process, the City Auditor's Office will be notified by the property technician.

E. When the need arises to remove drugs from the property room to facilitate training for narcotics detection canines, the following actions will be taken:

1. The drugs will be released from the property technician to the supervisor of the canine unit in the presence of the Commander of Investigations. The property technician will sign over the narcotics to the canine unit in the presence of the Canine Supervisor and/or the Commander of Patrol and/or the Commander of Investigations and/or the Commander of Professional Standards.

2. The canine unit accepts the drugs and signs the chain of possession within the barcoding database.

3. The supervisor of the canine unit will maintain a narcotics log indicating which narcotics have been assigned to the canine unit. This log will be inspected on a periodic basis by the Commander of Patrol Special Operations.

4. The canine unit will store the drugs in a locked container maintained at the police department. The canine unit will be responsible for maintaining the drugs and notifying the canine supervisor of any loss or destruction as a result of training.

5. In order to preserve the scent of the drugs, they will be exchanged as often as needed. The canine supervisor will need to procure the original property receipt from the property technician to allow the canine handler to indicate return of the narcotics in the chain of possession and/or signed the chain of possession within the barcoding database, dependent on the age of the narcotic. The canine supervisor will return the narcotics and the original property receipt and/or a copy of the transfer receipt if the narcotics were inventoried in the barcoding database to the property technician in the presence of the Commander of Investigations.

6. The Commander of Professional Standards may take periodic and random samples of the drugs used for training from the canine unit. The tests will consist of weighing and field testing the samples by certified personnel. Two sworn personnel shall be present for these tests. An information report will be written by the Commander of Professional Standards indicating test results and a copy forwarded to the property technician to be attached to the original property receipt and/or scanned into the barcoding database. The random testing and age of the narcotics will be factors in the event of weight discrepancies.

F. In any instance where narcotics or other dangerous drugs are determined to be missing or otherwise unaccounted for, facts shall be immediately reported to a supervisor who will in turn notify the Chief of Police as soon as practical.

CANCELS AND REPLACES:
General Order 228 – Internal Processing of Narcotics and Other Dangerous Drugs, Issued July 13, 2012

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENERAL ORDER: 229

EFFECTIVE DATE: July 27, 2018

SUBJECT: CONTRACTUAL POLICE SERVICES

Purpose: To establish guidelines for the operation of Contractual Police Services.

Definitions:

Contractual Police Services:

Contractual Police Services are police services rendered on behalf of the Bloomington Police Department to individuals, organizations, and businesses, who reimburse the City for payroll and other expenses. These services are normally rendered in connection with events that may require police services exceeding the service available with regular on-duty staffing.

Contractual police services are limited to police-oriented duties that are consistent with the training and responsibilities of Bloomington Police Officers. Requests to provide police officers for duties that are not police-oriented will be denied.

Contractual Overtime Personnel:

Contractual Overtime Personnel are police officers and supervisors assigned by the Police Department to perform contractual police services. These will normally be officers who volunteer for such assignment.

Authority & Responsibility:

Command:

Operation of Contractual Police Services shall be the responsibility of the Patrol Division of the Bloomington Police Department. The Commander of Patrol Special Operations is the Commander of Contractual Police Services. In the absence of the Commander of Patrol Special Operations, this responsibility will rest with the Commander of Day Patrol Operations.

Supervision:

The Contractual Overtime Sergeant is responsible for receiving requests for Contractual Police Services, scheduling personnel, providing operational details, and preparing payroll information. In the absence of the Contractual Overtime Sergeant, the Commander of Patrol Special Operations will perform these duties.

Chain of Command:

Personnel who are working contractual services assignments are considered to be on-duty police officers and as such are subject to all rules and regulations of the Bloomington Police Department. Events that do not have a supervisor assigned are supervised by the on-duty patrol supervisor.

Eligibility for Assignment to Contractual Police Services:

All police officers below the rank of Deputy Chief who have completed the field training program of the Bloomington Police Department are eligible to volunteer for assignment to Contractual Services. The field training program will include orientation to contractual police services, and training in the specific skills required for the assignments.

Sign-up Procedures:

Eligible personnel may indicate their willingness to work Contractual Police Services by notifying the Contractual Overtime Sergeant in writing during designated sign-up periods. The scheduling period shall run concurrently with the Patrol Division schedule trimesters. Officers are expected to remain on the list for the entire trimester that they volunteer for.

Scheduling procedures:

The Contractual Overtime Sergeant will attempt to schedule contractual police services two weeks in advance of scheduled events. Officers assigned to or canceled from events with less than one week notice shall be advised in writing by the Special Events Sergeant.

A reasonable effort will be made to assign officers an equal number of events. Totals will be posted indicating the number of days on and days off assignments. Duty and schedule assignments, vacations, training, and special days off requests make it impossible to achieve absolutely equal assignment totals.

In the event that a requesting organization, business, or individual cancels their request for contractual police services with less than 24 hours notice to the Police Department, assigned officers will be paid a three hour minimum, which will be billed to the requesting entity. The Police Department will use all reasonable means to notify officers promptly of canceled events.

Officers shall reflect the travel time used between COT events and/or their regular work shift by using benefit time. If a squad is needed and the officer must first pick it up, travel time will be reflected in the scheduled start and end times.

Patrol Division Shifts:

Scheduled Contractual Overtime Assignments between consecutive 12 hour shifts worked shall be avoided unless absolutely necessary. Give away assignments of 4 hours or less may be worked if the hours of this detail abut the end or start of the scheduled work shift.

Short Notice Requests:

Requests for Contractual Police Services that are received less than 96 hours prior to the start of the event, will be posted for sign-up by contractual overtime personnel. Sign-up lists will be posted at varying times to allow access by all shifts. After an officer signs up for an event, the officer is obligated to work the event. Officers are not excused from these assignments unless they have arranged a replacement or received supervisory authorization to not appear as scheduled.

The rules pertaining to "Give Aways" also pertain to supervisors taking non-supervisory short notice requests.

Time Off Requests:

General:

An officer will not be assigned to work Contractual Police Services on a scheduled vacation day unless he/she specifically requests assignment. A "Not Available" request shall be made for any not available days associated with vacation days.

Special Requests:

The Contractual Overtime Sergeant will make reasonable attempts to honor special requests for time off whenever at least two weeks advance request is made via email to the COT supervisor. Class schedules for educational activities will be honored when accompanied by schedule documentation.

Responsibility for Events Once Assigned:

Assignments made to Contractual Police Services events are duty assignments. Officers are not excused from these assignments unless they have arranged a replacement or received supervisory authorization to not appear as scheduled.

Give Away Rules:

Officers wishing to arrange a replacement for an assigned event may place the event on a "give away" list near the Contractual Service schedule. If the assignment is not taken by another officer, the assigned officer is obligated to work the event. Giving away an event or accepting a give away will not be reflected in assignment totals.

Supervisors on the contractual overtime list may take non-supervisory give away assignments under the following circumstances:

- 96 hours after the give away has been posted and not taken by a non-supervisory officer, **or**
- within 24 hours of the start of the scheduled event.

Officers and supervisors not on the contractual overtime list may take give away assignments under the following circumstances:

- 96 hours after the give away has been posted and not taken by someone on the contractual overtime list, **and**
- within 24 hours of the start of the scheduled event.

Officer/Supervisor Ratio:

Events that require four or more officers will normally have a supervisor assigned as the fourth officer. The department may increase or decrease the officer/supervisor ratio if appropriate for specific events.

Mutual Aid Considerations:

On occasion, demand for Contractual Police Services may exceed the ability of the Police Department to provide staffing while providing a proper level of service to the city. For these occasions mutual aid for Contractual Police Services may be considered.

Authority:

The Chief of Police may request mutual aid for contractual police services.

Procedure:

A personnel roster for assisting agencies that includes names and hours worked will be prepared for each event involving assisting agencies. If the event staffing does not include a Bloomington Police supervisor, outside agency hours will be documented by the senior Bloomington Police Officer assigned to the event.

When a Bloomington officer and an officer from another agency are assigned together for contractual police services on behalf of the Bloomington Police Department, the Bloomington officer shall be considered the officer in charge of their area of responsibility.

ALSO SEE RELATED GENERAL ORDER #216; OUTSIDE EMPLOYMENT

CANCELS AND REPLACES:
General Order 229 – Contractual Police Services, Issued September 6, 2010

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENERAL ORDER: 230

EFFECTIVE DATE: September 6, 2010

SUBJECT: BIO-HAZARDS

PURPOSE:

- To provide Bloomington Police employees with information on how to limit their occupational exposure to blood and other materials that may convey infectious diseases.

- To list protocols for the use and care of personal protective equipment that is available to Bloomington Police employees.

- To specify the procedure for reporting an occupational exposure.

STANDARDS:

I. DEFINITIONS

A. **Bodily Fluids -** Any fluids secreted by the body including, but not limited to, blood, semen, saliva, vaginal secretions, amniotic fluid, urine, and feces.

B. **Contamination -** An item is contaminated when there has been contact with body fluids.

C. **Significant Exposure -** A significant exposure occurs when bodily fluids come into direct contact with eyes, nose, mouth broken skin, or by a needle puncture or puncture by an object that is contaminated with blood.

II. PERSONAL PROTECTIVE EQUIPMENT AND PROTOCOLS

In order that officers may render emergency medical aid in a safe and timely manner, the following personal protective equipment will be made available by the Police Department at no cost to its employees.

A. **Disposable latex gloves and glove pouches**

- Officers shall have disposable latex gloves on their person while on duty.

- Disposable gloves shall be worn when handling persons who are bleeding, have open wounds or lesions; when handling any materials that may be contaminated; whenever an employee believes the possibility of contact with a contaminated source is possible, including the processing of property or evidence that may be contaminated.

- Used gloves should promptly be removed after use and disposed of in an appropriate bio-hazard receptacle. Hands should be washed as soon as possible.

B. **Protective glasses**

- Protective glasses shall be worn by employees in any situation where the spattering of bodily fluids is possible.

- Protective glasses may be disposed of when contaminated or soiled.

C. **Surgical face mask**

- Disposable surgical face masks shall be worn by employees in any situation where the spattering of bodily fluids is possible.

D. **Pocket resuscitation mask**

- Pocket resuscitation masks should be used by officers when administering mouth-to-mouth resuscitation.

E. **Protective Outerwear**

- The use of protective outerwear reduces the contamination of personal clothing. Therefore, the use of gowns and shoe covers are secondary to the rendering of emergency medical aid.

- Protective gowns and shoe covers will be available for employees whose work requires them to be present in areas where gross contamination is likely.

F. **Puncture-proof containers**

- All sharp objects are considered contaminated and should be handled with gloved hands only. Sharp objects should be placed into puncture-proof (SHARPS) containers as soon as possible.

III. EMPLOYEE EXPOSURE: DECONTAMINATION

If an employee experiences a significant exposure, experiences a situation where a significant exposure is likely to have occurred, or clothing and/or equipment is contaminated, the employee will:

A. Wash with soap and water. If soap and water are not immediately available, wipe with a germicidal cleaner, and wash as soon as possible.

B. As soon as possible, remove contaminated clothing using disposable gloves and place in a BIO-HAZARD plastic bag for later cleaning. Dispose of the gloves. In order to provide for minimal interruption of a work shift, officers shall maintain garments, appropriate to the officer's work assignment, at headquarters to replace contaminated garments.

Contaminated clothing items may be laundered at home, or the employee may choose to have the item(s) professionally cleaned using their personal dry cleaning service. The employee must complete an information report concerning the clothing items and attach the receipt for reimbursement.

C. Contaminated blankets should be handled using disposable gloves and sealed in a BIO-HAZARD plastic bag until laundered. The blankets shall be placed in the bin provided in the garage patrol supply room, or the bin provided in the jail facility. The blankets will be laundered at BPD and returned to service.

D. Contaminated equipment should be handled using disposable gloves. Disposable equipment should be sealed in a BIO-HAZARD plastic bag and placed in the bin located in the caged area in the southwest corner of the garage. Employees are responsible for cleaning other equipment items. A cleaning station, with instructions, is located in the jail laundry room.

IV. EMPLOYEE EXPOSURE: REPORTING

A. Report the incident to an on duty supervisor as soon as possible.

B. Complete an information report labeled BIO-HAZARD EXPOSURE to include the following:

- Date, time and location of the incident
- What infectious materials were involved in the incident (blood, etc.)?
- The source of the material
- Under what circumstances the incident occurred
- How the incident was caused
- Personal protective equipment that was being used at the time of the incident
- Immediate action taken as a result of the exposure (employee decontamination, cleanup, etc.)

The report of bio-hazard exposure shall be forwarded to the Exposure Control Officer (c/o Bloomington Public Health) and the reporting employee's unit Commander.

The unit Commander will investigate whether policies, procedures, or protective equipment should be changed to avoid future significant exposure incidents.

C. Complete an Injury on Duty report.

D. Follow procedures for post-exposure evaluation and follow-up listed in the Bloomington Bloodborne Pathogen Exposure Control Plan.

V. POST-EXPOSURE EVALUATION and FOLLOW-UP

A. Supervisor Evaluation

1. A supervisor to whom a possible significant exposure is reported shall attempt to determine whether the incident has resulted in bodily fluids having come into contact with the employee's eyes, nose, mouth, broken skin, or whether a needle puncture or puncture by an object that is contaminated with bodily fluids has occurred.

2. Possible significant exposure incidents shall be handled as if a significant exposure has occurred, unless there is clearly no portal of entry.

B. Identification and Testing of Source

1. If the source person is being transported to a hospital, that person should be accompanied to the hospital by a police officer, who shall:

   a. Advise hospital staff that a significant exposure involving the source person has occurred.

   b. Request hospital staff to obtain a voluntary sample of the source person's blood to be tested for bloodborne infectious diseases in accordance with protocols under Minn. Stat. Section 144.7401.

2. If the source person is not being transported to a hospital or medical facility, a police officer shall:

   a. Request a voluntary sample of the source person's blood to be tested for bloodborne infectious diseases.

   b. If willing, accompany the source person to a medical facility (HCMC preferred) for that purpose.

Note: No person can be required to provide a sample of their blood for testing unless they are under court order to do so or in the custody of the Commissioner of Corrections.

C. Post-Exposure Evaluation of Employee

1. The exposed employee shall be given a confidential medical evaluation as soon as practical after the exposure. Employees may go to their own doctor or medical facility for that purpose; however, the following medical facilities are generally able to provide appropriate evaluation consistent with this policy:

   a. Hennepin County Medical Center
      Urgent Care Center

   b. Fairview Southdale Hospital
      Urgent Care Center
      6401 France Avenue South
      Edina, MN 55435
      Phone: 952-924-5030

   c. Fairview Ridges Hospital
      Emergency Room
      201 Nicollet Boulevard East
      Burnsville, MN 55337
      Phone: 952-892-2021

   d. Abbott-Northwestern Hospital
      Urgent Care

   e. Methodist Hospital
      Urgent Care

   f. Park Nicollet Medical Center
      Occupational Medicine Department
      5320 Hyland Green Drive
      Bloomington, MN 55431
      Phone: 952-832-2400

Note: The urgent care facility connected with the medical facility to which the source person is taken is generally able to coordinate with the source person's medical providers to provide the most prompt evaluation and response.

2. The post-exposure evaluation and follow-up shall include collection and testing of the employee's blood for HBV, HCV, and HIV serological status.

a. An employee's blood sample will not be collected without the employee's consent.

b. An employee may elect to have their blood collected and preserved without testing for up to 90 days to allow for later testing.

2. The Exposure Control Officer for the City of Bloomington will provide the healthcare professional evaluating an employee's exposure with information in accordance with the City of Bloomington Bloodborne Pathogen Exposure Control Plan, IV. C.

3. The results of the healthcare professional's evaluation of an exposure incident are confidential except that the following information shall be forwarded to the City Exposure Control Officer within 15 days:

a. A statement that the employee has been advised of the results of the evaluation; and

b. A statement that the employee has been told about any medical conditions resulting from the exposure to blood or other potentially infectious materials which require further evaluations or treatment.

VI. CONTROL

A. It is the responsibility of the Special Events Sergeant to insure that personal protective equipment meets the standards set forth in the City of Bloomington Bloodborne Pathogen Exposure Control Plan, and is available for employees.

B. It is the responsibility of each officer to insure that personal protective equipment is immediately available during their work shift.

C. It is the responsibility of an employee’s supervisor to insure that:

- Personal protective equipment is used according to protocol;
- That efforts have been made to obtain a voluntary sample of the source-person's blood; and
- That all reporting requirements are met.

D. An employee may temporarily and briefly decline to use personal protective equipment when, under rare and extraordinary circumstances, it was the employee's professional judgment that in the specific instance its use would have prevented the delivery of health care of public safety services or would have posed an increased hazard to the safety of the worker or co-worker.

When an employee makes this judgment, the circumstances shall be investigated and documented by the employee's immediate supervisor in order to determine whether changes can be instituted to prevent such occurrences in the future

CANCELS AND REPLACES:
General Order 230 – Bio-Hazards, Issued January 26, 2004

BLOOMINGTON POLICE DEPARTMENT

General Order: 232

Effective Date: January 27, 2021

Subject: CANINE OPERATIONS AND DEPLOYMENT GUIDELINES

Purpose

To establish procedures and regulations governing the training, operation and administration of police service dog teams of the Bloomington Police Department (BPD) consistent with the agency's principle of escalation and de-escalation of force.

Objective

1) The BPD Canine Unit provides a valuable service to their fellow officers and community by enhancing enforcement efforts. Canine teams also provides an effective less lethal force option in BPD field operations helping to ensure the highest levels of officer and public safety.

2) Each handler strives to skillfully deploy their canine partner for maximum effectiveness and is committed to perform at the highest level of professionalism with the priority being public safety.

Policy

It shall be policy that the primary function of police service dog teams are to enhance officer and community safety by supporting BPD field operations. Serving as a locating tool the superior olfactory senses of the canine provides the handlers the ability to search and locate evidence or individuals that otherwise would not be found. Canines may assist in the apprehension of criminal suspects, based upon the degree and immediacy of the suspects threatening actions against officers and the public.

Canine teams will assist with the following:

a) Building/Area search

b) Article/Evidence Search and Recovery

c) Tracking

d) Tactical Operations

e) Narcotics/Explosives Detection

f) Community Engagement

A secondary function of BPD police service dogs is that of a force option. The foundation of all canine use of force is based upon the BPD principles and process of de-escalation.

Definitions

Presence Arrest
A de-escalation of force, when a suspect is taken into custody as a result of the presence of a police canine.

Positive Control
The ability of a canine handler to maintain control of the canine at a distance as is reasonably possible during canine operations. This may be accomplished through verbal commands, extended leads, the use of a remote trainer or a combination of the above.

During canine operations, canines will be deployed under positive control

Remote Training Collar/Electronic Collar
A dog collar that typically delivers mild electronic stimulation, vibration or sound upon receiving a signal from a remote transmitter and is used to condition a canine to respond to commands, especially those at distance.

The wearing of a remote training collar by the canine during canine operations is authorized under this policy.

Less Lethal Force Options
Chemical Agent
Conducted Electrical Weapons
Impact Weapon
Less Lethal Munitions
Police Canine

Simultaneous or directed application of less lethal force in joint application with the canine done in order to assist the dog, is authorized. Less lethal force options should not be deployed while a canine is on the apprehension unless deployed at the direction of the handler.

Confined Spaces
An area or space with limited and restricted means for entry or exit (e.g., attics, crawl spaces, motor vehicles, closets etc.). Area of a suspect in hiding which one would deem barricaded.

Staffing and Organization

Commander - Duties and Responsibilities

The overall command and administration of the canine unit shall be the responsibility of the Night Patrol Commander or designee.

Canine Supervisor - Duties and Responsibilities

The Canine Supervisor (Sergeant) is responsible for the daily supervision, administration and management of the unit and canine handlers. The Canine Supervisor shall be responsible for, but not limited to the following:

1) Monitoring calls for service and providing the necessary control, direction and support of handlers and officers during canine operations;

2) Respond to incidents of canine use of force when on duty;

3) Organize and facilitate incident de-briefing involving the canine team as soon as possible following an incident;

4) Review and evaluate each deployment and canine use of force reports for adherence to policy and to identify training needs;

5) Identify deficiencies in canine operations and training;

6) Complete and submit yearly statistical reports;

7) Submit a summary of retraining, assessing the level of performance and abilities for all canine teams to the Night Patrol Commander or their designee;

8) Scheduling and coordination of all canine related activities, to include needed equipment, vet care and other services for the unit;

9) Conduct regular evaluations of each officer's performance as a canine handler;

10) Selection of potential canine handlers;

11) Designate a canine unit training officer; and

12) Liaison with department command staff and shift supervisors.

Only after reasonable retraining has been completed and documented the Canine Sergeant has the authority to request removal of any canine team from service immediately, based upon unsatisfactory performance and lack of proficiency.

Canine Handlers - Duties and Responsibilities:

The position of canine handler is an assignment, handlers will function as a patrol officer and as a member of the canine unit, these functions include:

1) Respond to calls-for-service as part of the patrol function;

2) Conduct traffic enforcement;

3) Coordinate building and area search operations, to include article, evidence search and recovery, narcotics and explosives detection;

4) Track and locate fleeing violent and non-violent offenders or of missing, lost or sick persons;

5) Tactical and perimeter support;

6) Detection of narcotics or explosives;

7) Submit monthly training and activity records/logs to the Canine Sergeant;

8) Participate in public demonstrations;

9) Yearly re-certifications in both patrol and detection specialty; and

10) Ensure all equipment (leashes, collars, harnesses etc.) is regularly inspected and is in good working condition.

Training

Canine handler training will be conducted through a department approved training program**.** Upon completion of Basic Canine Handlers School:

a) Canine teams will have a minimum of sixteen (16) hours per month required training;

b) Training days will normally be scheduled during "on-duty" hours;

c) The handler and any officers assisting in the training will remain subject to call. Handlers are expected to participate in informal training on their own;

d) The handler should document participation in training and re-certification. Completed training records will be entered into the approved records system for the Canine Unit within fourteen days; and

e) All training records and activity logs will be retained for a period of eight (8) years.

Certification

a) All canine teams shall be evaluated and certified yearly for proficiency. Proficiency will consist of evaluation by a canine association or a third party evaluator from outside the agency.

b) The Night Patrol Commander can waive a canine teams re-certification based upon age, illness, or injury as long as the team is deemed proficient by the canine supervisor and training records are up to date.

Canine Search Operations

Except in exigent circumstances or where there is an imminent danger of death or serious injury the dog should be kept in visual sight of the handler while searching.

Tracking/Area Search

a) Canine teams may be used to track and locate fleeing violent and non-violent offenders.

b) Based upon the officer safety principles of "contact and cover," excluding an article/evidence search a canine team search should not deploy without a cover officer(s).

c) The canine handler has primary responsibility for directing the activities of the search operation.

d) The handler and assisting officers should make a reasonable effort to ensure that there are no innocents in the areas in which the canine will be deployed.

During a search for suspected offenders as soon as the handler sees behavioral changes in the canine that indicate the canine is actively working human odor and indicating that the suspect may be nearby, the handler should restrain the canine, and if available, move to a position of cover and make additional warnings to the suspect to surrender.

Building Searches

a) Canines may be used to search buildings and enclosed areas for suspected criminals.

b) Building searches should be conducted with the canine under positive control.

Unsecured Buildings

In the event of buildings found to be unsecured and finding no sign of forced entry, handlers may choose to assist in the search or choose to assist by providing rear cover support for responding officers. The canine should be on lead under positive control and the canine should be deployed in a manner that prevents an unintentional bite.

Tactical Deployment

a) Where a tactical deployment is justified by BPD policy, the tactical measures used should be at the discretion of the police service dog handler and should be objectively reasonable.

b) Tactical deployments should be conducted under positive control.

K9 Announcement/Warnings

Prior to a police service dog deployment, a warning **must** be given, this is to include "running warnings." Ample time must be given to afford the suspect an opportunity to surrender, the warning will be documented in the report.

The BPD Canine announcement consists of three parts:

- Legal authority;
- Request for a peaceful surrender; and
- Consequences: May be bitten.

a) K9 announcements should be made while progressing through the search area to ensure the warning was heard, these additional warnings must be documented.

b) K9 announcements may, at the direction of the handler, be issued by third parties.

Exception to warning: A canine handler is not required to give a warning announcement if by doing so would put the canine team or officers at a tactical disadvantage and endanger the canine team or others (e.g., suspect is armed or believed to be armed). The canine handler should articulate in a written report, if one is completed, the reason for not giving the announcement.

Canine Use of Force

a) The deployment of a BPD canine for the location and apprehension of suspects is a use of force that should be consistent with this agencies principles of escalation and de-escalation of force.

b) When time and circumstance allow, prior to deploying the canine as a force option, officers and canine handlers should implement de-escalation techniques and processes as set forth in the "Response to Aggression and Resistance" Policy 101. Officers should also consider less lethal force options when taking an individual into custody or attempting to effect an arrest.

c) Canine should be deployed under positive control.

Deployment to locate and apprehend a suspect should be governed by three benchmark factors:

I. The severity of the crime;

II. The degree and **IMMEDIACY** of the suspects threatening actions against officers and the public; and

III. Whether the suspect is actively resisting arrest or attempting to evade arrest.

Authority to Deploy

Excluding a deployment for community caretaking the responsibility for canine use of force resides with the handler. Therefore, the decision to deploy the canine should remain with the handler. The handler should evaluate the situation and determine if the use of the canine is lawful and within policy. The decision should be based upon information known to the officer(s) at the time. The decision may be in conjunction with consultation of an on duty supervisor.

Deployment for Community Caretaking

A. Tracking/Searching

A track may be conducted for individuals or suspect(s) who do not pose an immediate threat; lost, missing, or sick persons, suicidal persons, suspicious persons, or, when in the opinion of the handler it is in the best interest of the department and/or the community

B. Less Lethal Force Option

Where a situation does not fit within the Graham test because the potentially armed or armed person in question has not committed a crime, is not resisting arrest and is not directly threatening the officer, the officers should ask:

I. Is the person experiencing a medical condition that renders him/her incapable of making a rational decision under circumstances that pose an immediate threat of serious harm to him/herself or others?
II. Is some degree of force reasonably necessary to mitigate the immediate threat?
III. Is the deployment of a canine objectively reasonable and necessary under the circumstances to bring the affected party under control
IV. Could the effects of using canine as a force option be resolved by leaving the individual alone?
V. Is the deployment consistent with the BPD principles of escalation and de-escalation of force

Authority to Deploy

The decision for a canine team to deploy under community caretaking will be based upon pre-deployment approval. The decision shall rest with the on-duty supervisor or Incident Commander and should made be in conjunction with the canine handler.

Confined Space Deployment

A canine should not be deployed into a confined space in an attempt to apprehend a suspect unless:

a) De-escalation efforts have failed;

b) Less lethal force options have failed or are unavailable; and

c) The dog is deployed under positive control.

Officers' attempts to de-escalate and the use/non-use of less lethal force options should be included in the incident report.

Crowd Control

Canine teams shall not be used for crowd control but they may be on scene to assist in an officer safety function if approved by the Night Patrol Commander or designee.

Reporting/Bite Injury Management

Apprehension/Unintentional/Misidentification Bite Injury

a) Canine Handlers whether on or off-duty shall notify the Canine Sergeant or on-duty sergeant immediately after any canine apprehension or unintended dog bite. An on-duty supervisor will respond to incidents of canine use of force.

b) Handlers are responsible for ensuring that any person injured by a BPD canine receives medical treatment as soon as possible. Emergency Medical Services may be called to the scene when a person is bitten by a canine.

c) The handler will conduct a post-arrest interview with the in-custody subject whether it is at the hospital, jail or other location.

d) Body worn cameras can provide a record of interrogation and arrest for evidentiary value and they may also be used to video tape witness statements.

e) The handler should take color photographs of the affected area(s) following treatment as well as any area alleged to have been injured, even if there is no visible injury.

f) The handler should ensure the media on which the images are captured is entered into evidence to include body worn camera video, in-car camera video, audio or third party video or other media.

g) The handler will prepare and submit a Response to Aggression and Resistance report.

h) Officer(s) may be de-briefed by the canine unit supervisor following the incident.

i) Unintended bites or injuries should be documented in an information report and not on a Response to Aggression and Resistance report.

Request for Public Demonstration

All public requests for a canine team will be approved by the Night Patrol Commander or canine supervisor prior to the commitment

Mutual Aid Requests

a) The on-duty Sergeant will approve all requests for canine assistance from outside agencies.

b) When responding outside the city of Bloomington, all deployments shall be governed by this policy.

c) If staffing allows, an officer from the BPD may accompany the handler as a dedicated cover officer.

d) Anytime a BPD canine team is utilized under mutual aid the handler, upon return, should submit a written report prior to the end of their shift if there is an evidentiary need for a report. If the canine team is off-duty the report should be turned into their supervisor by the next day's shift.

Miscellaneous Provisions

Ownership

All police service dogs are property of the city. At any time, the dog may be assigned or re-assigned to enhance the efficiency of the team or unit. When the dog is retired the decision regarding transfer of ownership from the BPD to an individual will be made by the Chief of Police

Dog use and Care

a) Officers shall maintain their police service dogs both on-duty and off-duty in a safe and controlled manner.

b) Officers are accountable for the actions and behaviors of their canine partner both on-duty and off-duty.

c) The BPD shall provide officers canine housing for their police service dog.

d) Officer will maintain a secure kennel at their residence that complies with all local ordinances and is free from hazards and kept in a sanitary condition.

CANCELS AND REPLACES:
General Order 232 – Canine Teams, Issued September 6, 2010

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENERAL ORDER 233

EFFECTIVE DATE: September 6, 2010

SUBJECT: NOTIFICATION OF COMMAND STAFF

The command staff will be notified by pager, phone or radio for certain events. A "command group" message on the paging network satisfies notification requirements. The on-duty shift supervisor is responsible for compliance with this order.

Events Requiring Notification

1) Death of any departmental personnel from any cause, on or off-duty.

2) On-duty injury of any departmental personnel requiring hospital admission. This does not include emergency room treatment.

3) Within 24 hours of the sudden death of the spouse or child of any department personnel.

4) Any incident in which a citizen is killed or seriously injured by a police action.

5) Death investigation not obviously due to natural causes.

6) Any incident involving shots fired at a person by department personnel.

7) Prisoner suicide or other in-custody death.

8) Code 10 situation.

9) Any major incident involving multiple City departments such as aircraft crash, rail crash, tornado, HAZMAT incident, etc.

10) Any prolonged incident such as demonstrations, large unruly disturbances, etc.

11) Any request for long-term or multiple officer mutual aid (requested or provided).

12) Any Federal or State Threat advisory on issues of terrorism or national defense. This will include Increased or "Heightened" level of alert notifications. (*Also City Department Head page group notifications)

13) Any situation where the shift supervisor feels notification is appropriate.

Command Staff Responsibility Upon Notification
Upon notification of events listed above, command staff members are to evaluate the information and determine if any further action is necessary on their behalf.

Other Notifications
This order does not replace other operational notifications as required by other directives.

CANCELS AND REPLACES:
General Order 233 – Notification of Command Staff, Issued August 11, 2005

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENERAL ORDER: 234

EFFECTIVE DATE: September 6, 2010

SUBJECT: CLAIMS AGAINST THE CITY

Whenever property damage and/or personal injury to a citizen occurs on City property or during an officer's performance of duty, the officer shall write an Information Report containing all the information of which the officer is aware pertaining to the incident. The citizen's insurance carrier's name should be obtained and indicated on this report and a copy forwarded to the City Risk Manager.

The officer shall not advise the citizen that the City will assume responsibility or liability for any injury or damage resulting from the incident.

All claims against the City must be filed within 180 days of the incident.

CANCELS AND REPLACES:
Policy 118 – Claims Against the City, Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENERAL ORDER: 235

EFFECTIVE DATE: September 6, 2010

SUBJECT: JAIL OPERATION MANUAL

The Bloomington Police Department Jail Operation Manual, which was promulgated consistent with Chapter 2945 of the Minnesota Code of Regulations, Department of Corrections, Municipal Jail Facilities and other statutes and regulations applicable thereto shall determine the procedural and operational standards applicable to the operation of the City of Bloomington Level II Municipal Holding Facility. The following statements are derived from that source and are restated here to assure broad publication:

Delegation of Authority:

1. The Commander of Patrol shall be the administrator of the municipal holding facility.
2. A Patrol Division Street Supervisor shall be the staff person in charge of the municipal holding facility.
3. The Patrol Division Jail Officer shall perform all duties necessary to supervise and administer the municipal holding facility.
    a. The Jail Officer, a sworn officer relieving the Jail Officer, or a Community Service Officer must be present in the holding facility at all times prisoners are being held in the facility.

Jail Security:

Due to the obvious threat to our officers' safety and in an effort to have a standard for prisoner searches, the following procedures will be in effect:

1. All prisoners will be searched by the arresting officer prior to transport to our facility.

2. Upon arrival at our facility, the transporting officer (may be the same as the arresting officer) will search the prisoner and **all property shall be removed**.

3. No firearms or knives shall be allowed in the municipal holding facility.

4. Prisoners must be thoroughly searched for weapons or other contraband upon entering the municipal holding facility and no prisoner shall be placed in a cell without first having been thoroughly searched. Female prisoners will be searched by a female officer. If no female officers are available, a limited search can be done and shall be witnessed by another officer. Prior to being placed in a cell for detention, the booking officer will search the prisoner.

5. Prisoners shall not be left unattended in the booking room or corridors of the municipal holding facility.

6. Whenever a prisoner who is being held in our facility is removed from a cell, the prisoner shall be searched prior to being placed back in the cell.

7. Transporting Officers will remain in the holding facility until the Jail Officer completes the booking procedure and the prisoner is housed.

8. A prisoner that is brought into the holding facility by another agency for the purpose of an Intoxilyzer test will be searched by that officer in the presence of the Jail Officer.

9. That prisoner will not be left unattended by that agency or housed in our facility except to use a holding tank bathroom.

10. **Only sworn personnel will be allowed into the holding facility.**
    a. Non-sworn personnel needed to perform duties in the holding facility will contact the Jail Officer prior to entering the facility.
    b. Public tours **will not** be conducted within the holding facility.

CANCELS AND REPLACES:
General Order 235 – Jail Operation Manual, Issued October 1, 2003

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENERAL ORDER: 235B

EFFECTIVE DATE: APRIL 20, 2021

SUBJECT: MALL TRANSIT STATION PROCESSING AND TEMPORARY HOLDING CELLS

A. Purpose

The purpose of this order is to establish guidelines and procedures specific to the operation and maintenance of the booking and temporary holding cell facility located at the Metro Transit Sub-Station, Mall of America (hereafter the police substation). **For any procedures not outlined in this policy refer to the Bloomington Police Department Jail Operation Manual and GO 235.**

The police substation is a shared facility used by the Metro Transit Police Department (MTPD) and the Bloomington Police Department (BPD). The following policy will be applicable to all sworn and non-sworn personnel from both the BPD and the MTPD.

B. Policy

1. The substation's temporary holding cells will be used for the temporary detention of a person in custody for purposes of booking, interviewing and arrangement of transfers to another facility or release.

2. **In no event shall any person in custody be temporarily detained in this facility for more than a total of FOUR hours.**

3. The facility will not be used to detain persons who are high escape risks or who are known or believed to be significant risks to the safety of themselves or others. These persons should be transported directly to the BPD Jail or Hennepin County Adult Detention Center or the Juvenile Detention Center.

C. Responsibility

1. BPD shall appoint a "Facility Administrator." The Facility Administrator will be responsible for the overall operation and inspections of the substation holding cells. The BPD Patrol Commander will be the administrator of both the BPD municipal holding facility and the Mall Transit Station Holding Cells/Processing area.

2. BPD will also be responsible for the booking equipment technology utilized in the facility (including fingerprints, photographs, and the computer booking module).

3. MTPD will be responsible for overall maintenance of the detention facility.

4. **Persons taken into custody are the responsibility of the arresting officer and that officer's department**. All officers are responsible to maintain and ensure the security of the facility.

D. Staffing

1. The detention facility will not be staffed on a full-time basis. Only sworn personnel, community service officers and police reserve officers, or other authorized department members may perform duties in the booking/holding cell facility including, but not limited to, monitoring cell occupants when persons in custody are present.

   No person in custody shall be detained in the facility at any time without a sworn officer, community service officer or police reserve officer being PRESENT IN THE PROCESSING AND HOLDING CELL AREA OF THE FACILTY and capable of responding to the reasonable needs of the person in custody.

E. Security of the Detention Facility

1. The detention facility cell doors are secured with a mechanical chase which is not-keyed.

2. The detention facility entry/exit doors are secured with a proxy key on the entrance and on exit the door will require both a proxy key plus scrambler key pad code. Officers will be provided with proximity cards and the code.

3. No firearms will be allowed into the booking/processing area or temporary holding cells. Firearms shall be secured in the gun locker prior to entering the secured processing and holding cell area.

F. Temporary Holding Cells

1. There are two temporary holding cells in this facility:

   Cell A: Max Capacity 5
   Cell B: Max Capacity 4

   Male and Female individuals will not be comingled in the cells.

2. Officers will conduct a thorough inspection to ensure there are no weapons or contraband and that the cell is clean and sanitary before placing an individual inside.

3. Prior to being placed into a temporary holding cell the individual shall be searched and anything that would create a security or suicide risk shall be removed (including contraband, hazardous items, belts, shoes, shoe laces, jackets)

   Evidence, contraband and weapons removed from detainees shall be processed pursuant to the Department's policy pertaining to the same.

4. Individuals in the temporary holding cells will have constant auditory access to department members.

5. Access to water and restroom will be provided in a timely manner. Note: Juveniles in custody should have immediate access to a restroom facility.

6. In case of fire or other emergency individuals in the holding cells should be evacuated immediately.

7. The arresting officer shall visually monitor a person detained in the holding cells at least every thirty (30) minutes on an irregular schedule.

G. Juveniles

1. Juveniles will be held in temporary holding for only as long as reasonable necessary for processing, transfer or release but in no event will a juvenile be held longer than 4 hours.

   Only juveniles detained for criminal offenses will be placed in the facility holding cells. A juvenile status offender (runaway, violations of curfew, alcohol, tobacco, etc.) will not be placed in secure detention holding cells.

2. **Juveniles placed in temporary holding will have site and sound separation from in-custody adults while in holding cells.**

H. Phone Calls

1. In compliance with Minnesota Department of Corrections Rules 2911.3400 and Minnesota State Statute 481.10 and other applicable laws, except in cases where imminent danger of escape or injury exists, a telephone will be provided to access any attorney retained by or on the behalf of the person detained. Reasonable telephone access will be provided as soon as practical following the request from the detained person.

2. Juveniles will have telephone access to contact a parent or guardian as soon as practical.

3. Prisoners being released to other custodial facilities such as other detention centers shall ordinarily not be allowed telephone calls prior to transport.

I. Location of First Aid Kit

1. A first aid kit will be located within the facility under the booking counter. If a Detainee requires emergency medical attention, an ambulance will be requested to respond to the facility.

J. Emergency Evacuations

1. In the event of a fire or other emergency evacuation, prisoners will be taken out of the holding cells, handcuffed and moved to the alley/access via the north perimeter door located to the north of the substation. Squad cars will be utilized to secure the prisoner. If the north perimeter door is inaccessible the prisoners will be evacuated through the south perimeter door of the holding center and into the transit lobby area.

   If there are more than one prisoner who needs evacuation, additional officers will be summoned to assist.

General Order 235B
Mall Transit Station Processing and temporary Holding Cells

Published April 20, 2021

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENERAL ORDER: 236

EFFECTIVE DATE: September 6, 2010

SUBJECT: PRISONER/SUSPECT SEARCHES AND TRANSPORTING

Officer safety shall be the primary consideration in determining the appropriate course of action and/or exception(s) to this policy.

The following are the general standards.

I. Prisoners

A) Prior to transport, prisoners shall be:

1. Searched for weapons
2. Secured with handcuffs. (Standard handcuffing shall be hands behind the back, palms out and cuffs double locked.)

B) Prisoners shall be transported only:

1. In the back seat and
2. In marked squads with protective cages or
3. In police vehicles without protective cages when two officers are present, one officer in the back seat.

C) In situations where there is reason to believe that officer safety is not an issue, a prisoner of the opposite sex should be handcuffed and subsequently searched by an officer of the same sex. The location of the subject search should be determined by what is reasonable and appropriate under the circumstances.

II. Suspects

A) Within the scope of Stop & Frisk provisions, any officer may frisk a suspect of either sex.

B) When possible, witnesses should be present during any frisk of the opposite sex.

III. Exceptions

A. There will be times when the age, size, or physical condition of a prisoner or suspect may dictate deviation from the standard. Officers are cautioned to put officer safety first if there is any doubt.

B. The use of "flex cuffs" in situations when steel handcuffs aren't available or practical is authorized.

CANCELS AND REPLACES:
Policy 136 – Prisoner /Suspect Searches and Transporting, Issued December 8, 2003

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENERAL ORDER: 237

EFFECTIVE DATE: September 6, 2010

SUBJECT: BULLETIN BOARDS

No material that is obscene, offensive, or in poor taste is to be posted on any bulletin board within the Police Department.

All material posted on any bulletin board is to be dated and signed by the person posting and/or originating the material.

CANCELS AND REPLACES:
Special Order 89-7-1, Bulletin Boards, Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT

GENERAL ORDER: 238

EFFECTIVE DATE: September 6, 2010

SUBJECT: PROPERTY ROOM SECURITY CONTROL

The Bloomington Police Department Property Room shall be equipped with a security system that includes card access and key control:

1) Door/Lock #C159A Property Room Entry Door
   Key #SKD2 PR

2) Door/Lock #C157A Drug/Money Vault Entry Door
   Key #SKD1 VD

Each door shall be keyed and card accessed separately, and control of such keys and card access shall be maintained in accordance with the following chart:

Title	**Keys & Card – Fobs Issued**		**Authority to Duplicate**
	SKD1 – Vault 2 fobs to open*	SKD2 – Evidence Room	
Deputy Chief of Police	Card – Fob & Key		**X**
Commander of Administration	Card – Fob	Card – Fob & Key	
Commander of Investigations	Card – Fob & Key		
CREU Supervisor	Card – Fob & Key		
Property Clerk(s)	Card – Fob	Card – Fob & Key (2)	
Chief of Police			**X**

The Administrative Commander shall maintain records concerning the issuance of property room security to include the number of keys issued, and to whom they are issued.

The Administrative Commander will have sole access to maintain the key/fob security card computer issuing system. This system logs entries and can be audited by the Chief of Police or designee at any time.

CANCELS AND REPLACES:
General Order 238 – Property Room Security Control, Issued October 10, 2006

BLOOMINGTON POLICE DEPARTMENT

GENERAL ORDER: 239

EFFECTIVE DATE: September 6, 2010

SUBJECT: PREDATORY OFFENDERS/PUBLIC RISK RELEASE NOTIFICATIONS

The original copy of the following notifications shall be transmitted immediately to the Records Supervisor for processing:

1) Predatory Offender Registration (Minn. Stat. Section 243.166)

2) Predatory Offender Community Notification (Minn. Stat. Section 244.052 & .053)

3) Minnesota Department of Corrections – Public Risk Monitoring Guidelines

4) Department of Justice – Federal Bureau of Prisons Notification of Prisoner Release – 18 U.S.C. Section 4042(b).

Predatory Offender Registration and Predatory offender Community Notification shall be processed in accordance with Bloomington Police Department Policy 115. All other notifications shall be processed as follows:

1) A report number will be assigned to the notification and the original notification shall be filed under that report number.

    a) The name of the subject shall be maintained in the police department's computerized record system indicating that the person is a subject of the notification. The record shall be flagged to indicate that the information is private.

2) Copies of the notification shall be routed to the following persons:

    a) The Commander of Administration, who will determine whether a "hazard" should be recorded in the police department's Computer Aided Dispatch records.

    b) Investigative Division

    c) Patrol Division Roll Call System – (three day posting)

CANCELS AND REPLACES:
GENERAL ORDER 239 – Sex Offenders/Public Risk Release Notifications, Issued November 25, 1997

BLOOMINGTON POLICE DEPARTMENT

GENERAL ORDER: 240

EFFECTIVE DATE: September 6, 2010

SUBJECT: PROTOCOLS FOR BLOOMINGTON POLICE DEPARTMENT AND MALL OF AMERICA

An operations protocol has been established between the Bloomington Police Department (BPD) and the Mall of America (MOA). The protocol serves as a guideline for members of both organizations when dealing with matters of mutual concern. The protocol is not intended to restrict the appropriate exercise of discretion by members of the BPD.

The protocol will be reviewed periodically by representatives of the BPD and the MOA.

The protocol is attached to and made a part of this general order.

MALL OF AMERICA/BLOOMINGTON POLICE DEPARTMENT PROTOCOLS

I. Security Officer Uniforms & Duties (MSA Security Guideline 2.03 and 7.01)

a) MOA security uniforms will comply with Minnesota State Statute 626.88.

b) MOA security officers will not carry firearms.

c) MOA security officers will not direct traffic on public streets.

d) When directed by a Bloomington Police officer or other peace officer, MOA security officers will assist the police officer in making an arrest, or in retaking a person who has escaped from custody, or in executing a legal process. (MN Statute 629.403).

II. Police Officers (MSA Security guideline 2.03 and 7.01)

a) When practical, police officers in uniform or plain clothes will advise the on-duty security supervisor that they are working on mall property.

b) Special events which require police presence will be coordinated through the BPD on a Contractual Services basis. In addition, MOA may request the services of Bloomington Police officers to provide traffic control, crowd control, and related police services on a Contractual Services basis.

III. Procedure Review

A representative of the BPD and MOA shall meet annually to review and compare incidents (ICAP and UCR) that have been reported as having occurred at the MOA.

This annual meeting will also be used to review and recommend changes to the protocols. Any additions or deletions will be approved by the MOA General Manager and the Chief of Police.

Representatives of the BPD and MOA may meet at any time to discuss operational matters of mutual concern.

IV. Reports

a) MSA Incident Reports (MSA Form #66) may be copied and a copy given to a Bloomington Police officer upon the officer's request.

b) This request will normally be received when there is a need to allow for the direct transfer of information from an MSA Incident Report to a BPD Offense/Information Report.

c) No Supervisor or Management approval is required prior to this transfer.

d) MOA security officers responding to such a request will indicate who received a copy of the report in the "Number of Extra Copies Required and Recipient" block of the report.

e) No MSA Reports will be distributed to other than Criminal Justice Authorities without the approval of the MOA General Manager.

B. Video and Audio recordings created by the MOA Security Department in the ordinary course of business will normally be made available to the BPD when the video or audio tape relates directly to a criminal investigation or other routine investigation of the BPD.

1) The Bloomington Police officer conducting the investigation will be allowed to review the recording in the security office of the MOA.

2) When approved by the on-duty MOA Security Department supervisor, a copy of the relevant portions of any video or audio recording will generally be provided to the Bloomington Police officer conducting the investigation.

- The MOA Security Department shall be provided with a property inventory receipt for any copies of video or audio recordings provided to the BPD.

- Copies of video or audio recordings created by the MOA remain the property of the MOA and shall not be reproduced under any circumstances without the express approval of the MOA Director of Security.

- Copies of video or audio recordings provided to the BPD shall be maintained by the BPD as evidence and shall be returned to the MOA as soon as the copy of the video or audio recording is no longer needed as part of an active investigation.

3) When requested by the BPD, the original of any audio or video recording shall be placed in a secure location where it shall be maintained for at least 10 days. The MOA reserves the right to require legal process, search warrant, subpoena, or other court order, before releasing the original of audio or video recordings.

C) Reports and other records of the BPD will be released to the MOA in accordance with Minnesota Statues and department policy.

V. <u>Crimes in Progress</u> (MSA Security Guideline 5.03, 7.01, 7.04, 7.05, 7.06)

When MOA becomes aware of any crime in progress or suspected crime in progress, they will notify Bloomington Police immediately. When notified, the BPD will respond to all crime in progress situations. The police officer will make the final determination as to how the situation will be resolved, i.e. Arrest, Tag, Complaint, Other.

VI. <u>Security Risk to the Mall of America</u>

When the MOA security department identifies a person they deem to be suspicious and/or a security risk to the MOA, MOA security will:

a) Contact BPD dispatch and request a patrol response on a suspicious person and/or security risk to the MOA.

b) Advise BPD dispatch of the nature of the suspicious behavior and/or security risk.

c) Detain the suspect as practical, or advise BPD of suspect movement until BPD arrival. If at any time BPD requests the suspect be detained, MOA security will do so.

d) Assist BPD with their investigation.

Upon arrival, the BPD will investigate the incident and identify the suspicious person.

A) If the Bloomington Police officer determines the behavior of the suspect and/or incident may be a security risk to the MOA the officer will:

1) Notify the on duty BPD supervisor.

2) Detain and identify the suspect using the best available methods.

3) Write an information or offense report.

B) If a BPD supervisor is notified of a suspicious person and/or a security risk to the MOA, the supervisor will:

1) Notify the JTTF and request their response.

2) If JTTF responds, authorize detention of suspect.

3) If an arrest is made, or JTTF responds, the supervisor will ensure that the following individuals are contacted:

a) BPD's Emergency Manager or designee
b) BPD's Homeland Security Coordinator

4) Ensure an information or offense report is completed.

C) If the Bloomington Police officer determines the behavior of the suspect is not likely to be a security risk to the MOA, the officer will:

1) Identify the suspect through the best available methods.

2) Write an information report.

VII. <u>First Aid Equipment</u>

A) MOA Security will maintain first aid kits and positive pressure resuscitators identical to equipment carried in Bloomington Police vehicles.

B) It is intended that this equipment be made available to the trained First Responders who are the officers of the BPD

VIII. <u>Parking Enforcement</u> (MSA Security 3.07 & 6.01, Policy #6001 VII F, and #6002 IV. H.3.

A) Handicapped Parking - Contact BPD and report location of violation.

B) Fire Lanes - Contact BPD and report location of violation.

