

RESOLUTION 2001-08

A RESOLUTION AMENDING THE POLICE MANUAL OF
THE CITY OF BELLE MEADE

BE IT THEREFORE RESOLVED, by the Board of Commissioners of
the City of Belle Meade, as follows:

Section 1. That the Police Manual of the City of Belle
Meade be and hereby is amended by making the changes therein
described in a document entitled Proposed Changes to Police
Manual, attached hereto as Exhibit A.

Adopted November 15, 2001.

Mayor Peggy Warner

Linda Berner as successor to Dottie Wheeler
City Recorder Dorothy L. Wheeler

PROPOSED CHANGES TO POLICE MANUAL

2.03 ORDERS

A. MANNER OF ISSUING ORDERS

1. Orders from superior to subordinate shall be in clear understandable language, civil in tone, and issued pursuant to departmental business.
2. Neither the chief nor any supervisory officer knowingly shall issue any order that is in violation of any law, ordinance or police department rule or procedure.

B. UNLAWFUL, UNJUST, OR IMPROPER ORDERS

1. Members are not required to obey an order that is contrary to federal, state or local laws. Responsibility for refusal to obey rests with members, and they shall be required to justify their refusal.
2. A member receiving an unlawful, unjust, or improper order shall, at the first opportunity, report in writing to the chief of police. This report shall contain the facts of the incident and the action taken. Appeals from relief from such orders may be made at this time.

C. CONFLICTING ORDERS

1. Orders may be countermanded or conflicting orders issued only when necessary for the good of the department.
2. Upon receipt of an order in conflict with a previous order or instruction, the member affected shall advise the person issuing the second order of conflict. Responsibility for countermanding the original order or instruction then tests with the individual issuing the second order. When the original order is countermanded, the latter order shall be obeyed.

2.04 PROHIBITED OR REQUIRED ACTIVITIES

The Department and its employees are vested with the duty, obligation and responsibility to safeguard lives and property, to keep the peace against violence and disorder, and to respect the Constitutional rights of all people to liberty, equality and justice. An officer should, at all times, conduct him or herself in a manner that is in keeping with these duties and obligations.

2. GENERAL PROHIBITIVE CONDUCT

- a. Employees shall not conduct themselves in an immoral, indecent, lewd or disorderly manner or in a manner that might be construed by an observer to be so.

- b. They shall not be guilty of misconduct, neglect of duty, conduct unbecoming an officer or acts tending to discredit the department and/or City even though such conduct is not specifically set forth in these rules and regulations.

2. INTRA-DEPARTMENTAL CONDUCT

- a. Employees shall conduct themselves in such a manner as to create harmony among the various units and members of the police department and/or other departments of the City.
- b. Employees shall avoid conduct or speech that is subversive to good order or discipline.
- c. Employees shall not destructively criticize the department or its policies, programs, actions or officers, or perform any act or make any written or oral statements which tend to bring them to disrepute or ridicule or which tend to interfere with reasonable supervision or proper discipline of the force.
- d. Employees having a grievance against any policy, procedure or other member shall take the matter through the chain-of-command.
- e. Employees shall treat each other with utmost courtesy and respect and refrain from making derogatory remarks concerning each other.
- f. Employees should forward suggestions for the improvement of the police service through the chain-of-command in writing.

3. ~~MEMBERSHIP IN CERTAIN ORGANIZATIONS RESTRICTED~~

~~Employees shall not join any organization that:~~

- ~~a. Advocates civil disobedience, insurrection or the overthrow of the government of the United States.~~
- ~~b. Advocates disrespect for the laws and ordinances of the city, state and federal government.~~
- ~~c. Advocates the right of members to strike.~~
- ~~d. Opposes minority groups.~~
- ~~e. Or is affiliated with any of the above.~~

- b. Employees shall not receive any article, whether as a gift or as the results of purchase or trade from suspects, prisoners, persons recently arrested, known gamblers, prostitutes or other persons of bad character or ill repute, or from other persons whose vocation may profit from information obtained from the police.

6. SOLICITATION OF CONTRIBUTIONS, ETC.

No contributions or subscription shall be made or solicited by any employee for the benefit of any other employee or organization, nor shall any employee sell tickets or other form of subscription to other departmental employees or to the public without permission of the chief.

7. PERSONAL PUBLICITY

~~No officer shall directly or indirectly seek personal publicity through the public press or other media.~~ No officer shall use his or her position in the Department in order to obtain personal publicity through the public press or media.

8. PUBLIC APPEARANCES

All plans for public appearances before groups of any kind, including radio and television, for the purpose of discussing police matters shall be only with the permission of the chief. When approved, a report of each appearance shall be forwarded to the chief.

