

INTERNAL AFFAIRS

STOW POLICE DEPARTMENT POLICY & PROCEDURE NO. 4.01	ISSUE DATE: _____
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 52.1.1; 52.1.2; 52.1.3; 52.1.4; 52.2.1; 52.2.2; 52.2.3; 52.2.4; 52.2.5; 52.2.6; 52.2.7; 52.2.8	EFFECTIVE DATE: _____
	REVISION DATE: _____

I. GENERAL CONSIDERATIONS AND GUIDELINES

A relationship of trust between the employees of this police department and the citizens of the community is essential. As such, all police employees are expected to conduct themselves in such a manner as to reflect favorably upon themselves and the department.

To a large degree, the public image of this department is determined by how well it responds to allegations of misconduct against the department or its officers. To that end, the objectives of an Internal Affairs investigation are:

- Protection of the public;
- Protection of the employee;
- Protection of the department;
- Removal of unfit personnel; and
- Correction of procedural training problems.

All alleged or suspected violations of laws, ordinances, by-laws, department rules, regulations, policies, procedures, and orders (verbal or written) must be investigated according to the procedures outlined for each.

II. POLICY

It is the policy of this department to:

- A. Investigate all complaints, including anonymous complaints, against the department or a member of the department, regardless of the source of such complaints, through a regulated, fair, and impartial Internal Affairs Program; [52.1.1]
- B. Determine whether or not such complaints are valid; and
- C. Take appropriate action.

III. PROCEDURES

D. Complaint Procedures

1. PUBLIC NOTICE [52.1.4]

- a. The procedure for filing a complaint against an employee or the agency is available to the public and is posted:

[IDENTIFY ANY THAT APPLY. SAMPLES FOLLOW.]

- 1) On the department web site; and
- 2) In the lobby of the police facility.

- b. Any employee asked by a member of the public about the procedure to file a complaint should be so advised by that employee.

2. COMPLAINT REPORT **[FORM]**

- c. A standard complaint report form should be used to record all complaints of misconduct, mistreatment, or unethical practices against police department personnel, whether registered by a citizen, initiated from within the police department, or forwarded by another governmental agency.
- d. The following information shall be included on the complaint report **[form]**:
 - 3) Date and time of complaint report;
 - 4) Name, address, and telephone number of the complainant;
 - 5) Name, address and telephone numbers of any witnesses to the reported incident;
 - 6) Name, rank, badge number (or description) of the employee against whom the complaint is made;
 - 7) Date, time and location of the reported incident;
 - 8) Complainant's description of the incident which resulted in the complaint;
 - 9) Signature of complainant; if complainant refuses to sign, note such on the complaint **[form]**;
 - 10) Signature of parent or guardian if complainant is under eighteen years of age; if parent or guardian refuses to sign, note such on the complaint **[form]**;
 - 11) Name, rank and signature of supervisor receiving complaint report; and
 - 12) A statement that the complainant will receive a response from the department within thirty (30) days regarding the status or conclusion of the investigation.

E. Receiving and Recording Complaints

3. GENERAL PROCEDURES

- e. This department shall maintain a record of all complaints against the agency or its employees. [52.1.2]
- f. The shift supervisor or Chief of Police or his designee at the time the complaint is made shall be responsible for receiving and making a complete recording of any complaint of police employee misconduct made by a citizen in person or received by telephone.
- g. This initial contact between a complaining citizen and police authorities is a most important stage in the complaint process, as the complainant is often tense, angry, and emotionally upset, and the potential for hostility is great.
- h. Courtesy and cooperation should be extended to all citizens registering complaints or otherwise inquiring about complaint procedure.

- i. No person shall be denied an opportunity to register a complaint, nor shall any such person be directed to return or call back later.
- j. Every complaint report form shall be given an identifying number, so that the processing of complaints can be carefully monitored. This identifying number will be assigned by the Chief of Police or his designee

4. IN-PERSON COMPLAINTS

- k. Citizens making complaints in person shall be requested to read over their completed reports, to make any necessary corrections or additions and to sign their complaints.
- l. If a complainant refuses to sign a complaint, a notation to that effect shall be made on the complaint form.

5. TELEPHONE COMPLAINTS

- m. Citizens making complaints by telephone shall be informed that their signed complaint is requested; however, no telephone complaint shall be refused or rejected because the complainant does not wish to sign a complaint form or because [s]he does not wish to be identified.
- n. The supervisor taking the complaint shall incorporate it in a complaint report **[form]**.

6. COMPLAINTS RECEIVED BY MAIL/ELECTRONIC MAIL

- o. If a complaint of misconduct or mistreatment by a department employee is received by mail or e-mail, the allegations shall be incorporated in a complaint report **[form]** and the original communication attached thereto.
- p. If the information so received is insufficient or incomplete, the complainant shall be contacted, if possible, and informed of the department complaint procedure and any necessary additional information obtained.

7. DEPARTMENTAL COMPLAINTS: Formal departmental complaints of misconduct against a department employee shall be initiated by the preparation of a standard complaint report form.

8. COMPLAINTS BY PRISONERS: Any prisoner who alleges misconduct or mistreatment by a department employee shall be advised by the shift supervisor of his/her right to submit a complaint report **[form]**, and such complaints shall be investigated and processed in the same manner as other citizen complaints.

9. COMPLAINTS FROM GOVERNMENTAL AGENCIES: When information is received or obtained from other governmental agencies alleging specific acts of misconduct against a department employee, this information shall be recorded on a standard complaint report form and an investigation initiated in the usual manner.

10. STREET COMPLAINTS: If an officer on the street is approached by a citizen regarding a complaint of alleged misconduct against an employee of the police department, the officer shall inform such person that his/her complaint should be directed to the shift supervisor.

11. VERIFICATION OF RECEIPT [52.2.4(A)]

- q. Every person making a complaint against a department employee shall receive a copy of his/her complaint to serve as a receipt verifying that such complaint has been received and is being processed.
- r. When a complaint is made in person, the supervisor receiving the complaint will ensure that the complainant receives a copy of his/her complaint to serve as a written verification that the complaint has been received.

- s. When a complaint is received over the telephone or through the mail, the complaint will be forwarded to the Chief of Police or his designee who shall be responsible for ensuring that the complainant is sent a copy of his/her complaint to serve as a written verification that the complaint has been received, provided that the complainant can be identified.

F. Immediate Action

12. IMMEDIATE RESOLUTION

- t. In some cases, the resolution of a complaint may be accomplished by the shift supervisor if the incident is clearly not of a serious nature, or arises from a misunderstanding or lack of knowledge of the law or of the limitation of a police officer's authority.
- u. Under no circumstances, however, will a justifiable complaint be refused, delayed, or otherwise rejected in this manner.
- v. The supervisor addressing the complaint shall report the facts of the incident and subsequent resolution to the Chief of Police or his designee in writing or by e-mail. The resolution may also be acknowledged in writing by the complainant.

13. REFERRAL TO INTERNAL AFFAIRS SUPERVISOR: If the substance of the employee misconduct warrants it, the officer-in-charge may immediately notify the Internal Affairs Supervisor who will determine if an investigation should be immediately undertaken.

14. NOTIFICATION OF CHIEF: If the substance of a complaint against the agency or its employees, if proven, would be of grave nature or is an accusation of a serious crime, the Chief shall be notified forthwith. [52.2.2]

15. RELIEF OF EMPLOYEE FROM DUTY [52.2.7]

- w. A supervisor may place an employee on immediate administrative leave for the remainder of his/her shift, pending notification of the Internal Affairs section or the Chief of Police. Such action may be taken when a complaint is of a serious nature and, in the opinion of the supervisor, may be credible, or when the supervisor believes that such action is in the best interest of the department, such as:
 - 13) Insubordination;
 - 14) Fitness for duty; or
 - 15) As determined by the Chief of Police
- x. The employee shall only be relieved from duty otherwise at the direction of the Chief of Police, in accordance with statutory and collective bargaining provisions.

G. Investigation of Complaints

16. OFFICER-IN-CHARGE OF INTERNAL AFFAIRS INVESTIGATIONS

- y. A superior officer shall be assigned by the Chief of Police as the officer-in-charge of Internal Affairs investigations and shall be responsible for supervising Internal Affairs investigations.
- z. The position responsible for the internal affairs function has the authority to report directly to the Chief of Police. [52.1.3]

17. CATEGORIES OF COMPLAINTS

- aa. Complaints Investigated by Supervisor

16) Criteria for the assignment of an investigation to a shift supervisor or officer-in-charge of the station may include, but are not limited to: [52.2.1(a)]

- a) Alleged rudeness;
- b) Tardiness; and
- c) Minor cases of insubordination.

17) Reports of investigations performed by shift supervisors shall be forwarded and reviewed by the Chief of Police or his designee

bb. Complaints subject to an Internal Affairs Investigation: The criteria for determining the categories of complaints to be investigated by Internal Affairs include, but are not limited to, allegations of: [52.2.1.(b)]

- d) Corruption;
- e) Brutality;
- f) Use of excessive force;
- g) Violation of civil rights;
- h) Criminal misconduct; and
- i) Any other matter as directed by the Chief.

H. INTERNAL AFFAIRS INVESTIGATIONS

18. NOTIFICATION OF EMPLOYEE [52.2.5]

cc. The affected employee shall be provided a written statement of the allegations against him/her (Notification of Charges/Allegations Form), unless the Chief determines that disclosure might jeopardize an investigation.

dd. When an employee is notified that [s]he has become the subject of an internal affairs investigation, the Chief of Police or his designee shall issue the employee:

18) A written statement of the allegations; and

19) The employee's rights and responsibilities relative to the investigation.

ee. If the employee was not notified by order of the Chief, [s]he must receive written notification prior to any interrogation, being directed to submit a report regarding the complaint, or an administrative or criminal hearing.

ff. The written statement of the allegations to the employee will include the employee's being advised of his/her rights and responsibilities relative to the investigation.

19. STATUS REPORTS

gg. The officer-in-charge of Internal Affairs investigations shall be responsible for providing the Chief of Police with status reports on the progress of the investigation every seven (7) days. These reports shall contain all pertinent information relating to the progress of the investigation.

hh. In all cases of reporting, except anonymous reports, the complaining party shall periodically receive information regarding the status of the investigation. Notification should be made: [52.2.4(b)]

20) Upon an investigator's being assigned or change of investigator;

21) Every thirty days if extended; and

22) Upon completion of the investigation. See Duties of Chief **or his designee** in this policy.

20. TIME LIMITS OF INVESTIGATION [52.2.3]: Any Internal Affairs investigation must be commenced immediately upon receipt of the complaint and must be completed within thirty (30) days.

- ii. If extenuating circumstances preclude completion within thirty (30) days, the Internal Affairs investigator shall request an extension from the Chief of Police in writing, and provide written notification to the employee (if previously notified of the complaint and investigation) and complainant of the delay.
- jj. If the investigation is not completed within thirty days, the investigator shall provide the complainant with a progress report every thirty days until the completion of the investigation.

21. OFF-DUTY CONDUCT: An internal administrative investigation may inquire into a department employee's on-duty or off-duty conduct if such inquiry is reasonably and directly related to the employee's performance of duty, if such conduct affects the employee's fitness or ability to continue in the police service, or reflects discredit on the department.

22. CRIMINAL WRONGDOING

- kk. If it is determined, generally after a preliminary investigation, that allegations against a department employee could result in a criminal prosecution, the accused employee must be granted all applicable constitutional and statutory rights.
- ll. Prior to being questioned regarding alleged personal involvement in criminal activity, a department employee shall be given the Miranda warnings, including the right to have an attorney present during any such questioning, prior to custodial interrogation.
- mm. After Miranda warnings have been given, any voluntary statement made thereafter could be admissible in a criminal proceeding, and it may otherwise be used for departmental disciplinary purposes.
- nn. A department employee who is being questioned about alleged personal involvement in criminal activity which could result in a criminal prosecution cannot be discharged or otherwise penalized, solely for invoking the right to remain silent as guaranteed by the Fifth Amendment or for refusing to sign a waiver of immunity.
- oo. An employee may be compelled to answer questions narrowly drawn and related to his/her on- or off-duty conduct, and may be disciplined (including discharge) for failure to answer truthfully.

23. DEPARTMENTAL DISCIPLINARY ACTION

- pp. If it is determined as a result of a preliminary investigation that allegations made against a department employee could result in departmental disciplinary action, the accused employee is entitled to a fair and objective investigation and resolution of the charges made.

qq. Employees Compelled to Answer Questions

23) All department employees, when requested by the Chief, or by a superior officer designated by the Chief, must respond fully and truthfully to all questions regarding their performance of official duties or their off-duty misconduct which affects their fitness or ability to remain in the police service.

24) Any failure to answer completely and truthfully to such inquiries may be punished by appropriate disciplinary action, including dismissal from the department.

- 25) The official conducting the interrogation must, at the time of the interrogation, specify if the employee or his/her counsel or representative asks, the precise repercussions (i.e., suspension, discharge, or the exact form of discipline) that will result if the officer fails to respond.
- 26) When a department employee, after declining to do so voluntarily, is ordered to submit a report or to answer questions under a threat of the penalty of discipline, that employee must receive transactional immunity from criminal prosecution for any offenses to which the compelled testimony relates.
- j) The Supreme Judicial Court has held that Article 12 of the Massachusetts Declaration of Rights requires "transactional" immunity to supplant the privilege against self-incrimination when a public employee is being compelled to answer questions concerning possible criminal activities connected with his employment. Transactional immunity grants "immunity from prosecution for offenses to which compelled testimony relates."
 - k) If the questions specifically, directly, and narrowly relate to the employee's performance of official duties or his/her off-duty conduct which affects his/her fitness or ability to remain in the police service, and if such employee is informed that [s]he will receive transactional immunity from criminal prosecution, [s]he must answer or face disciplinary action, including dismissal from the department, for refusing to answer such questions.
 - l) The Chief shall secure a written grant of transactional immunity from the Attorney General's Office. An employee may decline to answer questions in a criminal investigation until such documentation is received.

24. UNION REPRESENTATION

- rr. In conducting internal administrative investigations, in the absence of a requirement in a collective bargaining agreement, there is no legal obligation for the police department to provide department employees with an opportunity to consult with an attorney before being questioned on work-related matters; however, a request for an attorney or an employee representative to be present will be granted if the investigation is not thereby unduly delayed.
- ss. Except in unusual situations, any interview or questioning should take place during the employee's regular duty hours.
- tt. Any interview or questioning should not be prolonged without reasonable rest periods and the opportunity for meals and such other personal necessities as are reasonably required.
- uu. A department employee shall not be improperly harassed or threatened during this period of questioning.

25. DOUBLE JEOPARDY: No double jeopardy exists when a department employee is found not guilty in court of criminal charges and is then found guilty of departmental charges after a disciplinary hearing, as the department charges are administrative in nature and can be sustained by a "preponderance of the evidence" rather than the criminal court standard of "beyond a reasonable doubt."

26. INVESTIGATIVE TECHNIQUES

vv. Generally

- 27) In conducting investigations of alleged employee misconduct, all appropriate investigative techniques and methods should be employed, consistent with legal

requirements and all necessary concern for the individual rights of the accused employee.

28) An internal administrative investigation should be conducted with the same degree of professional competence as is devoted to a criminal investigation.

ww. Medical or Laboratory Examinations [52.2.6a]

29) Upon orders of the Chief of Police or his/her designee, an employee may be required to submit to a medical or laboratory examination, at the department's expense. This examination must be specifically directed and narrowly related to a particular internal affairs investigation being conducted by the department.

30) Drug or Alcohol Testing: Police employees may be compelled to submit to alcohol testing in connection with an administrative investigation based upon reasonable suspicion.

xx. Identification

31) A police department employee may be required to be photographed. [52.2.6(b)]

32) A police department employee may be compelled to stand in a lineup for identification in connection with an administrative investigation. Such a lineup should be fairly constructed and not be unfairly suggestive and should not be used for an administrative investigation where criminal charges are contemplated. [52.2.6(c)]

33) A refusal can be the basis for an additional disciplinary charge of refusal to obey a lawful order.

yy. Searches

34) A police officer's personal property, including his/her home, car and other property, is protected from unreasonable search and seizure under the Massachusetts Constitution, and it is possible that any evidence illegally obtained may not be used as evidence in an administrative proceeding.

35) Department property furnished to the officer, such as desks, lockers, or vehicles, in which it is clearly understood in advance that an officer has "no expectation of privacy," may be searched without a warrant.

zz. Financial Disclosure; A police officer may be compelled to submit a financial disclosure statement as part of an internal affairs investigation provided such statement is material to the investigation being conducted. [52.2.6(d)]

aaa. Polygraph: Under the provisions of G.L. c. 149, s.19B, police officers may be required to submit to a polygraph or lie detector test in connection with an internal administrative investigation if such test is conducted by a law enforcement agency in the course of a departmental investigation of criminal activity, and under such circumstances, officers may face disciplinary action for refusal. [52.2.6(e)]

bbb. Recording Interviews: If possible, the complete interview with an employee in all internal administrative investigations should be recorded mechanically or by a qualified stenographer.

I. Withdrawn Complaints

27. If during the progress of an internal investigation, the complainant indicates a desire to withdraw the complaint, every effort should be made to ensure that this decision is made voluntarily, and a signed statement to this effect should be obtained from the complainant.

28. Even though a complaint is withdrawn, a full report of the investigation to date should be prepared for the Chief, and his/her approval obtained for the termination or continuation of the investigation.
29. Any attempt, directly or indirectly, on the part of a department employee to obstruct any internal investigation or to threaten or persuade any complainant to withdraw or abandon his/her complaint is prohibited and will be treated most severely.

J. **Report of Investigation**

30. REPORT: At the conclusion of any administrative investigation, a full written report shall be prepared for submission to the Chief, which shall include the following:
- ccc. The original complaint report;
 - ddd. Any additional statements taken from the complainant or statements obtained from witnesses;
 - eee. Any statements made or reports submitted by the department employee under investigation;
 - fff. A summary of all evidence gathered;
 - ggg. Any mitigating circumstances; and
 - hhh. An evaluation of the complaint, a conclusion of facts, and a definitive statement as to whether the charges made by the complainant were: [52.2.8]
 - 36) SUSTAINED: The complaint was valid and supported by sufficient evidence;
 - 37) NOT SUSTAINED: There was inadequate or insufficient evidence to either prove or disprove the complaint;
 - 38) UNFOUNDED: The allegations were baseless and without foundation; or
 - 39) EXONERATED: The complaint was unjustified or unwarranted, as the actions of the accused department employee were in compliance with law or in accordance with department policy and procedure.

31. DUTIES OF CHIEF **OR HIS DESIGNEE**

- iii. Upon receipt of the report of an investigation, the Chief should take further action as is necessary based upon findings in the particular case.
- jjj. The subject of the investigation shall be promptly notified of the final results of the investigation. If the department employee is cleared of the charges made, [s]he shall be officially exonerated in writing.
- kkk. The complainant shall be notified promptly as to the final results of the investigation, personally if possible, or otherwise by mail. [52.2.4(c)]
- III. If a disciplinary hearing is deemed necessary, the complainant shall be notified that his/her testimony will be required at that time.

32. CONFIDENTIALITY OF INTERNAL AFFAIRS

- mmm. In order to ensure that the individual rights of officers who are the subject of an Internal Affairs investigation are protected, all materials relevant to that investigation shall be kept strictly confidential and secured by **the Chief of Police or his designee** [52.1.2]
- nnn. Internal Affairs investigators should note in their reports any instances where witnesses refused or were reluctant to speak with them unless they were assured that their statements would be kept confidential, at least to the extent legally allowed.

ooo. No statement regarding an Internal Affairs investigation will be made or issued to the public or media unless the charges have been sustained and action has been taken or initiated against the officer or employee.

33. INVESTIGATION SUMMARY: A copy of the completed investigation summary should be kept in a summary file as directed by the Chief of Police and will be the only source of public information about citizen complaints, other than the statistical log which may be prepared and published annually by the Chief of Police.

K. Liaison with District Attorney

34. Any Internal Affairs investigation which may, or does, result in criminal charges being brought against an officer shall require the District Attorney's or Attorney General's office to be apprised of the case for the purpose of advising on legal issues and ultimate prosecution, if necessary.

35. Contact shall be made through the officer-in-charge of Internal Affairs.

L. [OPTIONAL] Annual Report

36. The Chief of Police should publish, in the Department's Annual Report, a summary of complaint statistics (both citizen complaints and internal affairs), indicating the number of complaints filed (by type of complaint) and the outcome of the investigations undertaken (by outcome classification).

37. In addition, the Annual Report should outline the procedures the public may follow in filing a complaint. **[52.1.5 CALEA Standard Only]**

SEXUAL HARASSMENT

STOW POLICE DEPARTMENT POLICY & PROCEDURE NO. 4.02	ISSUE DATE: _____
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 26.1.3	EFFECTIVE DATE: _____
	REVISION DATE: _____

A. GENERAL CONSIDERATIONS AND GUIDELINES

This policy addresses sexual and other forms of harassment. Massachusetts General Law ch. 151B, s.3A prohibits sexual harassment in the workplace.

Employees and applicants for employment with this department have a right to be free from sexual and other forms of harassment. Sexual harassment in the workplace is unlawful. This department will not tolerate sexual harassment in the workplace, whether by superiors, coworkers or even non-employees. Further, any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is unlawful and will not be tolerated.

Individuals who are victimized by sexual harassment have statutory remedies which include filing a complaint with an administrative agency and/or the courts, both on a state and federal level. The department has developed this policy to familiarize employees with applicable legal guidelines.

This policy affords those who feel they are victims of sexual harassment with a procedure for making the department aware of the problem and allowing it to attempt to remedy the situation. It is the policy of this department to promptly investigate all complaints of sexual harassment. When it has been determined that inappropriate conduct has occurred, the department will act promptly to eliminate such conduct and impose any necessary corrective action, including disciplinary action where appropriate.

This policy shall be provided annually to all department employees and to all new employees at the time of their employment.

B. DEFINITION

A. *Sexual Harassment*: M.G.L. c. 151B, s.1 (18) defines sexual harassment as sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

Submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; or

Such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment; or

Discrimination on the basis of sex.

Sexual harassment is not limited to prohibited conduct by a male towards a female or by a supervisor towards one of lower rank.

Men and women may be the victims of sexual harassment, and a woman as well as a man may be the harasser.

The harasser does not have to be the victim's supervisor. [S]he may also be an agent of the supervisor, a supervisory employee who does not supervise the victim, a non-supervisory employee (coworker), or, in some circumstances, even a non-employee.

The harasser may, but need not, be the same sex and have the same sexual orientation as the victim.

The victim does not have to be the person at whom the unwelcome sexual conduct is directed. [S]he may also be someone who is affected by such conduct when it is directed toward another person. For example, the sexual harassment of one employee may create an intimidating, hostile, or offensive working environment for another coworker or interfere with the coworker's work performance. The belief that such interference has occurred must be objectively reasonable.

Sexual harassment does not depend on the victim having suffered an actual economic injury as a result of the harasser's conduct. For example, improper sexual advances which do not result in the loss of a promotion by the victim or the discharge of the victim may, nonetheless, constitute sexual harassment where they interfere with the victim's work or create a harmful or offensive work environment. The belief that such interference occurred must be objectively reasonable.

C. EXAMPLES OF SEXUAL HARASSMENT

- B. Demanding sexual favors accompanied by direct or overt threats concerning one's job, performance evaluation, promotion, salary increases, increased benefits, or continued employment.
- C. Engaging in reprisals (not granting promotions, assigning undesirable tasks, making negative statements about the victim's personal or work conduct, etc.), as a result of an individual's refusing to engage in social/sexual behavior.
- D. Contact with any sexual part of a coworker's body (e.g., touching, patting or pinching).
- E. Touching any nonsexual part of the body (e.g., shoulder, etc.) after that person has verbally or otherwise indicated that such touching is unwanted.
- F. Refusing to take action or to enforce disciplinary measures against a person who has been sexually harassing another staff member or otherwise condoning such behavior.
- G. Continuing to ask a person to socialize after work when that person has verbally or in writing indicated no interest in such activities.
- H. Displaying sexually suggestive pictures, objects, cartoons or posters after being told they are offensive.
- I. Subtle pressure for sexual activities; e.g., continuing to write suggestive notes or letters after being informed they are unwelcome.
- J. Verbal harassment or abuse; e.g., referring to or calling a person an endearing, demeaning or sexualized term, or making reference to a person's physical characteristic (e.g., pregnancy) when that person has verbally or in writing indicated to the harasser or the department [s]he does not wish to be addressed or referred to in that manner.
- K. Leering (i.e., prolonged staring) at a person's body or whistling.

- L. Language of a sexual nature in another's presence or conduct, even if not directed to said individual, once it is known that [s]he objects; such as sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life, comments about an individual's body, comments about an individual's sexual activity, deficiencies, or prowess.
- M. Inquiries into one's sexual experience or discussion of one's sexual activities, after it is known that the individual does not welcome such inquiries or discussions.

D. PROCEDURE

N. Generally

PROHIBITIONS

Sexual harassment in the work place is unlawful and is prohibited.

Other forms of harassment are also prohibited.

It is unlawful to retaliate against an employee for filing a complaint of sexual harassment or for cooperating with an investigation of a complaint for sexual harassment.

TRAINING

All employees shall receive a written copy of the sexual harassment policy annually.

All new employees shall receive a copy of the sexual harassment policy at the time of employment.

O. Responsibilities of All Employees: Each employee is personally responsible for:

Ensuring that [s]he does not sexually harass any other employee, applicant for employment, or other individual, either in the workplace or at a work-related activity;

Informing any individual that their words or actions are unwelcome and offensive, when any type of harassment is encountered;

Immediately reporting acts of harassment;

Cooperating in the investigation of complaints of alleged sexual harassment by providing any information [s]he possesses concerning the matters being investigated; and

Otherwise cooperating with the department's efforts to prevent and eliminate sexual harassment and to maintain a working environment free from such unlawful discrimination.

P. Sanctions

Any employee found to have engaged in sexual harassment in violation of this policy is subject to disciplinary action up to and including termination of employment.

Retaliation against an individual that has complained about sexual harassment or has cooperated with an investigation of a sexual harassment complaint is such a serious violation of this policy and the law that disciplinary action, most likely discharge, will be taken.

Q. Reporting Procedures

Any employee who believes [s]he has been the victim of sexual harassment shall report this fact, either orally or in writing, as soon as possible to his/her supervisor.

The supervisor shall report such information, through the chain of command, to the Chief.

See department telephone directory for name, work address and telephone number of supervisor.

If the employee believes that the nature of the sexual harassment is such that [s]he is not comfortable discussing the situation with her/his immediate supervisor, the employee may make such report to a higher level of supervision in the chain of command, up to and including the Chief.

If the alleged harasser is a supervisor or otherwise in the chain of command, the employee should make such report to a higher level of supervision in the chain of command, up to and including the Chief.

If a supervisor is contacted, [s]he shall report such information, through the chain of command, to the Chief. See department telephone directory for name, work address and telephone number of supervisor.

In the event the employee feels it is not appropriate to contact the Chief, [s]he may contact **the appointing authority, e.g., Board of Selectmen, ,Town Manager]. William Wrigley 380 Great Road Stow, MA 978-897-2927**

R. Investigations

INFORMAL PROCEEDINGS

The supervisor, individual in the chain of command or the Chief who receives the initial complaint may propose informal remedies. If the complainant agrees to pursue this approach, the supervisor, individual in the chain of command or the Chief will meet with the alleged harasser, relate the fact that a sexual harassment incident or practice has been reported, and propose a remedy.

If the informal remedy is accepted by the alleged harasser, the situation shall be monitored closely by the supervisor, individual in the chain of command or the Chief to determine whether the work climate changes or whether there are further incidents. If the complainant reports that the situation has not been rectified or if the alleged harasser declines to agree to informal adjustment, the complainant will be encouraged to file a formal complaint.

The Chief shall be notified when a complaint is received and informal proceedings are instituted and the Chief shall maintain records reflecting the substance of the informal remedy agreement.

Formal Proceedings

An employee may institute a formal procedure by filing a written complaint with the Chief.

A thorough investigation will be conducted by the Chief or his/her designee, which shall include attempting to obtain statements from the alleged harasser and co-workers of the complainant and alleged harasser. The Chief should resolve the matter within 30 business days of receipt of the complaint.

The Chief shall maintain records of all complaints, investigations, and actions taken.

The Chief or his/her designee shall handle complaints with confidentiality, sensitivity and due concern for the dignity of all parties involved.

In a situation where the complainant and the alleged harasser will continue working in the same general area or environment during or after the completion of the investigation, it may be necessary or appropriate for the Chief to clearly define the terms of the continued professional interaction.

In a situation where the complainant is transferred to another position during or after the completion of the investigation, there shall not be a detrimental change in the terms and conditions of the complainant's employment. This includes but is not limited to: a demotion or a decrease in pay, responsibilities, benefits, or prestige.

CONFIDENTIALITY: The department will maintain the confidentiality of the allegations of the complaint, the complainant and the alleged harasser to the extent lawful and practical without handicapping the department's ability to perform an investigation.

S. Other Legal Remedies

Following the procedures outlined above does not preclude a complainant from seeking legal remedies outside this process.

A complaint may be filed with one or both of the following:

United States Equal Employment Opportunity Commission (EEOC)

John F. Kennedy Federal Building
Government Center
Room 475
Boston, MA 02203
(617) 565-3200

Massachusetts Commission Against Discrimination (MCAD)

Boston Office
One Ashburton Place, Rm 601
Boston, MA 02108
(617) 727-3990

Springfield Office:
State Office Building
436 Dwight St., Rm 220
Springfield, MA 01103
(413) 739-2145

Complainants are cautioned that following department complaint procedures does not affect the 90 day statute of limitations for filing discrimination complaints with the MCAD or the 180 day statute of limitations for filing discrimination complaints with the EEOC.

Some courts have found that a complainant's unreasonable failure to follow a department's complaint or grievance procedure may limit his/her ability to recover certain kinds of damages.

POLICE MEDIA RELATIONS

STOW POLICE DEPARTMENT POLICY & PROCEDURE NO. 4.03	ISSUE DATE: _____
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 54.1.1, 54.1.3	EFFECTIVE DATE: _____
	REVISION DATE: _____

A. GENERAL CONSIDERATIONS AND GUIDELINES

To operate effectively, the department must have the support of the community. The goal of the public information function is to obtain this support through the development and maintenance of a positive relationship of mutual trust, cooperation, and respect with the news media and the community by providing them with accurate and timely information on events that affect the lives of citizens in the community and on the department's administration and operations. While maintaining the privacy rights of individuals and the integrity of criminal investigations, authorized personnel will be expected to release public information with openness and candor. The department is committed to informing the community and the news media of events within the public domain that are handled by or involve the department.

B. POLICY

It is the policy of this department to cooperate fully and impartially with authorized news media representatives in their efforts to gather factual, public information pertaining to activities of the department, as long as these activities do not unduly interfere with departmental operations, infringe upon individual rights, or violate the law.

III. DEFINITIONS

Public Information: Information that may be of interest to the general public regarding policy, procedures, or events involving the department or otherwise newsworthy information that is not legally protected, which does not unduly interfere with the mission of the department, infringe upon the rights of a defendant, or compromise the legitimate safety and privacy interests of officers, victims, witnesses, or others.

News Media Representatives: Official news media personnel are those individuals who are directly employed by agencies of the electronic or print media, such as radio, television, news magazines and newspapers, and who have credentials identifying themselves as such. Freelance workers in this field may be regarded as other members of the general public unless otherwise designated by the Chief of Police.

Public Information Officer (PIO): The department's Public Information Officer is responsible for handling the department's public information function, acts as the official spokesman for the department in conducting and maintaining an active liaison with the news media, serves as a central source of information for release by the department, and responds to requests for information by the news media and the community.

D. PROCEDURE

Duties and Responsibilities

CHIEF OF POLICE

The Chief of Police may be the department's Public Information Officer.

The Chief of Police may designate one or more employees to act as the department's Public Information Officer (PIO).

The Chief of Police may authorize certain employees to release information to the media.

PUBLIC INFORMATION OFFICER: It is the responsibility of the PIO to: [54.1.1]

Assist news media personnel in covering routine news stories, and at the scenes of incidents;

Assist the news media on an on-call basis;

Prepare and distribute news releases;

Arrange for, and assist at, news conferences;

Coordinate and authorize the release of information about victims, witnesses and suspects;

Assist in crisis situations within the agency;

Arrange media access to incident scenes, as appropriate;

Coordinate and authorize the release of information concerning confidential agency investigations and operations; and

Develop procedures for releasing information when other public service agencies are involved in a mutual effort.

SHIFT SUPERVISOR: The shift commander shall be responsible for ensuring that the department's PIO and/or the Chief of Police are informed of events that may have media interest.

Agency Cooperation with the Media

GENERAL CONSIDERATIONS: Before providing information to the news media or responding to inquiries from media representatives, the following police requirements will be carefully considered:

The necessity to prevent interference with, or hampering of a police investigation;

The necessity to keep confidential police investigative practices and activities from being disclosed;

The necessity to preserve evidence;

The necessity to protect the safety of the victims of the crime;

The necessity to protect the identity of informants;

The necessity to protect the identification of undercover police officers;

The necessity to successfully apprehend the perpetrators of crime;

The necessity to protect the constitutional rights of persons accused of crime; and

The necessity to avoid prejudicial pretrial publicity.

ACCESS TO THE PIO: Authorized news media representatives shall have reasonable access to the PIO and the Chief of Police, as governed by this policy. When information must be denied to a media representative, the basis for that denial shall be fully and courteously explained.

ACCESS TO RECORDS:

Public records shall be available for view and copying by members of the public at reasonable times and without unreasonable delay.

The daily log shall be available to the public during normal business hours.

The arrest log shall be available to the public during normal business hours.

As a courtesy the daily log and arrest log may be emailed in a pdf file once a week to anyone who signs up for the requested log.

For further information, see the department policy on ***Report Management***.

Release of Information

GENERALLY

Information which may be released shall either be public information or comply with the department policies on ***Report Management*** and ***Criminal Offender Record Information***.

In addition to the PIO, the following employees are authorized to release information as specified by the Chief:

[EDIT TO MEET YOUR DEPARTMENT'S OPERATION. A SAMPLE FOLLOWS.]

Records Function: daily log and arrest log;

Shift Supervisor: daily log, arrest log, accident and arrest information; and/or

Investigations Supervisor: Shift Supervisor: daily log, arrest log, accident and arrest information, investigations, suicides.

ROUTINE RELEASE OF PUBLIC RECORD INFORMATION

Members of the media shall, as do members of the public, have access to public records during normal business hours. See the department policy on ***Records Management***. Among such records are:

The daily log; and

The arrest log.

Information considered to be public information shall generally be released to the media as promptly as circumstances allow.

Circumstances may cause a reasonable delay in the release of such information, such as withholding the release of the name of an accident victim until family can be notified.

Public information may be provided to media representatives by telephone if the identity of the representative is known or can be authenticated. Such public information includes:

Arrest information, such as the name, address and charges of persons arrested; and

Information in the daily log which could be obtained by coming to the police station and reading the log made available to the public, or by being added to the press log email list..

For release of information which is not obviously public information, see the department policy on ***Records Management***.

Written press statements shall be released by the PIO only with the approval of the Chief of Police.

INVESTIGATIONS [54.1.1(d)(e)]

From the initial stage of a criminal investigation, police personnel shall refer all media requests for information to the PIO. Police employees not specifically authorized to release information shall not do so.

Information Which May be Released: Information which may be released by authorized personnel in connection with investigations includes:

The type or nature of an event or crime;

The location, date and time, injuries sustained, damages, and a general description of how the incident occurred;

The general type and quantity of property taken, excluding specific cash amounts from robberies or property value of items taken without specific approval of property owners;

The identity and municipality of residence of a victim, with the exception of sex crime victims or cases where reprisals or intimidation may be employed;

Requests for aid in locating evidence, a complainant, witnesses or a suspect;

Release of C.O.R.I.:

- A. When an individual is charged with a criminal offense and is sought by law enforcement authorities, C.O.R.I. information, as well as photographs or mug shots, may be released to the media to warn the public and to help locate the individual.; and
- B. No departmental photographs, mug shots, videotape, film, or composites of subjects in custody shall otherwise be released to the media unless authorized by the Chief of Police or the Department PIO or the Chief of Police designee

Number of officers or people involved in an event or investigation, and the length of the investigation; and

Name of the officer-in-charge of a case, supervisor, and division or unit assignment. (Exception: The name of any undercover officer will not be released).

Information Which May Not Be Released: The following information may not be released unless authorized by the Chief of Police or his designee

The identity or booking photo of a suspect prior to arrest unless such information would aid in apprehending the suspect or serve to warn the public of potential danger;

The identity of any victim of a sex crime or any related information which, if divulged, could lead to the victim's identity;

The identity of victims or witnesses if such disclosure would prejudice an investigation to any significant degree, if it would place the victim or witness in personal danger, or if confidentiality of such victim or witness has been ordered by the court;

The identity of any juvenile, under age 18, who is a suspect or defendant in a case subject to the jurisdiction of the juvenile court;

The identity of any complainant under age 17;

The identity of any critically injured or deceased person prior to notification of next of kin;

The results of any investigative procedure such as lineups, polygraph tests, or other procedures (the fact that these tests have been performed may be revealed without further comment);

Information which, if prematurely released, may interfere with the investigation or apprehension such as the nature of leads, specifics of a "modus operandi," details of the crime known only to the perpetrator and the police, or information that may cause the suspect to flee or more effectively avoid apprehension;

Information that may be of evidentiary value in criminal proceedings; and

Specific cause of death unless officially determined by the medical examiner.

ACCIDENTS

Major Accidents: For vehicle accidents resulting in death or serious bodily injury, see Investigations in this policy.

Accidents Generally: Information may be released, to include:

Names, address, and age of persons involved in accidents;

Make, model, and year of vehicles involved; and

A basic explanation of what happened.

SUICIDE

The fact that a suicide or suspected suicide has occurred may be reported to the media, together with factual information describing how it happened.

The name, age, address, sex and occupation of the victim may also be released following notification of next of kin.

The fact that a suicide note also exists may also be acknowledged without further comment. The content of such note is personal and confidential and shall not be released except as provided by law.

ARREST, ARREST WARRANT AND INDICTMENT

Information Which May be Released, but does not mean all has to be:

Identification of the Accused:

C. Name;

D. Age;

E. Residence;

F. Occupation; and

G. Family status;

NOTE: Identification of juveniles may **[NOT – department policy choice. There is no exception for juveniles under 41-98F, Daily Logs]**. The identity of persons taken into custody because of mental illness shall not be released.

The time and place of arrest;

Whether pursuit was involved;

Whether resistance was encountered;

Whether weapons were used;

The charges placed against the suspect;

A description of contraband seized;

The identity of the arresting officers;

The duration of the investigation, unless the officers are engaged in undercover situations; and

The amount of bail, scheduled court dates, and place of the suspect's detention.

Information Which May Not be Released

Prior criminal conviction record, character, or reputation of the defendant;

Existence or contents of any confession, admission, or statement of a defendant or his failure or unwillingness to make a statement;

Performance or results of any tests, or a defendant's refusal or failure to submit to tests such as a polygraph;

Identity, statement, or expected testimony of any witness or victim;

Any opinion about the guilt or innocence of a defendant or the merits of the case; and

Any opinion or knowledge of the potential for a plea bargain or other pretrial action.

JOINT OPERATIONS WITH OTHER ENTITIES [54.1.1(f)]

Municipal Agencies: In instances where the police department is involved in operations with other municipal departments, unless otherwise restricted, authorized police officials may release information relating to the police participation in the operation. Members of the press should be referred to other municipal agencies unless other arrangements have been determined.

Other Law Enforcement Agencies: In instances where more than one law enforcement agency is involved, the agency having primary jurisdiction should be responsible for the release, or coordinating the release, of information, unless otherwise specifically arranged.

District Attorney's Office: For operations involving the office of the District Attorney, members of the press should be referred to the District Attorney's office unless other arrangements have been determined.

Medical Examiner: For operations involving the office of the Medical Examiner, authorized police officials may only release general statements regarding deaths. Members of the press should be referred to the office of the Medical Examiner unless other arrangements have been determined.

Information Which May Not Be Released [1.2.3]

PERSONNEL: The home address or telephone number of any member of the department may not be released.

INTERNAL INVESTIGATIONS: Sensitive information relating to internal investigation of police officers shall not be released without the express permission of the Chief of Police.

VICTIM INFORMATION: The following information may not be released:

The identification of any sexual assault victim.

Home addresses and telephone numbers, places of employment or education of victims of adjudicated crimes.

Home addresses and telephone numbers, places of employment or education of victims of domestic violence.

RECORDS OR REPORTS: Entries pertaining to handicapped individuals who are physically or mentally incapacitated to the degree that they are confined to a wheelchair or are bedridden or require the use of a device designed to supply mobility, shall not be made available to the media or general public.

OTHER RESTRICTIONS include:

Interfering with law enforcement proceedings, including pending investigations;

Depriving a person of the right to a fair trial or an impartial adjudication or giving one party to a controversy an undue advantage by exclusive access to such information; [1.2.3]

Constituting an unwarranted invasion of the personal privacy rights of another person;

Revealing the identity of an individual who has furnished information to the department under confidential circumstances;

Disclosing investigative techniques and procedures, thereby impairing the future effectiveness of the department; or

Endangering the life or physical safety of any person.

Media Access to Crime/Incident Scenes [54.1.3]

ACCESS GENERALLY

The Constitution grants no greater right of access to media representatives to the scenes of crimes or disasters than those granted the public.

Adequately identified representatives of the news media may be granted access to crime or accident scenes, major fires, or man-made or natural emergency situations at the discretion of a supervisor.

This may include greater access to personnel and equipment than is available to the general public to the degree that it does not interfere with the police mission or the movement of traffic.

Failure of media personnel to provide authorized identification may provide grounds for restricting access to requested information or to incident scenes.

The activities of media representatives may be reasonably restricted if, in the opinion of the officer-in-charge:

Those activities seriously hamper police operations;

Those activities threaten to worsen a dangerous or volatile situation;

The presence of the press personnel would create an unreasonable risk of serious bodily injury or death to the media representatives, public safety employees, or the public; or

Whenever police reasonably believe it is necessary to prohibit all but emergency personnel near a crime or incident scene.