C) The BPD can only enforce parking violations where the appropriate "No Parking" signs have been placed and secured in accordance with MN State Statute 169.346 Subd 2 and City Code 8.88.03 for Handicapped violations; and City Code 8.73 for fire lanes.

IX. Communications

A) The MOA, at its expense, will purchase and maintain a portable radio capable of receiving and transmitting on the City of Bloomington Public Safety Radio System. The programming and repair of the radio will be the responsibility of the City of Bloomington. The authorization to transmit on the system is granted by the City of Bloomington and may be revoked at any time. The radio shall be programmed as follows:

Talk Group	Display	Purpose
BPD Main	PDMAIN	Monitor Police Activity that may affect MOA
BPD Car To Car	CAR-CAR	Monitor Police Activity that may affect MOA
BLM 911	BLM 911	Alternate contact talk group
BPD Fire Main	FD Main	Monitor Fire Activity that may affect MOA
BPD Fire Ground	BLMCH2	Monitor Fire Activity that may affect MOA
Transit Police	MTCPD	Monitor Transit Police Activity that may affect MOA
ATAC 1	ATAC 1	Monitor Inter- ops Activity that may affect MOA
ATAC 2	ATAC 2	Monitor Inter- ops Activity that may affect MOA
ATAC 3	ATAC 3	Monitor Inter- ops Activity that may affect MOA
ATAC 4	ATAC 4	Monitor Inter- ops Activity that may affect MOA
ASOA 1	ASOA1	Monitor Inter-ops Scene of Action Activity that may affect MOA
ASOA 2	ASOA2	Monitor Inter-ops Scene of Action Activity that may affect MOA
FSOA 1	FSOA1	Monitor Inter-ops Scene of Action Activity that may affect MOA
FSOA 2	FSOA2	Monitor Inter-ops Scene of Action Activity that may affect MOA

B) The City has provided a desktop radio for use in the MOA safety center. This equipment is property of the City of Bloomington and is subject to the same rules regarding use and maintenance as the radio owned by MOA.

C) Radio Procedures – BPD and MOA staff will use plain English (no 10 codes) when using the City of Bloomington Radio System for BPD/MOA communications. Radio transmissions should be brief and concise.

D) Lost or Stolen Equipment – In the event that radio equipment capable of operation on the City of Bloomington radio system is lost or stolen, it shall be reported immediately to the on-duty desk officer at the BPD, 952-563-8811. The desk officer will make appropriate notifications within the police department.

X. Medical Emergencies (Ref. MSA Guideline 5.04 and Policy 6001, VI, A.)

The BPD is the first responder for medical emergencies in the City of Bloomington.

A) Upon receipt of a call regarding a medical emergency, the security dispatcher will obtain as much information as possible.

B) If the incident requires professional medical assistance, possible transportation to a hospital, or the condition is unknown, the dispatcher will:

1) Dial 911, request assistance, advise the location of the incident, type of problem, and the location where a security officer will meet the responding unit.

2) Dispatch a security officer to the incident location.

3) Assign a security officer to meet and direct responding emergency units.

4) Assign a security officer to respond to the incident location with the equipment described in Section VI of this protocol.

C) If the call is reporting a minor problem (e.g. a cut finger), dispatch a security officer to the location. Upon the officer's arrival, determine if additional medical assistance is required.

D) Some medical emergencies may be called directly to the Bloomington dispatcher, who will in turn contact the security dispatcher who will follow procedures outlined in B2.

XI. <u>Lost and Found Property</u>

A) If property found by employees of MOA is determined to be contraband – items which are illegal to possess – the Bloomington Police will be contacted and the property secured by the police. The necessary MOA reports will also be completed.

B) If items other than contraband or evidence are turned in to a Bloomington Police officer at the MOA, that property will be turned over to Mall Security in an effort to have only one "Lost and Found" pick-up location.

XII. <u>Evidence</u>

Evidence of any crime will be secured and processed as necessary through the BPD.

XIII. **Lost Persons** (Ref. MSA Security Guidelines 5.07)

The "local authorities" to contact is the BPD dispatcher.

XIV. **Locked Vehicles** (Ref. MSA Security Guidelines 5.08 & 5.09)

The BPD will not respond to unlock unoccupied vehicles.

The BPD will assist in emergencies where someone is injured or trapped in a locked vehicle.

To confirm ownership of a vehicle, obtain identification of the driver and the license plate number of the vehicle.

In unusual circumstances contact the BPD dispatch center at 952-563-8844 to request assistance in verification of ownership.

XV. **Auto Accidents** (Ref. MSA Security Guidelines 5.10)

A) Accidents involving injuries will be reported to the BPD by calling 911.

B) The BPD does not normally respond to property damage accidents on Mall property.

C) Hit and Run accidents should be reported to the BPD.

D) In addition to the referenced guidelines, security officers will:

1) Inform the driver(s) that if the total damage is greater than $1,000.00, Minnesota Law requires that they submit a State Accident Report. Provide the form when available (sample attached).

2) Request each driver complete and exchange the Exchange of Information Form (sample attached).

3) Should any driver demand a police response, contact the Bloomington Police dispatcher and follow their directions.

XVI. <u>Vehicle Towing</u> (ref. MSA Security Guideline 6.01 and 6.03, Policy 6002, IV, H).

Immediately prior to removing a vehicle from the property, Mall Security will contact the Bloomington Police dispatcher at 952-563-8844 and inform them of:

1) The Mall's intent to tow.
2) Vehicle license number.
3) Vehicle make.
4) Company that is towing the vehicle, and
5) Where the vehicle will be towed.

XVII. <u>Trespassing</u> (Ref. 7/04, 7.05, 7.07)

In the event that a person is requested to leave Mall property and refuses, Security will:

A) Inform the person, if they refuse to leave, that they are subject to arrest for trespassing.

B) Contact the BPD and request a response.

C) Upon arrival, Bloomington Police will request a citizen's arrest form be completed, or make the arrest if a warning and refusal occur in their presence.

D) Mall Security will issue a trespass notice to any person who is arrested or cited for criminal acts that occur in common or tenant space areas of the Mall. The notice shall comply with the requirements of Bloomington City Ordinance 12.07.01.

E) Persons properly served with a trespass notice may be arrested without warning or further requests to leave during the period in which the trespass notice is valid.

XVIII. <u>Unsecured Doors</u> (Ref. MSA Security Guideline 7.08)

If there is evidence or suspicion that there is a crime in progress, or that a crime has occurred contact the Bloomington Police Department by calling 911.

XVIV. <u>Alarms</u> (Ref. MSA Security Guideline 7.09)

Contact the Bloomington Police Department by calling 911.

XX. 911 Hang-up Calls

Should a 911 call be received at the BPD and there is no response from the caller, the Police Department may request the following assistance:

A) Common Areas

1) The police dispatcher will inform MOA Security of the location of the originating telephone.

2) Security will respond, observe and advise the police dispatcher of their findings.

B) Tenant Areas

1) The police dispatcher may contact MOA Security and inform them of the location of a tenant-related 911 hang-up call.

2) Security will respond to the general area and report their observations to the police dispatcher.

XXI. Liaisons

The MOA has designated the security manager to be the liaison to the BPD for issues related to this protocol agreement.

The BPD has designated the Patrol Division Commander to be the liaison to the MOA for issues related to this protocol agreement.

CANCELS AND REPLACES:
General Order 240 – Protocols for Bloomington Police Department and Mall of America, Issued November 30, 2006

BLOOMINGTON POLICE DEPARTMENT

GENERAL ORDER: 241

EFFECTIVE DATE: September 6, 2010

SUBJECT: PUBLIC DATA RELEASE

I. General Provisions

A. Purpose: To establish departmental philosophy and provide operational directions for Bloomington Police staff members regarding media relations and public information

B. Scope: All members of the Bloomington Police Department

II. Philosophy

It is the policy of the Bloomington Police Department to cooperate with legitimate members of the media by providing public information to all media outlets in a fair manner at all times. The Department recognizes the media's role in our efforts to make valuable information available to the public. All members will strive to maintain a courteous and professional demeanor when dealing with media requests.

The Department will release all information that does not violate the Minnesota Data Practices Act (MN Statutes Chapter 13), does not jeopardize an individual's rights, or interfere with the performance of police duties. Information will be provided in an impartial manner and in a reasonable time.

III. Public Information Officer

The Public Information Officer (PIO) is appointed by the Chief of Police and reports directly to the Chief. The PIO is the primary contact point for media personnel seeking information, interviews, or research data. The PIO does not normally serve as the departmental spokesperson, but instead coordinates requests for interviews and assists department members in their preparation for such interviews. The Chief's administrative assistant will maintain the records for the PIO.

Other Duties of the PIO:

- Prepare public information releases
- Provide liaison between police and media at major events
- Plan and conduct training in media relations for department members
- Assure conformance to applicable laws on release of public data
- Keep Chief of Police and other staff members informed of issues related to media relations

IV. Sources of Public Information

A. Official Sources of Information

Public information on departmental activities is available from the following sources:

- Police Records Unit
- Division commanders or their designee
- On-duty shift supervisors
- Public Information Officer (PIO)
- Chief's Office
- Communications Center

While any police officer may provide public information to the media within the guidelines of this policy, all media requests should be reported to the PIO. Officers are not to voice opinions to the news media on the professional or personal conduct of other department members.

V. Routine Information Requests

A. Police Reports/response data/service data: A computerized log of police incident reports and response data is maintained for public viewing at the police service counter. Media representatives can view reports or request hard copy printouts from the on-duty records staff. Media personnel and the public may request crime statistics and maps, including annual reports, by contacting the Records Unit supervisor at 952-563-4900.

B. Ongoing Investigations: Data on cases under investigation is considered **confidential** by the Minnesota Data Practices Act; however, the investigative commander or his/her designee may release data deemed to be in the interest of law enforcement and public safety.

C. Booking or Mug Shots: Arrest photos of adults are public records. They can be withheld temporarily when release would adversely affect an ongoing investigation, such as when necessary to conduct line-ups with witnesses.

Mug shot requests are to be handled by Records Unit staff. Juvenile mug shots are private data. The department can only release images it has created. No Hennepin County or other agencies' images can be released.

D. **Arrest Data:** The names of arrested adults are public data as soon as the booking procedure has been completed. Names may be temporarily withheld if their release would jeopardize safety of the public or police officers. Arrested persons are not to be "posed" for media photographers.

E. **Audio and Video Data:** The Police Department has several sources of audio video files which are all subject to the Minnesota Data Practices law. Requests for this data will be directed to the Records Unit supervisor. The release and treatment of these files will be consistent with the release of other types of data identified in this General Order. For example: ongoing investigations will be confidential.

F. **Department Policy:** Questions regarding department policy will be referred to the Chief of Police or a person designated by the Chief's office.

G. **Internal Investigations and Personnel Data:** Public data on internal investigations of department members is limited by Minnesota statute to a summary of the employee's personnel data and the existence of any cases investigated as internal investigations. All requests for information on internal investigations are to be referred to the Chief of Police or designee.

Certain personnel data regarding members of the Bloomington Police Department is public. *(SS-13.43 Sub. 2) *Note that the following is not public: date of birth, home address, phone number, photos.* All requests for personnel data should be referred to the Human Resources Department at 952-563-8710.

H. **911 Tapes:** Recordings of 911 phone calls are private under state law. Transcripts of such calls are public, with certain data possibly edited out as private. Persons wishing transcripts of 911 tapes are to contact the communications center supervisor at 952-563-4900.

VI. Information Requests under Special Circumstances

A. **News Releases:** These news releases will be prepared by the Public Information Officer for incidents and events that are likely to create media interest. Major crimes, disasters, drownings and serious traffic crashes are examples of such incidents. Shift supervisors may prepare proactive news releases and should leave a copy for the PIO and command staff.

Proactive news releases are also appropriate for planned events of public interest such as police open houses, police-youth events, and police awards ceremonies. The PIO is responsible for cataloging all proactive press releases and distribution of releases to department command staff members. The Chief's administrative assistant shall keep **all** copies of these releases on file.

Proactive news releases will be distributed to all local media outlets, regardless of the event.

B. **Crime Scenes:** Crime scene boundaries are determined by police personnel at the scene of a crime and are generally marked with yellow police tape. In order to protect the integrity of evidence and the safety of all persons, crime scenes are not to be entered by media personnel or other unauthorized persons. Police personnel responsible for crime scene security shall inform media representatives or other unauthorized persons that the scene may not be entered until processing has been completed.

Police officers at crime scenes who are asked to provide information to media personnel should generally refer them to the on-scene or shift supervisor. If no supervisor is available, the on-scene officer may provide information to the media, but must inform his or her supervisor and also document the media request in writing to the PIO.

C. **Disasters and Major Public Safety Incidents:** Fire scenes, major weather events, SWAT operations, and Haz-Mat incidents are all examples of major public safety incidents where police officers restrict the access of the general public. As a rule, media personnel may be allowed inside of the "outer-perimeter" at these events for the purpose of gathering information. However, crime scene protections still do apply. Although the safety of the media personnel under such circumstances is not the responsibility of the police department, officers should consider if the presence of the media would interfere with police efforts or endanger officers or the public. Since the Police have a support role in most of these incidents, the City will designate a PIO who would work with the police department.

When establishing media staging areas within the outer perimeter at an incident, incident commanders should be careful to place the media staging area within a reasonable distance of the police command post, but not at the same location.

D. **Complaints Against Officers/Department:** Media inquiries related to complaints against police department members or against the department in general should be referred to the PIO, or in the absence of the PIO, the on-duty shift supervisor.

In the event a department member is arrested or otherwise charged with a crime, media inquiries shall be directed to the PIO.

VII. Information Not to be Released

A. The identity of a suspect prior to arrest unless such release would protect the public safety or aid in the apprehension of a dangerous suspect
B. Any information which would tend to identify the victim of a sexual assault as defined in Minnesota Statutes
C. The identity of juvenile suspects, arrestees, crime victims, or witnesses
D. Other individuals identified in 13.82 Sub. 10
E. The identity of, or information that would tend to identify, any critically injured or deceased individual prior to the notification of next-of-kin
F. The results of any investigative procedures such as line-ups, chemical tests, fingerprint tests, ballistics test or any other procedure that is part of a criminal investigation
G. The existence or content of suspects' statements or confessions prior to adjudication in court
H. Specific cause of death, unless already determined and made public by the Medical Examiner
I. The home address or phone number of any member of the police department
J. Name or any information on undercover officers

VIII. News Media Ride-alongs

News media ride-alongs are allowed as a way for news media personnel to learn about police operations. Media personnel who wish to conduct a ride-along must complete the standard ride-along form and submit it to the Chief's office a minimum of five days prior to the proposed ride-along date.

Note: As a result of existing case law, media personnel are not authorized to enter private property during police ride-alongs unless they have secured the consent of the person legally responsible for the property. Police officers are not to assist media personnel in obtaining consent to enter private property.

IX. Disputes

In the event of a dispute arising between media personnel and department members regarding the provisions of this policy, the media representative should be referred to the PIO, or in the absence of the PIO, the on-duty shift supervisor. The facts of the dispute shall be documented and forwarded to the PIO and the Chief of Police.

CANCELS AND REPLACES:
General Order 241, Public Data Release, Issued January 25, 2000

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENERAL ORDER: 242

EFFECTIVE DATE: September 6, 2010

SUBJECT: IMPARTIAL POLICING

PURPOSE

This policy is intended to reaffirm the Bloomington Police Department's commitment to impartial/unbiased policing and to reinforce procedures that serve to assure the public that we are providing service and enforcing laws in a fair and equitable manner to all persons.

SCOPE

This General Order is applicable to all members of the Bloomington Police Department.

POLICY

Policing Impartially

1. Investigative detentions, pedestrian and vehicle stops, arrests, searches and property seizures by officers will be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the United States Constitution. Officers must be able to articulate specific facts, circumstances, and conclusions that support reasonable suspicion or probable cause for investigative detentions, pedestrian and vehicle stops, arrests, nonconsensual searches, and property seizures.

2. Except as provided in the following paragraph, officers shall not consider race, ethnicity, national origin, gender, sexual orientation, and religion in establishing either reasonable suspicion or probable cause.

3. Officers may take into account the descriptors in the previous paragraph of a specific suspect(s) based on information that links specific, suspected, unlawful or suspicious activity to a particular individual or group of individuals. This information may be used in the same manner officers use specific information regarding age, height, weight, etc., about specific suspects.

STANDARDS

Procedural Guidelines

In an effort to prevent the perception of biased law enforcement, officers shall utilize the following guidelines:

1. Be respectful and professional.
2. Introduce or identify yourself to the citizen, and state the reason for the contact as soon as practical, unless providing this information will compromise officer or public safety or will hinder articulable investigative needs.
3. Ensure that the detention is no longer than necessary to take appropriate action for the known or suspected offense.
4. Attempt to answer any relevant questions the citizen may have regarding the citizen/officer contact, including referrals to other agencies when appropriate.
5. Provide your name and badge number when requested, preferably in writing or on a business card.
6. If it is ultimately determined that the reasonable suspicion was unfounded, e.g., after an investigative stop, explain that to the citizen.

Supervision and Accountability

Bloomington Police Supervisors shall ensure that all personnel in their command are familiar with the content of this policy and are operating in compliance with it.

CANCELS AND REPLACES:
General Order 242, Impartial Policing, Issued December 31, 2001

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENRAL ORDER: 243

EFFECTIVE DATE: September 6, 2010

SUBJECT: RIGHT TO KNOW PROGRAM

PURPOSE:

- To provide an on-going evaluation of the workplace to determine the hazardous substances and physical agents for which there is a reasonable potential for employee exposure during the normal course of assigned work. As those agents or substances are identified provide training regarding their hazards.
- To provide a system for obtaining and maintaining written information on hazardous substances or agents to which employees may be exposed.
- To ensure initial and annual training for all employees regarding exposure to hazardous substances, harmful physical agents, and infectious agents.
- To provide control measures and monitoring for those employees exposed to hazardous materials or harmful physical agents on a routine basis.
- To ensure that labeling/warning methods are in place.

STANDARDS:

I. DEFINITIONS

A. Hazardous Substances – A chemical or substance, or mixture of chemicals or substances; which is regulated by OSHA; is either toxic or highly toxic, an irritant, corrosive, a strong oxidizer, a strong sensitizer, combustible, either flammable or extremely flammable, dangerously reactive, pyrophoric, pressure-generating, a compressed gas, a carcinogen, a teratogen, a mutagen, a reproductive toxic agent, or that otherwise, according to generally accepted documented medical or scientific evidence, may cause substantial acute or chronic personal injury or illness during or as a direct result of any customary or reasonably foreseeable accidental or intentional exposure to the chemical or substance; or is determined by the commissioner (OSHA) as part of the standard for the chemical or substance or mixture of chemicals and substances to present a significant risk to worker health and safety or imminent danger of death or serious physical harm to an employee as a result of foreseeable use, handling, accidental spill, exposure or contamination.

B. Harmful Physical Agents – A physical agent determined by the OSHA Commissioner as part of the standard for that agent to present a significant risk to worker health or safety or imminent danger of death or serious physical harm to an employee.

C. Infectious Agents – A communicable bacterium, rickettsia, parasites, virus or fungus determined by the commissioner by rule, with approval of the commissioner of health, which according to documented medical or scientific evidence causes substantial acute or chronic illness or permanent disability as a foreseeable and direct result of any routine exposure to the infectious agent.

D. Material Safety Data Sheet – Any data sheet which contains information required under MN Rule 5206.0700, subpart 2, or in accordance with Code of Federal Regulations, title 29, part 1920.1200(g), regarding the physical, chemical, and hazardous properties of a substance or mixture.

E. Routinely Exposed – "Routinely exposed" means a reasonable potential for exposure exists during the normal course of assigned work. It includes the exposure of an employee to a hazardous substance when assigned to work in an area where a hazardous substance has been spilled. It does not include a simple walk-through of an area where a hazardous substance, harmful physical agent, or infectious agent is present or an assignment to work in an area where a container of a hazardous substance is present but there is no actual exposure unless a spill should occur.

II. RESPONSIBILITIES

A. RIGHT TO KNOW PROGRAM ADMINISTRATOR: The Administrator for Right to Know Program for the Bloomington Police Department is the Deputy Chief of Police. Duties of the administrator include:

1) Identify work areas, processes or tasks that are hazardous and evaluating existing hazards
2) Selection of safety protection options
3) Ensuring that training takes place for these hazards
4) Monitoring use to ensure that equipment is used in accordance with guidelines
5) Hold at a minimum of one annual meeting of department supervisors to ensure compliance and identify training needs

B. SUPERVISORS: Supervisors are responsible for ensuring that the Right to Know program and safety rules are implemented in their particular work operations. Supervisors must ensure that the program is understood and followed by employees under their charge. Duties of the supervisor include:

1) Ensuring that employees under their supervision have received appropriate training
2) Ensuring the availability of appropriate personal protective equipment
3) Being aware of tasks requiring the use of personal protective equipment
4) Ensuring the use of personal protective equipment
5) Continually monitor the work environment to identify hazards
6) Coordinate with the Program Administrator on how to address hazards or other concerns regarding the program

C. EMPLOYEE RESPONSIBILITY

1) Inform their supervisor or Program Administrator of any hazard that they feel is not adequately addressed in the workplace and of any other concerns that they have regarding the program or safety.
2) All patrol personnel are responsible for ensuring their squad car has an “Emergency Response Guidebook” produced by the US Department of Transportation.
3) All employees are responsible for ensuring that material data safety sheets are present in their workplace for hazardous substances or harmful physical agents that they are routinely exposed to.
4) Their handling in the workplace of hazardous materials or harmful substances is in accordance with the material safety data sheet.

III. TRAINING

A. Frequency of training:

1. Training will be provided to an employee before initial assignment to the workplace where the employee may be routinely exposed to a hazardous substance, harmful physical agent or infectious agent.

2. Additional training must be provided to an employee before the time the employee may be routinely exposed to any additional hazardous substances, harmful physical agents or infectious diseases.
3. Training updates must be repeated at intervals of not greater than one year.

B. All personnel in the Police Department shall receive training for exposure to hazardous substances, harmful physical agents and infectious agents for which they are routinely exposed to. This training will be in accordance with MN Rule 5206.0700.

Documentation:

1. The training sergeant will be responsible for the documentation of department-wide training under "Right to Know".
2. All "Right to Know" training occurring within a specific work group shall be documented and sent to the training sergeant. The documentation is the responsibility of the work group supervisor and shall include the following:
   a. the date the training was conducted;
   b. the name, title and qualifications of the person conducting the training;
   c. the name, signatures, and job titles of employees who completed the training;
   d. a brief summary or outline of the information that was included in the training session.

IV. Environments

A. Police Department:

1) All substances in the police department that require a Material Safety Data Sheet (MSDS) under state or federal code shall have a MSDS maintained in the immediate work area for that substance.
2) Any substance that requires a MSDS shall be stored in the original manufacturer's container or in another suitable and labeled container that meets OSHA requirements.

B. Emergency Scene Environment: Upon arrival to an emergency scene involving or suspected of involving hazardous substances/agents, all employees will follow the five-step process for dealing with hazardous material emergencies:

1) Isolate the area and deny entry. (Inner and Outer Perimeters)
2) Identify the substances/agents involved if possible.
3) Evaluate the hazards and risks present.
4) Provide dispatch and supervisors with assessment.
5) Assist the Fire Department/Hazardous Material Teams as directed by the On Scene BPD Supervisor.

V. ACCIDENTS OR INJURIES INVOLVING HAZARDOUS MATERIALS, HARMFUL AGENTS OR BIO-HAZARDS: Each instance of an accident or injury will be investigated and evaluated for possible improvements to process or materials. The investigation findings will be reviewed by the Right to Know Committee for possible recommendations and implementation of changes.

CANCELS AND REPLACES:
General Order 243 – Right to Know Program, Issued August 10, 2000

BLOOMINGTON POLICE DEPARTMENT

GENERAL ORDER 244

EFFECTIVE DATE: September 6, 2010

SUBJECT: Use of Jail Restraint Chair

The jail is equipped with an emergency restraint chair. The restraint chair may be used as a temporary means of control when an inmate is assaultive or in danger of causing harm to himself or others. The emergency restraint chair may not be used as punishment.

A) An on-duty supervisor must be advised before the prisoner is placed in the restraint chair.

B) An officer trained in the use of the chair through the manufacturer's video must be present when securing the prisoner.

C) The Jail Officer must maintain visual observation of any prisoner secured in the restraint chair every fifteen minutes, and document the observation periods on the Prisoner Activity Log.

D) The restraint straps will be checked periodically to ensure both security and proper circulation to the prisoner's extremities.

E) The prisoner shall be removed from the restraint chair as soon as his behavior allows.

F) The prisoner should not be restrained for more than two (2) continuous hours.

CANCELS AND REPLACES:
General Order 244 – Use of Jail Restraint Chair, Issued August 10, 2005

BLOOMINGTON POLICE DEPARTMENT

GENERAL ORDER: 245

EFFECTIVE DATE: September 6, 2010

SUBJECT: Discharge of Firearm

Scope: All members of the Bloomington Police Department.

Purpose:

To establish operating rules when Bloomington Police Department personnel discharge a firearm not covered by the scope of General Order 227, the Critical Incident Policy, or the scope of Policy 101, the Use of Force Policy.

Reporting:

1) All intentional discharges of a firearm outside the scope of General Order 227 and/or policy 101 and not occurring during department training will be documented with an information report.

2) All unintentional discharges of a firearm outside the scope of General Order 227 and/or policy 101 will be documented by an information report.

Notifications:

1) All discharges of a firearm covered by this General Order shall result in the notification of the on-duty Patrol Supervisor as soon as practical.

Review:

1) All discharges of a firearm covered by this General Order will be reviewed by the Commander of Professional Standards for compliance with department policy and to identify training and/or safety issues.

This General Order does not preclude an investigation as directed by General Order 227.

CANCELS AND REPLACES:
General Order 245 – Discharge of Firearm, Issued August 8, 2006

BLOOMINGTON POLICE DEPARTMENT

GENERAL ORDER: 246

EFFECTIVE DATE: September 6, 2010

SUBJECT: High-Visibility Personal Protective Equipment

All Bloomington Police Officers are supplied with a high-visibility traffic vest. In addition, the Traffic Investigation Unit is supplied with a high-visibility jacket. In accordance with current OSHA statutes, all officers are required to wear a high-visibility outer garment any time they are engaged in vehicular traffic control.

CANCELS AND REPLACES:
General Order 246 – High-Visibility Personal Protective Equipment,
Issued March 2, 2009

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENERAL ORDER: 247

EFFECTIVE DATE: June 20, 2013

SUBJECT: PROCESSION OF PROPERTY SEIZED FOR ADMINISTRATIVE FORFEITURE

POLICY

It shall be the policy of the Bloomington Police Department that all employees of the agency, all employees assigned to another law enforcement agency's task force and all employees assigned from an outside law enforcement agency to a task force in which this agency serves as the fiscal agent, shall follow all state and federal laws pertaining to the processing of property seized for forfeiture. Training will be provided by the employing law enforcement agency in consultation with the prosecuting authority to officers who may exercise the use of administrative forfeiture in the performance of their assigned duties. Such training to be conducted whenever the agency policy is changed or modified based upon administrative directives, legislative statutes changes and/or relative court decisions. Training may include, but is not limited to, agency policy, directives, electronic or traditional classroom education.

DEFINITIONS

Cash: Money in the form of bills or coins, traveler's checks, money orders, checks or other forms of electronic money or stored value cards, including but not limited to gift cards, debit cards, gift cards/certificates or other negotiable financial instruments.

Conveyance Device: A device used for transportation and includes but is not limited to a motor vehicle, trailer, snowmobile, airplane or vessel and any equipment attached to it. The term "conveyance device" does not include property, which is, in fact, itself stolen or taken in violation of the law.

Firearms/Ammunition/Firearm Accessories: A device that projects either single or multiple projectiles at high velocity. Ammunition is a term meaning the assembly of a projectile and its propellant. Accessories include but are not limited to holsters, gun cases, firearm optics, suppression devices, cleaning supplies, etc.

Forfeiture: The process by which legal ownership of an asset is transferred to a government or other authority.

Jewelry/Precious Metals/Precious Stones: The term "precious metals/precious stones" includes items of jewelry such as rings, necklaces and watches that reasonably appear to be made of precious metals or precious stones. Precious metals include but are not limited to gold, silver, platinum, iridium and palladium. Precious stones, often referred to as gemstones, include but are not limited to diamonds, emeralds and rubies.

Forfeiture/Seized Property Reviewer: The Community Response Enforcement Unit (CREU) supervisor is responsible for reviewing all forfeiture cases and is the liaison between the Agency and prosecutor's office. Conveyance devices, to include motor vehicles, are reviewed by the Special Events supervisor. Refer to Patrol Procedure 331 for specifics.

Seizure: The act of law enforcement officials taking property, including cash, vehicles, etc. that has been sued in connection with or acquired by illegal activities.

SEIZED PROPERTY SUBJECT TO ADMINISTRATIVE FORFEITURE

The following property may be seized and is presumed under MN STAT 609.5314 to be subject to administrative forfeiture if the item has a retail value of $50,000.00 or less:

All money, precious metals and precious stones found in proximity to:

- Controlled substances;
- Forfeitable drug manufacturing or distributing equipment or devices; or
- Forfeitable records of manufacture or distribution of controlled substances.

All conveyance devices containing controlled substances with retail value of $100 or more if possession or sale of the controlled substance would be a felony under MN STAT Chapter 152.

All firearms, ammunition and firearm accessories found:

- In a conveyance devise used or intended for use to commit or facilitate the commission of a felony offense involving a controlled substance;
- On or in proximity to a person from whom a felony amount of controlled substance is seized; or
- On the premises where a controlled substance is seized and in proximity to the controlled substance, if possession of sale of the controlled substance would be a felony under MN STAT Chapter152.

PROCESSING SEIZED PROPERTY FOR FORFEITURE PROCEEDINGS

When any property as described in the above section is seized, agency personnel prepare the following:

- The proper Notice of Seizure and Intent to Forfeit Property form. This form must be completed to include the following: A list describing each item seized, the name of the individual served with the Notice, location, and the date of the seizure. Administrative forfeiture notices are NOT to be given for assets seized under MN STAT 609.5314 if the retail value of the asset exceeds $50,000.00.
- A receipt for the item seized. The receipt shall be provided to the Defendant.

The Notice of Seizure and Intent to Forfeit Property form also contains information in English, Hmong, Somali and Spanish concerning the right to obtain judicial review and the procedure under MN STAT 609.5314 to follow to obtain it. The form must be dated and signed by the peace officer conducting the seizure. An agency case number must be included on the form. The individual from whom property is seized must be given an opportunity to sign the seizure notice form. If the person refuses, the peace officer conducting the seizure must check the appropriate box indicating the refusal to sign. If property is seized from multiple individuals, a separate seizure form will be completed for each individual. A copy of the seizure form must be given to the individual served.

All property subject to and being processed for forfeiture through the agency must be held in the custody of the agency.

The peace officer conducting the seizure shall forward the original and pink copy of the seizure notices, seized property processing worksheets, property receipts,chain of custody reports and reports to the CREU supervisor within 10 days of seizure.

The peace officer conducting the seizure shall inform the CREU supervisor of the estimated retail value of drugs found in proximity to the asset seized.

Cash

Peace officers shall not seize cash in violation of state statutes and written policies. Cash shall be recounted and the amount verified by another employee of the Agency. The money envelope shall then be co-signed when cash is involved.

All forfeitable cash seized will be turned over to the Bloomington Police Property Room as soon as practically possible.

If applicable, prior to deposit, peace officers shall examine all cash seized to determine whether it contains any buy funds. Peace officers shall document the recovery of all buy funds and deposit those funds with the CREU supervisor to be returned to the appropriate unit's buy fund account.

Peace officers seizing cash shall also prepare a property inventory. If cash is seized from multiple individuals, a property inventory receipt will be completed for each individual. The property inventory receipt and chain of custody report shall specify the total amount of cash seized from each individual. The agency property inventory shall also contain a detailed description of all checks, money orders and/or traveler's checks or other financial instruments.

The peace officer conducting the seizure shall provide a copy of the completed property inventory receipt and chain of custody report to the CREU Supervisor.

It is the seizing peace officer's responsibility to secure the cash consistent with the agency policy or procedure.

Jewelry/Precious Metals/Precious Stones

Peace officers seizing jewelry, precious metals and/or precious stones will write a detailed description of each item on the property inventory receipt and barcoding database prior to inventorying the items. A copy of the property inventory receipt and chain of custody report and any photographs of the jewelry, precious metals and/or precious stones shall be delivered to the CREU supervisor.

Peace officers seizing jewelry, precious metals and/or precious stones shall deliver those items to the property/evidence room as soon as practically possible.

Conveyance Device

Upon seizure for forfeiture, all conveyance devices shall immediately be either taken to a secure designated area or to an agency approved impound facility.

Peace officers shall inventory the conveyance device and its contents in accordance with agency policy. Peace officers shall also complete applicable report forms and distribute them appropriately.

Refer to Patrol Procedure 331; Processing of Forfeited Vehicles for detail on procedures.

Firearms/Ammunition/Firearm Accessories

When firearms, ammunition or firearms accessories are seized, they shall be inventoried and delivered to the property/evidence room as per agency policy/procedure.

CASE FILE STATUS

The CREU supervisor shall forward all changes to forfeiture status to the Commander of Investigations.

REPORT WRITING

Peace officers seizing property must complete a report. All case files must include a description of the items seized, where the property is turned-in/inventoried, the name of the individual served, the date the seizure form was served, the name of the serving peace officer and whether or not the individual signed the Notice of Seizure and Intent to Forfeit Property form.

All reports dealing with seized property will be completed within 24 hours of the seizure when practically possible.

BLOOMINGTON POLICE DEPARTMENT

GENERAL ORDER 248

EFFECTIVE DATE: October 9, 2018

SUBJECT: DEPARTMENTAL USE OF CONFIDENTIAL INFORMANTS

PURPOSE: The purpose of this policy is to provide operational and reporting guidelines for the utilization of Confidential Informants.

DEFINITIONS:

Confidential Informant: Any person utilized by a member of the Bloomington Police Department whose identity is known to the police; and who supplies relevant information to an officer in a particular investigation in return for money or other consideration; and whose identity the officer wishes to keep confidential/secret.

Concerned Citizen/Tipster: A concerned citizen/tipster is not a Confidential Informant. A concerned citizen/tipster is any person that provides information to the police without an expectation of confidentiality.

POLICY

1. Use of Confidential Informants: Confidential Informants are assets of the Bloomington Police Department and should be considered a department resource and not solely the resource of their controlling officer/investigator(s). Any information reported by the Confidential Informant to the controlling officer/investigator related to criminal activity occurring in other jurisdictions should be shared with law enforcement responsible for enforcement in that jurisdiction when appropriate.

2. Use of concerned citizen/tipster: Concerned citizens/tipsters can be utilized by all members of the police department as long as no promises of compensation or leniency on any pending criminal case is made.

PROCEDURE:

1. **Authorization**:
   Members of the Bloomington Police Department are authorized to utilize Confidential Informants to assist in the apprehension of fugitives, investigate crime and develop criminal intelligence. When practical, an officer/investigator must obtain the approval of their supervisor prior to utilizing any Confidential Informant, unless the lack of

sufficient time precludes the approval. The supervisor should be notified as soon as practical after this situation arises.

2. **Considerations:**
   In determining whether to use a Confidential Informant the officer/investigator shall take into consideration the Confidential Informant's ability to help law enforcement regarding past, present or future investigations; whether use of the Confidential Informant will compromise law enforcement interests, activities or investigations; whether the Confidential Informant agrees to the direction necessary to effectively use their services; and whether the Confidential Informant's prior criminal history presents an ongoing risk to public safety. Only individuals who are believed capable of furnishing reliable information, do not pose a significant risk to public safety, and are capable of maintaining the confidentiality of the Bloomington Police Departments interests and activities may be utilized as Confidential Informants.

3. **Restricted Use Confidential Informants:**
   A. Juveniles will not be utilized unless approved by a supervisor, a prosecutor and a parent or guardian.

   B. Persons on felony level probation or parole will not be utilized without the permission of their assigned parole/probation officer unless authorized by the Commander of Investigations or their designee.

   C. Registered sex offenders or predatory offenders will not be utilized without the approval of the Commander of Investigations or their designee.

4. **Controlling Officer/Investigator:**
   All Confidential Informants will have a controlling officer/investigator who will be responsible for initial documentation and annual updates for the purpose of continued use as a Confidential Informant or de-activation. Controlling officers/investigators may at times designate another officer/investigator to temporarily utilize and/or manage a Confidential Informant.

5. **Confidential Informant/Investigator Relationship:**
   No officer/investigator shall maintain a social relationship with a Confidential Informant while off-duty, or otherwise become personally involved with a Confidential Informant. Officers/investigators shall not solicit or accept gratuities, or engage in any private business transaction with a Confidential Informant.

6. **Confidential Informant Meetings:**
   Two (2) officers will be present when meeting with a Confidential Informant, including one of the same sex, except when not practical and approved by a supervisor. Under no circumstances shall a Confidential Informant be allowed access to restricted areas or investigator's work areas of the Bloomington Police Department. During the course of a meeting Confidential Informants shall never be provided with knowledge of operational plans or planned enforcement activities. During the course of a meeting,

only limited, necessary information for officer safety and success of the operation will be provided to the Confidential Informant. Minimal contact with other law enforcement personnel, including surveillance teams, should be the expectation.

7. **Consideration for Cooperation:**
   A. Non-monetary consideration: No implied or explicit promises of preferential treatment within the criminal justice system will be made to any Confidential Informant without prior approval from the prosecuting authority.

   B. Monetary consideration: Payments to Confidential Informant shall be made in a manner and amount commensurate to the location, scope, and nature of the investigation; value of forfeited or recovered contraband and/or property; level of arrest; and past performance of the Confidential Informant. An investigative supervisor shall authorize all Confidential Informant payments.

8. **Confidential Informant Agreement (Appendix A):**
   The controlling officer/investigator shall complete a "Confidential Informant Agreement" form prior to activation of any Confidential Informant. Each Confidential Informant shall abide by the provisions set forth in the Confidential Informant Agreement. Failure of the Confidential Informant to abide by the agreement may result in the immediate termination of use of the Confidential Informant. No payments or consideration of any kind shall be made to a Confidential Informant failing to comply with the Confidential Informant Agreement, regardless of information received, without prior approval from their supervisor. The officer/investigator shall discuss the provisions of the Confidential Informant Agreement with the Confidential Informant, and have the Confidential Informant sign the agreement before being assigned a Confidential Informant number.

9. **Confidential Informant Information and History Report (Appendix B):**
   The controlling officer/investigator shall complete a "Confidential Informant Information and History Report" prior to activation of any Confidential Informant. The "Confidential Informant Information and History Report" will document biographical information of the Confidential Informant, prior criminal history, and any performance related information. Any payments made to the Confidential Informant shall be documented in the "Performance History" section and will include any corresponding case number(s), as well as any associated arrest(s) and seizure information.

CONFIDENTIAL INFORMANT FILES:

1. The Special Investigations Unit supervisor shall maintain in a secured area, a complete set of all active Confidential Informant files that contain the Confidential Informant Agreement (Appendix A), Confidential Informant Information and History Report (Appendix B) and any other supporting documents. All Confidential Informant files are the property of the Bloomington Police Department and shall not leave the Bloomington Police Department unless authorized by a supervisor or compelled by court order. When a Confidential Informant's agreement is terminated, the extent of the

Confidential Informant's cooperation, results of their cooperation, and eligibility to be reactivated should be noted on the Confidential Informant Information and History Report. All deactivated Confidential Informant files shall be retained for a period of 5 years after termination of the agreement.

All Confidential Informant files should be coded with a "C.I. Number". Confidential Informant numbers are assigned utilizing the last two digits of the year activated, followed by the controlling officer/investigators badge number and ending with a sequential number for all Confidential Informant activated within the current year (i.e. C.I. #18-258001).

SUPERVISOR RESPONSIBILITIES:

1. The supervisor of the Special Investigations Unit shall review each Confidential Informant file prior to assigning a C.I. number to ensure that the file is complete and complies with departmental policy. The supervisor of the Special Investigations Unit will conduct an annual file inspection and document the date of file review on a C Confidential Informant master list. The file inspection will ensure the following:

   A. That the initial activation, and any subsequent renewal, of the Confidential Informant Agreement and Confidential Informant Information and History Report is complete.

   B. That the controlling officer/investigator is properly controlling the Confidential Informant and documenting the Confidential Informant performance history and payments made.

   C. That the informant has no significant new criminal history or active warrants.

Appendix A

CI# _____

Bloomington Police Department

Confidential Informant Agreement

During my association with the Bloomington Police Department as a cooperating informant, I, the undersigned, do hereby agree to be bound by the following conditions and procedures while so associated:

1. I agree that my assistance to the Bloomington Police Department and any statements that I may make to my controlling investigator are entirely voluntary and that I will provide truthful information at all times.
2. I agree that I have no police power under the State of Minnesota or any other law enforcement agency and have no authority to carry a weapon, or enforce/investigate any violation of law while performing my activity as a confidential informant.
3. I agree to not represent myself as a member of law enforcement and agree not to divulge to any person except my controlling investigator or member of the Bloomington Police Department my status as a confidential informant, unless required to do so in court.
4. I agree that I am not employed by the Bloomington Police Department and I am not entitled to any compensation or benefits entitled to employees of the Bloomington Police Department.
5. I agree that I will not hold liable the Bloomington Police Department for any injuries or damage to personal property as a result of my association with the Bloomington Police Department.
6. I understand that my controlling investigator may ask that I conduct controlled purchases of controlled substances. Controlled purchases will be conducted solely under the direction and control of my controlling investigator. I also agree that a recording/listening device may be used to monitor and record any drug related transactions I am involved with.
7. I agree to submit to a search of my person, belongings, and/or motor vehicle prior to and after being utilized in a controlled purchase of narcotics.
8. I agree that I may only engage in criminal activity specifically authorized by my controlling investigator, and that any criminal activity not specifically authorized may result in criminal prosecution.
9. I understand that my controlling investigator is not authorized to make any explicit or implied promise regarding the likelihood of a favorable outcome or disposition in exchange for my cooperation in any pending criminal proceeding.
10. I understand that the Bloomington Police Department will strive to protect my identity, but cannot guarantee that my identity will not be divulged as a result of legal or other compelling considerations, or that I will not be called to testify in court as a witness.
11. I agree that the Bloomington Police Department may terminate this agreement at any time

Signed:	Date:
Controlling Investigator:	Date:
Witness:	Date:
Supervisor:	Date:

Bloomington Police Department
CI Information and History Report
CI# _____

CI Information

Full Name: _____ DOB: _____
Last *First* *M.I.*

Address: _____
Street Address *Apartment/Unit #*

_____
City *State* *ZIP Code*

DL Number: _____ State: _____

Phone Number: _____ SSN: _____ Sex: _____ Hgt: _____ Wgt:_____

Other pertinent info: _____

Criminal History

CCH: YES ☐ NO ☐ Probation or Parole: YES ☐ NO ☐

_____
_____
_____
_____
_____
_____
_____

Performance History

Case #	Arrests	Items Seized	Payments/Date

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENERAL ORDER: 249

EFFECTIVE DATE: NOVEMBER 8, 2021

SUBJECT: BODY WORN AND SQUAD CAR CAMERAS

A. Purpose

The purpose of this order is to establish guidelines for the use, management, access, retention, handling of evidence, storage and retrieval of audio-visual media recorded by Body-Worn and In-Car Camera or Fleet video systems at the Bloomington Police Department.

B. Definitions

1. **Activate -** Any process which causes the BWC or Fleet system to transmit or store video or audio data.
2. **Body-Worn Camera (BWC) System -** Any system that captures audio and video signals, that is capable of being worn individually by officers.
3. **Body-Worn Camera (BWC) and Fleet Technician -** Personnel, licensed or civilian, that are trained in the operational use and repair of BWCs, In-Car Camera or Fleet System, duplicating methods, storage and retrieval methods and procedures and who possess a working knowledge of video forensics and evidentiary procedures.
4. **Body-Worn Camera (BWC) Video -** Audio-video signals recorded on any storage device obtained through a department-installed BWC video system.
5. **Critical Incident -** Any incident that has caused or is likely to have caused serious bodily harm or death to any person to include Bloomington Police employees.
6. **In-Car Camera or Fleet System** - These are synonymous terms and refer to any system that captures audio and video signals, that is capable of installation in a vehicle, and that includes at minimum, a camera, microphone, recorder and monitor.
7. **MGDPA** - The Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13.
8. **Supervisor -** Licensed peace officers appointed with responsibility to serve as a supervisor.

C. Policy

The use of the BWC and Fleet Systems provides documentation of law enforcement interaction with the public by providing evidence for the judicial system, internal review or review by the public through formal request. The primary function of the BWC and

Fleet System is for evidence collection and not to initiate disciplinary action against the officer, but the data collected on the BWC and Fleet System may be used as evidence relating to a complaint of misconduct made against an officer by any person present at the scene of the incident when such complaint could result in additional training, counseling or disciplinary action in accordance with agency policy.

D. Procedures

1. Operational Objectives

The Bloomington Police Department has adopted the use of BWCs to accomplish the following objectives:

a. To further document statements and events during the course of an interaction;
b. To enhance the officer's ability to document and review statements and actions for both internal reporting requirements and for courtroom preparation/presentation;
c. To provide a measurement for self-critique and field evaluation during new officer training;
d. To preserve visual and audio information for use in current and future investigations;
e. To enhance the public trust by preserving factual representations of officer-citizen interactions in the form of video and audio recordings.
f. To identify training needs; and
g. To protect officers from false claims.

2. Officers' Responsibilities

a. Prior to issuance, all officers assigned BWCs shall be trained in the use of the technology and this policy. BWCs will be issued to all sworn personnel, Community Service Officers, and Animal Control Officers. BWCs will be worn as a part of the uniform when working a regular shift or Contractual Overtime assignment. Some assignments may be exempted from daily wearing of a BWC system at the Chief's discretion (i.e. Honor Guard, Officers in Class A uniform for ceremonial reasons, etc.).
b. BWCs will be worn where it affords an unobstructed view and above the mid-line of the waist.
c. Inspection and general maintenance of BWC equipment issued to officers shall be the responsibility of the officer.

d. At the start of each shift (when feasible), the assigned officer shall perform an inspection to ensure that the BWC is performing in accordance with the manufacturer's recommendations.
e. Malfunctions or damage of BWC equipment shall be reported to the officer's immediate supervisor prior to placing the unit into service. An information report shall be completed documenting the suspected cause(s) of equipment failure or any recommendations for corrective actions. The on-duty supervisor shall determine if the officer will be issued a spare BWC.
f. Inspection and general maintenance of Fleet equipment shall be the responsibility of the officer.
g. Prior to beginning each shift (when feasible), the assigned officer shall perform an inspection to ensure that the Fleet system is performing in accordance with the manufacturer's recommendations.
h. Malfunctions or damage of Fleet equipment shall be reported to the officer's immediate supervisor prior to placing the unit into service. An information report shall be completed documenting the suspected cause(s) of equipment failure or any recommendations for corrective actions. The on-duty supervisor shall determine if the officer will be issued a spare Fleet system.
i. It is the responsibility of each officer to dock (upload) their BWC at the end of their regular shift.
j. It is the responsibility of each officer to ensure, by the end of their next shift, that the prior shifts videos were classified correctly.
k. It is the responsibility of each officer to ensure that their BWC is docked (uploaded) at the end of each COT event/shift if they made an arrest, issued a citation or captured a video that would require documenting in a police report. If there were just casual encounters, the officer would revert to letter i.

3. BWC Recording

Uniformed Officers:

a. To the extent practical without compromising officer safety, the BWC system shall be activated during all contacts with citizens in the performance of official duties. When responding to a call for service, the system shall be activated when the officer arrives on-scene. This does not include casual contacts and Community Engagement Events.

   Officers are encouraged to activate the BWC system at any other time at his or her discretion.

b. Officers need not record persons being provided medical care unless there is reason to believe the recording would document information having evidentiary value, such as drug overdoses.

c. Officers shall activate their BWC when dealing with people believed to be experiencing a mental health crisis or event.

d. Officers have no affirmative duty to inform people that a BWC is being operated or that they are being recorded, but may do so at any time.

e. Officers generally will not activate BWCs to record undercover officers or Confidential Informants.

f. When the BWC is activated to document an event, it shall not be deactivated until the event has been concluded unless:
    1. The officer reasonably believes that deactivation will not result in the loss of critical documentary information.
    2. The intention to stop the recording has been noted by the officer either verbally or in a written notation.
    3. The system may be muted for short discussions of tactics that the officer does not want documented. The impending muting shall be articulated before it occurs.
    4. In rare instances, at the request of a victim or witness, officers may choose to discontinue a recording for the purpose of ensuring privacy when obtaining a statement. Officers are strongly encouraged to record all interviews for evidentiary purposes; however, the need for privacy in certain circumstances and the need to obtain a statement should be taken into consideration. Additionally, if a citizen wishes to submit anonymous information, the decision to record will be at the discretion of the officer whether the value of the information outweighs recording.

g. In the event of a Critical Incident, every officer involved shall continue recording until advised to cease recording by an on-scene supervisor.

h. To the extent practical without compromising officer safety, the BWC system shall be activated when dealing with individuals within BPD Jail, during the following incidents:
    - being placed into the restraint chair;
    - believed to be experiencing a mental health crisis;
    - the individual is refusing to follow direction in the jail or an officer reasonably believes the individual may become physical; and
    - when an officer uses force or is likely to use force.

i. Recording is not necessary where prohibited by other agencies or institutions, such as the Hennepin County Jail intake area or HCMC.

Detectives:

a. Detectives shall wear and activate their BWC System when executing Search Warrant entries or on preplanned apprehension or enforcement details.

ERU Officers:

a. The ERU Commander will determine which officers deploy a BWC System and when it should be activated.