9. TESTIMONIALS

Employees shall not give testimonials or permit their names or photographs to be used as a police officer for advertising purposes. Any reference to police work or to the department should be avoided. Employees should speak as a private citizen.

10. WORKING FOR NEWS MEDIA, ETC.

No employee shall act as a correspondent to a newspaper or periodical, nor shall he discuss publicly or for publication, matters pertaining to departmental personnel, procedures or policies with the written permission of the chief.

11. ATTENDING CONVENTIONS, ETC.

Officers shall obtain permission from the chief to attend conventions, fill speaking engagements or publish articles as official representatives of the department.

12. INVOLVEMENT IN PERSONAL QUARRELS OR NEIGHBORHOOD DISPUTES

35. POLYGRAPH

Employees may be required to submit to a polygraph examination when the truth in a situation cannot be determined. Refusal to do so may result in dismissal.

36. OFF DUTY REQUIREMENTS

Off duty officers shall take police action on a felony or other serious criminal matters coming to their attention, but SHALL NOT TAKE ACTION FORMINOR TRAFFIC VIOLATIONS, MISDEMEANORS, or become involved in neighborhood disputes unless death or injury may result if immediate action is not taken.

37. OUTSIDE EMPLOYMENT

All employees will obtain permission of the chief prior to engaging in outside employment. Employees will not transact personal business or engage in outside employment while on duty.

38. DEBTS

Employees will pay their debts promptly. Upon receipt of an initial letter of indebtedness or garnishment notice the employee will be counseled by a supervisor. Upon receipt of the second garnishment within a two-year (2) period, employee is subject to reprimand. A third (3rd) garnishment will also result in a reprimand and a fourth (4th) will result in dismissal. Under federal law an employee may be subject to discipline if he receives two or more garnishments for separate indebtedness. However, if the employee receives several garnishments but each is for the same indebtedness, then he cannot be subject to discipline. Consumer Credit Protection Act, 15 U.S.C. Sec. 1674.

39. WRITTEN COMMUNICATIONS

A copy of any communication concerning a policy or procedure shall be sent to the police chief. The police chief shall sign all written communications to any person or agency outside the department.

40. PURCHASING

No item will be purchased unless a purchase order is obtained.

41. TIME CLOCK

It is the responsibility of each employee to punch the time clock at the beginning of each shift and at the end or when he leaves duty for any reason. NO EMPLOYEE SHALL PUNCH "IN" OR "OUT" FOR ANOTHER EMPLOYEE.

42. TIME SHEETS

It is the responsibility of each shift supervisor to indicate the employee's name and hours worked on the cover sheet. A time sheet for each employee on the shift that has been signed by the employee and supervisor should be attached to the cover sheet.

43. CHECKS

Employees will not knowingly write checks without an account or with insufficient funds.

44. IN-SERVICE TRAINING

Employees shall attend in-service training sessions at the direction of the chief.

45. WITNESS, VICTIM OR SUSPECT

Employees shall notify the chief in writing any time they are involved as a witness, victim or suspect in any situation under investigation by another law enforcement agency.

46. STRIKE OR WORK STOPPAGE

~~Employees shall not engage in or conduct a work stoppage or strike. The term "strike" means the concerted failure to report for duty; the willful absence from one's position; the stoppage of work; or the abstention, in whole or in part, from the full, faithful, and proper performance of the duties of employment for the purpose of inducing, influencing, or coercing a change in the conditions, compensation, rights, privileges, or obligations of employment.~~

47. MISREPRESENTATION AND FALSIFICATION

No employee shall, in an official capacity, knowingly misrepresent any matter, sign any false official statement or report, commit perjury, or give false testimony before any court, grand jury, board, commission, official hearing, or department hearing.

48. CONSORTING

Employees of the department shall avoid personal associations with persons who have an open and notorious reputation in the community for criminal behavior (immediate family ties excluded), except in the discharge of their official duties and with the permission of the chief of police.

Officers shall not accept, or agree to accept anything as payment for personal injury or property damage incurred in line of duty without first notifying the chief.

5. SUIT AGAINST EMPLOYEES

Any employee who has a damage suit filed against him by reason of an act performed by him in the line of duty shall immediately consult with his commanding officer and the chief. The chief will be furnished a copy of the complaint, together with an accurate and complete report of the incident.

6. OTHER CIVIL SUITS

Any employee who becomes a part to any civil action shall immediately report it to the chief.