The news media shall not be allowed access to any area or scene of an incident or crime where there is a possibility that evidence may be damaged, altered, destroyed, or otherwise prejudiced by its existence being published or portrayed.

Once evidence has been processed, removed, and secured by the department, the media may be allowed to enter by permission of the commanding officer at the scene.

CRIME OR INCIDENT SCENES

At the scene of major crime or incident scenes, initially, the officer-in-charge may designate a preliminary press area as early as possible and as close to the scene as safety and operational requirements allow.

The PIO shall be responsible for arranging press access and escort, as appropriate, when the PIO function is established.

The principles of media cooperation shall be maintained to the degree that they do not interfere with the mission of the police, fire, medical, or other emergency relief workers.

For further information, see the department policy on ***Incident Command***.

News media representatives should not be prevented from access to any area to which other members of the public have access solely because of the possibility of their injury or death. If this is the only consideration, the media representative should be advised of the danger and allowed to make the decision to enter on his/her own volition.

SEARCH WARRANTS: News media representatives shall not be permitted to enter private property with department personnel attempting to execute a search or arrest warrant.

FIRE SCENES

Media access to and movement within fire lines shall be controlled by the Fire Department officer-in-charge.

In consultation with the Fire Department officer-in-charge, a ranking police officer at the scene may establish an observation point from which the media may observe and photograph the incident.

At the discretion of the Incident Commander, an inner perimeter may be established for the media from which to record the event.

Ranking officers at crime or incident scenes may release very basic information of a factual nature to the media as governed by this policy unless authorized or directed by a superior officer. News releases or briefings shall be the responsibility of the PIO.

PHOTO AND VIDEO

Public Areas: It is permissible for the media to photograph or film from public property.

Private Property: Photography, film, or videotape recording on private property requires the permission of the owner or the owner's representative.

Municipal Property: Persons may be prohibited from municipally owned property.

PERSONS IN CUSTODY

News media have a right to photograph a person in custody.

Suspects or accused persons in custody shall not be posed nor shall arrangements be made for photographs, telecasts, or interviews.

Department personnel shall not pose with suspects or accused persons in custody.

Officers shall not act deliberately to shield a suspect from media view unless eyewitness identification is a concern.

VICTIM/WITNESS ASSISTANCE

STOW POLICE DEPARTMENT POLICY & PROCEDURE NO. 4.04	ISSUE DATE: _____
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 55.1.1; 55.1.3, 55.2.1; 55.2.2, 55.2.3; 55.2.4; 55.2.5	EFFECTIVE DATE: _____
	REVISION DATE: _____

A. GENERAL CONSIDERATIONS AND GUIDELINES

Throughout history, police departments have traditionally been primarily concerned with apprehending and prosecuting offenders. They often overlook the victim or witness and are unaware of his/her needs and concerns until [s]he is needed to testify at the trial. This lack of concern on the part of the police department can (and probably will) lead to only half-hearted cooperation on the part of the victim or witness when called upon to follow through in the system.

This policy aims to ensure that the victim or witness receives the same quality of care we often give the offender. By increasing awareness of this situation, our goal is to foster a better relationship between the police and the victims and witnesses of crime. This will ensure their full and complete cooperation in matters being investigated and prosecuted. It will also ensure the victim and witness that their concerns will be heard, and that the confidentiality of records and files, in so far as Massachusetts Law permits, will be upheld.

B. POLICY

It is the policy of the department that:

- A. All employees of the police department treat any victim or witness of a crime with fairness, compassion and dignity; and,
- B. The department shall work in partnership with the District Attorney's Office and its Victim/Witness Assistance Program.

C. PROCEDURE

Summary of Victim Bill of Rights [55.1.1]

GENERALLY: In 1984, the Massachusetts Victim Bill of Rights, Massachusetts General Law, Chapter 258B, was enacted into law, creating, at that time, the most comprehensive rights for victims of crime in any state in the United States. The bill applies to victims of crimes or, if a victim is deceased, to family members. Portions of the bill apply to witnesses of crimes as well. Except where noted, the rights are provided by the prosecutor.

VICTIM RIGHTS: Victims of crime have the right to information and assistance regarding:

- A. Their rights in the criminal process:
 - 1. How a case progresses through the criminal justice system;
 - 2. What the victim's role is in the process;
 - 3. What the system may expect from the victim; and
 - 4. Why the system requires this.
- B. Level of protection available and ability to receive protection from police, from harm and threats of harm, for cooperating with police and prosecution.
- C. Right to request confidentiality in the criminal justice system from the court.
- D. Being present at all court proceedings.
- E. Allowing one family member of a victim of homicide to possess a photo of the victim in the courtroom, with certain restrictions.
- F. A secure waiting room, to the extent available, apart from the defendant, defendant's friends, family, witnesses and counsel.
- G. Timely notification of changes in the schedule of court proceedings.
- H. Right to confer with the prosecutor before:
 - 5. The commencement of the trial;
 - 6. Any hearing on motions by the defense to obtain psychiatric or other confidential records;
 - 7. Any act by the Commonwealth terminating the prosecution; and
 - 8. Submission of proposed sentence recommendations to the court.
- I. Upon request, periodic appraisal of significant developments in the case.
- J. Prompt disposition of the case.
- K. Conferring with the probation officer prior to the filing of a full pre-sentence report.
- L. Victim Impact Statement: the opportunity to inform the court, orally or in writing, of the impact of the crime.
- M. Being informed of the final disposition of the case, conditions of probation and contact information for the probation officer, if any, assigned to the defendant.
- N. Being informed regarding the defendant's parole eligibility and status in the criminal justice system.
- O. Notification rights and certification process to obtain, from the custodial facility, prior notice of release from custody, movement to a less secure facility, or prompt notification of escape.
- P. Victim of Violent Crime Compensation.
- Q. Financial Assistance and other social services, and how to apply for them.
- R. Restitution, documenting the loss and a payment schedule from the Probation Department.
- S. Right to pursue a civil action.
- T. Freedom from employer sanctions for being absent from work to testify after receiving a subpoena.
- U. Witness fees.
- V. Employer and creditor intercession services.
- W. Prompt return of property from the court, prosecutor or police, within ten days, if not contraband, or evidence for prosecution.

WITNESS RIGHTS: Witnesses of crimes have the following rights pursuant to General Law Chapter 258B:

- X. Timely notification of changes in the schedule of court proceedings.
- Y. Prompt disposition of the case.
- Z. To be free from employer sanctions for being absent from work to testify after receiving a subpoena.
- AA. Information and assistance regarding:
 - 9. Level of protection available and ability to receive protection from police, from harm and threats of harm, for cooperating with police and prosecution.
 - 10. Right to request confidentiality in the criminal justice system from the court.
- BB. A secure waiting room, to the extent available, apart from the defendant, defendant's friends, family, witnesses and counsel.
- CC. Witness fees.
- DD. Employer and creditor intercession services.
- EE. Submitting or declining an interview with defense counsel, except when responding to lawful process.

Police Department Role

POLICE LIAISON: It shall be the responsibility of the departments **sworn department personnel** to:

- FF. Act as liaison between the police department and the victims and witnesses of crime, as well as the District Attorney's Office, regarding victim and witness rights;
- GG. Administer and coordinate the role of the police department in victim and witness assistance services;
- HH. Ensure that records and files of victims and witnesses are held in confidential files, subject to release only under the requirements of Massachusetts Public Records Law – Chapter 4, Section 7(26).
- II. Advise the prosecutor of the need to have a victim/witness advocate from the Victim/Witness Service Bureau of the Court/County District Attorney's office assigned to the case and to maintain contact with the court advocate during the course of events which follow.

SERVICES PROVIDED

JJ. 24 Hour Access to Victim/Witness Services

- 11. A victim or witness of a crime may call the police department dispatcher at any time for twenty-four hour information/referral purposes.
- 12. When the dispatcher is contacted by a victim or witness for assistance or services beyond the scope of those the police provide, [s]he shall refer to the victim/witness resource directory located in the dispatch area to provide the name and telephone number of agencies within the county or regional service area that can provide the needed service.
- 13. For incidents involving domestic violence, see the department policy on ***Domestic Violence***.

- KK. Status of Suspect/Arrestee.: Upon the request of a victim or witness, or when, in the opinion of the case officer or supervisor, a victim or witness should be notified, officers who arrest a suspect for the commission of the crime shall notify the victim or witnesses on the following:

- 14. An arrest being made;
- 15. The charges being brought against the arrestee; and
- 16. The arrestee's status (out on bail or incarcerated).

17. Should the arrestee's status change, the involved officers should keep the victim or witness informed of such a change.

LL. Preliminary Investigations

18. Patrol officers and detectives conducting preliminary investigations shall be prepared to render assistance, including the following:
 - a. Provide information to victim/witness regarding services available through the police department, such as medical attention and referrals for counseling.
 - b. Advise that additional resources are available through the District Attorney's Office, such as victim advocacy and financial assistance.
 - c. Advise the victim/witness on procedures to follow should the suspect, companions of suspect, or family of suspect, intimidate the victim/witness.
 - d. Inform victim/witness of the case number assigned to the complaint and the steps that will follow the preliminary investigation.
 - e. Provide victim/witness with a business card or telephone number to call should the victim or witness have additional information to report or wish to check on the status of the investigation.
19. Officers assigned to domestic violence cases shall give the victim a copy of the notice of domestic violence rights form. The rights shall be provided in the victim's native language whenever possible.

MM. Follow-Up Investigations: Investigators or patrol officers assigned to conduct the follow-up investigation shall be prepared to offer the victim or witness assistance during the course of their involvement with the case.

20. If the impact of the crime has been unusually severe and has resulted in providing victim or witness assistance beyond the standard, the investigator shall, within twenty-four hours of initial contact, check with the victim or witness to determine if his/her needs are being met. Further follow-up contact can be made at the discretion of the officer.
21. The investigator shall explain to the victim or witness the procedures involved in the prosecution of the case and his/her role in that process.
22. If feasible, investigators shall schedule all line ups, interviews or other required appearances of the victim or witness at such person's convenience and, if necessary, provide transportation to and from the site of such appearance.
23. Whenever possible, the investigator shall arrange for the prompt return of the property of the victim or witness as permitted by law or rule of evidence. Property may be held if it is:
 - f. Contraband;
 - g. Evidence needed for prosecution; or
 - h. Property with ownership in dispute.
 - i. For further information, see the department policy on ***Evidence and Property Control***.

THREATS AND INTIMIDATION

NN. Evaluating Threats

24. In the event that a police officer becomes aware that a victim of or a witness to a crime has been threatened or intimidated by the suspect or suspect's friends, family, attorney or other associates:
 - j. The case officer shall be notified.
 - k. The officer shall consider the nature of the threat and potential for its being acted upon.
 - l. If, in the opinion of the investigating officer or supervisor, the threat appears credible, it should be further investigated.

m. Appropriate action should be taken.

25. If, in the opinion of the investigating officer or supervisor, there exists an express specific, credible reason for fearing intimidation or further intimidation, appropriate action should be taken.

OO. Statutes Addressing Threats and Intimidation of Victims or Witnesses:

26. M.G.L. c. 268, §13B; Intimidation of Witnesses. A felony.

27. M.G.L. c. 209A, § 7; Abuse Prevention Orders: A misdemeanor with statutory right to arrest.

28. M.G.L. c. 275, §2; Threat to Commit a Crime: Misdemeanor, no statutory right of arrest.

29. M.G.L. c. 265.43; Stalking: Felony.

PP. Police Response

30. Police response should be appropriate given the circumstances known at the time and may include:

n. Immediate arrest for appropriate charge;

o. Application for an arrest warrant;

p. Summons (may request an expedited hearing date);

q. Show cause hearing; and

r. Conferring with District Attorney's Office regarding appropriate action, including:

1) Arrest or prosecution of appropriate person(s);

2) Security for victim or witness; and

3) Relocation of victim or witness.

31. In cases of an immediate, credible threat, a supervisor / Officer may confer with **The District Attorney's Officer or Clerk Magistrate** regarding emergency measures to provide protection for the victim or witness.

32. In the event that a victim or witness is located outside of the department's jurisdiction, the agency having jurisdiction where the victim or witness is located shall be notified.

SERVICES PROVIDED, OTHER THAN POLICE DEPARTMENT: Additional victim and witness services are available from sources other than the police department.

33. District Attorney's Office (see Victim Bill Of Rights in this policy).

34. Domestic Violence Assistance Program

35. Department of Elder abuse

36. Council on Aging

37. Child Protection Unit

TRAINING OF DEPARTMENT PERSONNEL

QQ. Upon hiring, as part of initial in-house training, all employees shall receive a copy of and training regarding the Victim Bill of Rights. Employees shall be trained in regard to department and other programs and procedures designed to offer assistance to victims and witnesses of a crime, as specified in this policy.

RR. Training documentation shall be filed **in the Office of the Police Chief**.

DEATH OR INJURY NOTIFICATION

STOW POLICE DEPARTMENT POLICY & PROCEDURE NO. 4.05	ISSUE DATE: _____
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 55.2.6	EFFECTIVE DATE: _____
	REVISION DATE: _____

• GENERAL CONSIDERATIONS AND GUIDELINES

This policy applies to notifications made to non-police department employees of a death, serious injury, or serious illness.

One of the most unpleasant duties for a police officer is making a notification that a loved one has been killed or seriously injured. The presence of a police officer arriving in the middle of the night to make a notification is every parent's nightmare.

Upon hearing such terrible news, people react in many different ways. Often, the persons receiving the news are in disbelief and have trouble comprehending what they are being told. Reactions include denial, anger, hysteria, and silence.

Police officers may provide comfort and help the recipients obtain the support of other friends, family and clergy. Persons with medical conditions may need the support of family members or paramedics.

Death notifications involving young children or teenagers can be particularly traumatic, not only for the parents, but for the officers as well. Police officers may be haunted for years with the memories of delivering such terrible news. A debriefing with a counselor may be appropriate in some cases and should be sought, if needed.

II. POLICY

It is the policy of this department that the next-of-kin of deceased, seriously injured, or seriously ill persons shall be promptly and considerately notified.

• PROCEDURE

A. Preparing for Notification

1. RECEIVING THE REQUEST

a. These procedures should be followed whenever possible.

1) Positive identification of the victim must be confirmed prior to making a notification.

- 2) If the request is made by an outside agency or person unknown to the department, the legitimacy of the request must be confirmed.
- 3) The employee taking the request should obtain the name of the agency, as well as the name of the person making the request, a call back to that agency should be made to verify the information provided.
- 4) The following information should be recorded:
 - a) The identity and address or location of the person(s) to be notified;
 - b) The identity of the deceased, injured or sick person;
 - c) Any other information or instructions from the requesting agency; and
 - d) The nature of the notification:
 - i. Instruction to call a hospital or police department;
 - ii. Death;
 - iii. Injury; or
 - iv. Sickness.

2. OTHER CONSIDERATIONS

- b. Should the media obtain the deceased or injured person's name prematurely, the ranking officer may request that the information be withheld until proper notification of survivors can be made.
- c. If members of the family are in poor health and may require medical attention, a paramedic should be alerted to stand by in case of an emergency.
- d. If time permits, a family friend, family member or clergy member may be asked to accompany the notification party.**

B. Making a Notification

3. GENERALLY

- e. The immediate family must be contacted before the name is released to the media.
- f. Death or serious injury notifications should never be given over the telephone. Notification should be made in person whenever possible.

4. LOCATING THE PERSONS TO BE NOTIFIED

- g. The address of the family should be identified.
- h. If the family is not immediately available, an attempt should be made to identify where they are located.
 - 5) If the family is out of the area, the local police with jurisdiction in the family's area should be contacted and requested to make the notification.
 - 6) If the request was made by another police agency and the family is not presently in this department's jurisdiction, the requesting agency should be advised of the family's location, if known, so that arrangements for notification can be made with another department.

5. MAKING A NOTIFICATION TO CALL OR GO TO A HOSPITAL

- i. A request of the immediate family to call or to go to a hospital should be made as soon as possible.
- j. If the person is deceased, the officer should advise the persons being notified that their loved one was in an accident, or is sick or injured, as appropriate, but offer no more information.
- k. If the person is still alive, the family should be told the extent of injuries as known.
- l. The family should be advised as to which hospital their loved one was taken.

- m. The name of the hospital should be written down and given to the persons being notified, along with the telephone number for the hospital and police station.
- n. Transportation may be offered with the authorization of a supervisor, if the hospital is close by.

6. MAKING A DEATH NOTIFICATION

- o. Notification of a death should be made to the immediate family as soon as possible.
- p. The actual notification should be made by at least two officers where feasible.
- q. Notification should never be made on the doorstep. The notifying officers should attempt to gain admission to the home, gather the appropriate persons together, and inform them slowly and clearly of the situation.
- r. In giving notification, officers should be as straightforward as possible about the condition of the loved one and not make statements or use language that is ambiguous or gives false hope.
- s. The survivors should be told that the person is dead rather than using euphemistic expressions such as "passed on" or "passed away."
- t. While notifying officers should attempt to maintain composure in order to better provide assistance to members of the surviving family, they should recognize that a show of emotion on their part is simply a natural expression of anguish and empathy and is not a sign of weakness.
- u. Notifying officers should be aware of and prepared for a range of possible reactions from surviving family members. Hysteria, shock, physical violence, anger and rage, silence or stoicism, fainting or screaming are some of the more common reactions.
- v. Notifying officers should be prepared to give whatever solace and comfort seems appropriate, but **should avoid trite phrases or clichés that, although intended to provide comfort, may be counterproductive.**
- w. In many cases, the best reaction of the notifying team is simply to stand by quietly until members of the family have regained some composure and are prepared to ask additional questions.
- x. Officers should be prepared to:
 - 7) Provide information regarding the circumstances surrounding the person's death, as appropriate.
 - 8) Give instructions to the family as to where the deceased person was taken.
 - 9) Provide contact information for other agencies as appropriate.

AUTHORIZED WEAPONS

STOW POLICE DEPARTMENT POLICY & PROCEDURE NO. 4.06	ISSUE DATE: _____
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 1.2.2; 1.3.9; 1.3.10; 1.3.11; 1.3.12	EFFECTIVE DATE: _____
	REVISION DATE: _____

A. GENERAL CONSIDERATIONS AND GUIDELINES

Police officers in Massachusetts are authorized to carry and use a variety of weapons. G.L. c. 41, s. 98, for example, permits officers to carry firearms as authorized by the Chief of Police. While no statute addresses the possession and use of other weapons by officers, court decisions make it clear that the Chief may both authorize and regulate such activities.

B. POLICY

It is the policy of the department to require that all personnel authorized to carry or use firearms or other weapons in the performance of their duties shall:

- A. Carry or use only firearms, ammunition and other weapons that are issued or authorized by this department; and
- B. Be properly trained and/or certified in the use of any firearm or other weapon used in the performance of their duties prior to being authorized to carry or use such weapon, and
- C. Demonstrate proficiency in handling, operating, and using such weapon

C. DEFINITIONS

- I. Primary Duty Firearm – the firearm primarily carried and used in the performance of department duties.
- II. Service Weapon – any weapons carried in the performance of normal duties.
- III. Special Weapon: Rifles, scoped rifles, shotguns, and firearms other than the primary duty firearm.
- IV. Less Lethal Weapon: Devices used to stop, control and restrain individuals while causing less harm than deadly force. Less lethal weapons are not designed or intended to be deadly force weapon.

D. PROCEDURES

Authorized Weapons and Ammunition

A. GENERALLY

Personnel authorized to be armed with a firearm or other weapon, on or off duty, shall carry only those weapons and ammunition issued by this agency or authorized by the Chief of Police. This includes firearms and ammunition authorized for tactical team members and other specialized personnel (detectives, animal control officer). Only department issued - weapons – firearms – may be carried by officers on duty. The Stow Police Department issued Glock Model 22 will be used for on duty use. The Glock Model 23 may be carried by Detectives, Prosecutor or Administration personnel for on duty use and specialty assignments. Any Officers that want to carry the Glock Model 23 must carry the Glock 22 spare magazine.

[Optional – Department employees authorized to carry a firearm while on duty may carry a back-up firearm as well, provided that the firearm and ammunition are issued by the department or authorized by the Chief. Backup firearms must be carried in a concealed location on the employee's person.]

Sworn, off duty officers who activate themselves and act as a police officer may carry firearms for that purpose, only if the firearm and ammunition is issued by this agency or authorized by the Chief of Police.

B. AUTHORIZED WEAPONS AND AMMUNITION ROSTERS [1.3.9(A); (B)]

Firearms and ammunition authorized for both **on and off duty use** by members of this department are set forth in Appendix A of this policy. This roster includes firearms and ammunition authorized for tactical team members and other specialized personnel

Firearms and ammunition authorized for **off duty use only** by members of this department are set forth in Appendix B of this policy.

Less Lethal and other weapons and ammunition authorized for use by members of this department are set forth in Appendix C of this policy. This roster includes less lethal and other weapons authorized for tactical team members and specialized personnel

Firearms and ammunition authorized to carry for on duty use:

Glock Model 22 in 40 S&W

Glock Model 23 in 40 S&W

Ammunition for on duty use:

Winchester Ranger 40 S&W T-series 165 grain

C. APPROVAL OF NEW DUTY WEAPONS

All weapons considered for use by department employees must be approved by the chief of police.

Firearms must be submitted to a department armorer who shall review the weapon specifications and consider at a minimum, the quality of manufacture, reliability, and ballistic effectiveness.

Less lethal weapons will be reviewed by an instructor trained or certified in the use of the general weapons type, who shall review the weapon specifications and consider at a minimum, the quality of manufacture, reliability, and effectiveness of the weapon.

Where no employee is trained or certified in the use of a new weapon type, it may be researched by an individual or committee as determined by the Chief. Competent persons and organizations should be sought for guidance in conducting the review and the results reported in writing to the Chief.

The commander of the organizational unit to be armed with the weapon will consider the applicability to that unit's operation and prepare an estimate of cost of procuring the weapon and accessories for the personnel to whom the weapon is to be issued.

The training function shall review and determine training needs and costs of training employees with the weapon both initially and in retraining. Considerations must also be made for any new training needed for aftercare of suspects against whom the weapon is used. Municipal Police Training Committee guidelines where applicable, at the minimum, must be met. An estimate of training costs will be prepared.

The reviewers shall forward their remarks and reports to the Chief of Police who will consider them and make a determination as to the approval of the weapon.

D. INSPECTION OF WEAPONS PRIOR TO ISSUE

Prior to being issued or authorized for use, each weapon shall be inspected by a department armorer or qualified weapons instructor familiar with the weapon being inspected.

The inspector shall not approve the weapon for duty use unless the inspector determines that it is in good working order. Failed weapons shall be removed from service and repaired or replaced.

The weapons inspector shall complete a Weapons Inspection and Maintenance Record using MPI Form 101, for each weapon. Weapons inspections, maintenance and modifications shall be noted, including the date and initials of the inspector. These records will be kept on file by one of the Firearms Officers

E. WEAPONS MAINTENANCE INSPECTIONS

Each weapon used on or off duty, whether department owned or authorized, shall be inspected annually by a department armorer or qualified weapons instructor familiar with the weapon being inspected. Whenever possible, inspections will be done in conjunction with qualification on that weapon.

The inspector shall not approve the weapon for use unless the inspector determines that it is in good working order. Failed weapons shall be removed from service and may be repaired or replaced. Repaired weapons must be inspected prior to use.

The inspector shall record his/her name and the date of inspection on a weapons record form. The record shall be stored On file by one of the Firearms Officers

OR

The weapons inspector shall complete a Weapons Inspection and Maintenance Record using MPI Form 101 for each weapon. Weapons inspections, maintenance and modifications shall be noted, including the date and name of the inspector. The records will be stored **on file**.

Weapons inspections will be conducted following the inspection procedure for the weapon being inspected in Appendix D of this policy.

F. ACCOUNTABILITY FOR WEAPONS

An inventory control roster of all weapons owned by this department or authorized for use on or off duty shall be maintained by the Department Firearms Officers. Weapons shall be categorized by manufacturer and model and listed by serial number, if so marked, and will indicate whether the weapon is being stored, assigned to a vehicle, or to whom the weapon is issued. The record shall be stored **on file** [1.3.9(e)]

A physical inventory of all agency owned weapons shall be conducted at least annually by firearm's officer on file.

Training and Qualification

G. Only agency personnel demonstrating proficiency in the use of agency authorized weapons shall be approved to carry such weapons. This applies to lethal and electronic control weapons carried on or off duty. [1.3.10]

In-service training and testing shall be conducted annually for:

Lethal weapons; and

Electrical weapons.

In-service training and testing shall be conducted at least every two years for:

All other less lethal weapons; and

Weaponless control techniques.

Qualification requirements shall meet or exceed the minimum standards established by the Massachusetts Municipal Police Training Committee.

- H. No member of this Department will be authorized to be armed with any weapon until [s]he has been issued a copy of the department's **Use of Force** policy, received instruction and successfully passed a written examination on same. Use of force refresher training shall be conducted at least annually. [1.3.11]
- I. Training and qualifications shall be monitored under the direction of a certified instructor for the weapon being qualified with. [1.3.11(a)]
- J. Employees who fail to qualify with a weapon shall not be authorized to be armed with that weapon. The employee will receive additional instruction and will be given a reasonable opportunity to qualify. An employee may be assigned to administrative duty, if available, or placed on an unpaid leave of absence during the time that they are not qualified to be armed. [1.3.11(c)]
- K. When new employees receive initial training on a weapon, or when veteran employees receive training on a new weapon, they shall be provided with and receive training on the department **Use of Force** policy as well as policies relating to the carrying and use of that weapon.[1.3.12]
- L. Weapons training, proficiency results, issuance of **Use of Force** policy, and accompanying examination results shall be documented by the instructor. For further information, see the department policy regarding **Training and Career Development**. [1.3.11(b); 1.3.12]
- M. New personnel must qualify with any weapons they are to be armed with prior to being authorized to use that weapon in the field.

Firearms

N. TRAINING AND QUALIFICATION: [1.3.11]

No member of this Department will be authorized to be armed with a firearm until [s]he has been issued a copy of the department's **Use of Force** policy, received instruction and successfully passed a written examination on same.

All personnel authorized to use or carry firearms in the performance of their duties are responsible for maintaining a degree of proficiency in the use and handling of the firearms that they are authorized to use.

New personnel must qualify with any firearms they are to be armed with prior to being authorized to use that firearm in the field.

Qualification shall include an inspection, conducted by a department armorer or firearms instructor, of the firearm to be qualified with to ensure that it is in good working condition. Unsafe or defective firearms will be removed from service.

At a minimum, personnel must qualify on a qualification course approved by the Massachusetts Police Training Committee at least twice each year and obtain a passing score.

Stow Police Officers will be required to bi annually qualify with the Department issued weapons, sidearm's, shotgun, patrol rifle

Stow Police Officers will attend firearms training sessions determined by the Firearms Instructors

O. FAILURE TO QUALIFY

In the event an employee fails to qualify with a firearm, the employee will lose the authority to be armed with that firearm for other than training purposes. The employee may continue to be armed with firearms with which they remain qualified.

The firearms instructor for whom the employee failed to qualify shall notify The Chief of Police or his designee who will suspend the employee's authority to be armed with that firearm.

If the employee fails to qualify with their primary duty firearm, the employee may be temporarily re-assigned to another position within the agency where being armed with that firearm is not required or placed on administrative leave.

The employee will receive remedial training in the use of the firearm. When the employee passes qualification, the employee may be authorized to be armed with the firearm.

Any employee who fails to qualify with a firearm after remedial training will be subject to being reevaluated as to their fitness to continue to perform their duties.

Any sworn officer who, after remedial training has still failed to qualify with their primary duty firearm will be subject to reevaluation as to their fitness to continue to perform the duties of a police officer.

P. OFF DUTY FIREARMS

Under Massachusetts General Laws, a police officer is authorized to carry an issued or authorized firearm at all times when on duty and may carry such firearm while off duty within the Commonwealth of Massachusetts. [1.2.2]

An officer may have to activate him/herself during off-duty situations where there is a need to draw a personal firearm and the possibility exists to use such weapon. Upon self activation, the officer's actions are guided by all Departmental rules and regulations, hence there is a need to show familiarization with any personal firearm which is carried while off-duty.

Stow Police Officers are allowed to carry a personally owned Firearm when performing other functions as a Stow Police Officer such as Details, Training, Meetings or other special assignments. Officers must present the weapon for inspection and qualification. The requirements for these sidearm's are as follows:

- Double action

- Caliber 380 or higher to 45 ACP

- Magazine capacity of at least 7 rounds

- Revolver with a minimum of 5 rounds capacity

- Must be in excellent working condition

- Sights can be either night or contrast or iron

- Ammunition for off duty weapons or special assignments

- Will be purchased by officer

- Will be inspected by Department firearms instructors

- Will be purchased from a known established manufacturer

- Must be jacketed hollow point

Must meet all current modern ballistics schedule FBI annual report

All off duty Officers carrying either a Stow Police Department issued sidearm or personally owned sidearm should be also carrying a Police ID card and Police Badge, a spare magazine, and one set of handcuffs.

Members of the Department who are licensed to carry firearms pursuant to M.G.L. c. 140, § 131 and who may act in the capacity as a law enforcement officer while off duty, armed with a personal firearm must be qualified with that firearm on at least an annual basis. Qualification may be fired during regular qualification times and employees shall provide their own ammunition.

Carrying Firearms Outside of Massachusetts

Many states have statutory exemptions from laws prohibiting the carrying or possession of firearms for law enforcement officers in the performance of their official duties.

Officers may obtain non-resident concealed weapons permits from other states.

While the Commonwealth of Massachusetts does not recognize as valid, permits from any other state, some states will honor Massachusetts License to Carry Firearms. Alaska, Arizona, Idaho, Indiana, Kentucky, Michigan, Missouri, Montana, Oklahoma, South Dakota, Tennessee, Texas, Utah, and Vermont.

The National Concealed Carry for Cops legislation, better know as HR 218 which was signed into law in 2004 allows active and retired police officers to carry firearms provided they meet the criteria below. Officers may carry concealed firearms generally, but are still subject to other state restrictions and local ordinances. Officers who carry concealed firearms under this statute:

Must have a current department ID;

Must be authorized to carry a firearm by their agency in the performance of their duties;

Must not be subject to any disciplinary action by the department;

Must have met department firearms qualification standards;

Must not under the influence of drugs or alcohol; and

Must not prohibited by general law.

Q. CARE AND CONDITIONS OF FIREARMS

Officers are responsible for keeping their issued weapons clean and in good working order. A weapon which malfunctions shall be returned to the department Armorer forthwith.

No employee shall not alter or modify his/her firearm or ammunition in any way without the express permission of the Chief of Police. General Modifications authorized at this time are:

R. FIREARMS SECURITY

Members of the department shall take all reasonable precautions to ensure that weapons issued to them by the department are protected from loss, misuse, or theft.

Firearms assigned to vehicles must be removed and properly stored prior to the vehicle being sent out for maintenance **[optional – to any non-municipal contractor]**.

S. FIREARMS STORAGE [1.3.9(F)]

Firearms not under an officer's direct control must be secured in a locked container or equipped with an approved trigger lock.

Firearms issued to an individual employee, when stored at the police department must be stored in a locked, designated arms locker, locked employee locker, locked desk or locked file cabinet.

Firearms that are not issued to an individual employee, when stored at the police department, must be stored in a designated arms locker or rack. The firearm must be unloaded with the magazine, if any, removed.

Firearms assigned to vehicles shall be stored in a locked, rack or locked, secure container approved for use by The Chief of Police or his designee

Rifles and shotguns left unattended in a vehicle for an operation should be locked in the vehicle's trunk.

T. HANDLING FIREARMS

Drawing or displaying: An officer shall avoid the unnecessary display of firearms and not draw a firearm except when there is justification for its use to accomplish a proper police purpose.

In responding to any potentially dangerous situation (e.g., searching a building pursuant to a burglar alarm or approaching a business establishment on a report of a robbery in progress etc.) the officer may carry a firearm in a position that will facilitate its speedy, effective, and safe use.

Officers shall not point firearms at persons in circumstances which are clearly unjustifiable.

Special Weapons

U. SPECIAL WEAPONS GENERALLY

All special weapons and ammunition authorized for use by department employees shall be listed in Appendix A of this policy.

If the Chief of Police authorizes special weapons, such as shotguns, to be carried in the police vehicle on routine patrol, all members of the department should be qualified in the use of the authorized special weapon. Failure to qualify with a special weapon does not necessarily exclude an employee performing duties without that weapon. The determination may be made by the Chief.

When not assigned to a vehicle, special weapons will only be issued, with the knowledge and permission of the officer-in-charge of the police station, to employees who have qualified with them.

A listing of all officers who have qualified with each special weapon will be maintained on file.

Special weapons may be selectively issued by the officer-in-charge of the police station if, in his/her opinion, they are necessary to ensure the safety and effectiveness of police operations. Officers armed with special weapons in such circumstances shall use those weapons in accordance with the provisions of applicable departmental policies and procedures as well as any additional guidelines issued at the time.

Prior to issuing any special weapon, the officer-in-charge of the police station may inquire of any officer to whom [s]he intends to issue the weapon whether or not that officer is currently qualified in its use. It is the responsibility of a police officer not to accept a special weapon unless [s]he is qualified in its use.

V. CHEMICAL WEAPONS

Sabre Red Crossfire OC Chemical Spray is authorized for use by employees trained in its use and **shall** be carried and used by those employees.

Employees must receive and complete refresher training and demonstrate proficiency in use of this weapon at least biennially

It is the responsibility of the user to inspect the dispenser to ensure that it is not expired and appears to be in good working order. The spray should be replaced prior to its expiration date.

The dispenser should be shaken at least once per week and prior to use (when feasible) to ensure that the propellant and active ingredients are mixed and will deploy when needed.

W. IMPACT WEAPONS

The Baton(s) is/are authorized for use by employees trained in its use and may be carried and used by those employees. The Stow Police Officers can carry either the ASP collapsible baton, or the Monadnock collapsible baton

Flashlights are not designed as an impact weapon **[Optional- and shall not be used as such; or but may be used as a baton if the use of a baton would otherwise be appropriate and a baton is not immediately available; or as a weapon only in the event that a threat arising to the level that would allow for any available means to counter that threat.]**

Employees must receive and complete refresher training and demonstrate proficiency in use of impact weapons at least biennially.

X. ELECTRICAL WEAPONS: See the department policy regarding **Electronic Weapons** .

Y. LESS LETHAL SHOTGUN BASED IMPACT PROJECTILES

The department shall designate specific shotguns to be used to fire authorized kinetic energy projectiles. These shotguns shall be **[optional – so marked; or fitted with an orange stock; or painted orange (stock and/or forearm)]** for quick identification. Shotguns so designated shall not be used to fire conventional shotgun ammunition. Non-designated shotguns shall not be used to fire kinetic energy projectiles.

Less lethal shotguns shall be stored with an empty chamber and magazine. Each round of kinetic energy ammunition must be inspected by the user prior to being inserted into the weapon to ensure that it is not conventional shotgun ammunition. If the weapon is handed to another user, it must be unloaded and the ammunition inspected by the new user.

Employees must be qualified in the use of the shotgun as well as the kinetic energy ammunition prior to its use.

Authorization of Employees to be Armed [1.2.2]

Z. POLICE OFFICERS: Police Officers may be armed with and use weapons in the performance of their duties under the authority granted in M.G.L. c. 41, §98. They may carry such weapons as authorized by the Chief of Police, provided that they are qualified in the use of such weapon. Authorized weapons and ammunition are specified in Appendices A, B, and C of this directive.

The following represents general arming categories for department employees. Nothing in this directive shall prohibit the Chief of Police from authorizing or restricting the arming of an employee in a manner other than as specified in these general categories.

[EDIT TO MEET YOUR AGENCY'S PRACTICES]

Full Time Permanent Police Officers: All FTPPO are authorized to be armed with:

Duty side arm;

Shotgun;

Patrol Rifle;

Electrical weapons;

Chemical spray;

Baton;

IDENTIFY OTHER WEAPONS

Reserve Police Officers: All reserve officers are authorized to be armed with:

Duty side arm;

Shotgun;

Patrol Rifle;

Electrical weapons;

Chemical spray;

Baton;

IDENTIFY OTHER WEAPONS

Special Police Officers: All special officers are authorized to be armed with:

Duty side arm;

Shotgun;

Patrol Rifle;

Electrical weapons;

Chemical spray;

Baton;

IDENTIFY OTHER WEAPONS

Auxiliary Police Officers: All auxiliary officers are authorized to be armed with and use weapons in the performance of their duties when lawfully activated for the purpose of training or national emergency. Auxiliary police officers are authorized to be armed with:

Duty side arm;

Shotgun;

Patrol Rifle;

Electrical weapons;

Chemical spray;

Baton;

IDENTIFY OTHER WEAPONS

OR

Auxiliary Police Officers: Auxiliary police officers are not authorized to be armed.

Detectives and Administrative Officers: Such employees may additionally be armed with:

Compact duty sidearm; and

Compact chemical spray.

Tactical Team Personnel: Tactical team personnel are authorized to be armed with:

Precision rifle;

Submachine gun;

IDENTIFY OTHER WEAPONS

CRIMINAL OFFENDER RECORD INFORMATION (C.O.R.I.)

STOW POLICE DEPARTMENT POLICY & PROCEDURE NO. 4.07	ISSUE DATE: _____
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: None	EFFECTIVE DATE: _____
	REVISION DATE: _____

A. GENERAL INFORMATION AND GUIDELINES

The Massachusetts Criminal History Systems Board (CHSB) provides for and exercises control over the installation, operation and maintenance of the data processing and data communication systems known as the Criminal Offender Record Information (CORI) system. The purpose of this system is to ensure the prompt collection, exchange, dissemination and distribution of CORI as may be necessary for the efficient administration and operation of criminal justice agencies, and to connect such systems directly or indirectly with similar systems in Massachusetts or other states.

The regulations concerning the dissemination of Criminal Offender Record Information change periodically and officers should make every effort to stay familiar with changes in this very important field.

B. POLICY

It is the policy of this department to:

- A. Have access to the Criminal Justice Information System and make CORI data gathered by the department available to the System;
- B. Make CORI data maintained by the department available, upon request, to those persons authorized by statute to receive it; and
- C. Protect the privacy interests of defendants while balancing the public's right to know with the need for effective law enforcement.

C. DEFINITIONS

- D. *Criminal History Systems Board (CHSB)*: The CHSB consists of eighteen members and provides for and exercises control over the installation, operation and maintenance of processing and data communication systems, the Criminal Offender Record Information System and other duties as provided in 803 CMR.

E. *Criminal Justice Agency*: A state or federal court with criminal jurisdiction or a juvenile court; state, county or local police; any government agency which incarcerates or rehabilitates juvenile offenders as its principal function; or any government agency which has primary responsibility to perform duties relating to:

Crime prevention, including research or the sponsorship of research;

The apprehension, prosecution, defense, adjudication, incarceration, or rehabilitation of criminal offenders; or

The collection, storage, dissemination or usage of CORI.

F. *Criminal Justice Information System (CJIS)*: The computer system maintained by the CHSB which contains criminal justice information, including criminal histories, records of wanted persons and stolen property, judicial restraining orders, and missing persons.

G. *Criminal Offender Record Information (CORI)*: Records and data in any communicable form compiled by a criminal justice agency which concern an identifiable individual and relate to the following:

- The nature and disposition of a criminal charge;
- An arrest;
- A pretrial proceeding;
- Other judicial proceedings;
- Sentencing;
- Incarceration;
- Rehabilitation; or
- Release.

Such information shall be restricted to that recorded as a result of the initiation of criminal proceedings or any consequent proceedings related thereto.

CORI shall not include:

- Evaluation information;
- Statistical and analytical reports;
- Files in which individuals are not directly or indirectly identifiable;
- Intelligence information;
- Criminal offenses or acts of delinquency committed by any person before attaining the age of seventeen, provided, however, that if a person under the age of seventeen is adjudicated as an adult, information relating to such criminal offense shall be CORI; or
- Any offenses which are not punishable by incarceration.

H. *Dissemination*: The release of CORI in any communicable form.

I. *Evaluative Information*: Records, data, or reports concerning identifiable individuals charged with a crime and compiled by criminal justice agencies which appraise mental conditions, physical conditions, extent of social adjustment, rehabilitative progress, and the like which are primarily used in connection with bail, pretrial, or post-trial release proceedings, sentencing, correctional and rehabilitative planning, probation, or parole. (Such information is not included in CORI but its dissemination is restricted by 803 CMR and M.G.L. c. 6, s. 172 and s. 178.)

- J. *Intelligence Information*: Records and data compiled by a criminal justice agency for the purposes of criminal investigations, including reports of informants, investigators, or other persons or any type of surveillance associated with an identifiable individual. Such information is not included in the definition of CORI.

D. PROCEDURES

K. Administrative Procedures

This department maintains direct terminal access to the Criminal Justice Information System (CJIS) and, through that gateway, the Board of Probation. See the department policy on ***Communications***.

Only those officers and employees of the department as determined by the Police Chief to require CORI for the actual performance of their criminal justice duties shall have access to CORI. See the department policy on ***Communications***.

The department shall maintain a list of CORI disseminated (CORI Log) and the individuals and agencies to whom it has released or communicated CORI information. These listings shall be maintained for at least one year after the date of dissemination and shall be made available for inspection by the CHSB. This log will be kept in the CAD system and given a unique call number for each dissemination.

L. CORI Inclusions and Exclusions

INCLUSIONS

- A. PHOTOGRAPHS AND FINGERPRINTS: CORI includes fingerprints, photographs, and other identification data which is recorded as the result of criminal proceedings.
- B. However, such information may be released if used for investigative purposes if the individual is not identified.

EXCLUSIONS

- C. STATISTICAL RECORDS AND REPORTS: CORI shall not include statistical data in which individuals are not identified and from which identities are not ascertainable.
- D. JUVENILE DATA: No information concerning a person under eighteen years of age is CORI unless that person is adjudicated a youthful offender under G.L. c. 119, s. 58.
- E. EVALUATIVE INFORMATION: CORI excludes evaluative information. The access to and utilization of evaluative information is governed by 803 CMR 204.
- F. INTELLIGENCE INFORMATION: CORI excludes intelligence information.
- G. MINOR OFFENSES: CORI excludes minor offenses (offenses not punishable by incarceration).