Plain-Clothes and SIU Details:

a. Supervisors of plain-clothes details will determine if BWC Systems will be deployed. The supervisor will determine if the presence of a BWC would be detrimental or compromise the operation and if so, the wearing of a BWC would not be required.

Notwithstanding any other provision in this policy, officers shall not use their BWCs to record other department personnel during non-enforcement related activities, such as during pre- and post-shift time in locker rooms, during breaks, or during other private conversations, unless authorized as part of an administrative or criminal investigation.

4. Operational Protocols

Officers shall have access to review the recordings when preparing written reports or statements of events to help ensure accuracy and consistency of accounts.

In the event of a critical incident, the attorney representing the involved officer will be allowed to view the officer's BWC video. The involved officer will then be interviewed by the investigator. After the initial interview, but before the conclusion of the process, the officer will be given the opportunity to review their BWC video with the investigator if they so choose. Once the video has been reviewed, the interview process will continue and the officer will be given an opportunity to acknowledge that they observed the video and that it refreshed their memory, adding any corrections, or that their previous statement was accurate.

a. With the exception of law enforcement radios or other emergency equipment, officers shall not use other electronic devices in order to intentionally interfere with the capability of the BWC System to record audio data.
b. Officers shall not erase, alter, reuse, modify, tamper with, or make a recording of BWC or Fleet data.

c. To prevent damage, original recordings shall not be viewed in any equipment other than the equipment issued or authorized by the BWC technician.
d. Civilians shall not be allowed to review recordings at the scene.
e. The BWC must be downloaded per Axon's instructions at the end of the officer's shift. If the download fails for any reason, the officer shall notify a supervisor.
f. Officers will document the existence of BWC evidence in their Offense Report.
g. Officers shall use only Department-issued BWCs.
h. Officers shall be allowed to know the audit trail of viewers of their videos.

5. Protection and Audit of Data

BWC data is presumptively private. BWC recordings are classified as private data about the data subjects unless there is a specific law that provides differently. As a result:

a. BWC data pertaining to people is presumed private, as is BWC data pertaining to businesses or other entities.
b. Some BWC data is classified as confidential.
c. Some BWC data is classified as public.

Confidential Data. BWC data that is collected or created as part of an active criminal investigation is confidential. This classification takes precedence over the "private" classification listed above and the "public" classifications listed below.

Public Data. The following BWC data is public:

a. Data documenting the discharge of a firearm by a peace officer in the course of duty, other than for training or the killing of an animal that is sick, injured, or dangerous.
b. Data that documents the use of force by a peace officer that results in substantial bodily harm.
c. Data that a data subject requests to be made accessible to the public, subject to redaction. Data on any data subject (other than a peace officer) who has not consented to the public release must be redacted. In addition, any data on undercover officers must be redacted.
d. Data that documents the final disposition of a disciplinary action against a public employee.

However, if another provision of the Data Practices Act classifies data as private or otherwise not public, the data retains that other classification. For instance, data that reveals protected identities under Minn. Stat. § 13.82, Subd. 17 (e.g., certain victims, witnesses, and others) should not be released even if it would otherwise fit into one of the public categories listed above.

BWC and Fleet data will be protected in compliance with state law and this

policy. To that end, the department will:

a. Restrict access to BWC data according to employee's access credentials.
b. Maintain an automated audit trail of the date, time and user with regard to each access to data. All employees who access data via Evidence.com will be required to document the reason for their access by adding a note describing their reason for access in the "Notes" section of the data file that was accessed. Authorized reasons for review are not limited to but include:
    - Report Writing
    - Court
    - Investigation
    - Debrief
    - Response to Resistance Review
    - Pursuit Review
    - Squad Accident
    - Complaint Resolution
    - Quality Control
    - Training
    - FTO
    - Review by Legal Department staff for criminal and civil court purposes, including data practices requests

Access to all BWC data must be for a legitimate, specified law enforcement purpose. Unauthorized access of not public data is a misdemeanor and just cause for suspension without pay or dismissal of the employee.

6. Supervisor's Responsibilities

a. Supervisors who are informed or otherwise become aware of malfunctioning equipment shall ensure that authorized personnel make repairs in a timely manner.
b. Supervisors may review officer assigned media to resolve citizen complaints or objections to employee actions.
c. Supervisors may conduct periodic reviews of officer assigned media in order to periodically:
    1. Assess officer performance.
    2. Assure proper functioning of BWC equipment.
    3. Determine if BWC equipment is being operated properly.
    4. Identify recordings that may be appropriate for training.
d. When a supervisor views, or is made aware of a recording, and believes the recording is appropriate for training purposes he/she shall consult their division Commander and the officer before arranging department viewing. The consultation will determine the training value of the recording and its possible impact on any investigation or litigation. If needed, the division Commander may contact the Commander of Professional Standards for

clarification.

e. The Commander of Professional Standards will conduct an annual review of the BWC program and this policy.

7. Technician's Responsibilities

a. The designated BWC and Fleet Technician is responsible for the ordering, issuance, retrieval, storage, and duplication of all recorded media.
b. The technician shall be responsible for collecting all completed media or for oversight and verification of wireless downloaded media.
c. Recorded media may only be deleted:
    1. Pursuant to a court order.
    2. In accordance with established retention policies.
d. For the purpose of accountability, all media will be assigned an identification number prior to issuance to the field. The technician will maintain a record database of issued media.
e. The technician shall be responsible for the following:
    1. Long-term storage of media deemed to be of evidentiary value consistent with the agency's evidence storage protocols and retention schedule. * Due to the fact that new information may be obtained over time, the technician will be responsible for making sure the retention period is correctly categorized.

8. Storage Procedures

BWC and Fleet System video evidence shall be stored in a cloud-based server accessed through Evidence.com.

9. Retention of Video Evidence

Upon ending a recorded event on the fleet system or docking the BWC, AXON will synch with the CAD system and automatically classify the recording if the officer was on a CAD call. This classification process will ensure that all recordings are properly saved so all data is retained in a manner consistent with Minnesota Data Practices, department policy, and retention schedules.

Some recordings may not be classified or may be misclassified. Officers are responsible for classifying those correctly through Evidence.com by the end of their next shift.

Below is the list of classifications and their respective retention periods.

Classification	Definition	Retention
Test/Accidental	Test/K9 Equipment Check/Accidental Activation/Non-evidence	90 Days
Call for Service	Citizen Contact/Call for Service	1 Year
Traffic Related	Traffic Stops/P.I .or H & R Crashes/TLE's	2 Years
Use of Force/Chase	Use of Force/Flee	7 Years
Arrest/Investigative/Evid.	Arrest, Referral for charges	7 Years
Critical Incident/Admin	Critical Incident/Internal Investigation	7 Years*
Death/CSC Investigation	Death/CSC	Permanent

*7 Year Minimum on critical incident, Internal Investigation retention 5 years after termination/separation of employment.

In the event of unintentional BWC recording that captures sensitive personal information that should be restricted, an officer may submit a written request via email to the Commander of Professional Standards to restrict access to that portion of BWC data. The Commander will evaluate the request with the Chief of Police. If a restriction is placed on access to such data, that restriction will remain until the data is deleted according to the retention schedule of the data's category.

10. Media Access

a. All recording media, recorded images and audio recordings are the property of the agency and subject to the provisions of the MGDPA. Dissemination outside of the agency is strictly prohibited except to the extent permitted under the MGDPA, Peace Officer Disciplinary Procedures Act or other applicable law and without written authorization of the agency's chief executive or his or her designee.
b. Whenever a private entity requests a copy of a recorded incident, the Department shall obtain approval from the appropriate prosecuting attorney and/or department investigator, if applicable, before releasing the video.
c. At the conclusion of the trial proceedings or as otherwise authorized by the prosecutor's office for which the media was required, all copies shall be submitted to the Property Clerk for further storage.
d. An officer who is captured on or referenced in the video or audio data may review such data and use the data for any purpose relating to his/her employment. In the event of a Critical Incident, refer to Section 4, Operational Protocols.
e. Display of any recorded item, until final adjudication of the case, shall be limited to department personnel, other agencies affected in the case, and persons specifically authorized by the City or County Attorney.

11. Handling of Evidence

a. When a 3rd party has a video and/or an image of evidentiary value for an incident, an officer, a detective, and/or any member of the police department authorized to do so, may send them the Evidence.com "Citizen Evidence Invite Link." The individual will then be able to upload that evidence via the link to Evidence.com. Once uploaded, the video and/or image is subject to similar evidence/video retention policies.

b. Recordings which contain data related to, or in anticipation of, civil litigation shall continue to be in control of the agency, in conjunction with the prosecuting authority.

12. Sharing of BWC Video with Other Agencies

a. BWC data may be shared with other law enforcement agencies only for legitimate law enforcement purposes that are documented in writing at the time of the disclosure.
    1. This Written documentation should be forwarded to records for inclusion in the case file.

b. BWC data shall be made available to prosecutors, courts and other criminal justice entities as provided by law.

13. Inventory of Portable Recording System Technology

a. The Commander of Professional Standards or a designee appointed by the Chief of Police shall be responsible for establishing an inventory of portable recorders including:
    1. Total number of devices owned or maintained by the Bloomington Police Department.
    2. Daily record of the total number of devices deployed and used by members and, if applicable, the precinct or district in which the devices were used.
    3. Total amount of recorded audio and video data collected by the devices and maintained by the Bloomington Police Department.

14. Biennial Audit

a. The Commander of Professional Standards shall be responsible for making arrangements for an independent biennial audit as required by Minn. Stat. § 13.825, Subd. 9.

CANCELS AND REPLACES:
General Order 249 - Body Worn and Squad Car Cameras
Issued July 21, 2021

BLOOMINGTON POLICE DEPARTMENT MANUAL

GENERAL ORDER: 250

EFFECTIVE: APRIL 15, 2021

SUBJECT: CROWD CONTROL AND MANAGEMENT

PURPOSE

The Bloomington Police Department respects people's rights to freedom of speech and assembly ("First Amendment rights") established in both the United States and Minnesota Constitutions. The purpose of this policy is to establish guidelines for managing crowds to prevent loss of life, injury, property damage or other unlawful activity during lawful assemblies and civil disturbances. This Policy applies within the jurisdictional boundaries of the City of Bloomington. This Policy applies when responding to mutual aid requests outside the jurisdictional boundaries of the City of Bloomington regardless of whether the City of Bloomington maintains incident command.

POLICY

The Bloomington Police Department (BPD) respects the rights of people to assemble. It is the policy of BPD not to unreasonably interfere with persons engaged in the lawful exercise of their First Amendment rights. BPD will also work to protect life, prevent injury, prevent the destruction of property, prevent other unlawful activity and minimize the disruption to persons who are uninvolved.

BPD will employ only objectively reasonable crowd management or crowd control tactics, or both, with the intent to de-escalate the situation. Officers encountering such incidents shall adhere to this policy to protect all lives, property and the exercise of freedom of speech rights regardless of race, color, creed, religion, national origin, sex, disability, public assistance status, sexual orientation or gender identity, or political affiliation.

DEFINITIONS

Assembly: An assembly is a group of three or more people gathered together in one place for a common purpose.

Breach of the Peace or Disturbing the Peace: Unreasonably denying or interfering with the rights of others to peacefully use their property or public facilities without obstruction, interference or disturbance.

Civil Disturbance: A gathering that constitutes a breach of the peace or any unlawful assembly of persons where there is a credible threat of collective violence, destruction of property or other unlawful acts. Two types of civil disturbance are a riot and an unlawful assembly.

Civil Disobedience: The refusal to comply with certain laws as a peaceful form of political protest.

Crowd Control: Techniques used to address civil disturbances, riots, unlawful assemblies and civil disobedience, which may include police presence, crowd containment, crowd dispersal and preparations for handling multiple arrests.

Crowd Management: Techniques used to manage lawful assemblies before, during and after the event for the purpose of maintaining their lawful status through event planning, pre-event contact with group leaders, issuance of permits when applicable, information gathering, personnel training and other means.

Demonstration: A lawful assembly of persons organized primarily to engage in First Amendment activity. They include, but are not limited to, marches, protests, and other assemblies intended to attract attention. A riot, unlawful assembly or a civil disturbance is not a demonstration.

Riot: When three or more persons assemble and disturb the public peace by an intentional act or threat of unlawful force or violence to a person or property as defined in Minnesota Statutes Section 609.71.

Unlawful Assembly: When three or more persons assemble with the intent to commit any unlawful act by force; or with intent to carry out any purpose in such a manner as to disturb or threaten the public peace; or without an unlawful purpose, but the participants conduct themselves in a disorderly manner as to disturb or threaten the public peace as defined in Minnesota Statutes Section 609.705 or applicable case law.

OBJECTIVES

1) Ensure all individuals can legally exercise their First Amendment rights;
2) Protect all persons in the exercise of the First Amendment rights, regardless of their participation in an assembly;
3) Protect property in an equitable fashion that prioritizes the public wellbeing;
4) Identify, remove, isolate, and when appropriate, arrest person(s) inciting or threatening violence or engaging in illegal activity; and
5) When necessary, disperse crowds that pose a credible threat of collective violence, destruction of property, or other unlawful acts in order to restore peace and order.

PROCEDURES BY EVENT

Civil Disturbance, Riot, and Unlawful Assembly

BPD will consider the location of the civil disturbance before it issues a Leave Order.

When a civil disturbance takes place on private property, BPD will make contact with the property owner or authorized representative for the property to discuss their options. When the property owner is unknown or not available, BPD will evaluate the size and scope of the civil disturbance and if needed monitor to prevent damage to property or other unlawful activity. When a civil disturbance takes place on public property, BPD will evaluate the size and scope of the civil disturbance and if needed monitor to prevent damage to property or other unlawful activity.

Upon a determination by the Police Chief, or designee, that public safety is at risk or an assembly is deemed to be a civil disturbance, unlawful assembly or riot, BPD may disburse the crowd. Before ordering the assembly to leave, BPD will consider, and when possible and practical, implement lesser alternatives.

These lesser alternatives may include, but are not limited to:

1) Establish contact with crowd leaders, if they can be identified, to assess their intentions and motivations and attempt to develop a mutually acceptable plan for de-escalation and dispersal;
2) Communicate to participants that their assembly is in violation of the law and that BPD wishes to resolve the incident peacefully, but that unlawful act will be dealt with swiftly and decisively; and
3) Negotiate with crowd leaders for voluntary dispersal or target specific violent or disruptive individuals for arrest.

When the Police Chief, or designee, makes a determination that forced crowd dispersal is the only alternative, and where time and circumstances permit, a warning shall be given prior to any action to disperse the crowd. The warning shall consist of:

1) An announcement citing the offenses and violations being committed;
2) An order to leave the area and to not return ("Leave Order");
3) Designated leave routes; and
4) An indication that individuals who do not leave as directed or discontinue other unlawful activity will be subject to arrest.

When time and circumstances permit, a second and third Leave Order will be given at reasonable intervals before designated actions are taken to disperse the crowd. The warnings shall also be either audio or video recorded and the times of the warnings documented. A reasonable amount of time to leave should be allowed following a Leave Order.

Specific crowd dispersal tactics shall be ordered, as necessary, where the crowd does not comply with the Leave Order(s). BPD will continually assess the crowd's compliance and adjust tactics appropriately, with the understanding that some participants may have difficulty complying due to cognitive ability, mental health issues or physical abilities.

Demonstration

When a demonstration takes place on private property, BPD will make contact with the property owner or authorized representative for the property to discuss their options. When the property owner is unknown or not available, BPD will evaluate the size and scope of the demonstration and if needed monitor to prevent damage to property of other unlawful activity.

When a demonstration takes place on public property, BPD will evaluate the size and scope of the demonstration and if needed, monitor to prevent damage to property of other unlawful activity.

Non-Violent, Civil Disobedience

In cases of non-violent, civil disobedience where there is no credible threat of violence, participants will not be dispersed by force. In accordance with applicable law, reasonable force may be employed to arrest those engaged in non-violent, civil disobedience. When a determination has been made to arrest those engaged in non-violent, civil disobedience, and where time and circumstances permit, a warning shall be given prior to the commencement of arrests. The warning shall consist of:

1) An announcement citing the offenses and violations being committed;
2) An order to leave the area and to not return ("Leave Order");
3) Designated dispersal routes; and
4) An indication that individuals who do not leave will be subject to arrest.

For non-violent, civil disobedience occurring on private property, the property owner or authorized representative of the property will be responsible for making the decision to order the participants to leave the property. The announcement, when possible, should be given by the property owner or representative. When the property owner is unknown or not available, BPD will monitor the situation to prevent unlawful activities.

For non-violent, civil disobedience occurring on public property, the Police Chief, or if the Police Chief is unavailable, then the Police Chief's designee at the rank of Deputy Chief or Commander will be responsible for making the decision to order the participants to leave the property.

When time and circumstances permit, the second and third Leave Orders shall be given at reasonable intervals (with not more than 10 minutes between intervals) before arrests commence.

The Leave Orders shall also be either audio or video recorded and the time of the Leave Orders documented. A reasonable amount of time to leave should be allowed following a Leave Order.

CROWD CONTROL MEASURES

1) Display of Police Officers/Show of Force;
2) Barricades; and
3) Only the following Crowd Control equipment may be used for crowd control during a civil disturbance, riot or unlawful assembly (munitions):

   chemical aerosols, chemical munitions or projectiles (CS, OC, CN), smoke munitions or projectiles, pepper balls, marking rounds (40mm direct, exact or blunt impact projectiles or rounds), ASP batons, wood batons (as impact weapons), and light sound distraction devices (inert, CS, OC or CN blast balls).

Officers may only use the crowd control equipment for which they have received training on.

Authorization for the use of crowd control equipment, for the use of force, and to make arrests

A. Civil disturbance, riot or unlawful assembly: authorization for crowd control equipment shall only come from the Police Chief, or if the Police Chief is unavailable, then the Police Chief's designee at the rank of Deputy Chief or Commander.

   1) Such authorization shall be given over the police radio via radio transmission to personnel on scene, whenever possible;
   2) The incident commander shall ensure that any authorization for crowd control equipment (which must come from the Police Chief or if the Police Chief is unavailable, then Police Chief's designee at the rank of Commander or Deputy Chief) is documented in the police report, including the person who authorized the use of crowd control equipment;
   3) Officers shall not deploy crowd control equipment in a civil disturbance, riot or unlawful assembly until they have been authorized under this policy, unless there is an immediate need to protect oneself, another officer, or member of the public from objectively imminent physical harm, as detailed in section D below; and
   4) An Officer should not independently make arrests or employ force without prior authorization from the Police Chief or if the Police Chief is unavailable, then Police Chief's designee at the rank of Commander or Deputy Chief.
   5) The Police Chief may, at his or her discretion, establish rules of engagement which would pre-authorize the use of crowd control equipment to prevent damage to property or other unlawful acts. This exception would apply only on a case-by-case basis.

B. Demonstration: Crowd control equipment shall not be authorized for lawful demonstrations. An Officer should not independently make arrests or employ force without prior authorization from the Police Chief or if the Police Chief is unavailable, then Police Chief's designee at the rank of Commander or Deputy Chief.

C. Civil Disobedience: Crowd control equipment shall not be authorized for non-violent, civil disobedience. An Officer should not independently make arrests or employ force without prior authorization from the Police Chief or if the Police Chief is unavailable, then Police Chief's designee at the rank of Commander or Deputy Chief.

Except:

1) Crowd control equipment may be used to target a specific individual that has been identified as committing assaults or violent acts to law enforcement or others, and committing destruction of property. When crowd control equipment are targeted at a specific person, and when it is possible and feasible, attempts should be made to take the person into custody for the criminal act they were committing and to provide for an opportunity for first aid;
2) Unless objectively imminent physical harm to oneself or another justifies immediate action, as identified in section D below; and
3) Use of any crowd control equipment shall be documented in a Response to Aggression and Resistance Report.

D. Objectively imminent physical harm to oneself or another
1) If there is an immediate need to protect oneself or another officer or member of the public from objectively imminent physical harm **and** crowd control equipment has not been authorized under section A above, then:
   a. A BPD officer may use crowd control equipment, excluding chemical munitions, smoke munitions, and light sound distraction devices, without prior authorization in order to stop the assaultive conduct or act of violence.
   b. In these circumstances, crowd control equipment may only be used against specific persons who are posing a threat of objectively imminent physical harm to an officer or member of the public.
   c. Chemical munitions, smoke munitions, and light sound distraction devices may not be used.
2) Each officer using crowd control equipment must notify their supervisor of the use of crowd control weapons as soon as it is safe to do so;
3) The supervisor shall notify the Incident Commander as soon as it is safe to do so;
4) Any officer who uses crowd control equipment (against specific persons in a civil disturbance, riot or unlawful assembly) without prior authorization shall document and detail in the police report the specific circumstances establishing that there was an immediate need to protect themselves or another officer from objectively imminent physical harm;

5) The Incident Commander who is notified, shall by email or other means, send a brief notification before the end of their shift that an officer used crowd control equipment without prior authorization, including the case number and circumstances establishing the need to use the weapon, to the Police Chief, Deputy Chiefs, and the Commander of Professional Standards, for further review and handling; and
6) Use of any crowd control equipment shall be documented in a Response to Aggression and Resistance Report.

BODY WORN CAMERAS REQUIREMENTS

Officers will be required to adhere to BPD Policy 249 regarding the use of Body Worn Cameras.

BLOOMINGTON POLICE DEPARTMENT MANUAL

PATROL PROCEDURE: 300

EFFECTIVE DATE: September 6, 2010

SUBJECT: MEAL AND COFFEE BREAKS

I. Meal Breaks

Meal breaks, not to exceed 45 minutes, may be assigned by the shift sergeant.

II. Coffee Breaks

Coffee breaks, not to exceed 15 minutes, should be taken in your patrol area or as near to it as practical. Coffee breaks should not cause a serious interruption of police service.

III. No more than four uniformed officers (on duty) or more than three marked squads may break at one public place at any one time.

IV. Officers are expected to monitor the radio while on break and to respond to calls as necessary.

CANCELS AND REPLACES:
Patrol Procedure 300, Meal and Coffee Breaks; Issued February 20, 2004

BLOOMINGTON POLICE DEPARTMENT MANUAL

PATROL PROCEDURE: 301

EFFECTIVE DATE: September 6, 2010

SUBJECT: PROCEDURE FOR PROCESSING EQUIPMENT WARNING TAGS

SCOPE: Patrol & Records Personnel

PURPOSE: To provide a system for resolving unanswered equipment violation warning tags.

I. On-Scene Procedure

When an officer finds a vehicle operating on a public street with equipment in violation of state or local law, the officer may issue a "Notice of Law Violation" (warning tag) to the driver. The original copy is turned in with reports and the hard copy is given to the violator.

II. Office Procedure

A) The department copy of the warning tag is logged and filed in accordance with established records procedure.

B) Warning tags that are satisfied are disposed of.

C) Unanswered warning tags are held for 14 days.

E) After 14 days the clerk will put original white copy in roll call book for the supervisor to give to the originating officer to write a citation.

III. Officer Procedure for Unsatisfied Warning Tags

A) The officer writes a Hennepin County Citation for the original violation. **(Use current date on citation, show date of original violation in comments section.)**

B) All Copies of the Hennepin County Citation are turned into incoming reports. The original warning tag should be stapled to the department (yellow) copy.

C) Records staff will mail the Hennepin County Citation to the violator.

D) The Hennepin County Citation will be processed in accordance with normal procedures.

CANCELS AND REPLACES:
Patrol Procedure 301; Procedure for Processing Equipment Warning Tags, Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT

PATROL PROCEDURE: 302

EFFECTIVE DATE: September 6, 2010

SUBJECT: DISASTER EMERGENCY PROCEDURE

I. GENERAL

A. Purpose

This disaster procedure has been designed to serve as a guide in providing services in connection with disasters or emergencies.

This procedure is designed to cover an “All Hazards” approach. This procedure establishes command responsibility, tactical, operational, and reporting procedures necessary to provide police service during a disaster.

B. Authority

The authority for the activation of this plan lies with the Chief of Police. However, the Chief of Police has delegated the ability to activate the Disaster Emergency Plan to the on-duty patrol supervisor.

C. Responsibilities

The Police Department's responsibilities at a disaster scene can be divided into two stages. The initial stage begins with the notification of the event to the police communications center. During this period, police duties include determination of scope and severity of the incident and initiation of the City's Emergency Plan.

The second stage includes all other disaster operations, including debriefing. During the second stage, police responsibilities may include resident evacuation, securing the disaster site, establishing traffic perimeters, providing crowd control, body identification, and prevention of looting.

Additionally, the Department must continue to provide police service to the rest of the community based upon priority needs. These would include emergency and immediate response calls for assistance.

II. EXECUTION

A. Initial Stage

1. Upon receipt of a notification of a disaster, the police dispatcher must notify the following:

   a) On Duty Police Units

   b) Fire Department (All Call)

   c) On Duty Patrol Supervisor

   d) Ambulance

   e) Emergency Manager

2. Initial Police Officer at Scene

   The duties of this officer at a disaster scene are critical to the overall success or failure of the Emergency Plan.

   The responsibilities of the first arriving officer are:

   a) To observe the disaster area.

   b) To evaluate the disaster.

   c) To direct an appraisal of the disaster to the on duty patrol supervisor. It should be remembered that the first officer must maintain radio contact with the dispatcher so as to be able to direct responding officers until relieved by a supervising officer.

3. First Sergeant at the Scene or Responding

   The following critical tasks will be considered and implemented:

   - Communications, Command and Control
   - Safety zones if needed
   - Inner perimeter
   - Outer perimeter (access-egress routes)
   - Command Post with Fire and EMS

- Staging areas
- Additional resources

4. a) Assign an officer as the Disaster Log Officer until he/she can be relieved by a civilian assigned by the Disaster Commander.

   b) Decide if call-out is required and, if so, request Admin Sergeant or Desk Officer to initiate procedure.

   c) Initiate City notification procedures through dispatcher.

   d) Decide and initiate Mutual Aid as needed.

   e) Decide and initiate Reserve Call-Out.

5. Desk Officer or Admin-Sgt. (On Duty)

   a) Arrange to have Command Post Kit (2 black cases) and vehicle to be used for Command Post delivered to the Disaster Commander. (The kit is located in the EOC in the black cabinet.)

   b) Obtains civilian personnel to relieve initial log officer.

   c) Media: Contact Department PIO and direct him/her to the Police and Fire Staging area or Command Post as needed.

B. Secondary Stage

1. Disaster Commander initiates and supervises police responsibilities of secondary stage:

   a) <u>Evacuation</u> - Decide if, when, and to what extent evacuation procedures need to be executed. This decision should be arrived at after consultation with Fire Department commanders. Officers assigned to this detail must instruct evacuated residents to report to designated Disaster Receiving Center (to be identified).

   b) <u>Traffic Patterns</u> - Establish and control traffic patterns around disaster site through the use of street barricades and/or officers directing traffic. (Egress and access is critical for EMS vehicles and Fire.)

c) Crowd Control Perimeters - Establish natural or artificial barriers around the disaster site to prevent onlookers from entering the area for their own safety and for the effectiveness of rescue operations.

d) Issuance of Emergency-Disaster Passes - Establish control over entry into disaster area by issuing passes at the Disaster Pass Command Post to limited categories of individuals as stated in this procedure.

e) Security - Establish patrols in the disaster area to prevent looting and other criminal acts. All individuals within the area must have emergency disaster passes and comply with their provisions.

f) Body Recovery and Identification - Make proper notifications to county medical examiner and Sheriff's Crime Lab. Assign investigative personnel to work with the Crime Lab and the technicians from the Medical Examiner's Office. The Sheriff's Office and M.E. investigators will establish a tag and grid locations system.

C. Command Post (in conjunction with BFD and Allina)

1. The Command Post should initially be staffed by three (3) officers:

a) Disaster Commander - The first sergeant at the scene of the disaster shall have complete authority and responsibility for conducting police disaster operations until relieved.

b) Disaster Log Officer - The first officer at the scene begins chronologically documenting all police operations until relieved.

c) Disaster Personnel Officer - The Disaster Commander will assign an officer to be responsible to supply the Disaster Commander with personnel to meet operational needs, assists in briefing and assigning officers, and maintains a record of assignments. These objectives are aided through the establishment of a "Personnel Assignment Report." All officers directed to report to the staging area must check in with the Disaster Personnel Officer. Upon reporting, each officer's name, department, reporting time, disaster assignment and location will be logged.

III. DEVELOPMENT OF CONTINUED RESPONSE

A. Chief of Police and Deputy Chief

The Chief of Police is responsible for the overall operation of the Police Department at any time, including disaster/emergency response.

The Chief of Police or alternate (Deputy Chief or Lieutenant) will be the department's representative in the City's Emergency Operations Center (EOC). The Chief or alternate is responsible for coordinating the department's activities with other City departments. The Deputy Chief or Lieutenants who subsequently report to headquarters will be assigned duties as deemed necessary by the Chief (reference General Order 205 Line of Succession).

B. Lieutenants

1. The Patrol lieutenant(s) (on duty or called out) will be briefed by the Desk Officer or Admin-Sgt. on the disaster situation. He/she will then go to the scene and become the Police Scene Operations Commander.

   If there is a delay in the response of the Patrol lieutenant(s), any lieutenant will take responsibility for the relief of the sergeant who is at the scene.

2. The next available lieutenant (on duty or called out) will be briefed by the Desk Officer or Admin-Sgt. on the disaster situation and will be assigned the position of Personnel Pool Supervisor. The Personnel Pool Supervisor will immediately prepare the training room to receive off-duty personnel. As officers arrive, he/she will begin a "Personnel Pool Roster" and an "Equipment Use Report" and then make assignments as needed.

3. All other lieutenants (on duty or called out) will be used as necessary as directed by the command staff.

C. Sergeants

All Sergeants not assigned by nature of the initial response (on duty or called out) will report to the Personnel Pool Supervisor for assignment.

D. Officers

All Officers not assigned by nature of the initial response (on duty or called out) will report to the Personnel Pool Supervisor for assignment.

E. Civilians

Civilians not assigned by nature of the initial response (on duty or called out) will report to the Personnel Pool Supervisor for assignment.

In addition to this guide, the following attachments are included to assist in the response to any disaster or emergency which requires the activation of all or part of this Disaster Emergency Procedure:

Attachment 1 -Disaster Scene Commander Checklist

Attachment 2 -Desk Officer or Admin-Sgt. Checklist

Attachment 3 -Disaster Personnel Pool Supervisor Checklist

Attachment 4 -Disaster Log Officer - Job Description

Attachment 5 -Copy - Disaster Log

Attachment 6 -Disaster-Personnel Officer (Scene) - Job Description

Attachment 7 -Copy - Personnel Assignment Report

Attachment 8 -Disaster Personnel Pool Supervisor - Job Description

Attachment 9 -Copy - Disaster Personnel Pool Roster

Attachment 10 - Copy - Equipment Use Report Record

Attachment 11 - Copy - Occupational Injury or Illness Report

Attachment 12 - Disaster Permit Officer - Job Description

Attachment 13 - Emergency Pass System

Attachment 14 - Copy - Registration Form for Passes

Attachment 15 - Body Identification and Property Recovery

Attachment 16 - Copy - Body and Property Record

PATROL PROCEDURE 302
Attachment 1

DISASTER SCENE COMMANDER CHECKLIST

(First Sergeant at the scene)

DATE _____/_____/_____

NAME _____

TIME:

_____ 1. Verify initial officer's observations.

_____ 2. Establish a command location with Fire and EMS. (Perimeters(egress/access and staging areas)

_____ 3. Disaster assessment (use information from witnesses and responding police officers to establish initial operational plans). Make radio communications decision (talk groups) for functions.

_____ 4. Assign an officer at the scene "Disaster Log Officer."

_____ 5. Deploy on-duty personnel.

_____ 6. City Disaster Plan notifications.

_____ 7. Initiate Personnel Call-Outs as needed.

_____ 8. Initiate Reserve Call-Out if needed.

_____ 9. Initiate Mutual Aid as needed.

_____ 10. Initiate Notification to appropriate agencies:

- _____ a. Hospital
- _____ b. Power Company
- _____ c. Gas Company
- _____ d. Telephone Company
- _____ e. Others

PATROL PROCEDURE 302
Attachment 1 (cont.)

_____ 11. Designate emergency convergence route. (Select major routes into and out of disaster area. These roadways to be used by emergency vehicles. Notify E.O.C. and attempt to secure routes when personnel is available.)

_____ 12. Assign on-scene officer "Disaster Personnel Officer" (issue appropriate packet).

_____ 13. Establish disaster area traffic patterns.

_____ 14. Assign "Disaster Permit Officer" and Assistant (issue appropriate packet).

_____ 15. Establish crowd control and disaster area security perimeters.

_____ 16. Direct body/property recovery (issue appropriate materials).

_____ 17. Submit required reports/deactivate Command Post.

_____ 18. Debriefing

PATROL PROCEDURE 302
Attachment 2

DESK OFFICER/ADMIN-SGT. CHECKLIST

DATE _____/_____/_____

NAME _____

TIME:

_____ 1. Verify that the following have been notified:

_____ a. Police - advise of responsibilities

1. Initial officer at scene _____

2. Assisting officers _____

_____ b. Fire Department

_____ _____ c. On-Duty Supervisor

_____ d. Ambulance

_____ 2. Initiate City notification procedure.

_____ 3. Verify that Emergency Manager has been notified by Dispatcher.

_____ 4. Call-Out instituted as directed by Disaster Commander.

_____ 5. Command Post Kit and vehicle to be used for Command Post delivered to Disaster Commander (Located in EOC black cabinet-in black hard case.)

_____ 6. Advise dispatchers to accept emergency calls only.

_____ 7. Brief first off-duty lieutenants upon their arrival.

PATROL PROCEDURE 302
Attachment 2 (cont.)

_____ 8. Other details as directed by the Disaster Commander

_____ _____ _____

_____ _____

_____ _____

_____ _____

_____ 9. Call in police switchboard operator.

_____ 10. Call in dispatcher(s) as needed.

PATROL PROCEDURE 302
Attachment 3

DISASTER PERSONNEL POOL SUPERVISOR CHECKLIST

DATE _____/_____/_____

NAME _____

TIME:

_____ 1. Assigned duties - receive and read packet.

_____ 2. Establish a personnel reporting area.

_____ 3. Record data on all reporting personnel using the forms provided.

_____ 4. Brief reporting personnel.

_____ 5. Make specific assignments and dispatch personnel as requested by Disaster Commander.

_____ 6. Direct the issuance of necessary vehicles and other equipment.

_____ 7. Assign responsibilities of maintaining equipment control.
_____ (Officer _____)

_____ 8. Submit required reports/account for equipment.

_____ 9. Debriefing

PATROL PROCEDURE 302
Attachment 4

DISASTER LOG OFFICER

At the scene of any disaster, a Disaster Log Officer will be appointed to maintain a record of all activity and significant events during the disaster operation.

I. IMPORTANCE OF POSITION

The Disaster Log Officer is the primary police informational source during both the disaster operation and post-disaster activities.

A. During the operation, the Disaster Log Officer records all information concerning police operations.

B. After the disaster, the log can be used as a basis for settling insurance claims, in post-operations critiques, in development of new operational procedures, and to support department and officer actions.

II. PROCEDURES

A. Appointment to Position

The Disaster Commander will assign an officer at the disaster site as the Disaster Log Officer, and as soon as possible after this assignment, will obtain the services of a civilian clerk for this duty.

B. Duties

1. The Disaster Log Officer will record chronologically a description of all police actions and activities at the disaster scene. This includes all significant events, information, decisions, orders, police activities, and messages.

2. It is necessary for the Disaster Log Officer to maintain a close geographical relationship with the Disaster Commander in order to maintain an accurate record.

C. Disaster Log

1. Upon appointment, the selected officer shall obtain a packet marked "Disaster Log Officer" from the Command Post Kit.

2. Use of Form

The Disaster Log form shall be completed as follows:

a. The date and time the Disaster Log becomes operational shall be entered under the heading.

b. The time of each entry shall be recorded in the "time" space provided.

c. If the activity involves an order or directive, a space is provided to record the name of the supervisor who gives the order and the officer to whom it is directed. In those instances where a situation is described or information is recorded, the "order" section is not used.

d. In the "Activity/Situation/Action" section, the Disaster Log Officer should record the activities as described in section B) 1) above in sufficient detail so as to accurately reflect what took place.

PATROL PROCEDURE 302
Attachment 5

DISASTER LOG

DATE _____/_____/_____ TIME _____

TIME	ORDER		ACTIVITY/SITUATION/ACTION
	GIVEN BY	TO	

PATROL PROCEDURE 302
Attachment 6

DISASTER PERSONNEL OFFICER

I. GENERAL RESPONSIBILITIES

The Disaster Personnel Officer is responsible for the implementation of all requests for police personnel at the scene. He/she records all assignments, establishes break schedules, documents injuries to officers, and generally supervises the personnel at the disaster scene to ensure compliance with established procedures.

II. PROCEDURES

A. Appointment to Position

The first street supervisor at the scene, after being relieved by the Disaster Commander. If circumstances require deviation, the Disaster Commander will immediately select any officer whose operational functions are deemed less critical until an officer of the rank of sergeant or above is available.

B. Duties

1. Upon appointment, the Disaster Personnel Officer will immediately begin a Personnel Assignment Report which will document assigned officers and positions.

2. Immediate Disaster Operation

   a. Upon the Disaster Commander's request for personnel to accomplish a specific task, the Personnel Officer will request sufficient officers from the Personnel Pool.

   b. The Personnel Officer will list pertinent data on the Personnel Assignment Report and assign the officers as directed by the Disaster Commander.

3. Assignment Verification and Breaks

   a. During the later stages of the disaster when adequate personnel are available, the Personnel Officer must schedule breaks for assigned personnel using officers from the Personnel Pool.

b. Make periodic tours of the disaster site using the Personnel Assignment Report to verify the need for and compliance with specific assignments. It is natural to assume that some mutual aid officers may not follow recommended reporting procedures and be at the disaster scene even though they did not report to the Command Post for assignment. Upon the identification of an officer not listed on the Personnel Assignment Report, two things may be done:

1. If the officer is no longer needed, list his/her name, agency, and release time on the Personnel Control Log and advise the officer we appreciate his/her response but he/she is no longer needed.

2. If the officer is executing a required function, list officer's name, agency, present time, alleged reporting time, and job function. Instruct the officer on the ways he/she is to be reassigned or relieved of duty.

4. When officers are injured during the disaster operation, the Disaster Personnel Officer shall be notified so that operational and personnel changes can be made and a Personnel Injury Report will be completed which describes the injury and how it happened.

C. Personnel Assignment Report and Personnel Injury Report

1. Availability

Upon appointment, the officer designated the Disaster Personnel Officer shall obtain a packet marked "Disaster Personnel Officer" from the Command Post Kit.

2. Use of Forms

a. The Disaster Personnel Assignment Report shall be used as follows:

1. The date and time the Disaster Personnel Assignment Report becomes operational shall be entered under the heading.

2. The officer's name, badge number and agency follow in the appropriate space.

3. The time an officer is given a specific assignment is entered in the "Time" space.

4. The "Assignment" space should generally describe the officer's assignment (rescue, traffic direction, area security) and the location of that assignment.

5. The "Break Time" column is divided into two areas. When an officer is given a break, the time he/she leaves his/her position is entered in the "Out" portion. When the officer returns to duty, the time is entered in the "In" portion.

6. When an officer is relieved of duty due to the reduced extent of the disaster, the time is placed in the "Time Relieved" column.

7. There are several lines behind each name to record any changes in assignment. If more space is needed, a note to that effect is placed next to the original entry and the officer's name is reentered.

b. The Occupational Injury or Illness Report shall be used for reporting injury for all personnel under the supervision of the police, including those persons from other departments.

PERSONNEL ASSIGNMENT REPORT

DATE ____/____/____ BY OFFICER _____ TIME _____

OFFICER (last) (first) (initial	**BADGE #**	**AGENCY**	**START TIME**	**ASSIGNMENT**	**LOCATION**	**BREAK OUT**	**BREAK IN**

PATROL PROCEDURE 302
Attachment 8

DISASTER PERSONNEL POOL SUPERVISOR

I. GENERAL RESPONSIBILITIES

The Disaster Personnel Pool Supervisor will coordinate personnel and equipment needs with the on-site Disaster Personnel Officer. Personnel reporting for duty will report to the Personnel Pool Supervisor to accurately account for time for payroll and insurance purposes, to be briefed on the nature of the emergency and their duties, and to be dispatched to their duty assignment.

II. PROCEDURES

A. Appointment to Position

The first off-duty lieutenant that arrives at headquarters will be the Disaster Personnel Pool Supervisor. In the event of delay, any supervisor may be appointed.

B. Duties

1. Obtain the packet labeled "Disaster Personnel Pool Supervisor" from the sergeant's office.

2. Prepare the training room or other designated manpower pooling area.

3. Register all incoming department and mutual aid personnel on the Personnel Pool Roster.

4. Brief waiting personnel on disaster situation and conditions.

5. Upon request, select officers to report to Disaster Personnel Officer at Command Post for assignment or assign officers to specific locations and duties in those instances when it is not practical to have the officer first report to the Field Command Post.

6. Assign an officer as Assistant to act as Supply Officer. The Supply Officer will issue equipment and vehicles and maintain a record of these disbursements on the Equipment Use Report.

7. Maintain a close liaison with the Chief of Police or the Captain representing the Department at the EOC.

C. Equipment and Personnel Reports

1. Availability

These forms are in the sergeant's office marked "Disaster Personnel Pool Supervisor."

2. Use of Forms

a. The Disaster Personnel Pool Roster shall contain:

1) The date and time the Roster becomes operational shall be entered under the heading.

2) The incoming officer's name, badge number, and agency in the appropriate space.

3) The time the officer reports for duty at the personnel pooling area shall be noted on the "Time Arrived" space.

4) The time the officer is given an assignment and leaves the personnel pooling area shall be entered in the "Time Assigned" space.

5) The place and nature of assignment in the space provided. The vast majority of the officers will be sent to the Command Post where they will receive specific assignments and detailed instructions. If, on rare occasions, an assignment is made directly from the pool, this should be noted on the log and confirmed with the Disaster Personnel Officer.

b. Equipment Use Report Record

1) The date and the name of the officer supervising the equipment issue shall be entered under the heading.

2) The time an officer is given the requested equipment for transport to the disaster area will be noted in "Time Issued."

3) The name of the item shall be entered in the "Equipment" space. A description with enough details to clearly identify the item should be included. These details could include serial number, model number, size, color, City of Bloomington number, etc.

4) The name or badge number of the officer the item is issued to is listed in the "Officer Issued" column.

5) The time and party returning the equipment item is noted in the appropriate "Returned" space.

DISASTER PERSONNEL POOL ROSTER

DATE _____/_____/_____ **TIME** _____

OFFICER *(Last)* *(First)* *(Initial)*	BADGE #	AGENCY	TIME ARRIVED	TIME ASSIGNED	

EQUIPMENT USE REPORT RECORD

DATE _____/_____/_____ **OFFICER** _____

TIME ISSUED	EQUIPMENT	ISSUED TO OFFICER	RETURNED	
			TIME	BY

PATROL PROCEDURE 302
Attachment 11

For reporting Injuries or Illness to City Personnel

City of Bloomington, Minnesota

OSHA
Yes ☐ No ☐

OCCUPATIONAL INJURY OR ILLNESS REPORT

Date of Injury _____ 20____ Time _____ am pm File Number _____

Injured Employee _____

Department _____

Name of employer supervisor notified _____

Date Notified _____ 20 __

Location where injury occurred _____

Nature of injury or illness _____

_____

Did injury cause loss of time? Yes ☐ No ☐ If Yes, last day worked _____

Lost time on last day worked _____ hours

Returned to work on (date) _____ Time _____

Total lost time _____ (hours or days)

Name of treating physician or hospital _____ Tel No. _____

Address _____

Did employer authorize treatment? Yes ☐ No ☐

Describe how injury occurred: _____

_____

_____

Was there equipment malfunction? Yes ☐ No ☐

Machine, tool, or appliance causing injury _____

Unsafe act or condition causing accident _____

_____

Did any employee physical handicap contribute to cause of injury? Yes ☐ No ☐

If Yes, how? _____

_____

Action taken to prevent recurrence _____

_____

Supervisor's signature _____ Date _____ 20_____

PATROL PROCEDURE 302
Attachment 12

DISASTER PERMIT OFFICER

I. GENERAL RESPONSIBILITIES

The Disaster Permit Officer is responsible for implementation of the Disaster Area Emergency Pass Plan.

II. PROCEDURES

A. Appointment to Position

1. The Disaster Commander, upon his/her arrival at the Disaster Command Post, using his/her discretion as to immediate necessity, will assign any available officers to the positions of Disaster Permit Officer and Assistant.

2. Obtain vehicle and Disaster Pass Command Post identification materials.

3. Establish Disaster Pass Command Post at location specified by the Disaster Commander.

4. Implement Disaster Area Emergency Pass Plan.

PATROL PROCEDURE 302
Attachment 13

EMERGENCY PASS SYSTEM

I. PURPOSE

The Emergency Pass System provides for control or limited access to an area.

II. DESCRIPTION

Gold brassard arm bands are issued to government officials and volunteers who may not be recognized by a uniform. These are issued by the Emergency Manager/Coordinator.

Colored tags are to be issued by the Disaster Permit Officer at the scene. They are valid only until 0800 hours the day following issuance, and a different color will be issued for each 24-hour period.

Passes are to be issued to those persons who have a need to enter the area. These persons include government officials not under the jurisdiction of the City, residents, medical personnel, press personnel, and others who by necessity must enter the area such as repairmen and insurance adjusters.

Bloomington police officers not in uniform will be issued the blue brassard with the department patch on it.

Registration forms are provided for these passes. Upon presentation of satisfactory identification, a card will be issued the individual. Subsequently, the requestee signature, address, and reason for the pass (medical, resident) will be placed on the registration form. In cases where a crew chief or foreman of a work crew requests passes, he/she may take the responsibility to register, pick up and return passes for the entire crew without individual registration.

If security problems develop within the disaster area, the color of the card will be changed so as to identify those individuals not in possession of a valid pass.

Persons in safety services wearing uniforms or volunteer groups of the City of Bloomington recognizable by distinctive shoulder insignia need not have special passes. These include members of the Police Reserve, Fire Department, Police Explorers, Disaster Care Unit, Emergency Communications, Disaster Analysis, and Staff personnel.

Passes and registration forms are stored in the Police Disaster Kit.

PATROL PROCEDURE 302
Attachment 14

REGISTRATION FORM FOR PASSES

DATE ISSUED _____ **COLOR CODE** _____

PASS NO.	NAME	ADDRESS	REASON PASS IS NECESSARY

This pass is issued to you under the direction of the Bloomington Police Emergency Plan. It must be worn outside all garments and plainly visible. It is valid only until 0800 hours (8:00 a.m.) the date following issue and must be returned to the Permit Command Post before leaving the disaster security perimeter. If, by necessity, you must re-enter the disaster security perimeter or stay beyond the 0800 hours deadline, you must obtain a revalidated pass. Anyone observed within the disaster security perimeter without a disaster pass or with an invalid pass is subject to arrest under Bloomington City Ordinance 12.36.

PATROL PROCEDURE 302
Attachment 15

BODY IDENTIFICATION AND PROPERTY RECOVERY

In time of disaster, the Body Identification and Property Recovery Unit will be coordinated with the Hennepin County Crime Lab and the Medical Examiner's Office. This responsibility is assigned to the Investigation Division. The number of specific officers involved will be selected by the Investigation Supervisor.

The Investigators, Crime Lab and the M.E. technicians will be responsible for tagging of bodies (and body parts), mapping and photographing the various areas of the disaster scene, and control for orderly removal of bodies and property.

I. PROCEDURES

The Investigation Supervisor shall be responsible for the Unit.

Personnel will be assigned to work in teams set up by the Crime Lab and perform the tasks of obtaining evidence for identification.

Bodies, or parts of bodies, shall not be moved or disturbed until photographed, the location indicated on a grid map or diagram, and approval of the medical examiner or federal official, if involved, has been obtained.

Upon completion of fire-rescue operations, the area will be cordoned off to protect the scene. Only persons with recovery responsibilities, crime lab technicians, medical examiners, and government officials will be allowed inside the secured area.

The first step in searching the scene, regardless of size, is to segment the area into grids. This is done by placing grid lines on a map or diagram of the area, and lettering and numbering the left side and bottom grids as shown on the diagram on page 4. Each grid then has a designation of a letter and number. Depending on the size of an area, some grids may be further divided to give more precise information. Crime Lab will coordinate this activity.

Each grid is then searched in a systematic manner. Each body, body part, and item of property must be photographed and labeled with identification tag indicating the grid in which it was located. The position of the body or part should be indicated on the diagram as accurately as possible.

Property and bodies will be recovered by the Crime Lab and the M.E.'s Office. We may be asked to provide property inventory if needed. Our current system and forms will be used; however, temporary and secured property lockers may have to be located and used.

Body Identification and Claiming–will be coordinated between the M.E.'s Office and our Investigative Unit.

1. Prepared bodies will be moved from the preparation point to the Bloomington Ice Garden or the M.E.'s temporary Airport site for temporary storage. The Incident Commander will work closely with the M.E.'s Office on this decision.

2. Personal property should be stored in such a manner as to present easy viewing for identification.

3. The Investigative Unit will process claims for personal property (non-evidence). These investigators will work with Crime Lab to document and return property. Persons making claims will be identified and must sign for the property.

CANCELS AND REPLACES:
Patrol Procedure 302 – Disaster Emergency Procedure, Issued August 31, 2001

BLOOMINGTON POLICE DEPARTMENT MANUAL

PATROL PROCEDURE: 303

EFFECTIVE DATE: September 6, 2010

SUBJECT: PATROL SCHEDULES

It is the responsibility of the Patrol Division to set and to schedule patrol strength standards to ensure appropriate levels of service for residents, businesses, and visitors to the city of Bloomington. The document that controls this responsibility is the Patrol Schedule. The Master Schedule shall be the final determinate, and it is the responsibility of all patrol personnel to follow this document. It shall be kept in the office of the On-Duty Sergeant.