I. DISCIPLINARY ACTION

1. EMPLOYEES SUBJECT TO DISCIPLINARY ACTION

Employees are subject to disciplinary action for commission of any act that is prohibited by any rule of procedure in this manual, other department or City orders, administrative regulations or City personnel rules. Employees who violate any local ordinance as well as any state or federal law fall under this rule. Employees are subject to disciplinary action for the commission of any act that is prohibited by any department rule, procedure, or policy, whether written or unwritten. Such rules and procedures include, but are not limited to, those located in this manual, other Department or City orders, administrative regulations or City personnel rules. Employees who violate any local ordinance as well as any State or Federal law also fall under this rule.

2. INVESTIGATION OF MISCONDUCT

Misconduct either on or off duty or an officer assigned by the chief shall immediately investigate neglect of duty by an employee. Appropriate action will then be taken.

3. FORMS OF DISCIPLINARY ACTION

If an employee engages in activity that is subject to disciplinary action, depending on the severity of the disciplinary problem, one of the following actions may be necessary:

- a. Verbal reprimand.
- b. Written memorandum in employees file.
- c. Interview with chief and/or City Manager.
- d. Suspension without pay.

- e. Reduction in rank or pay grade.
- f. Dismissal.
- g. Any combination of the above.

Commission of a violation that is not serious enough to warrant dismissal will be subject to disciplinary action in a progressive manner. For example, an initial violation not serious enough to warrant dismissal may warrant a verbal reprimand and a written memorandum in the employee's file. The department reserves the right to choose to begin corrective action at any of the above steps, up to and including immediate dismissal.

4. TYPE OF ACTS AND OMISSIONS LIKELY TO RESULT IN DISCIPLINARY ACTION (But not limited to the following)

- a. Violation of City ordinance or state or federal law.
- b. Violation of rules and regulations set forth in this manual or City personnel manual.
- c. Habitual or detrimental use of alcohol or drugs.
- d. Neglect of duty.
- e. Insubordination.
- f. Dishonesty.
- g. Absence from duty without leave.
- h. Conduct unbecoming an officer.
- i. Willful mistreatment of another.
- j. Sleeping on duty.
- k. Soliciting or accepting gratuities.
- l. Aiding or permitting a prisoner to escape.
- m. Immorality.
- n. Converting to ones own use any lost, found, stolen, evidential or departmental property.
- o. Improper political activity.
- p. Feigning sickness or injury to avoid duty.
- q. Abuse of City property.
- r. Failure to obey or disobedience of orders.
- s. Any other act or omission contrary to good order and discipline of the department.
- t. Refusal to undergo a polygraph or an indication on at least two (2) separate polygraphs that the employee is failing to tell the truth.
- u. Failure to pay just debts and knowingly writing checks without an account or with insufficient funds.
- v. Unauthorized release of official department information.

II. DEPARTMENT PROCEDURES

A. EMPLOYEES MISCONDUCT, HANDLING

1. GENERAL

- a. To insure the integrity of the police department, procedures have been established for the prompt and thorough investigation of alleged or suspected personnel misconduct. This is done to clear the innocent, to protect reputations, to increase morale and the effectiveness of police operations, and/or establish the guilt of transgressions and facilitate prompt and just disciplinary action.
- b. All alleged or suspected violations of law, city ordinances, or department regulations must be investigated. Violations may be reported to supervising officer either orally or in writing by members of the department or citizens (including prisoners). In addition, violations observed or suspected by supervising officers must also be investigated.
- c. Each supervising officer will assume the duties and obligations of his rank in the investigations of areas of police action under his command to discover inefficiency or misconduct at its earliest states. He will initiate investigations when the employee involved is within the scope of his own authority and responsibility.
- d. Employees may be required to submit to a polygraph examination when the truth in a situation cannot be determined by other means. Failure of an employee to submit to a polygraph, or deception on two (2) separate polygraphs, may result in disciplinary action to include dismissal. Polygraphs may be administered only to resolve specific charges or allegations that are work related and will not be used in a "fishing expedition" context published to anyone outside the department or disbursed to anyone who does not have a need to know the contents of the test results. Employees may request polygraph to exonerate themselves when accused of misconduct.

2. THE SUPERVISOR'S RESPONSIBILITIES

- a. The supervising officer in charge of an investigation will either record the statement of, or accept a written statement from the accused employee. He may also require that each employee participating in the investigation prepare and submit an individual written report of all facts of the incident known to him. Statements will be taken from witnesses and complainants whenever possible. In this event the statements of those present at the time of reading will be recorded. Interviews with complainants should be taped if possible.

officer prior to trial. The court liaison officer shall notify the court or subpoena requesting party. This does not relieve the member from resolving any scheduling conflicts that may occur.