M. Public Release of C.O.R.I.

DECEASED PERSONS: An individual's privacy rights pursuant to the CORI statute end when the person dies. The department may disseminate CORI on a deceased person upon proof of death (e.g., death certificate, appointment of estate administrator, executor, executrix, etc.).

CRIMINAL INVESTIGATION: 803CMR2.04 allows a criminal justice agency to disclose CORI to a crime victim during an investigation if that disclosure is necessary for the actual performance of their criminal justice duties.

SEARCH FOR A PERSON: CORI that is specifically related and contemporaneous to the search for a person may be disclosed to aid in the search for or apprehension of that person (i.e., release of a booking photo).

PUBLIC RECORDS: For further information regarding the release of public records, see the department policy on ***Records Requests***.

N. Access to CORI by the Subject of That Record

Under most circumstances, individuals have a right to review their own criminal history records, which can be requested online through the Department of Criminal Justice Information Services.

Individuals may also authorize others to view such records.

For more information regarding an individual's access to his or her own C.O.R.I., see the department policy on ***Records Requests***.

O. Access to CORI - Certified Agencies and Individuals

CORI and evaluative information may be provided to agencies and individuals certified by the CHSB.

Individual with access to DCJIS will take and pass the certification test once every two years.

Upon any changes in Department Head, CJIS Rep, or CJIS Back-up Rep. DCJIS will be informed with a new signed user agreement within ten days.

All Employees will be fingerprinted upon starting employment with the Stow Police Department, and once every five years thereafter.

Computers with CJIS access will have the screen saver enabled and activated after 1 minute of down time, when activated the screen saver must be password protected

Mobile Laptops in the cruiser will have the screen saver enabled and activated after 5 minutes of down time, when activated the screen saver must be password protected

For further information, see the department policy on ***Records Requests***.

RESPONSE TO CALLS

STOW POLICE DEPARTMENT POLICY & PROCEDURE NO. 4.08 See General Order 14-03, 14-04	ISSUE DATE: _____
	EFFECTIVE DATE: _____
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 41.2.1; 41.2.4	REVISION DATE: _____

A. GENERAL CONSIDERATIONS AND GUIDELINES

The manner in which officers respond to calls for services will vary according to the nature and severity of the call. This is necessary to ensure the maximum safety of the general public and of the officers themselves. Types of calls can be classified into three categories: routine, urgent, and emergency. The type of response is determined by the category into which the call falls. The total number of officers to be initially sent on a call can also be determined through these categories.

The purpose of this policy is to provide personnel with clear guidelines as to what calls will generally fit into which category, thus determining the degree of response and the number of officers to be assigned. None of these procedures will preclude the possibility of circumstances which will alter our normal and expected reactions. Response to any type of call requires an officer to utilize the shortest and safest route of travel.

B. POLICY

It is the policy of this department that:

- A. The department will evaluate the urgency of the police response to a given situation and assign the appropriate number of officers; and,
- B. In situations when the department is unable to respond to calls with sufficient on-duty personnel, it may have to rely on off-duty officers, non-regular personnel and officers from neighboring departments via mutual aid agreements.

C. PROCEDURES [41.2.1]

Statutory Guidelines : Emergency Vehicle Operation: M.G.L. Chapter 89, Section 7B states that the driver of any police vehicle "in an emergency and while in the performance of a public duty may drive such vehicle at a speed in excess of the applicable speed limit if [s]he exercises caution and due regard under the circumstances for the safety of persons and property, and may drive such vehicle through an intersection of ways contrary to any traffic signs or signals regulating traffic at such intersection if [s]he first brings such vehicle

to a full stop and then proceeds with caution and due regard for the safety of persons and property, unless otherwise directed by a police officer regulating traffic at such intersection."

Categories of Calls for Service

GENERALLY

- A. Under the direction of the officer-in-charge, the number of officers to be assigned to a call will normally be left to the dispatcher's discretion.
- B. Certain types of crime will require the dispatching of at least two officers.
 - 1. Emergency calls and many urgent calls will normally require two officers or units to respond.
 - 2. Routine calls will normally require only one officer or unit to respond.
- C. Patrol supervisors have the responsibility and authority, at their discretion, to determine the number of officers necessary at any particular call or assignment.
- D. It shall be the responsibility of the dispatcher or person taking the call to obtain information from the caller which will determine the severity and thus govern the degree of response to any call.
- E. Dispatchers should avoid giving callers overly optimistic estimates of the timeliness or level of probable police response. Simply stated, do not make promises concerning how many officers will arrive or how quickly they will respond unless you are absolutely certain.
- F. The following procedures provide guidelines for the evaluation of the urgency of a police response to a given situation.

EMERGENCY CALLS: CODE THREE RESPONSE

- G. Emergency calls are those which require immediate response from the department. They are critical in nature and will usually involve situations where there is actual danger of serious injury or death.
- H. Officers responding to emergency calls will use both emergency lights and siren, except when doing so would eliminate the element of surprise desired when responding to certain types of crimes in progress, and will adhere to the law.
- I. Officers must bear in mind that during the response, they have a responsibility to the public to ensure that their actions do not create a greater public hazard than is represented by the nature of the situation to which they are responding.
- J. Conditions that will define an Emergency/Code Three Response are:
 - 3. Any imminent threat to life or danger of serious physical injury or major property damage;
 - 4. Any ongoing felony or misdemeanor that involves violence and may result in injury;
 - 5. Any serious felony or violent misdemeanor that has just occurred and reason exists to believe the suspect is still in the area;
 - 6. Any incident that involves exigent or unique circumstances that demand an immediate police response; and
 - 7. An officer in trouble call or any request from an officer for an emergency response.
- K. Examples of emergency calls would include a shooting or stabbing; personal injury motor vehicle accidents; life threatening need for medical assistance; bank or armed robberies in progress; serious felonies in progress; subject with a gun or other deadly weapon; a bombing, explosion, major fire, or building collapse; and hostage situations.
- L. If available, a minimum of two officers or units shall be dispatched on these types of calls. Other units on duty should immediately deploy themselves to a location within their area which is closest to the location of the call in case they, too, are dispatched.

M. Responses to vehicular pursuit calls shall be governed by the department policy on ***Vehicular Pursuit***.

URGENT CALLS: CODE TWO RESPONSES

- N. Urgent calls are those which require quick response on the part of the officer, but are not so critical that they could be termed emergency. An officer's presence is needed at the scene, but the need is not immediate.
- O. An Urgent/Code Two Response is accomplished by responding directly to an assignment without unnecessary delay. This type of call will have flexibility in the manner of response (i.e., emergency lights with or without siren). The response should be made in a quick but safe manner.
- P. Units responding to urgent calls should be attentive to their radios, as the situation may quickly change to a more or less serious incident.
- Q. Conditions that will define an Urgent/Code Two Response are:
 - 8. Any incident that does not represent a significant threat to life and property or a felony that has occurred without injury and the suspect has fled the area;
 - 9. An in-progress incident that could be classified as a possible crime;
 - 10. Any incident that represents a significant hazard to the flow of traffic;
 - 11. Any incident that requires a prompt, non-emergency response;
 - 12. An officer's call for non-emergency assistance (back-up unit, potential but not present problem); and
 - 13. Officers holding a prisoner and requesting transport will receive an Urgent/Code Two Response unless special circumstances dictate otherwise.
- R. Examples of Urgent Calls are domestic/family problems; property damage motor vehicle accidents; non-life threatening medical aids; and any other call which requires immediate response by the department.
- S. Urgent calls will generally require that at least two units be dispatched, unless the primary unit responding is a two officer unit.
- T. All officers must remain aware of the statutory limits placed on the operation of a patrol vehicle when emergency lights and sirens are in use.

ROUTINE CALLS: CODE ONE RESPONSE

- U. Routine calls are those which require police response for the purpose of taking some sort of action, but which do not require immediate arrival, since the situation will probably not deteriorate to critical status due to the time period of that arrival.
- V. A Routine/Code One Response involves no emergency lights or sirens. It is a normal traffic speed response.
- W. Usually, only one officer will be initially assigned, unless the dispatcher or shift commander feels it necessary for safety purposes to assign more than one. Examples of routine calls would be past breaking and entering; loud groups or parties; barking dogs; larceny or stolen car reports; transport assistance (bank deposit) for retail businesses; and, any other call which can be termed routine in nature.
- X. Routine responses include a call for service and taking a report.

Response to Officer Initiated Calls

Any units responding to an officer initiated call (such as an officer in trouble) shall notify the dispatcher that they are responding and shall indicate from where they are responding.

Units will continue their response at the direction of the dispatcher.

All units will closely monitor their radios in the event that the situation changes (officer in trouble downgraded to a backup), so that their response can be appropriately modified.

The first unit to arrive at the scene will report the current situation so that other units may adjust their response accordingly.

Any units called off, by either the dispatcher or a supervisor, will immediately discontinue any emergency operation and resume their normal patrol.

Upon Arrival [41.2.4]

Upon arrival, first responding employees shall assess the situation and determine, based upon the information at hand, if responding resources are adequate for the situation.

If the response appears excessive, the employee shall notify the dispatcher and may request a reduced response.

The employee may request additional resources as appropriate for the situation, or in accordance with department policy, by contacting the dispatcher.

On-duty, local, or contracted resources may be requested directly by the first responding officer. Such resources may include requests for a supervisor, Emergency Medical Services, investigator, fire department, highway department, Mass Highway, Gas Company, etc.

Requests for off duty personnel, mutual aid, or specialty assistance shall be authorized by a supervisor.

Any determination as to response made by the supervisor shall be followed.

LETN TRAINING

STOW POLICE DEPARTMENT POLICY & PROCEDURE NO. 4.09	ISSUE DATE: _____
ACCREDITATION STANDARDS REFERENCED: none	EFFECTIVE DATE: _____
	REVISION DATE: _____

A. GENERAL CONSIDERATIONS AND GUIDELINES

The goal of law enforcement training and education programs is to enable officers to develop and maintain the skills, attitude and good judgment necessary for the effective performance of their duties.

Although the Massachusetts Municipal Police Training Committee is statutorily charged with approving a prescribed course of study for in-service officers' training, the Council recognizes that other valuable training sources are also available to municipal police departments.

The Law Enforcement Training Network (LETN) has demonstrated a high degree of professionalism in its programming content. It uses nationally recognized experts in municipal law enforcement training, as well as instructors and courses affiliated with the International Association of Chiefs of Police and numerous federal law enforcement agencies, including the Drug Enforcement Agency and Federal Bureau of Investigation.

The Law Enforcement Training Network (LETN) has been accepted for in-service training credit by the Council.

B. POLICY

It is the policy of this department to:

- A. Implement LETN training throughout the department;
- B. Encourage the regular use of LETN training to achieve the maximum benefit from this resource;
- C. Ensure appropriate documentation and testing; and
- D. Use LETN news and information to help keep personnel up-to-date on law enforcement's current events and legal issues.

C. PROCEDURE: TRAINING OFFICER

- E. GENERALLY: The Training Officer will coordinate in-service training, maintain training records and submit to the Council individual officer training records in such form as the Council may prescribe. (The Training Officer may alternatively be called the Training Supervisor or Training Coordinator and may, but need not, be the Chief.)

F. TRAINING: Preferably prior to, but no later than one year after, starting to use LETN for in-service training, the Training Officer shall successfully complete a "Train the Trainer" course provided by LETN or the Council or an equivalent course.

G. DUTIES

Training Management: The Training Officer shall:

Determine departmental training needs;

Identify and schedule LETN training segments to meet the department's training needs;

Document and maintain instructional goals and performance objectives of training segments;

and

Ensure that all appropriate LETN roll-call and in-service programs are videotaped, catalogued and maintained in a videotape reference library and that members of the department are kept updated on LETN programs available in the videotape reference library.

In-Service Training

The Training Officer shall develop lesson plans that include:

A. Instructional goals and performance objectives for each training program;

B. Specific reference as to how LETN programs are to be used in the training program;

C. Provisions for testing, which may include, but should not be limited to, LETN pre-testing and post-testing; and

D. Instructor qualification requirements for knowledge of the subject and teaching ability.

Review any LETN program to be used in the training program (in consultation with the training program instructor, if any) to ensure that it is consistent with applicable Massachusetts law and department policies and procedures, preferably prior to using the LETN program as part of the department's training program.

Ensure the integrity of the testing process and maintain documentation of successful completion of the training program.

E. Pretests and post-tests are to be completed by all personnel participating in selected in-service training segments.

F. Officers must receive a post-test grade of at least 70% to receive credit for LETN in-service training.

G. Officers not receiving a passing grade must repeat attendance at the LETN video session before being allowed to retake the post-test examination.

“BIAS-FREE”

PROFESSIONAL POLICING POLICY

POLICY & PROCEDURE NO. 4.10.1	ISSUE 3/9/2021 DATE: _____
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 1.2.9	EFFECTIVE 3/9/2021 DATE: _____
	REVISION DATE: _____ 3/9/2021 —

I. GENERAL CONDITIONS AND GUIDELINES:

Zero Tolerance for Bias/Gender-Based Policing :

As duly sworn members of the Stow Police Department, we are unequivocally committed to protecting the constitutional and civil rights of all individuals located within our territorial jurisdiction and to those additional jurisdictions where we are allowed by statute, memorandum of understanding/agreement via mutual aid, case law or common law to execute sworn authority as Stow Police Officers. Any and all allegations of bias-based profiling in any form whatsoever or any other types of discriminatory enforcement practices, whether real or perceived, are detrimental to the valued relationships and partnerships that we have developed between the members of the Stow Police Department and the communities that we so faithfully serve and protect. Such discriminatory practices only function to erode the basic foundation of public trust and the spirit of cooperation that is essential to an effective community policing philosophy and formidable community building. Bias-based profiling is not only illegal, immoral and unethical, it is also a highly ineffective and counterproductive method of policing and law enforcement. Bias-based profiling results in increased safety risks to both officers and citizens alike and as such will not be tolerated under any set of circumstances.

Additionally, such improper methods violate the civil rights of the members of the general public and may lead to unnecessary and increased exposure to civil liability and exposure for our department, personnel and municipality. As a result no member of this Department shall endorse, train, instruct, support or condone any type of stereotyping or bias-based profiling whatsoever.

Officers shall always adhere to the principles of **Bias-Free Professional Policing** as described and outlined below. While recognizing that the members of the Stow Police Department take a sworn oath

to perform our duties and responsibilities in a professional, ethical, moral and impartial manner at all times, we shall stand ready and always remain committed to identifying, investigating and holding those accountable who may have occasion to violate or intentionally deviate from any of our existing rules, policies, practices or laws in this important area.

II. DEFINITIONS:

- I. **“Bias-Based Profiling”**: Any prohibited pattern or practice, including but not limited to stopping, detaining, questioning, frisking, and searching by police officers, that is based upon a generalized belief that a person of a particular race, ethnicity, or national origin is more likely to commit certain types of crimes. This type of inappropriate reliance on certain characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, immigration status, gender identity or expression, socioeconomic status, age, professional level, cultural group, mental or physical disability or affiliation with any non-criminal group (e.g., protected characteristics) as the basis for providing differing law enforcement services or enforcement activity as outlined is **strictly prohibited**.
- **“Bias-Free Policing”**: policing decisions made by and conduct of law enforcement officers that **shall not consider** a person’s race, ethnicity, sex, gender identity, sexual orientation, religion, mental or physical disability, immigration status or socioeconomic or professional level.
 - A. Note: This definition of Bias-Free Policing **shall also include and allow policing decisions** made by or conduct of law enforcement officers that:
 - (1) are **based on a law enforcement purpose or reason which is non-discriminatory , or which justifies different treatment** ; or
 - (2) consider a person’s race, ethnicity, sex, gender identity, sexual orientation, religion, mental or physical disability, immigration status or socioeconomic or professional level **because such factors are an element of a crime(s) under investigation.**
1. **“Suspect Specific Incident”**: An incident in which an officer is lawfully attempting to detain, apprehend, or otherwise be on the lookout (e.g., BOLO) for one or more specific suspects who have been identified and/or particularly described in part by national or ethnic origin, gender, age or race.
 - a. **POST**: The **Massachusetts Peace Officer Standards and Training Commission** consisting of nine (9) members vested with various powers to oversee police training and allegations of misconduct including, but not limited to, conduct involving allegations of bias.

III. PURPOSE AND SCOPE

This policy provides specific guidance and direction to all Department members (including sworn and non-sworn) that affirms the Stow Police Department's continuing commitment to Constitutional Policing principles and practices that are always fair, impartial, objective, and

fosters mutual respect, dignity and a spirit of cooperation between law enforcement personnel and members of all racial, identity, and cultural groups.

Outreach Note: Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the Department's relationship with its diverse communities. The members of the Department shall always emphasize an understanding, appreciation and respect for racial identity, and cultural differences (e.g., cultural and ethnicity awareness training, youth programs, community group outreach, partnerships).

IV. POLICY:

It shall be the policy of this Department to adhere to the principles of Bias-Free Professional Policing while always recognizing that any and all bias-based profiling is and shall be **strictly prohibited**. Except in "**suspect specific incidents**," (as defined in Section II (3) above) all Stow Police Officers and employees are **strictly prohibited** from considering the race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, immigration status, disability or any other arbitrary characteristic of members of the public when deciding to detain a person during a traffic stop or an investigative detention (e.g., field interview observations); or in deciding upon the scope or substance of any law enforcement action. The Stow Police Department is committed to providing effective law enforcement services to the entire community with due regard for all racial, cultural, ethnic or other protected characteristics of those served. It shall be the policy of this Department to enforce the law equally, fairly, impartially, objectively and without discrimination toward any particular individual or group. [1.2.9 \(a\)](#)

Investigatory Note: Nothing in this policy is intended to prohibit or restrict an Officer's ability to consider certain protected characteristics in combination with other credible, timely and distinct information connecting a person or a group of individuals of a specific characteristic to a specific unlawful incident(s), specific criminal patterns or a specific illegal scheme(s).

V. MEMBER RESPONSIBILITIES:

In furtherance of this policy all members of the Stow Police Department shall:

- 1) Perform his/her duties in a fair, impartial and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based profiling to a supervisor. Members should always, when reasonable and practicable to do so, intervene to prevent any biased-based actions by another member of this Department, other law enforcement agency or in general;
- 2) Provide all individuals within this community with fair and impartial policing services consistent within all constitutional and statutory mandates;

- 3) Assure the highest standard of integrity and ethics among all our Officers in all interactions with the public;
- 4) Always respect the diversity and the cultural values of all people;
- 5) Take affirmative and positive steps to identify, prevent, and eliminate any instances of bias-based profiling by Stow Police Department Officers and employees;
- 6) Continue the valued commitment to a community policing philosophy and problem solving techniques (e.g., **Scanning, Analyzing, Response, Assessment**), including probative, lawful and nondiscriminatory traffic enforcement that promotes public safety and strengthens public trust, confidence, and traffic safety awareness;
- 7) Officers who have occasion to contact a person in the course of their duties and responsibilities shall be prepared to articulate sufficient reason(s) for the contact, independent of the protected characteristics of the individual;
- 8) To the extent that written documentation would otherwise be completed (e.g., arrest report, citation, 21D By Law, parking ticket), the involved Officer should include those facts giving rise to the contact, as applicable;
 - a) **Note:** Except for required data-collection forms or methods, nothing in this policy shall require any Officer to document a contact that would not otherwise require reporting in accordance with existing law.

VI. PROCEDURES:

A.

A. Prevention of Bias-Based-Profiling via Training 1.2.9 (b)

To prevent any occurrences of bias-based profiling, members of this Department shall always:

- i. Utilize the Municipal Police Training Committee (MPTC) Basic Recruit Academy and any Department sponsored in-service training programs to help ensure that all employees receive the requisite training on the legal aspects of identification and prevention against any bias-based profiling practices and the mandatory standards as established by this policy. 1.2.9 (b)
- ii. Ensure that this policy is properly disseminated to all employees, sworn Officers, and emergency communications employees;
- iii. Ensure that all Supervisors will continually monitor employee conduct to guarantee that the standards of this policy are being carried out in a continuous manner by all personnel under their supervision;
- iv. Conduct a documented review by the Lieutenant, when and where appropriate, to revise procedures that involve the stop, detention, apprehension or search and seizure of individuals or their property to ensure that such procedures are in compliance with the provisions of the law of the Commonwealth and this policy;

1. Conduct a documented Annual Administrative Review by the Lieutenant of all performance recognition and evaluation systems, training curricula, policies, citizen complaints or concerns and customs of the Department to determine if any practice encourages conduct that may support or lead to bias-based profiling. This documented review shall be sent to the attention of the Chief of Police for appropriate follow up if necessary. [1.2.9 \(d\)](#)

B. Identification of Bias-Based Profiling:

To assist in identifying instances or allegations of bias-based profiling, this department shall:

1. Utilize appropriate civilian complaint procedures to document and investigate allegations of bias-based profiling filed directly with the agency, referred through the Executive Office of Public Safety's statewide toll free complaint number or made directly to the POST Commission.
2. Utilize procedures for the proactive review of performance, complaint and other employment information to assist supervisors in identifying and modifying potentially problematic behavior and to promote professionalism in this department.
2. Utilize procedures to identify patterns of unprofessional police conduct, including, but not limited to, patterns of conduct that is biased on the basis of race, ethnicity, sex, gender identity, sexual orientation, religion, mental or physical disability, immigration status or socioeconomic or professional level;
2. Any civilian complaints of bias-based policing, including whether the Officer's conduct was allegedly biased on the basis of race, ethnicity, sex, gender identity, sexual orientation, religion, mental or physical disability, immigration status or socioeconomic or professional level, shall be reported to the **POST Commission's Division of Police Standards** by the Lieutenant or Chief of Police **within two (2) days** of receiving stated complaint.
2. The **POST Commission's Division of Police Standards** shall create and maintain a comprehensive database containing information related to an Officer's receipt of complaints and related information, including, but not limited to the officer's appointing agency, date, a description of circumstances of the conduct that is the subject of the complaint and whether the complaint alleges that the officer's conduct was biased on the basis of race, ethnicity, sex, gender identity, sexual orientation, religion, mental or physical disability, immigration status or socioeconomic or professional level.
2. The **POST Commission** may, after a hearing, **suspend or revoke** an Officer's **Certification** if the Commission finds by the legal standard of **clear and convincing evidence** that the officer was biased on the basis of race, ethnicity, sex, gender identity, sexual orientation, religion, mental or physical disability, immigration status or socioeconomic or professional level in their conduct.

C. Enforcement of Bias-Based Profiling Policy: [1.2.9 c](#)

To enforce the provisions of this policy, this Department shall:

1. Take the appropriate actions to address documented incidents or allegations of bias-based profiling;
2. Utilize a system and approach of early intervention to enable and encourage an employee to undertake a voluntary modification of his or her conduct or performance; and
3. Take the appropriate measures to correct any institutional practice, pattern or policy that has led to the utilization of any bias-based profiling practice.

D. Civil Liability [Legal Statutory Right to Bias-Free Policing]:

1. All persons shall have the legal right to **Bias-Free Professional Policing** as defined in this policy in Section (2) and as outlined in MGL Chapter 6E Section 1.
- 9) Any conduct taken in relation to an aggrieved person by a law enforcement officer acting under color of law that results in the **Decertification** of said law enforcement officer by the **POST Commission** pursuant to MGL Chapter 6E Section 10 shall constitute interference with said person's right to bias-free professional policing and shall be a prima facie violation of said person's right to bias-free professional policing and a prima facie violation of subsection (a).
- 10) No law enforcement officer shall be immune from civil liability for any conduct under color of law that violates a person's right to bias-free professional policing if said conduct results in the law enforcement officer's decertification by the POST Commission pursuant to MGL Chapter 6E Section 10;
 - Provided, however, that nothing noted herein shall be construed to grant immunity from civil liability to a law enforcement officer for interference by threat, intimidation or coercion, or attempted interference by threats, intimidation or coercion, with the exercise or enjoyment any right secured by the constitution or laws of the United States or the constitution or laws of the Commonwealth if the conduct of said officer was knowingly unlawful or was not objectively reasonable.
1. Pursuant to Section 83 of the newly enacted Police Reform Legislation [**An Act Relative to Justice, Equity, and Accountability in Law Enforcement in the Commonwealth**], Section 63 of Chapter 90 of the MGLs, inserted by section 10 of Chapter 122 of the Acts of 2019, is hereby amended by adding the following subsection: to the so-called "Hands Free / Data Collection Law".

(h) A law enforcement agency, as defined in MGL Chapter 6E Section 1, **shall not** engage in racial or other profiling. The Attorney General may bring a civil action in the superior court for injunctive or other equitable relief to enforce this subsection. For the purposes of this subsection, "**racial or other profiling**" shall mean differential treatment by a law enforcement officer based on actual or perceived race, color, ethnicity, national origin, immigration or citizenship status, religion, gender, gender identity or sexual

orientation in conducting a law enforcement action, whether intentional or evidenced by statistically-significant data showing disparate treatment;

11) Provided, however, that “**racial or other profiling**” shall not include the use of such characteristics, in combination with other factors, to apprehend a specific suspect based on a description that is individualized, timely and reliable.

1. The **POST Commission** shall have the power to refer patterns of **racial profiling** or the mishandling of complaints of unprofessional police **conduct by a law enforcement agency** for investigation and possible prosecution to the Attorney General or the appropriate federal, state or local authorities;

12) Provided, however, that if the Attorney General has reasonable cause to believe **that such** a pattern exists based on information received from any other source, the Attorney General may bring a civil action for injunctive or other appropriate equitable and declaratory relief to eliminate the pattern or practice.

VII. SUPERVISOR RESPONSIBILITIES:

- 13) Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the steps outlined in the Internal Affairs Investigation Policy.
- 14) Supervisors shall always discuss any concerns with the involved Officer face to face - in private whenever possible - in a timely manner.
- 15) Supervisors shall initiate investigations of any actual or alleged violations of this policy.
- 16) Supervisors shall take prompt and reasonable steps to address any retaliatory action that may be taken against any member of this Department who discloses information concerning any bias-based policing practice by another member.

VIII. TRAINING:

- The **Municipal Police Training Committee (MPTC)** , in consultation with the Executive Office of Public Safety and Security (EOPSS), shall establish and develop an **In-Service Training Program** designed to train local law enforcement officials in practices and procedures related to **Bias-Free Policing** which shall include **examining attitudes and stereotypes that affect the actions and decisions of law enforcement officers** ;
- Training on fair and impartial policing and review of this policy should be conducted at periodic intervals as directed by the Professional Standards Division during In-Service Training and Roll Call Training Sessions.
- All sworn members of this Department shall attend training on the subject of Bias-Free Professional Policing at the MPTC ROC and at applicable intervals at Department In-Service Training.

- All Stow School Resource Officers (SROs) shall be trained in **anti-bias, anti-racism and anti-harassment strategies.**
- All members of this Department are encouraged to familiarize themselves with and consider racial and cultural differences among members of this community.
- Each sworn member of this Department who received initial bias-based policing training will thereafter be required to complete an approved refresher course three (3) years, or sooner if deemed necessary, in order to keep current with changing racial, identity and cultural trends.

BODY ARMOR

STOW POLICE DEPARTMENT POLICY & PROCEDURE NO. 4.11	ISSUE DATE:
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 41.3.5; 41.3.6	EFFECTIVE DATE:
	REVISION DATE:

A. GENERAL CONSIDERATIONS AND GUIDELINES

Soft, concealable body armor is designed to protect the wearer against projectiles fired by most handguns and shotguns. Its effectiveness depends upon the protection rating. Soft body armor is not designed to protect the wearer from medium to high power rifle projectiles.

Heavier body armor made of ceramic plates may protect against multiple impacts from rifle fire, but it is generally too heavy and inflexible to be worn during normal patrol duties and is generally relegated to special operations.

Soft body armor may protect against improvised weapons, such as broken bottles, but is usually not effective against knives or ice picks unless it is designed, manufactured and rated as such. Sharp, pointed instruments used in a stabbing motion may penetrate body armor and could deliver a fatal injury. Slashing knife attacks may be resisted.

While body armor provides a significant level of protection, it is not a substitute for the observance of officer safety procedures and sound tactics. The purpose of this policy is to provide law enforcement officers with guidelines for the proper use and care of body armor.

B. POLICY

It is the policy of this department to:

- A. Maximize the officer protection available through the use of body armor in combination with prescribed safety procedures; and

[OPTIONAL]

- B. Strongly recommend that uniformed and non-uniformed officers wear concealable, soft body armor while engaged in field activities both on duty and during extra-duty employment, e.g., detail, overtime, etc.

OR

Require that uniformed and non-uniformed officers wear concealable, soft body armor while engaged in field activities both on duty and during extra-duty employment, e.g., detail, overtime, etc., unless exempt by the provisions of this policy.

C. DEFINITIONS

C. *Field Activities*: Duty assignments and/or tasks that place or could reasonably be expected to place officers in situations where they would be required to act in enforcement rather than administrative or support capacities.

D. PROCEDURES [41.3.5]

D. Authorized Body Armor

All body armor worn must be agency-issued or authorized.

The body armor must comply with protective and related requirements prescribed under current standards of the National Institute of Justice.

E. Issuance of Body Armor

AVAILABILITY OF BODY ARMOR: All full-time sworn officers shall be issued and expected to wear soft body armor that is provided by the Stow Police Department.

INITIAL ISSUE: Upon beginning employment with this agency and prior to working in the field,

...all full-time, sworn officers shall be issued concealable, soft body armor. Part-time officers must provide their own body armor.

REPLACEMENT ISSUE

The life expectancy of soft body armor is approximately five years.

Body armor that is no longer serviceable due to wear or service- connected damage shall be replaced by the department.

Employees requiring replacement body armor shall contact **the Services Division Supervisor in writing so that a proper replacement can be issued.**

F. Use of Body Armor

FIELD OPERATIONS

Uniformed Officers: Officers who are assigned to a uniformed function are required to wear body armor while engaged in field activities, both on duty and during paid details, unless exempt as follows:

- A. When the department determines that circumstances make it inappropriate to mandate wearing body armor; or
- B. When an agency-approved physician determines that an officer has a medical condition that would preclude wearing body armor.

Plain Clothed Officers: Officers who are assigned to a non-uniformed function are strongly required to wear body armor while engaged in field activities, both on duty and during paid details, unless exempt as follows:

- C. When the officer is involved in undercover or plain clothes work that his/her supervisor determines could be compromised by wearing body armor;
- D. When the department determines that circumstances make it inappropriate to mandate wearing body armor; or
- E. When an agency-approved physician determines that an officer has a medical condition that would preclude wearing body armor.

In such instances when body armor is not worn while the officer is engaged in field activities, the body armor must be immediately available to the officer, generally carried in the officer's vehicle with other equipment.

ADMINISTRATIVE OFFICERS

Officers assigned to administrative duties are generally not required to wear body armor while performing those administrative duties.

When administrative officers perform uniformed or non-uniformed field activities, they must comply with body armor wear requirements for officers involved in field activities.

When not being used, body armor must be immediately available to the employee. Body armor may be stored in:

- F. The officer's work area;
- G. The officer's locker; or
- H. The officer's vehicle.

Firearms Training: All employees involved in training which involves handling of loaded firearms shall wear body armor during such training.

High Risk Situations: The wearing of body armor may be mandated by a supervisor during pre-planned, high risk situations, such as high risk search or arrest warrants or responding to an active shooter. [41.3.6]

INSPECTIONS OF BODY ARMOR

Supervisors shall be responsible for ensuring that body armor is worn as required by this policy through routine observation and periodic documented inspections.

Cleaning, maintenance and inspection of body armor are the responsibility of the wearer.

G. Care and Maintenance of Body Armor

Officers shall routinely inspect personal body armor for signs of damage or wear and for general cleanliness. Unserviceable body armor shall be reported to the wearer's supervisor.

As dirt and perspiration may erode ballistic panels, each officer shall be responsible for cleaning personal body armor in accordance with the manufacturer's instructions.

Officers are responsible for the proper storage, maintenance and care of body armor in accordance with manufacturer's instructions.

COMMUNICATIONS

STOW POLICE DEPARTMENT POLICY & PROCEDURE NO. 4.12	ISSUE DATE: _____
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 74.1.3; 81.2.3; 81.2.4; 81.2.5(a)(b)(e); 81.2.6; 81.2.11; 81.2.12; 81.2.13; 81.2.14; 8.2.15	EFFECTIVE DATE: _____
	REVISION DATE: _____

A. GENERAL CONSIDERATIONS AND GUIDELINES

The basic task of the communications function is to convey information. For members of the public who request information or services, employees who respond to calls for assistance, and other law enforcement and public service agencies, communications personnel are the vital link.

The speed and accuracy with which information flows through Communications to the person who needs it is a measure of this police department's capability to respond to the needs of our employees and the community we serve.

B. POLICY

It is the policy of the department to:

- A. Maintain an efficient flow of information essential to the functions of the department and the community it serves; and
- B. Continually assess the effectiveness with which the department utilizes available information technology in fulfillment of the department's missions.

III. DEFINITIONS

AVAILABILITY STATUS: The ability of an employee to respond to a call for service at a given time (in service, out of service, off at a call, etc.).

D. PROCEDURES

Organization and Administration

GENERALLY: The Communication Center for this department is located 305 Great Rd and is continuously staffed to operate twenty-four hours per day. It is under the command of the Chief of Police and is the responsibility of the shift supervisor, OIC or the Dispatch Supervisor when absent.

DISPATCHER

A. The dispatcher is responsible for performing the communications function. Dispatcher duties include:

1. Answering business line and E9-1-1 telephones;
2. Communicating with and providing information and resources to employees in the field;
3. Monitoring officer status indicators in the Computer Aided Dispatch System Coordinating public safety response to calls for service;
4. Advising the shift supervisor of important incidents and unsafe situations;
5. Fielding inquiries from the public and, where appropriate, responding to or directing them to the appropriate person or agency;
6. CJIS operation; and
7. Communicating with other public safety agencies and service providers.

SHIFT SUPERVISOR

B. The Shift Supervisor oversees and commands all aspects of the given shift on duty.

C. The Shift Supervisor is responsible for monitoring all radio transmissions to ensure that the appropriate resources (responses) are assigned. Any directions or assignments that flow through the communications personnel are a direct delegation of the Chief of Police. The Shift Supervisor and other officers maintains contact with the Dispatch Center either by radio, telephone, or other means for immediate access. [81.2.5(a)]

D. The Shift Supervisor provides communications personnel with a current duty roster of personnel. [81.2.5(b)]

E. The Shift Supervisor ensures that the policies and procedures of the department are followed and maintained by communications personnel.

PERSONNEL IN THE FIELD: Officers and other employees working in the field shall be responsible for:

F. Monitoring all radio transmissions;

G. Answering promptly when called by the Dispatch Center;

H. Promptly advising Dispatch of any change in duty status (in service, out of service, etc.);

I. Keeping the Dispatch Center apprised of their location during those functions that may pose a danger to them or other officers responding to the scene;

J. Informing the Dispatch Center of the need for more or fewer units to respond; and

K. Relaying any information that may enhance officer safety or assist in the proper response to a given call for service.

Receiving Service Requests

GENERALLY

L. Calls may be received by telephone, radio, persons walking in to the police station, or any number of means.

M. E9-1-1 lines shall be answered first.

N. Be prepared to handle emergency calls on any line.

ANSWERING OF TELEPHONES

O. The telephone shall be answered promptly and courteously; priority shall be given to answering calls on E9-11 and then other emergency lines.

P. E9-1-1:

8. Calls received on E9-1-1 should be answered, "9-1-1. This call is being recorded. What is your emergency?"
9. Check the Automatic Location Indicator (ALI) screen.
10. Confirm the address of the incident with the caller.
11. Do not pass the ANI/ALI screen information along to the caller.

Q. Seven Digit Emergency Number or Business Line Calls

12. Emergency and business lines answered in the Communications Center should be answered, "Stow Police Department. This call is being recorded, Dispatcher/Officer name".

R. If the call is a call for service, the dispatcher should note the priority of the caller's needs in the event that another line rings.

S. When a call is received at another extension, the answering employee should answer the phone courteously by name, such as, "Stow Police Department, Dispatcher/Officer name, May I help you?"

DETERMINING CALL PRIORITY

T. Emergency Calls [81.2.6(a)]

13. Obtain sufficient information to determine if the call is an emergency:
 - a. Is the call is valid?
 - b. Is the emergency "in progress" or has it just occurred?
 - c. Is there a potential for injury or death?
14. Advise the caller of the agency's response, including directing public safety services or transferring the call to the appropriate resource. [81.2.6(b)]
15. Keep the caller on the line and ask the caller to stand by.
16. Dispatch appropriate response resources, or transfer the call as appropriate.
17. Continue to gather call details.
 - d. Obtain additional and updated information.
 - e. Advise responding units.
 - f. Maintain contact with the caller until help arrives and responders make contact with the caller.

U. Fire Calls

18. If the call is being placed from a location away from the fire, **[obtain the appropriate information and dispatch the fire response]**. If the call is being placed from the building that is on fire:
 - g. Ascertain the location and advise the caller that all persons in the building should leave immediately.
 - h. Ask the caller to go to the nearest phone in a safe location and call back with details about the fire.
 - i. Dispatch fire response with the information available.
 - j. Obtain additional information as calls are received

V. Non-Emergency Calls

19. Handle non-emergency calls as promptly as possible.
20. Advise the caller that a unit will respond as soon as possible.
21. Explain the reason for any delays.

22. Advise the caller to call back if any situations change.

MULTIPLE CALLS

W. Callers may be put on hold if necessary.

X. Determine the priority of the call.

Y. Handle the calls in order of priority.

Z. Multiple calls may be received for a single incident. Advise additional callers as such.

AA. Ensure that multiple callers do not have a different emergency from the one being handled.

HOLD

BB. Always preface putting a caller on hold with a brief statement and explanation of the reason why.

CC. Get back to the original caller as soon as possible.

DD. Under busy conditions, this process may have to be repeated.

EE. Callers should not be put on “hold” for any longer than necessary.

CALL TRANSFERS

FF.E9-1-1 Calls

23. Calls first received at this PSAP may be transferred as appropriate.

24. Calls received as a transfer from another PSAP may not be transferred again. No E9-1-1 caller shall be procedurally required to speak with more than two call takers, the primary PSAP and the remote agency call taker.

25. When transferring a call to another agency or service provider, advise the caller that [s]he is being transferred and where [s]he is being transferred to, and stay on the line until the call is answered and the caller is being helped.

GG. Seven Digit Emergency Number or Business Line Calls

26. If the call is for an emergency, obtain the caller’s name, phone number and the nature of the emergency prior to the transfer.

27. Advise the caller that [s]he is being transferred and where [s]he is being transferred to.

MISDIRECTED CALLS

HH. E9-1-1 Calls: Callers may be transferred only once.

28. If the call was made directly to the PSAP, the call may be transferred to the appropriate agency.

29. If the call was transferred to this PSAP, record the appropriate information and contact the correct agency that can best handle the caller’s needs.

II. Seven Digit Emergency Number or Business Line Calls

30. Emergency Calls: If the call is an emergency, take all pertinent information and transfer the call or relay the information to the appropriate agency. [81.2.12]

31. Non-Emergency Calls: If the call is not an emergency, refer the caller to the appropriate agency. If possible, supply the caller with the appropriate telephone number.

Obtaining Service Request Information

CALLS NOT REQUIRING POLICE RESPONSE

JJ. Dispatchers may respond to caller requests for information, such as directions, hours of operations, and referrals to other agencies.

KK. Dispatchers may respond to procedural questions for which they are knowledgeable or for which written procedures are readily available.

LL. If the request involves police procedures, the dispatcher shall forward the call to an officer in the station, if available, or take the caller's information for an officer to return the call.

MM. Dispatchers are not authorized to give legal advice.

INFORMATION FROM THE REPORTING PARTY: Obtain as much of the following information as possible when a request for service is received: [81.2.3]

NN. Name and address of complainant, and call-back number;

OO. Location of the incident;

PP. Nature of the incident being reported:

32. WHAT is wrong, is happening, or happened?

33. WHERE is it happening, or did it happen?

34. WHEN did it happen, will it occur, did the caller notice?

35. HOW the caller is involved, how many are involved, how often does it occur?

36. WHO is involved?

37. WHY is it happening, did it happen, or is the person there?

CREATING INCIDENTS: Dispatchers shall create an incident using IMC CAD system. The following fields are critical to properly documenting the incident:

QQ. Incident number (assigned by the software); [81.2.3(a)]

RR. Date and time that the incident was reported (usually filled in by the software); [81.2.3(b)]

SS. Name and address of the complainant (if given); [81.2.3(c)]

38. There is a statute that specifies that the location and street address of all domestic violence programs are absolutely confidential and shall not be required to be revealed in any criminal or civil proceeding.

39. "Domestic violence victims' program" under this law includes any refuge, shelter, office, safe home, institution or center established for the purpose of offering assistance to victims of abuse through crisis intervention, medical, legal or support counseling.

40. Use the address of the police department when referring to the location of such a shelter or other residential program.

TT. Incident type (selected by the dispatcher); [81.2.3(d)]

UU. Incident location; [81.2.3(e)]

VV. Responding employees, primary and backup; [81.2.3(f)]

WW. Time of dispatch (usually entered by software); [81.2.3(g)]

XX. Time of arrival (usually entered by software); [81.2.3(h)]

YY. Time employee returned back in service; [81.2.3(i)] and

ZZ. Disposition or status of reported incident. [81.2.3(j)]

REPORTS RECEIVED BY MAIL, E-MAIL OR TELEPHONE [81.2.14]

AAA. When crime or incident reports are received by mail, e-mail, or other alternate means, in lieu of a police response, they shall be forwarded to **OIC** who will screen the complaint and handle the report or forward it to the appropriate office.

BBB. **[OPTIONAL]** The following methods of receiving complaints will generally be accepted in lieu of speaking with an officer: US Mail, e-mail, or FAX.