Scheduling Procedure:

A. It is the responsibility of the Patrol Division Commander to set minimum standards for staff levels for each shift. The duty sergeants may, however, deviate from these levels by taking into account activity levels on prior shifts, anticipated special events, and other pertinent factors.

B. The Patrol Commander shall designate a shift sergeant who is responsible for preparing and maintaining the schedule in advance for his/her shift for each trimester.

C. Only Police Department supervisors have the authority to make changes to the published schedule. When a change is made, each change must be accompanied by initials or badge number of the supervisor making the change.

D. If the change is made in the master schedule by someone other than a supervisor from the affected shift, it then becomes the responsibility of the supervisor making the change to notify the supervisor(s) of the affected shift.

E. It is the responsibility of each officer and supervisor to review each schedule as it is published. It is also the responsibility of each officer to advise his/her supervisor of any errors, omissions, or conflicts as soon as the officer becomes aware of these errors, omissions, or conflicts.

F. All department employees assigned to 8 hour days **should** have at least one full day off per pay period. All employees assigned to a 10-hour shift **should** avoid working more than seven days in a row. All employees assigned to a 12-hour shift **should** avoid working more than five days in a row. Supervisor approval is needed for any deviation of this policy. Factors that should be considered include but are not limited to: type of assignment, length of assignment, time of day, and the amount of time off between shifts.

G The Patrol Division "work period" shall be defined as and start with each 28 day period which corresponds with two 14 day payroll periods in each new trimester. Under the Fair Labor Standards Act, (FLSA) time worked beyond 171 hours in a 28 day work period must be paid at an employee's time and one-half rate.

H An officer whose work time from regularly scheduled assignments including roll call time exceeds 171 hours shall specifically note the work time exceeding the 171 hours limit on their time card and have their supervisor approve the OT. A notation of FSLA issue should be placed on the notes area of the time card. Sergeant can use the schedule book to review if the officer worked the full 28 day period without any benefit time use.

Schedule Change Procedures:

A. Officer Initiated:

1. The Request for Schedule Change form is to be completed and signed by both the officer requesting the change and the other officer affected.

2. The Request for Schedule Change form must be approved by a supervisor from each of the affected shifts.

3. The form must then be submitted to the requesting officers' Shift Supervisor who will make the appropriate changes and file the request form until the involved changes have been completed.

4. All schedule changes must be completed within the same pay period.

5. An officer initiated schedule change shall not result in requiring the City to pay overtime.

B. Department Initiated:

1. The Schedule Change Notification form must be completed and the original forwarded to the officer affected. Make certain the officer will be working at least one full shift between the notification and the date of the change. If not, a personal notification must be made in addition to completion of the form.

2. The officer affected by the change must sign the notification form and return it to the Shift Supervisor who will file the notification form until the involved changes have been completed.

Holiday Accrual and Usage:

A. Officer's compensation on holidays is determined in accordance with the employee's labor agreement. Where an officer's regular shift is on the holiday, time worked in excess of the employee's regular shift is compensated as overtime at holiday rates. Where an officer's regular shift is not considered to be a holiday, any time worked in excess of the employee's regular shift is considered regular overtime.

B. The Patrol Division Commander will determine the number of officers necessary to staff each shift on contract designated holidays and may schedule holidays into the Master Schedule on those days to match the "normal" day levels. These scheduled holidays shall be placed in the Master Schedule prior to shift picks and officers shall be allowed to pick their schedule with those holidays included.

C. Unused holiday hours are not carried over at the end of a year. Officers must monitor their use and assure that they use their bank of holiday hours in an orderly manner.

CANCELS AND REPLACES:
Patrol Procedure 303 – Patrol Schedules; Issued August 25, 2004

BLOOMINGTON POLICE DEPARTMENT MANUAL

APPENDIX TO PATROL PROCEDURE 305

EFFECTIVE DATE: July 13, 2012

SUBJECT: DOMESTIC DISTURBANCES

PURPOSE: This Appendix is intended to provide officers with a detailed explanation of the State Statutes, court decisions, practical considerations and standard procedures of the Bloomington Police Department applicable to **Domestic Disturbance** calls.

I. CONSTITUTIONAL ISSUES CONCERNING ENTRIES TO PRIVATE RESIDENCES

When responding to a domestic disturbance, responding officers must be conscious that their right to enter or stay in a person's home is directly related to the following recognized exceptions to the warrant requirement of the Fourth Amendment of the U.S. Constitution:

1. **CONSENT-** When evaluating this exception the following factors shall be considered relevant:

    a. When responding to a call from a person who is at the residence, responding officers may assume that the person has the lawful authority to consent to the officers' presence until the lack of such authority is reasonably demonstrated.

    b. If invited by an occupant, officers may enter the residence, even though another resident objects.

    c. Where one resident has been locked out of the home by another resident, the officers shall not assist the evicted party in forcing entry into the residence, unless other independent basis exists.

        1). Responding officers must make a reasonable inquiry into the evicted resident's status or right to consent to an entry before any action is taken under this provision.

2). Where a forcible entry is to be made, the evicted resident must be present to provide the continuing consent necessary to lawfully enter the premises.

d. Where the persons at the residence, including the person who made the initial call to the Police Department, refuse to admit the responding officers, the responding officers shall respect the parties' wishes, unless other independent basis exists to remain at the residence.

e. Where the responding officers have entered a residence as specified above and subsequently been asked to leave by the persons involved in the domestic dispute, the officers shall leave the residence, unless other independent basis exists to remain at the residence.

f. Where the initial call of a domestic disturbance is made by a person who is not a resident of the home or is not present at the home, responding officers shall not presume that there is any consent for them to enter the home.

2. **EMERGENCY EXCEPTION-** When evaluating this exception, responding officers must evaluate the "totality of the circumstances" to determine whether an emergency exists and may consider the following factors relevant:

a. Where the original call originates from the residence, responding officers may insist upon speaking with the person initiating the call or should otherwise determine the whereabouts and physical condition of the original caller.

1). An entry into the home over the objections of one of the residents for the purpose of determining the physical well-being of the person who initially called 911 may be appropriate, but must be evaluated upon the totality of all circumstances known to the responding officers.

b. Any evidence or facts indicating that a person at the residence may be in need of immediate first aid or medical attention.

c. Any evidence or facts indicating a possibility that a person at the residence may be the victim of serious bodily harm if immediate action is not taken.

d. Any evidence or facts indicating that the physical well-being of children at the residence might be in jeopardy or that their caretakers are unable or unwilling to provide appropriate care and such neglect may have an immediate impact upon the children's well-being.

II. DOMESTIC ASSAULT

A. The following criminal statutes are frequently applicable to domestic disturbance situations:

1. 609.224 - Assault in the Fifth Degree (Misd.)

   Note: A second offense within five years against the same victim or a second offense within two years against any victim is a gross misdemeanor.

2. 609.223 - Assault in the Third Degree (Felony)

3. 609.222 - Assault in the Second Degree (Felony)

4. 609.221 - Assault in the First Degree (Felony)

5. 609.713 - Terroristic Threats (Felony)

6. 609.746 - Interference with Privacy (Misd.)

7. 609.748 - Harassment; Restraining Order (Misd.)

8. 518B.01 - Violation of Order for Protection (Misd.)

   Note: A second offense within two years is a gross misdemeanor.

9. 518.131 -Violation of a Domestic Relations Restraining Order

B. ARRESTS AT DOMESTIC DISTURBANCES

1. The following general rules of arrest are applicable to all domestic disturbances:

a. Felonies - A peace officer may make a probable cause arrest upon any felony. Minn. Stat. Section 629.34, Subd. 1(c).

b. Misdemeanors and Gross Misdemeanors - A peace officer may make an arrest for offenses committed in the officer's presence. (No probable cause arrests) Minn. Stat. Section 629.34, Subd. 1(c).

Note: The general rules of arrest specified herein are applicable to all misdemeanor and gross misdemeanor violations unless there is specific probable cause arrest authority granted under another statute.

2. Probable cause arrest authority under Minn. Stat. Section 629.341, Subd. 1 for misdemeanor and gross misdemeanor assaults:

a. The offense must have occurred within the preceding twenty-four hours.

b. The victim must be one of the following listed persons:

1). Spouse or former spouse; or

2). Person with whom the suspect resides or has previously resided.

Note: The category of persons to which Minn. Stat. Section 629.341 applies is not the same as persons to which Minn. Stat. Section 518B.01 applies.

3. Probable cause arrest authority under Minn. Stat. Section 518B.01, Subd. 14 for misdemeanor and gross misdemeanor offenses for a Violation of an Order for Protection:

a. The Order for Protection must have been served upon the restrained party.

b. The person restrained has violated one of the following restrictions within the Order for Protection:

1). provision excluding the person from the petitioner's residence; or

2). provision excluding the person from the petitioner's place of employment.

c. The following additional issues must be considered when enforcing an Order for Protection (Minn. Stat. Section 518B.01):

1). It is not uncommon for the Petition and the Order to be attached to each other, yet the only enforceable portion of the document is the Order. The Petitioner "prayer for relief" is not the Court's order.

2). An "ex parte" order (initial order issued solely upon the Petitioner affidavit without the presence of the other party, the Respondent) is only valid for 14 days. An ex parte order can be extended an additional 14 days under certain conditions; however, a separate order extending the original order must be attached.

3). An Order for Protection, the actual order issued after a hearing, expires after one year. A lesser period may be specified; however, after a year, a new order must be obtained.

4. Probable cause arrest authority under Minn. Stat. Section 609.748, Subd. 6 for misdemeanor offenses for violating a Harassment Restraining Order:

a. The Restraining Order must have been served upon the restrained party or the restrained party must have knowledge of the order.

b. The person restrained has violated the restrictions of the Restraining Order.

c. The officer can verify the existence of the order.

5. Mandatory detention under Minn. Stat. Section 629.72 (Applicable to arrests under Minn. Stat. Section 609.224, Assault in the Fifth Degree):

a. Where a party to a domestic disturbance is arrested for assaulting a spouse or other person with whom the arrested party resides, the arrested party must be transported to jail.

1). The issuance of a citation under the Rules of Criminal Procedure is prohibited until the arrested person is booked.

b. The provisions of Support Services Procedure 502 concerning the release of persons arrested for domestic assault shall be applicable to the terms and condition of release of all persons.

6. Probable cause arrest authority under Minn. R.Crim.P. 6.03, Subd. 2 for Violation of a Conditional Release:

a. The defendant has violated the conditions of release from a prior offense.

b. It is impractical to secure a warrant or summons.

III. DOMESTIC RELATED ISSUES

A. Child Custody Issues

1. Court Orders issued under the following statutes may contain provisions dealing with the right to physical custody of minor children:

a. Minn. Stat. Chapter 518 - Divorce and Dissolution

b. Minn. Stat. Section 518B.01- Orders of Protection

c. Minn. Stat. Chapter 257- Paternity

Note: The father of a child born out of wedlock has no right to custody or visitation until such right is established in a paternity proceeding.

d. Minn. Stat. Chapter 260 - Juvenile Court and Neglect and Dependency Court (child in need of Protective Services) jurisdiction.

Note: The only provisions that are deemed to be crimes (misdemeanors) are under Minn. Stat. 518 and 518B.01; however, a violation of any of the above provisions may involve a violation of Minn. Stat. Section 609.26, **DEPRIVING ANOTHER OF CUSTODIAL OR PARENTAL RIGHTS**.

2. Disputes involving allegations that one party has violated the terms of a Court Order dealing with custody or visitation of minor children shall be dealt with in the following manner:

   a. If there is reliable evidence that the well-being of the child(ren) is in immediate jeopardy, an officer may take the child(ren) into custody.

      1). A report will be filed with the Hennepin County Child Protection Unit in accordance with Department Policy 323.

      2). The child(ren) may be turned over to the appropriate custodial parent, subject to the restrictions contained in clause c, below.

   b. If there is probable cause to believe that a violation of Minn. Stat. Section 609.26, **DEPRIVING ANOTHER OF CUSTODIAL OR PARENTAL RIGHTS**, is occurring and the child(ren) is being permanently removed from the state of Minnesota, an officer may act pursuant to that statute to arrest the party detaining the child(ren) and return the child(ren) to the custodial parent, subject to the restrictions contained in clause c, below.

   c. Pursuant to clause a or b, above, a child(ren) shall not be returned to a custodial parent where it is likely that the child(ren) would be removed from the state of Minnesota. In all such instances, the child(ren) shall be transported to the nearest shelter.

   d. In all other instances, the parties will be advised that they must pursue their civil remedies via the Court's contempt process to resolve the dispute.

      1). An officer shall make an information report upon the circumstances, but the officer will advise the parties it will not be dealt with as a criminal matter.

      2). If the dispute arises under an Order for Protection, the parties will be advised that the County's domestic abuse workers will assist them in dealing with the contempt order. Otherwise, the parties should be advised to contact their respective attorneys.

B. Removal and Destruction of Property

1. Where the parties to a domestic reside together or are currently married, an officer shall not arrest a party or physically restrain a party to prevent the removal or destruction of property unless a Court Order exists restraining the party from the premises.

2. Since the issuance of a Judgment and Decree in a dissolution action effects a final determination of all property issues between parties who were previously married to each other, the removal or destruction of property by one party of property awarded to the other party under the Judgment and Decree may be dealt with as any other criminal matter.

   a. Where the facts and circumstances are not clear or a party's right to specific property is not clearly evidenced in the Judgment and Decree, the parties should be advised to consult their attorneys.

3. Where parties have previously lived together but no longer reside together, the facts and circumstances must be evaluated to determine whether any crime has occurred. In such situations, the following facts may be considered relevant:

   a. How long the parties lived together.

   b. How long the parties have been separated.

   c. Whether they jointly acquired the residence where the dispute is occurring via lease or purchase.

   d. Whether the questioned property clearly belongs to one party or the other.

   Although disputes over personal property may be difficult to deal with and the parties should generally be referred to their attorneys to deal with such issues, the fact that one party is trespassing upon the other party's residential property to accomplish the removal or destruction of property may be addressed separately.

C. Potential Use of Weapons in Domestic Disputes

1. When a firearm or other dangerous weapon is present at the scene of a domestic dispute and the officers perceive, or are informed by one of the disputants that the weapon may be used in the dispute, the officers shall:

    a. Request that the weapon be placed in their custody.

    b. Search for and remove the weapon from the residence if one of the parties requests that they do so.

    c. Seize the weapon if it is in plain view and alternate remedies have not been effective in alleviating the potential threat of serious violence.

2. When a weapon is taken into custody under the preceding section, the officers shall issue a receipt to the owner.

    a. If no receipt was provided at the time the weapon was taken, a receipt will be given to a party upon their initial inquiry concerning the status of the weapon.

3. Any weapons taken hereunder shall be promptly placed in the Police Department property room and held for safekeeping.

    a. A person seeking the return of a weapon taken in a domestic shall petition the Chief of Police for the return thereof.

    b. The Chief of Police will authorize the return of weapons taken from a domestic under the following circumstances:

        1). When ordered to return the weapon by a Court of competent jurisdiction (If any criminal charges have been made as a result of a domestic, an Order specifically directing that the weapon be returned should be requested of the judge finally adjudicating those charges).

        2). When arrangements have been made to the Chief's satisfaction to assure that the weapon will not be a threat in any future domestic.

        3). As otherwise determined by the Chief of Police.

D. Reports

1. Officers will add information to the CAD ticket on all domestic disturbance situations, irrespective of whether there has been any potential for physical violence.

    a. Officers shall take reasonable efforts to obtain home and work telephone numbers for each party to a domestic as well as to provide minimal information concerning the details of the incident to assure appropriate followup.

    b. CAD reports relating to domestics shall be referred to the Public Health Department where efforts will be made to contact the parties and apprise them of the various social services that might be able to assist them in the future.

2. Where there has been a potential threat of physical violence, whether mutually induced or threatened or implied by one party, an offense or information report shall be submitted upon the incident by one of the responding officers.

3. Pursuant to Minn. Stat. Section 629.341, Subd. 3, all victims of domestic abuse must be given the following Notice of Rights:

"**IF YOU ARE THE VICTIM OF DOMESTIC VIOLENCE**, you can ask the City or County Attorney to file a criminal complaint. You also have the right to go to court and file a petition requesting an order for protection for domestic abuse. The order could include the following:

(1) An order restraining the abuser from further acts of abuse.

(2) An order directing the abuser to leave your household.

(3) An order preventing the abuser from entering your residence, school, business, or place of employment.

(4) An order awarding you or the other parent custody of or visitation with your minor child or children.

(5) An order directing the abuser to pay support to you and the minor children if the abuser has a legal obligation to do so."

a. The notice must include the resource listing, including telephone number, for the area battered women's shelter, to be designated by the Department of Corrections.

b. An officer's report shall specifically indicate that the Notice of Rights was provided to the victim as required by law.

3. Pursuant to Minn. Stat. Section 611A.36 a DOMESTIC ABUSE CASES LAW ENFORCEMENT DATA COLLECTION form must be completed and submitted to the Department of Corrections in all domestic abuse situations where a women is the victim (The definition of abuse and class of victims is that specified in Clause 1.A., above). The narrative section of the form need not be completed other than to reference the report number of the offense or information report on the incident.

E. ADDITIONAL VICTIM NOTIFICATIONS

1. Where a party to a domestic has been arrested, Minn. Stat. Section 629.72, Subd. 6 specifies that upon the release from custody of a person arrested for a domestic assault, the victim shall immediately be notified of the following information:

a. The conditions of release, if any.

b. The time of release.

c. The time, date, and place of the next scheduled court appearance of the arrested person and the victim's right to be present at the court appearance.

d. The location and telephone number of the area battered women's shelter as designated by the Department of Corrections.

The facts and circumstances involved in the making of or any attempts to make the required notification shall be documented upon reports related to the arrest and detention or upon forms specifically provided for that purpose.

2. Where custody of party arrested for a domestic assault has been transferred to the Hennepin County Sheriff's department, information concerning the method and means of reaching the victim shall be provided to the Sheriff's Department to facilitate such notification.

3. A copy of the documents specifying the information prescribed above shall be mailed to the victim as soon as practicable after the arrested person is released from custody.

CANCELS AND REPLACES:
Patrol Procedure 307 – Domestic Disturbances; Appendix A issued September 10, 2010

BLOOMINGTON POLICE DEPARTMENT MANUAL

PATROL PROCEDURE: 305

EFFECTIVE DATE: April 1, 2014

SUBJECT: DOMESTIC DISTURBANCES

I. PURPOSE

To provide members of the Bloomington Police Department with essential guidance upon the legal and practical considerations involved in responding to domestic disturbances.

II. DISPATCHER PROCEDURES

The dispatcher who receives a domestic violence call is instrumental in providing the responding officers with vital information that could save the victim's and the officer's life. The dispatcher will give a domestic violence call the same priority as any other life-threatening call and shall dispatch at least two officers to every incident.

A. In addition to information normally gathered, an effort shall be made to determine and relay the following information to responding officers.

1. Nature of assaultive or aggressive behavior that has already occurred.

2. Whether weapons are involved and if there are any firearms in the residence.

3. Whether the suspect is present and, if not, the suspect's description and possible whereabouts.

4. Whether the offender is under the influence of drugs or alcohol.

5. Whether there are any children present.

6. Whether the victim has a current Order for Protection or Restraining Order.

7. Whether the offender has previously been arrested for assaultive behavior.

B. Dispatchers shall not cancel police response to a domestic violence complaint based solely on a follow-up call from the residence requesting a cancellation of the police response.

III. RESPONDING OFFICER PROCEDURE

A. Initial Response

1. 911 hangup calls shall be handled as domestic disturbances until determined otherwise.

2. An officer shall not enter a residence alone where a domestic disturbance has been reported, unless immediately necessary to protect a person from serious bodily harm and such an entry can be made without an unnecessary risk to the officer.

B. Entry to Private Residences in Response to a Domestic Disturbance

1. If the original call originated from the residence, consent to enter a residence shall be presumed until officers have made personal contact with the parties and verified there is no immediate danger of physical injury to any person at the residence.

2. Officers will not forcibly enter a residence in response to a domestic disturbance unless the original call or other independent facts demonstrate a realistic concern for the physical safety of persons present at the residence.

3. If the original call to a residence was not initiated by a person at the residence, entry into the residence must be by consent of a person present or based upon a reasonable and articulable belief that such an entry is necessary to prevent injury or death to an occupant.

4. The consent of any one party to enter or remain in the residence is adequate to provide for the officers' continued presence; however, officers must leave the residence if both parties insist that the officers leave, unless other independent basis exists to remain at the scene.

5. Where the persons at the residence, including the person who made the initial call to the police department, refuse to admit the responding officers, the responding officers shall respect the parties' wishes, unless other independent basis exists to remain at the scene.

6. Where one resident has been locked out of the home by another resident, the officers shall not assist the evicted party in forcing entry into the residence, unless other independent basis exists.

    a. Responding officers must make a reasonable inquiry into the evicted resident's status or right to consent to an entry before any action is taken under this provision.

    b. Where a forcible entry is to be made, the evicted resident must be present to provide the continuing consent necessary to lawfully enter the premises.

7. Where the initial call of a domestic disturbance is made by a person who is not a resident of the home or is not present at the home, responding officers shall not presume that there is any consent for them to enter the home.

8. Where the original call originates from the residence, responding officers may insist upon speaking with the person initiating the call or should otherwise determine the whereabouts and physical condition of the original caller. Entry into the home over the objections of one of the residents for the purpose of determining the physical well-being of the person who initially called 911 may be appropriate, but must be evaluated upon the totality of the circumstances known to the responding officers, to include:

    a. Any evidence or facts indicating that a person at the residence may be in need of immediate first aid or medical attention.

    b. Any evidence or facts indicating a possibility that a person at the residence may be the victim of serious bodily harm if immediate action is not taken.

    c. Any evidence or facts indicating that the physical well-being of children at the residence might be in jeopardy or that their caretakers are unable or unwilling to provide appropriate care and such neglect may have an immediate impact upon the children's well-being.

C. On-Scene Investigation

When responding to a domestic disturbance, the officer shall:

1. Restore order by gaining control of the situation.

2. Take immediate control of all weapons used or threatened to be used in the crime.

   a. Voluntary placement of any weapons not immediately implicated in the incident should be sought. Any weapons taken into custody shall be made safe and property inventoried at the Police Department.

3. Assess the need for medical attention and call for medical assistance, if indicated.

4. Interview the parties.

5. Arrest the offender when probable cause and legal authority exists to make an arrest.

   a. Where there are indications that both parties assaulted each other, efforts should be made to develop a reasonable basis to believe who was the primary aggressor. The following factors may be relevant to this determination:

      1.) Comparative extent of any injuries inflicted.

      2.) Fear of physical injury because of past or present threats.

      3.) Actions taken to protect oneself.

      4.) The history of domestic abuse perpetrated by one party against the other.

      5.) Existence or previous existence of Orders for Protection.

6. Collect and record evidence and, where appropriate, take color photographs of injuries and property damage. When an arrest is made, the officer will take a recorded statement from the victim. If a recorded statement is not obtained, the officer will document the reason why in their report.

7. Give the victim a copy of the incident report number.

8. If the offender has left the scene and a crime has been committed, the officer will:

   a. Conduct a search of the immediate area.

   b. Obtain information from the victim and witnesses as to where the offender might be.

   c. Refer the matter to the Investigation Unit.

D. Arrest

1. Officers will make an arrest when probable cause and legal authority exists to make an arrest. Probable cause arrest authority exists for the following crimes:

   a. Domestic Assault- Minn. Stat. Section 629.341, where the assault has occurred within the preceding twenty-four hours to any one of the following:

      1) Spouse and former spouses

      2) Parents and children

      3) Persons related by blood

      4) Persons who are presently residing together or who have resided together in the past

      5) Persons who have a child in common regardless of whether they have been married or have lived together at any time

      6) A man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time

      7) Persons involved in a significant romantic or sexual relationship

   b. Violations of Orders for Protection-MN Stat. 518B.01, where the restrained person has violated a provision excluding the restrained person from the petitioner's residence or place of employment.

c. Harassment Restraining Order-MN Stat. 609.748, where the restrained person has violated a temporary restraining order or a restraining order by harassing the petitioner.

d. Violation of Conditional Release-MN R.Crim.P 6.03, Subd. 2, where a party has violated the conditions of release previously established by a Court.

2. An arrested person must be transported to the Police Department and booked.

3. Officers should emphasize to the victim and the offender that the criminal action is being initiated by the state and not the victim.

E. Victim Assistance/Crime Prevention

1. When an arrest is made or an arrest could have been made but for the absence of a perpetrator, an officer shall make an immediate call to Cornerstone's 24 Hour Helpline at (952) 884-0330, or electronically transfer the information. The officer shall provide the Helpline Advocate with the following information:*

a. The victim's name, race, date of birth, address, phone number, and any alternate phone numbers that will facilitate a follow-up contact with the victim.

b. The defendant's name, race, date of birth, and address. If the defendant has been arrested, the facility where the defendant will be held pending a court appearance.

c. The relationship of the victim to the defendant.

d. A brief description of the incident and whether weapons were used in the assault.

e. Whether there are any children in the home and whether special consideration is necessary to assure their continued safety.

f. Immediate assistance the officer feels might benefit the victim, including sheltering, and whether the victim has been advised by the officer that Cornerstone Advocacy Service will be contacting the victim and offering immediate information and support.

g. In any written documents, the officer will refer to Cornerstone as "A Safe Place".

*If an officer, upon contacting the Cornerstone Advocate, is able to immediately connect the victim with the advisor, the officer is relieved of providing the above information.

2. Officers shall provide the following assistance to the victims, batterers, and, where appropriate, the children:

a. Provide the victim with referral information for legal and social assistance and support and the "Notice of Rights" required by statute.

b. Secure medical treatment for victims.

c. Ensure the safety of the children.

d. Remain at the scene until satisfied that there is no threat to the victim.

e. Remain on the scene to preserve the peace as one person removes personal property.

F. Documentation

1. Domestics will be documented in the following manner:

a. When no arrest or report has been written:

1) An entry into the CAD will be made of all participants, including name and date of birth.

b. When an arrest is made or an offense has taken place:

1) An Offense Report

a) The offense report submitted by an officer for a domestic assault shall indicate that the Cornerstone Helpline was contacted or the reason why no such contact was made.

2) A Conditional Release

3) A Bloomington Victim Notification Notice

4) A Hennepin County Victim Notification Form (if there is a possibility the suspect will be sent to the Hennepin County Adult Detention Center)

CANCELS AND REPLACES:
Patrol Policy 305 – Domestic Disturbances, Issued , July 13, 2012

BLOOMINGTON POLICE DEPARTMENT MANUAL

PATROL PROCEDURE: 306

EFFECTIVE DATE: June 18, 2012

SUBJECT: IMPOUNDING AND RELEASING MOTOR VEHICLES

"Impounded Vehicle" shall mean vehicles held for evidence, safekeeping, or forfeiture.

I. Conditions for Impoundment

A) When there is no valid driver present.

B) When the vehicle is uninsured

C) When the owner or the driver (if the owner is not present or competent) is arrested.

D) Any vehicle which must be towed for a parking or other traffic violation which constitutes a public hazard.

E) Recovered stolen vehicles. (May be released to the owner at the recovery site, provided that the vehicle has no processing value and no unreasonable delay results.)

F) When a vehicle is subject to forfeiture proceedings.

G) Vehicles that were involved in crimes and which are evidence or contain evidence.

H) Any vehicle that is parked in violation of the “snow ban” ordinance, an abandoned vehicle, a vehicle with revoked plates, or a vehicle with expired tabs over 90 days.

I) When the owner or the driver (if the owner is not present) is removed from the vehicle for medical care.

J) Any vehicle involved in a fatal or probable fatal accident. A vehicle from any accident where a thorough safety inspection is necessary to determine equipment causes in the accident.

Nothing in this section shall preclude the officer from releasing the vehicle to a responsible person at the scene if the owner wants and authorizes the person to take the vehicle and the vehicle or contents are not needed for evidence. If the vehicle is released at the scene, a notation shall be made on the police report concerning the disposition of the vehicle.

II. Impoundment Procedure

When a vehicle is to be impounded the impounding officer shall ensure that an impound report is completed. The report will be completed at the earliest convenience along with any other applicable reports. If there are no license plates on the vehicle, the VIN (vehicle identification number) must be shown on the impound report.

A) A vehicle registration check is to be made on all impounded vehicles to determine the name and last address of the registered owner. This check is to be made by the impounding officer before completion of his shift.

B) An inventory search shall be conducted on all impounded vehicles to locate, identify, and inventory items of more than $50 value that come under the Bloomington Police Department's control. Personal property of an estimated $300 value not permanently affixed in a vehicle shall be inventoried and placed in the Police Property Room

The scope of the inventory search shall include any areas within the vehicle where personal property or dangerous items could reasonably be located including, but not limited to: the passenger compartment, glove compartments, consoles, trunk, and any closed, locked, or sealed containers whose contents cannot be readily determined by examining the container's exterior.

C) Impounded vehicles are available for immediate release. In certain instances the impounding officer will identify a need to "HOLD" an impounded vehicle, making it not eligible for release. The "HOLD" should fit one of the categories listed below. The impounding officer should clearly mark the Impound Report as to the specific reason for the "HOLD." The fact that a hold has been placed on a vehicle must be listed in the Offense Report, including the reason why the hold was placed.

FORENSIC HOLD:

To allow for processing of physical evidence: i.e. fingerprints, bloodstains, damage comparison, equipment failure, etc. The impounding officer must specify on the Impound Report what processing is needed and arrange for that processing (i.e. call Crime Lab, TIU, etc.). An investigator can extend the hold by attaching a note of explanation to the original Impound Report.

VEHICLE HOLD:

Vehicle itself is evidence.

FORFEITURE HOLD:

If the vehicle meets statutory requirements, this hold should be listed. Release only with OK from Staff Sergeant or sergeant of the unit which is investigating the incident.

D) If there is personal property of over $300 value not permanently affixed in a vehicle that is being impounded, the impounding officer shall inventory the contents and transfer the items to the police property room. It is not necessary to inventory small items less than $50 in value normally found in a vehicle.

E) Vehicle key only will go with the vehicle.

ORANGE TAG PROCEDURE:

This procedure is for impounds that don't require officers to stand by for the tow. It allows the tow company to respond as they can to these tows. This process may be used for Snow Ban enforcement, abandoned vehicles, and other non-hazardous parking violations

Officer's Duties

- Notify Dispatch.
- Complete the impound form - special attention to damage and personal property.
- Indicate any damage and personal property in the vehicle on the orange tag.
- Place orange tag and any citations on the vehicle.

- Leave the impound and any citation copies at the front counter for the clerical unit.
- Tow company will call us if there is a problem at scene.

Dispatch Duties

- When notifying the tow company, advise it is an "orange tag" tow.
- In CAD enter Lic. # in the #9 field and that it is an "orange tag" tow in the Notes field.
- In large scale towing periods, the shift supervisor may delay towing. In these cases you are to keep a log of tows to be called in later. (Either fax 952-888-4944 or call 952-888-2201 with this log information.)

Desk Officer Duties

- Collect and organize the impound information from the officers.
- Compare the tow information dropped off by the tow company.
- Connect all reports and place into "Incoming Reports" bin.

III. <u>Release Procedure</u>

A) Vehicles not being held:

In cases where the driver is present, an information sheet outlining the release process will be given to the driver at the time of impound (driver may not be the owner).

The towing contractor will be responsible for notifying the registered owner(s) and lien holders of the impounded vehicle.

Owners and/or lien holders will go directly to the towing contractor with all necessary paperwork. The towing contractor will be responsible for verifying the proof of ownership, proof of insurance and verifying driver's license status when releasing vehicles.

B) Vehicles being held:

- "Forensic"
  Desk Officer or Duty Sergeant can release a vehicle if they verify the vehicle has been processed. (Call Chiefs, Crime Lab or our Traffic Unit.)

- Fatal-Felony Accident
  Must have Traffic Unit Investigator sign off on impound form.
- Forfeiture

  Must be cleared with the sergeant of the unit who impounded the vehicle or the sergeant who is responsible for the investigation.

C) Release of Vehicles Being Held

Once hold is released, written notice will be sent to the registered owner(s) and lien holder, if any, by clerical staff via certified mail.

D) To obtain the release of a vehicle that has been placed on hold, the owner or his authorized agent must present reasonable proof of ownership and pick up release papers at the Police Department prior to picking up the impounded vehicle. Desk officers can use good judgment on what is required for proof of ownership.

E) We can make reasonable attempts to prevent unlicensed or uninsured vehicles, or unlicensed drivers from operating on public streets. If an owner wants to get a vehicle that isn't legal on the street, they can get a release. We will require it to be "towed from the lot" and/or have a "licensed driver" pick it up. Releasing officers should mark those boxes on the release form.

IV. Administrative Process for Towing Company to Release Vehicles:

A) Releases:

When the towing contractor releases a vehicle, they will fax a copy of the release to the Bloomington Police Department. The actual releases will be brought to the Bloomington Police Department on a daily basis (Monday through Friday).

If a vehicle is unclaimed and the towing contractor takes possession, they will fill out a release to themselves indicating it was unclaimed and turn that in to the Bloomington Police Department.

B) Out of State Checks:

When the towing company must run an out-of-state plate or driver’s license, they must contact the Bloomington Police Department to obtain this information.

During normal business hours (8 a.m. to 4:30 p.m. Monday through Friday), the towing contractor should contact the department in the following order:

1. The front desk at 952-563-8872
2. The switchboard at 952-563-4900
3. The desk officer at 952-563-8811
4. Dispatch at 952-563-8844 or 952-563-8804

After 4:30 p.m. on weekdays and on weekends and holidays, the towing contractor should contact:

1. Dispatch at 952-563-8844 or 952-563-8804
2. The desk officer at 952-563-8811

IV. Private Tows - Not for Impoundment

If a tow is required for an individual who is stalled, or at the scene of an accident where the owner or driver is not arrested or removed for medical care, and the officer does not want the vehicle impounded for investigation, the officer shall inform the owner or driver that a tow truck will be called to the scene to remove the vehicle. The driver or owner can select any tow company they want as long as it doesn't cause unreasonable delays. The driver or owner will determine where the vehicle will be towed. If the vehicle isn't a hazard, the driver or owner can make arrangements for his/her own tow.

CANCELS AND REPLACES:
Patrol Procedure 306 – Impounding and Releasing Motor Vehicles
Issued September 6, 2010

BLOOMINGTON POLICE DEPARTMENT MANUAL

PATROL PROCEDURE: 307

EFFECTIVE DATE: September 6, 2010

SUBJECT: COURT APPEARANCE NOTICES

To ensure proper notification of officers' pending court appearances, the following procedure must be followed in all cases:

The desk officer receiving the court appearance notices shall check the schedule to ascertain that the officers involved are working at least one shift prior to the appearance time. If the officer is not, the desk officer must then attempt to notify the officer by phone or other means. If the officer cannot be contacted, the desk officer must advise the attorney's office so that the appearance date can be changed or other arrangements made.

The appearance date and time will be entered in the Desk Officer's book provided for that purpose and a copy of the notice will be distributed to the involved officer(s) at roll call. The notified officer(s) will initial the original notice and it shall be returned to the Desk Officer to be filed in the court notice book.

- When the signed original is returned to the desk officer, the desk officer shall highlight the officer's badge number and court date in the court calendar.

Court notices intended for personnel of other divisions shall be forwarded to the appropriate division commander by the Desk Officer with appropriate entry in the Desk Officer's book.

Once notified, it shall be considered an order to appear and it will be the responsibility of each officer to appear on the date and time specified unless ordered to do otherwise.

It is the officer's responsibility to coordinate the court appearance directly with the respective prosecuting attorney or attorney's delegate.

CANCELS AND REPLACES:
Patrol Procedure 307 – Court Appearance Notices, Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT MANUAL

PATROL PROCEDURE: 308

EFFECTIVE DATE: September 6, 2010

SUBJECT: FIRE SCENE PROCEDURES

I. PURPOSE

In keeping with our policy of a police response to fire scenes, this procedure is to assist officers and supervisors in ensuring that we are fulfilling our proper role at the fire scene. Nothing in this procedure should inhibit officers from making their on-scene assessment. This procedure's purpose is to ensure that the fire scene be made safe, and that the scene does not become worse by our actions or inactions.

II. SCENE RESPONSIBILITIES

A. First Officer on the Scene
   1) Assess the scene to see how many additional officers are needed to adequately meet the needs of the situation.
   2) Identify and give prompt medical attention to victims.
   3) Protect bystanders from becoming victims.
   4) Protect Fire Department personnel and equipment by controlling traffic.
   5) Keep aware of the possibility of arson or other crimes and being alert for possible suspects at the scene.
   6) Stay on scene until properly relieved.

B. Supervisor Duties
   1) Assess personnel needs to handle the situation, taking into consideration crowd control, crime scene if any, short-term and post-fire protection.
   2) Stand by the Fire Department Command Post to provide direction to police personnel to meet the needs of the Fire Department.

CANCELS AND REPLACES:
Policy 106 – Time in Grade, Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT MANUAL

PATROL PROCEDURE: 309

EFFECTIVE DATE: September 6, 2010

SUBJECT: LATE RELIEF BECAUSE OF PART-TIME ASSIGNMENT

In order to establish a consistent means of providing police coverage for the citizens of Bloomington when part-time assignments disrupt normal relief times, the following procedure is established.

PROCEDURE

When any officer cannot report for a regular duty shift on time because of working a department-scheduled part-time assignment, another officer will be assigned to continue working until the officer working part-time arrives for regular duty unless relieved of his/her assignment by an order from a superior officer. The method of selecting the officer to work over shall follow the guidelines listed below.

1. If the officer to be relieved is an officer working the part-time list, that officer will be assigned to work over until relieved.

2. If the officer to be relieved is not on the part-time list, he/she will be given first option to work over until relieved.

3. If neither of the above criteria is successful in obtaining a holdover, the work will be offered by seniority to officers working the shift.

4. If necessary, the time will then be assigned to officers by:

   (a) assigning the most junior officer who regularly works the part-time roster.

   (b) assigning the most junior officer to cover the district until relieved.

Time Card Accounting

The supervisor working the part-time assignment enters the total amount of time actually used at the part-time assignment on the time card in the contract overtime square for that date. The officer enters the amount of time from the time he actually reports in to the Desk Officer until whenever he finishes his normal shift in the regular hours square.

The officer held over enters the amount of time from the time his shift started until the normal ending time (usually 8 hours) in the regular-time square. The amount of time from the normal shift ending time until actually relieved will be handled as any other overtime.

1. Options

   The officer working over because of his/her relief working part-time may opt to earn comp time at the rate of time and one-half.

   The officer who is late for duty because of a part-time assignment has several options to cover the time missed from his regular shift:

   a) May use vacation time.

   b) May use compensatory time.

   c) May elect to show only the shortened shift time, not using comp time or vacation time. Example: An officer one and one-half hours late for duty would show 6.5 hours straight time. Accordingly, for that pay period his total time paid would be 78.5 hours rather than 80 hours (plus the overtime hours earned on the part-time assignment).

2. Special Situation

   When an officer working part-time is going to be late and is not relieving anyone, another officer may be held over to provide scheduled coverage as necessary.

CANCELS AND REPLACES:
Patrol Procedure 309 – Late Relief Because of Part-time Assignment,
Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT

PATROL PROCEDURE: 310

EFFECTIVE DATE: September 6, 2010

SUBJECT: CHILD CUSTODY DISPUTES

POLICY:

Officers will not become involved in a child custody or visitation dispute other than to refer the parties involved to get legal counsel and settle the dispute through civil remedies. However, the following will be taken into consideration as it applies:

I. COURT ORDERS

Court Orders issued under the following statutes may contain provisions dealing with the right to physical custody of minor children. The only provisions that are deemed to be crimes (misdemeanors) are under MN Statute 518 and 518B.01; however, a violation of any of the following orders may involve a violation of MN Stat. 609.26.

A.	Divorce and Dissolution:	MN Stat. 518
B.	Orders of Protection:	MN Stat. 518B.01
C.	Paternity:	MN Stat. 257
D.	Juvenile Court and Neglect and Dependency Court	MN Stat. 260

II. ALLEGATIONS OF ABUSE OR NEGLECT

If there is reliable evidence that the well-being of the child(ren) is in immediate jeopardy, the officer will take the child(ren) into custody and will:

A. File a report with Hennepin County Child Protection Unit in accordance with Department Policy 319.

B. Turn the child over to the appropriate custodial parent, or

C. Place the child at St. Joseph's Shelter if the child's welfare is still an issue.

III. DEPRIVING ANOTHER OF CUSTODIAL OR PARENTAL RIGHTS

A. If there is probable cause to believe that a violation of 609.26 Depriving Another of Custodial or Parental Rights, is occurring and the child(ren) is/are being permanently removed from the state of Minnesota, an officer may act pursuant to that statute and:

1. May arrest the party detaining the child and return the child to the custodial parent.

2. Place the child at St. Joseph's Shelter.

IV. CHILD BORN OUT OF WEDLOCK

A. A father of a child born out of wedlock has no right to custody or visitation until such right is established in a paternity proceeding.

CANCELS AND REPLACES:
Patrol Procedure 310 – Child Custody Disputes, Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT MANUAL

PATROL PROCEDURE: 311

EFFECTIVE DATE: September 6, 2010

SUBJECT: DESK OFFICER DUTIES

The Desk Officer is the administrative officer of the shift, and as such, it is his/her responsibility to carry out the administrative details as prescribed herein and other such duties as assigned by the shift supervisor. In addition to the administrative duties, the Desk Officer is a Bloomington Police Department officer, and as such, has all the responsibilities normally associated with that position.

The following tasks are examples of some of the duties performed by Desk Officers. The list is not intended to be all-inclusive in view of the fact that there are constant changes in administrative procedures. However, they define areas of responsibility, and necessary adjustments should be apparent.

A ADMINISTRATIVE DUTIES

1. Continually update the shift supervisor of significant activity and information received pertinent to the shift's operation.

2. Prepare and update roll call materials.

3. Assist the shift supervisor with schedule change notifications and in determining staffing needs.

4. Assist the shift supervisor in accounting for the use, maintenance and repair of vehicles, equipment, radios, etc.

5. Routinely monitor the availability of supplies necessary to the provision of patrol services and the appropriate ordering of same when a need is detected.

6. Act as a general resource person to line and administrative personnel.

7. Assist the Patrol Support Supervisor in maintaining and updating resource material and files that are routinely used by the Desk Officer.

8. Perform other administrative duties as the need arises.

B. JAIL DUTIES

1. Inspecting the jail at the beginning and end of each shift for deficiencies and taking appropriate action as needed.

2. Booking prisoners into the jail.

3. Releasing prisoners from the jail to include ensuring the appropriate notifications are made to victims of assault and protection order type offenses.

4. Arranging for prisoner transportation as needed.

5. Checking prisoner welfare at least once each half hour and recording the same on the computer Jail Check Log. (More often in the case of the emotionally unstable)

6. Arranging for medical treatment as necessary.

7. Arranging for or preparing jail meals and recording the meals in the computer and on each Prisoner Activity Log. If a CSO is available, they will be responsible for the preparation and delivery of the meals.

8. Arranging prisoner visits and monitoring those visits.

9. Keeping the shift supervisor apprised of jail-related problems and issues. Document by an information report any “special occurrence” (injury in custody, fire, suicide attempt, etc. See Jail Manual.)

10. Notifying investigative personnel when prisoners are being held.

11. Making sure that prisoners are appropriately provided with blankets, showers, toiletries, etc.

12. Maintaining appropriate quantities of jail supplies: blankets, toiletries, Intoxilyzer supplies, film, booking forms, etc., to include conducting a weekly overall written inventory.

13. Arranging for or providing Intoxilyzer examinations by a qualified operator.

14. Performing other related duties as apparent or assigned by the shift supervisor.

C. DISPATCHERS

The Desk Officer serves as a resource person to the dispatchers. The Desk Officer also functions as a liaison between the dispatch and patrol functions. As such, the Desk Officer will:

1. Assist the dispatchers in making procedural decisions, when needed, on calls for service.

2. Assist the shift supervisor by monitoring radio traffic and calls waiting in the CAD to ensure that proper procedures are being followed.

D. CSOs

The CSOs work as a resource person for the duty sergeant. CSOs also function not only at the front counter but in the municipal holding facility. The following is a list of duties to be accomplished while in the holding facility:

1. Monitoring of prisoners via camera and answering of phones.

2. Washing and restocking of jail blankets.

3. Preparation/delivery of prisoner meals through food pass.

4. Relief of the desk officer when they are needed outside the holding facility.

5. Monitoring and restocking of the holding facility supplies.

This position shall have no direct prisoner contact.

E. PUBLIC CONTACT

The Desk Officer is the department representative to the public and has the same responsibilities to the public as any officer assigned to an area within the city. As such, it is his or her responsibility to:

1. Whenever possible and appropriate, take incident reports over the telephone.

2. Counsel and refer citizens who either telephone or come to headquarters.

3. In the absence of an animal warden, arrange for the impoundment of animals.

4. As appropriate, provide service to citizens who come to headquarters about such matters as:
    a. Accident reports
    b. Auto releases
    c. Vehicle repair citations
    d. Access to municipal and government buildings
    e. Payment of Hennepin County warrant fines
    f. Recovered property and release of inventoried property
    g. Collection of utility bills after hours of business
    h. Provision of emergency food and housing

5. As appropriate, deal with citizen complaints against police department employees and procedures.

6. Perform other public service as apparent or assigned.

F. SECURITY AREAS

As the police officer responsible for the holding facility, it is the duty of the Desk Officer to:

1.Check the headquarters and communications building for security at the beginning of each shift and periodically, as necessary, to:

a) Determine who and what activity is taking place within the building.
b) Determine that proper locking and physical security is uncompromised.

2. Determine the identity and authorization of unidentified persons into the police department.
3. Determine the identity and admit authorized persons into the municipal building after normal business hours.
4. As appropriate, secure the municipal building after late meetings.
5. Monitor the activities of the janitorial service.
6. Along with the dispatchers, monitor the TV security sets.
7. Maintain radio communications with the dispatch office and street personnel.

CANCELS AND REPLACES:
Patrol Procedure 311 – Desk Officer Duties, Issued December 8, 2003

BLOOMINGTON POLICE DEPARTMENT MANUAL

PATROL PROCEDURE: 312

EFFECTIVE DATE: September 6, 2010

SUBJECT: OFFENSE REPORTS ON TRAFFIC CITATIONS

In order to more clearly describe driver behavior and other pertinent information when a person is tagged for a driving violation, it is necessary to properly document the facts for the benefit of the Court and City Attorney's Office.

Therefore, a Traffic Offense Report shall be written for most misdemeanor violations. (Currently, the City Attorney doesn't require a report for DARs, DASs and No Minnesota Drivers License. Good notes should be made on the tag in these cases as they are the only record of the stop.)

An Offense Report is necessary when a citation for a traffic offense is issued at a motor vehicle accident scene.

CANCELS AND REPLACES:
315 – Offense Reports on Traffic Citations, Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT MANUAL

PATROL PROCEDURE: 315

EFFECTIVE DATE: September 6, 2010

SUBJECT: PARTY/DISTURBANCE PROCEDURE

I. GENERAL

In recent years, large disturbance incidents have been a serious police problem and a heavy drain on police resources. This procedure is written as a guideline to assist police employees to effectively and efficiently deal with disturbance incidents. This procedure is not meant to inhibit lawful police ingenuity.

The main purpose of this procedure is to provide for a more consistent police approach than in the past so that offenders will know what to expect from the Bloomington Police at a disturbance incident.

Police action should never make the situation worse. When evaluating the situation, careful consideration must be given not to turn a disturbance into a riot.

II. DEFINITIONS

Containment: To confine the disturbance to an area where the disturbance can be reasonably controlled. To attempt to prevent the disturbance from getting worse. People should be allowed to leave a contained area, but non-authorized people should not be allowed in a contained area if possible.

Disperse: To clear the area of law violators.

Disturbance: A gathering of people where there are apparent law violations and/or there is a threat to the public safety.

Offender: A person breaking the law.

Party: A gathering of people where there are no apparent law violations, and there is no threat to the public safety.

Riot: When three or more persons assembled disturb the public peace by an intentional act or threat of unlawful force or violence to person(s) or property. Refer to Minnesota Statute 609.71.

Warning: Locating, identifying, and advising the person responsible for the premises of possible or probably law violations.

Unlawful Assembly: When three or more persons assembled, without lawful purpose, disturb or threaten the public peace. Refer to Minnesota Statute 609.705.

III. EXECUTION

A. Dispatcher
   1. Identify complainants, if possible.
   2. Send two officers to disturbance calls to evaluate unless there is information to indicate more officers are necessary.
   3. When more than two officers appear needed or the incident is a re-call, a supervisor must be notified.

B. First Officer(s) at the Scene
   1. The call-car officer is in charge of the scene and responsible for necessary reports until relieved by a supervisor.
   2. The first officer(s) at the scene should evaluate to see if an offense is occurring in the officer(s)' presence before taking any action. No officer should take action alone other than in an extreme emergency.
   3. After evaluation, the officer(s) must take appropriate action based on the officer(s)' judgment. The following options are available to the officer:

      a. Advising: Advising is appropriate when there is a lawful gathering (party or other) and the advice will have a sufficient impact to make further police contact unnecessary.
      b. Warning: A warning is appropriate when there may be some minor violations and the warning would make the necessary correction so that further police action would be unnecessary.
      c. Dispersal: To disperse is appropriate when there is an unlawful gathering (disturbance) and the disturbance can be dispersed without further assistance or supervision.

d. Request a Supervisor: To request a supervisor is appropriate when there is a need for more than two officers and the situation indicates a need for supervision.

4. Additional Considerations

a. Homeowners/renters who actively resist our efforts to abate the violation will generally be charged, either through complaint and warrant, or in the case of flagrant noise violations, through the process of obtaining a search warrant to enter the premise.