C. COMPROMISING CRIMINAL CASES

Members shall not interfere with the efficiency or integrity of the administration of criminal justice, or having knowledge of such interference, fail to inform a supervisor.

2.06 CONDUCT OFF DUTY

A. CALL OUT

During "off duty" time, members of the department shall be subject to call out duty as needed.

B. EMERGENCY STAND-BY

Members shall be subject to emergency standby as deemed necessary by the chief of police.

C. POLICE ACTION WHILE OFF DUTY

Off duty officers shall act in an official capacity if they observe an incident requiring police action when time is of the essence, or if such action will safeguard life, property or prevent the escape of a criminal. If off duty officers observe or have their attention called to an incident requiring police action when time is not of the essence or life and property are not endangered, they shall report the incident to the department.

Officers are always required to follow the rules, policies and procedures and contained in this manual when responding to off duty incidents.

D. NEIGHBORHOOD OR FAMILY DISPUTES

Officers shall not intentionally become involved in quarrels or disputes involving their neighbors. Officers shall not make arrest in their personal quarrels or those of their family or neighbors unless such action is warranted by the immediate threat of serious bodily harm or property damage. Such disputes in which police intervention is required shall be handled by a disinterested officer. A supervisor will be notified.

2.07 RESIDENCE AND TELEPHONE REQUIREMENTS

~~A. Members shall maintain a telephone in their residence.~~

~~B. Members shall keep the department informed as to their current address and telephone number. An employee or officer must provide the department with phone numbers, including cell phone or beeper numbers, where they may be reached when not on duty.~~

2.08 PROHIBITED ACTIONS

A. No officer shall:

1. Drink any alcoholic beverages while in uniform or on duty, or have the odor of an alcoholic beverage on breath while on duty.
2. Be intoxicated on duty.
3. Be intoxicated in public when off duty or habitually be intoxicated ~~as such behavior may discredit the department.~~
4. Loiter in any store or other place of business while on duty.
5. Receive or accept any fee, reward or gift of any kind from persons arrested or suspected of a crime or from a friend on behalf of such a person.
6. Communicate information which may enable any persons to secure or conceal stolen goods or escape arrest.
7. Communicate, without permission, confidential information or orders he may receive.
8. Fail to wear prescribed uniform or appropriate attire and badge on duty.
9. Leave his zone or be absent from duty without permission of his superior officer, unless specifically authorized by rules.
10. Fail to return all property recovered or taken from person arrested as prescribed in this manual of procedure.
11. Fail to treat officers and members and all other persons respectfully at all times.
12. Fail to report to the proper officer any member or employee guilty of violating any rule, regulation and/or order of the chief of police.
13. Conduct himself in a manner unbecoming to a police officer and detrimental to the service.

14. Commit any criminal offense
15. Disobey orders.
16. Sleep while on duty.
17. Use unnecessary force against persons under arrest.
18. Receive a bribe of money or other valuable things.
19. Neglect to report for duty at the time prescribed.
20. Neglect to appear clean and tidy, with uniform buttoned, at all times in public.
21. Publicly criticize the official actions of another officer, unless actions are of public interest.
22. Be cowardly.
23. Use narcotic drugs or barbiturates without a prescription from a licensed physician and without notifying your supervisor.
24. Be overbearing, oppressive or tyrannical in the discharge of duty.
25. Make a false official statement.
26. Fail to report known violations of laws or ordinances.

B. Charges resulting in disciplinary action may be made against members of this department for the commission of any prohibited act as stated in part "A" above 1.3, "Forms of Disciplinary Action" on page 33 of manual.

2.09 TYPES OF DISCIPLINARY ACTIONS

Following are types of disciplinary actions that may be used by the chief:

- Oral reprimand.
- Written reprimand.
- Suspension without pay.
- Reduction in pay grade.
- Demotion.
- Dismissal.

CHAPTER 4 – TRAINING

4.01 TRAINING AND PERSONNEL DEVELOPMENT POLICY

The policy of the Belle Meade Police Department is to provide employees with training established by legal mandate or determined by the department to be necessary.

The chief of police and/or his designee are responsible for the development, coordination and presentation of training within the department.

TENNESSEE CODE ANNOTATED

7-86-201. TRAINING – QUALIFICATIONS.