CCC. These reports may be received from within or outside of this jurisdiction, provided that the report would be accepted if an officer was directed to respond:

- 41. Reports of incidents which do not require an investigation;
- 42. Reports of incidents which do not require police observations;
- 43. Reported crimes that are misdemeanors;
- 44. Value of lost property that is under \$250:
 - k. Theft from yards or open spaces (no unlawful entry into a structure);
 - l. Lost property (license plates may not be taken in this method);
- 45. Bicycle theft; and
- 46. Annoying phone calls (not requiring follow-up).

DDD. Incidents alternately reported which do not meet this criteria shall be followed up by patrol personnel.

Dispatching Calls

CRITERIA FOR ASSIGNMENT

EEE. The dispatcher will maintain the status of available officers in a visual format. This is normally done by the departments CAD system. [81.2.5(e)]

FFF. Response Assignments

- 47. The dispatcher will normally assign officers to each call based upon predetermined criteria.
- 48. The shift supervisor may vary the number of responders to a given call.

DISPATCHING RESPONDERS

GGG. Available units will normally be listed in CAD as "Available."

HHH. Dispatchers shall assign responding units based upon:

- 49. The unit's area of assignment;
- 50. Availability;
- 51. Nature of the call; and
- 52. Location at the time of the call.

III. Responding units shall be dispatched by radio so that other units are aware of the call, unless the nature of the call dictates the need for secrecy. **[OPTIONAL – In addition to the radio transmission, the call may also be dispatched by MDT.]**

JJJ. When responders are dispatched, their status shall be changed to "Dispatched."

KKK. When enroute, status will be changed to enroute

LLL. As each responder arrives, the dispatcher shall change the status of the responder to "Arrived" in CAD. [81.2.4(b)]

MMM. When responding units finish the call and go back in service, the dispatcher shall change the responders' status to "Available" in CAD.

MULTIPLE OFFICER RESPONSE: The following types of incidents require two or more officers to respond: [81.2.4(e)]

- NNN. All code one response calls;
- OOO. Disturbances;
- PPP. Officer requests for emergency assistance or duress alarm; [81.2.4(g)]
- QQQ. Fleeing suspect(s);
- RRR. Crimes in progress;
- SSS. Domestic disturbances;
- TTT. Alarms;
- UUU. Drug law violation;
- VVV. Assaults or crimes of violence;
- WWW. B&E/Burglary;
- XXX. Noise complaints;
- YYY. Sex offenses;
- ZZZ. Warrants (when served);
- AAAA. Weapons violations; and
- BBBB. Robberies.

RESPONSE REQUIRING A SUPERVISOR [81.2.4(F)]

CCCC. A supervisor shall normally respond to and take command of the following types of incidents:

- 53. Missing child;
- 54. Robbery;
- 55. School disturbance;
- 56. Murder;
- 57. Hostage situations;
- 58. Bomb threats, bombings, large scale fires or conflagrations and the discovery of suspicious materials;
- 59. Unattended deaths or the discovery of dead bodies;
- 60. Major civil disturbances, whether organized or not;
- 61. Incidents where an employee's actions result in officer, citizen or suspect injuries;
- 62. Raids on property or premises;
- 63. Serious crimes or incidents which are potentially dangerous to officers or the public; and
- 64. Accidents involving police **[optional: municipal]** vehicles.

DDDD. When staffing is inadequate, mutual aid, including calls to the State Police, may be appropriate, at the discretion of the shift supervisor.

COMMUNICATING WITH FIELD PERSONNEL

EEEE. Field personnel shall communicate with the dispatcher by radio **[or MDT]** the following circumstances: [81.2.4(a)]

- 65. When available for calls;
- 66. Upon arriving at a call or assignment;
- 67. Upon completing a call and returning to service;

- 68. Prisoner transfers, beginning and ending;
- 69. Citizen transportation, beginning and ending;
- 70. When going out of service for: [81.2.4(b)]

- m. Reports;
- n. Dinner break;
- o. Administrative duties;
- p. Leaving the jurisdiction on an assignment; and
- q. Court.

FFFF. Field personnel shall communicate with the dispatcher by telephone or an alternative, secure means when privacy or secrecy necessitates refraining from using public air waves. These include: [81.2.4(a)]

- 71. Complainant's name;
- 72. Victims' names;
- 73. Non-published telephone numbers; and
- 74. The names of severely injured or deceased persons.

GGGG. All radio users shall identify themselves and communicate using assigned call signs. First names should not be used. [81.2.4(c)]

HHHH. If the dispatcher finds it necessary to put an officer on "standby" for any reason (e.g., an urgent phone call), [s]he shall be responsible for re-establishing contact with the officer as soon as possible.

IIII. When communicating with interacting outside agencies, the agencies shall be referred to by their call sign if known, rank and name, or agency and vehicle number. [81.2.4(d)]

NON-RESPONSE TO RADIO COMMUNICATIONS

JJJJ. If, after calling a unit twice, the dispatcher receives no answer, the dispatcher should continue to contact the unit again. Alternative methods of communication such as cell phone or MDT may be used.

KKKK. If the call requires an immediate response, another unit will be dispatched.

LLLL. If the unit cannot be reached after a reasonable period of time, the dispatcher should inform field units and the shift supervisor to look for and make contact with the employee.

Field Initiated Situations: PURSUITS: The communications procedures for pursuits are found in the department policy on **Vehicular Pursuits**.

Alarms

RESPONSE TO ALARMS [81.2.13]

MMMM. It is the policy of the department to respond to all alarms.

NNNN. Upon receipt of an alarm, at least two officers shall be dispatched.

OOOO. If only one officer is on duty, a mutual aid officer will be started by the dispatcher.

PPPP. Responding officers will advise Communications of their arrival, check the exterior of the building, and report their findings back to Communications.

QQQQ. Upon discovery of an unsecured building, after advising Communications, the officers may enter the building to search for an intruder, provided adequate assistance is available. A canine unit may be appropriate.

RRRR. Officers may be recalled from alarm responses provided:

75. The request is made by a known alarm company; and

76. The request is properly authenticated or reasonably believed to authentic.

SSSS. If a “back-off” request is made by an individual, police will still respond to check the premises and contact the caretaker.

TTTT. Alarms set off by power failures, electrical storms, high winds, etc., where alarm activations are received from multiple locations, may be disregarded at the discretion of the shift supervisor.

UUUU. “Trouble Alarms” shall be handled in the same manner as a regular alarm.

ALARM REPORTS: Officers shall report all false alarms to Communications for entry into the CAD system. These reports shall be monitored, and notifications shall be made to the business or residence if it becomes apparent that the alarm has been malfunctioning.

Emergency Messages [81.2.11]

All emergency messages received by the department will be relayed and/or acted upon by the means deemed to be most appropriate by the shift supervisor.

In cases where the message was not deliverable, the dispatcher shall notify the requesting person that the message was not delivered.

These emergency messages may include but are not limited to:

VVVV. Notification of serious or life-threatening injuries or illness;

WWWW. Notification of death or serious family circumstances; and

XXXX. Other messages of an emergency nature as authorized by the shift supervisor.

Routine messages should not be delivered by members of this department.

First Aid Instructions: EMERGENCY FIRST AID INSTRUCTIONS BY EMPLOYEES [81.2.15]

Upon receiving a request for emergency first aid instructions, dispatchers shall inquire if an ambulance is needed and dispatch same as appropriate.

Employees are authorized to give emergency first aid instructions to callers over the telephone.
[81.2.15]

YYYY. Employees who may provide emergency first aid instructions must be Emergency Medical Dispatch certified.

ZZZZ. Employees must have immediate access to approved emergency medical guidelines and materials.

Persons calling on E9-1-1 lines requesting emergency first aid instructions shall be transferred to ProEms dispatch.

Persons calling on seven digit emergency or business lines requesting emergency first aid instructions for non-life threatening emergencies shall be given pre-arrival instructions as per PowerPhone protocols.

AAAAA. Employees shall take the caller’s name and call-back number.

CJIS TERMINAL

GENERALLY

BBBBB. CJIS Representative(s): The CJIS Representatives (CJIS Reps) shall act as liaisons to the CHSB to ensure the proper administration of the CJIS at agency level. A backup rep shall be selected as well.

CCCCC. The duties include:

- 77. Ensuring that training is available to all authorized CJIS users within six (6) months of employment and every two (2) years thereafter;
- 78. Providing certificates for successful training and testing;
- 79. Ensuring the validation process is completed each month;
- 80. Ensuring proper password and user maintenance, including removing users who are no longer employed or authorized;
- 81. Attending the CJIS Regional Working Group;
- 82. Ensuring timely responses to communications from CHSB;
- 83. Distribution of publications to agency as directed by CHSB, e.g., Users Agreement: A valid Users Agreement must be filed in the Department Records Section and with CHSB; [74.1.3]
- 84. Completing a new Users Agreement:
 - r. Annually, submitted by March 1 of each year; or
 - s. Within ten days of the assignment of a new CJIS Rep, backup CGIS Rep, or Chief of Police;
- 85. Completing CJIS Audits: Copies of any CJIS audits shall be filed in the Department Records Section;
- 86. Ensuring confidentiality:
 - t. Use of the CJIS system is for official criminal justice purposes only in the performance of criminal justice duties.
 - u. No CORI checks may be made for other municipal departments.
 - v. Probable Cause: With the exception of WMS warrants, a hit does not in and of itself rise to the level of probable cause. Any hit in response to a CJIS or NCIC inquiry must be confirmed with the entering agency;
 - w. Ensuring timeliness: Records in CJIS and NCIC must be entered, modified and cancelled in a timely manner to ensure maximum system effectiveness; and
 - x. Maintaining the On-Line Manual: An up to date CJIS user's manual is available on-line from the CJIS terminal.

TRAINING: Personnel assigned to Communications shall be trained and certified to the "Full Access" level and will be trained within six (6) months of beginning employment and every two (2) years thereafter.

WARRANTS [74.1.3]

DDDDD. Warrant Management System (WMS)

- 87. Queries: Warrants issued by the Massachusetts Trial Court are entered into WMS by the office of the Clerk of Courts.
- 88. Modifications: Users may conduct queries and make modifications to the "Caution" and "Remarks" fields.
- 89. Hits: A hit on a warrant in WMS is probable cause to arrest, provided that the descriptive information found in the record is an exact match, or provided the arresting officer is reasonably sure that the subject is, in fact, the same individual.
- 90. Locate: The dispatcher shall place a "Locate" on each and every warrant for the subject appearing in the CJIS system.
- 91. WMS Assistance:

- y. WMS warrant entry is made through the Clerks of Court's Office of the issuing court. Issues with a WMS warrant should first be addressed at the point of issue.
- z. The Administration Office of the Massachusetts Trial Courts has set up a help desk to assist users who may be having problems with WMS: 1-800-572-5072 or 617-742-8383.

EEEE. CJIS/NCIC Warrants

- 92. Query: CJIS/NCIC warrants are not entered by the courts and must be entered, modified and removed by an entering agency.
- 93. Entry: Warrants may be entered when the need for the warrant to be queried by law enforcement agencies outside of the Commonwealth exists.
- 94. Authorization: Prior to entering a warrant for rendition, written authorization from the District Attorney's Office must be obtained.
- 95. Required Documents: Each CJIS/NCIC entry shall include:
 - aa. A copy of the warrant (printout of WMS warrant);
 - bb. A copy of the District Attorney's Authorization for Rendition (if given);
 - cc. A copy of the incident report;
 - dd. A fingerprint card of the wanted person (if available); and
 - ee. A photograph of the wanted person (if available).
- 96. Hit: A hit on a CJIS/NCIC warrant is NOT probable cause to arrest. It must be confirmed with the entering agency.
- 97. Prompt Removal: Upon recall of a warrant, the warrant must promptly be removed from CJIS/NCIC.

BOARD OF PROBATION QUERIES (BOP)

FFFF. All officers and employees of the department as determined by the Police Chief to require CORI for the actual performance of their criminal justice duties shall have access to CORI through the BOP screen.

GGGG. The Chief of Police or his designee shall maintain a list of authorized employees by position, title, or name for inspection by the CHSB.

VEHICLES

HHHH. Queries: Queries may be made for vehicle registration numbers, vehicle identification numbers, and registered vehicle owners.

IIII. Stolen Vehicle Entry: Stolen vehicles may be entered into CJIS only if a signed theft report has been filed.

JJJJ. Stolen Plate Entry: Stolen license plates may be entered into CJIS only if a signed theft report has been filed.

KKKK. Records Availability: A copy of the stolen report must be immediately accessible to confirm the stolen status.

LLLL. Hit: A hit on a vehicle or license plate is NOT probable cause to believe the vehicle or plate is stolen. It must be confirmed with the entering agency.

MMMM. Removal: Upon recovery of the vehicle or plate, the entry must be promptly removed from CJIS.

MISSING PERSONS

NNNN. Criteria for entry:

- 98. Any age: A missing persons record may be entered for any age using one of the following:

- ff. Disability – A person who is missing under proven physical/mental disability or is senile, thereby subjecting him/her self to immediate personal danger;
 - gg. Endangered: A person who is missing under circumstances indicating that his/her physical safety may be in danger;
 - hh. Involuntary: A person who is missing under circumstances indicating that the disappearance may not have been voluntary (abduction, kidnapping); or
 - ii. Catastrophe Victim: A person missing after a catastrophe (storm, plane crash, etc.).
99. Juveniles:
- jj. Juvenile: A person who is un-emancipated and does not meet any other criteria.
 - kk. Juvenile Abduction: A person under the age of 18, and there is a reasonable indication or suspicion that the child has been abducted.
 - ll. Juvenile Foul Play: A person under the age of 18 who is missing under circumstances suggesting foul play or threat to life.

OOOOO. Timeliness

- 100. Under 21: Immediately upon notification of the incident by the reporting party, even if a written report has not yet been completed.
- 101. 21 or Older: Immediately, once a missing persons report has been completed and signed by the reporting party.

MESSAGES

- PPPPP. LP: In-State Point-To-Point Message: Used to send an administrative message to a CJIS terminal agency or up to five (5) agencies.
- QQQQQ. BC: In-state Broadcast Message: Used to send messages to one or up to five (5) areas of the state, or the entire state.
- RRRRR. NL: Out Of State Administrative Message:
 - 102. Out of state, point-to-point message to be sent to one state agency or up to five state agencies.
 - 103. Out of state broadcast message to be sent to one state or up to five (5) states. Messaging will be completed using CJIS Openfox
 - 104. Out of state regional broadcast message to be sent to one region of the country or up to five (5) regions, or the entire country.
 - 105. AF: In-State Administrative Flash Broadcast Message: Allows an agency to send an in-state broadcast message which is of an urgent or critical nature (robbery, prison escape, other exigent circumstances).

OTHER QUERIES: Other queries are available. See the CJIS Users Manual for further information.

Records Checks: Criminal Justice Agency Requests

The dispatcher may receive requests for local records checks.

- SSSSS. During business hours, such requests shall be forwarded to the Records Office.
- TTTTT. During non-business hours, dispatchers may provide local records checks and C.O.R.I. information, provided that:
 - 106. The requesting agency and employee are authorized to receive C.O.R.I.;
 - 107. The identification of the requestor is known or verified; and
 - 108. The request is entered into the C.O.R.I. log.

For further information, see the department policy on ***C.O.R.I.***

DISCIPLINARY PROCEDURES

STOW POLICE DEPARTMENT POLICY & PROCEDURE NO. 4.13	ISSUE DATE: _____
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 26.1.1, 26.1.4, 26.1.5; 26.1.6; 26.1.7; 26.1.8	EFFECTIVE DATE: _____
	REVISION DATE: _____

• GENERAL CONSIDERATIONS AND GUIDELINES

Under most circumstances, the term “discipline” is incorrectly interpreted to be solely a negative form of punishment. This directive reflects the term “discipline” in its broader sense, as in having a “highly disciplined department.” In this usage, discipline takes on a positive connotation and is associated with conformance to a set of rules, a code of ethics and a high standard of conduct that results in a departmental image of professionalism. Department disciplinary policy differentiates between exemplary performance, performance deficiencies and intentional acts.

Exemplary performance should be recognized and/or rewarded.

Performance deficiencies may be the result of the lack of training, knowledge or experience on the part of an employee and may be corrected through training or mentoring.

Intentional wrongful acts, on the other hand, are a more serious matter. An employee must make a conscientious decision to disobey a department rule or policy, or a state or federal statute. These acts may be subject to discipline up to and including dismissal and/or criminal prosecution.

This disciplinary directive enables all officers and employees to know what is expected of them and to understand that appropriate discipline will be administered when required. Essential fairness and justice are the foundation of this process.

• POLICY

It is the policy of the department that:

- A. Discipline will be administered in a fair, timely and consistent manner.
- B. When appropriate, discipline will be directed toward ensuring that employees have an opportunity to correct deficient performance.
- C. Employees are regularly told of their performance deficiencies and when sanctions are to be applied.
- D. Discipline is consistent with the seriousness of the offense and the employee's prior record.

- E. The department's disciplinary process includes training, rewarding, counseling and punitive actions in the interest of discipline.
- F. The discipline process is a positive process that is used to train and develop by instruction.

• DEFINITIONS

- G. *Discipline*: Any one of several actions designed to produce a pattern of behavior including, but not limited to, reprimand (oral and written); suspension; demotion; discharge; as well as reward, recognition, training and counseling.
- H. Note: When an employee's conduct is of such a nature that continued employment is not appropriate, termination is warranted. Nothing in this policy is meant to expand the definition of discipline contained in the Civil Service law or any applicable collective bargaining agreement.
- I. *Competent Authority*: Any person authorized by law or policy to issue orders or directives.

• PROCEDURES

J. Adherence to Directives

1. Employees will, at all times, adhere to the Laws of the Commonwealth, Rules and Regulations of the Police Department, the procedural guidelines set forth in this manual, and any other department directives. [26.1.1]
2. All sworn and non-sworn personnel, upon appointment to the Police Department, shall have access to and shall become familiar with the Police Department's Rules & Regulations Manual, Policy & Procedure Manual and other directives issued by the Chief of Police or other competent authority.
3. Employees are required to obey any lawful order of a superior, including any order relayed from a superior by an employee of the same or lesser rank.
4. Failure to comply with the Rules & Regulations, to adhere to the Policies & Procedures of the Police Department, to obey the orders of a superior, or to obey any other directives issued by a competent authority may result in disciplinary action against an employee.

K. Role and Authority of the Supervisor [26.1.5]

5. FIRST LINE SUPERVISORS

- a. The first-line supervisor's familiarity with his/her personnel allows him/her the best opportunity to observe or foresee disciplinary problems and to determine the most appropriate methods to deal with them.
 - b. First line supervisors bear the primary responsibility for the conduct, discipline, and performance of all personnel under their supervision and the basic accountability for failure to take warranted disciplinary action.
 - c. They shall be responsible for recognizing poor performance and for uncovering any evidence of corruption, dishonesty, or malfeasance by personnel under their command.
6. All supervisors have a duty to ensure that discipline is maintained within the department. It must be remembered that discipline can be positive in nature and may include recognizing and rewarding exemplary performance, training, and counseling.
 7. The following is an outline by rank and command level of authority of supervisors to discipline their subordinates: (Each supervisor should also be aware of his/her duties as specified in the Police Department Manual and Rules and Regulations):
 - d. Sergeants have the authority to counsel, evaluate, praise, issue letters of commendation in recognition of exemplary individual performance, and recommend for awards and decorations. They also have the

authority to orally reprimand, issue letters of counsel, and recommend a formal written reprimand or more serious punitive disciplinary action, as appropriate.

- e. The Lieutenant has all of the above authority and additionally the authority to issue letters of reprimand and letters of commendation in recognition of individual or group achievements.
 - f. The Chief of Police has all the above authority, plus the authority in accordance with the law and the provisions of any applicable collective bargaining agreement to impose punishment.
 - g. Any superior officer who is directed to act in the capacity of a rank above his/her ordinary or usual rank shall, for that period of time, possess the authority of that rank.
8. All supervisors have the authority to initiate an emergency suspension with pay and relieve from duty an employee whom they deem to be unfit for duty. Supervisors may suspend any employee for the balance of a work day under any of the following conditions:
- h. Prescription drugs or a controlled substance;
 - i. Insubordination or misconduct;
 - j. Any violation of criminal law;
 - k. Any violation of department rules and regulations that would subject the violating employee to discipline;
 - l. Falsifying a statement or record;
 - m. Abusing, stealing, damaging, destroying, or defacing property or equipment of the department or others;
 - n. Any time the officer is not fit for duty.
9. Supervisors will notify the Chief of Police of any instance where an employee has been suspended under any of the above circumstances. The suspending supervisor will submit a detailed report to the Chief of Police at or prior to the end of the shift.

L. Types of Discipline [26.1.5]

10. POSITIVE

- o. Letters of Commendation are given for exemplary performance or achievements and for awards and decorations for accomplishments or heroism.
- p. Supervisors may submit a written recommendation and appropriate supporting documentation through their chain of command to a superior who is authorized to issue such letter, award or decoration.

11. CORRECTIVE:

- q. Counsel employee: to correct performance deficiencies. Document the condition(s) that prompted the counseling session and corrective action expected. Maintain the results for review, and file the documentation at 305 Great Rd, Stow, MA. [26.1.4(b)]
- r. Remedial training: when training, job knowledge, or experience is at the root of performance deficiency. Document the employee's shortcomings, deficiencies, or lack of expertise. Take immediate steps to retrain in deficient areas or schedule for training. Maintain the results for review, and file the documentation with the Chief of Police. [26.1.4(a)]

12. PUNITIVE: First line supervisors will forward recommendations for punishment and all supporting documentation in writing to the Chief of Police. It will be the decision of the Chief of Police to determine if punishment is warranted. [26.1.4(c)]

M. Imposition of Punishment [26.1.5]

13. Notice of Disciplinary Action: In all cases where punitive discipline is imposed, Notice of Disciplinary Action will be served in writing prior to the effective date of imposition. The Notice will include violation(s) specifications, the disciplinary action to be taken, and the effective date of imposition of discipline.
14. If punishment is warranted, the type of punishment and effective date of imposition will also be determined as follows: [26.1.5]
- s. Counseling: (informal conference and/or oral reprimand) – the lowest level of punishment which may be appropriate when other methods have failed to bring about an appropriate change in performance or in response to minor intentional misconduct.
 - t. Written warning or deficiency notice: the second level of punishment for minor offenses with some recent disciplinary action, or moderately serious offenses with little or no recent, prior disciplinary action. Written warnings should include the following:
 - 1) Details of Offending Conduct: specify dates, times, persons present, location, etc.
 - 2) Rules Violated: list which rules and regulations or what orders or standards of conduct were involved.
 - 3) Require Future Conduct: make it clear what conduct is required. Specify an *order* if there is any doubt.
 - 4) Signatures: the supervisor should sign and request the employee to sign also (acknowledging *receipt* not necessarily admitting wrong). Note a refusal by an employee to sign the receipt. Refusal to do so is insubordination and may result in additional discipline.
 - 5) Comments by Employee: provide space for employee comments or rebuttal, or afford the employee the opportunity to submit a written reply and have it attached to the written notice/warning.
 - u. Punishment Duty: Extra, unpaid duty in lieu of suspension, not in excess of three days may be imposed by the Chief of Police or his designee.
 - v. Suspension: for a moderately serious offense with some recent disciplinary action or for a serious offense. The severity of offense should be commensurate with the length of suspension.
 - 6) Short Term Suspension - of not more than three days may be imposed by the Chief of Police or his designee.
 - 7) Long Term Suspension: of four days or more may be imposed by the Chief of Police or the Town's Personnel Administrator.
 - 8) Demotion: In lieu of dismissal for a supervisor. A demotion of one or more ranks may be imposed by the Chief of Police or the Town's Personnel Administrator.
 - 9) Dismissal: for the most serious of offenses, patterns of misconduct or deficient performance.
 - 10) The discharge of an employee may be directed by the Town's Personnel Administrator and the Board of Selectmen.
15. In the event that an employee is dismissed, the Town's Personnel Administrator or the Board of Selectmen shall ensure that the employee to be dismissed is provided with a written notice advising of the following [26.1.7]:
- w. The reason for dismissal;
 - x. The effective date of dismissal;
 - y. The status of fringe benefits after dismissal; and
 - z. The status of retirement benefits after dismissal.

N. Appeals: Employees may appeal their disciplinary action imposed in accordance with the employee's respective collective bargaining agreement [or M.G.L. c 31, s 41-45]. [26.1.6]

O. Records: Disciplinary records shall be maintained in the personnel files of the affected employee by the Chief of Police. For further information see the department policy on Agency Records. [26.1.8]

A.

B.

C.

IN-CAR VIDEO RECORDING

STOW POLICE DEPARTMENT POLICY & PROCEDURE NO. 4.14	ISSUE DATE:
ACCREDITATION STANDARDS REFERENCED: 41.3.8	EFFECTIVE DATE:
	REVISION DATE:

A. GENERAL CONSIDERATIONS AND GUIDELINES

The use of a mobile video recording (MVR) system provides persuasive documentary evidence and helps defend against civil litigation and allegations of officer misconduct. The goal of this department's in-car camera program is to ensure that **[audio]** visual recordings provide as true and accurate a depiction of events as is reasonably possible, in order to provide the best possible evidence and documentation of events. Experience has shown that those agencies using mobile audiovisual recording equipment in patrol vehicles have much higher conviction rates and substantial reductions in the amount of time officers spend in court.

In many cases, accurate and reliable recordings can help defend officers and the department against false accusations and unjustified litigation. The use of mobile video cameras in police vehicles can also give patrol officers added protection against false accusations of police misconduct during traffic stops.

In instances where an officer is injured or killed, investigating officers can review the audiovisual recording and, through video forensics, clarify and identify evidence that can lead investigators to specific persons or vehicles. The chance of apprehending offenders in these instances is dramatically improved and can save hundreds of hours of investigative time.

The purpose of this policy is to provide officers with guidelines for the use, management, storage, and retrieval of audio-visual media recorded by in-car video systems.

B. POLICY

It is the policy of this police department to:

- A. Video record motor vehicle stops, pursuits and police responses in vehicles equipped with recording equipment; and,
- B. Retain video recordings pursuant to records retention standards set forth by the Secretary of the Commonwealth, and make the video available for court and other proceedings.

C. DEFINITIONS

- C. *Recorded media*: Refers to audio-video signals recorded on any of several storage devices, including analog tape (VHS, SVHS, Hi 8mm), digital tape (DV), or other portable digital storage devices (CD, DVD, hard drive, etc.).
- D. *In-Car Camera System and Mobile Video Recorder (MVR)*: Synonymous terms referring to any system that captures audio and video signals capable of installation in a vehicle, and that includes at minimum, a camera, microphone, recorder, and monitor.
- E. *MVR*: Mobile Video Recorder.
- F. *MVR Manager*: An employee assigned by the Chief of Police to oversee the operational use of and coordinate maintenance of MVRs, media duplication, storage and retrieval, and procedures.
- G. *Degaussing*: Electronic cleansing of magnetic recording media.

D. PROCEDURES

[AUDIO RECORDING IS OPTIONAL. THIS POLICY IS GEARED TOWARD RECORDERS USING REMOVABLE MEDIA, SUCH AS TAPES OR DVDS. PLEASE EDIT THIS POLICY AS APPROPRIATE.]

H. Duties and Responsibilities

OFFICERS' RESPONSIBILITIES [41.3.8]

The inspection and general maintenance of MVR equipment installed in departmental vehicles shall be the responsibility of the officer assigned to the vehicle.

MVR equipment shall be operated in accordance with the manufacturer's recommended guidelines and departmental training and policies.

Prior to beginning each shift, 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. Camera Lens:

1. Windshield and camera lens free of debris; and
2. Camera facing intended direction.

B. Recording mechanism:

3. System capturing **[both audio and]** video; and
4. System playing back **[both audio and]** video tracks.

C. Malfunctions, damage or theft of in-car camera equipment shall be reported to the officer's immediate supervisor prior to placing the unit into service. A subsequent written report shall include information on the suspected cause(s) of equipment failure and any recommendations for corrective action.

4) **[Optional]** Remote Audio Transmitter functional:

5. Adequate power source;
6. Connection to the recording equipment; and
7. Remote activation of system via transmitter.

Officers may review the recordings when preparing written reports of events to help ensure accuracy and consistency of accounts.

SUPERVISORS' RESPONSIBILITIES [41.3.8(B)]

Supervisors shall issue unrecorded media as necessary.

Prior to issue, the supervisor shall assign and affix an identification number to the exterior of the media.

The numbered media should be recorded in the chain of custody log.

The chain of custody log shall include, but need not be limited to:

- E. Tracking number of media;
- F. Date issued;
- G. Officer or vehicle issued;
- H. Date submitted;
- I. Officer submitting the media; and
- J. Hold for evidence indication.

When an incident arises that requires the immediate retrieval of the recorded media (e.g., serious crime scenes, departmental shootings, departmental accidents), a supervisor shall respond to the scene and ensure that:

- K. The recorded media is removed from the recorder;
- L. The media is logged into evidence;
- M. Copies of the media are provided to authorized investigative personnel; and
- N. The appropriate notation is made in the chain of custody log.

Each shift supervisor shall periodically review the chain of custody log to ensure that issued media is surrendered in a timely manner. The supervisor is responsible for determining causes for such problems (e.g., unreported problems with the MVR equipment or equipment not being used in accordance with departmental policy).

Supervisors who are informed or otherwise become aware of malfunctioning equipment shall ensure that the MVR technician is advised in a timely manner.

Supervisors shall conduct periodic reviews of officer-assigned media in order to:

- O. Assess officer performance and compliance with this policy;
- P. Assure proper functioning of MVR equipment;
- Q. Determine if MVR equipment is being operated properly; and
- R. Identify recordings that may be appropriate for training.

Supervisors shall conduct bi-weekly reviews of personnel who have newly assigned MVR equipment in order to ensure compliance with departmental policy. Supervisors shall, thereafter, conduct quarterly reviews.

Minor infractions (not criminal in nature) discovered during the routine review of recorded material should be viewed as training opportunities and not as routine disciplinary actions. Should the behavior or action become habitual after being informally addressed, the appropriate disciplinary or corrective action shall be taken.

MVR MANAGER [41.3.8(C)]

The MVR Manager shall be responsible for the ordering, issuance, retrieval, storage, cleansing (degaussing), and duplication of all recorded media.

The MVR Manager shall ensure that adequate recording media is on hand and available for issuance.

The MVR Manager shall be responsible for collecting and storing all completed media.

Recorded media may only be degaussed/erased:

- S. Pursuant to a court order; or
- T. In accordance with established retention guidelines.

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.

The MVR technician shall be responsible for the following:

- U. Long-term storage of media deemed to be of evidentiary value consistent with the department's evidence storage protocols and retention schedule; and
- V. The cleansing (degaussing) and re-issuance of all other media deemed to be of no evidentiary value consistent with the department's document retention requirements.

I. Recording [41.3.8(a)]

MANDATORY RECORDING: Officers assigned to vehicles with video recording equipment will activate the same to record the following:

- Traffic stops (to include, but not be limited to, traffic violations, stranded motorist assistance and all crime interdiction stops);
- Priority responses;
- Vehicle pursuits;
- Prisoner transports; and
- Crimes in progress.

OPTIONAL RECORDING: Officers, at their discretion, may record any situation or incident that the officer, through training and experience, believes should be **[audibly and]** visually recorded.

NOTE: Officers may audibly and visually record any incident in which all involved parties consent. At the beginning of any public contact or traffic stop, the officer shall notify the citizen that the events are being audibly and visually recorded. This notification does not apply to crimes in progress or similar situations where notification is impractical.

STOPPING OF RECORDING DURING AN INCIDENT: When the MVR is activated to record an event, it shall not be deactivated until the event has been concluded unless:

The incident or event is of such duration that the MVR may be deactivated to conserve recording times;

The officer does not reasonably believe that deactivation will result in the loss of critical documentary information; and

The intention to stop the tape has been noted by the officer either verbally or in a written notation.

USE OF IN-CRUISER AUDIO AND VIDEO RECORDING (OPTIONAL) [41.3.8.]

Shift Preparation: The shift supervisor is responsible for preparing new tapes and storing used tapes prior to each shift.

Operation

- W. All patrol officers shall be trained to have an in-depth working knowledge of the system. It shall be the individual's responsibility to activate the microphone every time [s]he records an incident or event.

- X. With the exception of police radios, officers shall ensure that the volume from other electronic devices within the police vehicle does not interfere with MVR recordings.
- Y. To prevent bleed over and/or noise from other MVRs in systems using low band transmitters (analog), only the primary officer initiating the contact shall activate his or her audio recorder.

OR

[For departments using the 900Mhz digital transmitters that are individually synchronized to their individual MVR] Officers shall activate both audio and video recordings when responding in a support capacity in order to obtain additional perspectives of the incident scene.

- Z. The officer shall ensure the cruiser is positioned correctly during each motor vehicle stop, realizing the importance of capturing the widest possible angle on tape to ensure nothing happens outside the field of view of the camera.
- AA. Every time the unit is activated, the officer shall activate the belt pack transmitter and narrate the reason for the stop.
 - 8. Upon stopping the vehicle, the operator shall temporarily extinguish the headlights and activate the auto zoom feature from the control head. This will automatically capture a clear picture of the automobile and the license plate.
 - 9. Officers are encouraged to narrate events using the audio recording, so as to provide the best documentation for pretrial and courtroom presentation.
- BB. Upon initial contact with any person being recorded, e.g., motor vehicle stops, the operator shall make the following statement:
 - 10. "GOOD (MORNING/AFTERNOON/EVENING). I AM (CHIEF, CAPTAIN, LT., SGT., OFFICER) OF THE _____ POLICE DEPARTMENT. I MUST INFORM YOU THAT YOU ARE BEING RECORDED."
 - 11. Modification of this statement is not authorized. The operator must inform the person that his/her statements and comments are being recorded.
- CC. At the end of the shift, officers assigned to cruisers with video recording device shall discuss with their Shift Commander events recorded by the camera. The Shift Commander will determine if anything recorded could be considered "critical evidence." All information pertinent to the system and tape will be written on the daily log. Should the operator record a "critical evidence" event (e.g., DUI, pursuit, accident), the log shall indicate the same and the tape shall be removed and immediately bagged and marked as evidence.
- DD. This procedure allows for operator discretion and judgment. There is, however, no allowance for the failure to record each motor vehicle stop. The limits of discretion are established relative to the use of the microphone and the ability to record events prior to a motor vehicle stop (e.g., recording a vehicle crossing the yellow line). [41.3.8(a)]

J. Media [41.3.8(a)]

CARE OF MEDIA

Officers shall not erase, alter, reuse, modify or tamper with MVR recordings. Only a supervisor or MVR technician may erase and reissue previously recorded recordings and may only do so pursuant to the provisions of this policy.

To prevent damage, original recordings shall not be viewed in any equipment other than the equipment authorized by the MVR Manager.

REPLACEMENT OF MEDIA: The recording media shall be replaced when the recording time remaining is less than one hour, for long playing media lasting six to eight hours, or thirty minutes for Hi8 analog or digital media with recording time of five hours or less.

STORAGE OF MEDIA [41.3.8(C)]

MVR recordings shall be marked as containing evidence and shall be submitted to the property custodian and/or duplicated for criminal prosecution when specifically identified as such or when they record any of the following:

- EE. Arrests;
- FF. Assaults;
- GG. Physical or verbal confrontations;
- HH. Vehicle pursuits;
- II. Vehicle searches in which contraband is recovered;
- JJ. Driving while intoxicated or under the influence arrests; and
- KK. All prisoner transports.

Media not identified as evidence shall be submitted to the MVR Manager for storage.

RETENTION 41.3.8(C)]

Media containing evidentiary material shall be retained in accordance with policy dealing with evidence. See the department policy regarding ***Evidence and Property Control***.

Media which is not considered evidence shall be stored for **[IDENTIFY RETENTION PERIOD]**.

MEDIA DUPLICATION [41.3.8(C)]

All recording media, recorded images and audio recordings are the property of this department. Dissemination outside of the agency is strictly prohibited without specific written authorization of the Chief or his or her designee.

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 department MVR Manager.

When possible and practical, 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.

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 MVR Manager for disposition.

K. Equipment Installation

All MVR equipment shall be installed so as to activate automatically with emergency equipment (lights and/or siren) **[OPTIONAL - or when a wireless transmitter is operating]**. The system may also be activated manually from the control panel affixed to the interior of the vehicle.

The placement and operation of system components within the vehicle shall be based on officer safety requirements.

AUTHORITY AND RESPONSIBILITY

STOW POLICE DEPARTMENT POLICY & PROCEDURE NO. 4.15 MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 1.1.1; 1.1.2; 1.2.1; 26.1.1; 61.3.4(a)	ISSUE DATE: _____
	EFFECTIVE DATE: _____
	REVISION DATE: _____

1. GENERAL CONSIDERATIONS AND GUIDELINES

The intent of this directive is to provide basic information relative to the role and authority of the Police Department and its staff.

2. POLICY

It is the policy of the department that:

- a. All Police Department personnel, prior to assuming sworn status, shall take and subsequently abide by an oath of office to uphold the Constitution of the United States and the Constitution of the Commonwealth of Massachusetts, and to enforce the laws of the Commonwealth and the bylaws of the Town of Stow.
- b. All Police Department employees shall abide by the appropriate code of ethics for the position held as adopted by this department. [1.1.2]
- c. All Police Department employees shall operate within the limits of their authority.

3. DEFINITIONS

- D.** *Auxiliary Officer*: Unpaid, police volunteer whose sworn authority exists only during time of emergency or training as authorized by the Chief of Police.
- E.** *Civilian Employees*: All non-sworn employees of the department. They have no arrest authority **[but may be authorized to issue civil citations for violation of [city/town] by-laws or ordinances]**. Civilian employees may or may not be uniformed.
- F.** *Employee*: Any person officially affiliated with the department whether full or part time, sworn, civilian, special or auxiliary police. *Full Time Permanent Police Officers (FTPPO)*: Full time, permanent, sworn police officers. This category includes all sworn ranks.
- G.** *Reserve Officer*: A sworn officer who works less than full time.
- H.** *Special Officer*: A sworn officer who works less than full time.

- I. *Sworn*: Refers to a person's ability to make a full custody arrest; it does not refer to the administration of an oath of office.
- J. *Sworn Personnel*: Those members of the Department, full and part time, who are duly sworn and vested with police power under M.G.L. Chapter 41, Section 98. Sworn personnel have the authority to make "full custody" arrest (as opposed to a citizen's arrest). This definition does not apply to civilian employees who take an oath of office or are sworn-in.

4. PROCEDURES

K. Sworn Personnel

1) OATH OF OFFICE [1.1.1]

- a) The oath of office shall be administered to sworn personnel by the **Town of Stow town** clerk following successful completion of the basic recruit academy, upon transfer from another law enforcement agency, or upon promotion to a higher rank. Each officer shall state, sign and abide by the Oath of Office:

"I, _____, do solemnly swear or affirm that I will faithfully and impartially discharge the duties incumbent on me, as a (police officer, police sergeant, police lieutenant, police captain, deputy police chief or police chief) for the **town**] of] Stow according to the best of my ability and understanding, agreeably to the rules and regulations of the Police Department, the Constitution and the laws of the United States and the Commonwealth of Massachusetts and under rules, regulations and ordinances or by-laws of my municipal employer made under the authority thereof [if oath is sworn], so help me God."

- b) The oath shall become a permanent record maintained in the employee's personnel file.

2) SWORN OFFICER CODE OF ETHICS

- c) All sworn officers shall abide by the Sworn Officer Code of Ethics.
- d) Sworn Officer 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 persons 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 (optional: before the God of my understanding) to my chosen profession... law enforcement.

- 3) **LEGAL AUTHORITY [1.2.1]:** This Police Department is composed of the following categories of sworn agency personnel. All sworn officers shall have, within the territorial limits of the **Town of Stow**, the powers and duties conferred or imposed upon Police Officers by M.G.L., Chapter 41, Section 98.
- e. *Full Time Permanent Police Officers (FTPPO):* The category includes all sworn ranks. FTPPOs are appointed by **the Board of Selectmen**[Optional - and shall be subject to an appointment of 2] years]. FTPPOs shall have police powers at all times.
 - f) *Special Police Officers:* Special Police Officers are appointed by **[the Board of Selectman]** and shall be subject to an appointment of **[1]** year. They shall have full police powers as limited by the appointing authority or Chief of Police. **[Describe any limitations such as – for the purpose of working special, paid details, seasonal police augmentation, etc.]**
 - i. **[Optional – If special police are authorized by a special act of the legislature for your jurisdiction, enter any limitation or authorizations of authority here.]**
- 2) Retired police officers may be appointed as special police officers. SEE GENERAL ORDER 13-02**
- iii. Officers from other communities may be also appointed as Special Police Officers in this community for such purposes as the appointing authority determines, including but not limited to paid details and mutual aid pursuant to M.G.L. c. 41 §99.
- [AUXILIARY OFFICER – APPLIES ONLY TO AUXILIARY OFFICERS WHO ARE AUTHORIZED TO EXERCISE POLICE POWERS AS AUXILIARIES]**
- g. *Auxiliary Officer:* Auxiliary Officers are appointed by the Board of Selectmen for a term of 1 year. They shall have police powers as limited by the Chief of Police or other supervisors acting under the Chief's authority, while on active duty as authorized by the Chief of Police during times of emergency or training. The authority of auxiliary officers is derived from the Massachusetts Civil Defense Act, St. 1950, c.639, § 11, as amended.

L. Non-Sworn Personnel

4) PUBLIC SAFETY DISPATCHER

- h) All dispatchers shall abide by the Public Safety Dispatcher Code of Ethics.:

As a Public Safety Telecommunicator, I am dedicated to serve the public; to safeguard life and property; to keep my personnel informed on all calls that may require their attention; to assist all public safety vehicles and personnel in the performance of their duties; assure that all rules and regulations which govern my position are not violated in any manner.

I will keep my private and social life free from criticism; maintain a calm attitude during times of stress and emergencies; develop self-control and be constantly mindful of the welfare of others, regardless of race, creed or religion. I will obey the laws of the land, rules and regulations of the Federal Communications Commission and my department. Whatever information I receive of a confidential nature will be revealed only in the official performance of my duties.