When entry is refused and a violation does exist, the responding officer should document the violation on an offense report. The shift supervisor will arrange for a follow-up contact either later in the shift or, more likely, on the day shift to identify the violator (except for those cases when a search warrant is obtained for entry). In the event that patrol personnel are ultimately unable to acquire the needed information for charging, the case will be referred to the Community Resource Unit for follow-up.

b. When the disturbance is discovered by an officer on patrol, the officer has a duty to investigate and to take appropriate action as would be the case any time an offense occurs in the officer's presence.

c. In open fields, it should be determined if the participants have the property owner's permission to be on the property.

d. In public parking lots, it should be determined if the participants' behavior is disorderly or otherwise unlawful.

e. In city and county parks, conduct is controlled by prohibitive ordinances.

f. Intoxicated people must not be allowed to drive motor vehicles. Care must be taken that persons intoxicated to the point of being unable to care for themselves are put/left in the care of a responsible person/facility.

g. Generally, a show of force has been an effective technique with large disturbances. Marked police cars are preferable to unmarked cars. The police van is an effective tool.

h. An attempt should be made to locate independent witnesses at disturbance scenes for future corroboration of correct police action.

i. A complaint alone does not justify more than advice. For further action, an officer must have observation and facts that can be articulated in a police report

CANCELS AND REPLACES:
Patrol Procedure 319 – Party/Disturbance Procedure, Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT MANUAL

PATROL PROCEDURE: 316

EFFECTIVE DATE: June 18, 2012

SUBJECT: PARKING ENFORCEMENT

A uniform method of enforcing parking restrictions will tend to minimize claims of unfair or prejudicial action and encourage public support. Since we as police officers have a wide range of parking enforcement options open to us from vehicle impoundment to a verbal warning, the following policy has been established to develop consistency in enforcement efforts:

I. PERTINENT CITY CODES

A) Department Procedure and Statutes

1) 8.86.01 Winter Parking Ban
2) 8.88.04 Automatic Parking Ban After Snowfall
3) 8.88.05 Removal of Illegally Parked Vehicles
4) 8.87 Sub:

   c. Time limit on consecutive parking
   d. Removal of vehicles for snow plowing
   e. Impounding by police officer

5) Patrol Procedure 306 Impounding of Vehicles
6) Minnesota Statute 169.33 Police May Move Cars

II. WINTER PARKING BAN

A) When a vehicle is observed in violation of ordinance 8.86.01 or 8.88.04, a citation will be issued and an "Orange Tag Tow" will be requested. See Patrol Procedure 306 for “Orange Tag Tow” procedure.

B) Vehicles that constitute a hazard or unduly hamper plowing efforts will be towed immediately.

III. 24-HOUR PARKING VIOLATION

At the time any vehicle is marked for a 24 hour violation, a BPD warning citation will be completed and left with the vehicle. The officer will follow up on the warning the next day. If the issuing officer is not working the next day, it will be their responsibility to contact dispatch and request a scheduled Computer Aided Dispatch (CAD) ticket be generated for the vehicle and location. This CAD ticket shall include the license plate and information as to how and when the vehicle was marked.

IV. TOWING

Any vehicle towed for a parking violation must have supporting documentation stating the reason or the hazard. This documentation need be no more than a notation on the impound report. **(SEE PATROL PROCEDURE 306 - IMPOUNDING AND RELEASING MOTOR VEHICLES FOR CONDITIONS NECESSARY FOR IMPOUNDING MOTOR VEHICLES.)**

V. OTHER METHODS OF REMOVAL

If circumstances permit, other reasonable methods of removal may be attempted, such as telephone or personal contact with the registered owner. Such attempts are at the discretion of the officer at the scene and must be based on fairness, public welfare, and safety.

VI. EXCEPTIONS

Citizens may, on occasion, call the Police Department with a request to ease parking restrictions. During City business hours, such requests, unless for a very short duration, should be referred to the Office of the Traffic Engineer.

In very specific emergency situations during non-business hours, the Shift Supervisor may authorize temporary relaxation of parking enforcement based on fairness, public safety, and the common good. This deferred enforcement will generally apply to such situations as removal problems, inadequate off-street parking, stalled vehicles, or other unforeseen complications.

It will be the responsibility of the Shift Supervisor authorizing such exceptions to communicate the fact to <u>all</u> officers and supervisors <u>involved</u>.

CANCELS AND REPLACES:
Patrol Procedure 316 – Parking Enforcement, Issued September 10, 2010

BLOOMINGTON POLICE DEPARTMENT MANUAL

PATROL PROCEDURE: 317

EFFECTIVE DATE: September 6, 2010

SUBJECT: PATROL DIVISION SUPERVISOR VACATION SELECTIONS

The patrol sergeant's vacation selection will be based primarily on "time-in-grade" for their selected shift. It is the responsibility of the Patrol Commander to coordinate the patrol sergeant's vacation selections based on the following criteria:

1. Vacation selection picks will be posted on the Patrol Sergeant's bulletin board.
2. In order to retain seniority for vacation picks, the sergeant must pick his vacation slot as soon as he makes his shift selection.
3. The sergeant's vacation requests must be authorized by the Patrol Commander.
4. Only one supervisor from each platoon may be on vacation at any given time. Deviation from this requires approval from the Patrol Commander.
5. In special circumstances, vacation selections may be made as far as one year in advance with the approval of the Patrol Commander.

CANCELS AND REPLACES:
Patrol Procedure 317 – Patrol Division Supervisor Vacation Selections,
Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT MANUAL

PATROL PROCEDURE: 318

EFFECTIVE DATE: September 20, 2013

SUBJECT: TRAFFIC CRASH REPORTING

PURPOSE:

This order is intended to ensure a consistent, professional, efficient, and precise response to traffic crashes for all Bloomington Police personnel, and to ensure that thorough investigations are conducted when necessary; that the state mandates are complied with, and that the citizens are provided guidance during an often traumatic and stressful period immediately following a traffic crash.

CRASH CLASSIFICATIONS:

Each section of this procedure is intended to give guidance to officers during responses to specific types of crashes. State laws and required procedures for reporting and inspecting have created complex special needs; thus, specific information is required in the form of directives. This procedure will be divided into the following categories:

I. Property Damage Crashes
II. Personal Injury Crashes
III. Hit and Run Crashes
IV. Fatal or Potentially Fatal Crashes
V. Commercial Motor Vehicle Crashes
VI. Crashes Involving City Owned or Leased Vehicles
VII. Crashes Involving On-Duty Police Department Personnel

PROCEDURE

I. PROPERTY DAMAGE CRASHES

A. Officers responding to property damage crashes should:
   1. Verify that the driver's licenses of the operators are in order.
   2. Verify that the motor vehicle registrations are in order.
   3. Verify that the proper insurance requirements are complied with. If the driver who caused the crash does not have insurance, the driver should be charged by complaint with the crash and the no insurance.
   4. Provide and explain crash information packets to the drivers.

B. The responding officer will:
   1. Ensure that debris from the crash is cleaned up either by the driver(s) or by the towing agency.
   2. Take action on any violations by citation, unless the driver should be charged with a misdemeanor, then charge by complaint. The preference is for petty misdemeanor charging by citation. Exception: Misdemeanor violations that are listed on the payment schedule for citations can be issued.

C. Reporting:
   1. A Bloomington Traffic Offense Report will be written at a crash when an officer issues a citation or requests a complaint and warrant.
   2. Nothing in this section prohibits an officer from completing, nor requires an officer to complete a Minnesota State Crash Report.

II. PERSONAL INJURY CRASHES

A. Officers responding to personal injury crashes will:
   1. Attend to the injured.
   2. Address traffic or other public safety concerns.
   3. Record driver, vehicle, witness and other factual information regarding the crash.
   4. Verify driver's license, motor vehicle registration and insurance information.
   5. Provide and explain when possible the crash information packets.
   6. Ensure that the debris from the crash is cleaned up either by the driver(s) or the towing agency.
   7. Take action on any violations by citation, unless the driver should be charged with a misdemeanor, then charge by complaint. Exception: Misdemeanor violations that are listed on the payment schedule for citations can be issued.
   8. Complete a Minnesota State Crash Report. (An exception to requiring a Minnesota State Report. An information report will be written to document a personal injury crash where there is a significant delay in reporting or when the scene is not available for inspection or when the scene has been significantly altered.)
   9. A Bloomington Traffic Offense Report will be written at a crash when an officer issues a citation or requests a complaint and warrant. The preference is for petty misdemeanor charging by citation.

III. HIT AND RUN CRASHES

A. Reporting requirements for hit and run crashes are:

1. When called to the scene of a hit and run crash and there is suspect information:
   a. A Minnesota State Crash Report will be initiated and a Traffic Offense Report will be completed.
      (1) The state report should not contain the suspect or the suspected vehicle information. This information will be added to the report by the investigator.
      (2) The suspect's DL and DMV information should be recorded on the TOR.
      (3) If the officer has sufficient information to charge the suspect and thus close out the case requiring no further investigations, the officer will fully complete the crash report and the TOR.

2. When called to the scene of a hit and run crash where there is no suspect or witness information, or
   when a hit and run crash is reported and there has been a significant delay, or
   the scene is not available for inspection, or
   the scene has been altered, an officer will:
   a. Write a Traffic Offense Report.
   b. Ensure that action has been taken to clean up the crash scene of debris.
   c. Photograph victim vehicle and scene.
   d. Obtain insurance information on victim vehicle.
   e. Recover and inventory any evidence left by suspect vehicle.

IV. FATAL OR POTENTIALLY FATAL CRASHES

A. Responding officers will:

1. Attend to the injured.
2. Address traffic and other public safety concerns.
3. Notify the shift supervisor.
4. Request the Traffic Unit.
   a. If the Traffic Unit is not available, request Minnesota State Patrol.
5. Record driver, vehicle, witness and other factual information regarding the crash.
6. If appropriate, notify the medical examiner.

7. Take steps to preserve and document the crash scene.
8. Ensure that vehicles and evidence are not moved prior to proper documentation unless there is a significant threat to public safety.
9. Initiate Minnesota State Crash Report.
10. Ensure that the crash debris has been or will be removed from the scene upon completion of the on-scene investigation.
11. Submit a supplemental report documenting witnesses, observations and actions.
12. In the case of a fatal crash, complete a Minnesota State Fatality Report.
13. If Criminal Vehicular Operation charges are appropriate or considered, read the driver(s) an Implied Consent Advisory to obtain a blood sample. If the driver(s) are unable to communicate or refuse, the Traffic Investigations Unit will draft a warrant to obtain the sample.

V. COMMERCIAL MOTOR VEHICLE CRASHES

A commercial motor vehicle is defined under Minnesota State Statute 169.01, subdivision 75.

A. The responding officer will:
   1. Attend to injured person(s), traffic and other public safety issues.
   2. Notify the Minnesota State Patrol and request a Commercial Vehicle Inspector when:
      a. There is a death. (Also request our reconstructionists.)
      b. There is a personal injury.
      c. If either vehicle requires a tow. (This provision excludes Metro Transit buses.)
      d. There is reason to believe that there are vehicle safety violations.
   3. Verify driver's license, motor vehicle registration and insurance information.
   4. If the commercial vehicle meets the above qualifications, ensure that the commercial motor vehicle is not driven prior to an inspection by a qualified C.V.I. or unless the Minnesota State Patrol has given a waiver. If a waiver is given, fill in appropriate boxes on State Crash Report.
   5. Complete a Minnesota State Crash Report.
   6. Provide and explain the crash information packets.

7. Determine if there are any citable violations and take appropriate action.
8. Ensure that the debris from the crash is cleaned up, either by the driver(s) or by a towing agency.
9. If the conditions do not meet the reporting threshold outlined in 2, proceed as in any other property damage crash.

VI. CRASHES INVOLVING CITY-OWNED OR LEASED VEHICLES

A. Responding officers will:

1. Notify the shift supervisor.
2. Attend to injured person(s), traffic and other public safety issues.
3. In serious crash cases, notify a reconstructionist team. (See IV, Sec. A.)
4. If the City vehicle fits the commercial motor vehicle status and the crash meets the reporting threshold, the Minnesota State Patrol must be notified and request a C.V.I. (See V, Commercial Motor Vehicle Crashes.)
5. Record driver, vehicle, witness and other factual information regarding the crash.
6. Verify driver's license, motor vehicle registration and insurance information.
7. Provide and explain motor vehicle crash information packets.
8. Provide the City of Bloomington's insurance information. Advise driver(s) to contact the City of Bloomington's Risk Manager.
9. Obtain the vehicle insurance information from other vehicle(s).
10. Photograph the scene and the damage.
11. Complete a Minnesota State Crash Report.
12. Complete a supplemental report to include other vehicle insurance information including agent's name and phone number, officer's evaluation, observations, recommendations. (This will be an internal document and not a part of the crash report.)
13. Ensure cleanup of the crash debris.

VII. CRASHES INVOLVING ON-DUTY POLICE DEPARTMENT PERSONNEL

Exclusions: Intentional actions by officers, including the Pursuit Intervention Technique, moving roadblocks or other reasonable use of their vehicle will not be considered a crash. These incidents will be investigated thoroughly, but not within this section.

A. In a crash involving a department vehicle, the employee will:
   1. Notify the Police Dispatcher of the crash, the location, and if there are any injuries. The dispatcher should then notify the appropriate reporting jurisdiction if outside the city of Bloomington.
   2. Notify the on-duty patrol supervisor who should respond to the scene if practical.
   3. Render assistance to injured and take appropriate actions for traffic and other public safety issues.
   4. Document names of driver(s), witnesses, injured, motor vehicle information, and the insurance information of the other driver(s).
   5. Provide to the other driver(s) the employee's driver's license information, motor vehicle information and advise driver(s) to contact the City of Bloomington's Risk Manager.
   6. Not move the vehicles unless the vehicles pose a significant threat to the public safety.
   7. Photograph the scene and damage.

B. Reporting:
   1. If the crash results in very minor damage (under $1,000), the employee will submit an information report and record in the narrative:
      a. the other vehicle description, any other property damaged, driver and owner information
      b. insurance information
      c. lighting, road, weather, traffic, and any other variable conditions
      d. estimated dollar damage
      e. location of damage
      f. the number of photos taken
      g. the events leading up to the crash
      h. the factors contributing to the crash

   2. In any crashes where a person is injured or where there is more than $1,000 damage involving department vehicles, the following reports will be completed:
      a. An information report documenting (a) through (h) above
      b. A Law Enforcement Minnesota State Crash Report ps-32003) prepared by a Bloomington Police officer who was not involved in the crash (or the Traffic Unit if they respond).

c. A driver involved Minnesota State Crash Report (ps-32001) prepared by the employee involved in the crash.

d. If applicable, an Occupational Injury Report Form.

All Minnesota State Crash Reports will be reviewed and held by the traffic crash investigation supervisor until the damage estimates determine that the dollar amount reporting threshold has been met. If it is below this threshold, these reports will be used for internal purposes only.

C. Supervisor's responsibility:

1. Respond to scene if practical.
2. Assess the severity of the crash and, if necessary, contact the Bloomington Police Traffic Investigative Unit.
3. Ensure that all the procedures have been followed including the possible participation in an alcohol screening test and/or other chemical substance screening test in accordance with the City of Bloomington Policy Section 20.11 as soon as practical after the incident.
4. File a separate information report or add a notation to the officer's report including the following information: 1. Investigative actions; 2. Other agencies involved; 3. Assignments; 4. Assessment of preventability or a recommendation for additional investigation. Specify what information or investigation is needed to determine the issue of "preventability."
5. Review and initial all reports related to a crash involving a department vehicle as soon as practical.

Copies of all reports shall be submitted to the following persons:

a. The Chief of Police and Deputy Chief(s) of Police.
b. The lieutenant of the division to which the operator of the departmental vehicle is assigned.
c. The Commander of Professional Standards.

Note: Any photos should be attached to the copy of reports submitted to the Commander of Professional Standards.

1. The Commander of Professional Standards shall assure that the original Minnesota Motor Vehicle Crash Report (Form P.S. 32001-03) is submitted to the City of Bloomington's Risk Manager for completion of insurance information and submission to the State of Minnesota Department of Public Safety and that any Occupational Injury Report is properly submitted to the Personnel Department.
2. The original Minnesota Motor Vehicle Crash Report (Form P.S. 32001-03) shall be replaced by a photocopy.
3. A copy of any Occupational Injury Report shall be maintained by the Chief of Police's Administrative Assistant. Any such report shall not be maintained in the Police Department's general records.
4. Complete a "Vehicle Damage Report" and make a notation in the squad car damage log book.

D. Professional Standards Commander Responsibility

The Commander of Professional Standards shall review and/or coordinate the evaluation of all crashes involving on-duty police department personnel.

a. The options for the investigation include but are not limited to the following:
   i. A Crash Review team–This team will be composed of one supervisor and two officers. The Commander of Professional Standards will select the members.
   ii. The Traffic Investigations Unit. The Traffic Unit supervisor will coordinate the investigation and completion of reports with the Commander of Professional Standards.

b. As soon as possible, the Crash Review team or the Traffic Unit investigator shall make a report to Commander of Professional Standards. This will include specific findings as to preventability and any recommendations for driver or equipment improvements.

c. The Commander of Professional Standards will make a report of these findings to the Chief of Police and the commander of the unit to which the officer is assigned

CANCELS AND REPLACES:
Patrol Procedure 318 – Traffic Crash Reporting,
Issued August 15, 2013

BLOOMINGTON POLICE DEPARTMENT MANUAL

PATROL PROCEDURE: 319

EFFECTIVE DATE: September 6, 2010

SUBJECT: REPORTING OF MALTREATMENT OF MINORS

Public concern over the neglect and abuse of children has resulted in statutory requirements that mandate the reporting of suspected neglect and abuse. Police officers are among the group of professional people who are required by statute to report actual or suspected incidents of child neglect or abuse. This procedure is designed to assure that the mandates of Minn. Stat. §626.556 are complied with and affix responsibility for the timely and proper reporting of suspected child neglect or abuse.

I. Activities to which Mandatory Reporting applies:

A. Sexual Abuse - The perpetration of an act which would constitute a Criminal Sexual Conduct in the First to Fourth degree upon a child by a person responsible for the child's care or a person in a position of authority over the child.

B. Physical Abuse - Any physical injury to a child, other than by accidental means, inflicted by a person responsible for the child's care or any physical injury that cannot be reasonably explained.

C. Neglect - The failure by a person responsible for a child's care to supply a child with necessary food, clothing, shelter or medical care or failure to protect a child from conditions or actions which imminently and seriously endanger the child's physical or mental health.

II. Reporting of Sexual Abuse, Physical Abuse or Neglect:

A. Any employee of the Bloomington Police Department who knows of or has reason to believe a child is being neglected or physically or sexually abused shall immediately document the information with a written report.

1. Since other persons who are required by law to report suspected child neglect or abuse can satisfy that requirement by reporting their suspicions to the police department, the requirement of immediate documentation by written report applies to second hand reports received by any member of the police department.

2. The requirement of immediately documenting suspected neglect or abuse also applies whether the incident is alleged to have occurred in Bloomington or any other community.

B. Once documented, the written report of the suspected neglect or physical or sexual abuse shall be faxed to Hennepin County Child Protection at 612-348-9095 by the reporting officer.

1. A copy of the fax transmission report shall be attached to the original report.

C. Once faxed, the written reports shall be submitted to the shift supervisor for a determination of whether an investigator should be contacted to pursue the investigation immediately.

1. In any instance where there is a realistic possibility that the child is in imminent danger of further harm, the Crimes Against Person Unit supervisor shall be contacted.

NOTE: Nothing in this procedure is meant to abrogate or diminish the authority of any police officer to commit a child for health and welfare reasons under Minn. Stat. §260.165, Subd. 1 (c) (2).

D. A copy of the written report will be routed to the Crimes Against Person Unit of the Investigative Division where it will be assigned to an investigator.

CANCELS AND REPLACES:
Patrol Procedure – Reporting of Maltreatment of Minors, Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT MANUAL

PATROL PROCEDURE: 320

EFFECTIVE DATE: September 6, 2010

SUBJECT: PATROL DIVISION VACATION SELECTIONS

The following guidelines will be used for scheduling vacations:

Primary Vacation Selection
A primary vacation consists of one week or more of vacation (successive days) which is selected on a vacation selection schedule.

A) Officers' vacation selections will be based on the "Officers' Seniority Roster" within the platoon group. Officers not selecting their vacation within the time period specified on the vacation selection schedule will not have priority over a less senior officer following this procedure. A selection shall be defined as either a one or two week (consecutive) period.

B) Officers' vacations will generally be limited to two officers from each platoon (dog, mid, days). Two may be permitted from the power shift if established minimums can be maintained.

C) The Shift Supervisor may waive these limitations during periods when the waiver will not adversely affect our service to the community.

D) During the period from Memorial Day to Labor Day, no more than two consecutive weeks per selection nor more than three weeks total time shall be granted except with specific approval of the Shift Supervisor and the Patrol Commander.

E) A week of vacation is Monday through the next Sunday or any portion thereof.

F) A first vacation pick will be made by seniority. After all officers have had a first pick, a second pick by seniority may be made.

G) All vacation requests shall be made on the "Request for Time Off" form. Two copies of the "Vacation Notice to City Attorney" form should be submitted as far in advance as possible to minimize the possibility of court time during your vacation.

CANCELS AND REPLACES:
Patrol Procedure 320 – Patrol Division Vacation Selections,
Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT MANUAL

PATROL PROCEDURE: 321

EFFECTIVE DATE: September 6, 2010

SUBJECT: NOTIFICATION OF PATROL COMMANDER

The Shift Supervisor will contact the Patrol Commander, whether on duty or off duty, for any of the following reasons:

1. Death of any patrol personnel from any cause, on or off duty.

2. Injury of any patrol personnel requiring hospital admission. This does not include Emergency Room treatment.

3. Within 24 hours of the sudden death of the spouse or child of any patrol personnel.

4. Any incident in which a citizen is killed or seriously injured by a police action.

5. Any homicide

6. Any incident involving shots fired at a person by patrol personnel.

7. Any prisoner suicide

8. SWAT call-outs if shots are fired or if a hostage is involved

9. Any major incident involving call-out of other City personnel, e.g. aircraft crash, tornado damage, etc.

10. Any prolonged call involving incidents such as demonstrations, large unruly party/disturbances, etc.

11. Any request for mutual aid beyond a routine “stand by” situation.

CANCELS AND REPLACES:
Patrol Procedure 321 – Notification of Patrol Commander,
Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT MANUAL

PATROL PROCEDURE: 322

EFFECTIVE DATE: September 6, 2010

SUBJECT: JUVENILE PAPERWORK PROCEDURE

All GM/Felony Violations:	Write out offense report, fill out juvenile blue referral, attach all reports and turn in all connecting reports.
GM/Felony Drug Violations:	Fill out offense report, fill out juvenile blue referral and turn in all connecting reports.
All Traffic Violations:	Write out regular citation. For misdemeanor drivers license violations such as DAS, DAC, DAR and no MN DL, a citation is satisfactory provided details are noted on tag. For all other misdemeanor violations, including alcohol related violations and citations issued at accident scenes, a TOR is required.
All Misd. Violations:	Write out **juvenile citation**, fill out offense report, give pink copy of citation to juvenile and turn in all connecting reports.
Misd. Drug Violations/ Petty Drug Violations	Write out **juvenile citation**, fill out offense report, give pink copy of citation to juvenile and turn in white and yellow copies with report.
Curfew Violation:	Write out **juvenile citation**, put narrative on green supplemental form, give pink copy to juvenile and turn in white and yellow copies with report.
Tobacco Violation:	Write out **juvenile citation**, put narrative on green supplemental form, give pink copy to juvenile and turn in white and yellow copies with report.
Alcohol Violation:	Write out **juvenile citation**, put narrative on green supplemental form, give pink copy of citation to juvenile and turn in white and yellow copies with report.

Note: Combination felony or gross misdemeanor with a misdemeanor or petty misdemeanor must be written on a juvenile blue referral **(no citation needed).**

If booking a juvenile for misdemeanor offense, you must **issue** a **juvenile citation** and give the juvenile the pink copy of citation, and turn in yellow and white copies with the report.

If booking a juvenile for gross misdemeanor or felony, you must fill out the juvenile blue referral form and attach it to the offense report.

Juveniles taken to the Juvenile Detention Center will need:

1. Juvenile Authority to Hold (Form HC 3859)
2. For crimes of violence, Victim Notification Form (Form HC 6196)

(Reports, referrals, and citations can be left at BPD for routing.)

CANCELS AND REPLACES:

Patrol Procedure 322 – Juvenile Paperwork Procedure, Issued November 23, 1999

BLOOMINGTON POLICE DEPARTMENT MANUAL

PATROL PROCEDURE: 323

EFFECTIVE DATE: May 24, 2013

SUBJECT: PROPERTY INVENTORYING MONEY

When members of the Bloomington Police Department come into control of coins and currency, it shall be property inventoried and processed in a manner that assures accountability. For circumstances other than coins and currency maintained as prisoner property, the process shall include the following attributes:

1. All money shall be sorted by denomination and counted by the impounding officer.

2. A second officer shall make a separate count of the money to verify the accuracy of the inventorying officer.

3. Both officers shall place their signatures on the currency count label verifying the count, denomination and totals, and the coin and currency shall be sealed in an envelope with the currency count label attached. This data will be transferred to the barcoding database which will confirm the total amount a third time.

4. The envelope shall be assigned a barcode label, listed separately in the barcoding database and promptly placed in a property locker.

5. Upon receipt of coin or currency in excess of $100, the property clerk shall promptly verify the currency and coin count in the presence of a witness and transfer the coin and currency to the City Cashier for deposit to a bank account, unless the envelope has been marked to hold for evidence.

6. Where coin or currency is to be held for evidence, it shall be kept in the property room drug vault.

Generally speaking, property inventoried money will be deposited in a bank account. Where the money itself must be retained as evidence, the "Money Inventory" envelope and a notation within the barcode database must be marked HOLD FOR EVIDENCE.

CANCELS AND REPLACES:
323 – Property Inventorying Money, Issued September 6, 2010

BLOOMINGTON POLICE DEPARTMENT MANUAL

PATROL PROCEDURE: 324

EFFECTIVE DATE: September 6, 2010

SUBJECT: PATROL OFFICER OVERTIME ASSIGNMENTS

SCOPE: This procedure shall be applicable to the selection or assignment of overtime to Patrol Division personnel where there is a need to maintain shift minimums or where there is a need to supplement those shift minimums due to foreseen or unusual events.

PURPOSE: This procedure is intended to create an orderly and fair process of selecting and assigning Patrol personnel to work overtime on the basis of seniority. This procedure shall not limit the Patrol Division Commander's ability to assign personnel using criteria other than, or in addition to, seniority.

I. PROVISIONS APPLICABLE TO DETERMINING OVERTIME ASSIGNMENT

A. Where the availability of overtime for assignment results from the department's inability to fully staff a shift, the overtime should be offered as a complete shift whenever possible. If the department is unable to fill the complete shift by using officers on their regular days off, then the shift shall be divided into blocks of time corresponding to the start time and end time of adjacent shifts.

B. An offer or assignment of overtime which would place an officer in a position of working more than sixteen (16) hours should generally be avoided, except under unusual circumstances. This includes contractual overtime.

C. **Hold-overs/Call-ins**
Where there is an overtime assignment of less than four (4) hours or there is less than twenty-four (24) hours before the start of the affected shift, the overtime shall be filled in the following order:

For purposes of this section, the following will be used as a definition for “hold-overs” and “call-ins:”

* A *hold-over* shall be defined as "an officer whose shift will be ending at the beginning of the overtime assignment."

* A *call-in* shall be defined as "an officer whose shift will be starting at the end of the overtime assignment."

a. The assignment shall be offered to a holdover by seniority.

b. The assignment shall be offered to a call-in by seniority.

c. The assignment shall be made to a holdover in reverse order of seniority.

d. The assignment shall be made to call-in by reverse order of seniority

D. **Advance Notice Overtime**

Where there is an overtime assignment of four (4) hours or more and there is more than twenty-four (24) hours before the start of the affected shift, the overtime shall be filled in the following order:

1. The overtime assignment first shall be offered to officers of the affected shift who are on their days off in order of seniority. The affected shift is determined by the start time of the assignment. If the overtime shift starts in between shifts, it will be offered to the affected group, by seniority.

2. If the assignment cannot be filled using officers from the affected shift, the assignment shall then be offered to officers on the affected group, by seniority. If no one takes the offer, fill it by Call-ins/Hold-overs as outlined in Section C, subsections a-d above.

Definitions of affected work groups:

Day group - Day 10, Day 12 & Day Power 12
for overtime starting between 0700 and 1659 hours

Night group - Night Power 10, Dog 10 & Dog 12
for overtime starting between 1700 to 0659 hours

3. During a two-week pay period, in the event of the availability of one to four overtime assignments on a shift, an officer shall be entitled to select one assignment of overtime. In the event of five (5) or more available overtime assignments, an officer may select up to two (2) assignments.

3a. If the overtime assignments are not filled in one rotation, an additional offer shall be made to the affected shift or group until the overtime assignments are filled.

II. MISCELLANEOUS PROVISIONS

A. Once an officer accepts or is assigned an overtime assignment, it shall be the officer's responsibility to complete the assignment.

B. Platoon supervisors shall review the schedule on a regular basis to project overtime needs for their shifts. To assure the orderly and timely assignment of overtime in accordance with this procedure, the review should be done daily and at least seven days in advance.

C. The Commander of Patrol shall prepare an overtime assignment checklist prior to the beginning of each trimester shift period to assist in assuring appropriate overtime assignments in accordance with this procedure.

D. When offered overtime, any response other than an acceptance shall be considered a "no response."

CANCELS AND REPLACES:
Patrol Procedure 324 – Patrol Officer Overtime Assignments,
Issued February 20, 2004

BLOOMINGTON POLICE DEPARTMENT MANUAL

PATROL PROCEDURE: 326

EFFECTIVE DATE: September 6, 2010

SUBJECT: AIRPORT DISASTER

In the event mutual aid is requested by the Airport Police Department because of a disaster on MAC property, they request that we respond to two points:

1. 24th Avenue and the North 494 on/off ramp.

    a) Check in with A.P.D. dispatcher on MINSEF (Channel 4) or a designated Metro 800 tactical group (Metac P) and remain on that channel.

    b) Keep intersections as clear as possible to allow ingress and egress of emergency vehicles and personnel.

    c) Be prepared to block the entire roadway for all but emergency vehicles, but only at the direction of Airport dispatch/incident command.

2. 34th Ave. and the north 494 on/off ramp.

    a) Check in with A.P.D. dispatcher on MINSEF (Channel 4) and remain on that channel.

    b) Keep intersections as clear as possible to allow ingress and egress of emergency vehicles and personnel.

    c) Be prepared to block the entire roadway for all but emergency vehicles, but only at the direction of Airport dispatch/incident command.

3. If additional assistance is needed, Airport Police will specify what is needed.

CANCELS AND REPLACES:
Patrol Procedure 326 – Airport Disaster, Issued February 20, 2004

BLOOMINGTON POLICE DEPARTMENT

PATROL PROCEDURE: 327

EFFECTIVE DATE: September 6, 2010

SUBJECT: AUTOMATIC EXTERNAL DEFIBRILLATORS

Purpose: To establish guidelines for the use of Bloomington Police Automatic External Defibrillators (AEDs).

Authorized Use:

- AEDs may be used only by personnel who have successfully completed departmentally approved training.
- Officers equipped with AEDs are expected to bring them into any scene they are assigned when it can be reasonably anticipated that AED use would be appropriate.
- In the event it becomes necessary for an officer to change squads, officers with defibrillators shall ensure the AEDs are transferred and continue to be immediately available for use.
- Any time that an AED is attached to a patient is considered to be an AED use, regardless of whether or not a shock is delivered.

Reports:

Following each use of an AED, the officer who uses it shall complete a report. The report shall consist of the print-out generated by the AED memory module, with a "First Responder Defibrillation Report" as a cover sheet. Officers should ask dispatch to list "AED" as a second disposition to the medical report.

Battery Cycling:

At approximately 0630 hours each morning, and **following each use**, officers equipped with AEDs shall do the following:

1) Replace unit battery with spare battery (stored in lid).
2) Place used battery in charger.
3) Place fresh battery from charger in spare battery compartment.

Memory Module:

Following each AED use, the officer assigned the AED shall do the following:

1) Replace used memory module with spare module.(Stored in unit).
2) Place used module in reader and print-out subsequent report.
3) After report is printed, clear the memory module by pushing the "Clear" button on the module reader.
4) If the printer/reader malfunctions, obtain a spare module and leave the used module with the Patrol Support Sergeant.

Diagnostic Testing:

The internal diagnostics test should be completed following each battery change and at the start of each shift.

Required Equipment:

Each AED shall be equipped with two batteries, two memory modules, at least two pairs of electrode patches, one pair of medical scissors, and one surgical razor.

Malfunctions:

Any unit that malfunctions during use, or indicates improper conditions during diagnostic checking should be taken out of service and left for the Patrol Support Sergeant with a written description of the problem(s).

Medical Review:

All uses of AEDs by Bloomington Police personnel shall be subject to review by the Health Span Medical Director under contract to the City of Bloomington.

The records staff is responsible for mailing a copy of each AED report package to Health Span as part of this process. Reports should be addressed to:

Mr. Steven Wolters
HealthSpan Transportation Services
167 Grand Avenue
St. Paul, MN 55102

CANCELS AND REPLACES:
Patrol Procedure 327 – Automatic External Defibrillators, Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT

PATROL PROCEDURE: 328

EFFECTIVE DATE: September 6, 2010

SUBJECT: PASSENGERS AND OBSERVERS IN PATROL VEHICLES

PURPOSE:

The Bloomington Police Department is committed to open interaction and partnerships with community members to enhance quality of life in the community. The observation and understanding of police patrol activities by police department employees and citizens through a ride-along program is a means of achieving this objective. This policy is adopted to ensure proper procedures as it relates to passengers and observers in BPD patrol vehicles.

SCOPE:

This policy shall be applicable to all passengers and observers in Patrol Division vehicles when involved in performing routine patrol duties.

I. General Policy

A. Citizen Ride-along

All citizen ride-alongs must be initiated by a police officer and approved by a Patrol Division supervisor or command officer prior to the date of the proposed ride-along. All riders must be at least 16 years of age. The Chief of Police may authorize a special exemption to the aforementioned age requirement.

B. BPD Program Participants

Ride-alongs by participants in any official police sponsored programs must be at least 16 years of age and be approved by the Police Department supervisor coordinating the program prior to any submission of a ride-along request.

C Dignitary Ride-alongs

Ride-alongs provided to elected City officials, other City department officials, police officers from other agencies, or representatives from the news media may be initiated by the Chief of Police, a command officer, shift supervisor, or police officer.

II. Procedures

A. Ride-along requests or scheduling forms shall be submitted to the Patrol Division Street Supervisor assigned to the shift and date of the proposed ride-along.

1. Citizen ride-along requests must be submitted at least seven days in advance of the proposed ride-along date.

2. Program ride-along schedules shall be scheduled with as much advance notice as possible.

B. Scheduled ride-alongs shall be marked on the Patrol Division schedule book by a Patrol Supervisor of the affected shift.

1. A record of ride-alongs shall be maintained indicating how many ride-alongs each patrol officer has taken, whether they were citizen, program, or dignitary ride-alongs, and whether the ride-along request was initiated by the officer.

C. Ride-along participants shall be advised to report to the Police Department counter.

1. Ride-alongs will not attend roll call unless specifically authorized by the Patrol Supervisor conducting roll call.

2. The shift supervisor will assure that the application and waiver form has been completed prior to the beginning of any ride-along.

3. Riders shall wear appropriate clothing, i.e. “business casual” – no shorts, tee-shirts or tank tops.

III. Limitations:

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

1. Ride-alongs shall not be armed, nor shall they be given access to any weapons while participating in the ride-along, except in the case of peace officers who are authorized to carry firearms in Minnesota..

2. Ride-along participants should be given minimal instruction on how to request assistance over the radio if an emergency should occur.

B. A citizen who has previously participated in a ride-along will not be eligible for another ride-along for six months.

C. Officer-initiated citizen ride-alongs shall be limited to one request per month by any officer.

Cancels and Replaces:
Policy 328 – Passengers and Observers in Patrol Vehicles, Issued August 25, 2004

BLOOMINGTON POLICE DEPARTMENT MANUAL

PATROL PROCEDURE: 329

EFFECTIVE DATE: July 7, 2021

SUBJECT: PURSUIT DRIVING

Stopping vehicles is a routine and necessary daily activity that is at the very heart of quality law enforcement. This activity, whether in stopping traffic violators or suspicious vehicles, is a dangerous action which requires officers to perform many tasks to ensure safety.

Vehicle pursuit is justified only when, prior to the activation of any signal to the operator of a vehicle, the officer has a reasonable and lawful basis according to Minnesota law to stop this vehicle.

The goal of a pursuit is to apprehend the pursued violator as quickly and safely as circumstances allow.

DEFINITIONS

Severe and Imminent Threat to Public Safety
Based upon known facts in which the officer can articulate that if the suspect is not apprehended immediately the likelihood that a citizen may be in danger of great bodily harm or death is imminent. The known facts can include but are not limited to, the severity of the crime, pre-pursuit driving conduct, known weapons in possession.

Dangerous Driving Pre-Pursuit
Articulable driving conduct that is a severe and imminent threat to public safety prior to an officer attempting to stop the subject.

Dangerous Driving Post-Traffic Stop
Driving conduct that is observed to be severe and an imminent threat to public safety after an officer was attempting a traffic stop or contact and the subject has engaged in a pursuit.

Precision Intervention Technique (PIT)
PIT is a precision maneuver which involves intentional, vehicle-to-vehicle contact and consists of a pursuing officer applying lateral pressure with the front corner of their vehicle to the rear quarter panel of the fleeing suspect's vehicle resulting in a predictable spin.

Terminate
As is relates to an officer being actively engaged in a pursuit, to terminate means the officer will immediately pull over and stop. If the officer cannot safely pull over and stop the officer will take the next available turn or off ramp and at that time will pull over and stop. Once stopped, the officer will visually ensure that no civilian traffic crashes have

occurred. After the officer has stopped officers should proceed on the last known route of the suspect vehicle ensuring within reason there are no civilian injuries. Unless with supervisor approval will any officer re-engage in pursuit of the suspect vehicle.

GUIDELINES

I. Prevention/Preparation

A. Officers should consistently employ techniques that will discourage a driver from running. These include, but are not limited to:

1. Carefully select the site for the vehicle stop.
2. Attempt known high-risk stops only when adequate back-up is present.
3. Activate red lights when you are close behind the subject vehicle when attempting the original stop.
4. Activate audible siren if the subject vehicle fails to stop.
5. Record the vehicle's license number and/or other identifying features before attempting the original stop.
6. Quickly get a physical description of the driver.

B. In the event an officer becomes involved in a pursuit when a vehicle fails to stop when signaled, by squad car emergency lights and siren, the officer shall immediately notify the dispatcher giving the following information if available:

1. A description of the pursued vehicle including:
   a. license number
   b. make of vehicle
   c. color
   d. number and description of occupants

2. The reason for the pursuit and/or crime involved.

3. Direction of travel, speed, and route of pursuit constantly updated.

4. The location where the vehicle pursuit terminates.

5. Observed reckless behaviors.

C. Evaluating the Circumstances of the Pursuit

1. In the decision to engage in a pursuit, officers must weigh the risks associated with the pursuit against any need for immediate

apprehension of the fleeing driver and/or other occupants and continuously evaluate the decision to continue the pursuit as risk factors may change.

2. When the risk factors present outweigh any need for immediate apprehension of the fleeing driver and/or other occupants the pursuit shall be terminated. Risk factors to be continuously evaluated include, but are not limited to, the following: intersections, speed, duration, likelihood of pedestrians, sight lines, traffic conditions, and weather.
    a. In cases with a nonviolent offense (e.g., traffic violations, stolen vehicle or other property crime, drugs, or unknown offense), officers shall give strong consideration to quickly terminate the pursuit.
    b. In the case of suspected impaired driver, officers shall consider whether or not the pursuit is making an already dangerous situation even more dangerous. In cases where the known impaired fleeing driver is creating an obvious threat to public safety, officers should consider the use of any available and reasonable pursuit intervention strategies to end the pursuit with safety in mind.
    c. In pursuits involving a severe and imminent threat, accepting additional risk may be reasonable given the severity of the crime(s) involved and the danger to public safety should the offender not be apprehended.

3. In evaluating whether to engage in, continue or terminate the pursuit, the officer shall consider pre-pursuit driving conduct and whether there is a severe and imminent threat to public safety. Considerations include but are not limited to the following:

    a. The degree of recklessness exhibited by the pursued driver;
    b. Dangerous driving pre-pursuit: Continue to evaluate pursuit;
    c. Dangerous driving post traffic stop: shall terminate pursuit except when severe and imminent threat to public safety exists;
    d. The ability of the officer to identify and apprehend the driver at a later time without continuing the pursuit;
    e. The type of police vehicle being used and its capability along with the amount of other police assistance available;
    f. Speed of the pursuit relative to the speed limit; and
    g. Duration of the pursuit.

II. Prohibited Pursuits

A. Officer's WILL NOT PURSUE under the following circumstances unless there is an articulable severe and imminent threat to public safety exists, or with supervisor approval:

1. Aviation overhead and actively observing suspect vehicle;
2. GPS Tracking actively tracking vehicle;
3. Non-employee, civilian ride along in pursuing squad;
4. Known identity of suspect driver;
5. Wrong way driving post traffic stop;
6. Known juveniles in fleeing vehicle;
7. Known more than 4 occupants;
8. Lost visual of suspect vehicle; and
9. Motorcycle.

III. Pursuit Responsibilities

A. A pursuit will normally involve no more than three units. The supervisor will evaluate the circumstances of the pursuit and determine the appropriate number of squads involved. Additional units may sometimes be needed based on such factors as the nature of the offense and the number of suspects. Assisting units not directly involved should station themselves at strategic points in anticipation of assisting when the suspect is stopped.

B. Without an articulable severe and imminent threat to public safety, officers shall attempt to end the pursuit as soon as possible. If an opportunity does not present itself to end the pursuit, sergeants shall evaluate the duration of the pursuit and may terminate the pursuit.

C. Sergeant's vehicles may participate in a pursuit if there are no available marked units or the sergeant needs to be involved to properly monitor the pursuit.

D. A sergeant's participation in the pursuit should be counted when determining the proper number of vehicles involved in the pursuit.

E. Unmarked, pursuit rated vehicles that are equipped with adequate lighting and siren may participate in a pursuit, but should abandon the pursuit if marked units are in position to become involved.

F. In the event a pursuit is initiated by a non-standard police patrol vehicle, with adequate lighting and siren that unit shall evaluate the circumstances

of the pursuit and abandon the pursuit when marked units are in a position to assume control of the pursuit (non-standard police vehicles include but are not limited to: trucks and plain or unmarked passenger vehicles). GO 218 will be followed in pursuits.

G. Communications Center Responsibilities

1. Communications can patch into a statewide channel at any time when anticipating a pursuit to leave the city limits.

2. Perform relevant record and motor vehicle checks.

3. Control all radio communications during the pursuit, including frequency designation. At any time during the pursuit the radio frequency changes or is patched into another shared channel, communications will update the initial reason for the pursuit and description.

4. If the pursuit is terminated by a supervisor or an officer, an alert tone will be issued and a dispatcher will twice transmit the call sign of the person that terminated the pursuit and that the pursuit is terminated.

H. Supervisor Responsibilities

1. Upon being notified of the pursuit, the duty supervisor should, if possible, verify the following:
   a. The reason for the pursuit;
   b. The number of units involved in the pursuit;
   c. The radio frequency being utilized; and
   d. Whether affected allied agencies are being notified.

2. The supervisor shall monitor the pursuit, ensure that proper procedures are being followed, provide assistance and coordination, and direct termination if appropriate.

3. The supervisor shall ensure the length and duration of the pursuit is limited unless severe and imminent threat to public safety exists.

IV. Pursuit Techniques

A. Factors which MUST be considered to determine justification:
   1. Severe and imminent threat to the <u>public</u>;
   2. Severe and imminent threat to the <u>police officer</u>; and
   3. Severe and imminent threat to the <u>pursued vehicle occupants.</u>

B. **Precision Intervention Technique (PIT)** Only officers who are department trained in the Precision Intervention Technique (PIT) may use it. Because our primary concern in all pursuits is safety of the public from severe and imminent threats, it is essential that all pursuits be terminated quickly. Once an officer is certain that a subject is starting to flee, the officer should immediately seek and use opportunities to end the pursuit with PIT. Early proper use of this technique will accomplish the twin goals of safety to the public from severe and imminent threats and arrest of the subject. It is appropriate to use at any time in a pursuit when it conforms to the department's training guidelines. The decision to utilize PIT should be based upon the totality of the circumstances. These circumstances include but are not limited to the reason for the pursuit, the traffic, surface and width of the roadway, weather, visibility and any other conditions then existing.

PIT should be performed within the parameters of training. The use of PIT within the prescribed guidelines of the Bloomington Police Department is not likely to cause physical injury or death. However, as speeds increase, attempting PIT may increase the possibility of serious physical injury or death.

The application of PIT at speeds greater than 50 mph is inherently more dangerous for civilians, officers and the occupants in the fleeing vehicle. PIT should only be done at 50 mph or a lesser speed. Performing PIT at speeds greater than 50 mph should be reserved only for those pursuits where the officer is attempting to prevent the death or great bodily harm to innocent civilians or officers that could result if the violator is not immediately apprehended.

C. **Barricading of Roadways** as a means of terminating a pursuit or where it will likely cause the pursuit to terminate will not take place without permission of a supervisor.

1. In setting up a barricade, unoccupied police vehicles may be used if no other equipment is available. Barricading of roadways will not be accomplished with private vehicles. The violator must be given a lane of travel – the roadway cannot be completely barricaded.

2. **Officers will not occupy police vehicles used as a barricade.**

D. **Moving Roadblocks** may be necessary in limited situations which include but are not limited to elderly driver failing to yield or possible medical issues. The goal is to box in the subject and gradually reduce speed until a

stop is accomplished. Because such actions are quite risky and often unsuccessful, justifications for them rest with the officer and his or her assessment of conditions present and consequences of these tactics. In general, these tactics should be attempted at low speeds. As speed increases, the risk involved increases, until at high speeds these tactics may constitute the use of deadly force.

E. The degree to which barricades and moving roadblocks will be allowed is determined by the crime the violator is known to have committed or what substantial probable cause exists.

F. **Stop Sticks** are a useful tool that may be used to aid in terminating a pursuit. The following steps and guidelines are to be considered:

1. Officers must be trained in the use of stop sticks before using them.
2. Officers with stop sticks will try to anticipate the route of the fleeing suspect in order to deploy stop sticks.
3. Officers shall use cover when deploying stop sticks.
4. Communicate with pursuing officers of the deployment.
5. When it is safe to do so, quickly remove the stop sticks from the roadway.
6. Preemptive stop sticks to subjects anticipated to flee will not be deployed unless approved by a supervisor.

G. Excluding attempted PIT maneuvers, no officer will intentionally make vehicle-to vehicle contact unless in conformance with Policy 101, Response to Aggression and Resistance and State Statute 609.066 Use of Deadly Force. Squad to suspect vehicle contact shall be avoided. In rare circumstances where the pursuit necessitates the public safety need to stop the fleeing suspect's vehicle, squads may block in the suspect vehicle but only by placement and not by officers initiating vehicle contact. Blocking of side vehicle doors is not an approved blocking technique.

H. Severe and Imminent Threat Pursuits

1. Conventional methods to stop vehicle have failed.
2. Tactic is last resort to protect public safety.
3. Blocking in should not be attempted after repeated unsuccessful PIT applications.

I. Deadly Force Pursuits

If the crime for which the violator is being pursued consisted of force of such magnitude where a police officer's use of deadly force is justified:

1. Violator was involved in a crime that involved the use or threatened use of deadly force.

2. The escape of the violator, considering the crime he perpetrated, is of greater danger to the public safety than posed by the officer's actions in stopping the vehicle.

V. Other Tactical Concerns

A. Firearms

1. Firearms shall be used only when the use of deadly force is permitted by General Order 201.

B. Pursuit Stops

1. In order to reduce the possibility of injury to the officer as well as the suspect, ***all pursuit stops will be conducted as high risk stops.***

C. Air Support / GPS Tracking

If air support or GPS tracking becomes available, they will support the tracking of the suspect vehicle and communications. Once actively tracking and communications have been established ALL OFFICERS WILL cease actively pursuing the vehicle unless authorized by a supervisor to continue. Officers will put themselves in a position to establish a perimeter in the event the suspect vehicle stops and the occupants flee on foot. In the event air support will be lost or GPS tracking becomes unavailable, a supervisor will make the determination on whether or not to reengage the suspect vehicle.

D. Interjurisdictional Pursuits

1. In any pursuit that crosses jurisdictional boundaries, officers should observe their own department policies governing pursuits.

2. When a boundary is approached, the officer responsible for reporting the progress of the pursuit should notify the dispatcher of that fact and indicate whether assistance is requested.

3. When it is necessary to provide assistance to another agency, officers should immediately notify the dispatcher of our involvement. A pursuit will normally involve no more than three units to include units from other agencies. While traveling on Bloomington streets one BPD unit may participate in addition to outside agency squads

with supervisor approval. The supervisor will evaluate the circumstances of the pursuit and determine the appropriate number of squads involved. Additional units may sometimes be needed based on such factors as the nature of the offense and the number of suspects. Assisting units not directly involved should station themselves at strategic points in anticipation of assisting when the suspect is stopped.

4. The initiating agency shall be in charge of the pursuit, unless that agency requests another to assume control. All assisting officers shall follow the direction of the officer in charge unless it violates their own policies. The initiating agency shall be in charge of any arrest. If an accident occurs, the agency serving the accident location shall determine who will investigate the accident.

E. Assistance to Persons Injured in a Pursuit

1. If the pursuing officer becomes aware of a potentially significant injury to a third party resulting from the pursuit, the officer shall terminate the pursuit and provide medical assistance as necessary unless an assisting unit in the immediate vicinity stops to render such assistance.