- a. Except as provided in subsection (c) beginning July 1, 1997, all public safety dispatchers who receive request for emergency aid by telephone or radio or who dispatch emergency aid resources by radio or other telecommunication device shall have successfully completed a course of study approved by the committee created by 7-86-202.
- b. In addition to the requirements of subsection (a), all such persons shall:
 - 1. Be at least eighteen (18) years of age.
 - 2. Be a citizen of the United States.
 - 3. Be a high school graduate or possess equivalency.
 - 4. Not have been convicted or pleaded guilty to or entered a plea of nolo contendere to any felony charge or to any violation of any federal or state laws or city ordinances relating to force, violence, theft, dishonesty, gambling, liquor or controlled substances.
 - 5. Not have been released or discharged under any other than an honorable or medical discharge from any of the armed forces of the United States.
 - 6. Have such person's fingerprints on file with the Tennessee Bureau of Investigation.
 - 7. Have passed a physical examination by a licensed physician.
 - 8. Have a good moral character as determined by a thorough investigation conducted by the employing agency.

9. Be free of all apparent mental disorders as described in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association. Applicants must be certified as meeting these criteria by a qualified professional in the psychiatric or psychological field.

c. All public safety dispatchers subject to the provisions of this part employed after July 1, 1997, shall have six (6) months from the date of their employment to comply with the provisions of this part.

Effective Dates Acts 1994, ch. 940 *4, May 9, 1994

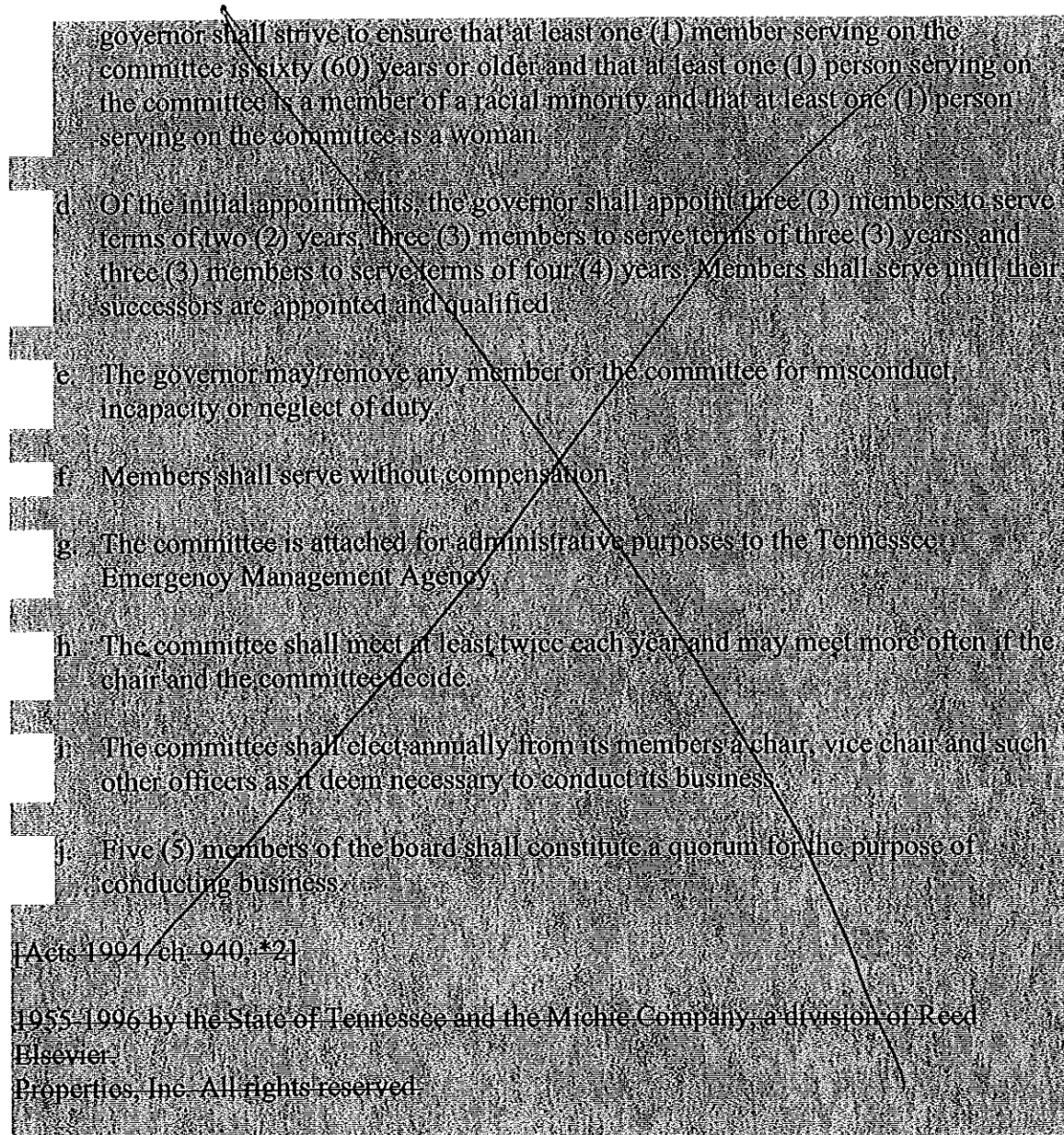
7-86-202. PUBLIC SAFETY COMMITTEE

a. There is hereby created the public safety committee. The sole purpose of such committee is to review and approve all courses of study which provide adequate and necessary training to persons who receive or dispatch emergency aid resources by telephone, radio or other telecommunication device.