I will never act in a selfish or unofficial manner or let my personal feelings, friendships, prejudices or animosity influence my decisions. I will enforce the rules and regulations of my department and the Federal Communications Commission without fear, favor or ill will, never employing unnecessary force and never accepting gratuities.

I recognize the highest responsibility of my position as a symbol of public faith and trust and will accept it to be held as long as I am faithful to the ethics of public safety service. I will constantly strive to achieve those objectives and ideals which govern my profession, dedicating myself, (optional: before the God of my understanding,) to my chosen profession, public safety telecommunications.

- i) **Appointment:** Public Safety Dispatchers are appointed by **the Board of Selectmen**].

unsafe situations to my superiors.

Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept forever 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.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust for the safety of our most precious gift, children.

5) OTHER CIVILIAN EMPLOYEES CODE OF ETHICS:

j) All other civilian employees shall abide by the Civilian Employee Code of Ethics.:

Affirm the dignity and worth of the services rendered by government and maintain a constructive, creative, and practical attitude toward local government affairs and a deep sense of social responsibility as a trusted public servant

Be dedicated to the highest ideals of honor and integrity in all public and personal relationships in order that the member may merit the respect and confidence of the elected officials, of other officials and employees, and of the public.

Recognize that the chief function of local government at all times is to serve the best interests of all people.

Make it a duty continually to improve the member's professional ability and to develop the competence of associates in the use of management techniques.

Resist any encroachment on professional responsibilities, believing the member should be free to carry out official policies without interference, and handle each problem without discrimination on the basis of principle and justice.

Handle all matters of personnel on the basis of merit so that fairness and impartiality govern a member's decisions, pertaining to appointments, pay adjustments, promotions, and discipline.

Seek no favor; believe that personal aggrandizement or profit secured by confidential information or by misuse of public time is dishonest.

k) Appointment: Civilian employees are appointed by **the Board of Selectmen**

[AUXILIARY OFFICER – APPLIES ONLY TO AUXILIARY OFFICERS WHO ARE NOT AUTHORIZED TO EXERCISE POLICE POWERS AS AUXILIARIES]

6) AUXILIARY OFFICER

l) All auxiliary police officers shall abide by the Auxiliary Police Officers Code of Ethics:

As an Auxiliary Police 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. I will perform my duties 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 police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to the service of my community.

- m) Appointment: Auxiliary Officers are appointed by the Board of Selectmen for a term of 1 year. They shall have no police powers under the Massachusetts Civil Defense Act, St. 1950, c.639, § 11, as amended.

M. All Employees

- 7) ETHICS TRAINING [1.1.2]: Ethics training shall be conducted for all personnel at least biennially.
- 8) CODE OF CONDUCT [26.1.1]: All department employees shall adhere to a code of conduct and appearance guidelines adopted by this agency and published in the department **Rules and Regulations** .

LINE OF DUTY DEATHS AND SERIOUS INJURIES

STOW POLICE DEPARTMENT POLICY & PROCEDURE NO. 4.16 MASSACUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 22.2.4	ISSUE DATE:
	EFFECTIVE DATE:
	REVISION DATE:

A. GENERAL CONSIDERATIONS AND GUIDELINES

This policy applies to sworn police officers and civilian employees who are killed, seriously injured, or become seriously ill in the performance of their duties.

Line-of-duty deaths and serious injuries, whether felonious or accidental, are a sad and too frequent reminder of the dangers inherent in police work. While the loss to the department and the community is serious, each death leaves family, friends, and coworkers with the emotional trauma of a devastating loss.

Many mistakenly believe that the spouses, children and parents who survive police deaths are somehow more prepared for their losses than are other people. But knowing that the job can be dangerous does not prepare an individual for the actual experience of losing a loved one.

Police survivors often endure prolonged psychological stress because they do not seek help. They are hurt by the misconception that, because they are part of the police community, they should somehow be stronger emotionally and better prepared for such a tragedy. Too often, when police survivors do seek help, it isn't available.

The immediate and continuing response of all members of this police department when an officer is killed has a definite impact on the well-being of survivors.

This policy is designed to prepare this department for the event of an active duty employee's death in the line of duty and to direct the agency in providing proper support for the deceased officer's family. These procedures may apply to other employees involved in line-of-duty deaths or serious injuries.

B. POLICY

It is the policy of this police department to:

- A. Make prompt, accurate, and compassionate notifications to family members of employees;
- B. Provide liaison assistance to the immediate survivors of an active duty officer who dies in the line of duty; and,
- C. Provide tangible emotional support during this traumatic period of readjustment for the surviving family and members of this department.

C. DEFINITIONS

- D. *Line-of-Duty Death*: The death of an active duty officer by felonious or accidental means during the course of performing police functions while on- or off-duty.
- E. *Survivors*: Immediate family members of the deceased officer, to include spouse, children, parents, siblings, fiancé and/or significant others.

D. PROCEDURES

F. Preparing for Notification

These procedures should be followed whenever possible with the understanding that the wishes of the family take precedence over the desires of the agency.

Positive identification of the officer must be confirmed prior to making a notification.

No employee shall contact the family or friends of the officer until a department notification can be made.

Secure communications (cell phones, land lines, etc.) should be used in communicating the condition or identity of the officer to avoid release of this information before family member and employees can be notified.

Should the media obtain the officer's name prematurely, the ranking officer should request that the information be withheld until proper notification of survivors can be made.

The notifying officers should clearly understand the facts available that are relevant to the officer's death. These should be committed to memory before the notification, so the officer will not be required to refer to notes.

The names of surviving family members should also be memorized, if necessary, by the notifying officer, together with any other information about the family that would be of value to the task.

If members of the family are in poor health and may require medical attention, a paramedic should be alerted to stand by in case of an emergency.

If time permits, a clergy member or department chaplain may accompany the notification party.

If the family has infants or small children that will require attention while the adult members of the family are taken to the hospital, additional assistance should be provided for their care prior to arriving at the residence. Emergency transportation shall be provided to family members to the hospital by this department or a request shall be sent to the local agency where they reside or the Massachusetts State Police.

If an employee is a close personal friend or member of the officer's family, it may be appropriate for the employee to assist with making the notification.

G. Making a Notification

GENERALLY

An officer's immediate family must be contacted before the officer's name is released to the media.

- A. If the family is not immediately available, every reasonable effort should be made to locate them and to inform them of the condition of the officer and the circumstances surrounding the officer's injury or death.
- B. If the family is out of the area, the local police of jurisdiction in the family's area should be contacted and requested to make the notification. However, an in-person notification by members of this department is preferred.

Death or serious injury notifications should never be given over the telephone. Notification should be made in person whenever possible so that personal needs and situations can be properly addressed.

Notification of the immediate family should be made as soon as possible and, if possible, coincidental with command notifications.

The actual notification should be made by the Chief, a ranking superior officer, or an officer designated by the officer in charge, accompanied by at least one other officer and other employees, as appropriate.

MAKING THE NOTIFICATION

Notification should never be made on the doorstep. The notifying officers should attempt to gain admission to the home, gather the adult members of the household together and inform them slowly and clearly of the situation.

In giving notification, officers should be as straightforward as possible about the condition of the officer and not make statements or use language that is ambiguous or gives false hope.

If the officer has died, the survivors should be told that [s]he is dead rather than using euphemistic expressions such as “passed on” or “passed away.”

Officers should not fear their own reaction to the suffering of survivors. While notifying officers should attempt to maintain composure in order to better provide assistance to members of the surviving family, they should recognize that a show of emotion on their part is simply a natural expression of anguish and empathy and is not a sign of weakness.

Notifying officers should be aware of and prepared for a range of possible reactions from surviving family members. Hysteria, shock, physical violence, anger and rage, silence or stoicism, fainting or screaming are some of the more common reactions.

Notifying officers should be prepared to give whatever solace and comfort seems appropriate but should avoid trite phrases or clichés which, although intended to provide comfort, may be counterproductive.

In many cases, the best reaction of the notifying team is simply to stand by quietly until members of the family have regained some composure and are prepared to ask additional questions.

AFTER NOTIFICATION

Officers providing services and assistance to family members and survivors shall take all possible measures to accommodate their needs, wishes and desires, but should not make promises to family members that they are not sure can be met.

After the immediate family is notified, the notification officer shall be responsible for the identification of additional survivors outside the area and shall make any notifications as desired by the immediate family. Such notifications shall be made by contacting the law enforcement agency in that jurisdiction and requesting that a personal notification be made.

The notification officer shall submit a written report to the Chief of Police specifying the time, place, and identity of survivors notified.

H. Notifying Employees

Off-duty employees should be notified by the department rather than having them hear about the death or injury from the media.

One or more supervisors or other employees shall be assigned to notify off-duty personnel. A message should be left for the employee to call the police station rather than leaving a notification on an answering machine.

I. Assisting the Family

AT THE TIME OF NOTIFICATION

If the opportunity to get the family to the hospital exists prior to the officer's death, notification officers shall inform the hospital liaison officer that the family is on its way.

In such cases, immediate transportation should be provided for survivors rather than waiting for any other members of the department delegation to arrive.

ASSISTING SURVIVORS AT THE HOSPITAL

Whenever possible, the Chief of Police shall join the family at the hospital in order to emphasize the agency's support.

The next highest ranking officer to arrive at the hospital shall serve as or designate a hospital liaison officer who shall be responsible for the following tasks:

- C. Coordinating the arrival of immediate survivors, department personnel and others;
- D. Arranging for waiting facilities for immediate survivors. The desires of the surviving family members should be followed with regard to their accessibility to other officers and friends;
- E. Ensuring that medical personnel provide pertinent medical information on the officer's condition to the family before any other parties;
- F. Assisting family members, in accordance with their desires, in gaining access to the injured or deceased officer;
- G. Providing hospital personnel with all necessary information on billing for medical services. The liaison officer should ensure that all medical bills are directed to the appropriate departmental authority and that they are not forwarded to the officer's family or other survivors;
- H. Arranging transportation for the family and other survivors upon their departure from the hospital; and
- I. Ensuring that immediate family members are provided with any other appropriate assistance at the hospital.

J. Appointment of Department Coordination Personnel

GENERALLY: Department personnel designated by the Chief or his/her designee shall be assigned to department coordination positions. These assignments will be made in writing to department personnel, and the surviving family members will be informed of those designated.

DEPARTMENT LIAISON

The department liaison officer will serve as a facilitator between the family and the department. This individual will normally be a commanding officer in order to expedite the tasks of employing departmental resources and the delegation of assignments.

This officer will work closely with the funeral liaison officer to ensure that the needs and requests of the family are fulfilled. This includes, but is not necessarily limited to, the following tasks:

- J. Make additional personnel assignments to assist, with permission of the family, at the family dwelling, either until the time of emergency has passed or until the funeral. Members assigned to the deceased officer's residence may ensure that malicious calls do not reach the family and that the family's privacy will be protected. In addition the officers shall be responsible for:
 - 1. Providing security to the family;
 - 2. Greeting visitors; and
 - 3. Answering the telephone. The telephone will be answered, "(Member's) residence. Officer (name) speaking."

- K. Ensure that the Employee Assistance Program services, if available, is contacted to assist surviving family members and emphasize the family's right to psychological services.
- L. Provide oversight of travel and lodging arrangements for out-of-town family members.
- M. Identify alternative churches and reception halls that will accommodate the law enforcement funeral. These alternatives will be presented to the family, who will make the final determination.
- N. Coordinate all official law enforcement notifications and arrangements, to include the honor guard, pallbearers, traffic control and liaison with visiting law enforcement agencies. Assistance from the Massachusetts State Police is recommended in this area.
 - 4. A CJIS administrative message will be sent to New England States immediately following notification of family. It will briefly outline the facts surrounding the death.
 - 5. As wake and funeral arrangements are made, additional messages will be sent Nationwide to help coordinate other agencies wishing to send representatives.
- O. Assist family members in dealing with general media inquiries and inform them of limitations on what they can say to the media specifically.
- P. Provide liaison with the media to include coordination of any statements and press conferences. The department liaison shall also ensure that members of the agency are aware of restrictions regarding release of any information that might undermine future legal proceedings.
- Q. Ensure that security checks of the survivor's residence are initiated immediately following the incident and for as long as necessary thereafter.

FUNERAL LIAISON

The funeral liaison officer acts as facilitator between the decedent officer's family and the department during the wake and funeral.

The funeral liaison officer is responsible for:

- R. Meeting with family members and explaining his responsibilities to them;
- S. Being available to the family on a 24 hour basis prior to and throughout the wake and funeral;
- T. Ensuring that the needs and wishes of the family come before those of the department;
- U. Assisting the family in working with the funeral director regarding funeral arrangements;
- V. Relaying any information to the family concerning the circumstances of the decedent officer's death and appropriate information regarding any investigation;
- W. Determining the need for travel arrangements for out-of-town family members and any other special needs of the family during the funeral and reporting this information to the department liaison; and
- X. Briefing the family members on the procedures involved in the law enforcement funeral.

BENEFITS COORDINATOR

The benefits coordinator aids the survivors by coordinating the delivery of municipal, state, federal and private benefits. This function should be handled by the Chief of police.

The benefits coordinator is also responsible for:

- Y. Filing injured-on-duty claims (if appropriate) and related paperwork;
- Z. Presenting information on all benefits available to the family from:
 - AA. Employees are encourage to fill out a line of duty death benefits package to be securely stored in their personnel file in the event of a line of duty death.
 - 6. The municipality,

- 7. State Government,
 - 8. Federal Government, and
 - 9. Private Foundations;
- BB. Documenting inquiries and interest in public donations to the family and establishing a mechanism for receipt of such contributions, as appropriate;
- CC. Preparing all documentation of benefits and payments due survivors, to include the nature and amount of benefits to be received by each beneficiary, the schedule of payments and the name of a contact person or facilitator at each benefit or payment office;
- DD. Filing all benefits paperwork and maintaining contact with the family in order to ensure that benefits are being received. A copy of benefits documentation should be provided to all survivors affected and explained to each of them; and
- EE. Advising the surviving family of the role of police associations and organizations and the nature of support programs that they sponsor for law enforcement survivors.

FAMILY SUPPORT ADVOCATE

The family support advocate serves in a long-term liaison and support capacity for the surviving family.

The duties of this individual include:

- FF. Providing contact with surviving family members in order to keep them abreast of criminal proceedings relating to the death of their family member;
- GG. Accompanying surviving family members to criminal proceedings, explaining the nature of the proceedings and introducing them to prosecutors and other persons as required;
- HH. Identifying all support services available to family members and working on their behalf to secure any services necessary;
- II. Maintaining routine contact with family members to provide companionship and emotional support, and maintaining an ongoing relationship between the department and the immediate family; and understanding that over time, some family members may wish to move on and may no longer need these services.
- JJ. Relaying the concerns and needs of the family to those individuals or organizations that may provide assistance, and encouraging others to visit and help as necessary.

TRAINING AND CAREER DEVELOPMENT

STOW POLICE DEPARTMENT POLICY & PROCEDURE NO. 4.17	ISSUE DATE: _____
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 33.1.2; 33.1.3; 33.1.4; 33.1.5; 33.1.6; 33.1.7; 33.2.4; 33.4.1; 33.4.3; 33.5.1; 33.5.2; 33.5.3; 33.5.4; 33.6.1; 33.6.2; 33.7.1; 33.7.2; 33.8.2; 41.1.2; 46.2.2; 46.2.3; 46.2.4	EFFECTIVE DATE: _____
	REVISION DATE: _____

I. GENERAL CONSIDERATIONS AND GUIDELINES

Training has often been cited as one of the most important responsibilities of any law enforcement agency. Training serves three broad purposes. First, well-trained officers are generally better prepared to act decisively and correctly in a broad spectrum of situations. Second, training results in greater productivity and effectiveness. Third, training fosters cooperation and unity of purpose. Moreover, law enforcement agencies are now being held legally accountable for the actions of their personnel and for failing to provide initial or remedial training.

A comprehensive training program will help provide the department with employees who are better prepared to act decisively, confidently, and correctly in any given situation. It will also increase the effectiveness and productivity of individual employees, and foster greater cooperation between employees and units within the department. All of these benefits enhance the department's ability to achieve its goals and objectives.

Career development is a structured process that is utilized by this department to provide opportunities for individual growth and development at all levels. It is designed to promote productive, efficient, and effective job performance and to improve the overall level of individual job satisfaction.

II. POLICY

It is the policy of the department to:

Provide, or make available as resources allow, training in all areas of policing that will benefit both the department and its employees;

Utilize a program of mandatory and voluntary training conducted through the department, including job supervision, and training from other criminal justice agencies, outside private or public agencies, and civilian educational institutes in conjunction with a continuous program of roll call, and periodic in-service training.

III. DEFINITIONS

- A. *Training Unit*: That division, section or officer to which is assigned the primary function of training or arranging training for the members of the department.
- B. *Training Supervisor*: An individual assigned by the Chief of Police to manage and coordinate training of employees within the police department.

IV. PROCEDURES

1. Training Unit

a. THE TRAINING UNIT: The training unit shall be responsible to:

- 1) Offer or make available training in all areas of policing that will benefit both the department and its employees;
- 2) Seek employee input as to what training is desirable or necessary;
- 3) Encourage all employees to attend training courses in areas of interest to them, as well as those areas that are mandated by law, and document their attendance at all mandatory trainings or re-trainings required by the department; and
- 4) Keep all employees informed of changes in statute or case law, the court system, the criminal justice system, current threats, trends, and department policies and procedures.

NOTE: It will be the responsibility of all officers to remain current in and informed of changes in all of the above-mentioned areas.

b. PROGRAM DEVELOPMENT: The Training Unit will use the following resources in program development:

- 5) Inspection reports;
- 6) Staff reports and/or meetings;
- 7) Consultation with field personnel and field observations;
- 8) Officer surveys;
- 9) Training evaluations;
- 10) Training deficiencies discovered through internal affairs investigations; and
- 11) Suggestions and recommendations by the Chief of Police and others.

c. LESSON PLANS

- 12) All training conducted by agency personnel shall have a lesson plan.
- 13) The lesson plan format must meet Municipal Police Training Committee guidelines and must include:
 - a) A statement of performance and job-related objectives; [33.1.4(a)]
 - b) The content of the training and specification of the appropriate instructional techniques; [33.1.4(b)] and
 - c) Identification of any tests used in the training process. [33.1.4(d)]
- 14) All lesson plans and testing materials shall be submitted to the Training Unit Supervisor to be reviewed and approved. [33.1.4(c)]
- 15) Instructors (as opposed to training contractors) enlisted from outside the department will also be required to submit copies of their lesson plans and a resume, and will be subject to review by the Supervisor of Training.

d. TRAINING INSTRUCTORS

- 16) Employees wishing to be training instructors in given disciplines must submit such request in writing to the Lieutenant], who will evaluate the need and present the request and recommendations to the Chief of Police.
- 17) Employees selected to be training instructors for topics requiring instructor training or certification shall receive such training or certification prior to training other employees. The instructors must attend refresher training as necessary to maintain their certification. Such topics include:
 - d) Weapons Instructor (any kind);
 - e) Defensive Tactics Instructor;
 - f) CPR/First Responder; and
 - g) Breath Test Operator Instructor.
- 18) All non-certified instructors must have received training or possess skills on the subject which would deem them proficient in the topic.
- 19) Instructors (as opposed to training contractors) enlisted from agencies outside the department must meet all requirements of department instructors.

e. **TRAINING COURSE RECORDS**

20) Records of training instructed by department employees shall include the following:

- h) Lesson Plan [33.1.7(a)];
- i) Attendance Sheet. [33.1.7(b)]; and
- j) Performance or test results, if applicable. [33.1.7(c)]

21) Training records shall be filed and maintained by the Training Supervisor.

f. **EMPLOYEE TRAINING RECORDS [33.1.6]**

22) When a member attends any training program, [s]he will submit to the department Training Supervisor a copy of any certificate received.

23) The Training Unit shall maintain records of individual employees' participation in training programs.

24) With the exception of court discovery, no training records will be released without approval from the Chief of Police.

2. Requesting Training

- g. **GENERALLY:** Any employee wishing to attend training shall submit a request through the chain of command. This training request form shall include the course name, meeting date, and location.

h. **TRAINING SCHEDULE SOURCES**

25) Schedules of upcoming training programs will be forwarded to affected personnel. Approval of the course will be based on the needs of the department as well as the employee's goals, objectives, abilities and field of expertise.

26) Schedules of training programs offered by other approved agencies, such as the Massachusetts Municipal Police Training Committee, Municipal Police Institute, etc., shall be promptly posted and available to all officers.

27) Other training course schedules are available on-line.

3. Attending Training

- 9. ASSIGNED TRAINING:** In cases where officers are assigned to training by the department, the training will be done at the expense of the department.

28) Hours

- k) If an officer is assigned during a working day, it shall be considered a part of the officer's tour of duty.
- l) If an officer is assigned on a day off, [s]he shall be compensated at the rate of time and one half the officers hourly rate of pay.

29) Tuition and fees shall be paid by the department.

- j. **VOLUNTARY TRAINING:** If an employee wants to volunteer for training, [s]he will submit a written request through the chain of command for approval by the Chief, enclosing all supportive material available describing the course. This will be for non-mandatory courses, such as those the officer takes for personal enrichment and possible future career advancement.

30) When said requests are granted, employees attending training during a regularly scheduled work day shall be considered as on regular tour of duty.

31) If the training scheduled is during what would normally be a day off, then the training shall be on the employee's own time.

32) Tuition and fees may be paid at the discretion of the Chief of Police.

k. **TRAINING RELATED EXPENSES [33.1.3]**

99. Employees may receive other reimbursements for training-related expenses. Expenses must be authorized by the Chief of Police prior to final arrangements being made. Such reimbursements may include:

- m) Mileage;
- n) Meals;
- o) Overnight accommodations; and
- p) Airfare.

34) Receipts for approved expenses must be submitted to the clerk's office for processing.

l. **ATTENDANCE [33.1.2]**

35) Generally

- q) All employees assigned to a training program must report at the time and location specified, with the proper material and equipment necessary to complete the course.
 - i. A copy of an attendance certificate shall be proof of attendance.
 - ii. An officer reporting late will be carried as late for a tour of duty. An officer not reporting to a scheduled training session will be considered missing a tour of duty.
- r) Scheduling Conflict:
 - c) When a scheduling conflict arises, the officer involved shall notify both the Training Supervisor and the Shift Commander upon discovering the conflict.
 - iv. The schedule may then be modified so as to resolve the conflict with court appearances taking precedence.
 - v. Make-up for missed training time will be addressed case by case, depending upon the subject matter, intensity and duration of training.

36) Department-Sponsored Training

- s) Documented attendance is required for all department-sponsored training.
- t) Attendance of in-house training sessions will be taken at the start of the training.
- u) Attendance sheets will be filed with other training materials for the class.

kk. *Directives.*

m. TRAINING FOR NEWLY PROMOTED EMPLOYEES [33.8.2]

38) Generally: All newly appointed employees shall obtain training in their supervisory duties.

39) Sworn Supervisors

- v) Newly promoted supervisory officers will be sent to supervisory- specific training offered either by the MPTC or another comparable institution or agency as soon as feasible.
- w) All supervisors will receive refresher training in the various aspects of supervision and management during in-service training and/or when offered by outside agencies.
- x) All newly promoted sworn supervisors shall receive the following training as soon as practicable:
 - vi. Suicide prevention;
 - vii. On-the-job training by an officer of superior rank or a senior officer of equivalent rank;
 - viii. Operation of the Holding Facility (Sergeants and Lieutenants) (See the department policy on ***Holding Facility.***);

i) Any and all mandated training by the MPTC

D. Civilian Employee Training Requirements

14. Civilian employees in the police department have access to a copy of the police department's manual of policies, procedures, rules and regulations, and are advised of the specific areas that affect their positions. All newly appointed civilian personnel shall receive information regarding: [33.7.1]

40) The department's role, goals, purpose, policies and procedures; [33.7.1(a)]

41) The department's working conditions and regulations; [33.7.1(b)]

42) Knowledge of responsibilities and rights of the employee; [33.7.1(c)] and

43) Sexual harassment.

o. JOB SPECIFIC TRAINING

44) Prior to assuming job responsibility, all non-sworn employees of the department will receive on-the-job training for their new assignment. Annual retraining will be provided as needed. [33.7.2]

45) Dispatchers:

- y) E9-1-1 Operations;
- z) LEAPS Certification (Bi-annual);
- aa) Suicide Prevention; and
- bb) C.O.R.I.

- p. If a probationary employee is unable to work because of illness during the probationary period, the appointing authority may postpone the probationary period. Upon resuming employment, the probationary employee shall be required to perform service equal to a full probationary period.

E. Training Requirements for Sworn Officers

q. ROLL-CALL [33.5.2]

46) Roll-call shall be attended each shift by

- cc) Officers assigned to patrol;
- dd) Dispatchers;
- ee) Detectives; and

ff) **The on duty Supervisor.**

47) The Roll-Call Training Program is an integral part of the department's training function. Not only are employees updated with information affecting patrol activity and unusual circumstances, but such training is also an effective way of keeping officers current with changes in law, policies and procedures or as review sessions for other training areas.

gg) Roll-call will be conducted at the beginning of each shift. [41.1.2]

- x. Roll-call will be conducted by the shift supervisor.
- xi. Roll-call briefing information will be made available to persons not assigned to normal shift hours.
- xii. The briefing should include patrol assignments, recent incidents and BOLOs, officer safety concerns, wanted persons, recent crimes, etc.

hh) Roll-call training shall also be conducted.

ii) Whenever possible, Shift Supervisors will be involved in the Roll-Call Training Program.

xiii. This training will include the reading of policies, procedures, regulations, and/or training briefs or the briefing of changes in law, statutes, ordinances, court decisions and/or technological developments affecting the operation of the department. (Short roll-call presentations on-line are offered by the Municipal Police Institute, Inc.)

xiv. All Roll-Call programs should include a brief discussion on the subject matter in order to ensure comprehension by all officers.

xv. Roll-Call training shall be documented by the supervisor conducting such training. The documentation shall include:

Date of training;

Training topic; and

Attendance.

xvi. Roll-Call training documentation shall be forwarded to the Training Manager.

r. **MANDATORY TRAINING FOR POLICE OFFICERS**

48) Department Responsibility: Certain areas of police work require continuous training. The department will:

jj) Provide mandatory training in each of these areas and administer written, oral or practical tests to ensure that all officers meet or exceed the minimum acceptable standards. The Training Unit will set the level of proficiency required to achieve minimum acceptable standards, unless superseded by law or by another authoritative body; and

kk) Provide for training by using training providers outside of the department. Officers attending such training must meet the standards set by those training providers.

49) Mandatory Training: The following annual refresher re-training is mandatory and will be attended by all officers as noted: [33.5.1]

ll) **Firearms Training:** All officers must attend and successfully complete firearms training as required. See department policy on *Use of Force*.

39) **First Responder Training:** First responder training will be held not less than annually. All members will be certified every three years.

40) **C.P.R. Training:** All members will be trained and certified annually.

41) *In-Service Training*: All members will be scheduled for In-Service Training at least on a yearly basis, as prescribed by the department and the Municipal Police Training Committee, and shall include legal updates:

q) *Legal Updates*;

xviii. CPR;

xix. First Responder;

xx. Firearms; and

xxi. Use of Force.

s. IN-HOUSE TRAINING: Other in-house training programs will be implemented and scheduled as needed for any or all affected personnel.

t. REMEDIAL TRAINING [33.1.5]

50) Remedial training will be available for any mandatory training that requires meeting set standards to achieve certification or qualification.

51) A reasonable period of remedial training will be provided by the department to assist a member having a problem meeting the required minimum standards of performance acceptable in that specific area. If a member needs further intensive retraining, the Training Supervisor may make arrangements with the member for such training.

NOTE: If deficient performance has been identified as a result of the disciplinary process, remedial training may be used to correct those deficiencies in lieu of punitive sanctions.

F. SPECIALIZED TRAINING

u. GENERALLY [33.6.1(A);(B)]

52) Police Officers selected for a special unit or to perform a function that requires specialized training shall receive such training on the job or through formal training classes.

53) The following training or certifications must be obtained prior to performing the following functions, with periodic retraining as required:

pp) Weapons Instructor (any kind): Must successfully complete requirements of certifying entity;

qq) Defensive Tactics Instructor: Must successfully complete requirements of certifying entity;

rr) Breath Test Operator (Bi-annual recertification): Must successfully complete operator training as specified by the Office of Alcohol Testing;

ss) LEAPS Operator (Bi-annual recertification): Must be certified to level of use. Training and testing conducted in house using CJIS training and testing materials; and

46) Any and all Specialized Units utilized by the department.

54) The following training or certifications must be obtained prior to performing the following functions:

uu) E9-1-1 Operator: Must successfully complete training as required by the Statewide Emergency Telecommunication Board;

vv) Traffic Reconstruction: Must successfully complete Advanced Accident Investigator and Accident Reconstruction training;

ww) Sexual Assault Investigator: Must successfully complete training required by the Municipal Police Training Committee for certification;

xx) Motor Cycle Operator: Must successfully complete a Basic Police Motorcycle operator's course; and

51) Any and all Specialized Units utilized by the department.

55) The following job functions must obtain specialized training within **one year** of assignment:

zz) Detective;

aaa) Accreditation Manager (See Accreditation Manager in this policy.);

bbb) School Resource Officer; and

ccc)

G. Sworn Officer Recruit Training

v. BASIC RECRUIT ACADEMY [33.4.1]

56) All newly appointed Student Officers will successfully complete a Recruit Training course, as mandated by Mass. Gen. Law, Chap. 41, Sec. 96B.

57) Training must be completed prior to the employee's performing the duties of a police officer, including being allowed to carry a weapon and/or make an arrest (except as part of a formal field training program). The training academy will be one operated or approved by the Massachusetts Municipal Police Training Committee.

ddd) While attending the recruit training academy, all student officers will be bound by the rules, regulations and procedures of the academy, as well as the regulations and procedures of this department.

OR

While at the basic (recruit) academy, all student officers will obtain and be bound by the academy's orientation handbook containing the academy's rules and regulations; the academy's rating, testing and evaluations system; physical fitness and proficiency skill requirements; and daily training schedules.

OR

While attending the basic academy, all student officers will be bound by the policies, procedures, rules and regulations of that academy as well as the policies, procedures, rules and regulations of the police department.

58) Upon successful completion of basic recruit training, new officers must complete a six month probationary period.

w. EMPLOYEE STATUS

59) During this training period, candidates are classified as student officers.

60) Under MGL c. 41, s. 96B, student officers are not subject to Civil Service— M.G.L. c.31, collective bargaining agreements, or injured on duty benefits, rather, workman's compensation under M.G.L. 152.

x. **ACADEMY WAIVERS:** Pursuant to M.G.L. c. 41 §96B, the MPTC may issue a waiver of the training academy on a permanent or temporary basis.

61) Advisory Opinions for Permanent Exemptions from Academy Training

eee) A person who has been employed as a municipal police officer in another state and is being hired in Massachusetts may qualify for a Permanent Exemption from recruit training. The candidate may request an advisory letter from the Municipal Police Training Committee. The candidate must submit the following documents to the Exemptions Coordinator:

xxii. A copy of the Basic Recruit Curriculum of the academy attended;

xxiii. Breakdown of course titles and course hours;

xxiv. Total hours of curriculum;

- xxv. A copy of the graduation certificate; and
 - xxvi. A current resume.
- fff) An advisory letter will be provided to the transferring police officer and will contain a statement that would suggest a favorable or unfavorable Permanent Exemption.

62) Permanent Exemption from Academy Training

- ggg) When a person from out-of-state has been hired by a Massachusetts municipal police department on a full-time basis and has successfully completed a Basic Recruit program in that state, that person may be qualified for a Permanent Exemption from a Massachusetts training academy.
- hhh) An application for a Permanent Exemption must be filed by the appointing authority and must include the following documents:
- xxvii. Current certification in CPR and First Aid;
 - xxviii. Current qualification in use of firearms by an MPTC certified firearms instructor;
 - xxix. Successful completion of a MPTC criminal law exam;
 - xxx. Certificate of completion of Basic Recruit Training; and
 - xxxi. A current resume.

63) Temporary Exemption: A temporary exemption may be granted for a period not to exceed 270 days, or until the start date of the next available academy session, whichever occurs sooner. A temporary exemption may be granted as the result of a documented public safety emergency or other exigent circumstances. An application must be submitted by the appointing authority and must be accompanied by the following documents:

- iii) Current certification in CPR and First Aid;
- jjj) Current qualification in use of firearms by an MPTC certified firearms instructor;
- kkk) Successful completion of a MPTC criminal law exam;
- lll) Successful completion of the training requirements for persons appointed as reserve or intermittent police officers;
- mmm) Current resume; and
- nnn) Nature of public safety emergency or other exigent circumstances.

y. FIELD TRAINING PROGRAM

64) New officers must successfully complete an in-house field training program.

65) The Training Supervisor shall manage the field training program and oversee:

- ooo) Training and in-service training of field training officers; [33.4.3(e)]
 - ppp) Rotation of recruit assignments; and
 - qqq) Development, implementation and evaluation of the field training program.
- rrr) The Training Supervisor shall be the academy liaison, as applicable. [33.4.3(d)]

66) Recruit field training

- sss) Upon completion of the recruit academy, the officer will enter the field training/evaluation program with designated field training officers. The probationary officer will apply the lessons of the academy to situations in the field under the tutelage of the field training officer.
- ttt) During field training, probationary officers shall receive training in department-specific materials, including: [33.2.4]

- xxxii. Policies and procedures; and
- xxxiii. Rules and regulations.
- uuu) Each Probationary Officer will then begin a minimum four weeks on-the-job training/evaluation program with designated FTOs. (This will not alter the one-year probationary period which all newly appointed full-time officers are required to serve in Massachusetts.) [33.4.3(a)]
- vvv) The Probationary Officer will rotate his/her field training assignment among at least two different FTOs. [33.4.3(f)]
- www) The FTO's evaluation of the Probationary Officer shall be documented, with daily and weekly observation reports covering the wide range of police activities and interactions.
- xxx) After the supervisory phase of field training, the evaluation program will continue through the use of periodic evaluations filled out by the probationary officer's supervisors.

67)Field Training Officers

- yyy) The Field Training Officers (FTOs) will be selected by the Chief of Police based on the needs of the department and on the overall job-related qualifications of the prospective FTO. Candidates must possess a strong job knowledge and skills in the following areas:[33.4.3(b)]
 - xxxiv. Application of law;
 - xxxv. Police Procedures;
 - xxxvi. Tactics;
 - xxxvii. Department policy and procedure;
 - xxxviii. Report writing;
 - xxxix. Interpersonal relations; and
 - xl. Chain of command.
- zzz) All department supervisory personnel assigned to patrol, and officers designated as Field Training Officers, will conduct training in accordance with the "Police Department Field Training Officers Manual."
- aaaa) FTOs will be under the operational supervision of the Shift Commander or other superior officer designated by the Chief. [33.4.3(c)]
- bbbb) Field Training Officers will evaluate each recruit officer's performance in the various activities that they will meet as police officers, according to guidelines set forth in the Field Training Program. [33.4.3(g)]
- cccc) FTOs shall submit training reports as specified in the Field Training Program. [33.4.3(h)]

H. Special Teams [OPTIONAL]

- z. GENERALLY: When a special team position becomes available, the position shall be posted for interested employees to apply. The notice shall include:

- 68)Identification of the team;
- 69)Minimum qualifications;
- 70)A description of duties;
- 71)Information on where to apply; and
- 72)Closing date for applications.

aa. TACTICAL TEAM

73) Selection [46.2.2]

dddd) Qualifications: Applicants must:

- xli. Have **one** year of law enforcement experience or experience in a field practicing the skill for which the applicant is sought, (i.e., medic);
- xlvi. Be in excellent health;
- xlii. Be in very good physical condition;
- xliii. Be willing to be on call;
- xliiii. Be willing to participate in regular, high intensity training. and

tt) Any other training that is or may be required by the MPTC

eeee) Physical assessment **Any physical, strength, or agility testing.**

84) Medical Screening

85) Psychological Screening

hhhh) Selection of new team member(s) shall be made by the **Lieutenant** and forwarded to the Chief of Police for final approval.

74) Equipment Requirements

iiii) Specialized equipment for tactical team members is provided by the department. [46.2.3]

jjjj) Specialized equipment includes:

- xlvi. Weapons;
- xlvi. Uniforms;
- xlix. Body armor;
- I. Helmet; and
- li. Radio equipment.

75) Training

kkkk) Tactical teams are infrequently used, but when they are called into service, the risks involved to life and property are high. The expectation of a successful operation must also be high. The skills and experiences of tactical teams and members are perishable if not exercised.

llll) Team membership is conditional upon the new members' successfully completing initial training as soon as feasible.

mmmm) The team shall participate in readiness exercises, and training shall be conducted frequently, as determined by the Chief in consultation with the tactical team leader. Training shall include: [33.6.2]

- lii. Physical conditioning;
- liii. Individual training for specific team member skills;
- liv. Team training and scenarios;
- lv. Operational simulations; and
- lvi. Training with other resources (e.g., K9, hostage negotiator, other tactical teams, etc.).

bb. HOSTAGE NEGOTIATOR

76) Selection [46.2.4]

nnnn) Qualifications: Applicants must:

- lvii. Have 5 years law enforcement experience;
- lviii. Possess excellent communications skills;
- lix. Be in excellent health.
- lx. Be in very good physical condition;
- lxi. Be willing to be on call;
- lxii. Be willing to participate in regular, high intensity training; and

kkk) Any other training that is or maybe required by the MPTC

oooo) Physical assessment

lll) Any physical, strength, or agility testing that maybe required

mmm) Medical screening.

nnn) Psychological screening.

pppp) Selection of new team member(s) shall be made by **Lieutenant** and forwarded to the Chief of Police for final approval.

77) Equipment Requirements: Specialized equipment for hostage negotiation team members is provided by the department.

78) Training

qqqq) Hostage negotiation team members are infrequently used, but when they are called into service, the risks involved to life and property are high. The expectation of a successful operation must also be high. The skills and experiences of hostage negotiation teams and members are perishable if not exercised.

rrrr) Team membership is conditional upon the new members' successfully completing initial training as soon as feasible.

ssss) The team shall participate in readiness exercises, and training shall be conducted frequently, as determined by the Chief in consultation with the tactical team leader. Training shall include:
[33.6.2]

lxvii. Individual training for specific team member skills;

lxviii. Team training and scenarios;

lxix. Operational simulations; and

lxx. Training with other resources (e.g., K9, other hostage negotiator, tactical teams, etc.).

I. CONFLICTING TRAINING PRESENTATIONS

cc. In order to address a broad training audience, many training presentations are generic in nature. All officers should be mindful that a training presentation usually provides only one perspective on the handling of a given situation. Previous training and experience, department policy, and local, state, and federal laws must be taken into consideration where applicable.

dd. In cases where an officer believes that training received is in conflict with any of the above, [s]he should confer with the instructor, his/her supervisor, or the Training Supervisor.

- ee. An officer shall follow department policies, procedures, or any such laws in all cases where training that is received is in actual conflict with any of them.
- ff. In all cases of actual conflict, the officer making such discovery shall immediately submit a written report on the matter to the Supervisor of Training.

USE OF CELL PHONES

STOW POLICE DEPARTMENT POLICY & PROCEDURE NO. 4.18 SEE GENERAL ORDER 13-01	ISSUE DATE:
	EFFECTIVE DATE:
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 81.2.10	REVISION DATE:

A. GENERAL CONSIDERATIONS AND GUIDELINES

The purpose of this policy is to provide law enforcement employees with guidelines for the proper use of cell phones while on duty. We must set the proper example for citizens. Using a cell phone while operating a department vehicle is distracting and may result in a collision.

While Massachusetts does not prohibit the use of cell phones while operating a motor vehicle, there are penalties for improper operation resulting from use of a cell phone and failure to pay attention.

B. POLICY

It is the policy of this department to:

- A. Use cell phones in the course of police operations to enhance departmental communication; and
- B. Limit cell phone use by employees to conducting official business when the use of radio communication or hard line telephones is inappropriate, unavailable, or inadequate to meet communication needs, and when the cell phone is used in accordance with this policy.

C. POLICY GUIDELINES FOR USE OF CELL PHONES

Department Owned Cell Phones

[SPECIFY OR CHOOSE WHICH APPLIES]

Cell phones are only authorized for official police business. Exceptions may be made for pressing family situations or personal matters that require attention and where alternative forms of communication are not suitable or easily available.

OR

Cell phones are authorized for official police business and pressing personal business.

Any additional financial charges incurred by cell phone use should be limited and clearly linked to the necessity to use cell phones when other alternatives are inappropriate or not available. Employees will be responsible for any additional charges incurred for personal use.

Personal Cell Phones

AUTHORIZATION: Employees electing to carry personally owned cell phones while on duty must obtain approval from their immediate supervisor and provide him or her with the telephone number.

LIABILITY:

- A. The department is not responsible for loss or damage to personal cell phones while on/off duty.
- B. Use of personal cell phones is governed by the same safety restrictions as provided for departmentally-owned cell phones.

USE OF CELL PHONES WHILE ON DUTY [81.2.10]

GENERALLY

- C. Cell phones should not be used if they may be disruptive to others.
- D. Ringer: Cell phone rings should be set to silent or vibrate in situations where a cell phone ring could be disruptive, such as meetings, court, etc.

ATTRIBUTES: **[SPECIFY OTHER STANDARDS SUCH AS RING TONES, WHERE CARRIED, COLOR, ETC.]**

DISTRACTION: A cell phone shall not be used when it would unnecessarily or unreasonably divert the attention of an employee from official duties and/or cause a potentially hazardous situation.

COMMUNICATIONS

- E. Cell phones are an augmentation to the department's communication system, not a substitute for radio communication designated for transmission through the department's emergency communication center recorded lines.
- F. Approved cell phone usage includes but is not limited to the following types of communications:
 - 1. Conveyance of sensitive or restricted information;
 - 2. Lengthy communication with supervisors or headquarters personnel;
 - 3. Undercover operations;
 - 4. Communication beyond normal radio range;
 - 5. Incidents in which direct contact with an employee and the public is critical; and,
 - 6. Incidents in which the use of a hard line telephone would be appropriate but where one is not available.
- G. Employees may use cell phones for car-to-car communication.