2. Any other units may continue the pursuit if sufficient assistance to the accident victim is being provided.

F. Post Pursuit Procedures

1. A State of Minnesota Pursuit Reporting Form <u>must</u> be completed on every pursuit initiated in the City of Bloomington, as well as assist to other agencies.

2. Pursuits resulting in an injury to any person or damage to any property shall be documented in a manner consistent with Section VII of Patrol Procedure 318, Traffic Accident Reporting, Crashes Involving On-Duty Police Department Personnel, except that Minnesota State Accident Report Form need not be submitted.

3. Officers using either stop sticks or the Precision Intervention Technique shall report the details on the Response to Aggression and Resistance Report. This report is for administrative and training review and a separate file number will be issued.

4. The reviewing supervisor shall do the following:

a. Review the facts and circumstances related to each pursuit, including written reports or the incident; squad car video and body camera video of the incident;

b. Critique the effectiveness of the pursuit and whether the pursuit was conducted in conformity with this policy;

c. Indicate in a pursuit memorandum the results of that critique with any recommendations; and

d. In the event a sergeant is the primary pursuing squad a commander will be responsible for steps a. – d.

5. Copies of the pursuit form and any accompanying reports shall be routed to the Chief of Police, Deputy Chief, and Patrol Commander. The Chief of Police shall make a final determination of effectiveness and conformance with policy. The completed pursuit form will be forwarded to the Minnesota Bureau of Criminal Apprehension within 30 days of the pursuit.

6. The Chief of Police may call for, or approve a review of a pursuit by a committee who will critique the pursuit for effectiveness and conformance with this policy. The intent of a pursuit review is to identify training and policy needs. The committee will convene within 60 days of the pursuit unless otherwise directed by the Chief of Police or their designee. The Pursuit Review Committee recommendation(s) will be submitted to the Chief for final determination. The committee will be comprised of: Commander of Professional Standards, Training Sergeant, Patrol Supervisor, and a Patrol Officer.

7. A finalized copy of the reports related to a pursuit shall be submitted to the Commander of Professional Standards who will maintain a record of each incident.

G. Training

1. Individual/departmental needs, as identified in the Pursuit Review Report, relating to vehicle operation will be included in refresher training programs.

2. The training for this policy should include an analysis of discretion factors in deciding when to pursue and when to terminate a pursuit.

3. In accordance with POST requirements, all sworn members shall be given initial and periodic updated training in the department's pursuit policy and safe emergency vehicle driving tactics, including pursuit intervention strategies and decision-making.

CANCELS AND REPLACES:
Patrol Procedure 329 – Pursuit Driving, Issued April 20, 2021

329 PURSUIT PROCEDURE MATRIX
APPENDIX A

NO PURSUIT*

- Aviation Overhead
- GPS Tracking
- Non-Employee, Civilian Ride Alongs
- Identity Known
- Wrong Way
- Juvenile Occupant
- More than 4 Occupants
- Lost Sight
- Motorcycles

* Exception available when a pursuit is based on a severe and imminent threat as defined and approved by policy or with supervisor approval.

Strong consideration to quickly discontinue pursuit

DECISION TO PURSUE

Evaluate risk vs. reward

Stolen Vehicles
Traffic/License Violations
Property Crimes
Unknown Offenses
Drug Crimes

Known Impaired Driver with Inherent Danger to Public Safety

Severe and Imminent Threat (as defined by policy)

FACTORS TO BE CONTINUOUSLY CONSIDERED

Dangerous Driving During the Pursuit.....Dangerous Driving Pre-Traffic Stop
Local Streets.....Freeway
High Speed (Relative to Limit).....Low Speed
Heavy Traffic.....Light Traffic
Pedestrians Likely.....Pedestrians Unlikely
High Density Intersections.....Rural Sight Lines
Long Duration.....Short Duration
Weather Concerns.....Good Weather
Intervention Strategies Unviable.....Intervention Strategies Viable

<u>Severe and Imminent Threat to Public Safety</u>:
Based upon known facts in which the officer can articulate that if the suspect is not apprehended immediately the likelihood that a citizen may be in danger of great bodily harm or death is imminent. The known facts can include but are not limited to, the severity of the crime, pre-pursuit driving conduct, known weapons in possession.

BLOOMINGTON POLICE DEPARTMENT MANUAL

PATROL PROCEDURE: 330

EFFECTIVE DATE: September 6, 2010

SUBJECT: ANIMAL PROCEDURES

Animal complaints/situations will ordinarily be handled by an on-duty animal warden or a State game warden, depending on the circumstances. In certain situations, it may be necessary for a patrol officer to handle an animal situation or for an off-duty animal warden to be called out.

Complaints of animal bites will be handled by a patrol officer when an animal warden is not on duty. An animal bite report shall be completed and, if possible, the animal should either be confined by the owner or impounded for observation for a period of ten (10) days.

Impounding or releasing of impounded animals will usually be handled by the animal warden during regular business hours. In emergency situations, patrol officers may impound or release animals in accordance with existing City ordinances and Department procedures. Officers will not impound or release animals for Edina or tri-cities.

Impounding/releasing procedures utilized by the animal wardens shall be posted in the Desk Sergeant's office and the Animal Shelter.

CANCELS AND REPLACES:
Policy 330 – Animal Procedures, Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT

PATROL PROCEDURE: 331

EFFECTIVE DATE: September 6, 2010

SUBJECT: PROCESSING OF FORFEITED VEHICLES

PURPOSE: To outline the procedures to be applied within the police department to the processing of motor vehicles forfeited under Minnesota Statutes.

STATUTORY REFERENCE: Minn. Stat. 169.1217 – Forfeitures Under Traffic Law
Minn. Stat. 609.5311-.5319 – Forfeitures Under Controlled Substance and Criminal Law

DEFINITIONS:

Daily Storage Costs – A per day figure which represents the proportionate share of long-term vehicle storage expenses attributable to forfeited vehicle storage at the police department's long-term storage facility. The Chief of Police shall establish this figure at least annually.

Forfeited Vehicle – Any motor vehicle which is in the process of or has been forfeited under state law.

Vehicle Forfeiture Coordinator (referred herein as "VFC") – The Vehicle Forfeiture Coordinator is the person responsible for coordinating and carrying out the activities specified within this procedure. Unless otherwise specified by the Chief of Police, the Special Events Sergeant will carry out the responsibilities of the Vehicle Forfeiture Coordinator.

Vehicle Maintenance Costs – Tow fees, storage fees incurred prior to placement of a forfeited vehicle in long-term storage, and repair fees incurred to minimally maintain a vehicle or to make it minimally operable prior to sale.

POLICY STATEMENT: The following factors shall be considered relevant to the application of this procedure:

- The forfeiture of motor vehicles used in the commission of designated offenses is undertaken for its deterrent effect.

- The forfeiture of motor vehicles should be done in an economical and efficient manner. (It is not undertaken with a profit motive.)
- The interests of any third person who have an interest in a forfeited vehicle will not be unnecessarily abridged or diminished.
- Forfeiture of motor vehicles is a civil process which should not be linked to the prosecution of the underlying criminal offense.

ATTACHMENTS:

- DWI Vehicle Forfeiture Checklist
- Impaired Operation—Notice of Seizure and Intent to Forfeit Vehicle
- Notice of Seizure and Intent to Forfeit Property

PROCESS:
When an impounded vehicle is identified as subject to forfeiture under Minn. statute, it shall be processed as follows:

1. A copy of the motor vehicle impound report and the original offense report shall be forwarded to the VFC and to the City Attorney's Office.
2. The VFC shall verify the fact that the motor vehicle is subject to forfeiture and shall determine whether there are any outstanding liens on the forfeited vehicle and the amount thereof.
3. The VFC shall have the forfeited vehicle transferred to a secure long-term storage facility, unless the VFC has been notified by the City Attorney's Office that a decision has been made not to seek forfeiture of a specific vehicle.

   A prescribed number of storage spaces will be designated as available for storage of forfeited vehicles. Once the designated storage spaces are filled, the VFC will release any subsequent forfeiture hold placed on vehicles and report the same to the Chief of Police.
4. The VFC shall maintain a record of any vehicle maintenance costs and the term of storage at the long-term storage facility.

PROCESS ONCE FORFEITURE IS PERFECTED:
Once the legal processes related to the forfeiture of a motor vehicle has been completed and notice thereof has been transmitted to the police department, the following procedures shall be applicable:

1. The VFC shall submit the documentation necessary to transfer title in the forfeited vehicle to the City.
2. The VFC shall coordinate the sale of the forfeited vehicle in accordance with City Ordinance, as soon as practical, unless an "official use" of the forfeited vehicle is authorized by the Chief of Police.
3. The City's Finance Division shall process the sale in accordance with the City's financial procedures.

Note: Payment of valid liens prior to or after the sale of a vehicle shall be processed by the City's Finance Division at the direction of the City Attorney's office.

RELEASE OF VEHICLES WITHOUT FORFEITURE:
Upon notification by the City Attorney that a forfeiture on any forfeited vehicle has been declined, withdrawn, dismissed, or otherwise compromised, the following procedures shall be applicable:

1. Documents related to the release of any motor vehicle without forfeiture will be forwarded to the Chief of Police.
2. When directed to do so by the Chief of Police, the VFC shall arrange for the release of the motor vehicle to the designated person without unnecessary delay. Generally speaking, any such releases will be scheduled within 15 days following notification from the City Attorney's Office.
3. At the time of release, the VFC shall document the condition of the motor vehicle, any vehicle maintenance costs and the term of storage.

ACCOUNTING FOR EXPENSES:
All expenses and personnel time directly associated with the process of forfeited motor vehicles shall be accounted for. DWI forfeitures shall be accounted separately from other forfeitures.

CANCELS AND REPLACES:
Patrol Procedure 331 – Processing of Forfeited Vehicles, Issued April 17, 2000

BLOOMINGTON POLICE DEPARTMENT MANUAL

PATROL PROCEDURE: 332

EFFECTIVE DATE: July 23, 2012

SUBJECT: SQUAD CAR CAMERAS

A. Purpose

The purpose of this policy is to establish guidelines for the use, management, access, retention, handling of evidence, degaussing, storage, and retrieval of audio-visual media recorded by in-car video systems at the Bloomington Police Department.

B. Definitions

1. **Squad Car Video —**Means audio-video signals recorded on any of several storage devices, including, but not limited to, analog tape (VHS, SVHS, Hi 8mm), digital tape (DV),or other portable digital storage devices (CD, DVD, hard drive, flash card, etc.), obtained through a department-installed in-car video system.

2. **In-Car Camera System and Mobile Video Recorder (MVR)—**These are synonymous terms and refer to any system that captures audio and video signals, that is capable of installation in a vehicle, and that includes at minimum, a camera, microphone, recorder, and monitor.

3. **Supervisor—**Licensed peace officers appointed with responsibility to serve as a supervisor.

4. **MVR Technician—**Personnel, licensed or civilian, that are trained in the operational use and repair of MVRs, duplicating methods, storage and retrieval methods and procedures, and who possess a working knowledge of video forensics and evidentiary procedures.

5. **Degaussing—**Electronic cleansing by overwriting, erasing, and/or destruction of electronic storage media of analog and digital recording media that returns the media to its original state so it is ready for the imprinting of new images.

6. **Activate—**Any process which causes the MVR system to transmit or store video or audio data.

7. **MGDPA**—The Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13.

C. Policy

The use of the MVR system provides documentation of law enforcement interaction with the public by providing evidence for the judicial system, internal review, or review by the public through formal request. The primary function of the MVR is for evidence collection and not to initiate disciplinary action against the officer, but the data collected on the MVR may be used as evidence relating to a complaint of misconduct made against an officer by any person present at the scene of the incident when such complaint could result in additional training, counseling or disciplinary action in accordance with agency policy.

D. Procedures

1. Operational Objectives

The Bloomington Police Department has adopted the use of MVRs to accomplish the following objectives:

a. To further document statements and events during the course of an incident
b. To enhance the officer's ability to document and review statements and actions for both internal reporting requirements and for courtroom preparation/presentation
c. To provide an impartial measurement for self-critique and field evaluation during new officer training
d. To preserve visual and audio information for use in current and future investigations
e. To enhance the public trust by preserving objective factual representations of officer-citizen interactions in the form of video and audio recordings made via an in-car camera system
f. To identify training needs; and
h. To protect officers from false claims

2. Officers' Responsibilities

Inspection and general maintenance of MVR equipment installed in agency vehicles shall be the responsibility of the officer assigned to the vehicle.

Prior to beginning each shift(when feasible), the assigned officer shall perform an inspection to ensure that the MVR is performing in accordance with the manufacturer's recommendations covering the following matters:

a. Remote audio transmitter is functional and has an adequate power source
b. Connected to the recording equipment
c. The transmitter can remotely activate the system
d. The view of all cameras shall be free of obstruction
e. All camera lenses shall be operational
f. Camera facing intended direction
g. Recording mechanism capturing both audio and video information
h. System plays back both audio and video tracks

Malfunctions or damage of in-car camera equipment shall be reported to the immediate supervisor prior to placing the unit into service. An information report shall be completed documenting the suspected cause(s) of equipment failure or any recommendations for corrective actions. The on-duty supervisor shall determine if the vehicle shall be placed in service without an operating MVR.

3. MVR Recording

The MVR system will operate automatically when emergency equipment (lights or siren) are activated and when an internal crash sensor deploys. Officers are encouraged to activate the MVR system at any time at his or her discretion.

To the extent practical without compromising officer safety, the MVR system shall be activated under the following conditions:

a. Arrests made in the proximity of the squad car
b. Vehicle searches
c. Physical or verbal confrontations, or use of force
d. Prisoner transports
e. Any situation where a non prisoner is in the vehicle and being transported; e.g., a child, an elderly person, someone having a medical event
f. Any situation or incident that the officer, through training and experience, believes should be audibly and visually recorded
g. When the MVR is activated, officers shall ensure that the audio portion is also activated so all events are properly documented. There may be times when officers are discussing tactics that the “mute” button may be activated. When citizen contact is reinitiated the audio portion should be reactivated.
h. Other circumstances at agency discretion

4. Operational Protocols

a. Officers shall have access to review the recordings when preparing written reports or statements of events to help ensure accuracy and consistency of accounts. In the event of a critical incident, the officer's attorney will be allowed access. The system only allows officers to access their own videos. Other officer's videos may be viewed with supervisory access.
b. With the exception of law enforcement radios or other emergency equipment, officers shall not use other electronic devices within the law enforcement vehicle in order to intentionally interfere with the capability of the MVR System to record audio data.
c. Officers shall not erase, alter, reuse, modify or tamper with MVR recordings. Only a supervisor, MVR technician, or agency approved designee may erase and reissue previously recorded recordings and may only do so pursuant to the provisions of this policy.
d. To prevent damage, original recordings shall not be viewed in any equipment other than the equipment issued or authorized by the MVR technician.
e. MVR recordings shall be considered evidence.
f. When the MVR is activated to document an event, it shall not be deactivated until the event has been concluded unless:
    1. The officer does not reasonably believe that deactivation will result in the loss of critical documentary information
    2. The intention to stop the tape has been noted by the officer either verbally or in a written notation
g. The Panasonic Arbitrator system downloads video automatically when the squad is at the Department. In the event that the wireless download system malfunctions, officers shall replace the recording media manually. The recording media shall be replaced at the completion of an incident when the recording time remaining is less than 1 hour, for long playing media lasting 6-8 hours, or 30 minutes, for Hi8 analog or digital media with recording time of 5 hours or less.

5. Supervisor's Responsibilities

a. Supervisors who are informed or otherwise become aware of malfunctioning equipment shall ensure that authorized personnel make repairs in a timely manner.
b. Supervisors may conduct periodic reviews of officer assigned media in order to periodically:

1. Assess officer performance
2. Assure proper functioning of MVR equipment
3. Determine if MVR equipment is being operated properly
4. Identify recordings that may be appropriate for training

c. When a supervisor views, or is made aware of a recording, and believes the recording is appropriate for training purposes he/she shall consult their division Commander before arranging department viewing. The consultation will determine the training value of the recording and its possible impact on any investigation or litigation. If needed, the division Commander may contact the Commander of Professional Standards for clarification.

6. Technician's Responsibilities

a. The designated MVR technician is responsible for the ordering, issuance, retrieval, storage, degaussing, and duplication of all recorded media.
b. The MVR technician shall be responsible for collecting all completed media or for oversight and verification of wireless downloaded media.
c. Recorded media may only be degaussed:
    1. Pursuant to a court order
    2. In accordance with established retention policies
d. For the purpose of accountability, all media will be assigned an identification number prior to issuance to the field. The MVR technician will maintain a record database of issued media.
e. The MVR technician shall be responsible for the following:
    1. Long-term storage of media deemed to be of evidentiary value consistent with the agency's evidence storage protocols and retention schedule
    2. The degaussing and re-issuance of all other media deemed to be of no evidentiary value consistent with the agency's document retention requirements

7. Storage Procedures

Digital squad car video evidence shall be stored on a server specified for this purpose.

8. Retention of Video Evidence

Upon ending a recorded event, the system will display a pop-up prompting officers to classify the recording. This classification process will ensure that all recordings are properly saved to ensure all data is retained in a manner consistent with Minnesota Data Practices. Below is the list of all classifications with definition and retention period. The retention periods listed will provide department personnel an opportunity to retain the data according to guidelines outlined in Minnesota Data Practices. For example, if any video or audio recordings are obtained in the squad DVR system that is related to homicide, those recordings must be saved on a DVD and placed in the case file to be retained permanently in accordance with Minnesota Data Practices.

Classification	Definition	Retention
AOA	Footage captured while assisting other agency that may contain evidence	90 days
Arrest	Custodial Arrest	2 years
DWI	Arrest for DWI related offense	2 years
Emer. Veh. Response	Response to CFS that does not result in any other classification	30 days
Flee	Footage of vehicle refusing to stop	2 years
Information	Community contact of interest: Supervisor notification & comments required	90 days
Interview	Interview captured on DVR that does not result in any classification	90 days
Investigative	Community contact of interest; ID poss. suspect; comments required	90 days
Narcotics	Arrest for a narcotics violation	2 years
Test /Accidental Act.	System check at beginning of duty tour/Accidental activation	30 days
Traffic Citation	Traffic stop resulting in citation issued	2 years
Traffic /No Citation	Traffic stop resulting in no citation issued	30 days
Training	Event that could assist in department training - viewable to all personnel	30 days
Use-of-Force	Footage or audio of documented Use-of-Force	6 years

9. Media Access

a. All recording media, recorded images and audio recordings are the property of the agency and subject to the provisions of the MGDPA. Dissemination outside of the agency is strictly prohibited except to the extent permitted under the MGDPA, Peace Officer Disciplinary Procedures Act or other applicable law and without written authorization of the agency's chief executive or his or her designee.

b. Whenever a private entity requests a copy of a recorded incident, the Department shall obtain approval from the appropriate prosecuting attorney and/or department investigator, if applicable, before releasing the video.
c. To prevent damage to, or alteration of, the original recorded media; it shall not be copied, viewed or otherwise inserted into any device not approved by the agency MVR technician or forensic media staff.
d. When possible, a copy of the original media shall be used for viewing by investigators, staff, training personnel, and the courts (unless otherwise directed by the courts) to preserve the original media in pristine condition.
e. At the conclusion of the trial proceedings or as otherwise authorized by the prosecutor's office for which the media was required, all copies shall be submitted to the Property Clerk for further storage.
f. An officer who is captured on or referenced in the video or audio data may review such data and use the data for any purpose relating to his/her employment.
g. Display of any recorded item, until final adjudication of the case, shall be limited to department personnel, other agencies affected in the case, and persons specifically authorized by the City or County Attorney.
h. Whenever a copy of a video is made for another entity or person, it shall be recorded on a Supplemental report in accordance with departmental report-writing. Any recording made shall include only the portion of the recording requested.

10. Handling of Evidence

a. Recordings containing data which must be retained in anticipation of pending civil action or are collected as part of an active investigation for the commencement or defense of a pending civil action against the state shall continue to be in the control of the agency, in conjunction with the Attorney General's Office.
b. When a recording contains evidence for a case which is being investigated by another agency, that agency shall be provided a duplicate copy of the recording with the approval of the Chief.

BLOOMINGTON POLICE DEPARTMENT MANUAL

PATROL PROCEDURE: 333

EFFECTIVE DATE: January 11, 2016

SUBJECT: Automated License Plate Reader

This procedure shall be applicable to the use of the stationary Automated License Plate Readers and the squad cars equipped with an Automated License Plate Reader.

PURPOSE: This procedure is intended to provide guidance on the use of the Automated License Plate Reader and the use of the data collected.

I. Automated License Plate Reader (ALPR) Defined:
Per Minnesota State Statute, Automated License Plate Reader means an electronic device mounted on a law enforcement vehicle, or positioned in a stationary location, that is capable of recording data on, or taking a photograph of, a vehicle or its license plate and comparing the collected data and photographs to an existing law enforcement database for investigative purposes. The law enforcement database is updated by the state Bureau of Criminal Apprehension (BCA) twice daily. Automated License Plate Reader includes a device that is owned or operated by a person who is not a government entity to the extent that data collected by the reader are shared with a law enforcement agency.

II. Operator's responsibilities:

A. Only officers trained in the proper use of the ALPR may operate it.

B. At the start of each shift the officer shall sign on to the system and download the latest update to the database. After logging on, the system can operate in the background allowing the officer to use the MDC in the normal course of duty.

C. When an officer receives a "hit" on the ALPR, the system will alert the officer visually and audibly to the match. The officer must then acknowledge the "hit", and verify the "hit" is current, by running the information through the state real-time data system prior to taking enforcement action.

D. Proper department procedures and safe police tactics should be followed when initiating a stop or investigation into a "hit" vehicle.

E. Any problems with the system should be immediately reported to the ALPR administrator or a supervisor.

III. Dispatcher Responsibilities:

A. Only dispatchers trained in the proper use of the ALPR may operate it.

B. At the start of each shift the dispatcher shall sign on to the system. After logging on, the system can operate in the background allowing the dispatcher to use the computer in the normal course of duty.

C. When a dispatcher receives a "hit" on the ALPR, the system will alert the dispatcher to the match. The dispatcher must then acknowledge the "hit", and verify the "hit" is current, by running the information through the state real-time data system prior to taking enforcement action.

D. The Dispatcher should then notify squads via radio of the "hit" information. Dispatchers should air "hits" when alerted to stolen vehicles, stolen license plates, missing person(s), K.O.P.S. alerts, vehicles attached to wanted persons, subjects identified on a terrorist watch list and any other "hit" deemed appropriate by dispatch personnel.

E. The dispatcher should notify Mall of America security, when appropriate, and relay the "hit" information and request assistance in locating the involved vehicle.

IV. Data Collected by an ALPR must be limited to the following:

A. License plate numbers.

B. Date, time, and location data on vehicles.

C. Pictures of license plates, vehicles, and areas surrounding the vehicles.

D. Collection of any data not authorized above is prohibited.

E. Data collected by an ALPR may only be matched with data in the Minnesota license plate data file. Additional sources of data may be used for matching if the additional data relates to an active criminal investigation.

F. ALPR's must not be used to monitor or track an individual who is the subject of an active criminal investigation unless authorized by a warrant, or exigent circumstances justify the use without obtaining a warrant.

V. Data storage:

A. Data collected by an ALPR that are not related to an active criminal investigation must be destroyed no later than 60 days from the date of collection. This allows a sufficient time frame for retrieving data relevant to a violation or criminal investigation.

B. Preservation of data is required upon receipt of a written request from an individual who is the subject of a pending criminal charge or complaint, along with the case or complaint number and statement that the data may be used as exculpatory evidence; this data, otherwise subject to destruction after 60 days, must be preserved until the criminal charge or complaint is resolved or dismissed.

C. Destruction of data is required upon written request from a program participant of "Data Protection for Victims of Violence"; ALPR data related to the program participant must be destroyed at the time of collection or upon receipt of the request, whichever occurs later, unless the data are classified as active criminal investigative data.

VI. Authorization to Access Data shall be permitted by the following:

A. The Bloomington Police Department's written procedure ensures that law enforcement personnel have access to ALPR data if authorized in writing by the Chief of Police or his/her designee. This access to data collected by an ALPR must be for a legitimate, specified and documented law enforcement purpose.

B. Access to this ALPR data must be based on a reasonable suspicion that the data are pertinent to an active criminal investigation and must include a record of the factual basis for the access and any associated case number, complaint or incident that is the basis for the access.

C. The ability of authorized individuals to enter, update or access ALPR data must be limited through the use of role-based access that corresponds to the official duties or training level of the individual and the statutory authorization that grants access for that purpose. All queries and responses, and all actions in which data are entered, updated, accessed, shared, or disseminated, must be recorded in a data audit trail or log.

VII. Sharing of Information Among Law Enforcement Agencies:

A. Historical data records date, time, plate number, GPS location, operator, squad info and camera info for each read. Historical data is only searchable for legitimate law enforcement purposes, outlined above in paragraph VI.

B. Outside Law Enforcement requests for historical data shall be routed to the Chief of Police or his/her designee.

C. If data collected by an ALPR are shared with another law enforcement agency under this subdivision, the agency that receives the data must comply with all data classification, destruction, and security requirements.

D. ALPR data that are not related to an active criminal investigation may not be shared with, disseminated to, sold to, or traded with any other individual or entity unless explicitly authorized by state statute.

VIII. Log of Use:

A. Log of use is required to record specific times of day that the reader actively collected data.

B. Log of use is required to record the aggregate number of vehicles or license plates on which data are collected for each period of active use; and a list of all state and federal databases with which the data were compared, unless the existence of the database itself is not public.

C. Log of use is required to record the number of vehicles or license plates where the data identifies a vehicle or license plate that has been stolen, a warrant for the arrest of the owner of the vehicle or an owner with a suspended or revoked driver's license or similar category, or are active investigative data.

D. Log of use is required to record an ALPR at a stationary or fixed location, the location at which the ALPR actively collected data and is installed and used.

E. A list of the current and previous locations, including dates at those locations, of any fixed APLR, or other surveillance device with ALPR capability, must be maintained. This list must be accessible to the public, unless it is determined that the data are security information.

IX. Biennial audit:

A. It is required that records showing the date and time ALPR data were collected and the applicable classification of the data be maintained. An independent biennial audit of the records is required to determine whether data currently in the records are classified, how the data are used, whether they are destroyed as required, and to verify compliance with the law.

B. A report summarizing the results of each audit must be provided to the commissioner of administration; to the chair and ranking minority member of the committees of the House of Representatives and the Senate with jurisdiction over data practices and public safety issues; and to the Legislative Commission on Data Practices and Personal Data Privacy, no later than 30 days following completion of the audit.

X. Notification to Bureau of Criminal Apprehension:

A. Within ten days of the installation or current use of an ALPR, or the integration of ALPR technology into another surveillance device, the Bureau of Criminal Apprehension must be notified of that installation, or use, and any fixed location of a stationary ALPR.

XI. Discipline:

A. Any person who willfully violates the provisions of this chapter, or any rules adopted under this chapter, or whose conduct constitutes the knowing unauthorized acquisition of non-public data, as defined in section 13.055, subdivision 1, is guilty of a misdemeanor.

B. Willful violation, including any action subject to a criminal penalty by any employee constitutes just cause for suspension without pay or dismissal of the public employee.

CANCELS AND REPLACES:
Patrol Procedure 333 – Automatic License Plate Reader, Issued February 11, 2014

BLOOMINGTON POLICE DEPARTMENT MANUAL

INVESTIGATIVE PROCEDURE: 400

EFFECTIVE DATE: September 6, 2010

SUBJECT: MEAL AND COFFEE BREAKS

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1. Meal and coffee breaks may be taken at any time during a shift as long as the total break time does not exceed 60 minutes.

2. While on a meal or coffee break, investigators are subject to call and must be accessible by pager, cell phone or portable radio.

CANCELS AND REPLACES:
Investigative Procedure 401 – Meal and Coffee Breaks, Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT MANUAL

INVESTIGATIVE PROCEDURE: 401

EFFECTIVE DATE: September 6, 2010

SUBJECT: SCHEDULE CHANGES

Investigative supervisors shall maintain future schedules for employees they supervise. This requirement may be satisfied by documenting the routine work hours of each employee, and documenting anticipated deviations such as vacations. Information concerning employee schedules or routine work hours and anticipated deviations should be posted in each supervisor's office.

Investigative personnel shall maintain their phone messaging to assure that callers are advised of any anticipated delays greater than one work day in receiving or responding to messages.

CANCELS AND REPLACES:
Investigative Procedure 401 – Schedule Changes, Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT MANUAL

INVESTIGATIVE PROCEDURE: 402

EFFECTIVE DATE: September 6, 2010

SUBJECT: INVESTIGATIVE RESPONSIBILITY FOR REPORTS REFERRED TO THE POLICE DEPARTMENT BY CHILD PROTECTION AND ADULT PROTECTION

All reports received by the Bloomington Police Department from a Child Protection agency (Minn. Stat. Section 626.556) or an Adult Protection authority (Minn. Stat. Section 626.557) shall be routed to the Crimes Against Person Supervisor who will assign a complaint number, route the report for administrative processing, and assign the case for investigation, where appropriate.

CANCELS AND REPLACES:
Investigative Procedure 402 – Investigative Responsibility for Reports Referred to the Police Deaprtment by Child Protection and Adult Protection,
Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT MANUAL

INVESTIGATIVE PROCEDURE: 403

EFFECTIVE DATE: OCTOBER 3, 2019

SUBJECT: INVESTIGATIVE CASH FUNDS

PURPOSE:
To establish procedures for the administration of cash funds maintained within the Bloomington Police Department and to assure proper accounting for all funds expended from those cash funds.

I. RESPONSIBILITY

The Commander of Investigations shall assure that all cash funds are administered in accordance with this procedure and the procedures of the City of Bloomington. The Commander of Investigations shall also assure compliance with the statutes and regulations of the State of Minnesota and of the United States and any restrictions or regulations applicable to funds committed to any cash fund.

II. AUTHORIZED FUNDS

The following fund is authorized and established:

A. Investigations Division Fund

III. AUTHORIZED EXPENDITURES

The Police Department cash funds may be expended for the following purposes:

A. To purchase evidence;
B. To pay informants or those providing information aiding an investigation;
C. To pay for business expenses incurred in surveillance, human trafficking enforcement, narcotics enforcement, tobacco law enforcement, and liquor law enforcement; and
D. Emergency expenses incurred during investigative activities.
Emergency expense means investigative expenses where the necessity to act precludes using normal City procedures to obtain funds through the

City's routine procedures. Funds used to make emergency payments will be replaced, as soon as practical, through routine purchasing procedures.

IV. PROCEDURES

A. Storing of Funds
Cash funds shall be secured in a safe or other secure area where access is limited to the persons specified in this procedure.

B. Authorized Access to Funds
The following persons are authorized to have access to the Investigation Division Fund:

1. Commander of Investigations
2. Supervisors of both General and Special Investigations' Units
3. Personnel assigned to the Special Investigation Unit

C. Accounting for Expenditures

1. A cash ledger shall be kept.
2. All withdrawals and returns will be signed for by the person to whom the funds are provided and a witness, one of whom must have authority to access the funds.
3. Funds not used in a transaction shall be returned to the cash fund within 24 hours.
   Exception: Personnel assigned to Special Investigations are authorized to have up to $300 checked out from the fund and to carry that amount on their person while involved in their duties. Any such funds shall be subject to verification and shall be returned immediately upon the demand of the Commander of Investigations or the Chief of Police.
4. All transactions (withdrawal and return) shall be documented with the following information in an Investigative Cash Ledger (Form 1, Appendix A) which has a sequential control number of each transaction:

   a. Withdrawal Date;
   b. Withdrawal Amount;
   c. Return Date;
   d. Return Amount; and

e. Initials/Badge Number-Withdrawing/Returning Officer and Witness

All transactions shall be contemporaneously approved by a supervisor who has access to the cash fund and any such approval shall constitute a declaration of the following:

a. That the transaction has been recorded properly in the Investigative Cash Ledger and on a Cash Transaction Report (See #5 below); and
b. That the transaction is for expenses authorized under this procedure.

5. A Cash Transaction Report (Form 2, Appendix A) shall be written covering activity resulting in a fund expenditure. Each report shall be referenced by the sequential control number from the Investigative Cash Ledger and will document the nature of the detail; e.g., where it took place, who worked it, results, and a reference to any applicable report number.

6. The fund balance shall be verified at least once a year by the City's Internal Auditor. Balance verifications shall also be made by the Special Investigations Unit Supervisor upon the transfer of any person having authorized access to any cash fund.

a. The Internal Auditor's review of fund balances shall be limited to tracking City funds into the cash fund and to verifying balances and mathematical calculations, but shall not include an audit of individual transactions to determine their propriety under this procedure.

7. Verification of cash fund balances or full audits may be ordered at any
time by the Commander of Investigations or the Chief of Police.

8. The individual transactions within the cash fund shall be routinely reviewed and endorsed by the:

a. Special Investigation Unit Supervisor

A supervisor's endorsement under this provision constitutes an audit verifying that the documentation of each transaction establishes that the use of funds is in conformity with this procedure.

9. The Commander of Investigations shall periodically inspect documents related to cash funds or any special fund to assure compliance with this procedure.

D. Replenishing Funds

1. The Commander of Investigations shall seek the appropriation of adequate funds to maintain the authorized cash funds through the annual budgeting process.

2. The Commander of Investigations shall determine the minimum amount of operating funds that should be maintained in the cash fund and will replenish those funds from time to time to maintain that balance.

E. Special Funds

1. The Chief of Police may, via memorandum, authorize the creation of a special cash fund or checking account for the purpose of facilitating a criminal investigation or other investigative activities.

2. The memorandum authorizing any such special fund shall specify the following details concerning the fund:

   a. The authorized use of the funds;
   b. The personnel authorized to have access to the funds;
   c. The person designated to maintain oversight over the fund; and
   d. The frequency of fund verification by the City's Internal Audit Department.

A second memorandum specifying the existence of the fund, the person designated to maintain oversight of the fund, and the frequency of verification of the fund shall be transmitted to the City's Audit Manager for endorsement. A copy of the memorandum, shall be maintained with the memorandum authorizing creation of any special fund.

CANCELS AND REPLACES:
Investigative Procedure 403 – Investigative Cash Funds, Issued September 6, 2010

APPENDIX A FORMS

Form 1 - Investigation Cash Ledger

Form 2 - Cash Transaction Report

INVESTIGATION CASH LEDGER **FORM 1, APPENDIX A**		
Date:	**Control #**	**Amount Withdrawn**
Describe Cash Use:		**Amount Returned**
Withdrawn by:	**Returned By:**	**Amount Spent**
Witness: **Approved By:**	**Witness:**	**Balance**
Date:	**Control #**	**Amount Withdrawn**
Describe Cash Use:		**Amount Returned**
Withdrawn by:	**Returned By:**	**Amount Spent**
Witness: **Approved By:**	**Witness:**	**Balance**
Date:	**Control #**	**Amount Withdrawn**
Describe Cash Use:		**Amount Returned**
Withdrawn by:	**Returned By:**	**Amount Spent**
Witness: **Approved By:**	**Witness:**	**Balance**
Date:	**Control #**	**Amount Withdrawn**
Describe Cash Use:		**Amount Returned**
Withdrawn by:	**Returned By:**	**Amount Spent**
Witness: **Approved By:**	**Witness:**	**Balance**
Date:	**Control #**	**Amount Withdrawn**
Describe Cash Use:		**Amount Returned**
Withdrawn by:	**Returned By:**	**Amount Spent**
Witness: **Approved By:**	**Witness:**	**Balance**
Describe Cash Use:		**Amount Returned**
Withdrawn by:	**Returned By:**	**Amount Spent**
Witness: **Approved By:**	**Witness:**	**Balance**

CASH TRANSACTION REPORT
FORM 2, APPENDIX A

Control # _____
Date: _____
C.I.#: _____
Report #: _____

Purpose:

_____ Vice
_____ Narcotics
_____ Surveillance

Items Purchased:

Narcotics	☐	$_____
Bar Drinks	☐	$_____
Food	☐	$_____
Other (Explain)	☐	$_____

_____
_____
_____

Acknowledgment of Payment

I certify I have received cash payment from the Bloomington Police Department in the amount of
$ _____.

Signature: _____ Date: _____
_____

Certification

a. Payor Name: (Print) _____ Badge: _____
Signature: _____ Date: _____

b. Witness Name: (Print) _____ Badge: _____
Signature _____ Date: _____

c. Supervisor: (Print) _____ Badge: _____
Signature: _____ Date: _____

09/95 LL

BLOOMINGTON POLICE DEPARTMENT MANUAL

INVESTIGATIVE PROCEDURE: 404

EFFECTIVE DATE: March 30, 2018

SUBJECT: INVESTIGATOR CALL-OUTS

Investigative personnel may be called in by the on-duty patrol supervisor at any time. Some factors to be considered in calling in investigative personnel are as follows:

1. The seriousness of the crime
2. The need for formal statements from suspects or witnesses
3. The need to obtain and execute a search warrant
4. The need to interview juvenile suspects, who will be released to their parents.

An investigator **shall** be called to the scenes of all suicides, homicides, or to any other death scene where the on-duty supervisor deems it appropriate. An investigator shall also be called to the scene of any fatal motor vehicle accident where homicide or suicide are suspected.

The following guidelines shall be used in contacting investigative personnel:

For all crimes against a person's or property crimes:

- On-Call East/West Sergeant
- Back-Up East/West Sergeant
- Special Investigations Unit Sergeant
- Investigative Unit Commander

For all narcotics or human traffiking
related crimes, contact:

- Special Investigations Unit On-Call Investigator
- Special Investigations Unit Sergeant
- On-Call East/West Sergeant
- Investigative Division Commander

CANCELS AND REPLACES:
Investigative Procedure 404 – Investigator Call-Outs
Issued September 6, 2010

BLOOMINGTON POLICE DEPARTMENT MANUAL

INVESTIGATIVE PROCEDURE 405

EFFECTIVE DATE: September 6, 2010

SUBJECT: POLYGRAPH EXAMINATIONS

A polygraph examination is an investigative tool that an investigator may use under specific circumstances to aid in the goal of learning the truth of a matter under investigation. Because it is a uniquely powerful tool, its use must be appropriately governed for the dual purposes of retaining public acceptance and protecting the integrity of the Department. This procedure has been established to accomplish these purposes.

A. General Guidelines:

1. Polygraph examinations will be conducted only by a trained polygraph examiner (a graduate of an American Polygraph Association approved course).
2. All polygraph examinations will be conducted within the guidelines of American Polygraph Association using only approved equipment and techniques.
3. The subject for a polygraph examination must voluntarily consent to the examination.
4. The subject must sign a consent and waiver before being examined.
5. The parent or legal guardian of a juvenile must also sign a consent and waiver before the juvenile is examined.
6. The final decision on whether to examine an individual rests solely with the polygraph examiner.
7. No one under 14 years of age will be tested.

B. Specific Guidelines:

1. All examinations will be conducted at the Bloomington Police Department. Note: (except in circumstances logically precluding having the subject come here).
2. All examinations will be scheduled by the polygraph examiner.

3. Polygraph examinations requested by other law enforcement agencies are appropriate when approved by the Investigative Supervisor and screened, accepted, and scheduled by the polygraph examiner and are subject to all other parts of this procedure.
4. In order to limit the potential for misuse and because of the requirements of M.S.A. {181.75 which states in part, "No employer or agent thereof shall directly or indirectly solicit or require a polygraph, voice stress analysis, or any test purporting to the honesty of any employee or prospective employee ", we will conduct polygraph examinations only in the following situations:

    a. In criminal investigations wherein the police make the first and only offer of a polygraph examination.
    b. In internal investigations for other City departments or other law enforcement agencies wherein the employee originates the request to take a polygraph examination to clear his/her own name.
    c. For training purposes.

5. Polygraph Records:
    a. The consent form will be filed with the charts and interpretations in a criminal matter and is a private record under M.S.A. §181.76.
    b. The consent form in an internal affairs investigation will be kept with the I.I.U. file and is confidential. A copy will be filed with the charts and interpretations.
    c. Case file reports in a criminal matter referencing to a polygraph examination are private records. (reference M.S.A. 181.76)
    d. The charts and interpretations of polygraph examinations will be kept by the polygraph examiner and are confidential.

6. Polygraph Records Retention
    The charts, interpretations, and related reports kept by the polygraph examiner will be maintained for three years and then destroyed.

CANCELS AND REPLACES:
Investigative Procedure 405 – Polygraph Examinations, Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT MANUAL

INVESTIGATIVE PROCEDURE 406

EFFECTIVE DATE: September 6, 2010

SUBJECT: INVESTIGATOR TRAINING PROGRAM

This procedure establishes an Investigator Training Program and defines how it will operate. The purpose of this program is to enhance the individual's capability as a police officer by assisting that officer in gaining investigative knowledge and in learning investigative skills and techniques. This program shall be of one year in duration and shall be available to three officers per year.

ELIGIBILITY:

1. All patrol officers who have not been assigned to an Investigations Division position, or all officers who have been assigned to an Investigations Division assignment for less than 11 months.

SELECTION PROCESS:

1. A list of candidates will be made available placing eligible officers in order by longevity. The eligibility list will be compiled and maintained by the Investigative Unit Commander and officer placement into the investigator training program will be done according to this list

2. One new trainee will enter the training program each four months when the Patrol Division starts a new four month platoon assignment.

3. An officer will be notified by the Investigations Commander of his/her eligibility for the next open training position. If the officer declines to participate, the next candidate on the list will be offered the opening. Under normal circumstances an officer will receive at least four months notice that the officer is eligible for the next opening. A notice will be made in the Daily Bulletin announcing the name of the next participant and the date that officer will begin the program.

4. If an officer declines to participate, that officer will be offered the next opportunity to participate in the program approximately four months later.

5. In no instance will any officer, whom at the time is assigned to the Patrol Division, be allowed to decline this assignment more than two (2) times. Upon eligibility for the third time, the officer shall complete the one year training assignment in Investigations. Only the Chief of Police or his or her designee may grant an exception to this procedure.

6. New officers will be placed on the eligibility list after they complete probation.

CANCELS AND REPLACES:
Investigative Procedure 406 – Investigator Training Program, Issued June 15, 1999

BLOOMINGTON POLICE DEPARTMENT

INVESTIGATIVE PROCEDURE: 407

EFFECTIVE DATE: September 6, 2010

SUBJECT: PAYMENT OF REWARDS

Rewards may be paid to persons who provide information leading to the seizure and forfeiture of moneys, property or other assets under federal or state law. Any such payments shall be limited to 10% of the amount actually received by the City of Bloomington and shall be considered an expense of the seizure and forfeiture. Payments of $200 and less may be made in cash from the Community Response Enforcement Unit (CREU) buy fund if the recipient signs a receipt for the funds. All other payments shall be made by the issuance of a check to the recipient with funds charged against the CREU buy fund. Rewards in excess of $500 must be approved by the Chief of Police or Deputy Chief of Police. Rewards in excess of $5,000 must be approved by the City Manager.

CANCELS AND REPLACES:
Investigattive Procedure 407 – Payment of Rewards, Issued February 27, 1998

BLOOMINGTON POLICE DEPARTMENT

INVESTIGATIVE PROCEDURE: 408

EFFECTIVE DATE: September 6, 2010

SUBJECT: DENTAL RECORDS FOR MISSING PERSONS

The National Child Search Assistance Act of 1990 (Title 37 of Public Law 101-647) and the National Crime Information Center (NCIC) requires that dental information be added to all missing person records within 60 days after their entry.

In order to comply with this law, the assigned investigator for any missing person case will make every reasonable attempt to contact the complainant of a missing person who is not located within 45 days of being entered into NCIC in order to receive dental records. Upon receipt of said records, the investigator will forward them to the Dispatch Supervisor for proper entry into NCIC records.

The assigned detective shall record all attempts to receive dental records (successful and unsuccessful) into Case Management so that information is retained for CJIS/NCIC audit.

CANCELS AND REPLACES:
Investigative Procedure 408 – Dental Records for Missing Persons,
Issued February 28, 1998

BLOOMINGTON POLICE DEPARTMENT

INVESTIGATIVE PROCEDURE: 409

EFFECTIVE DATE: September 6, 2010

SUBJECT: CELLULAR PHONE/PAGER POLICY

PURPOSE:	To provide operational procedures and guidance consistent with City of Bloomington policies related to the acquisition, use and maintenance of cellular phones by City employees.
SCOPE:	This procedure shall be applicable to wireless communication devices used by the Bloomington Police Department, including pagers and cellular telephone devices. It is not applicable to portable radios, which are part of the City's 800 Megahertz trunked radio system.
CONTROLLING DOCUMENTS	City of Bloomington Cellular Telephone Policy, dated June 24, 1997, Mark Bernhardson, City Manager.
POLICY:	Assignment of City cellular phones is limited to employees whose positions or assignment requires them to receive or place calls while away from City buildings. Cellular phones shall be used exclusively for City business, except that nominal personal use may be made of cellular phones, when such use does not interfere with the conduct of City business and the employee reimburses the City for airtime related to personal use. All personal usage is subject to reimbursement in accordance with this policy. Although cell phone use should be avoided where traditional phone service exists, the use of cell phones to facilitate undercover operations, communications with witting and unwitting informants and where important communication with other police personnel with whom we do not have regular radio communication is permitted when necessary.

Alphanumeric pagers may be assigned to personnel who are subject to emergency recall, overtime notification or where other demonstrated one-way communication needs exist. The basic pager for police department personnel shall be an alphanumeric pager. A single wide area or nationwide pager shall be maintained by the Chief's Administrative Assistant for personnel traveling outside the normal paging areas. Any permanent assignment of a wide area or nationwide pagers must be approved by the Chief of Police before the pager is acquired.

COORDINATION: The Commander of Investigations shall coordinate cellular phone service and equipment acquisition and replacement throughout the police department, subject to the following limitations:

- The City Manager's approval shall be required for the purchase of cellular phone(s) or any substantial change in cellular service.

- The authorized use of cellular phones and pagers shall be subject to periodic approval of the budgeting process.

- Individual commanders shall review and approve monthly cellular phone charges for each cellular phone assigned to personnel, vehicles or units under their command. In approving monthly cellular phone charges, the commander shall review cellular phone usage to assure that personal calls are documented properly and reimbursed and that usage appears to be reasonable.

    - Cell phone billing records documenting declared personal calls, reimbursements and commander authorizations shall be maintained by the accounting clerk for a period of one year after which period those records shall be destroyed.

The Communications Supervisor shall coordinate paging service and equipment acquisition and replacement throughout the police department, subject to the following limitations:

- Chief of Police approval shall be required for acquisition of additional pagers or substantial changes in service.

Personal Calls: The personal call reimbursement rates shall be periodically established and published via Administrative Announcement after approval by the City's Finance Division.

Audit Process: Cellular phone records shall be subject to periodic audit by the City's Finance Division.

Loss or damage to cellular phone equipment or paging equipment shall be dealt with in the following manner:

- An information report shall be submitted describing the circumstances of the loss or damage.
- Copies shall be routed to the commander of the unit to which the employee is assigned, the Commander of Professional Standards, and the Communication Supervisor.
- The commander of the unit to which the employee is assigned must approve the replacement.
- The cost of replacing or repairing any lost or damaged cellular phone equipment or pagers shall be allocated to the employee's primary budget activity.

CANCELS AND REPLACES:
Investigative Procedure 409 – Cellular Phone / Pager Policy,
Issued September 16, 2002

BLOOMINGTON POLICE DEPARTMENT MANUAL

INVESTIGATIVE PROCEDURE: 411

EFFECTIVE DATE: March 15, 2019

SUBJECT: DEPARTMENT OF JUSTICE AND DEPARTMENT OF TREASURY EQUITABLE SHARING PROGRAM

PURPOSE: It is the purpose of this policy to provide employees of the Bloomington Police Department with the information necessary to properly fulfill and implement standard accounting procedures, internal controls, reporting requirements and adherence to directives that are consistent with the guidelines set forth to track equitable sharing funds and tangible property related to the Department of Justice (D.O.J.) and Department of Treasury (D.O.T.) Equitable Sharing Program.

POLICY: The Comprehensive Crime Control Act of 1984 authorized federal officials to implement a national asset forfeiture program, a program now recognized as one of the most powerful tools for targeting criminals - including drug dealers and white collar criminals - who prey on the vulnerable for financial gain. Forfeiture statutes are now prevalent throughout federal and state statute and their use, along with other important anti-crime measures, has had a significant impact on crime.

The Bloomington Police Department (Department) recognizes the need to adhere to the program directives set forth by the D.O.J. and D.O.T.'s *Guide to Equitable Sharing for State, Local, and Tribal Law Enforcement Agencies* (Guide) along with wire transmittals updates received via *E-Share (*E-Share*).* Adhering to these program directives and updates promotes and maintains the integrity of the Equitable Sharing Program so that it can continue to merit public confidence and support. The Department further recognizes the D.O.J. requires that all seizing and prosecutorial agencies ensure compliance with the Guide and E-Share directives. Most importantly, the Guide and E-Share seek to assist state and local law enforcement agencies participating in the Equitable Sharing Program by clarifying the directives they must follow to obtain and properly use equitably shared funds.

PROCEDURE:

1. The Commander of the Department's Investigation's Division shall be responsible for the oversight, administration and reporting (annually) requirements related to the Equitable Sharing Program (Program).

2. As a prerequisite to participating in the Program, the Department must annually submit to the D.O.J.'s Money Laundering and Asset Recovery Section (M.L.A.R.S.), a certified Equitable Sharing Agreement and Certification form (E.S.A.C.). The E.S.A.C. report will be compiled using figures provided through the E-Share portal that is used to track forfeited Program funds. Funds that are received through the Program will be verified by the City of Bloomington's Finance Department. In addition, any authorized expenditures related to Program funds will be tracked via their respective, separate D.O.J. and/or D.O.T. accounts. The D.O.J. and D.O.T. expenditures will be reported on the annual E.S.A.C. form.