b. The public safety committee shall be composed of nine (9) members as follows:

1. One (1) member shall be an emergency medical technician.
2. One (1) member shall be a representative of The Tennessee Emergency Management Agency.
3. One (1) member shall be a representative of The Tennessee Emergency Numbers Association.
4. One (1) member shall be a representative of the Tennessee Municipal League.
5. One (1) member shall be a representative of the Fire Chief Association.
6. One (1) member shall be a representative of the Sheriffs Association.
7. One (1) member shall be a representative of the Chiefs of Police Association.
8. One (1) member shall be a representative of the Association of Public Safety Communication Officials.
9. One (1) member shall be a representative of the Tennessee County Services Association.

c. Members of the committee shall be appointed by the governor from lists submitted by the respective associations. Each association shall submit a list of three (3) persons to the governor. In making appointments to the committee, the



4.02 CERTIFICATION OF OFFICERS – T.C.A. 38-8-107

All officers employed after July 1, 1983 must successfully complete recruit training within one (1) year of their date of employment, and thereafter must successfully complete an annual in-service training responsibilities.

4.03 BASIC TRAINING

Basic training is the initial training and education provided to all members of the department to prepare them to perform the duties of their particular job.

F. RELEASING INFORMATION CONCERNING JUVENILES

The names of juveniles involved in traffic collisions may be released in the same manner, as are the names of adults. Requests for information regarding the names of juveniles involved in criminal offenses or inquires regarding juvenile records shall be referred to the juvenile court.

CHAPTER 6 – VEHICLE OPERATION

6.01 DEPARTMENT VEHICLES

A. VEHICLE REGISTRATION AND DRIVER'S LICENSE

All members of the department who operate a motor vehicle shall possess a valid Tennessee driver's license.

B. USE OF DEPARTMENT VEHICLES

1. Members shall not use department vehicles without permission of a supervisor. Vehicles are for the purpose of driving to and from work each workday and can only be used on off-duty jobs as outlined in the Secondary Employment Policy. All other travel in department vehicles is forbidden.
2. Failure to wear seat belts while operating or riding in departmental vehicles may be considered wrongful use of equipment.
3. Pushing another vehicle shall not be done.
4. Ignition keys shall be removed from all department vehicles when members leave the immediate vicinity of the vehicle.
5. Members shall be responsible for the care and security of vehicle equipment assigned to them. Members shall familiarize themselves with the proper operation of all equipment to them, including equipment carried in department vehicles. All equipment shall be used in accordance with department policy and common sense. Members who damage any department vehicle or vehicle equipment shall immediately notify a supervisor.

6.02 OBEDIENCE TO THE LAW

- A. Under ordinary conditions, members of the department will obey all provisions of the law relating to the operating of vehicles.

15. Officers on light duty status for an extended period will have their vehicle taken away from take home status until such time as they can return to full duty status. Exceptions must be approved by the chief of police.
16. Unattended vehicles, whether in on-duty or off-duty status, must remain locked at all times. All city owned or furnished property or equipment will remain in a secure and locked condition at all times and is the sole responsibility of the officer to whom it is assigned.
17. During extended vacations or absences when the officer will be off duty, the assigned vehicle will be parked at city hall, locked up, with all issued equipment secured in the trunk and will not be used except in an emergency. Prior to an officer leaving or claiming his vehicle, the vehicle must be checked for damage by a supervisor. Officers not having their vehicle checked before leaving or upon claiming them assume responsibility for all damage found upon their vehicle.
18. The take home vehicle will not be utilized for carrying heavy or excessive loads and will not have objects protruding from the trunk or windows.
19. Officers assigned a take home vehicle will not use their vehicle on a part-time job without permission from the chief of police and will follow the guidelines of the Secondary Employment Policy.
20. A duplicate set of keys to each take home vehicle will be kept in the chief of police's office.