[OR]

Employees should not use cell phones for car-to-car communication when other means are available and appropriate, unless such use is specifically authorized or encouraged by applicable department policy.

- H. Use of personal cell phones either in voice or data transmission while on duty should be restricted to essential communications and should be limited in length. Engagement in multiple or extended conversations unrelated to police business or similar use that interferes with the performance of duty is prohibited.
- I. Police reports may not be taken using the cell phone unless such reporting over a land line phone would be authorized. The phone may be used to contact the victim or complainant and arrange a meeting time and place.

CELL PHONE NUMBERS

- J. Cell phone numbers should not normally be provided to members of the public. Exceptions may be made when immediate future contact between an employee and a victim, witness, or other person may be critical.
- K. Personnel may not provide the cell phone number of any member of this department to a member of the public without the cell phone user's authorization.

IMAGES

- L. The use of photo messaging capabilities are prohibited unless they can be clearly linked to the conduct of official police business.
- M. Any images captured during the course of an employee's duties are considered to be department documents and may only be distributed in accordance with department policy. See the department policy on ***Records Management***.

VEHICLE OPERATION: Employees may not operate department vehicles while using cell phones unless emergency circumstances exist, and other means of communication are not available or suitable. When possible, employees should pull off the roadway in a safe location when using cell phones unless hands-free operational devices are authorized and available.

RESERVES AND AUXILIARY

STOW POLICE DEPARTMENT POLICY & PROCEDURE NO. 4.19	ISSUE DATE: _____
ACCREDITATION STANDARDS REFERENCED: 16.3.1; 16.3.2; 16.3.3; 16.3.4; 16.3.5; 16.3.6; 16.3.7; 16.4.1; 16.4.2; 16.4.3	EFFECTIVE DATE: _____
	REVISION DATE: _____

A. GENERAL CONSIDERATIONS AND GUIDELINES

Reserve officers are sworn police officers who work on a less than full time basis. They are given law enforcement authority and enforcement power, as well as responsibilities to the community, equivalent to those of full-time officers. The selection process for reserves is the same as for full time officers. Reserve officers are considered “employees” when applying department directives, rules, and regulations.

Auxiliary police in Massachusetts have their roots as a branch of Civil Defense. The Auxiliary Police program creates an opportunity for interested citizens to serve their community while supporting law enforcement in a volunteer capacity.

Auxiliaries are not commissioned as law enforcement officers and, except when called to duty or when working in a training capacity – usually in conjunction with a regular or reserve officer from this department, do not have the authority to make arrests, other than a citizen’s arrest under common law. They are, however, a resource to be called upon in the event of a large scale emergency or special event.

B. POLICY

It is the policy of this department that:

- A. Reserve officers receive training as specified by the Massachusetts Municipal Police Training Committee pursuant to M.G.L. c.41, §96B. This will include both recruit and in-service standards.
- B. Auxiliary officers perform only those duties authorized by law.

C. DEFINITIONS

- C. *Auxiliary Officer*: Unpaid, police volunteers whose sworn authority exists only during time of emergency or training as authorized by the Chief of Police.
- D. *Reserve Officer*: A sworn officer who works less than full time.
- E. *Special Officer*: A sworn officer whose police authority is limited in scope in relation to hours of the day, geographic area, assignment, and/or length of (days/months).

- F. *Sworn*: Those members of the department, full and part time, who are duly sworn and vested with police power under M.G.L. Chapter 41, Section 98. Sworn personnel have the authority to make a “full custody” arrest (as opposed to a citizen’s arrest).

D. PROCEDURES [16.3.1]

G. Reserve Officers

AUTHORITY: Reserve officers are sworn officers who work less than full time. For further information, see the department policy on **Authority and Responsibility**.

SELECTION: The selection criteria for reserve officers are the same as those for full-time officers. For further information, see the department policy on **Recruitment and Selection**. [16.3.2]

TRAINING

The police department requires all sworn reserve officers to complete a recruit academy training program specified by the Massachusetts Municipal Police Training Committee prior to any routine assignment in any capacity in which the reserve officer is allowed to carry a weapon or is in a position to make an arrest. For further information, see the department policy on **Training and Career Development**. [16.3.3]

Reserve officers shall receive in-service training specified by the Massachusetts Municipal Police Training Committee. For further information, see the department policy on **Training and Career Development**. [16.3.5]

Reserve officers shall be trained in use-of-force policies and tested for weapons proficiency with the same frequency as full-time officers. For further information, see the department policy on **Use of Force**. [16.3.6]

LIABILITY INSURANCE: Reserve officers are provided with public liability protection under applicable laws equal to that provided to full-time officers. [16.3.7]

UNIFORMS AND EQUIPMENT

Reserve officers shall wear the same uniforms and equipment as full-time officers. See the department policy on **Uniforms and Equipment**. [16.3.4]

[EDIT TO MEET YOUR AGENCY’S PRACTICE.]

Uniforms shall be provided by the [department or member].

Firearms shall be provided by the [department or member].

Equipment shall be provided by the [department or member].

BENEFITS AND INSURANCE

Reserve officers killed in the line of duty shall be eligible for death benefits.

[IDENTIFY ANY ADDITIONAL INSURANCE BENEFITS.]

H. Special Officer

AUTHORITY: Special Police Officers shall have full police powers as limited by the appointing authority or Chief of Police. [Describe any limitations, such as – for the purpose of working special, paid details; seasonal police augmentation, etc.] For further information, see the department policy on **Authority and Responsibility**.

SELECTION: The selection criteria for special police officers are the same as those for full-time officers. For further information, see the department policy on **Recruitment and Selection**. [16.3.2]

TRAINING

The police department requires all special police officers to complete a recruit academy training program specified by the Massachusetts Municipal Police Training Committee prior to any routine assignment in any capacity in which the special police officer is allowed to carry a weapon or is in a position to make an arrest. For further information, see the department policy on ***Training and Career Development***. [16.3.3]

Special police officers shall receive in-service training specified by the Massachusetts Municipal Police Training Committee. For further information, see the department policy on ***Training and Career Development***. [16.3.5]

Special police officers shall be trained in use-of-force policies and tested for weapons proficiency with the same frequency as full-time officers. For further information, see the department policy on ***Use of Force***. [16.3.6]

LIABILITY INSURANCE: Special police officers are provided with public liability protection under applicable laws equal to that provided to full-time officers. [16.3.7]

UNIFORMS AND EQUIPMENT

Special police officers shall receive the same uniforms and equipment as full-time officers. See the department policy on ***Uniforms and Equipment***. [16.3.4]

[EDIT TO MEET YOUR AGENCY'S PRACTICE.]

Uniforms shall be provided by the [department or member].

Firearms shall be provided by the [department or member].

Equipment shall be provided by the [department or member].

BENEFITS AND INSURANCE

Special police officers killed in the line of duty shall be eligible for death benefits.

[IDENTIFY ANY ADDITIONAL INSURANCE BENEFITS.]

I. Auxiliary Officer

[OPTION 1 – ARMED AND ARREST POWERS WHEN ACTIVATED]

A. AUTHORITY

1. Auxiliary Officers shall have police powers as limited by the Chief of Police or other supervisors acting under the Chief's authority, while on active duty as authorized by the Chief of Police during times of emergency or training.
2. They may exercise police powers only when they have been called to active duty by the Chief of Police or other supervisors acting under the Chief's authority to meet a situation which, in the opinion of the Chief or other supervisor, cannot be adequately handled by the regular and reserve police force.
3. The authority of auxiliary officers is derived from the Massachusetts Civil Defense Act, St. 1950, c.639, § 11, as amended. For further information, see the department policy on **Authority and Responsibility**.

B. DUTIES [16.4.1(B)]

- d. **[DESCRIBE AUXILIARY POLICE DUTIES. EDIT DUTIES BELOW TO MEET AGENCY PRACTICES.] [16.4.1(b)]**
- e. Auxiliary officers may be assigned to law enforcement related community service functions, large scale emergencies, and special events. They may support day to day law enforcement efforts in a non-sworn capacity.

- f. **[TOWNS ONLY]** Auxiliary officers may be authorized to enter upon private property while in uniform to enforce blackout regulations or other air-raid precautions or other rules and regulations between warning of the attack and all clear.
- g. **[TOWNS ONLY]** Auxiliary officers may be authorized to enter upon private property while in uniform, by written order of the governor, to enforce laws specified by the governor in the order authorizing entry.
- 8. Auxiliary officers may be sent to another municipality only if ordered by the Chief of Police of the municipality in which they have been appointed and only if given full the authority to exercise and perform the full powers and duties of regular police officers by the appointing authority.

C. RESTRICTIONS

- 9. The auxiliary police shall not be used or called upon for service in any labor dispute or to regulate picketing in connection with a strike.
- 10. Auxiliary police may not perform the duties of police officers in any direct riot-control activities or the suppression of civil disturbances.

D. **SELECTION:** The selection criteria for auxiliary officers are the same as those for full-time officers. For further information, see the department policy on ***Recruitment and Selection***. [16.3.2]

E. **ARMING:** Auxiliary officers may be armed for purposes of performing police duties when activated, training, or performing firearms training.

F. TRAINING

- 11. The police department requires all auxiliary officers to complete a recruit academy training program specified by the Massachusetts Municipal Police Training Committee prior to any routine assignment in any capacity in which the reserve officer is allowed to carry a weapon or is in a position to make an arrest. For further information, see the department policy on ***Training and Career Development***. [16.3.3]
- 12. Auxiliary officers shall receive in-service training specified by the Massachusetts Municipal Police Training Committee. For further information, see the department policy on ***Training and Career Development***. [16.3.5]
- 13. Auxiliary officers shall be trained in use-of-force policies and tested for weapons proficiency with the same frequency as full-time officers. For further information, see the department policy on ***Use of Force***. [16.3.6]

G. **LIABILITY INSURANCE:** Auxiliary officers are provided with public liability protection under applicable laws equal to that provided to full-time officers. [16.3.7]

H. UNIFORMS AND EQUIPMENT

- 14. Auxiliary officers shall use the same uniforms and equipment as full-time officers. See the department policy on ***Uniforms and Equipment***. [16.3.4]
 - a. **[EDIT TO MEET YOUR AGENCY'S PRACTICE]**
 - 2) Uniforms shall be provided by the **[department or member]**.
 - 3) Firearms shall be provided by the **[department or member]**.
 - 4) Equipment shall be provided by the **[department or member]**.
- 15. Coats, shirts and other outer garments worn as outer clothing by auxiliary police officers shall bear a shoulder patch with the words "Auxiliary Police" in letters not less than one inch in height.

I. BENEFITS AND INSURANCE

- 16. Reserve officers killed in the line of duty shall be eligible for death benefits.

q. **[IDENTIFY ANY ADDITIONAL INSURANCE BENEFITS.]**

[OPTION 2 – UNARMED AND NO ARREST POWERS WHEN ACTIVATED]

1) AUTHORITY

- a) Auxiliary Officers are not sworn officers. [16.4.1(a)]
- b) They shall exercise no police powers, but may exercise other powers under the Massachusetts Civil Defense Act, St. 1950, c.639, § 11, as amended.

2) DUTIES [16.4.1(B)]

c. [DESCRIBE AUXILIARY POLICE DUTIES. EDIT DUTIES BELOW TO MEET AGENCY PRACTICES.] [16.4.1(b)]

- d) Auxiliary officers may be assigned to law enforcement related community service functions, large scale emergencies, and special events. They may support day to day law enforcement efforts in a non-sworn capacity.

3) RESTRICTIONS

- e) The auxiliary police shall not be used or called upon for service in any labor dispute or to regulate picketing in connection with a strike.
- f) Auxiliary police may not perform the duties of police officers in any direct riot-control activities or the suppression of civil disturbances.

4) SELECTION: **[DESCRIBE THE SELECTION PROCESS.]**

5) TRAINING [16.4.2]

- g) Auxiliary police shall receive training in their assigned duties. They may be trained in:

[IDENTIFY TRAINING. EDIT TO MEET YOUR AGENCY'S NEEDS.]

- i. CPR;
- ii. First Responder; and
- iii. Missing person search and rescue.

- h. **[Optional]** Auxiliary police officers may attend a reserve recruit academy training program specified by the Massachusetts Municipal Police Training Committee. For further information, see the department policy on *Training and Career Development*. **[16.3.3]**

- i. **[Optional]** Auxiliary police officers may receive in-service training specified by the Massachusetts Municipal Police Training Committee. For further information, see the department policy on *Training and Career Development*. **[16.3.5]**

- 6) LIABILITY INSURANCE: Reserve officers shall be bonded and/or provided with public liability protection equal to that provided to full-time officers. **[16.3.7]**

7) UNIFORMS AND EQUIPMENT

- j) Uniforms **[if]** worn by auxiliary officers shall be different and clearly distinguished from those worn by sworn officers. [16.4.3]

4) [DESCRIBE AUXILIARY UNIFORM.]

- v. Coats, shirts and other outer garments worn as outer clothing by auxiliary police officers shall bear a shoulder patch with the words "Auxiliary Police" in letters not less than one inch in height.

[EDIT TO MEET YOUR AGENCY'S PRACTICE.]

- vi. Uniforms shall be provided by the **[department or member]**.

vii. Equipment shall be provided by the **[department or member]**.

8) BENEFITS AND INSURANCE

k) Auxiliary officers killed in the line of duty shall be eligible for death benefits.

I. [IDENTIFY ANY ADDITIONAL INSURANCE BENEFITS.]

WRITTEN DIRECTIVE SYSTEM

STOW POLICE DEPARTMENT POLICY & PROCEDURE NO. 4.20	ISSUE DATE:
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 12.2.1; 12.2.2; 11.4.3; 24.1.2	EFFECTIVE DATE:
	REVISION DATE:

A. GENERAL CONSIDERATIONS AND GUIDELINES

A written directive system has been established in this agency in order to inform officers of what is expected of them in the performance of their duties, to provide guidance to them in performing such duties, and to establish the basis for employee accountability and the means to fairly evaluate officer and unit performance.

It is the purpose of the policy to define the structure and application of this department's written directive system (WDS) and provide officers and other employees with a better understanding of its importance, use, and applicability.

B. POLICY

It is the policy of this department to formally document the structure and component parts of the written directive system in a manner that will increase its utility and application and provide for continuity in its development.

C. DEFINITIONS

[CHOOSE WHICH APPLY]

Directive: As used generally in this policy, "directive" shall refer to Written Directives, Policies, Procedures, Rules, Regulations and other documents of guidance issued under the authority of the Chief of Police.

General Orders: General Orders are permanent written orders outlining policy matters which affect the entire department. A General Order is the most authoritative written order the department issues, and may be used to amend, supersede or cancel any previous order. General Orders remain in full force and effect until amended, superseded or rescinded by the Chief of Police. General Orders may be issued by The Chief of Police

Memoranda: Memoranda are written communications (generally entitled "Memorandum" or "Memo") issued for the following purposes: (a) to issue information or instructions which do not warrant a formal order; (b) to direct the actions of subordinates in specific situations; (c) to explain or emphasize portions of previously issued orders; or (d) to inform officers of actions or policies of other agencies. Memoranda may be issued by the Chief of Police.

Personnel Orders: Personnel orders are those pertaining to such matters as assignments, change of duty, administrative matters relating to conditions of employment, and employee rights and benefits. Personnel Orders may be issued by the Chief of Police.

Policies: Policies summarize the department's position on specific matters. Policies are concise position statements based on underlying organizational principles, goals, values, and operational philosophies. They are designed for broad general direction and guidance, primarily designed for use by all members of the department or by more than one operational division. Policies may be issued by the Chief of Police.

Procedures: Procedures build on the foundation of policy statements to provide specific guidance on required, desired, or preferred methods of operations or conduct. Procedures are more detailed instructions on means and methods for carrying out the policy directive and generally draw the boundaries of permissible officer discretion in performing specific tasks or duties. Procedures may be issued by the Chief of Police. (As a practical matter, the department usually issues Policies & Procedures as a combined document.)

Rules: As opposed to procedure statements that often provide officer flexibility and discretion, rules are characterized by their inflexibility. Rules define situations where no deviations from or exceptions to agency-authorized actions are permitted. Rules may be issued by the Chief of Police.

Special Orders: Special Orders are temporary written orders outlining instructions covering particular situations. Special Orders are automatically canceled when their objective is achieved. Special Orders may be issued by the Chief of Police.

Written Directives: Written directives are position statements by or authorized through the Chief that guide or direct the actions and activities of officers. Directives encompass all means by which this agency communicates instructions, orders and duty requirements to its members, to include policies, procedures, rules, regulations, general orders, special orders, memoranda, and instructional materials. Written Directives may be issued by the Chief of Police.

Terms Limiting Officer Discretion: There are three categories of terms used in written directives of this agency. Personnel responsible for the development of such directives and officers who carry them out shall be aware of the limitations on officer discretion that these terms convey. These terms are classified as judgmental, discouraging, and prohibitive in nature.

Judgmental: The word "may" is used to convey the utmost discretion to officers. "May" indicates that officers should employ their best judgment in addressing a situation by relying on experience, training, the stated mission and values of this agency, and the general guidance provided in statements of agency policy.

Discouraging: The words "should" or "should not" are used to convey the agency's desire for officer actions in given circumstances. Directives should be followed whenever reasonably possible. However, it is recognized that exceptions to desired actions can be anticipated in these circumstances that could require alternative action. Officers are therefore authorized, whenever reasonable, to use limited discretion to deal effectively with the situation or problem.

Restrictive or Prohibitive: The terms "shall" or "shall not" or "will" or "will not" impose absolute requirements or prohibitions on officer actions. Considering that the full set of circumstances surrounding many situations confronted by officers cannot be fully predicted, such terms must be used with care and with the understanding that failure to abide by such restrictions may result in disciplinary action. Where deemed appropriate, however, these terms may appear in policies, procedures, and rules.

D. PROCEDURES

Authority to Issue Directives [12.2.1(c)]

The Chief of Police derives authority to issue, modify, or approve agency written directives from [**M.G.L. c. 41 § 96, 97, 97A, and Town By-Laws**. For additional information on the Chief's authority, see the department policy on **Organization and Administration**. [12.2.1(b)]

[M.G.L. c. 41 §97]: Written Directives may be issued, revised or rescinded by the Chief only under the authority of the Board of Selectmen. That authority may be delegated as stated in this policy.

OR

[M.G.L. c. 41 §97A]: Written Directives may be issued, revised or rescinded under the authority of the Chief, subject to the approval of the Board of Selectmen, provided that the Board of Selectmen takes action within thirty days after the directives have been submitted to them by the Chief of Police. That authority may be delegated as stated in this policy.

Written directives that do not have an expiration date of less than one year from the time of issue shall be reviewed annually.

Types of Written Directives [12.2.1(c)]

GENERAL ORDERS

- A. General Orders may be issued, revised or rescinded only by or under the authority of the Chief and shall be reviewed annually. General Orders shall be a separate document from other directives and formatted as follows:
- B. General Orders shall be issued to each employee. A receipt form shall be signed by the employee documenting receipt of the directive, and filed in the employee's personnel file by the administrative function. Revisions to this directive shall be distributed in the same manner.
- C. Employees must read a newly-received Personnel Order prior to the end of the tour of duty when received.
- D. A master copy of General Orders shall be maintained by the administrative function of the Chief of Police Office. Obsolete versions shall be placed in an archive file and permanently maintained.

MEMORANDA (MEMOS)

- E. Memoranda may be issued, revised or rescinded only under the authority of the Chief of Police. Department memoranda shall be formatted as follows:
- F. Memoranda shall be issued to each employee by paper copy, for which the employee shall sign a receipt. Such receipt(s) shall be kept with the memoranda signed for by the administrative function and stored with the Chief of Police.

OR

Memoranda shall be issued to each employee by electronic mail. Once the mail is opened, it shall be understood that the directive has been formally issued to the employee.

OR

Memoranda shall be posted in the dispatch area. It is the responsibility of each employee to check and read new memoranda. No documentation of receipt is required.

OR

Memoranda shall be distributed to each employee by placing a paper copy in the employee's department mail box, or in hand. No documentation of receipt is required.

- G. Employees must read a newly-received Personnel Order prior to the end of the tour of duty when received.
- H. A master copy of Memoranda shall be maintained by the Chief of Police. Obsolete versions shall be placed in an archive file and permanently maintained.

PERSONNEL ORDERS

- I. Personnel Orders may be issued, revised or rescinded only under the authority of the Chief of Police. They shall be formatted as follows:
- J. Personnel Orders shall be issued to an affected employee by paper copy, for which the employee shall sign a receipt. Such receipt(s) shall be kept with the memoranda signed for by the administrative function and stored with the Chief of Police.

OR

Personnel Orders shall be issued to an affected employee by electronic mail. Once the mail is opened, it shall be understood that the directive has been formally issued to the employee.

OR

Personnel Orders shall be posted in the squad room. It is the responsibility of each employee to check and read new Personnel Orders. No documentation of receipt is required.

OR

Personnel Orders shall be distributed to each employee by placing a paper copy in the employee's department mail box, or in hand. No documentation of receipt is required.

- K. Employees must read a newly-received Personnel Order prior to the end of the tour of duty when received.
- L. A master copy of Personnel Orders shall be maintained by the administrative function of the Chief of Police. Obsolete versions shall be placed in an archive file and permanently retained.

POLICIES AND PROCEDURES: [12.2.1(D)]

- M. Policies and Procedures are maintained as a single manual, separate from other directives. They may be in a printed and/or electronic format. These directives may be issued, revised or rescinded only under the authority of the Chief and shall be reviewed annually.
- N. Policies and Procedures shall be indexed as follows:
 - 1.00 Operations - Reviewed by the Lieutenant.
 - 2.00 Investigations - Reviewed by the Lieutenant
 - 3.00 Prisoners - Reviewed by the Lieutenant.
 - 4.00 Administration - Reviewed by the Lieutenant.
 - 5.00 Traffic - Reviewed by the Lieutenant.
 - 6.00 Property Mgt. - Reviewed by the Lieutenant.
 - 7.00 Incident Command -Reviewed by the Lieutenant.

O. Manual Components: The department's Policy and Procedure Manual shall include the following primary components:

1. *Purpose of the Policy Manual:*

- a. The policy manual exists as a guide for agency personnel. In this document the agency provides direction for officers in order for them to perform their duties. The policies are developed using law enforcement community wide "best practices" and procedures, with the input of the representatives of those affected by them. While the policies may restrict options available to employees in some cases, the department spells out acceptable or desired procedure which, when followed by employees, holds the department accountable for the employees' actions. Employees who follow policies and procedures may rely on the department to answer for questions which arise from those actions.
- b. Employees should refer to this manual when questions arise as to the department's position on a topic addressed in the manual, or on how to proceed in a given situation. While the manual cannot address every set of circumstances, it will often lead the employee to a satisfactory conclusion.

2. *Organization of the Manual [12.2.1(d)]:* An organizational description identifies the primary component parts of the manual, such as department organization, administration, field services, support services, investigations, and the manner in which individual and complementary series of policy statements are grouped and numbered.

3. *Table of Contents:* Topics covered in the manual and their location in the document are listed sequentially.

4. *Department's Source of Legal Authority:* This is the statutory authority granting police powers to the department from municipal and/or state government.

5. *Agency Mission and Values Statement:* This department's overall mission statement and the values adopted by the department form the foundation for policy, procedures, rules and other written directives. See department policy on **Authority and Responsibilities**.

6. *Policy and Procedure Statements:* [12.2.1(f)] These are individual statements of department policy and accompanying procedures with regard to duties, responsibilities, and tasks of department officers and civilian personnel. Each policy and procedure statement will contain the following information:

- c) *General Considerations and Guidelines:* *General Considerations and Guidelines* provides a statement of the issues likely to confront officers and the reasons for the adoption of the policy and procedure. The policy will be introduced by a succinct statement concerning what the policy is about and what it is attempting to relate.
- d) *Definitions:* New or unfamiliar terms or words will be defined. This includes new, uncommon, or unusual terms, expressions, and phrases, including words or phrases used in law or not generally used in the police profession.
- e) *Policy:* The policy statement identifies a problem, need or issue and provides guiding principles for exercising judgment. Rather than providing officers with precise guidance as found in procedures, the policy statement establishes the rationale and overall approach to a problem, situation, issue or concern. As such, it often draws upon the agency's philosophy and values to provide direction.
- f) *Procedures:* Procedures will be included in each policy statement to the degree necessary to provide officers with sufficient guidance to carry out the policy in accordance with agency requirements and desires. Procedures provide a method for performing an operation or means for proceeding on a course of action. Policies and procedures shall be issued to each employee.

- g) *Name of the Department*: Policy statements will identify the issuing agency on each page of the document.
 - h) *Type of Directive*: Directives will be designated as policies, procedures, rules, or special orders.
 - i) *Subject*: Policies, procedures, and rules will be identified by the topic or issue under consideration.
 - j) *Policy Number*: The policy number is the decimal or other number identifying the sequential placement of the policy in the manual.
 - k) *Effective Date*: The effective date indicates the date the policy will be placed in force.
 - l) *Review Date*: The review date is the date on which the policy is required to undergo formal review, though modifications may be made at any time as required. Policies designated as sensitive by the department are required to undergo review every six months and all others on a yearly basis unless otherwise designated.
 - m) *Approval*: The signature or initials of the Chief or other designated departmental executive indicate final approval of the policy.
 - n) *Reference*: Links are provided to related department policies, procedures and rules that relate to or have bearing on the understanding and use of the present policy (e.g., “motor vehicle search” referenced to “obtaining search warrants”).
 - o) *Rescinds/Replaces*: These terms indicate a former policy issued under the same or similar title that has been deleted or modified by the present policy.
 - p) *Accreditation Standard*: Reference is given to the relevant standard defined by the Massachusetts Police Accreditation Commission that deals with this policy topic or issue.
 - q) *Number of Pages*: The total number of pages contained in the policy statement or rule is indicated.
7. *Topical Index*: **[12.2.1(e)]** The topical index shows the subjects, topics, and issues addressed in the manual, organized in alphabetical order by key-word(s).
8. *Authorized Forms*: An index to and samples of all forms authorized for use by this department are provided.
- P. A receipt form shall be signed by the employee documenting receipt of the directive, and filed in the employee’s personnel file by the administrative section. Revisions to this directive shall be distributed in the same manner.
- Q. Employees must read a newly-received policy and/or procedure prior to the end of the tour of duty when received.
- R. A master copy of Policies and Procedures shall be maintained by the administrative function of the Chief of Police. Obsolete versions shall be placed in an archive file and permanently retained.
- S. Policy/Procedure Development and Revision
- 9) Department members who identify a need for a new policy or policy revision shall advise the Chief of Police in writing (memo, e-mail, etc.), identifying the topic and briefly explaining the need for development or revision. The need for new policies will be determined by the Chief of Police.
 - 10) The Chief may assign the task of preparing the policy and/or procedure to an individual employee, a committee of employees, or an outside vendor; or obtain a prepared policy from an outside source.
 - 11) A draft shall be reviewed by the Chief or his designee, who shall consider at a minimum:
 - r. The legality of the policy/procedure as presented;
 - s. Any potential conflict with existing written directives;

- t. The applicability of the policy/procedure to the agency mission; and
 - u. The practicality of the policy/procedure for agency personnel.
- 12) The committee shall make their recommendations to the Chief, who shall make a final determination as to the content of the policy.

OR

The Chief shall present the proposed policy to the Board of Selectmen who may review and determine whether to approve of the policy. The Chief may institute the policy upon approval of the Board, or if the Board takes no action within thirty days of being presented with the proposed policy.

RULES AND REGULATIONS

- T. Rules may be issued, revised or rescinded only under the authority of the Chief and shall be reviewed annually. Department rules shall be a separate document from other directives and indexed as follows:

Authority

02.0 Receipt

03.0 Introduction

04.0 Professional Conduct and Responsibilities

05.0 Negligence of Duty

06.0 Incompetence

07.0 Public Statements

08.0 Orders

09.0 Uniforms and Appearance

10.0 Attention to Duty

11.0 General Requirements

12.0 Department Property and Equipment

13.0 Reports

14.0 Fitness for Duty

- U. Rules and regulations shall be issued to each employee. A receipt form shall be signed by the employee documenting receipt of the directive, and filed in the employee's personnel file by the administrative section. Revisions to this directive shall be distributed in the same manner.
- V. Employees must read a newly-received rule or regulation prior to the end of the tour of duty when received.
- W. A master copy of Rules and Regulations shall be maintained by the administrative section of the Chief of Police. Obsolete versions shall be placed in an archive file and permanently maintained.
- X. Policy/Procedure Development and Revision
- 13) Department members who identify a need for a new policy or policy revision shall advise the Chief of Police in writing (memo, e-mail, etc.), identifying the topic and briefly explaining the need for development or revision. The need for new policies will be determined by the Chief of Police.

- 14) The Chief may assign the task of preparing the policy and/or procedure to an individual employee, a committee of employees, or an outside vendor; or obtain a prepared policy from an outside source.
- 15) A draft shall be reviewed by the Chief or his designee who shall consider at a minimum:
- v. The legality of the policy/procedure as presented.
 - w. Any potential conflict with existing written directives.
 - x. The applicability of the policy/procedure to the agency mission.
 - y. The practicality of the policy/procedure for agency personnel.
- 16) The committee shall make their recommendations to the Chief, who shall make a final determination as to the content of the policy.

OR

The Chief shall present the proposed policy to the Board of Selectmen who may review and determine whether to approve of the policy. The Chief may institute the policy upon approval of the Board, or if the Board takes no action within thirty days of being presented with the proposed policy.

SPECIAL ORDERS:

- Y. Special Orders may be issued, revised or rescinded only under the authority of the Chief of Police. They shall be formatted as follows:
- Z. Special Orders shall be issued to an affected employee by paper copy, for which the employee shall sign a receipt. Such receipt(s) shall be kept with the memoranda signed for by the administrative function.

OR

Special Orders shall be issued to an affected employee by electronic mail. Once opened, it shall be understood that the directive has been formally issued to the employee.

OR

Special Orders shall be posted in the squad room. It is the responsibility of each employee to check and read new Personnel Orders. No documentation of receipt is required.

OR

Special Orders be distributed to each employee by placing a paper copy in the employee's department mail box, or in hand. No documentation of receipt is required.

- AA. Employees must read a newly-received Special Order prior to the end of the tour of duty when received.
- BB. A master copy of Special Orders shall be maintained by the administrative section of the Chief of Police. Obsolete versions shall be placed in an archive file and permanently maintained.

Dissemination of Written Directives

The following methods may be used to disseminate written directives to employees. The method used will be dictated by the type of written directive distributed as indicated in Section 4.B. [\[12.2.2 \(a\)\]](#)

- cc. *E-MAIL*: It is the responsibility of each employee to review these directives.
- dd. *COMPUTER FILE STORAGE*: All written directives shall be posted in the department's network server in respective file folders by the systems administrator. [\[12.2.2 \(b\)\]](#)

- ee. *VERBALLY*: At Roll Call: A written directive authorized to be distributed verbally shall be read at roll call. Verbal distribution may augment other distribution methods.
- ff. *HARD COPY (PRINTED) POSTED*: Hard copies of written directives will be posted in the dispatch area. Expired directives must be removed by the Chief of Police. An up-to date Department Manual will be also be maintained by the Chief of Police.
- gg. *ARCHIVE HARD COPY STORAGE*: The Administrative Function shall maintain the original copies of all written directives by the Chief of Police. [\[12.2.2 \(b\)\]](#)

Policy and procedure manuals of individual officers are subject to periodic inspection. Officers shall maintain such manuals in an organized, complete, and current manner.

Or

The department shall keep its manual and directives in an electronic format available to officers on the department drive. Employees are responsible for periodically reviewing the manual. Maintenance of the up-to-date version of the electronic version of the Policy and Procedure Manual is the responsibility of the Systems Administrator. [12.2.2(b)]

Upon receipt of the directive, the employee shall sign and submit to the issuing party a receipt form acknowledging having received the directive. The receipt shall be forwarded to the Chief of Police where it will be filed with his office.

Familiarization with Written Directive

Notwithstanding the above, employees are responsible for checking the department's computer storage, bulletin boards or other areas where directives are posted to familiarize themselves with all written directives.

Employees are responsible for complying with each directive that has been issued, whether or not it was read at roll call. This includes directives that may have been issued during their absence from duty.

Updating and Purging

The Chief or his designee will be responsible for maintaining (including updating and purging) the hard copies of the up-to-date Department Manual and the hard copies of written directives posted at designated locations. [S]he will be responsible for purging written directives after a period of thirty-days (30) or upon the expiration date, whichever is longer. [12.2.1(e)]

When a negotiated labor agreement is ratified by all parties, the Chief shall cause:

- HH. A written, signed copy of the labor agreement to be obtained. [24.1.2(a)]
- II. A review and amendment of all written directives and procedures to coincide with the terms of the labor agreement. [24.1.2(b)]

The Chief of Police will be responsible for dissemination of information relative to a new labor agreement, including modifications to existing agreements, to managers and supervisors of bargaining unit employees. [24.1.2(c)]

Accreditation/Certification [Optional]

An accreditation manager and assistant accreditation manager shall be designated by the Chief of Police. This is a very specialized position and requires familiarization with the accreditation process, department policies and practices. For further information see the department policy on ***Training and Career Development***.

The accreditation manager will review new directives or changes to existing directives for compliance with accreditation standards and practices.

The accreditation manager shall establish a system to identify reports, reviews, and other activities mandated by accreditation standards and to ensure that they are accomplished. [11.4.3]

COMPUTERS AND DATA SECURITY

STOW POLICE DEPARTMENT POLICY & PROCEDURE NO. 4.21	ISSUE DATE: _____
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 11.4.4; 82.1.6; 82.1.7	EFFECTIVE DATE: _____
	REVISION DATE: _____

A. GENERAL CONSIDERATIONS AND GUIDELINES

This department utilizes computer equipment to aid in accomplishing its primary mission: responding to calls for service, preventing crime, apprehending criminals and documenting incidents. Computers and access to databases supplied by this department make our work more efficient and more accurate.

With the use of computers as a communications tool, what took days or weeks to do a few years ago can now be done in minutes. E-mail, live scan fingerprinting, digitized images, audio and video can quickly put high quality records into the hands of employees.

This technological advantage does not come without its own pitfalls. Misplaced media may result in the loss of a high volume of confidential data. A confidential image, casually forwarded, could end up in the mail boxes of thousands of recipients or displayed on internet entertainment web sites. Hackers may enter systems and access, change or destroy data. Viruses can enter the system via innocent files such as internet images and games, and then wreak havoc on system operability, steal data or passwords, or allow unauthorized users to access the system.

This policy will serve as a guide to help all employees preserve the integrity of our data, manage use of computer systems, decrease liability exposure, and prevent unlawful or wrongful actions involving computers and data.

This policy supplements the policies and user agreements of state and federal data providers such as Leaps/NCIC/CJIS and contracted databases.

B. POLICY

It is the policy of this department to:

- A. utilize computer resources to enhance our ability to perform our mission; and,
- B. improve officer safety through the availability of information, while maximizing security protocols and system integrity.

C. DEFINITIONS

Hardware: The tangible components of a computer such as disk drives, monitors, keyboards, mouse, etc.

RMS: Records Management Systems of this department and others.

Offensive/Disruptive Communications: Communications which contain sexual content or sexual implications, racial slurs, gender-specific comments, or any other content that offensively addresses a person's race, creed, religion, physical or mental disability, color, sex, national origin, age, occupation, marital status, political opinion, sexual orientation, or any other group status.

Password: A word or string of alpha-numeric characters restricting access to an account, network, database, or file to an authorized member.

Software: The programs, data, routines, and operating information used within a computer.

Virus: A hidden code within a computer program or file intended to corrupt a system or destroy data stored in a computer.

Malware: Malicious computer software that interferes with normal computer functions or sends personal data about the user to unauthorized parties over the Internet.

System Manager: An individual assigned or authorized by and under the direction of the Chief of Police to oversee and/or manage the operation and security of the department computer system and network.

D. PROCEDURES

Authorized Users

The job of protecting the hardware, software, and data from abuse is shared by all users of the department's data processing systems. The potential for someone (citizen or employee) to suffer a loss or inconvenience due to improper or inappropriate use of the department's data processing systems is real, whether malicious or accidental.

Only authorized users may have access to the department computer system. Authorized users shall have an individual user account provided by the System Manager.

The use of department computer systems and equipment is solely for purposes authorized by the department. Unauthorized use is a violation of these policies and procedures, and violators may be subject to disciplinary action.

Software

GENERALLY

- A. All software programs installed or introduced onto department computers must be authorized by the System Manager.
- B. Software used in the department's computer systems is property of the department and will not be used, copied or distributed without permission of the System Manager.

UNAUTHORIZED SOFTWARE [11.4.4]

- C. Members are strictly prohibited from installing software programs which have not been authorized for use by the System Manager. Any unauthorized software, such as games and other personal amusement software, will be deleted.
- D. No employee shall install or use software on department computers that is unlicensed, in violation of the software licensing agreement, or has been copied in violation of the law.
- E. No employee shall introduce unauthorized programs or manipulate or alter programs running on mobile network computers, handheld devices or desktop computers.

Data Files

GENERALLY

- f. Employees must use caution when introducing data files into department work stations. Data should be downloaded or received only from a trusted source.
- g. Opening of suspect files for investigatory purposes should be done on designated investigative work stations only. The work stations are not connected to the department network.
- h. All disks and external storage devices, including disk drives (i.e., thumb drives), will be scanned by the user for viruses when introduced into any department computer. This can be accomplished by right-clicking on the appropriate drive letter in the My Computer menu and choosing the option "Scan for Viruses" on the drop-down menu.
- I. The department will maintain proprietary rights over any work generated by its members in the course of their duties, and software or files will not be sold, distributed or maliciously deleted without permission of the Chief of Police. The use and distribution of such files will be at the discretion of the Chief or the System Manager.

PROHIBITED

- j. Employees shall not introduce unauthorized data files into mobile network computers, handheld devices or desktop computers from any source including floppy disks, CDs, DVDs, thumb drives, or any other media or on-line sources. [11.4.4]
- K. Employees shall not encrypt data, or change permissions or files, without the formal approval of the Chief or the System Manager.

Data Back-ups

GENERALLY: Regular backup of data shall be accomplished by Approved **Town of Stow Computer Vendor** and the back-up media stored in a secure location. [82.1.6(a)]

MEDIA STORAGE [82.1.6(B)]

[MPI recommends that a back-up be done daily and stored locally, and a weekly backup be stored off site.]

- L. Daily back-up media will be stored locally Stow Police Department IT Room, and back up server.

DATA

- M. Data files (word processing, e-mail, and spread sheets) will be backed up if they are stored on the department server. Backup of data not stored on the server is the responsibility of each user. The department cannot be held responsible for lost data due to system failure caused by power outages or other problems that may cause unexpected shut down. If data is important to a user, s[he] must back it up.
- N. Mobile computer network transaction logs of CJIS queries and responses must be maintained pursuant to 3.8.1 of the CJIS User Agreement. Files must be maintained for at least two years and must be available to CHSB upon their request. All other MDT log files shall also be stored for at least two years.

MEDIA DISPOSAL: Back-up media which is no longer serviceable or which contains data that is no longer to be stored must be destroyed, so that the data cannot be retrieved, before being discarded.

Application Security

Computer system security is the responsibility of all users. Employees may use department computer systems only for department purposes.

User access will be limited to only those programs, applications, records, and data necessary for that user to perform his/her assigned tasks. Users may access such records only for department business. [82.1.7]

USER PASSWORDS

- O. Each authorized user of the system will be issued a login name and password. Users are responsible for maintaining the security of their passwords and should never share them with anyone, including other employees.
- P. A user's password must be immediately changed if it becomes known to others. All user passwords shall be changed at least every 90 days.
- Q. All user passwords will be changed whenever a security infraction has been discovered.
- R. The appearance of passwords on terminal screens and printouts is suppressed.
- S. No employee shall log into any computer or application using the username and password of another employee. This action is a crime under M.G.L. c. 266 s. 120F and is a serious breach of security, unless ordered by the Police Chief or Lt..

ROLE OF PROGRAM ADMINISTRATORS

- T. Program administrators may be assigned to manage a particular software program or application by the Chief of Police.
- u. They shall manage and be responsible for user accounts, passwords, access, resets, and audits for their particular program.
- v. Program managers shall ensure that only current, authorized users are allowed access to their program or application.

Network Security [82.1.6(c)]

Network security is a critical security issue.

The department shall provide various layers of security to safeguard data and software from unauthorized access. These security measures include:

- W. Detection of illegal penetration of the network and prevention of unauthorized access to the network and servers;
- X. Prevention of unauthorized access to stored data;
- y. Up-to-date anti-virus software installed and running on all servers and clients;
- z. Minimal network administrator accounts and high security of network administrator passwords; and
- AA. Secure setting for routers and firewalls.

Supervised access to the network by vendors, maintenance technicians, and contractors may be allowed on an as-needed basis and only with permission of the Chief or the System Manager.

Access to the department's network will be limited to those with a legitimate need to use the system to access or input data.

User access will be limited to only those programs and data necessary for that user to perform his/her assigned tasks.

Each authorized user of the system will be issued a network login name and password. Users are responsible for maintaining the security of their passwords and should never share them with anyone, including other employees.

A user's password must be immediately changed if it becomes known to others. All user passwords shall be changed at least once every 90 days.

All user passwords will be changed whenever a security infraction has been discovered.

The appearance of passwords on terminal screens and printouts is suppressed.