   The E.S.A.C. agreement must be signed by the head of the Department and a designated official of the governing body. By signing the Affidavit, the signatories agree to be bound by the statutes and guidelines that regulate the Program and certify that the Department will comply with these guidelines and statutes. The Department must submit this form within 60 days after the end of the Department's fiscal year, regardless of whether funds were received or maintained during the fiscal year. The E.S.A.C. report containing original signatures will be maintained by the Department for reference in the event of a future audit. An electronic version of the E.S.A.C. report must be completed and submitted, via the E-share portal, to aca.submit@usdoj.gov.

3. The Commander of Investigations will work in conjunction with the City of Bloomington's Finance Department, or any other City of Bloomington Department (City) deemed appropriate, to ensure compliance with the above mentioned directives, and all other directives and requirements related to this Program.

4. At any time, the Department of Justice or the Department of the Treasury (D.O.T.) may request documents related to equitable sharing, conduct an audit or compliance review, or implement additional reporting requirements. The Commander of Investigations will facilitate such requests and update the Chief of Police, or their designee, when significant changes occur within the Program that warrant action by the Department or other City Department(s).

5. Department of Justice and Department of the Treasury equitable sharing funds must be tracked and maintained separately. As such, separate bank accounts will be utilized for maintaining of equitable sharing funds acquired through the D.O.J. and/or D.O.T. as part of the Program. Equitable sharing funds acquired through the Program will be electronically deposited in to the applicable forfeiture bank accounts at U.S. Bank NA. Funds received from the D.O.J. will be electronically deposited in to U.S. Bank NA account ending in XXXX8618. Funds received from the D.O.T. will be electronically deposited in to U.S. Bank NA account ending in XXXX8626.

6. Revenues and authorized expenditures of Program funds will be recorded directly in the D.O.J. and/or D.O.T. accounts in the City's financial accounting system. Revenues and expenditures for the D.O.J. will be recorded in Fund number 2725 in the City's financial accounting system. Revenues and expenditures for the D.O.T. will be recorded in Fund number 2726 in the City's financial accounting system.

7. Authorized expenditures of Program funds will be paid out of the City's operating bank account. On a monthly basis the Finance Department will reconcile the D.O.J. and D.O.T. forfeiture bank accounts with the corresponding separate funds in the City's financial accounting system to ensure that monthly financial activity is accurately recorded.

8. In accordance with the written directives and requirements of this Program the Department and City shall:

   a) Maintain equitable sharing funds with the same entity that awards, allocates, and/or maintains the Department's appropriated funds (i.e. Finance Department). **Departments are prohibited from maintaining their own funds**.

   b) Establish separate D.O.J. and D.O.T. revenue accounts or accounting codes to track both deposits and expenditures for each respective Program. **No other funds may be commingled in these accounts or with these accounting codes.**

   c) Maintain records of all income and expenditures posted to the account or accounting code and report all transactions using cash based accounting methods.

   d) Deposit any interest income earned on equitable sharing funds in the respective revenue account or accounting code established solely for these shared funds. This interest is subject to the same use restrictions as shared funds. **Funds must be maintained in accounts with no risk of loss.**

e) Use tangible property placed into official use for a law enforcement purpose for at least two years following the acquisition. After two years, the property may be sold for the benefit of the Department. All proceeds from the sale of such property must be deposited into the City's appropriate equitable sharing program account (D.O.J/D.O.T.). Departments requesting to sell property prior to two years must obtain approval from M.L.A.R.S.

f) Use purchased or acquired luxury automobiles only for undercover assignments.

g) Dispose of items purchased with equitable sharing funds in accordance with the Department's disposal policies. To the extent practicable, and if consistent with the Department's procurement and disposal policies, deposit proceeds from the sale of such property into the Department's Program account or accounting code. If an item has minimal or no value, the Department may donate the item to a recipient of its choice if permitted under the Department's disposal policies.

h) Establish and maintain a written policy/procedures for accounting, bookkeeping, inventory control, and procurement; and ensure distribution to all appropriate personnel.

i) Comply with all applicable state and local procurement laws, regulations, and policies when approving expenditures and issuing contracts or purchase orders.

j) Ensure that Program funds are not utilized to pay for expenses that are already authorized for reimbursement from another source.

k) The Chief of Police, or their designee, is required to approve any/all expenditures of funds acquired through the equitable sharing program. This required approval will be documented and retained for future retrieval in the City's financial software system. In addition, approval for expenditure of equitable sharing funds will be obtained from the governing body, such as the city council or city manager's office, when required.

l) Process transactions for all cash expenditures, such as buy money, informant payments and buy-back programs, using appropriated funds to ensure compliance with Departmental policies. Equitable Sharing Program funds may then be used to reimburse the appropriated funding source.

CANCELS AND REPLACES:
Investigative Procedure 411 – Department of Justice and Department of Treasury Equitable Sharing Program, Issued October 9, 2018

BLOOMINGTON POLICE DEPARTMENT MANUAL

ADMINISTRATIVE PROCEDURE: 500

EFFECTIVE DATE: May 30, 2014

SUBJECT: ARREST/BOOKING PROCEDURES

PURPOSE:

This procedure is designed to provide a summary of arrest and booking criteria for the operation of the Bloomington Police Department Municipal Holding Facility. Pursuant to Chapter 2945 of the Minnesota Code of Regulations, Department of Corrections, Municipal Jail Facilities, a **JAIL OPERATION MANUAL** has been adopted and promulgated within the Bloomington Police Department. This procedure will provide personnel assigned to Patrol and Investigative functions of the Police Department with a summary of the arrest and booking criteria contained within the more detailed **JAIL OPERATION MANUAL**.

I. Arrest Procedure

A. Who must be booked:

1) Persons arrested on Division 4 gross misdemeanor, and misdemeanor warrants; Felony or other Division warrants without current Bloomington charges may be taken to HCADC—Supervisor approval needed.
2) Persons arrested on original felony and gross misdemeanor offenses;
3) Persons arrested on misdemeanor offenses under the following circumstances:
   a. when necessary to assure the person's appearance in court;
      - the person cannot be satisfactorily identified;
      - the person has no permanent address;
      - the person has a past history of not responding to criminal procedures.
   b. when necessary to prevent bodily harm to the person or another person;

   c. when necessary to prevent the continued commission of a public offense;

d. when the offense is a "sex offense," such as criminal sexual conduct, exposing, prostitution or other similar crimes;

e. when the person is arrested for assault where the victim is the arrested person's spouse or other person with whom the arrested person resides (Minn. Stat. Section 629.72).

4. Persons who have violated the terms of a previous Conditional Release (Minn. Rule Crim. Proc. 6.03), except that the criteria for misdemeanor booking under Clause 3 shall be applied where the original offense was a misdemeanor.

5. Juvenile arrests shall be handled the same as adults, except where otherwise indicated.

a. Juveniles arrested for gross misdemeanors and misdemeanors shall be booked if the officer reasonably believes:

i) The child or others would be endangered, or

ii) The child would not appear for a court hearing, or

iii) The child would not remain in the care or control of the person to whose lawful custody the child is released.

b. Juvenile warrant arrest may be transported to a juvenile detention facility and need not be booked at BPD.

c. Juveniles picked up as runaways, truants, or health and welfare concerns should be transferred to parents/school or guardian as soon as possible. Social agencies can be used (St. Joe's, S.O.S., the Bridge, 4th Precinct). We will not place in our jail these "status" offenders. They may be held in an interview room pending parental release.

B. Persons to be transported directly to Hennepin County Adult Detention Center.

1. Where it is apparent that a prisoner with a disability cannot be reasonably accommodated.

Note: Reasonable efforts to accommodate a person with a disability shall be made in accordance with the City of Bloomington Accommodation Policy, July 1993.

2. Where the prisoner is suicidal, mentally ill, violent or otherwise requires a level of supervision not generally provided in the municipal holding facility.

C. Who May be arrested and Booked (Petty Misdemeanor)

1. Persons arrested on petty misdemeanor offenses when one of the following conditions exist:
   a. the person cannot be satisfactorily identified and the officer has some articulable suspicion to question this identity;
   b. the offense is a non-traffic offense (poss. small amount of marijuana) and the person is not a resident of Minnesota. If an arrest is made on this violation, use the City Ordinance 12.68, a Misdemeanor.

II. Booking Procedure

A. All persons admitted to the municipal holding facility shall be booked in accordance with the procedures outlined within the City of Bloomington Jail Operation Manual, Tab F, which include the following:

1. All persons shall be thoroughly searched for weapons, contraband and evidence of criminal conduct.
   a. Female prisoners should be searched by female officers whenever possible; however, male officers may conduct a limited search of female prisoners when the Patrol Shift Supervisor determines exigent circumstances exist and this search shall be witnessed by another officer.
2. All property except necessary clothing shall be taken from the person, inventoried on the prisoner's booking report and placed in the prisoner's property bag or bin for safekeeping.
3. All prisoners shall be thoroughly searched for weapons or other contraband upon entering the municipal holding facility, and no prisoner shall be placed in a cell without first having been thoroughly searched.
   a. Prisoners shall not be strip searched unless there is an articulable basis upon which to believe the prisoner may possess controlled substance or weapons that will not be discovered by a less obtrusive pat down search. The following factors are relevant to the decision to strip search a prisoner:

      i. The seriousness of the crime with which the prisoner is charged;
      ii. The prisoner’s past criminal history;

iii. The length of time it is likely the prisoner will be held at the municipal holding facility;
iv. Knowledge of controlled substance involvement; and
v. The prisoner's known associates.

b. The proper procedure for a strip search is as follows:
   i. Strip searches should be done face to face by officers of the same sex as the prisoner.
   ii. Escort the prisoner to an unoccupied holding tank/cell.
   iii. Have the prisoner remove all clothing, one piece at a time so the officer can search each item before continuing.
   iv. Once the prisoner is nude, have the prisoner run his/her hands through his/her hair.
   v. Have prisoner open his/her mouth so officer can visually check it for contraband.
   vi. Visually check the genitalia area. (Males – instructed to lift penis and scrotum; Females – instructed to squat in a crouched position and cough.)
   vii. Have prisoner extend their arms overhead while the officer checks the armpits, navel, empty hands and remaining parts of the torso. (Females – may be instructed to lift their breasts.)
   viii. Have prisoner turn his/her back toward officer and show soles of his/her feet, one at a time.
   ix. Have prisoner bend over at waist, spreading the cheeks of buttocks so the officer can visually inspect the prisoner's groin and anus areas.
   x. Upon completion of the search, the prisoner shall have his/her clothing returned or issued a jail jumpsuit.

If an object is actually protruding from a body cavity, the prisoner shall be asked to voluntarily remove it. If the prisoner refuses, advise the on-duty sergeant. The sergeant may authorize transportation to an area hospital emergency room for removal by a physician.

4. Arrest information, including the person's name, the date of arrest and the offense for which the person is being held shall be recorded in the computer booking module.

5. All persons shall be fingerprinted, except for juveniles detained on status offenses.
   a. One fingerprint card is required. The information will be sent via computer to the BCA and FBI. This will require the return message to be checked when it returns.
6. All persons shall be photographed using the PictureLink system, except for juveniles detained on status offenses.
7. Once the administrative portions of the booking process have been completed, the prisoner ~~shall~~ may be offered an opportunity to make a telephone call.
   a. All persons arrested have a right to call their attorney. A supervisor may restrict other calls, but must make a notation of why on the booking sheet.
8. When a person is booked, a medical screening form shall be completed
   a. If there are areas of concern the Administrative Sergeant shall be notified immediately.
   b. For serious medical conditions, or conditions that cannot be readily handled by BPD personnel, alternative housing options may be considered.
9. A prisoner's hygiene and cleanliness shall be assessed and any problems reported to the Desk Officer.

III. Juvenile Issues

A. Arrested juveniles 14 and older may be held in the BPD jail facility for up to six hours for the purpose of identification, investigation, processing, awaiting release, or to await transfer to an appropriate facility.

B. There must be sight and sound separation between juveniles and adult detainees.

C. Status offenders and juveniles under the age of 14 shall not be detained in the BPD holding facility; however, they may be held in an administrative holding area (interview room) for up to 6 hours as long as they are under direct visual supervision with sight and sound separation from adult detainees.

D. Juveniles eligible for release from detention shall be released to the custody of the child’s parent(s), guardian, custodian, or other suitable

person. In some cases, the parent(s)/guardian may okay the release to another person or an outright "release to self." Officers should also keep in mind health and welfare concerns. When you have unconcerned parents, and based on the totality of the circumstances, St. Joe's may be an option. Release information shall be documented in the report.

E. Parental Notification - Whenever a peace officer takes a child into custody, either on an arrest or health and welfare situation, the parent, guardian, or custodian shall be notified as soon as possible. These attempts shall be noted in the report.

CANCELS AND REPLACES:
Administrative Procedure 500 – Arrest/Booking Procedures,
Issued September 6, 2010

BLOOMINGTON POLICE DEPARTMENT MANUAL

ADMINISTRATIVE PROCEDURE: 501

EFFECTIVE DATE: September 6, 2010

SUBJECT: DISCIPLINARY DOCUMENTS

The Chief of Police's Administrative Aide shall assure that disciplinary documents (documented oral reprimands, written reprimands, notices of suspension and notices of discharge) are administered as follows:

1. The Chief of Police shall initial any such document approving its incorporation in the employee's employment record and/or personnel file.

2. A copy of the document shall be forwarded to the City of Bloomington Personnel Department, where indicated by the Chief of Police.

3. For employees represented by the Bloomington Police Officers Federation, a copy of a written reprimand, notice of suspension or notice of discharge shall be forwarded to the following:

    a. President of the Bloomington Police Officers Federation, and
    b. Director of Personnel and Labor Relations for the City of Bloomington.

CANCELS AND REPLACES: Support Services Procedure 503, issued 11/1/94

BLOOMINGTON POLICE DEPARTMENT MANUAL

ADMINISTRATIVE PROCEDURE: 502

EFFECTIVE DATE: May 24, 2013

SUBJECT: PROCEDURE FOR STOLEN AND RECOVERED BIKES

SCOPE: This procedure is applicable to all Bloomington Police Officers, Animal Wardens, and Property Clerks who respond to found or stolen bikes.

PURPOSE: This procedure is intended to provide for consistent response to bike reports by police personnel. It establishes guidelines and proper paperwork procedures to insure consistency.

I. STOLEN BIKE RESPONSE

A. Patrol Response:

The report of a stolen bike will be handled as any other crime report. Dispatchers will take the call and dispatch a squad to handle the report. Officers will respond to the scene and collect the information for the report. Along with the general information, a detailed description of the bike is needed. Include the make, model, color, wheel size, and any other identifying mark or equipment. The serial number is also needed to enter this stolen property into NCIC. If any suspect information is known, this is to be included in the narrative for follow-up. If the bike theft is included in a burglary or other more serious offense, still include the description in the property section of the Offense Report.

B. Investigative Follow-up:

A copy of the Crime Report will be routed to Investigations. The Investigative Supervisor will, if appropriate, assign the report to an investigator for follow-up.

C. Dispatch Duty:

Dispatch will query M.I.N.C.I.S./N.C.I.C. to see if the bike has been recovered by any other agency. If no recovery is found, the bike will be entered as stolen. If the bike has a Minnesota bicycle license, the officer/Dispatch will call and determine the serial number for the Stolen Article Card.

The Property Clerk will also compare the stolen bike to bikes we hold in inventory that are not entered into NCIC. This comparison will include the descriptions given against the bikes inventoried. Any possible matches will be followed up by the Property Clerk. They will contact the possible owners and confirm any possible matches.

II. Recovered Bikes

All recovered bikes shall be entered into the barcoding database and each bike with receive a barcode label. An information or offense report will be completed if circumstances require, such as an arrest or information for investigative follow through.

The reporting officer shall include a complete description of the recovered bicycle within the barcoding database. Make, model, color, size, and serial number should be included.

Generally, the recovery of abandoned bicycles will be done by a CSO or an on-duty Animal Control Officer when a CSO is not available.

Report routing will be handled through established records unit procedures.

Investigative Unit Responsibility

The Investigative Unit is responsible to make a determination if any investigative follow-up is warranted. This will be based on any information that aids in the location/identification of the person(s) involved in taking the bike.

Investigator Responsibility

A. If the bicycle is a Bloomington stolen with serial number in N.C.I.C., the Investigator will:
   1. Contact the owner to verify loss and positively identify the recovered bicycle as the article in question.
   2. Advise the owner to arrange an appointment with the Property Clerk to release the bicycle.
   3. The Property Clerk, upon release of bicycle to owner, will obtain their signature and record the transaction in the barcoding database.
   4. Advise Dispatch to terminate N.C.I.C. entry.

B. If the bicycle is not a Bloomington stolen but has identifying numbers:

1. The Investigator will complete a Recovered Article Card and route to Dispatch.
2. The Dispatcher will query the appropriate state computer files to determine bicycle's status.
   a. If the bicycle is entered in N.C.I.C. by another agency as stolen:
      1. The Dispatcher will notify the originating agency so that the bicycle can be canceled from the computer.
      2. Dispatch will return the Recovered Article Card to the Investigator with pertinent information included.
      3. The Investigator will notify the owner of the recovered bicycle and advise the party to make an appointment with the Property Clerk to retrieve bicycle.
      4. The Property Clerk, upon release to owner, will obtain his or her signature and record the transaction in the barcoding database.

   b. If the bicycle has not been entered into N.C.I.C. as a stolen article:
      1. Dispatch will query state bicycle registration file to determine owner. If owner is identified, return Recovered Article Card to Investigations with pertinent information attached.
      2. If owner is not identified, Dispatch will enter the recovered bicycle into M.I.N.C.I.S. and route the Recovered Article Card to Investigations for filing.

   c. If the owner of a bicycle is determined at a date after M.I.N.C.I.S. property entry, the Investigator will:
      1. Contact owner to verify reported loss and positively identify the recovered bicycle as the article in question.
      2. Advise owner to arrange an appointment with the Property Clerk for release of bicycle.

3. The Property Clerk, upon release of bicycle to owner, will obtain his or her signature and record the transaction in the barcoding database.
4. Submit the Investigative M.I.N.C.I.S. Recovered Article Card to Dispatch for cancellation.

d. If another police agency inquires into the status of a stolen Bloomington bicycle found in their community:
   1. Dispatch will complete the following procedures:
      a. Confirm the status of the stolen bicycle through the location of a Stolen Article Card.
      b. Cancel the N.C.I.C. computer entry. Upon cancellation, the Dispatcher will submit an Information Report with an attached computer cancellation slip and other pertinent information. A copy of this Information Report will be routed to Investigations.

   2. Upon receipt of the Information Report, the Investigator will complete the following procedures:
      a. Contact owner to verify they have been notified by the other police agency as to the recovery of their bicycle.
      b. Advise Investigations of any leads or follow-up in the case.

CANCELS AND REPLACES:
Administrative Procedure 502 – Procedure for Stolen and Recovered Bicycles, Issued September 6, 2010

BLOOMINGTON POLICE DEPARTMENT MANUAL

ADMINISTRATIVE PROCEDURE: 504

EFFECTIVE DATE: February 26, 2020

SUBJECT: EMPLOYEE BEHAVIOR RECOGNITION

PURPOSE

To establish a procedure for recommendations for awards, selections for awards, and levels of awards.

The Bloomington Police Department expects a high level of professionalism from all employees. When employees exceed that high level of performance, fair and consistent recognition by the Department is an appropriate way of demonstrating appreciation for exceptional performance.

LEVELS OF AWARDS

1. Citizen Appreciation
   This is a form of recognition given to employees by citizens for the purpose of expressing their appreciation for the service provided. No formal criteria exists for this level.

2. Certificate of Recognition
   This certificate may be given to an employee for outstanding performance. It is for competent application of an employee's job skills, usually under difficult circumstances.

3. Supervisory Commendation
   A Supervisory Commendation may be given to an employee for outstanding performance on a single event or for situations that demonstrate the competent application of an employee's job skills under difficult or sustained circumstances.

4. Commendation Medal
   A Commendation Medal may be given to an employee for an incident or incidents which clearly show an extraordinary level of expertise, thoroughness, conscientiousness, or determination, or it may be given for achieving a very superior level of job performance and maintaining that level for an extended period of time.

5. Medal of Valor
   The Medal of Valor may be awarded to employees who knowingly and purposefully expose themselves to an extraordinary risk of personal harm to accomplish a meaningful police, civic, or humanitarian goal.

6. Medal of Honor
   The Medal of Honor is the highest award given and may be awarded to employees who knowingly and purposefully expose themselves to a risk of death or serious injury to accomplish a meaningful police, civic, or humanitarian goal.

RECOMMENDATIONS FOR AWARDS

1. A Behavior Recognition Board is established to review or investigate the circumstances that cause a person to be recommended for an award, to determine if the criteria for an award are met, and to recommend an award to the Chief of Police.
2. Any citizen or police department employee may initiate an award recommendation.
3. Verbal compliments from citizens will be recorded by the employee receiving them on a behavior recognition report and forwarded to the Administrative Assistant for the Chief's review and recommendation.
4. Written compliments from citizens will be forwarded to the Administrative Assistant for the Chief's review and recommendation.
5. Any employee may submit a recommendation for award for the actions of another employee. The behavior recognition report will be used. A copy will be sent to the commander of the unit to which the employee is assigned, and one control copy will be sent to the Chief's Administrative Assistant. The Administrative Assistant will forward the recommendation to the Professional Standards Unit and Behavior Recognition Board for review and a final recommendation to the Chief of Police.

SELECTION OF AWARDS

1. The Behavior Recognition Board will make written recommendations to the Chief of Police who will then make the final determination.

SUPERVISORY COMMENDATION

1. A supervisor may make a Supervisory Commendation of any employee.
2. A Supervisory Commendation is made by the submission of a Behavior Recognition Report indicating that it is a Supervisory Commendation to the commander of the unit to which the employee to be recognized is assigned.

    - The supervisor making a Supervisory Commendation shall indicate on the Behavior Recognition Report whether a certificate should be prepared and publicly presented.

    - The commander of the unit to which the employee is assigned shall immediately forward the Behavior Recognition Report to the Chief's Administrative Aide for processing.

3. The Behavior Recognition Report shall be transcribed by the Administrative Assistant and returned to the supervisor making the Supervisory Commendation for presentation to the employee. The public certificate will be presented at an award ceremony.

    - The Chief of Police shall endorse the Supervisory Commendation and any certificate, if applicable.

    - A copy of the Supervisory Commendation shall also be forwarded to the commander and director of the unit to which the commended employee is assigned.

4. An original typed copy of the Supervisory Commendation shall be placed in the department's personnel file for the employee being awarded the Supervisory Commendation, along with a copy of any certificate based thereon.
5. A copy of the Supervisory Commendation shall be submitted to the Commander of Professional Standards for consideration by the Behavior Recognition Board at its next meeting of whether other additional awards should be made, based upon the commended activities.

AWARD PRESENTATION

1. All awards will be presented by the Chief of Police or his designee.
2. The Chief of Police may elect to have a yearly awards ceremony.
3. Media releases will be made at the direction of the Chief of Police.

DISPLAY OF AWARDS

1. Medallions may be displayed in the department trophy case or elsewhere at the discretion of the recipient. Medallions will not be worn.
2. Ribbons will not be worn on civilian clothes. Ribbons may be worn on the uniform. Ribbons will be centered on the employee's name tag over the right shirt pocket. Only one ribbon of each level shall be worn.
3. Non-uniformed employees may choose to frame and display the certificate or certificate and medallion at their work location.

CONTROL

The Behavior Recognition Board is responsible for:

1. Ensuring that awards are handled appropriately and fairly.
2. Seeing that certificates, medallions, and ribbons are supplied for appropriate awards.
3. Scheduling awards presentations.
4. Seeing that documentation of awards is placed into the employee's personnel files.

APPEAL

Employees who feel that they have been unjustly treated by either not receiving the appropriate award or not receiving an award may appeal in writing to the Chief of Police.

SELECTION OF THE BEHAVIOR RECOGNITION BOARD

The Chief of Police has established the following guidelines for the membership of the Board. The Board will have six members; four members are needed to conduct a meeting.

1. Two officers, one each from Detectives and Patrol. Selected by the President of the Bloomington Police Officers Federation.
2. One sergeant from any assignment. Selected by the President of the Supervisors Association.
3. Two non-sworn employees. Selected by the Civilian Services Manager.
4. The Commander of Professional Standards

GROUP AWARDS

1. In instances where a significant number of employees have participated in a major or significant event deserving recognition, the Chief of Police may determine that a group award is appropriate.

   - A group award shall consist of a plaque bearing the medal presented, a description of the circumstances, and the names of all persons recognized as a result of the incident inscribed thereon.

   - The plaque shall be hung in the Police Department display case, and all persons so named shall be entitled to wear a uniform ribbon for the category of award presented. All persons shall receive a certificate designating them as recipients of the class of award presented.

CANCELS AND REPLACES:
Administrative Procedure 504 – Employee Behavior Recognition,
Issued September 6, 2010

BLOOMINGTON POLICE DEPARTMENT MANUAL

ADMINISTRATIVE PROCEDURE: 505

EFFECTIVE DATE: September 6, 2010

SUBJECT: CITIZEN RECOGNITION

PURPOSE:

To encourage Bloomington Police Department employees to recognize and recommend deserving citizens for special Department appreciation.

Our Department enjoys significant support and assistance from the community in which we work. When a citizen makes special efforts to assist an officer, to help a victim, to report crimes in progress, or other actions which contribute to the safety of the community or of police officers, it is appropriate for the Department to demonstrate appreciation.

PROCEDURE:

To initiate recognition of a citizen, employees should forward a Behavior Recognition Report explaining the citizen's assistance, along with any appropriate, related reports, to the Commander, Professional Standards Unit, who will forward it to the Behavior Recognition Board for consideration.

Citizens will be recognized in one of four ways:

1. Letters of appreciation
   When an employee becomes aware that a citizen has made a special effort to assist the Police Department, the employee may request that the Chief of Police write a letter of appreciation.

2. Citizen Certificate of Recognition
   This certificate may be given to a citizen for outstanding assistance to the Police Department or other efforts on behalf of public safety, usually under difficult circumstances.

3. Community Commitment Award
   A resident, business owner, employee or volunteer whose self-initiated involvement results in minimizing the negative impact crime and quality of life issues have on our community.

4. Commendation Medal
   The Commendation Medal will be presented by the Chief of Police. A Commendation Medal may be awarded in recognition of a citizen's significant assistance at a level showing extraordinary measures of involvement far beyond that expected of ordinary citizens.

5. Medal of Valor
   The Medal of Valor may be awarded to citizens who expose themselves to a risk of personal harm in order to accomplish a meaningful police, civic, or humanitarian goal.

In cases where juveniles receive recognition from the Police Department, their school principal will be notified of the recognition. Permission will be obtained first from the juvenile and the juvenile's parent(s).

The employee who submits a recommendation will be notified in writing of the Behavior Recognition Board's action in the matter.

AWARD PRESENTATION:

1. All awards will be presented by the Chief of Police or his designee.

2. Presentations by the Chief of Police may include the employee who made the nomination.

3. Awards ceremonies will be arranged, whenever necessary, by the Behavior Recognition Board.

4. Media releases will be made at the direction of the Chief of Police.

CANCELS AND REPLACES:
Administrative Procedure 505 – Citizen Recognition, Issued March 8, 2002

BLOOMINGTON POLICE DEPARTMENT

ADMINISTRATIVE PROCEDURE: 506

EFFECTIVE DATE: September 6, 2010

SUBJECT: EMPLOYMENT RECORDS

PURPOSE: This procedure is intended to provide clear and specific guidelines on the maintenance of employment data within the Bloomington Police Department on present and former employees.

SCOPE: This procedure shall not be applicable to the maintenance of the following information or data, unless specifically stated otherwise:

1. Personnel data maintained by the Personnel Department of the City of Bloomington.

2. Training records maintained by the Training Sergeant in accordance with Administrative Procedure 513.

3. Internal Investigation records maintained by the Commander of Professional Standards.

I. **Employment Record/File**

A. Definitions

1. "Employment Data" means data collected and maintained on individuals within the Police Department because the individual is or was an employee of the Bloomington Police Department and which deals directly with the individual's past, present, or future performance of various job assignments within the Police Department, or other private data lawfully acquired and maintained on the individual for an appropriate purpose related to the individual's employment.

2. "Employee" means all persons who perform services on behalf of the Bloomington Police Department, whether sworn or civilian, whether paid or unpaid. The term "employee" shall specifically include members of the Bloomington Police Reserves, as well as any other functional unit of the Police Department under which a person would be deemed an employee for any purpose.

B. Establishment and Maintenance of Employment Records

1. A centralized file of employment data for all employees of the Bloomington Police Department shall be maintained by the Administrative Aide to the Chief of Police.

2. Information maintained in an employee's file shall be classified and separated into the following categories:

   a. Employment and Assignment Data
   b. Qualifications, Licenses and Certifications
   c. Evaluation and Performance Records
   d. Commendations and Awards
   e. Personal Information, Current Medical Fitness Data, and Emergency Notification sheets (which are also entered into the Records computer system under “Emergency Info.”)
   f. Professional Standards Data

3. Access to any person's employment record shall be limited to supervisory employees who have a specific job-related purpose and need for any such information. Such a purpose shall be presumed on behalf of the following persons, who shall generally have unlimited access to Departmental **employment** files:

   a. Chief of Police;
   b. The Director and Commander of the units to which the employee is currently assigned;
   c. The Administrative Aide to the Chief of Police for purposes of maintaining the **employment** files in accordance with this Procedure;
   d. The Commander of Professional Standards; and
   e. Other supervisory employees as designated in writing by the Chief of Police.

4. Employees shall have access to all data contained within their employment file during regular business hours. Employees whose assigned duty hours are at other than regular business hours can request that their file be made available for inspection at non-standard times, and arrangements shall be made for such an inspection during or in conjunction with the employee's regular duty hours.

II. Guidelines for Retention of **Personnel Data**

A. Employment and Assignment data shall be maintained in chronological order for an indefinite period as a historical record of an employee's job assignments, attendance and experience.

B. Qualification, Licensing and Certification information shall be maintained throughout the current period of such qualification, licensing, or certification.

C. Evaluation and performance records shall be maintained for a period of five years, except for the following items:

1. Any record of a minor disciplinary item shall be retained in accordance with the terms specified in the original document, and if no such period is specified, for no longer than three years.
2. Any record related to an identified training or a supervisory counseling need shall be retained for a period of one year unless there are additional subsequent records indicating that the training or counseling need still exists.
3. Records of significant disciplinary items shall be retained in accordance with the terms specified in the original document, or indefinitely, if not otherwise specified.

D. Commendations and Awards shall be retained indefinitely, except that letters of appreciation received from citizens and the community shall be retained for five years unless otherwise indicated by the Chief of Police.

E. Personal information shall be kept current and when updated, prior personal information shall be destroyed or returned to the employee.

1. Personal information shall be updated at least annually.

2. Outdated personal information shall be destroyed unless the employee specifically requests the return of any prior data sheet at the time updated information is requested.

F. Current Medical Fitness Data shall be retained during the period such data is necessary to properly provide for any medical limitations of an employee. Once such a purpose no longer exists, any Medical Fitness Data shall be transferred to the Personnel Department for the City of Bloomington where it shall be maintained in accordance with City of Bloomington Personnel practices and policies.

G. An abstract of Employment and Assignment data, Qualification, Licensing and Certification data, and Commendations and Award data shall be maintained within an employee's **employment** file. Memos and documents over five years old may be removed from an employee's employment file once an abstract entry is made when necessary for the orderly maintenance of an employee's employment file.

H. No abstract or notation concerning Evaluation and Performance Record data, Personal Information data, or Current Medical Fitness Data shall be retained once the original memo or documents related to any such item have been removed from an employee's personnel file.

I. Professional Standards Data

Reports of traffic accidents in which the employee has been involved shall be retained indefinitely. An abstract of all Internal Investigation complaint data (See: Minn. Stat. Section 13.43) shall be maintained for incidents occurring within the last three years.

III. Public Access to Employment Data

A. Requests for access to **personnel** data deemed to be public under Minn. Stat. Section 13.43, Subd. 2 shall be referred to the City Manager as the responsible authority under the City of Bloomington Data Practices Plan.

Where necessary, the City of Bloomington's Personnel Department may obtain information from an employee's Police Department employment record when necessary to comply with any such request for public information.

B. Public information from an employee's employment record dealing with employment and assignment data, qualification, licenses and certification data, and commendation and award data may be released to the public as deemed appropriate by the Chief of Police. Any such release shall not include a photograph of an employee without the employee's specific written consent.

1. Undercover Personnel- Personnel data maintained on persons assigned to the Community Response Enforcement Unit of the Investigative Division is classified as private data under Minn. Stat. Section 13.43, Subd. 5. The City of Bloomington Personnel Department shall be routinely appraised of the status of officers assigned to that unit and advised that disclosure of any information concerning those officers without their express written consent would be contrary to the data practices act.

IV. Requests for Removal of **Employment** Data

A. Any employee may petition the Chief of Police for removal and destruction of any data contained within their employment record.

B. Petition for removal of data shall be made upon one of the following grounds:

1. The data contained therein is inaccurate or misleading.
   a. The Chief of Police shall respond to requests under this provision in accordance with Minn. Stat. Section 13.04, Subd. 4.
2. The data should not be retained based upon Federal Laws, Minnesota Statutes or under this procedure.
3. A court order or arbitration decision specifically calls for the data to be removed.
4. The data unfairly reflects upon the employee's character and fitness for duty, and that to be fair and equitable to the employee and the department, the data should be purged from the employee's employment record.

C. Where the Chief of Police grants an employee's petition for the removal of **employment** data, the data shall be removed and/or otherwise provided for in accordance with the directions of the Chief of Police.

V. Consents to Release of **Personnel** Data

A. Where an employee has provided a consent to release of private data in accordance with Minn. Stat. Section 13.05, Subd.4, an employee's employment record shall be made available for inspection during regular business hours to the person so specified within the consent.

1. An employee's employment record shall be reviewed by the Commander of Professional Standards prior to any such inspection to assure that it is being maintained in accordance with law and this policy.
2. If any question exists concerning the continued validity or the voluntariness of any such consent, the affected employee or former employee shall be asked to verify the consent.

B. An employee whose employment record has been inspected pursuant to a consent, shall be notified that the inspection has occurred, and a permanent notation shall be made in the employee's employment record, personal information data section, indicating the name of the person to whom the inspection was allowed.

VI. Annual Review of Employment Record

Bloomington Police Department employment records shall be reviewed by each employee annually. The review shall be incorporated into the annual evaluation process, at which time the employee and the employee's supervisor may determine whether the employee's employment record contains data or information that is inaccurate or no longer appropriate to retain.

1. The following employment record data shall be resubmitted at the time of the annual review:

a. Personal Information Form: Private data from the Personal Information Form will generally be available to Supervisory and Command staff of the Bloomington Police Department in written or automated form. For employees specified in Minn. Stat. 13.43, Subd. 5 [Undercover Law Enforcement Officers], assess to such data may be limited to written form and to dissemination to supervisors within the employee's chain of command and to Command Staff members (Lieutenants, Deputy Chief and Chief of Police).

b. Outside Employment Form

2. Documents or data removed from an employee's employment record shall be submitted with the returned employment record to the Chief of Police's Administrative Aide for destruction. The employee shall be given notice of any document or data that is returned to the employee's employment record or otherwise retained within the police department.

3. The Tennessen Warning is incorporated into this policy. Required by the Data Practices Act.

CANCELS AND REPLACES:
Administrative Procedure 506 – Employment Records, Issued September 1, 1996

TENNESSEN WARNING

You are being asked to provide personal data in the following Bloomington Police Department forms:

1. **EMPLOYEE EMERGENCY INFORMATION SHEET**

   This information will be incorporated into your Employee File and will be used to make emergency notifications and contacts should you become incapacitated. You are required to return the form, but you are only required to provide the information in the first two sections of the form (Employee Name and Next of Kin). The provision of the remaining information is voluntary, and failure to provide that information will simply preclude efforts to make important contacts should you become incapacitated. Failing to provide the required information will be deemed a violation of Bloomington Police Department Policy 200, Rules and Regulations, 1.04 - Insubordination, and may result in disciplinary action. The information you are providing is classified as Personnel Data under Minn. Stat. Section 13.43 and is classified as Private Data under the Minnesota Data Practices Act. It will be available to persons within the Bloomington Police Department as part of your Employee File in accordance with Bloomington Police Department Administrative Procedure 510.

You are being asked to provide personal data in the following City of Bloomington form:

1. **OUTSIDE EMPLOYMENT**

   This information will be incorporated into your Employee File and will be used to assure compliance with Bloomington Police Department General Order 222 and City of Bloomington Personnel Rules dealing with Outside Employment. You are required to complete the form and return it each year. Failing to provide the required information or providing inaccurate information could result in disciplinary action. The information you are providing is classified as Personnel Data under Minn. Stat. Section 13.43 and is classified as Private Data under the Minnesota Data Practices Act. It will be available to persons within the Bloomington Police Department as part of your Employee File in accordance with Bloomington Police Department Administrative Procedure 510 and will be submitted to the City of Bloomington Director of Personnel, where appropriate, for approval and inclusion in your City of Bloomington Personnel File.

BLOOMINGTON POLICE DEPARTMENT

ADMINISTRATIVE PROCEDURE: 507

EFFECTIVE DATE: NOVEMBER 25, 2020

SUBJECT: COMMUNICATIONS CENTER OVERTIME

I. Purpose: To provide for continuous staffing of the communications center by qualified personnel.

II. Responsibility: The dispatch supervisor is responsible for scheduling of personnel to work in the communications center. In the absence of the dispatch supervisor, the on-duty shift supervisor is responsible for proper staffing. The dispatch supervisor will ensure that a current seniority roster of dispatchers is placed in the master schedule book.

III. General Provisions:

A. Shift Length:
A dispatcher shall be allowed to work all 8 hours of a shift with 16 hours of continuous work to be avoided <u>whenever</u> possible. Any shifts in excess of 16 hours must be approved by the dispatch supervisor.

B. Turn-arounds:
Holdovers that result in a turn-around of 4 hours or less shall not be allowed.

C. Notification:
When offered overtime, any response other than an acceptance shall be considered a "no."

D. Qualified Personnel:
Qualified personnel includes all dispatchers.

IV. Vacancies

A. When notice is given of a vacancy creating overtime and less than 24 hours remain before the start of the affected shift, the overtime should be broken down into two equal blocks and offered as follows:

1) Offer overtime to a hold-over by seniority.
2) Offer overtime to a call-in by seniority.
3) Offer overtime to ALL remaining dispatchers by seniority.
4) Assign overtime to a hold-over in reverse order of seniority, then to a call-in in reverse order of seniority (avoid forcing dispatchers working overtime on their scheduled days off whenever possible).
5) If unable to reach a call-in dispatcher, assign the overtime to remaining dispatchers in reverse order by seniority.

B. When notice is given of a vacancy creating overtime, and more than 24 hours remain before the start of the affected shift, the overtime should be broken down into two equal blocks and offered as follows:

1) Offer overtime to ALL dispatchers in order of seniority.
2) Assign overtime to a hold-over in reverse order of seniority, then a call-in in reverse order of seniority. If unable to reach a call-in dispatcher assign the overtime to remaining dispatchers in reverse order of seniority.
3) During a two week pay period**,** a dispatcher may select 12 hours before the offering moves on to the next senior dispatcher and so on down the line. Overtime shall be taken in (4) and (8) hours blocks. Remaining overtime will be selected by starting at the top of the affected seniority list as it originally began and after the first round, the 12 hour limit no longer applies.

C. When there is a vacancy creating two hours of overtime or less, the overtime should be offered as follows:

1) Offer overtime to a hold-over by seniority.
2) Offer overtime to a call-in by seniority.
3) Assign overtime to a hold-over or call-in by reverse seniority.

V. **Miscellaneous Provisions:** The following provision will apply to the overtime discussed in this policy.

1) All department employees assigned to 8-hour shifts should have at least one full day off per pay period. All employees assigned to a 10-hour shift should avoid working more than seven days in a row. All employees assigned to a 12-hour shift should avoid working more than five days in a row. Supervisor approval is needed for any deviation of this policy, except under unusual circumstances.

DISPATCHER SENIORITY LIST

The communications supervisor will be responsible for maintaining the current dispatcher seniority list and have that available in the patrol sergeant's office and the communications center.

CANCELS AND REPLACES:
Administrative Policy 507 – Communications Center Overtime,
Issued September 6, 2010

BLOOMINGTON POLICE DEPARTMENT

ADMINISTRATIVE PROCEDURE: 508

EFFECTIVE DATE: January 24, 2012

SUBJECT: DEPARTMENT TRAINING

PURPOSE: This policy is intended to provide uniformity and consistency in the development and maintenance of skills for all employees of the Bloomington Police Department and to provide specific guidance on the criteria and procedures used in authorizing training expenditure(s).

I. APPROVAL AND DOCUMENTATION OF FORMAL TRAINING

A. The following criteria shall be considered when evaluating any training request:

1. Does the proposed training address the need(s) of the Bloomington Police Department and/or address needs of the employee?

2. Is the requested training a logical step in the professional development of the employee?

3. Is the requesting employee prepared to be involved in the organized dissemination of course material within the department upon completion of the training?

5. Is the requested training the most practical and economic means of providing the training?

B. Steps for Initiating Training

1. Any employee may initiate a request for training by completing the Training Request form (also accessible on-line under "File/New/Train") and forwarding to their immediate supervisor. Supervisors may also initiate the training for an employee by filling out this form and forwarding it to the Training Sergeant.

2. Notifications will be completed as designated on the Training Request Form. Approvals will be based on criteria listed in I A.

3. The Unit Commander shall determine whether the costs of providing the requested training can be paid from funds under the Unit Commander's budgetary authority or whether funding from the departmental training fund would be requested from the Training Sergeant. Cost consideration should also include the total time away from the officer's assignment including travel days.

4. Out-of-state training activities will require additional approvals (see Training Request form). These forms will be given to the Chief's Administrative Assistant to get the necessary signatures.

5. Once approved or denied, the form will be returned to the Chief's Administrative Assistant who will distribute to the Training Sergeant for the registration/reservations/travel advance issues. If denied at any step of the process, a notation will be made on the Training Request form and then returned to the employee.

6. Copies of the Training Request will accompany the payment requests given to the Accounting Clerk.

C. **Record Keeping – Mandatory Advisement to Training Sergeant**

At the completion of the training, the employee **will** provide documentation of completion to the Training Sergeant who will record all training both by officer and department's training file/record system.

On return from out-of-state or overnight training, the City's "Travel Report" must be completed and returned to your supervisor within two weeks. This form will be reviewed by a supervisor, then given to the Accounting Clerk.

All internal training (In-service, Qualifications) will be documented to the Training Sergeant. ERU Training records will be maintained by the ERU Commander.

D. Miscellaneous Issues.

When employees are assigned to training that takes place within the city of Bloomington or at the South Metro Training Facility, the training location shall be considered the employee's initial work site.
For training that is designated to last 8 hours or greater; the standard training day for Patrol and Patrol Special Operations sergeants and officers and will be 10 hours, with the exception of officers or sergeants, working

a standard 8 hour schedule. The standard training day for all other personnel will be 8 hours. Dispatchers working a 10 hour shift will have a standard training day of 10 hours, 8 hour shift Dispatchers will have a standard training day of 8 hours. Officers assigned to a 12 hour patrol shift may return to work to complete their standard work day if:

1. They have prior approval from their supervisor, and that supervisor directs the assignment.
2. There are at least two (2) hours of work time left in their standard work day.

For any training designated to last less than 8 hours, (for example: Intoxilyzer refresher, Honor Guard) these sessions will be recognized as "practice", and will be compensated as hours paid for hours worked at a straight-time rate. Officers attending may need to adjust their schedule to attend.

For training that falls on a scheduled day off, and seven (7) days or more days notice is given, the employee will have their schedule adjusted to make that a training day. With regard to assigning the employee an alternate day off, whenever possible, that date should be one mutually agreed upon by the employee and the scheduling supervisor.

Employees assigned to training that is five (5) days or more or requires an overnight stay (including travel days) may be placed on administrative leave with pay pursuant to the labor agreements. The standard workday for administrative leave with pay is eight (8) hours in duration. Scheduling issue(s) will be discussed between the employee and the Division Commander prior to the approval made on the training request form.

CANCELS AND REPLACES
Administrative Procedure 508 – Department Training, Issued September 6, 2010

BLOOMINGTON POLICE DEPARTMENT

ADMINISTRATIVE PROCEDURE: 509

EFFECTIVE DATE: September 6, 2010

SUBJECT: DEPARTMENT TRAINING RECORDS

PURPOSE: This policy is intended to provide uniformity and consistency in the maintenance of training records for all employees of the Bloomington Police Department.

I. DESIGNATION OF RESPONSIBILITY

A. Training Sergeant

1. The Training Sergeant shall be responsible for the maintenance of training records for all employees of the Bloomington Police Department.

2. The training records shall include information concerning the following activities:

   a. all formalized courses or training attended by employees of the Bloomington Police Department;
   b. all activities designed to teach specific skills or maintain levels of proficiency in specific skills, whether by formal training or informal methods;
   c. all new employee training, whether formal or informal, including the results of structured participation in routine or selected activities under the direction or observation of a field training officer, coach or other observer;
   d. all training activities related to the use of force and the use of deadly force, including firearms qualification, verification of proficiency in the use of other authorized weapons or the use of specific control and restraint techniques;
   e. all activities and training related to the maintenance of skills and qualifications necessary to respond to medical emergencies, to include the following:

1. training in infectious disease control procedures;
2. immunization records of employees, who must respond to medical emergencies; and
3. contamination tracking in conformity with City of Bloomington protocols where a hazardous exposure of an employee has occurred.

f. an inventory of skills and proficiencies maintained by personnel which may be available to the department or that might be used as a resource to train other employees.

3. Maintenance of Records

a. An abstract of all training records shall be maintained in an automated data base.
b. The abstract shall be maintained in such a manner that employees can easily inspect their individual training records.
c. A copy of an employee's record abstract shall be printed and submitted to each employee annually for verification and correction.

B. Supervisory Responsibility

1. Supervisory personnel who approve participation in any training activity shall assure that adequate documentation of training activities is submitted to the Training Sergeant in accordance with Administrative Procedure 512.

a. Documentation shall include the following information:

1). A course outline or description;
2). Dates and times of attendance; and
3). Names of each employee attending.

2. Any employee who coordinates or conducts any activity designed to teach specific skills, to determine or maintain a level of competency in a specific skill, shall submit documentation of such activity to the Training Sergeant.

a. Documentation shall include the following information:

1). A course outline or description of the specific activities and skills involved in the exercise or program;
2). Dates and times of participation;
3). Names of each employee participating; and
4). The results of any testing or determination of competency that might be made.

II. SPECIFIC TRAINING ACTIVITIES

A. Firearms Qualification

1. An outline of the activities conducted in each quarterly firearms qualification period shall be submitted to the Training Sergeant prior to the beginning of actual qualifications.

a. The outline of activities shall include at least the following information:

1). a specific outline of the shooting routine;
2). a narrative description of the skills to be taught or the skills the shooting routine is intended to reinforce;
3). the criteria or standards used to establish successful qualification; and
4). the dates of the qualification period.

2. Upon completion of the qualification period, a list of all personnel participating in the qualification shall be submitted to the Training Sergeant.

a. The list of personnel shall include the following information:

1). the names and badge numbers of all employees participating;
2). the date or dates that each employee participated;

3). a statement as to whether each employee successfully met the minimum qualification standards;
4). a list of firearms with which each employee demonstrated proficiency; and
5). any recommendations for further training or practice.

3. The Training Sergeant shall maintain firearms qualification records in the following manner:

a). Records of qualification routines, as specified in clause II. A. 1., for each qualification period and records of participation, as specified in clause II. A. 2., shall be maintained in a chronological file.
b). An entry shall be made into each employee's training record based upon the employee's participation. The entry shall indicate the qualification period, the specific date upon which the employee participated, and whether the employee successfully met the established qualification standards.

B. Emergency Response Unit Training

1. An outline of the activities conducted in each E.R.U. training date shall be submitted to the Training Sergeant within seven days of each training date.

a. The outline of activities shall include at least the following information:

1). a specific outline of the activities conducted upon each training day;
2). a narrative description of the skills to be taught, the skills to be reinforced or the proficiencies to be demonstrated;

3). the criteria, if any, used to establish whether such skills were adequately learned or whether a specific level of proficiency was obtained;

4). the names and badge numbers of all employees participating in the training and where qualification levels or standards were established whether each employee met those standards; and

5). where any such training involves practice or use of a specific weapon or firearm, specific designation of the weapon or firearm used, specifically naming the employees who used each weapon or firearm.

2. The Training Sergeant shall maintain Emergency Response Unit training records in the following manner:

a). A record of training outlines for each training day, as specified in clause II. B. 1., and the records of participation shall be maintained in a chronological file.

b). An entry shall be made into each employee's training record based upon the participation. The entry shall indicate date of participation and give a brief description of the training activity.

C. First Responder and Emergency Medical Technician Training and Licensing

1. All participation in initial certification and refresher training of Emergency Medical Response personnel and the maintenance of licenses through the Minnesota Department of Health shall be maintained by the Training Sergeant.

a. The Training Sergeant will notify each employee six months prior to the expiration date of their certification of the forthcoming expiration date.

b. The Training Sergeant's notice of pending license expiration shall include the following information:

1. Information concerning the availability of refresher training;
2. Alternatives that might exist concerning upgrading the certification; and
3. Training available to accomplish any upgrade.

c. A copy of the Training Sergeant's notice shall also be submitted to the effected employee's immediate supervisor.

2. Employees who do not submit a request for training to acquire the necessary refresher training within three months of the expiration of their license shall be assigned to the next available refresher training.

D. Infectious Disease Control

1. Records of participation in Infectious Disease Control training shall be maintained by the Training Sergeant.

a. The Training Sergeant shall assure that every employee has participated in training upon infectious disease control measures as required under the Federal or

State Occupational Safety and Health Administration Rules and Regulations applicable to each employee.