VEHICLE MAINTENANCE

1. Each officer will be responsible for the cleanliness of their vehicle.
2. Each officer assigned a vehicle will be fully responsible for the general maintenance and proper care of the vehicle and will refrain from:
 - Performing mechanical work on the car.
 - Altering the body, general design, appearance, markings, mechanical or electrical systems.
 - Making any repairs or having any repairs made to the vehicle other than those approved.
 - Adding accessories or equipment without the approval of the chief of police.

street. Police units should safely enter the intersection as required by T.C.A. 55-8-108.

- J. Intentional contact between the police unit and the pursued vehicle (bumping and ramming) will not be tolerated unless, in highly unusual circumstances, the benefits of forcibly removing the vehicle from the roadway outweigh the immediate risks of allowing the vehicle to continue.
- K. Roadblocks shall not be placed on any street or thoroughfare within the City unless the roadblocks are ordered by a supervisory officer in charge. Private vehicles shall not be commandeered for the use of any roadblock. Roadblocks are used only to slow down the pursued vehicle, not to stop it; therefore, a channel or avenue of escape must be left open. All approaching traffic must be advised of the roadblock and kept a safe distance away.
- L. Firearms shall not be discharged by an officer while driving or occupying a vehicle engaged in pursuit except as a last resort to defend himself or a citizen. In all cases, every precaution shall be taken to ensure the safety of the general public in the vicinity.
- M. High speed pursuit is not recommended when the police vehicle is occupied by other than law enforcement officers. Any non-law enforcement officer in the unit should be let out or transferred to another unit before initiating high-speed pursuit.
- N. Any officer who participates in a pursuit shall, prior to going off duty at the end of his shift, document the facts in a report form to be submitted to his immediate supervisor and forward to the chief of police and CEO.

7.40 PURSUIT REPORTS

Following each pursuit incident, each officer involved shall complete and file the department's pursuit report (included at Appendix II). The involved officer's supervisor(s) shall review the report(s) and file a summary review.

APPENDIX 1. HIGH SPEED PURSUIT CHECKLIST CARD

High speed pursuit checklist

After the initial attempt to make a vehicular stop has failed, ask yourself the following questions to determine whether to pursue the vehicle.

1. Are there safer alternative means of apprehending the suspect other than pursuit?

If yes, discontinue pursuit.

If no, go on to question 2.

2. Do I have probable cause to believe an occupant of the vehicle has committed or will commit a felony involving violence to a person?

If no, discontinue pursuit.

If yes, pursuit may be undertaken as long as risk factors (e.g., speed, area, weather and road conditions, pedestrians and other traffic, etc.) do not cause risk to public to outweigh benefit of catching suspect. Immediately notify supervisor.

APPENDIX H. PURSUIT REPORT

CHAPTER 8 – FIREARMS AND OTHER WEAPONS

8.01 DEPARTMENT POLICY

It is the policy of this department that officers shall not unnecessarily or unreasonably endanger themselves in applying these rules to action situations. Officers shall attempt all reasonable means of apprehension and control within their command before resorting to the use of deadly force. Caution shall be exercised for the protection of other life and property whenever a weapon is discharged. Violations of the provisions of this chapter will be considered serious breaches of discipline, and will be dealt with in a severe manner.

8.02 USE OF DEADLY FORCE

Officers may use deadly force: (See Chapter 9)

8.03 DRAWING OF FIREARMS OR OTHER WEAPONS

Officers shall not unnecessarily draw or display any firearms or other weapon. Officers are justified in drawing a weapon when they perceive a life-threatening situation or threat of serious injury.

8.04 CARRYING FIREARMS AND AMMUNITION

A. CONCEALMENT

All handguns shall be carried concealed except when officers are in police uniform or within the confines of a police building. The grip may be in view if not conspicuous.

B. AMMUNITION CARRYING FOR FIREARMS

Appendix II. Pursuit Report

<u>PURSUIT REPORT</u>						
case number	officer	date	time			
Location of Pursuit		Approximate time pursuit began: Ended:				
witnesses	address/phone					
suspect	height	weight	race	sex	d.o.b.	
suspect address/phone						
Reasons for pursuit:						
Results of Pursuit:						
Brief listing of known personal injuries or property damage that ensued:						
Officer Signature			Supervisor Signature			

passing the drug evaluation. Specimen falsification will be grounds for permanent disqualification from further consideration.

IV. POST-ACCIDENT HEALTH EVALUATION

A. DESCRIPTION

As part of the investigation of an accident resulting injury or property damage, management may request that a post-accident health evaluation be conducted on any or all employees involved in the accident. Drug screening may be a part of this evaluation. An evaluation for alcohol use may also be completed. Such screening will be limited to those accidents that may result in death or severe personal injury or property damage or limited only to those persons who apparently caused the accident.