A network password audit shall be conducted annually by current approved Town of Stow and Stow Police Department Vendor [82.1.6(c)]

Employee Activity

E-MAIL

- bb. All department employees shall be trained in the use of the e-mail system. This training shall include how to access e-mail, create e-mail messages, open an attachment, attach a document, send and receive e-mail and manage an e-mail account.
- cc. It shall be the responsibility of each employee to check the department's e-mail at least once per working shift and to read all e-mail messages, and their attachments, received from department personnel.
- dd. Written directives may be distributed to employees by e-mail. Once the mail is opened, it shall be understood that the directive has been formally issued to the officer. The e-mail receipt indicating that the employee received and opened the e-mail shall serve as a record that the employee received and reviewed the written directive. For further information, see the department policy on ***Written Directives***.
- ee. Any e-mail that is time- stamped-delivered but has no date/time as to when it was opened shall be considered unread. If the message has no opened date/time and it does not exist in the recipient's mailbox, then it is considered to have been deleted, without being read, by the recipient.
- ff. No police officer shall delete any department related e-mail without first opening it and reading the e-mail and/or its attachments.
- gg. The e-mails of department employees are considered public record unless the content falls under a statutory exemption. It is unlikely that e-mails containing jokes, obscene images, or personal comments to others will fall under one of the statutory exemptions.
- HH. The following types of e-mail activities are expressly prohibited:
 - 1. Transmission of global or mass mailings unless related to department business or unless prior authorization has been received from the Chief or Transmission of chain letters or virus alerts.
 - 2. Transmission of any e-mail containing abusive, harassing, discriminatory, or sexually explicit language or content.
 - 3. Transmission of deceptively labeled e-mails, to include any e-mail that carries a misleading subject line, is anonymous, is attributed to another person, or identifies its true sender incorrectly.
 - 4. Inclusion of C.O.R.I. information within any e-mail, except where the recipient's e-mail address has been previously confirmed to be a legitimate and secure reception point.
 - 5. Any other transmissions or inclusions that violate federal, state, or local law.

INTERNET ACCESS

- ii. Internet access is available to employees for legitimate business purposes only.
- jj. Users shall not use the department system to access, download, upload, store, print, post, or distribute pornographic, obscene, or sexually explicit materials, unless as part of an investigation and all actions are logged.
- kk. Users may visit an otherwise unacceptable site if it is for a legitimate law enforcement investigation and only with authorization of a supervisor.
- ll. If an employee accidentally accesses an unacceptable site, the employee must immediately disclose the incident to a supervisor. Such disclosure may serve as a defense against an accusation of an intentional violation of this policy.

PROHIBITED: Instant messaging software, music sharing software or other peer to peer data sharing software are prohibited.

RELEASE OF DEPARTMENT RECORDS [82.1.7]

- mm. Records, including records containing criminal history data, may be released only in accordance with department policy. See the department policy on ***Records Requests***.
- nn. Data maintained or obtained by this department shall not be distributed in violation of investigative confidentiality or C.O.R.I through e-mail or uploading to chat (Officer.com) or entertainment sites (i.e., Break.com, Rotten.com, etc.). Data may be distributed for legitimate law enforcement purposes only.

Evidence Computers and Media

CAUTIONS

- oo. Opening files on evidence hard drives and computer media may change data in the files and file use markers, changing and contaminating evidence.
- pp. Media from questionable origin may introduce viruses or malware into the department network.

See the department policy on ***Collection and Preservation of Evidence*** prior to opening or viewing files on evidence hard drives or other media.

USE OF MOBILE DATA TERMINALS

STOW POLICE DEPARTMENT POLICY & PROCEDURE NO. 4.22	ISSUE DATE: _____
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 41.3.7	EFFECTIVE DATE: _____
	REVISION DATE: _____

A. GENERAL CONSIDERATIONS AND GUIDELINES

The advent of computer access to CJIS and department records from police vehicles and hand-held computers has put a powerful tool into the hands of police employees. Access to CJIS and the gateway to national files is controlled by the CHSB, under an agreement with the FBI CJIS Division.

Through this agreement, CHSB is mandated with providing 24/7 access to national criminal justice information files such as missing and wanted persons, Interstate Identification Index (III), convicted sex offenders, and others.

CHSB is also charged with maintaining network and user security. Software vendors who apply to CHSB for access to CJIS files must pass rigorous reliability and security testing prior to being certified for use in Massachusetts.

All CJIS applications must maintain transaction log files. Some portions of log files of data queries and mobile-to-mobile communications are a public record and may have to be released pursuant to a public records request. (For a more in-depth explanation, see the department policy on ***Records Management***).

The purpose of this policy is to provide law enforcement officers with guidelines for the proper use of Mobile Data Terminals (MDTs) and handheld mobile computers. In order to ensure legal and proper use of this resource, all department members must have a thorough understanding of the content of this policy and the importance of it.

B. POLICY

It is the policy of this department that:

- A. Employees using mobile computers and software will be trained to the appropriate level of use;
- B. Mobile computers are to be used for legitimate police business only;
- C. Employees are responsible for ensuring that mobile computers are used in an effective, efficient and lawful manner; and,
- D. Random and periodic audits of MDT use and log files will be made at the department's discretion.

C. DEFINITIONS

MDT - Mobile Data Terminal: A cruiser-mounted or otherwise portable computer used by trained and certified department members for purposes of accessing CJIS, CHSB, LEAPS records, police department information systems or other available information via secure access to various information bureaus.

Accounts: All users are responsible for the proper use of the accounts, including proper password protection. Accounts will be created and assigned by the Account Administrator.

CJIS - Criminal Justice Information System: The computerized network, services and applications that offers law enforcement agencies within the state and nationally secure access to state and interstate criminal history, driver and vehicle records, restraining orders and other important confidential data.

CHSB - Criminal History Systems Board: The state agency responsible for maintaining the state's law enforcement data communications network and systems and for the processing and dissemination of C.O.R.I. to authorized entities and persons.

C.O.R.I.: "Criminal offender record information": records and data in any communicable form compiled by a criminal justice agency which concern an identifiable individual and relate to the nature or disposition of a criminal charge, an arrest, a pre-trial proceeding, other judicial proceedings, sentencing, incarceration, rehabilitation, or release. For a more in-depth definition, see the department policy on **C.O.R.I.**

IV. PROCEDURES

Hardware

- A. Computers connected to mobile application software will generally be mobile (lap top) computers and handheld devices.
- B. Some desktop, static computers within the police facility may also be connected to the mobile network. Such systems may include:
 - 1. Dispatch workstations;
 - 2. Supervisory and administrative work stations; and
 - 3. Clerical work stations.
- C. Computer connectivity to the mobile system may be accomplished by:
 - 4. A vehicle mounted modem;
 - 5. Laptop air card; or
 - 6. LAN.

Software

D. AUTHORIZED SOFTWARE

- 7. Mobile software applications running on the mobile network are:
 - a. CJIS – IMC, and CJIS Single Sign On;
 - b. Dispatch – **IMC, CJIS Single Sign On, and Open Fox;**
 - c. Chat – **IMC, and CJIS Single Sign On;**

E. PROHIBITED [41.3.7

8. Only authorized software may be run on mobile computers. Unauthorized software programs or files may not be introduced into agency computers. For further information, see the department policy on ***Computers and Data Security***.
9. Authorized software may not be manipulated or altered on any agency-owned mobile, desktop or handheld computers. Modifying computer settings, such as changing Windows, **IMC** backlighting and night/day modes are not prohibited.

User Access

6. Each authorized user of the system will be issued a login name and password. Users are responsible for maintaining the security of their passwords, and should never share them with anyone, including other employees. For further information see the department policy on ***Computers and Data Security***.

Use

- G. At the beginning of the shift, employees shall check the MDT while completing their routine vehicle checks. Damaged equipment must be reported to Department IT Officer immediately.
- H. Employees shall log onto the assigned MDT and shall remain active on the system for their entire tour. If any problems are encountered, employees should check the equipment as explained in this policy under “trouble shooting” prior to reporting the equipment inoperative. Unresolved issues should be reported to Department IT Officer to be corrected.
- I. All mobile computing transactions must conform to FCC guidelines regarding radio transmissions and shall not contain improper language or subject matter.
- J. Car to car chat shall be limited to communication which is relevant to police activity.
- K. All MV stops, field interviews, etc., shall be radioed into dispatch to ensure officer safety.
- L. House or Building Checks and other calls requiring radio silence can use MDT’s to enter information.
- M. Some MDT’s programs are equipped with an audible alarm so that officers are notified of pertinent messages or announcements. The audible alarm setting on all terminals shall be left on. No officer shall mute, turn off or disable the alarm(s).
- N. Officers who obtain actionable CJIS information through the MDT such as a “HIT” (warrant, revoked license or registration) must have the query run through communications to obtain a paper copy of the “HIT” and to confirm accuracy.
- O. The MDT shall not be used to access or attempt to access the internet.
- P. No food, beverage or any other substance that may inflict damage will be placed on or near the MDT.
- Q. Only the provided stylus pen or a clean finger may be used to operate the touch screen. Use of any other object to activate the touch screen is prohibited, as it may scratch or otherwise damage the screen display.
- R. Laptop screens should be cleaned with a soft, clean cloth, such as a micro fiber cloth. Use of cleaning solvents and liquid-based products on the computer is prohibited, as they often cause hazing or damage to the screen. If further cleaning is required, notify Department IT Officer. To ensure that officers’ accounts are not accessed, officers must log off of the MDT at the end of their tours and turn off the computer.

Security

- S. Vehicle Mounted MDTs:
 10. All cruisers equipped with MDTs shall be locked whenever unoccupied.
 11. MDTs should be removed from any vehicle which is anticipated to be out of service for more than five days.

12. MDTs should be rendered non-functional when a vehicle is sent to be repaired by a non-municipal repair facility. MDTs may remain in the vehicle when the vehicle is serviced by municipal employees Hudson Road Auto, and MHQ.
 - d. In all cases, computers may be removed from the vehicle.
 - e. MDTs equipped with air cards may have the air cards removed.
 - f. MDTs which access the network through a modem may have the modem removed.
13. If an MDT computer, modem or air card is discovered to be lost or stolen, this shall be reported immediately to a supervisor, who shall take the necessary steps to render access of the device to the network inaccessible.
- T. Any user who finds a potential lapse in security on any system shall be obligated to report the potential lapse to Department IT Officer forthwith. The system(s) shall then be taken out of service until the problem can be investigated.
- U. Security incidents which violate confidentiality, integrity, or availability of data must be reported to the CHSB.
22. No employee shall log into any computer or application using the username and password of another employee. This action is a crime under M.G.L. c. 266, §120F and a serious breach of security. Unless directed to by the Chief of Police

Training

- W. All employees using MDTs or mobile computers shall be trained on the use of the computer and software applications they are to use.
- X. CJIS users are required to be trained, tested, and certified, at the minimum, to the “Admin and Query” level of use.

Data Log Files

- Y. A transaction log of CJIS queries and responses must be maintained pursuant to 3.8.1 of the CJIS User Agreement. Files must be maintained for at least two years and must be available to CHSB upon their request. For further information, see the department policy on **Computers and Data Security**.
- Z. Mobile communications, data queries, and car to car chat functions are logged by the mobile software. These communications and logs may be public records and may have to be released upon receipt of a public records request. For more information see the department policy on **Records Management**.

Trouble Shooting:

- AA. Computer won't power on:
 14. Check for battery light and power to the system. Lack of power may be caused by a poor connection with a cigarette lighter plug or a blown fuse.
- BB. Computer is on but the screen is frozen:
 15. Check to see if the mouse or keyboard is working. If so, reboot the computer. If not, shut the computer off using the power switch, wait at least ten seconds, and then turn the computer on.
- CC. Computer comes on and the programs load but the user cannot log in:
 16. Ensure that the “cap lock” key is not on and that the keyboard and mouse are working.
 17. Check to see if the computer is connected to the network
- DD. The computer is not connected to the network:
 18. Check to ensure that the data cable is properly connected and the connector screws are tight.

19. If the computer is equipped with a modem, check the modem to make sure that it is getting power and the data cable to make sure that is properly connected and the connector screws are tight. Check to ensure that the antenna cable connector is tight.
20. If the computer is equipped with an air card, check to ensure that the card is properly seated and that the antenna connection is tight.

E.E. The program is running but the user does not get any CJS data back:

21. Check with other officers to see if they are having difficulty as well.
 22. Multiple vehicle problems indicate a network or server issue.
6. When equipment will not connect, contact Department IT Officer

RECRUITMENT AND SELECTION

STOW POLICE DEPARTMENT POLICY & PROCEDURE NO. 4.23	ISSUE DATE: _____
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 31.1.1; 31.2.3; 31.3.1; 31.3.4; 32.1.1; 32.1.4; 32.1.5; 32.1.6; 32.1.7; 32.2.1; 32.2.2; 32.2.3; 32.2.7; 32.2.8; 32.2.9; 32.2.10	EFFECTIVE DATE: _____
	REVISION DATE: _____

A. GENERAL CONSIDERATIONS AND GUIDELINES

The selection of police officers from a field of potential candidates is a very important task affecting not only the police department, but the community as well. Candidates who possess intelligence, physical ability and proper temperament must be identified and screened for further consideration. A poorly selected candidate can prove to be a burden to the department for an entire generation. So-called "bad hires" may expose the Chief and the municipality to unnecessary civil liability, become a burden to both labor and management as a disciplinary problem, and negatively affect the morale of the entire agency.

It is imperative that the recruitment and selection process attract desirable candidates and that the process not only be in compliance with federal, state and local law, but be fundamentally fair.

B. POLICY

It is the policy of this police department to:

- A. select the most qualified candidates for appointment as sworn police officers;
- B. maintain an efficient, effective, and fair selection process that will result in the appointment of those individuals who best possess the skills, knowledge, temperament, and abilities to police our community;
- C. strive to ensure that all hiring practices will be formulated and conducted in a manner which will ensure equal access for all people and prevent discrimination;
- D. base selection criteria solely on the individual eligibility and merit or fitness of applicants, without regard to race, color, creed, religion, ancestry, national origin, age, disability, sex, marital status, affectional or sexual preferences or political or union affiliation. [31.2.3]

C. DEFINITIONS:

Appointing Authority: The [Chief, Town/City Manager/Board of Selectmen, Other], who has the power of appointment or employment.

Selection Committee: A group of employees and/or other persons designated by the Chief to evaluate and interview candidates for employment, and make recommendations to the Chief regarding selection.

D. PROCEDURES [32.1.1]

Recruitment [31.1.1]

This department shall actively participate in recruitment for qualified persons to fill sworn and non-sworn vacancies.

Official job announcements and recruitment notices shall include: [31.3.1(a)]

- A. A description of the duties and responsibilities of the position;
- B. Requisite skills;
- C. Minimum educational requirements;
- D. Other minimum qualifications or requirements;
- E. Official application filing deadlines; [31.3.1(d)] and
- F. Equal Opportunity Employer notice. [31.3.1(c)]

Recruitment activities of this department may include advertising or posting notices of vacant positions or entrance examinations: [31.3.1(b)]

- G. In local newspapers;
- H. On local radio stations;
- I. On local cable television venues;
- J. At colleges;
- K. At criminal justice training academies; and
- L. In the CJIS Jobs file.

Unofficial recruitment activities for this department are every employee's responsibility. Persons who express an interest, or are identified as potential employees, should be referred to the Chief of Police who is responsible for regular recruitment activities. Department-sponsored recruitment should be conducted on an on-going basis, but is particularly important when openings occur and prior to the holding of an entrance examination.

A superior officer designated by the Chief shall have authority and responsibility for conducting and managing the day-to-day recruitment operations and activities of the department. {S]he shall be responsible to do the following:

- M. Keep and maintain a file on all relevant recruiting and selection materials, and ensure that these materials are disseminated throughout the community;
- N. Apprise members of the department regarding the current need for recruitment, and request their participation by suggesting they actively seek qualified individuals and encourage them to apply for a lateral transfer.
- O. Contact community organizations through written or verbal communication to encourage them to actively seek qualified applicants. Provide these organizations with recruitment brochures for dissemination purposes.
- P. Ensure that individuals assigned to recruitment activities are knowledgeable in personnel matters, agency operations, career opportunities, and Equal Employment Opportunity issues as they affect the management and operations of the department;
- Q. Encourage students in the high schools to consider law enforcement as a career.

- R. Advertise lateral transfer positions in LEAPS/CJIS;
- s. **[OPTION]** Identify and cultivate potential candidates through the Police Auxiliary.

Application Process

For transfer applicants or other positions where requested, the resume ,cover letter and initial application are the first step in the screening process. The screening committee must review the resume and application to ensure that the applicant meets all of the minimum standards for the open position. Candidates who meet at least the minimum standards may be invited to apply. The committee should respond to each applicant. Applicants who do not meet the minimum requirements will receive a letter explaining that fact. [32.1.5]

All candidates for employment must complete and submit an employment application package provided by the department. The application shall include a letter identifying:

- T. An explanation of all elements of the selection process;[32.1.4(a)]
- U. The expected duration of the process;[32.1.4(b)] and
- V. The department policy on reapplication in the event that the candidate is not selected. [32.1.4(c)]
- W. The applicant will also be required to produce the following documents:

1. A release form completed and signed by the applicant in order to conduct a background investigation;
2. A credit report;
3. College transcripts;
4. A copy of the applicant's Massachusetts Driver's License;
5. Police Basic Recruit Training Certificate, if applicable;
6. DD 214 if a veteran;
7. Proof of Citizenship; and
8. Fingerprints (taken at police station).

The application often provides the first impression of the candidate to members of the selection committee. It also serves as a foundation for background investigations and interviews. The application shall be screened by the selection committee. At a minimum, committee members should consider:

- X. Whether the application was submitted in a timely fashion;
- Y. Whether the applicant meets minimum standards for training, education, age, etc.;
- Z. The neatness and professional appearance of the application, e.g., handwritten v. typed;
- AA. Spelling, grammar, writing skills, and proficiency in the use of the English language; and
- BB. Whether the application is complete, with all required documents submitted or accounted for.

The content of the application should be reviewed in detail. Areas which are reasons for concern or which make the candidate more desirable should be noted.

Intentional false, misleading, or exaggerated information will be grounds for rejection.

Minor omissions or deficiencies that can be corrected prior to the interview process shall not be grounds for rejection. [31.3.4]

Applicant Screening

Applicants accepted for further consideration may be notified in writing, verbally, or both.

The screening committee shall review records readily available to further screen transfer applicants and/or candidates.

Criminal records checks include:

- CC. Local records check;
- DD. Board of Probation Record;
- EE. Interstate Identification Index (III);
- FF. Fingerprint check;

Note: No person convicted of a felony may be appointed as a police officer. Nor shall anyone convicted of misdemeanor domestic violence, as they are permanently disqualified from possessing a firearm or ammunition.

a. Driver history;

- 1) My Space, Face Book, or other social or personal web sites; and
- 2) Search of the candidate's name on an internet search engine.

Applicants who do meet those requirements and are not otherwise disqualified should be invited to submit a final application for employment.

Applicants who are not selected for further consideration shall be informed in writing within thirty (30) days of that determination. [32.1.5]

All documents provided to the committee and those produced during the selection process shall be considered confidential and not circulated outside of the committee or administration. Records shall be stored in a secure area when not being used. [32.1.7]

Selection Material

- 3) All records of the selection process for candidates selected to be hired shall be included as part of the employee's personnel file. [32.2.3]
- 4) All records of the selection process for candidates not selected shall be stored in the records section for two years after the vacancy is filled or the position cancelled and, thereafter, may be destroyed in a manner which prevents disclosure of the information within, in compliance with the department policy on **Records Management**. [32.1.6]

Re-application

Candidates who withdraw during the evaluation process may be considered for future positions.

Candidates who are screened out for failing to meet minimum qualifications or are medically disqualified may be considered for future positions provided that they meet the minimum qualifications at the time of re-application.

Candidates for police officer positions who fail to pass the PAT test may be re-tested or may reapply when another position becomes available.

Candidates who are rejected for intentional false, misleading, or exaggerated information will not be reconsidered for future positions.

Testing

[Start Non-Civil Service Option]

GENERALLY: All elements of the selection process where a test is required are administered, scored, evaluated, and interpreted in a uniform manner.

TEST INTEGRITY:

- 5) To protect the integrity of the entrance examination process, the Chief of Police shall ensure:
 - a) All examination materials, documents, scores, evaluations forms, and completed evaluations shall remain confidential and shall be kept in a secure, locked location when not in use. [32.1.7]
 - b) All copies of tests and testing related materials are accounted for prior to the exam date.
- f. Exams, answer sheets, scoring keys and other examination related materials are controlled items and shall never be copied, scanned, photographed or reproduced unless expressly directed by the Chief of Police.
- 7) Testing and scoring materials shall not be left unattended for any period of time. Materials not under the direct and immediate and direct control of a person authorized to possess them shall be kept in a locked, secure area approved by the Chief of Police.
- 8) Such materials may only be reviewed by the Chief of Police or his designee with the express permission of the Chief.
- 9) Examination materials shall be retained for at least three years. Once the entrance examination process has been completed, all appeals exhausted or appeal periods have expired, and no litigation is pending, examination materials shall be destroyed by shredding. These include:
 - c) Obsolete and used exam books and completed answer sheets;
 - d) Scoring materials; and
 - e) Any other testing materials of a confidential nature.

TESTING PROCESS

[ENTER TESTING CRITERIA]

[End Non-Civil Service Option]

i. Background Investigation

A background investigation shall be conducted for each applicant approved for further consideration by the selection committee.

- a. The investigation shall be conducted by an employee designated by the Chief.
- b. All background investigators shall be properly trained in background investigation techniques prior to conducting such investigations. [32.2.2]

The investigators shall prepare a report for the selection committee, to include:

- c. Verification of the candidate's qualifying credentials; [32.2.1(a)]
- d. Review of any criminal record or negative contacts with police: [32.2.1(b)]
 - 1) Candidates with a history of perpetrating violence (including elder abuse, child abuse, sexual assault, stalking, or domestic violence) should be screened out at this point in the hiring process;
 - 2) For further information, see the department policy regarding ***Domestic Violence by Police Employees***;
- e. Verification of at least three personal references; [32.2.1(c)]
- f. Investigation of any areas of concern raised by the selection committee;

- g. Appearance of excessive use of sick time or patterns of sick time taken in conjunction with days off, or on weekends;
- h. Appearance of excessive tardiness;
- i. Appearance of excessive workman's compensation or injured on duty claims;
- j. Excessive use of force complaints;
- k. Character or integrity issues;
- l. Difficulty in getting along with other employees; and
- m. Sexual/harassment complaints.

Candidates who will have access to CJIS systems must be fingerprinted and conduct a national fingerprint based records check. Such employees include:

- n. Police Officers;
- o. Dispatchers;
- p. Records Clerks; and
- q. Computer network administrators and maintenance personnel.

Persons convicted of a felony cannot be police officers or access the CJIS system. The appointing authority may petition CJIS for a review of the felony record for authorization for access .

Candidates who are found to have intentionally submitted false information in the application package will not be considered further.

The selection committee will review the report and determine which candidates should be considered further.

- r. Those who are still under consideration will be invited to interview with the selection committee.
- s. Candidates who are screened out shall be notified in writing. [32.1.5]

ii. Interviews

The selection committee shall conduct interviews of candidates. A standardized list of questions for all candidates will provide the format for the interview. Follow-up questions and inquiries into issues raised during the background investigation should also be asked as appropriate. The process should include:

- t. A general question about the candidate's background to put the candidate at ease and provide him/her with an opportunity to tell the committee about him/herself;
- u. A question or scenario to test the candidate's integrity;
- v. An opportunity to provide the committee with any information that was not asked, but which the candidate deems important; and
- w. An opportunity to ask questions of the committee.
- x. Candidates with a history of perpetrating violence (including elder abuse, child abuse, sexual assault, stalking, or domestic violence) should be screened out at this point in the hiring process.

Candidates shall be clearly informed of the department's position of zero tolerance concerning domestic violence by police department employees. For further information, see the department policy on ***Domestic Violence by Police Employees***.

iii. Final Evaluations

The committee will evaluate the candidates and prepare a report for the Chief of Police detailing recommendations for further consideration. Candidates will be made a conditional offer of employment, in writing, before further evaluation is conducted.

It is unlawful to require a polygraph as a condition of employment or continued employment.

All remaining candidates shall undergo a medical evaluation conducted by a physician selected by the department to certify the general health of the candidate. The physician may have specialization in industrial medicine. The evaluation should include screening for controlled substances and the ability to physically perform tasks which have been determined to be critical job functions. [32.2.7]

All candidates shall undergo an emotional stability and psychological fitness examination by a qualified psychologist or psychiatrist who specializes in criminal justice pre-employment psychological evaluation. [32.2.8]

- y. The psychological screening of all viable candidates will include indicators of abusive tendencies.
- z. This department will strongly consider a no-hire decision in the case of a candidate with tendencies indicative of abusive behavior.

Reports of physical and psychological testing shall be considered confidential medical records. For candidates hired by the department, these records shall become part of the employee's medical personnel records. For candidates not selected, the records will be retained with the candidates' other selection process records. [32.2.9]

D. Sworn - Pre-Academy Screening

All candidates selected for employment as sworn officers who have not completed a basic recruit municipal police training academy must complete the HRD physical agility test (PAT) prior to enrollment. A "waiver" may be obtained from the MPTC for those that have completed equivalent academies in other states.

v. Training

Sworn Officer Candidates

- aa. Police Academy Training: Candidates selected for employment must meet training requirements as specified in M.G.L. c. 41, § 96B, and the department policy on ***Training and Career Development***.
- bb. Upon successful completion of basic recruit training, new officers must complete a one year probationary period. [32.2.10]

Non-Sworn Candidates

- cc. Candidates for non-sworn positions shall undergo orientation and training within the agency. See the department policy on ***Training and Career Development***.
- dd. The new employees must successfully complete a one year probationary period.

BUDGET AND FINANCE

STOW POLICE DEPARTMENT POLICY & PROCEDURE NO. 4.24	ISSUE DATE: _____
ACCREDITATION STANDARDS REFERENCED: 17.1.1; 17.2.1; 17.2.2; 17.4.1; .7.4.2	EFFECTIVE DATE: _____
	REVISION DATE: _____

[WITH THE EXCEPTION OF THE SECTION ON MAINTAINING CASH FUNDS, ALL SECTIONS OF THIS POLICY ARE OPTIONAL FOR STATE CERTIFICATION AND ACCREDITATION.]

A. GENERAL CONSIDERATIONS AND GUIDELINES

The purpose of this policy is to identify and provide guidance for those involved with the budget cycle. The budget process often begins nearly nine months prior to the beginning of the new fiscal year and funds department expenditures nearly twenty-one months away. Careful planning is crucial in presenting a budget proposal to address those needs.

In addition, department employees dealing with cash are provided guidance in accepting payment, expending cash, and accounting for those expenditures. Sound financial records will protect employees from any claims of inappropriate use of funds.

B. POLICY

It is the policy of this department to:

- A. Submit a sound budget proposal to fund the agency properly to meet policing goals throughout the next fiscal year;
- B. Manage the operational budget to ensure that funds from budgetary appropriations are available for police operations through the fiscal year; and
- C. Maintain the integrity of cash accounts and expenditures in the police department.

C. PROCEDURES

D. Fiscal Authority and Responsibility [17.1.1]

The Chief of Police is designated as having the authority and responsibility for budget management of the police department.

Such authority is derived through **[CHOOSE AND EXPLAIN – Job description issued by the appointing authority or government body; statute; ordinance; employment contract; or other source. The authority must be given from an outside source having the authority to delegate or designate such authority.]**

E. The Budget Process [17.2.1]

Edit to meet your agency's practice.

The budget year for this department begins on the first day of July each year and ends on the following June 30th.

The Chief of Police shall submit a proposed budget to the Town Administrator as directed, but usually during the month of December.

The commander of each of the department's major components shall submit budget recommendations for the upcoming budget cycle to the Chief of Police. The responsible components are: [17.2.2]

- A. Patrol Division;
- B. Investigations Division; and
- C. Services Division.

Budget recommendations shall be submitted as directed by the Chief of Police, but usually in the month of December.

F. Budget Management [17.2.1]

The Chief of Police shall be responsible for managing the agency budget.

Each month, Chief of Police shall review the agency's budget report to determine the department's financial position ending the previous month. The budget report includes each approved account and the following detail: [17.4.1]

Initial appropriation for the budget year;

The balance at the beginning of the monthly period;

Expenditures and encumbrances made during the monthly period; and

Unencumbered balance at the end of the monthly period.

The Chief of Police shall use this data to manage expenditures and approve purchases for the department.

G. Cash Funds and Account Maintenance [17.4.2]

GENERALLY

Authorization: All cash funds or accounts where agency personnel are permitted to receive, maintain, or disburse cash shall be approved by the Chief of Police.

Accounting: The custodian of each cash account shall maintain a ledger to show expenditures and account balances. Entries shall be made for:

- D. The initial appropriation;
- E. Subsequent account credits;
- F. Cash disbursed; and
- G. Balance on hand.

[Option – Select]

The custodian of each account shall conduct a quarterly accounting.

PETTY CASH

The petty cash account shall be under the control of the Chief's Administrative Assistant who is authorized to disburse cash.

Cash from the petty cash account may be used for official police purchases where purchases need to be made quickly, where there is no mechanism for billing or purchase orders, or where the purchase amount is small. No disbursement in excess of three hundred dollars shall be made without the approval of the Chief of Police.

A receipt for each cash disbursement is required and shall be submitted to the account custodian for retention as an account record.

The petty cash account shall not be used to avoid obtaining a purchase order.

CONFIDENTIAL FUNDS

The Confidential Funds account shall be under the control of **the Chief of Police**.

The fund custodian and the Sergeant in Charge of the Department's Property Section are authorized to disburse cash.

Cash from the Confidential Funds account may be used for official police investigative purchases of drugs, firearms, and other contraband, and to pay informants as approved by the Chief of Police or the Sergeant in Charge of the Departments Property Section. No disbursement in excess of **\$500** shall be made without the approval of the Chief of Police .

A Confidential Funds Expenditure Form for each cash disbursement is required and shall be submitted to the account custodian for retention as an account record.

The Confidential fund shall not be used for operational expenses except in the case of exigency and with the approval of the Chief of Police .

RECORDS OFFICE

The records office account shall be under the control **the Lieutenant of the Chief's Administrative Assistant**, who is authorized to receive cash and make change.

This account is for receiving payment for police records, and employees are not authorized to disburse funds for purposes other than deposit in an approved account.

FIREARMS LICENSING

The firearms licensing account shall be under the control of **the Chief's Administrative Assistant**], who is authorized to receive cash and make change.

This account is for receiving payment for firearms licensing, and employees are not authorized to disburse funds for purposes other than deposit in an approved account.

LIST ADDITIONAL ACCOUNTS.

\ No other accounts.

COMMUNICATIONS CENTER

STOW POLICE DEPARTMENT POLICY & PROCEDURE NO. 4.25	ISSUE DATE: _____
ACCREDITATION STANDARDS REFERENCED: 81.1.1; 81.1.2; 81.2.1; 81.2.2; 81.2.5(a)(c)(d)(f)(g); 81.2.8; 81.2.9; 81.2.13; 81.3.1; 81.3.2; 81.3.3; 81.3.4	EFFECTIVE DATE: _____
	REVISION DATE: _____

A. GENERAL CONSIDERATIONS AND GUIDELINES

Communications is a core component in the delivery of police services. This department has provided equipment that is essential for receiving requests for service from the public and for communicating important details and officer safety information to our public safety responders. It is important that the communications staff maintains the ability to use this equipment effectively and efficiently.

It is the responsibility of all employees to maintain security of communications equipment and facilities. A compromise of our communications equipment is a compromise of our ability to safely and effectively deliver police services.

The focus of this policy is on operation of the Communications Center. For information regarding the communications function (dispatching), see the department policy on ***Communications***.

B. POLICY

It is the policy of this department to:

- A. provide, maintain and secure the communications equipment necessary to effectively police our community; and,
- B. be prepared to operate at a diminished capacity in the event of a natural disaster, fire or other event that impacts the efficient operation of the Communications Center.

C. DEFINITIONS

Dispatch Supervisor: An employee assigned to a managerial role to oversee the efficient operation of the Communications Center.

Telephone Company: The company that provides hard telephone lines and equipment for E9-1-1 and maintains the physical telephone infrastructure.

D. PROCEDURES

Organization and Administration: Generally

The communications function for this department is located and operated from the Emergency Dispatch Center and is under the command of **Dispatch Supervisor**.

The communications function falls under the Dispatch Division in the organization of this department.

3. Provides dispatch services **for the Stow Fire** [81.1.1]

Reference written agreement or authorizing document.

Duties and Responsibilities

[This section includes a description of where Communications fits in the organizational chart and which positions have responsibilities in its operation. A base is provided. Add or delete levels of responsibility and duties to meet your agency's structure.]

DISPATCH SUPERVISOR

- A. **Administrative Body** is responsible for overseeing the operation of the Communications Center and the Dispatch Supervisor.
- B. **Administrative Body** shall support the Dispatch Supervisor in maintaining and improving Communications Center equipment and facilities, and managing assigned personnel.

DISPATCH SUPERVISOR

- c. The Dispatch Supervisor is responsible for overseeing the operation of the Communications Center and for supervising assigned civilian dispatchers, either directly or in cooperation with the shift supervisor.
- d. Among the administrative duties are:
 - 1. Scheduling communications employees' hours of duty;
 - 2. Overseeing the communications functions training;
 - 3. Ensuring that equipment is operational and maintained;
 - 4. Causing key resources to be available to dispatchers in the communications center, including:
 - a. The roster of department members and phone numbers [81.2.5 (c)]; and
 - b. Telephone numbers and procedures for procuring emergency and necessary external services, to include but not be limited to: [81.2.5(f)]
 - 1) Road services,
 - 2) Counseling and psychological services,
 - 3) (Emergency Services),
 - 4) Medical facilities,
 - 5) Poison Center, and
 - 6) Homeless shelters;
 - c. Maintaining map(s) of the Police Department's service areas; [81.2.5(d)]
 - d. Ensuring adequate supplies and equipment;
 - e. Maintaining dispatch quality control;
 - f. Serving as E9-1-1 Liaison; and
 - g. Serving as CJS Back-up Representative.

DISPATCHER: The dispatcher is responsible for performing the communications function. Dispatcher duties include:

- e. Answering business line and E9-1-1 telephones;
- f. Communicating with and providing information and resources to employees in the field;
- g. Advising the shift supervisor of important incidents and unsafe situations;
- h. Conducting CJIS operation;
- i. Monitoring detainees using CCTV and audio equipment;
- j. Monitoring the booking process and summoning assistance when needed;
- k. Reporting damaged or inoperative equipment; and
- l. Monitoring alarms.

SHIFT SUPERVISOR: The shift supervisor does the following:

- m. Oversees and commands all aspects of the given shift on duty;
- n. Maintains contact with the Dispatch Center either by radio, telephone, or other means for immediate access; [81.2.5(a)]
- o. Coordinates and oversees responses to equipment failures;
- p. Ensures that the proper notifications are made in the event of an emergency in the Communications Center; and
- q. Takes steps to ensure that the communications function continues to operate, even at a diminished capacity.

PERSONNEL IN THE FIELD: Officers and other employees working in the field shall be responsible for:

- r. Monitoring all radio transmissions;
- s. Assisting communications personnel in the event of a Communications Center equipment failure or emergency; and
- t. Being vigilant and mindful of the security needs of the Communications Center.

Radio Communications

[An outline and sample are provided and would be applicable to traditional low, high, or ultrahigh band radios. This section must be edited to meet your agency's radio system profile.]

a) GENERALLY

- i. The Police Department radio system is the officers' primary means of communication with dispatch.
- ii. All employees assigned to field duty, including details, shall be equipped with a functional portable radio to communicate with the Communications Center and other officers. [81.2.2]
- iii. All frequencies used by the police department will be properly licensed as required by the Federal Communications Commission. FCC rules and regulations are available to all personnel at http://wireless.fcc.gov/index.htm?job=rules_and_regulations. [81.1.2] **[MAKE THIS LINK IMMEDIATELY AVAILABLE TO DISPATCH PERSONNEL.]**

PRIMARY RADIO: THE PRIMARY RADIO SYSTEM IS CONFIGURED TO COMMUNICATE AS FOLLOWS: [81.3.4]

Channel	Entity	Frequency	Privacy
1	Police Repeat (receive)	155.595	123
2	Police Direct (transmit)	160.080	123

3	Fire Repeat	46.5	
4	Fire Direct	458.2625	
5	Ambulance	46.5	
6	Town Government	XXX.XXX	XXX
7	District 14	453.3875	
8	Radio Box FD	458.8875	
9	Intercity	XXX.XXX	XXX
10	Civil Defense	XXX.XXX	XXX

BACKUP RADIO: A backup radio located in the communications center is available for use in the event of a failure of the primary radio system. [81.3.1(c)]

POLICE DEPARTMENT TRANSMISSION FORMAT

- a. The standard format to be used in transmitting messages in the department's radio network is as follows:
- b. As a rule, most transmissions on the department's radio network must be given in plain language (no codes), in compliance with Incident Command System standards.
- c. All units are required to identify themselves by OFFICER ID. If an officer changes assignments for any reason during a tour of duty, the officer(s) involved in the change shall notify communications of their new designation.
- d. The communications center shall always be referred to by the name **Control for Police, Stow Fire Alarm for Fire Department**.
- e. Officers must notify dispatch prior to switching from Channel 1 to any other channel. This will prevent confusion and missed transmissions within the network.

OPERATING MODES

- f. Repeat Mode: Control Channel 1
 - 1) Radio transmissions from vehicles and portable radios are transmitted at the frequency listed on channel 1 and received by A repeated. The signals are then voted by a radio control system, and the strongest, highest quality signal is forwarded to a high watt transmitter and rebroadcast at the channel 2 frequency. There is a very brief delay between transmit and receive for signal routing.
 - 2) This is only effective when in range of the repeater system.
- g. Direct Mode: (TALKAROUND) Channel 2
 - 3) Radio transmissions are broadcast and received without the repeater system at the power of the transmitter being used (portable, vehicle radio, etc.).
 - 4) This is effective at short range or when out of range of the repeater system.
- h. Unit Identification:
 - 5) Vehicle and portable radios are programmed with identification unique to the individual radio. The ID is transmitted each time the radio transmits.
 - 6) The Communications Center is equipped to receive and identify the ID.

OFFICER IN TROUBLE BUTTON

- i. Portable radios are equipped with a duress button which, when activated, transmits the radio's unit identification and a duress tone which displays on other radios in the system until such time as it is reset.

RADIO OPERATION CHECKS: At the beginning of each tour of duty, officers should initiate a radio check to ensure that all cruiser and portable radios are functioning properly.

TRANSMISSION REQUIREMENTS

- j. The radio is to be used for official department business only.
- k. Unnecessary communications will not be allowed.
 - 7) All FCC rules and regulations will be adhered to.
 - 8) Military (24 hour) time shall be used in all transmissions.
 - 9) Messages are to be clear, concise, and accurate so that transmission time is kept at a minimum.
 - 10) Courtesy is essential for the efficient and effective operation of the radio system. Discourtesy, sarcasm, or arguments will not be tolerated.
 - 11) Personal names will not be used during transmissions. Officers will be identified by their proper call sign.
 - 12) Profane and obscene language is a violation of FCC rules and regulations. Employees must not use loud, uncivil, indecent, or profane language even under the greatest provocation, or play commercial radio over any police frequency.
 - 13) Officers will be personally responsible for proper radio communications.
 - 14) The names of complainants shall not be broadcast over the air unless it is necessary as a part of the call or assignment.

TRANSMISSION PROCEDURES: Before transmitting, an employee should:

- l. Plan the message before transmitting, when possible.
- m. Listen to make sure another message is not being interrupted.
- n. Hold the mike one to three inches from the mouth. Do not attempt to transmit with the mike still attached to the dashboard or radio console.
- o. Depress the transmit button and wait three seconds (it takes two to three seconds for identification mode in the radio to transmit). Any verbal transmission during this time period will be lost.
- p. Speak normally and clearly, using an even tone of voice, as in a phone conversation. Avoid vocal displays of emotion, such as loss of temper, nervous excitement, sullenness, etc., which tend to distort a radio transmission.
- q. Identify the unit by using the proper call sign and by giving the correct location.
- r. Give the dispatcher time to acknowledge the transmission.
- s. Avoid, if possible, lengthy messages. If the message is long, transmit a portion of it to ensure that it has been acknowledged, and then continue.
- t. Acknowledge all calls promptly by giving your unit and acknowledgment.
Example: "310 – received."
- u. Report arrival at the scene promptly.
Example: "230 – On the Scene."
- v. Clear the call promptly and give dispatch a short narrative as to the outcome of the call.

Example: "110 – clear- verbal warning issued."

SPECIAL TRANSMISSION PROCEDURES

- w. On those occasions when a sensitive message must be delivered over the radio that cannot be transmitted over the MDT or over a telephone, it is desirable to minimize outside monitoring.
- x. The following procedures will be followed:
 - 15) The dispatcher will contact a specific unit and instruct them to switch to Channel 3.
 - 16) The dispatcher will instruct all other units to hold transmissions.
 - 17) Both the dispatcher and the unit will turn to Channel 3.
 - 18) The dispatcher will then contact the unit followed by "on Channel 3 and will then deliver the message.
 - 19) The receiving unit will acknowledge receipt of the message.
 - 20) Dispatch will then advise returning to channel 1.
 - 21) Both units will then return to normal channels.
 - 22) All other units are advised that they may resume normal transmissions.

PHONETIC ALPHABET

- y. The standard phonetic alphabet shall be used to clarify the spelling of words or when transmitting messages containing letters (e.g., vehicle registrations).

[TWO COMMON PHONETIC ALPHABETS FOLLOW.]

A - ALPHA

B - BRAVO

C - CHARLIE

D - DELTA

E - ECHO

F - FOXTROT

G - GOLF

H - HOTEL

I - INDIA

J - JULIET

K - KILO

L - LIMA

M - MIKE

N - NOVEMBER

O - OSCAR

P - PAPA

Q - QUEBEC

R - ROMEO

S - SIERRA

T - TANGO

U - UNIFORM

V - VICTOR

W - WHISKEY

X - X-RAY

Y - YANKEE

Z - ZULU

OR

A - ADAM

B - BOY

C - CHARLIE

D - DAVID

E - EDWARD

F - FRANK

G - GEORGE

H - HENRY

I - IDA

J - JOHN

K - KING

L - LINCOLN

M - MIKE

N - NORA

O - OCEAN

P - PAUL

Q - QUEEN

R - ROBERT

S - SAM

T - TOM

U - UNION

V - VICTOR

W - WILLIAM

X - X-RAY

Y – YOUNG

Z - ZEBRA

- z. This phonetic alphabet will maintain uniformity.

Example: (Unit) requests a listing on Mass. Reg. 123- A- Alpha, B-Bravo, C-Charlie (123-ABC).