2. The Training Sergeant shall maintain all records related to infectious disease control, including records related to preventive measures, such as hepatitis B vaccinations provided to employees.

3. The Training Sergeant shall also maintain any documentation related to the tracking of infectious disease exposure incidents by employees of the Bloomington Police Department consistent with, and in accordance with, Department of Health protocols.

E. Weapons

1. The Training Sergeant shall maintain records concerning weapons that employees of the Bloomington Police Department are authorized to carry and use in accordance with Department Policy 102.

a. Such records shall document the actual process used to approve each weapon and the initial training and refresher training required of employees prior to authorization to carry and use each weapon.

b. A list specifying which weapons are authorized for issue by the Bloomington Police Department Property Room and a list of the employees, who are authorized to be issued such weapons, shall be provided to the Property Clerk and Accounting Clerk and shall be periodically updated.

2. The Training Sergeant shall maintain a list of each person who is authorized to carry and use specific weapons and shall notify each officer and the officer's supervisor within six months of the time refresher training is necessary to continue to use and carry such weapon.

a. The notice shall include information concerning the availability of refresher training and any alternatives that might exist.

b. The notice shall also include a specific statement that if refresher training is not obtained within the time specified, the officer's authorization to carry the specific weapon will be suspended and that the weapon will have to be returned to the Bloomington Police Department property room.

CANCELS AND REPLACES:
Administrative Procedure 509 – Department Training Records,
Issued September 1, 1996

BLOOMINGTON POLICE DEPARTMENT

ADMINISTRATIVE PROCEDURE: 510

EFFECTIVE DATE: September 6, 2010

SUBJECT: WRITTEN DIRECTIVES

POLICY:

The formal written directives described in this section are used to promulgate policy, procedure, rules and regulations, and to provide specific direction to department members.

The authority to issue, modify, approve and promulgate agency policy, procedure, rules, and regulations rests solely with the Chief of Police. The authority to otherwise issue formal written directives is restricted to individuals designated by the Chief of Police. In preparing directives governing the procedural implementation of policy, maximum use will be made of the knowledge and expertise of various department members.

Written directives will be distributed to every department member affected to ensure awareness of department policy, regulations and procedures. Additionally, the Human Resources Department head, Audit and the City's legal department will be issued a complete manual and amendments to be used as a reference source.

PURPOSE:

To clearly establish a formal written directives system that provides employees a clear understanding of the constraints, authority, responsibility, and expectations regarding the performance of their job duties.

- To establish a review and comment process that allows employee input into the development of written directives.
- To provide a formal and reliable system of distributing written directives.

SCOPE:

This section is applicable to all members of the Bloomington Police Department.

STANDARDS:

I. GENERAL PROVISIONS

A. Department directives include the following:

1. Manual Update Order. A permanent written directive issued by the Chief of Police, applicable to the entire department or unit thereof, concerning policy and procedures, or rules and regulations that will remain in effect until modified or rescinded by a subsequent order.

2. Administrative Announcement. A temporary directive issued by the Chief of Police or designee establishing policy, procedure or guidance on a specific subject. These orders are self-canceling once the situation or event given cause to the administrative announcement is no longer applicable.

3. Memoranda. Informal or formal written documents initiated by department personnel, intended for internal department or interdepartmental messages, which may or may not convey any order, but which generally are used to clarify, inform or inquire.

II. REVIEW OF WRITTEN DIRECTIVES

Proposed Manual Update Orders will ordinarily be subject to staff review prior to final publication. The individual(s) designated to develop a new publication will submit a typed draft to the Chief of Police.

The Chief of Police will review the draft and recommend any additional review by other City departments, bargaining units, legal counsel, or affected employee groups. The Chief of Police or designee will coordinate the timely completion of the review and comment phase and assure appropriate documentation of all review.

The designated preparer will complete a final draft of the publication and forward it to be signed by the Chief of Police for promulgation. Nothing in this directive will preclude the Chief of Police from issuing policies, procedures, rules or regulations upon the Chief's own initiative.

III. IMPLEMENTATION OF MANUAL UPDATES AND ADMINISTRATIVE ANNOUNCEMENTS

A. Manual Update Orders are issued to announce Rules and Regulations or Policy and Procedure updates. These updates are issued only by the Chief of Police.

Numbering and Color Coding: All Manual Update Orders will be numbered with an "M" followed by the year, then a hyphen and a three digit number. Following the number will be a two letter code as follows:

Policies	(P)
General Order	(GO)
Patrol Procedures	(PP)
Administrative Procedures	(AP)
Special Order	(SO)

For example: M99-001 (GO) First General Order issued in 1999

All Manual Update Orders shall be color coded blue.

B. Administrative Announcements are temporary directives used to communicate a directive on a specific subject. These are self-canceling once the situation or event is longer applicable.

Numbering will be similar to those of Manual Update Orders. These will start with an "A" for Administrative Announcement, followed by the numbering code;

For example: A98-001: K-9 Selection Process. An announcement on a selection process for K-9 handlers, first Administrative Announcement issued in 1998.

All Administrative Announcements shall be color coded green.

The Chief's Administrative Assistant will maintain the records of Written Directives specified in this policy and distribute as necessary.

CANCELS AND REPLACES:
Administrative Procedure 510 – Written Directives, Issued March 12, 1999

BLOOMINGTON POLICE DEPARTMENT

ADMINISTRATIVE PROCEDURE: 511

EFFECTIVE DATE: September 6, 2010

SUBJECT: INTERNSHIPS

The Police Department recognizes the value of the internship work experience. Therefore, the department has established a college intern program to assist students in obtaining a degree in a law enforcement field. All members of the department shall cooperate in not only making the internship program successful, but also an enjoyable learning opportunity.

PURPOSE:

To provide students of accredited educational institutions with the opportunity to earn additional credits in a criminal justice program, while providing a service to the City of Bloomington. An internship program is a field experience; it is designed to relate the student's classroom studies to various occupational and work experiences in law enforcement.

I. Qualifications

A. Internships are open to persons who are attending an accredited college and majoring in a criminal justice program.

B. Interns should be at least 18 years old and have completed 50% of their college education prior to the start of the internship.

C. Preference will be given to high school graduates from the city of Bloomington or students who are currently attending an accredited educational institution in the city of Bloomington.

II. Application

A. Applicants for the intern program must be sponsored by a department member.

B. Applicants are required to be fingerprinted, photographed, and pass a background investigation coordinated by the Professional Standards Commander.

C. Based on the information gathered above, a recommendation will be sent to the Chief of Police for final review.

III. Responsibilities

A. The sole appointing authority for an internship is the Chief of Police or his/her designee.

The Crime Prevention Unit shall be responsible for:

1. The intern application process

2. Identifying possible internship job duties

3. Coordinating the intern's activities outside the department with other organizations such as courts, BCA Lab, Medical Examiner's office.

4. Reviewing, monitoring, and evaluating the progress of the intern

5. Submitting any necessary documentation to the intern's educational institution

6. Review, revise, or develop the internship program as needed, to ensure an effective and successful program.

IV. Guidelines

A. Although the interns provide assistance to the department as volunteers and enjoy a learning opportunity for working closely with department personnel, they are not law enforcement personnel and are not to be treated as such.

1. The number of active internships should not exceed one per trimester.

2. Internships will be 5 weeks in length.

3. Interns will act as observers when assigned to Patrol or Dispatch duties.

4. Interns should generally not be allowed to operate emergency vehicles or equipment.

CANCELS AND REPLACES:
Administrative Procedure 511 – Internships, Issued April 7, 2008

BLOOMINGTON POLICE DEPARTMENT

ADMINISTRATIVE PROCEDURE: 512

EFFECTIVE DATE: November 21, 2012

SUBJECT: DIGITAL IMAGE PROCESSING

SCOPE: This procedure is applicable to all personnel of the Bloomington Police Department who utilize departmental digital photography equipment.

PURPOSE: To provide a system for managing evidentiary digital images–a system that will address issues of integrity and efficiency.

I. **Digital Imaging**: Officers have available to them the means to use digital imaging for evidentiary purposes. Officers shall adhere to the following guidelines when creating digital images:

A. Digital cameras are available in select patrol vehicles as well as various locations within the police department.

1) Digital images may be recorded by patrol officers when responding to the following incidents/cases:

a. Major crimes (large-scale burglary, damage to property, theft cases, etc)
b. Death scenes
c. Assault cases including domestic assault cases
d. Child abuse/neglect cases
e. Gang graffiti
f. Gang members
g. Any case in which a photograph may be required for the furtherance of the investigation.

II. **Photo Selection**: An advantage of digital imaging is the ability to immediately see an image created and to evaluate it for proper framing, focus and exposure. Officers creating digital images shall immediately review a created image in the camera's view screen and evaluate whether it accurately reflects and documents the scene or item being photographed. Faulty photos shall be deleted at the scene. In order to maintain the integrity of the photos, no image deletions shall be made after the officer has left the scene.

III. Battery Procedure

Each digital camera has a rechargeable battery pack or batteries. At the beginning of each shift, the officer shall check to determine that the battery pack or batteries are fully charged. A bank of battery chargers is maintained in the evidence processing room.

After creating digital images, the officer shall replace the battery pack or batteries if necessary.

IV. Processing Digital Images – Photographer's Procedure

A. Each digital camera has an internal storage and a removable storage device.

B. No more than one case shall be on a single memory storage device.

C. Option 1 for downloading: An officer will download the images directly from the camera to a computer in the Report Writing area, following the procedure posted at the computer, and email them directly to the property custodian.

D. Option 2 for downloading: After creating digital images, an officer will remove the memory storage device containing the images as soon as possible. The memory storage device(s) shall be placed into a manila evidence envelope, the case number, date, and officer badge number shall be recorded on the envelope. Officers shall place the envelope containing the memory storage device(s) into the property room via the key slot.

E. A supply of memory storage devices will be maintained in a secure location. After turning in a memory storage device, the used memory storage device should be replaced with an empty memory storage device.

V. Processing Digital Images – Property/Evidence Custodian Procedure

A. When digital images are received in the property room or via email, the property/evidence custodian shall create a record in the property database that the images exist and are stored as evidentiary property.

B. The property/evidence custodian will download any images from the folder emailed from the officer or memory storage device onto a secure evidence server in a folder designated by the incident/case number.

C. The property/evidence custodian may open images after writing them onto the CD to determine that they were downloaded successfully. The property/evidence custodian shall not change, alter or delete any image written to the secured evidence server.

D. Once the images are successfully stored on the secured evidence server, the property custodian will delete all files on the memory storage device and make the memory storage device available for re-use.

VI. Availability of Digital Images

A. All digital images maintained on the evidence server are secured on a read only basis with no editing capabilities. In order to maintain the integrity of the images, the following procedure shall be used to view digital images secured in the property room.

1. The property/evidence custodian shall make images available for viewing on a read only basis to the police department network.
2. Images for viewing shall be copied identically using the computer's copy function. Copied files shall not be saved under another file name or as another file type.
3. Images will be deleted from the police department network as necessary under the direction and control of the property/evidence custodian and transferred to a DVD to be stored securely in the property room indefinitely.

VII. Preparation of Photos for Court Presentation

A. If a copy of a digital image is required for court presentation, the requesting officer will obtain a printed image or images copied to a CD from the property room custodian.

B. When preparing digital images for court presentation, the property/evidence custodian shall make a copy of the image(s) to be printed from the secure evidence server to a CD or the property/evidence custodian will print a copy of the images on photo quality paper.

CANCELS AND REPLACES:
Administrative Procedure 512 – Digital Image Processing, Issued September 6, 2012

BLOOMINGTON POLICE DEPARTMENT

ADMINISTRATIVE PROCEDURE: 513

EFFECTIVE DATE: September 6, 2010

SUBJECT: Policy Development

PURPOSE:

To clarify the process for the development, publication and implementation of policies and procedures related to the operation of the Bloomington Police Department.

POLICY STATEMENT:

As a general rule, the policies and procedures of the Bloomington Police Department should be drafted in a manner which accords to each employee the discretion they need to deal with the situations and circumstances they encounter in fulfilling their public safety role. The policies and procedures of the Bloomington Police Department must support the Vision and Mission of the City of Bloomington and of the Bloomington Police Department. The discretion accorded employees of the police department is, however, limited by the following factors:

- Federal and state constitutions
- Federal and state laws
- The operational needs and contact points of the various entities with which we interact (our partners)
- The operational needs of the police department.

In that context, procedures related to less frequently encountered events may require more specificity than do routine events.

Definitions

Administrative Announcement – An Administrative Announcement shall have the meaning specified in Administrative Procedure 510 and shall be administered in accordance with that procedure.

Chief of Police – The Chief of Police is the Chief Law Enforcement Officer (CLEO) of the Bloomington Police Department and as the CLEO, the Chief of Police has the final authority for developing and promulgating all policies and procedures related to the operation of the Bloomington Police Department.

Unit Commanders – Unit Commander refers to the Lieutenant in charge of the various units and divisions within the Bloomington Police Department.

General Order – A General Order is a directive designed to cover situations in which no deviation or exceptions are permitted.

Manual Update Order – A Manual Update Order shall have the meaning specified in Administrative Procedure 510 and shall be administered in accordance with that procedure.

Policy – A Policy is a general statement which is intended to guide the organization and its employees in the direction of organizational goals.

Procedure – A Procedure is a directive with specific guidelines that describe expected methods of operation. Generally speaking, procedures permit some flexibility in their application, but they are intended to provide some specificity in the way things are done.

Special Order – A Special Order is a directive designed to cover situations in which no deviation or exceptions are permitted. Generally speaking, Special Orders have been replaced by Administrative Announcements, except when used to designate persons or positions that are specified in other portions of the Bloomington Police Department Manual.

Delegation:

The Commander of Professional Standards shall be responsible for the following:

- Administering this policy
- Assuring the systematic review of all policies and procedures contained within the Bloomington Police Department Manual

Each unit commander shall have the authority and responsibility to formulate policies and procedures related to the operation of their respective units, subject to the following:

- Review by the Chief of Police and Command Staff
- Approval by other affected units

Policies and procedures related to one specific unit should be incorporated into a Unit Operations Manual. The following Unit Operational Manual is specifically recognized:

- Bloomington Police Department Jail Operation Procedure

<u>Procedure</u>:

I. Initiation of Review Process

A. New policy and procedure items

1. A new policy or procedure item shall be submitted to the Commander of Professional Standards

B. Review of existing policies and procedures

1. The Commander of Professional Standards shall periodically assign existing policies and procedures to the appropriate unit commander for review and assessment.

a. Every policy and procedure shall be reviewed and its validity and workability assessed at least once every year.

II. Review Process

A. Initial assignment and development

1. Any policy or procedure item subject to review shall be reported to the next police department staff meeting.

a. The item shall be added to the staff meeting agenda under "pending policies."

2. The Commander of Professional Standards shall research and report upon the existence of any applicable resources or standards, such as I.A.C.P. Model Policies or C.L.E.A. Accreditation Standards when the item is presented.

3. The policy or procedure shall be assigned to the appropriate unit commander for additional development.

a. The policy or procedure item shall generally be assigned to the unit most directly impacted by the proposed item and upon assignment, the Commander of the unit to which the item is assigned shall:

1) Conduct any additional development work, including consulting with operational personnel affected by the policy or procedure.

2) Assess the impact upon other affected persons, within and outside the police department

3) Make any recommendations deemed appropriate to the implementation or non-implementation of the policy or procedure.

b. The status of any pending policy or procedure item shall be reported to and recorded in the minutes of each succeeding staff meeting and, in most instances, a proposal and recommendation shall be submitted within one month following the initial submission to staff.

C. Staff Consideration

1. Staff consideration of any pending policy or procedure shall be conducted over the next two staff meetings.

2. During this period, each unit Commander shall review any pending policy or procedure item and make appropriate comments.

a. Comments by other interested persons shall be accepted and considered as part of this process.

D. Final Approval

1. Upon completion of staff consideration, the pending policy or procedure item shall be reported to the next police department staff meeting with any relevant comments.

2. Any necessary adjustments shall be made at the police department staff meeting and a decision shall be made to recommend adoption or rejection of the pending policy or procedure.

3. Action upon any pending policy or procedure item shall be reported in the staff meeting minutes. A copy of the pending item recommended for approval shall be attached to the minutes.

a. A two-week comment period shall be in effect once a pending policy or procedure has been circulated as part of the staff meeting minutes.

b. Any comments shall be directed to the Commander of Professional Standards or to the Unit Commander responsible for developing the policy or procedure.

4. Upon the completion of the comment period, the pending policy or procedure item shall be returned to staff for final approval.

    a. Any comments or recommendations shall be discussed and adjustments may be made as necessary to resolve issues.

E. Publication

1. Once finally approved, the Commander of Professional Standards shall provide for the publication of the policy or procedure in the following manner:

    a. Presentation at roll call - during which any questions may be addressed by supervisory personnel.

    b. Distributed to all personnel on the police department as a Manual Update, outlining any significant changes that may have been made to the policy or procedure.

F. Expedited Process

1. Where there is an immediate need to promulgate a procedure or policy statement, an Administrative Announcement should be published with the approval of the Chief of Police.

    a. Any such Administrative Announcement shall be processed as a new policy or procedure item, unless it is clear that the Administrative Announcement relates to a temporary or transitory issue.

G. Record Keeping

1. The Administrative Assistant to the Chief of Police shall maintain a log of all policies and procedures documenting this review process and shall maintain a sufficient record of the process to assure that the status and specific language of any policy or procedure over the last ten years can be replicated.

CANCELS AND REPLACES:
Administrative Procedure 153 – Policy Development,
Issued July 31, 2001

BLOOMINGTON POLICE DEPARTMENT

ADMINISTRATIVE PROCEDURE: 514

EFFECTIVE DATE: September 6, 2010

SUBJECT: CONTRACT APPROVAL PROCESS

During the course of a year, the police department is involved in many activities requiring a contract or memorandum of understanding. The appropriate documentation of expectations and the commitments our organization makes is a necessary part of our business operation and should be encouraged whenever possible. In addition to the basic legal requirements, it is often necessary to seek budget adjustments to assure proper allocation of expenses related to these commitments. In the case of grants, the City is subject to federal and state audits to assure compliance with procedural and expenditure requirements.

I. PURPOSE

This procedure is meant to provide an outline of the processes to be used by all personnel in seeking approval of contracts the police department enters on a routine basis.

II. Procedural Requirements- The following legal requirements are applicable to all contracts entered into on behalf of the police department:

- The contracting party is the "City of Bloomington." The police department has no legal existence of its own, it is simply a department within the City.

- The following signatures are required upon all contracts:

  - Mayor
  - City Manager
  - City Attorney

  Note: The Mayor and City Manager are required by City Charter and the approval of the City Attorney is required by city policy.

- As a general rule, City Council approval is required before contracts may be executed by the Mayor and City Manager. The only exception to this requirement is for procurement contracts with a gross value of $50,000 or less. (See Article II, Section 1- Bloomington City Charter)

- A copy of all contracts must be filed with the City Clerk's office.

III. Delegation of Authority

The Administrative Aide to the Chief of Police shall be responsible for coordinating the processing of all contracts and other obligations to be entered into on behalf of the police department (this includes memorandums of understanding and grants). This delegation of authority is not intended to diminish the rights of any individual division commander to negotiate or otherwise commit the department on behalf of their divisions, with the concurrence of the Chief of Police, but instead to assure the orderly and appropriate processing of all contracts and legal obligations on behalf of the City.

IV. Procedural Steps

A. Original processing

1. All contracts shall be submitted to the Administrative Assistant.
   - Originals should be submitted to the Administrative Assistant.
   - Any explanatory documentation should also be submitted.

2. The Administrative Assistant shall submit a copy of the contract and any supporting documentation to the City Attorney's office.
   - During this initial approval process, the originals of any contract shall be maintained by the Administrative Assistant.

3. Once reviewed by the City Attorney, the Administrative Assistant shall return the City Attorney's response, which is generally a memo, to the submitting person.

4. After making any changes to the contract that may be appropriate, at least two original contracts should be submitted to the City Attorney's office for execution.

   - As a general rule, contracts should be signed by the other contracting party before they are returned to the City Attorney.
   - The City Attorney's office maintains an original file of documents to be signed by the Mayor and City Manager.
   - The submission of originals should be done contemporaneously with the submission of an agenda item to the City Council in accordance with the City Council's established procedures (deadline Wednesday before meeting.) If a resolution is required the resolution shall be submitted with the agenda item.

- Agenda items dealing with financial contracts must approved by the Finance Division before they are submitted to the Manager's office for inclusion in the City Council agenda material. In the case of grants or other contracts which would adjust our budgeted revenue and expenses, the agenda material must also include a request to amend the budget.
- An original of a fully executed contract by all parties is submitted to the City Clerk by the City Attorney's office in accordance with City Charter.
- Agenda items related to the acceptance of grants should include a statement concerning the impact on loss of funding in future years.

[Note: In those instances where the other contracting party did not sign the contract prior to submission to the City Council (common in State and Federal contracts), it is the responsibility of the submitting party to assure that a fully executed original (not a photocopy) is submitted to the City Clerk in accordance with City Charter.]

5. Once approved by the City Council and signed by the Mayor, City Manager and City Attorney the contract will be returned to the Administrative Assistant, who will do the following:

- Make and retain a copy of the executed contract, replacing any previous versions.
- Return the original(s) to the submitting party, or if instructed to do so, transmit an executed contract to the other contracting party.

V. Exceptions

1. This procedure shall not be applicable to the following:

- State and federal forfeiture forms where the City Attorney or an Associate Attorney's signature is required merely to verify the authority of the person submitting the form.

CANCELS AND REPLACES:
Administrative Procedure 514 – Contract Approval Process,
Issued February 28, 2002

BLOOMINGTON POLICE DEPARTMENT

ADMINISTRATIVE PROCEDURE: 515

EFFECTIVE DATE: September 6, 2010

SUBJECT: EMPLOYEE EVALUATIONS

PURPOSE:
To establish a procedure for the evaluation of employees at least once each twelve-month period.

SCOPE:
This procedure is applicable to all Bloomington Police Department employees.

PROCEDURE:
An immediate supervisor will evaluate each employee at least once each twelve-month period. Input from other immediate supervisors of the employee during the evaluation period will be included.

Employees will also be evaluated within fourteen days of any permanent assignment change. The supervisor conducting the evaluation will be from the job assignment unit the employee is leaving. No evaluation is required if one was conducted during the three months prior to the reassignment of the employee.

If the sole supervisor of a unit or other area leaves, that supervisor will evaluate the employees of that unit within fourteen days of the supervisor's reassignment. No evaluation is required if one was conducted during the three months prior to the supervisor reassignment.

Format: The Chief of Police will approve of the format for the evaluation.

CANCELS AND REPLACES:
Administrative Procedure 515 – Employee Evaluations, Issued March 8, 2002

BLOOMINGTON POLICE DEPARTMENT

ADMINISTRATIVE PROCEDURE: 516

EFFECTIVE DATE: May 13, 2013

SUBJECT: INTERNAL PROCESSING OF PROPERTY AND EVIDENCE

PURPOSE:

The purpose of this policy is to establish guidelines for maintaining the integrity of the Bloomington Police Department Property Room and evidentiary chain of custody.

DEFINITIONS:

- Inventoried Property—Any property which has been submitted to the Bloomington Police Department Property Room by placing the property in a secure lock and entering said property into the barcoding software.
- Property and Evidence Technician—The City of Bloomington employee assigned to maintain custody and control of all inventoried property.
- Property Room Manager—The Police Department's Commander of Administration.
- Audit—For purposes of this policy, it is the procedure completed by departmental personnel of a formal periodic examination and verification of the accounts and records to verify their accuracy..
- Inventory—For purposes of this policy, it is the procedure completed by departmental personnel of an examination to verify description, quantity and location of inventoried property.

GENERAL PROVISIONS:

- An employee acquiring custody and control of inventoried property shall maintain exclusive custody and control of the inventoried property until turned over to another appropriate person (documenting according to policy) or returned to the property room.
- The Property and Evidence Technician shall be responsible for receiving, storing, maintaining, releasing, and accounting for all property processed in compliance with this procedure.
- The Property and Evidence Technician shall maintain a detailed procedural manual for the operation of the property room.

- The original property sheets and the maintaining of the barcoding software program shall remain under the control of the Property and Evidence Technician.
- The Property and Evidence Technician shall report non-conformity of this policy to the Property Room Manager immediately upon discovery.
- The Property Room Manager shall inspect the property room's adherence to this procedure on a monthly basis.
- A departmental audit of the property room shall be conducted under the direction of the Commander of Professional Standards annually and when there is a change in property room personnel.

PROCEDURE:

I. Inventorying of Property

Property which is to be inventoried at BPD shall remain under the care and control of the inventorying officer until it is secured in a property locker. If an item is too large to fit into a property locker, the inventorying employee shall contact the Property and Evidence Technician to access the property room or a supervisor to locate a secure room. The Property and Evidence Technician shall be notified via voice mail if property has been stored in an area other than the evidence lockers.

Specific property shall be inventoried as follows:

- Narcotics and Dangerous Drugs—see General Order 228.
- Money—See Patrol Procedure 323
- Bikes—See Administrative Procedure 502

The Property and Evidence Technician shall open the secure lockers and verify the property with the temporary list in the barcoding software program. Discrepancies shall be brought immediately to the attention of the Property Room Manager. The Property and Evidence Technician shall then enter the property into the property room according to property room procedures. The Property and Evidence Technician shall be responsible for the proper handling of inventoried property according to this procedure and the property room manual.

The Property and Evidence Technician has the authority and responsibility to refuse to accept property that is not properly packaged, secured or described accurately in the barcoding software.

II. Transfer of Custody

The person assuming custody of the property shall be recorded within the barcoding software and if necessary receive a copy of a transfer receipt.

The person who assumes custody of the property shall use a transfer receipt to obtain the signature of whomever else assumes custody of the property (i.e. prosecuting attorney, Crime Lab, BCA, etc.). The signed copy of the transfer receipt will then be returned to the Property and Evidence Technician.

An indication shall be made on the signed copy whether the transfer is a permanent disposition of the property or whether it will be returned.

Evidence should never be left unsecured or unattended and officers should not maintain evidence outside the property room overnight except for unusual circumstances. Officer's supervisor shall be notified in such cases.

The Property and Evidence Technician shall maintain an electronic log of property signed out of the property room. The Property and Evidence Technician shall notify the Property Room Manager if any property is not returned or property receipt with transfer signatures is not returned within 48 hours.

III. Returning Property to the Property Room

Every effort should be made to return the property directly to the Property and Evidence Technician. If this is not possible, the person returning the property shall secure the property in a secure locker, noting the date and time that this was done.

IV. Inspections of the Property Room

The Property Room Manager shall conduct monthly inspections of the property room. An audit under the direction of the Commander of Professional Standards shall occur annually and when there is a change in property room personnel to ensure the integrity of the property room system.

V. Disposal of Property/Evidence

When no longer needed for evidentiary purposes, all evidence/property, with the exception of firearms and contraband, shall be returned to its lawful owner unless title to the evidence/property is transferred by court order to the Bloomington Police Department or other jurisdiction. Items may be placed into department use only under authority of State Statute and City Code and the approval of the Chief of Police.

Disposal of specific items:

- Disposal of Firearms—See General Order 201
- Disposal of Narcotics and Dangerous Drugs—See General Order 228
- Disposal of other items—per property room procedures

VI. Discrepancy Notification

The Property and Evidence Technician or the Commander of Administration shall immediately notify the Chief of Police and the Commander of Professional Standards of any instance where evidence or property has been lost or stolen and within seven (7) days of any unresolved discrepancy under this policy. The Commander of Professional Standards will notify the City's Internal Audit Department regarding the initiation of any investigation related to a discrepancy under this policy. Such notification may be waived in writing by the Chief of Police if it would be detrimental to an active investigation.

CANCELS AND REPLACES:
Administrative Procedure 516 – Internal Processing of Property and Evidence, Issued September 6, 2010

BLOOMINGTON POLICE DEPARTMENT

ADMINISTRATIVE PROCEDURE: 517

EFFECTIVE DATE: September 6, 2010

SUBJECT: DISPATCHER MEAL AND COFFEE BREAKS

I. Work Rules Related to Breaks

Dispatchers are allowed two 15 minute and one 30 minute break during their eight hour work shift, provided such breaks do not interfere with or stop the service or operation of the communications center.

II. Break Location

Dispatchers are currently compensated for all break periods during their shift; therefore, all breaks will be taken on Police/City Campus property as a means of maintaining operational efficiency and as a means of providing adequate assistance to those not on break when an incident or crisis occurs.

CANCELS AND REPLACES:
Administrative Procedure 517 – Dispatcher Meal and Coffee Breaks,
Issued May 5, 2003

BLOOMINGTON POLICE DEPARTMENT

ADMINISTRATIVE PROCEDURE: 518

EFFECTIVE DATE: September 6, 2010

SUBJECT: USE OF NEW POLICE FACILITY

PURPOSE:

The purpose of this policy is to set forth regulations governing conduct and responsibilities with regard to usage of the City of Bloomington Police Facility. The rules and regulations contained in this policy apply to all sworn and non-sworn members of the Bloomington Police Department as well as to members of the Bloomington Police Department Reserve Unit, Bloomington Communications Group, Police Chaplain's and Law Enforcement Explorer Post.

GENERAL FACILITY USE RULES:

The Bloomington Police Facility was designed to reflect the latest in architectural, construction and mechanical designs and systems, and at the same time, present a building which is aesthetically pleasing and offering a functional, secured work environment. It was also designed to allow for the inclusion and implementation of ever-changing computer technologies, informational systems and radio communications. The facility is intended to provide an appropriate workplace from which staff can deliver effective and efficient public safety services to the community.

To maintain a clean, efficient and professional atmosphere within the Bloomington Police Facility, the following general facility use rules must be complied with. Departmental staff violating these rules may be subject to disciplinary action.

A. Visitors
   1. All visitors must sign-in and sign-out at the reception counter (either first floor front lobby or second floor lobby) and display a visitor badge while inside the secured areas of the facility.

      a. Other than "on-duty" law enforcement personnel from other jurisdictions, visitors may enter the facility only through the lobby areas.
      b. Law enforcement personnel in uniform are not required to display a visitor badge while inside the secured areas of the facility.
      c. City of Bloomington employees and elected officials are not required to display a visitor badge when in the police facility so long as their City picture identification card is visible on their person.

d. Visitor rules do not apply to enter or use the second floor police training room only. (EOC/Training Room).

2. In general, visitors are to be accompanied by a departmental employee when in the facility.

3. Group tours and tour members can be "signed-in" as a group rather than individually, with the group leader displaying the visitor badge. Group tours must be escorted by a departmental employee at all times and places within the secured areas of the facility.

B. Smoking

1. Consistent with the Minnesota Clean Indoor Air Act and City of Bloomington Administrative Policy, smoking is not permitted within the police facility including the garage areas and the outside patio adjacent to the City break room.

2. Smoking is allowed on the City grounds outside of the Police/City Hall Facility in two (2) areas as follows: east end of the Arts Center away from the entrance and south side of the police area away from the building. **All smoking must be within 15 feet of these areas and litter disposed of properly.**

C. Alcohol, Drugs and Controlled Substances

1. The possession, storage, use or consumption of alcoholic beverages, controlled substances, or illegal non-prescription drugs within the police facility or its garages, parking lots or grounds is prohibited.

2. These items are permitted in police vehicles, police facility, garages, parking lots and grounds only when they have been obtained as a result of legal police actions and are to be inventoried as property or evidence.

D. Food and Beverages

1. As a general rule, food and beverages are to be consumed whenever possible and practical in the break rooms.

2. Employees may consume drinks and snack food items in their designated work areas so long as it does not interfere or conflict with their job responsibilities. Appropriate care must be exercised to ensure that food and beverages brought to the employee’s workspace are not spilled, causing damage to equipment or work product.

3. Employees eating meals in the police facility are to do so in the break room unless their current work assignment or responsibilities require them to eat in a workspace area or there is a special circumstance.

4. All employees are required to clean up the break room area following a meal, work break or consuming snacks and/or drinks. This includes:

   a. Dirty dishes, eating utensils, glasses, cups, etc. are to be cleaned up after the meal. Pots and pans should also be cleaned and put in cupboards.

      Employees using the stove, oven or microwave oven are to clean any spills or spray caused by the cooking of their food. Food being cooked should be appropriately covered to prevent or minimize spilling and spraying.

5. Food may be cooked for employee consumption only in the break room and the outdoor patio area.

6. Employees may store food and drinks in the refrigerators and freezers provided in the police facility. All food and drinks are to be visibly marked on the container with the owner's identity.

   a. Food and drinks subject to spoiling must be marked with the date they were placed in the refrigerator or freezer.
   b. Obviously spoiled or contaminated food or drink will be thrown out. Food either unmarked with a date or past that day will be thrown out.

E. Paging System—The internal voice paging system is to be used in a business-like and courteous manner at all times and is for departmental or work-related purposes only.

F. Posting of Visual Material—The posting of notices, articles, photographs, cartoons, caricatures, and humor-based materials not specifically related to bonafide and official law enforcement organizations/issues, departmental matters, City of Bloomington matters or union business are prohibited unless specifically approved by the Chief of Police or Deputy Chief. Posting will be placed on bulletin boards only and will have the posting employees name/ badge number and date. NO name on the posting will result in it being removed and discarded.

G. Firearms and Weapons
   1. Personnel authorized to carry firearms within the confines of the police facility must do so in full compliance of Minnesota State Law, Bloomington Police Department Policies and General Orders and recognized firearms and safety procedures.

   2. Handguns are to be removed from holsters only when being cleaned, serviced, inspected and stored, and then only in areas so designated.

3. Handguns and weapons must be removed from an officer's person and secured in the appropriate gun locker prior to entering the Police Facility Detention Area in accordance with Bloomington Police Department Jail Manual.

H. Facility Cleaning and Maintenance

1. A professional cleaning service on a contractual basis is to be used for regular cleaning and interior maintenance. All police personnel are required to take appropriate care in keeping the police facility as clean as possible and to ensure their actions cause no misuse, abuse or damage to the building and its content. With few exceptions, <u>all work areas will be unlocked</u> so contract cleaning may be performed as scheduled.

   a. In accordance with federal requirements and Minnesota State Law, civilian cleaning and maintenance personnel given access to the police facility must have prior approval by the Chief of Police, or designee after submitting to a Criminal History Check and basic background check.
   b. The Police Department reserves the right to refuse entry into the police facility based upon bonafide security issues reflective of the results of the criminal history and background checks.

2 Cleaning personnel must sign in and out on the Visitor Register maintained at the front lobby. While inside the police facility, cleaning personnel are required to wear and visibly display an identification badge.

3. Cleaning personnel must be accompanied by a sworn officer or have an officer in the jail when cleaning the Detention Area when person(s) are in custody.

4. Personnel finding maintenance or repair issues regarding the facility or its component equipment and systems are to report it to the Administrative Lieutenant. If the issue is of an emergency nature, it should be immediately reported to the duty supervisor or the City Hall/Police Facility Maintenance Supervisor. (24/7 number with Dispatch)

I. Parking

1. Parking of employees' personal vehicles in the unheated covered parking garage, the six-bay heated police garage, and the detention sally port garage is prohibited unless otherwise approved by the Chief of Police or Deputy Chief.

2. Departmental vehicles will be parked in the underground police parking garage. Other City vehicles may use the garage with the Chief's approval.

3. The parking lot on the far south and west side of the police facility is primarily to be used for parking private vehicles of on-duty police department employees.

J. Aesthetics and Office Furnishings

1. It is the intent of the City of Bloomington and Bloomington Police Department to provide as comfortable and efficient workspaces for all officers and employees. It must be understood, though, that the police facility is a public building and accessible by citizens and others from outside of the department.

    a. Decorations, pictures, art, accessories and items of a personal nature may be placed in individual offices and work areas so long as they are not offensive to basic community standards and provide a positive work environment that would also be accepted by the mainstream of public visitors.
    b. Prior to decorating their individual offices or workspaces, employees must get prior approval of the items from the supervisor designated by the Facility Use Plan as responsible for that area.
    c. Disagreements about the appropriateness of decorations or accessories or supervisory disapproval of an item(s) may be brought to the Chief of Police or Deputy Chief who will then make the final decision.

2. Decorations or accessories requiring mounting or drilling into walls, work surfaces, partitions, etc. must be completed by City maintenance staff unless otherwise approved by supervisor designated responsible for the area.

3. Personally owned coffee makers, refrigerators, microwave ovens, heaters, televisions, furniture and exercise equipment are prohibited from the police facility unless otherwise approved by the Chief of Police, Deputy Chief or City Manager. Radios and personal listening devices may be used so long as the volume does not disturb the work of surrounding employees or the content is not found to be offensive for a public facility.

K. Expectation of Privacy—The Bloomington Police Facility is a public building and the property of the City of Bloomington. The offices, work spaces, lockers, vehicles, computers, telephones and electronic systems are provided to employees for their use in their respective work capacities and in that capacity alone, and no expectation of privacy is extended or implied.

CANCELS AND REPLACES:
Administrative Procedure 518 – Use of New Police Facility, Issued May 12, 2003

BLOOMINGTON POLICE DEPARTMENT

ADMINISTRATIVE PROCEDURE: 519

EFFECTIVE DATE: September 6, 2010

SUBJECT: EMERGENCY MANAGEMENT MUTUAL ASSISTANCE COMPACT RESPONSE

PURPOSE: The purpose is to establish guidelines for a department response to a request from the state of Minnesota for Emergency Management Mutual Assistance Compact (EMAC).

PHILOSOPHY: The Department recognizes that our assistance may be requested from agencies outside Minnesota during emergency situations. The primary mission in an EMAC deployment is to provide assistance to the requesting jurisdiction. The Department also understands the invaluable experience that personnel can obtain in dealing with rare occurrence emergencies.

GENERAL GUIDELINES:

1) All requests for EMAC deployment will be forwarded to the Emergency Services commander (or his designee).
2) The Emergency Services commander will follow up with EMAC and obtain as much information as practical, contact the Chief of Police (or his designee) to determine if Bloomington Police Department will deploy personnel and begin the paperwork process.
3) If the decision to deploy personnel is made or if further discussion is needed, the command staff will meet as soon as possible to assist in the deployment process.
4) A standard EMAC deployment will consist of one commander, three sergeants and eighteen officers. This number can be adjusted depending on the request.
5) Unless otherwise specified, or a request is made for a specialized unit or equipment, the deployment will be filled with officers and supervisors who volunteer.
6) Officers and supervisors will be notified of the opportunity for deployment via a department all-call.
7) The assignment of personnel or specialized units (if applicable) will be made by the command staff and routed to the Chief of Police for approval.

CANCELS AND REPLACES: Administrative Procedure 519 – Emergency Management Mutual Assistance Compact Response, Issued December 18, 2008

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Minnesota Board of Peace Officer Standards and Training

Model Policy
Conduct Unbecoming a Peace Officer

October 17, 2013

PURPOSE

This *model* policy defines conduct unbecoming a peace officer. This policy supplements the ethical standards contained in the Law Enforcement Code of Ethics, a copy of which has been included for your reference.

POLICY

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

SCOPE

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

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

I. POLICY

It is the policy of the Bloomington Police Department to investigate circumstances that suggest an officer has engaged in unbecoming conduct, and impose disciplinary action when appropriate.

II. PROCEDURE

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

A. PRINCIPLE ONE

Peace officers shall conduct themselves, whether on or off duty, in accordance with the Constitution of the United States, the Minnesota Constitution, and all applicable laws, ordinances and rules enacted or established pursuant to legal authority.

1. **Rationale:** Peace officers conduct their duties pursuant to a grant of limited authority from the community. Therefore, officers must understand the laws defining the scope of their enforcement powers. Peace officers may only act in accordance with the powers granted to them.

2. **Rules**
   - **a)** Peace officers shall not knowingly exceed their authority in the enforcement of the law.
   - **b)** Peace officers shall not knowingly disobey the law or rules of criminal procedure in such areas as interrogation, arrest, detention, searches, seizures, use of informants, and preservation of evidence, except where permitted in the performance of duty under proper authority.
   - **c)** Peace officers shall not knowingly restrict the freedom of individuals, whether by arrest or detention, in violation of the Constitutions and laws of the United States and the State of Minnesota.
   - **d)** Peace officers, whether on or off duty, shall not knowingly commit any criminal offense under any laws of the United States or any state or local jurisdiction.
   - **e)** Peace officers will not, according to MN STAT 626.863, knowingly allow a person who is not a peace officer to make a representation of being a peace officer or perform any act, duty or responsibility reserved by law for a peace officer.

B. PRINCIPLE TWO

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

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

2. **Rules**
   - **a)** Peace officers shall carry out their duties with integrity, fairness and impartiality.
   - **b)** Peace officers shall not knowingly make false accusations of any criminal, ordinance, traffic or other law violation. This provision shall not prohibit the use of deception during criminal investigations or interrogations as permitted under law.

c) Peace officers shall truthfully, completely, and impartially report, testify and present evidence, including exculpatory evidence, in all matters of an official nature.

d) Peace officers shall take no action knowing it will violate the constitutional rights of any person.

e) Peace officers must obey lawful orders but a peace officer must refuse to obey any order the officer knows would require the officer to commit an illegal act. If in doubt as to the clarity of an order the officer shall, if feasible, request the issuing officer to clarify the order. An officer refusing to obey an order shall be required to justify his or her actions.

f) Peace officers learning of conduct or observing conduct that is in violation of any law or policy of this agency shall take necessary action and report the incident to the officer's immediate supervisor who shall forward the information to the CLEO. If the officer's immediate supervisor commits the misconduct the officer shall report the incident to the immediate supervisor's supervisor.

C. PRINCIPLE THREE

Peace officers shall perform their duties and apply the law impartially and without prejudice or discrimination.

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

2. **Rules**

a) Peace officers shall provide every person in our society with professional, effective and efficient law enforcement services.

b) Peace officers shall not allow their law enforcement decisions to be influenced by race, color, creed, religion, national origin, gender, marital status, or status with regard to public assistance, disability, sexual orientation or age.

D. PRINCIPLE FOUR

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

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

2. **Rules**

a) Peace officers shall not consume alcoholic beverages or chemical substances while on duty except as permitted in the performance of official duties, and under no circumstances while in uniform, except as provided for in **c)**.

b) Peace officers shall not consume alcoholic beverages to the extent the officer would be rendered unfit for the officer's next scheduled shift. A peace officer shall not report for work with the odor of an alcoholic beverage on the officer's breath.

c) Peace officers shall not use narcotics, hallucinogens, or other controlled substances except when legally prescribed. When medications are prescribed, the officer shall inquire of the prescribing physician whether the medication will impair the officer in the performance of the officer's duties. The officer shall immediately notify the officer's supervisor if a prescribed medication is likely to impair the officer's performance during the officer's next scheduled shift.

d) Peace officers, whether on or off duty, shall not engage in any conduct which the officer knows, or should reasonably know, constitutes sexual harassment as defined under Minnesota law, including but not limited to; making unwelcome sexual advances, requesting sexual favors, engaging in sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature.

e) Peace officers shall not commit any acts which constitute sexual assault or indecent exposure as defined under Minnesota law. Sexual assault does not include a frisk or other search done in accordance with proper police procedures.

f) Peace officers shall not commit any acts which, as defined under Minnesota law, constitute (1) domestic abuse, or (2) the violation of a court order restraining the officer from committing an act of domestic abuse or harassment, having contact with the petitioner, or excluding the peace officer from the petitioner's home or workplace.

g) Peace officers, in the course of performing their duties, shall not engage in any sexual contact or conduct constituting lewd behavior including but not limited to, showering or receiving a massage in the nude, exposing themselves, or making physical contact with the nude or partially nude body of any person, except as pursuant to a written policy of the agency.

h) Peace officers shall avoid regular personal associations with persons who are known to engage in criminal activity where such associations will undermine the public trust and confidence in the officer or agency. This rule does not prohibit those associations that are necessary to the performance of official duties or where such associations are unavoidable because of the officer's personal or family relationships.

E. PRINCIPLE FIVE

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

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

2. **Rules**

a) Peace officers shall exercise reasonable courtesy in their dealings with the public, other officers, superiors and subordinates.

b) No peace officer shall ridicule, mock, deride, taunt, belittle, willfully embarrass, humiliate, or shame any person to do anything reasonably calculated to incite a person to violence.

c) Peace officers shall promptly advise any inquiring citizen of the agency's complaint procedure and shall follow the established agency policy for processing complaints.

F. PRINCIPLE SIX

Peace officers shall not compromise their integrity nor that of their agency or profession by accepting, giving or soliciting any gratuity which could be reasonably interpreted as capable of influencing their official acts or judgments or by using their status as a peace officer for personal, commercial or political gain.

1. **Rationale:** For a community to have faith in its peace officers, officers must avoid conduct that does or could cast doubt upon the impartiality of the individual officer or the agency.

2. **Rules**
   - **a)** Peace officers shall not use their official position, identification cards or badges for: (1) personal or financial gain for themselves or another person; (2) obtaining privileges not otherwise available to them except in the performance of duty; and (3) avoiding consequences of unlawful or prohibited actions.
   - **b)** Peace officers shall not lend to another person their identification cards or badges or permit these items to be photographed or reproduced without approval of the chief law enforcement officer.
   - **c)** Peace officers shall refuse favors or gratuities which could reasonably be interpreted as capable of influencing official acts or judgments.
   - **d)** Unless required for the performance of official duties, peace officers shall not, while on duty, be present at establishments that have the primary purpose of providing sexually oriented adult entertainment. This rule does not prohibit officers from conducting walk-throughs of such establishments as part of their regularly assigned duties.
   - **e)** Peace officers shall:
     - not authorize the use of their names, photographs or titles in a manner that identifies the officer as an employee of this agency in connection with advertisements for any product, commodity or commercial enterprise;
     - maintain a neutral position with regard to the merits of any labor dispute, political protest, or other public demonstration while acting in an official capacity;
     - not make endorsements of political candidates while on duty or while wearing the agency's official uniform.

This section does not prohibit officers from expressing their views on existing, proposed or pending criminal justice legislation in their official capacity.

G. PRINCIPLE SEVEN

Peace officers shall not compromise their integrity, nor that of their agency or profession, by taking or attempting to influence actions when a conflict of interest exists.

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

2. **Rules**
   - **a)** Unless required by law or policy a peace officer shall refrain from becoming involved in official matters or influencing actions of other peace officers in official matters impacting the officer's immediate family, relatives, or persons with whom the officer has or has had a significant personal relationship.
   - **b)** Unless required by law or policy a peace officer shall refrain from acting or influencing official actions of other peace officers in official matters impacting persons with whom the officer has or has had a business or employment relationship.
   - **c)** A peace officer shall not use the authority of their position as a peace officer or information available to them due to their status as a peace officer for any purpose of personal gain including but not limited to initiating or furthering personal and/or intimate interactions of any kind with persons with whom the officer has had contact while on duty.

d) A peace officer shall not engage in any off-duty employment if the position compromises or would reasonably tend to compromise the officer's ability to impartially perform the officer's official duties.

H. PRINCIPLE EIGHT

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

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

2. **Rules**
   - **a)** Peace officers shall not knowingly violate any legal restriction for the release or dissemination of information.
   - **b)** Peace officers shall not, except in the course of official duties or as required by law, publicly disclose information likely to endanger or embarrass victims, witnesses or complainants.
   - **c)** Peace officers shall not divulge the identity of persons giving confidential information except as required by law or agency policy.

I. APPLICATION

Any disciplinary actions arising from violations of this policy shall be investigated in accordance with MN STAT 626.89, Peace Officer Discipline Procedures Act and the law enforcement agency's policy on Allegations of Misconduct as required by *MN RULES* 6700.2000 to 6700.2600.

PB Rev 01/2011

CANCELS AND REPLACES:
Code of Conduct, Issued September 1, 1996

LAW ENFORCEMENT CODE OF ETHICS

AS A LAW ENFORCEMENT OFFICER, *my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality and justice.*

I WILL *keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.*

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

I RECOGNIZE *the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession....law enforcement.*

10/17/13

FORWARD

This BPD Manual is a compilation of Policies, Procedures and Orders that govern the operation of the organization.

PHILOSOPHY

The philosophy of the BPD is contained in the Mission, Values and Vision Statements developed by the department with input from the community. It is always expected that employees will act in good faith, do their best, and use their best professional judgment.

DEFINITIONS

To assist with the reading and interpretation of this manual, the following definitions are offered:

1) General Orders—Special Orders—Rules

   These directives are designed to cover situations in which no deviations or exceptions are permitted. The essence of rules and orders is inflexibility. Orders and rules, properly enforced, apply equally to all persons.

2) Policies

   These directives are general statements which guide the organization and its employees towards organizational goals. Policies permit some discretion.

3) Procedures

   These directives are specific guidelines that describe expected methods of operation. Flexibility with constraint is permitted.

It is my hope that each employee of the BPD has a long and rewarding career. This manual exists to offer clarity and direction so that each employee can be successful towards that goal.

Jeffrey D. Potts
Chief of Police

May 11, 2009

Bloomington Police Department

Mission

The mission of the Bloomington Police Department is to provide excellence in policing by protecting, serving and partnering with our community to improve its quality of life.

Values

The Bloomington Police Department is committed to open interaction with our community. We demonstrate our commitment through:

- **Service with honor and integrity.**
- **Vigorous enforcement of laws.**
- **Excellence in leadership.**
- **Partnerships with business, neighborhood and youth communities.**
- **Collaborative approaches to problem solving.**
- **Recognition of the dignity and cultural identity of each employee and citizen.**

Vision

The Bloomington Police Department is committed to building upon a foundation that values its past, recognizes present challenges and prepares for a changing society. To demonstrate this commitment, we dedicate ourselves to:

- **Creating a culture that promotes, recognizes and values innovative policing strategies.**
- **Becoming a learning organization receptive to change and in charge of its future.**
- **Hiring the best employees, training them to the utmost, and always upholding our civic and constitutional responsibilities.**

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