B. PROCEDURE (IF TEST REQUIRED)

1. When an accident occurs that results in an injury or property damage, any employee involved in the accident who is required to test shall report to a medical facility as soon as practical, preferably immediately. The city manager shall be notified of any testing and a purchase order issued as soon as possible.
2. An employee whose test results from both initial and confirming tests are positive is subject to dismissal.
3. An employee who refuses to comply with a drug screen request as part of the post-accident health evaluation is subject to dismissal.

V. SUPERVISOR'S REQUEST FOR MEDICAL REVIEW

A. DESCRIPTION

Whenever a supervisor reasonably suspects that an employee may be under the influence of drugs or alcohol, he may request of the city manager that a medical review be initiated. The city manager shall then arrange for such testing as soon as possible.

B. PROCEDURE

1. Once the supervisor decides action must be taken, he will locate another supervisor or one of his superiors to act as a witness and confirm the grounds for reasonable suspicion.

REVISION

XIII. RANDOM TESTING

All employees will be subject to random testing at an annualized rate as determined by the City. Employees selected for random testing will provide a urine specimen for controlled substance testing.

To ensure complete independence and objectivity, random selection of employees subject to testing will be conducted by National Safety Alliance (NSA), the contracted third-party administrator of the City's substance abuse program. Selection will be done using a computer based random generator. Employees will be asked to provide a urine specimen immediately upon notification. All employees will have an equal chance to be selected for random testing at each selection period.

XIV. LEGALLY PRESCRIBED MEDICATIONS

Use of legally obtained drugs (including alcohol or other chemicals), which may adversely affect job performance or safety is prohibited. An employee with a current and valid prescription by a qualified physician for the use of a drug must notify his or her supervisor of such use and the possible side effects of any such drug or medication where the employee may be impaired by the use of such drug. An opinion may be required from the physician prescribing the medication that such will not impair the employee's performance of his/her normal duties. The City may, at its discretion, require an employee to refrain from working while impaired by any drug or medication.

XV. SEARCHES

The City may, from time to time, upon reasonable suspicion of use and/or possession of drugs or alcohol, request to conduct searches of an employee and/or his/her possessions or vehicles on the City's premises. All employees are expected to consent to such searches as a precondition of employment and as a condition of continued employment. Refusal to permit such a search shall be grounds for disciplinary action.

To safeguard the property of our employees, our customers, and the City of Belle Meade, and to help prevent the possession, sale or use of illegal drugs on City of Belle Meade premises, in keeping with the spirit and intent of City of Belle Meade's drug free workplace policy, the City of Belle Meade reserves the right to

question employees and all other persons entering or leaving our premises, and to inspect any packages, parcels, purses, handbags, briefcases, lunchboxes, or any other possessions or articles carried to or from the City of Belle Meade's property. In addition the City of Belle Meade reserves the right to search any employee's office, desk, files, locker, or any other area or article on our premises. In this connection, it should be noted that all offices, desks, files, lockers and so forth, are property of the City of Belle Meade and are issued for the use of employees only during their employment with the City of Belle Meade. Inspections may be conducted at any time at the discretion of the City of Belle Meade.

In conjunction with implementing this policy, the City of Belle Meade has posted notices in conspicuous places throughout our facilities informing all employees, prospective employees, customers, visitors, and all other persons of the City of Belle Meade's policy and right to question individuals and conduct inspections.

Persons entering the premises who refuse to cooperate in an inspection conducted pursuant to this policy will be not permitted to enter the premises. Employees working on or entering or leaving the premises who refuse to cooperate in an inspection, as well as employees who after the inspection are believed to be in possession of stolen property or illegal drugs, will be sent immediately to the Chief of Police and/or the City Manager and be subject to disciplinary action up to and including discharge if, on investigation, they are found to be in violation of the City of Belle Meade's security procedures or any other City of Belle Meade rules and regulations.

XVI. CONTACT PERSON (S)

Whenever an employee has tested positive for a controlled substance the city manager will be contacted immediately. Upon notification from NSA, the city manager will notify the department head of said employee. If the city manager is the employee, which tests positive, the mayor will be contacted immediately by NSA.

XVII. MEDICAL REVIEW

A physician trained and experienced in substance abuse and designated by NSA will perform the medical review of drug test results. All test results will be reported directly from the testing laboratory to a medical review officer. The MRO will interpret, evaluate and monitor the drug-testing program. The MRO will review and interpret each laboratory confirmed positive and interview the donor to determine if there is an alternative medical explanation for the positive results. The MRO will make final verification of the test results and reports the verified test results to the City contact person. The MRO will, upon written request from the donor, arrange for a re-test of verified positive specimen.