STANDBY: If the dispatcher finds it necessary to put an officer on “standby” for any reason (e.g., an urgent phone call), [s]he shall be responsible for re-establishing contact with the officer as soon as possible.

RADIO RECORDING

- aa. Radio transmissions are recorded, but are no longer on the NICE Recording updated server has been installed and recordings are direct, not through channels, each radio and phone are labeled and identified through the software.
- bb. Data and calls may be played back or copied only by IT Officer or Dispatch Supervisor, who must be a trained and certified E9-1-1 supervisor. Review and/or recording of audio may be for: [81.2.8(c)]
 - 23) Court discovery;
 - 24) Public records requests (see department policy on **Records Management** for public records process);
 - 25) Training; and
 - 26) Internal Affairs Investigations.
- cc. Dispatchers can pull radio and phone recordings for the past four hours.

RADIO SYSTEM FAILURE

- dd. In the event that the primary radio system fails, the dispatcher shall switch to the backup radio.
- ee. The dispatcher shall create a log entry under the incident type “General” to document the failure. The entry will include the time of failure and should be updated to include the time and person notified to repair, and the date and time back in service.
- ff. The dispatcher shall notify:
 - 27) The shift supervisor; and
 - 28) IT Officer
 - 29) The radio contractor Worcester Radio, will only be contacted at the direction of the Police Chief or IT Officer.
- gg. The dispatcher or other knowledgeable employee may work to resolve the problem and bring the radios back on line if possible.
- hh. In the event that the primary and backup radio systems fail:

- 30) The dispatcher shall establish communications using a portable or other alternate radio, located at the Secondary Dispatch Position.
- 31) The dispatcher shall advise the shift supervisor, who will respond or assign another officer to respond to the Communications Center.
- 32) The responding officer will take over communications operations.
- 33) The dispatcher shall notify the Communications Supervisor, who may respond.
- 34) The dispatcher or other knowledgeable employee may work to resolve the problem and bring the radios back on line if possible.
- 35) The dispatcher will notify:
- a) Another dispatcher to respond if only one dispatcher is working;
 - b) Chief or IT Officer;
 - c) Radio repair contractor, Worcester Radio will only be contacted at the direction of the Police Chief or IT Officer.
 - d) Fire Department;
 - e) Medical Service Provider (ambulance);
 - f) Acton, Maynard, Bolton, Hudson, Harvard and Boxboro;**
- 36)** Currently there is a Police Radio at the Fire Station which can be operated. [81.3.2]

ENHANCED 9-1-1

ADMINISTRATION

- ii. The E9-1-1 Municipal Coordinator is responsible for being a point of contact between the Executive Office of Public Safety, the Statewide Emergency Telecommunications Board (SETB) and the telephone company.
- jj. OPTIONAL- A Data Base Liaison shall coordinate changes to and verification of the Master Street Guide (MSAG).
- kk. Master Street Guide, ALI Discrepancies, Disability Indicators, and Routine Address Change forms must be approved and signed by a liaison before being submitted to the telephone company.
- ll. Changes of assignment of the Municipal Coordinator or Data Base Liaison must be reported to SETB and the telephone company within ten days.
- mm. The MSAG shall be updated on an “as occurred” basis and shall be reviewed yearly by the Municipal Coordinator.

SYSTEM ARCHITECTURE

- nn. All calls handled through an E9-1-1 answering point are recorded.
- oo. The Wireless Emergency Service Zone (ESZ) servicing this department is Troop A-3 out of Concord. The Wireless Public Safety Answering Point servicing this department is depends on the route of the call, could be **[SP NORTHAMPTON; SP FRAMINGHAM; SP MIDDLEBORO]**.

ANSWERING POINTS

- pp. The Police Department is the Enhanced 9-1-1 public safety answering point for this municipality, with **two** answering points.
- qq. The E9-1-1 primary backup is **Hudson, POLICE/FIRE]**.

E9-1-1 SYSTEM

- rr. The E9-1-1 system provides toll free, twenty-four hour telephone access to the public to report or request emergency public safety assistance. [81.2.1]
- ss. This department also maintains a seven digit emergency telephone number, **978-461-2029** which is published in the white pages of the telephone book as a backup to E9-1-1. [81.2.1]
- tt. It is a separate system from the business line telephone system. They share no common communications lines, wiring panels, power circuits, or data lines. [81.3.3] **[OPTION- They share only a common call recorder.]**
- uu. E9-1-1 consoles may receive incoming emergency calls of both voice and TTD. [81.2.1]
- vv. Calls may be transferred using programmed transfer buttons or a destination telephone number.
- ww. The location of cellular telephone originated emergency calls may be received and the approximate location of the caller identified through the equipment provided with the system.

MISSED CALLS [81.3.1(C)]

- xx. Calls missed by dispatchers are forwarded to Hudson, PD after ten seconds.
- yy. Calls missed by Hudson PD are forwarded to Stow after ten seconds.
- zz. Calls missed by **State Police** are forwarded to a default answering location after ten seconds.

DATA AND CALL RECORDING

- aaa. All calls and data are logged on a digital recording system.
 - 37) Conversations are recorded on the SETB digital recording system known as the Equature Recording System.
 - 38) Call details are recorded on a server known as the MagIC Monitor.
 - 39) Radio and business line calls are also logged on the Equature Recording System. [81.2.8(a)]
- bbb. Recordings are on a server accessed with a username or password from any computer on the Stow Police Department Network.
- ccc. Data and calls may be played back or copied by the Chief of Police Lieutenant, Sergeant, IT Officer and Dispatch Supervisor who must be a trained and certified E9-1-1 supervisor. Review and/or recording of audio may be for: [81.2.8(c)]
 - 40) Court discovery;
 - 41) Public records requests (see department policy on **Records Management** for public records process);
 - 42) Training; and
 - 43) Internal Affairs Investigations.
- ddd. DVD recording disks shall be maintained in a secure area for **[RECOMMEND AT LEAST FIVE YEARS –THEY DO NOT REQUIRE MUCH STORAGE SPACE. M.G.L. 6A, s. 18G MANDATES RETENTION OF CALL RECORDS FOR NOT LESS THAN THREE YEARS. CALL RECORDS AND AUDIO ARE STORED ON THE SAME MEDIA.]** Recorded media shall be secured in the Squad room, next to the 911 Admin. Computer. [81.2.8(a)(b)]
- eee. Hard Drives shall be maintained in a secure area for **[RECOMMEND AT LEAST FIVE YEARS. SEE NOTE ABOVE.]** in the 911 server room, old drivers are connected to the 911 Admin computer in the squad room. [81.2.8(a)(b)]

SYSTEM POWER

- fff. Power circuits for E9-1-1 systems are dedicated circuits and separated from power circuits for other Communications Center equipment.

ggg. An uninterrupted power supply (UPS) is provided for E9-1-1 equipment only and connected to the department's emergency power generator.

hhh. Only E9-1-1 equipment may be plugged into dedicated E9-1-1 circuits, these circuits are indicated with orange outlets.

FAILURE

iii. The Communications Center will continue to operate at a diminished capacity.

jjj. Dispatchers shall promptly:

44) Report system problems to SETB by calling the Customer Care Center at 1-800-911-help (1435);

45) Notify the shift supervisor of system failure;

46) Notify Hudson PD: and

Note: Missed E9-1-1 calls will be answered by the primary backup, who will relay call information by transferring the call or taking the information and forwarding it to this department by phone or radio.

47) Create a log entry under the incident type **"ADMINISTRATIVE FUNCTION" OR GENERAL** to document the failure. The entry will include the time of failure and should be updated to include the time and person notified to repair, and the date and time back in service.

Business Telephone Lines

GENERALLY

kkk. The business line telephone system is separate from the E9-1-1 system. They share no common communications lines, wiring panels, power circuits, or data lines. [81.3.3] **[OPTION- They share only a common call recorder.]**

lll. The system is capable of handling in-coming and out-going calls.

mmm. The Police Department business line telephone number that is published in the White Pages is: 978-897-4545

nnn. The Police Department business line telephone numbers that ring in Communications Center are:

48) 978-897-4545

49) 978-897-4546

50) 978-461-1410

ooo. The Communications Center fax number is 978-897-3692.

CALL RECORDING

ppp. In-coming and out- going calls in the Communications Center are recorded on primary dispatch phone only on the Equature Recording System, with no other phone being recorded. All audio calls are logged on an instant playback recorder at each answering point, which is separate from the Equature Recording System.

qqq. Calls may be played back or copied only by the Chief of Police, Lieutenant, Sergeant, IT Officer and Dispatch Supervisor who must be a trained and certified E9-1-1 supervisor.

SYSTEM FAILURE [81.3.1(C)]

rrr. The Communications Center will continue to operate at a diminished capacity. The ability to call out and receive calls on the business lines may be affected.

sss. The failure of the business telephone system will not affect the E9-1-1 system. 9-1-1 calls will nearly always continue to ring in the Communications Center. Limited outgoing calls may continue to be made. Outgoing calls should be limited to:

51) Emergency notifications of the failure;

52) Reporting and arranging repair services; and

53) Emergencies related to Communications Center duties.

ttt. Personal calls must be avoided during system failure.

uuu. Outgoing calls may be made on cellular telephones if such service is available.

vvv. Dispatchers shall promptly report system problems to the shift supervisor, who may respond or assign another employee to respond.

www. Dispatchers shall notify **IT Officer** to arrange repair service.

xxx. The dispatcher shall create a log entry under the incident type **["ADMINISTRATIVE FUNCTION" GENERAL]** to document the failure. The entry will include the time of failure and should be updated to include the time and person notified to repair, and the date and time back in service.

Computer Aided Dispatch and Records Management

GENERALLY

yyy. This department uses TriTech Perform computer aided dispatch and records management software.

zzz. Data from this system is available to all authorized desktop workstations and cruiser laptops.

aaaa. For further information about this system, see the department policies on ***Computers and Data Security*** and ***Use of MDTs***.

SYSTEM FAILURE

bbbb. The Communications Center will continue to function in the event of a systems failure.

cccc. All pertinent information shall be recorded on paper for data entry at a later time. [81.3.1(c)]

dddd. The dispatcher shall create a log entry under the incident type, **["ADMINISTRATIVE FUNCTION" OR GENERAL]** to document the failure. The entry will include the time of failure and should be updated to include the time and person notified to repair, and the date and time back in service.

eeee. Dispatchers shall promptly report system problems to the shift supervisor, or IT Officer.

ffff. Dispatchers shall notify IT Officer to arrange repair service. The reporting employee should be prepared to provide the following information to help identify the point of failure:

54) Is there power to the computer?

55) Is the software running, but not running properly?

56) Do other software applications work?

57) Does the software run properly on other user accounts on the same work station?

58) Are other users experiencing the same problem on other work stations?

59) Does the problem only affect mobile users, users within the police facility, or both?

60) Is e-mail working?

61) Is internet access working?

LEAPS & NCIC

GENERALLY

gggg. The Communications Center has access to CJIS, which is operated by the Criminal History Systems Board (CHSB) out of its headquarters in Chelsea and is the gateway to accessing other applications within the system. [81.2.9]

hhhh. Information provided is for CRIMINAL JUSTICE PURPOSES ONLY. Queries made for other than official police purposes are strictly prohibited.

iiii. DCJIS is now using OpenFox

DATA AVAILABLE THROUGH CJIS

jjjj. All records entered into CJIS are stored in the computer's data files. There are eleven files for law enforcement records:

62) Article File

63) Boat File

64) Felony Vehicle File

65) Gun File

66) License Plate File

67) Missing Person File

68) Part File

69) Security File

70) Suicide File

71) Vehicle File

72) Wanted Person File

kkkk. CJIS Queries

73) Board of Probation (BOP) Records

74) Aircraft Registration

75) Canadian Interface

76) Massachusetts Drivers Licenses

77) Out of State Drivers Licenses

78) Massachusetts Driver History

79) Out of State Driver History

80) Massachusetts Vehicle Registrations

81) Out of State Vehicle Registration

82) Automatic Legal Research and Training (ALERT)

83) News

84) Codes

85) SOS

86) NLETS Help

87) CORI

88) QList

- 89)QWHO
- 90)QORI
- 91)MEMA
- 92)IDEA
- 93)ZE
- 94)ZO and QO
- 95)Recall

INTERFACES AVAILABLE THROUGH CJIS

III. The AUTOMATED LICENSE AND REGISTRATION SYSTEM (ALARS) contains information on Registrations and Driver Licenses issued by the Registry of Motor Vehicles, as well as driver history records.

mmmm. NATIONAL CRIMINAL INFORMATION CENTER (NCIC)

96)NCIC is managed by the FBI and located in Clarksburg, West Virginia. It is a nationwide, computerized information system whose purpose is to provide and maintain a computerized filing system of documented criminal justice information readily available to authorized criminal justice agencies.

97)The NCIC database consists of eighteen files, of which seven are property files and eleven are person files.

g) Property Files

- i. Articles
- ii. Boats
- iii. Guns
- iv. License plates
- v. Securities
- vi. Vehicles
- vii. Vehicle and boat parts

h) Person Files

- viii.Convicted Sexual Offender Registry
- ix. Foreign Fugitive
- x. Identity Theft
- xi. Immigration Violator
- xii. Missing Person
- xiii.Protection Order
- xiv. Supervised Release
- xv. Unidentified Person
- xvi. U.S. Secret Service Protective
- xvii. Violent Gang and Terrorist Organization
- xviii. Wanted Person Files

- i) In addition, the database contains images that can be associated with NCIC records to assist agencies in identifying people and property items.
- j) The Interstate Identification Index, which contains automated criminal history record information, is also accessible through the same network as the NCIC.

nnnn. NATIONAL LAW ENFORCEMENT TELECOMMUNICATIONS SYSTEM (NLETS)

- 98) NLETS is a computerized, high-speed message switching system created for and dedicated to the criminal justice community.
- 99) The sole purpose of NLETS is to provide for interstate an/or interagency exchange of criminal justice information.

SYSTEM FAILURE

- oooo. Dispatchers shall promptly report system problems to the shift supervisor and officers in the field.
- pppp. Requests for queries from officers in the field should be limited and may be obtained through a neighboring police department or the State Police. [81.3.1(c)]
- qqqq. The dispatcher shall create a log entry under the incident type [**"ADMINISTRATIVE FUNCTION" OR GENERAL**] to document the failure. The entry will include the time of failure and should be updated to include the time and person notified to repair, and the date and time back in service.
- rrrr. Dispatchers shall notify Department IT Officer to help trouble shoot.
- ssss. Dispatchers shall notify CJIS Operations at 617-660-4620 to arrange repair service. The reporting employee should be prepared to provide the following information to help identify the point of failure:
 - 100) Is there power to the computer?
 - 101) Is the software running, but not running properly?
 - 102) Do other software applications work?
 - 103) Does the software run properly on other user accounts on the same work station?
 - 104) Are other users experiencing the same problem on other work stations?
 - 105) Does the problem only affect mobile users, users within the police facility, or both?

Internet Based Applications

CJIS WEB

- tttt. Generally
 - 106) Individual CJIS applications are available to authorized users on approved workstations and cruiser laptops through CJIS WEB.
 - 107) Work stations must be set up by IT Officer prior to their being able to access CJIS WEB.
 - 108) User accounts and passwords for each application are provided by a police department account administrator.
 - 109) Denial of access at log on shall be reported to the account manager of that particular application to be reset.
- uuuu. RMV ON LINE
 - 110) This resource provides access to RMV information on and license photos of operators licensed in the Commonwealth and vehicles registered in the Commonwealth.
 - 111) Information includes complete and partial searches by:
 - k) Operator name;

- l) Address;
 - m) License number; and
 - n) Registration number.
- 112) The MASSACHUSETTS INSTANT RECORDS CHECKS SYSTEM (**MIRCS**) provides access to the Massachusetts firearms licensing process to employees involved in processing firearms licensing applicants.
- 113) The SEX OFFENDER REGISTRY BOARD (SORB) provides access to Sex Offender Registry files maintained by the Sex Offender Registry Board. Employees tasked with managing and processing registration of sex offenders and sex offender status queries may be made using this system.

ELECTRONIC TRACING SYSTEM (ETRACE)

- vvvv. This is an internet-based application that allows authorized users to submit firearm traces to the ATF National Tracing Center (NTC).
- www. Authorized users can receive firearm trace results via this same internet web site, search a database of all firearm traces submitted by their individual agency, track on-going traces, and perform analytical functions.

Audio and Video Monitoring

GENERALLY

- xxxx. Video monitors have been installed in the Communications Center to allow communications personnel to monitor access to the police facility and secure areas within the facility.
- 114) Building Entry Points
- o) Front entrance
 - p) Employee entrance
 - q) Garage area
 - r) Sally-port
- 115) Facilities Grounds
- s) Front parking area
 - t) Employee parking lot
- 116) Building Interior
- u) Booking room
 - v) Holding cell hallways
 - w) Holding cells

SYSTEM FAILURE

- yyyy. Dispatchers shall promptly report system problems to the shift supervisor.
- zzzz. The dispatcher shall create a log entry under the incident type [**“ADMINISTRATIVE FUNCTION” OR GENERAL**] to document the failure. The entry will include the time of failure and should be updated to include the time and person notified to repair, and the date and time back in service.
- aaaaa. The dispatcher shall notify IT Officer to arrange repair of the system.
- bbbbb. If the failed camera views the interior of a holding cell, the cell shall be taken out of service and not used, until the camera is repaired, unless specifically authorized by a supervisor.

Cell Monitoring

SURVEILLANCE: **HOLDING CELLS ARE EQUIPPED WITH AUDIO AND VIDEO SURVEILLANCE WHICH DISPLAYS IN** the Communications Center.

MONITORING

cccc. Dispatchers shall remain vigilant of detainees in holding cells by periodically monitoring their activities using audio and video.

dddd. For more information, see the department policy on ***Detaining Prisoners***.

RECORDING

eeee. Audio and video of holding cells is recorded on DVR in Dispatch. The **IT Officer** shall be responsible for maintaining, storing and distributing audio and video recordings of holding cells.

SYSTEM FAILURE

ffff. Dispatchers shall promptly report system problems to the shift supervisor and officers in the field.

gggg. The dispatcher shall create a log entry under the incident type **["ADMINISTRATIVE FUNCTION" OR GENERAL]** to document the failure. The entry will include the time of failure and should be updated to include the time and person notified to repair, and the date and time back in service.

hhhh. The dispatcher shall notify IT Officer to schedule repair.

Alarm Monitoring [81.2.13]

PRIVATE ALARMS

iiii. This department does not monitor private alarms. Private alarms reported by telephone are handled as a call for service. Alarms may be received as a result of pre-recorded telephone messages. Alarms may not be set to dial 9-1-1.

DISPATCHERS CALLING ARE YOU OK PROGRAM

jjjj. Well being checks for residential subscribers.

kkkk. Subscribers receive a personal telephone call at a predetermined time. If the call is not answered, a second call is made. If the second call is not answered, dispatch a patrol to investigate.

EMERGENCY SYSTEM ALARMS: The National Warning System

Operational Manuals: The following Special Operations Manuals are maintained in the Communication Center:

TACTICAL DISPATCHING PLAN; [81.2.5(G)] AND

FIRE ALARM'S DISTRICT 14 MANUAL.

Security

EQUIPMENT SECURITY

llll. All police department radio and telephone equipment (i.e., telephone switching equipment and radio base station, radio repeaters, etc.) shall be located in a secure area. Access to the equipment shall be limited to authorized personnel only. [81.3.1(b)]

mmmm. Power sources, antenna cables, and transmission lines will be located in a secure area whenever feasible. New and replacement cabling will be installed in steel conduit whenever exposed to public access. [81.3.1(d)]

COMMUNICATIONS CENTER ACCESS SECURITY [81.3.1]

nnnn. The Communications Center is situated in a secure location.

oooo. The security door to the Communications Center shall remain closed and locked at all times.

ppppp. Unescorted access to the Communications Center is limited to authorized personnel only.

qqqqq. Contractors and visitors may be escorted into the Communications Center with the approval of a supervisor.

BACK UP POWER [81.3.2]

rrrrr. The electrical and radio system is backed up by an emergency generator. This unit is sufficient to ensure continued operation of Communications Equipment in the event of a power failure. The generator and power system is maintained and checked on a weekly basis by IT Officer and all employees. The generator is inspected and tested once a week. The generator is tested and operated under a full load at least twice a year by service maintenance.

Disasters

GENERALLY

sssss. The Communications Center may be rendered inoperative by fire, natural disaster, or by biological or chemical contamination.

ttttt. In such a circumstance, the department will continue to provide police services even if the capacity to do so is diminished.

uuuuu. The dispatcher will notify the shift supervisor by any means available.

vvvvv. The public shall be notified how to obtain police services by whichever of the following means are available:

- 117) Commercial radio;
- 118) Cable TV messages;
- 119) Notices posted in prominent areas of town;
- 120) Publishing in area newspapers; and
- 121) Officers making announcements on public address systems.
- 122) Stow Police Department Facebook.com page
- 123) Stow Police Department Twitter.com Page

TELEPHONE SYSTEM FAILURE

wwwww. In the event of a telephone system failure where the telephone system works but calls cannot be made to the police station, residents shall be advised to call the fire department, and caller information will be forwarded to police department by radio or other means.

xxxxx. In the event of a complete telephone system failure where all telephone communications are inoperative, citizens shall be advised to go to the nearest fire or police station to seek police services.

CROSSING GUARDS

STOW POLICE DEPARTMENT POLICY & PROCEDURE NO. 4.26	ISSUE DATE: _____
ACCREDITATION STANDARDS REFERENCED: 61.3.4	EFFECTIVE DATE: _____
	REVISION DATE: _____

A. GENERAL CONSIDERATIONS AND GUIDELINES

The use of adult school Crossing Guards is an important aspect for the safe passage of children to and from school. The presence of a trained, highly visible, adult Police Department employee encourages compliance to traffic laws and safe behavior on the parts of both pedestrians and motorists.

B. POLICY

It is the policy of this department that:

1. Crossing Guards shall be **[OPTIONAL - uniformed,]** equipped and trained to assist students, both pedestrian and on bicycles, in safely crossing streets and intersections so staffed; and,
2. Crossing Guards shall be trained to assist them in performing their duties.

C. DEFINITIONS:

C. *Crossing Guard*: An adult Police Department employee tasked with assisting pedestrian and bicycle traffic safely across vehicular roadways.

IV. PROCEDURES

D. Authority: See department policy on **Authority and Responsibility** . [61.3.4(a)]

E. Responsibilities: It shall be the duty of all Crossing Guards to: [61.3.4(a)]

- a. Help children safely cross the street as they walk or bicycle to and from school.
- b. Discourage unsafe behavior of children.
- c. Establish a safe street crossing point.
- d. Encourage safe behavior by all pedestrians at the school crossing.
- e. Alert motorists of the pedestrian crossing area.
- f. Observe and report any unsafe incidents or conditions.

F. Selection

- g. Candidates for employment as school Crossing Guard shall be recruited, screened, selected and trained according to the policies and procedures of this department. See the department policies on **Recruitment and Selection**, and **Training and Career Development**. [61.3.4(B)]
- h. In order to fulfill the critical functions of this job, a Crossing Guard:
 - 1) Must have a good command of the English language in speech and reading. The ability to communicate in other languages common to the community is helpful;
 - 2) Must be physically able to stand for long periods of time in extremes of heat and cold; and
 - 3) Must have good vision, hearing and mobility.

G. Equipment and Uniforms

- i. Crossing Guards shall wear highly visible, reflective traffic vests or outerwear at all times when performing crossing duties. For further information, see the department policy on **Uniforms and Equipment**.
 - j. Stop Paddles shall meet standards set forth in *The Manual on Uniform Traffic Control Devices (MUTCD)* 7E.05.
- 11. [OPTIONAL]** Crossing Guards shall be uniformed while performing their duties. See the department policy on **Uniforms and Equipment**. [61.3.4(c)]

H. Crossing Procedures

- 12. Crossing Guards shall not direct traffic in the traditional sense.
- 13. Crossing Guards shall use existing gaps in traffic to help students cross safely. Crossing should be coordinated with any existing crossing signal lights. The guards should follow the following procedure:
 - d. The guard shall step into the street, remaining vigilant for traffic and unsafe conditions.
 - e. The crossing guard shall verbally direct children to cross the street.
 - f. When the pedestrians have crossed, the crossing guard shall then exit the street.
- 14. When the natural traffic flow does not allow enough time for children to safely cross a street:
 - g. The guard shall signal traffic to stop using hand signals or a STOP paddle.
 - h. The guard shall step into the street.
 - i. When conditions permit, the crossing guard shall verbally direct children to cross the street.
 - j. When the pedestrians have crossed, the crossing guard shall then exit the street and signal traffic to proceed.

I. Criteria for Locations Requiring Crossing Guards [61.3.4(d)]

- 15. [IDENTIFY]** shall determine the locations, times and duration of crossing posts for Crossing Guards.
- p. In determining such posts, the following criteria at a minimum shall be considered:
 - 11) The age of the children crossing.
 - 12) The width of the street and the number of lanes.
 - 13) Sighting distance.
 - 14) Safe gaps in traffic.
 - 15) Existing traffic control devices, signals, signs, and pavement markings.
 - 16) Traffic speeds and volume.
 - 17) Pedestrian volume.
 - 18) Accident history of the crossing site.

J. Crossing Guard Locations: At the conclusion of each school year, [IDENTIFY] shall cause a review of each crossing location to be conducted and shall submit a report to [IDENTIFY]. Such report shall indicate any changes or conditions which negate the need of, or indicate the need for, additional supervised crossing locations. [61.3.4(e)]

A.

B.

C.

EMPLOYEE EARLY INTERVENTION SYSTEM

STOW POLICE DEPARTMENT POLICY & PROCEDURE NO. 4.27	ISSUE DATE: _____
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 35.1.9	EFFECTIVE DATE: _____
	REVISION DATE: _____

A. GENERAL CONSIDERATIONS AND GUIDELINES

This department is committed to providing employees with as safe and stress-free a work environment as is possible given the nature of the profession. When controllable or preventable factors adversely affect an employee's performance, the department will endeavor to identify and remedy the sources as quickly as possible as an intervention issue, before those factors manifest themselves into a disciplinary issue.

Often, certain signs which are detectable in an employee's performance indicate a need for remedial training, additional supervision, and referral to the department's Employee Assistance Program (EAP) or other similar non-disciplinary interventions. Failure to provide officers with such assistance could produce unwanted and often unnecessary results.

By identifying criteria that tend to indicate potential problem areas early, it is often possible to save an employee's career. Informal supervision, rather than more formal discipline, is used to correct rather than punish. When supervisors take a more active and concerned role, their relationship with employees is enhanced, and so is the department's performance.

B. POLICY

It is the policy of this department to:

Assist employees to overcome impediments to achieving their personal and professional best;

Help employees to identify and resolve the causes of behavior that result in citizen complaints or are potential sources of liability;

Empower supervisors to work with employees as mentors, coaches, or referral agents to bring about mutually beneficial changes that enable employees to perform to their full potential; and

Avoid the use of the department's formal disciplinary system when positive results can be better achieved without stigmatizing the employee or unreasonably impeding his/her career development.

C. PROCEDURES

Data

COLLECTION:**Sergeants or the Lieutenant** shall serve as the Early Intervention System Supervisor (EIS Supervisor) and shall be responsible for collecting information on events deemed appropriate to serve as a basis for the department's Early Intervention System (EIS).

DATA SOURCES: Criteria that will be monitored will include the following:

- A. Citizen complaints;
- B. Number of prisoners or detainees injured during the course of being taken into custody (as opposed to those prisoners injured prior to police intervention);
- C. Arrest reports involving complaints filed by arrestees;
- D. Use of force reports;
- E. Motor vehicle pursuits;
- F. Departmental vehicle crash reports;
- G. Civil Suits;
- H. Violations of General Orders, Memorandums, Rules and Regulations;
- I. Family difficulties, including such things as death, divorce, financial difficulties, criminal involvement of family members, etc.; and
- J. Alcohol or substance abuse.
- K. Frequent violations of department rules and regulations.

BEHAVIOR AND CONDUCT REPORTING whenever an employee is the subject of the threshold number of reported incidents in a given period, protocols required by the department's Early Intervention System will be employed.

Note: This will not preclude a referral whenever the supervisor or chief deems it appropriate based on serious incidents involving an officer or his/her immediate family, or based on observations by or reports from other department members.

Agency Response

SUPERVISOR'S RESPONSIBILITIES

- L. Upon receipt of a report identifying an employee as meeting the threshold number of incidents in a given reporting period, the employee's supervisor will do the following:
 - 1. Review other department documents, incident reports or court documents, if needed, to gain a better understanding of the various incidents covered by the EIS report;
 - 2. Meet with the employees to discuss the contents of the report;
 - 3. Explain to the employee that this is not a disciplinary process;
 - 4. Encourage the employee to discuss the situation openly;

Refer the employee to the **On Site Academy in Westminster, MA.**
 - 5. Explore the need for professional referral to help identify and deal with any underlying difficulties that may have contributed to the incidents;
 - 6. Offer to assist with additional training if required;
 - 7. Schedule additional meetings if needed to monitor progress or help identify or resolve issues;
 - 8. Complete the appropriate EIS documentation of the meeting(s), listing agreed-upon or recommended action, and specify a reasonable timetable for monitoring to verify progress and/or resolution; and

- 9. Provide the employee with a copy of the EIS documentation and afford the employee the opportunity to add comments before submitting it to the EIS supervisor.
- M. The department will provide training for supervisors in how to carry out their responsibilities under the EIS.
- N. Second Level Supervisor, Lieutenants and Sergeants:
 - O. Copies of each report prepared by a supervisor will be forwarded through the chain of command. Each person in the chain of command will acknowledge receipt and, as appropriate, add comments.
 - P. Should a reviewing superior have any disagreement with the action or recommendation of an employee's immediate supervisor, this will be discussed with such supervisor promptly and resolved before forwarding the report to a higher level.
 - Q. The EIS supervisor will provide the Chief with copies of all completed reports.

REMEDIAL ACTION

- R. The EIS supervisor will assure that remedial or referral plans contained in a supervisor's report are implemented.
- S. When this is not the case, a notation shall be made and the situation evaluated for additional action as may be necessary.

Disposition of Records

Documentation from EIS shall be considered part of the employee's personnel file.

When the employee's conduct that served as the basis for the EIS action does not reoccur for one year, that conduct will not be used as the basis for departmental discipline or admissible in a disciplinary hearing.

No additional records of employee behavior shall be kept with any outside agency.

Program Evaluation

ANNUAL REVIEW

- T. The Chief will arrange for periodic review of EIS reports by all appropriate command level employees. A recommended plan for helping employees avoid incidents reflected in such EIS reports will be prepared.
- U. Where indicated, changes will be made to the department's training program. This may involve notifying outside agencies, including the Municipal Police Training Committee, of possible deficiencies or areas needing additional emphasis.
- V. Should the EIS reports point to a need for additional human resources services, the Chief will attempt to secure the same. This may include such services as substance abuse programs, family therapy services or stress counseling.
- W. The Chief should involve the union(s) in evaluating the Early Intervention System annual report. A summary of recommended changes, excluding employees' names, should be provided to each union.

INCIDENT REPORTING

STOW POLICE DEPARTMENT POLICY & PROCEDURE NO. 4.28	ISSUE DATE: _____
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 82.1.4; 82.2.1; 82.2.2; 82.2.3; 82.3.2	EFFECTIVE DATE: _____
	REVISION DATE: _____

A. GENERAL CONSIDERATIONS AND GUIDELINES

One major function of criminal justice agencies is documentation. Police agencies have become very effective at documenting incidents and events, and the demand for documentation by the legislature, courts and citizens continues to increase.

In order to provide organization to the origin, filing and retrieval of documentation, this department has obtained a computerized records management system which assigns a unique identification number to incidents and events logged by the communications staff. This numbering system allows for the orderly filing and quick retrieval, both electronically and manually, of reports and other documents and items associated with those reports.

Additionally, our crime statistics are shared with the state and federal governments through National Incident Based Reporting (NIBRS). Crime statistics are compiled, along with statistics from other criminal justice agencies, to produce reports of crime trends. The data is published by the state and federal governments.

B. POLICY

It is the policy of this department that:

- A. Reports of incidents shall be documented pursuant to Massachusetts General Laws; and
- B. Employees shall file reports to document incidents, events and activities as directed by this policy.

C. DEFINITIONS

Incident: An event that requires law enforcement action, documentation, or dispatching of agency personnel in response to citizens' requests for law enforcement services. This includes any incident, whether criminal or non-criminal, which involves a response to the scene, an investigation or the preparation of an oral or written report.

NIBRS: National Incident Based Reporting – an electronic submission of crime statistics, which was formerly known as Uniform Crime Reports (UCRs).

RMS: Records Management System – this department's records management software **IMC**

D. PROCEDURES

Incident Numbering System [82.2.3]

This department maintains a computer-generated incident numbering system. A unique incident number is generated and assigned to document calls for service, initiated activity, directed activity, administrative functions, and other police activities.

The numbering system is as follows:

The incident year gives the first four digits of a 13 digit number beginning at 1 and incrementing by one (1) for each incident. Example: YYYY000000001.

The incident number is the foundation for all police record keeping activity. The incident number is linked to arrests, citations, court, property and evidence, accidents, and other records functions within the records management system.

Assigning Incident Numbers - Log Entries

Incident logging is a function of communications (dispatch). Communications personnel will create incident entries in response to police operations or administrative activity. For more information, see the department policy on **Communications**. Incident log records shall be created for the following types of situations:

A. Citizen Initiated:

1. Citizen Reports of Crimes [82.2.2(a)]
2. Citizen Complaints [82.2.2(b)]
3. Calls for service where a public safety employee is dispatched or assigned [82.2.2(c)]

B. Employee Initiated:

4. Criminal and non-criminal cases initiated by law enforcement employees [82.2.2(d)]
5. Incidents involving Arrests, Citations, and Summonses [82.2.2(e)]

C. Directed:

6. Process Service (i.e., arrest warrants, restraining orders, etc.)
7. Notifications
8. Prisoner Transports

D. Administrative:

9. Fingerprinting
10. Asset forfeitures
11. Equipment failures or damage

E. Other incidents where documentation is prudent, requested by an employee, or directed by a supervisor.

In logging incidents, the incident entry shall include, at the minimum, the information listed as follows. For more information on logging incidents, see the department policy on **Communications**.

- F. Service calls and crimes by type [82.3.2(a)]
- G. Service calls and crimes by location [82.3.2(b)]
- H. Property, including stolen, found, recovered, and evidence [82.3.2(c)]

Written Reports

REPORTS: Some incidents require written reports because, by their nature, they need to be documented, or a report for an incident may be required by statute. In some cases, providing written documentation is just a good public service. Police employees of this agency shall prepare a written incident report for all incidents: [82.2.1(a)]

- I. Arrests;
- J. Motor vehicle crash [**– Where the damage to any one vehicle exceeds \$1000 or if there is personal injury to any one person, or a Hit and Run Accident.**]
- K. Crimes;
- L. Any incident that results in the search of a vehicle or building;
- M. Incidents where, in the opinion of the officer, a written report is necessary; and
- N. Statutorily Required Reports:
 - 12. Domestic Violence;
 - 13. Identity Theft;
 - 14. Child Abuse and Neglect; and
 - 15. Elder Abuse and Neglect.

REPORTING FORMS: Employees have the following reporting forms at their disposal to facilitate incident reporting: [82.2.1(b)]

- O. Department Incident Reporting Form
 - 16. This is a general purpose form to assist employees with obtaining necessary information for preparing a written incident report as well as incident screening for investigative follow-up.
 - 17. This form should be used for most incidents.
- P. Department Incident, Narrative Supplement Form:
 - 18. This is a supplement to the Incident Reporting Form. It provides employees the opportunity for additional narratives and notes.
 - 19. This form should be used when necessary to supplement the Incident Reporting Form.
- Q. RMV Motor Vehicle Crash Report Form
 - 20. This form is designed, printed, and distributed by the Registry of Motor Vehicles.
 - 21. This form should be completed for all motor vehicle crash investigations; and
- R. Environmental Police Boating and Recreational Vehicle Accident Form: This form is provided by the Environmental Police for reporting investigations of all crashes involving boats and recreational vehicles.
- S. Refer to the Departments Master file for any and all remaining forms.**

REQUIRED INFORMATION: All reports require basic information, not only to document the “who, what, where, when and why” of an incident, but also to facilitate retrieving the record. Required information should be included in the report whenever possible: [82.2.1(c)]

- T. Date
- U. Time
- V. Complainant, victims, witnesses:
 - 22. Names
 - 23. Addresses
 - 24. Age, gender, and race (required for NIBRS reporting)

25. Home and work telephone numbers

W. Location of the incident

X. A description of what happened

Y. Reporting employee's observations

EXCLUDED INFORMATION:

Z. Officers shall not include the address or location of any domestic violence or rape crisis center in any reports. This will help avoid inadvertently informing a batterer or rapist of the whereabouts of any victim.

AA. Under Massachusetts law, the location and street address of all domestic violence victims' programs, and rape crisis centers, shall be absolutely confidential and shall not be required to be revealed in any criminal or civil proceeding. Under this statute, the following definitions apply:

26. "Domestic violence victims' program", any refuge, shelter, office, safe home, institution or center established for the purpose of offering assistance to victims of abuse through crisis intervention, medical, legal or support counseling.

27. "Rape crisis center", any office, institution or center offering assistance to victims of sexual assault and the families of such victims through crisis intervention, medical and legal counseling.

REPORT WRITING: The following are some general guidelines that employees should follow when writing the report narrative to avoid confusion on the part of the reader:

BB. Reports should be written in the first person ("I," "me").

CC. Write in chronological order.

DD. Start with date, time and explanation of how you became involved.

EE. Use active voice, which shows the subject as the actor. (i.e., "*Officer Smith arrested the subject,*" as opposed to "*The subject was arrested by Officer Smith.*").

FF. Use past tense for incidents or actions that have already occurred.

GG. Use short, clear, concise words.

HH. Use first and last names to ensure that the report positively identifies the correct person.

II. Use words that have clear meaning and leave little chance of being misinterpreted.

JJ. Check for spelling.

KK. Minimize the use of abbreviations.

LL. Use proper names and titles.

MM. Do not use radio call signs and police jargon.

NN. Make sure quotes are correct and accurate.

OO. Employees should not include opinions.

PP. Addendums by employees to a primary employee's report should not repeat the whole sequence of events. The writer should report his/her actions and observations.

COMPLETING REPORTS: Ideally, an incident report should be completed immediately following the incident when the details are fresh in the employee's mind. This, however, is not always practical. [82.2.1(d)]

QQ. Generally: Employees should make an effort to complete the report prior to the end of the shift, but, in all cases, a report must be submitted prior to the end of the employee's work week, or within four days. If a complete report is not possible due to an investigation, a preliminary report should be

submitted within these time parameters and a supplemental addendum added as the investigation progresses.

RR. Arrests: An arrest report must accompany the charging instrument (application for complaint or criminal citation) and Statement of Facts form to court and is required at arraignment. Arrest reports should be completed following an arrest, but must be completed prior to arraignment.

SS. Criminal Complaint, Application for Summons or Clerk Magistrate Hearing, and Citations: A police report and Statement of Facts Form must accompany these charging instruments to court.

SUBMITTING, PROCESSING AND SUPERVISORY REVIEW [82.2.1(E)]

TT. Reporting Employee

28. Upon completing a report, the employee must submit the report to his/her shift supervisor. If time does not permit the employee's supervisor to review the report (a late arrest, end of shift, supervisor vacation, sickness, etc.), the report may be submitted to another supervisor.
29. A report returned by a supervisor shall be reviewed and corrected by the employee, and resubmitted.
30. If an employee disagrees with a supervisor's suggested corrections, the employee should meet with the supervisor and discuss the points at issue.
31. If the matter is not resolved, it should be brought to the attention of the next step in the chain of command.

UU. Supervisor

32. A supervisor need not submit his/her own reports to another supervisor for review. However, any supervisor's report may, at the discretion of that supervisor or upon the direction of a superior, be reviewed by another supervisor.
33. A supervisor shall review the employee's report. The supervisor should review the report for:
 - a. Spelling and grammar;
 - b. Required information;
 - c. Crime elements, defendant and victim rights, and proper department procedure; and
 - d. Readability.
34. A supervisor may not change the factual content of another employee's report.
35. If the report is acceptable as submitted, the report shall be forwarded to the records function.
36. Errors, omissions, or other issues detected should be brought to the employee's attention to correct or address. When the issues have been addressed, the report shall be resubmitted for review by a supervisor.
37. If a supervisor is on leave (sick, vacation, injured, etc.) for a work cycle or more, another supervisor will be charged with reviewing the report.

VV. Records Function: Upon completion of the review process, the completed report shall be forwarded to the records function for filing and processing. For further information, see the department policy ***Records Management***.

National Incident Based Reporting [82.1.4]

COLLECTING CRIMINAL DATA: NIBRS data is inputted in the incident reporting process. For each incident, NIBRS data will be inputted by **The departments CJIS representative**.

SUBMITTING NIBRS: On the first business day following the last day of each month, **the departments CJIS representative** shall process NIBRS data for the previous month using the NIBRS submission software in the RMS software package. The NIBRS data shall be “zipped” using Winzip software and uploaded to the “Upload Utility” on the “Upload Files” page of the Massachusetts Crime Reporting Unit Web Site (www.ucrstats.com).

QUALITY CONTROL

WW. The NIBRS submitting software will check each entry for errors and establish a NIBRS error log. **The departments CJIS representative** shall correct the errors listed on the error log, which will be collected for submission at the next submission period.

XX. Each month, NIBRS errors identified by the Massachusetts Crime Reporting Unit are posted on their website (www.ucrstats.com). They are obtainable by clicking on the “Error Log” tab, selecting the reporting agency and clicking “search.” **The departments CJIS representative** shall check this site for errors each month and make the necessary corrections in RMS. The corrected entries will be re-submitted during the next NIBRS submission.

ACCESSING CRIME STATISTICS REPORTS

YY. A compilation of state NIBRS reports is available at the Massachusetts Crime Reporting Unit (www.ucrstats.com).

ZZ. National crime statistics are published by the FBI as “Crime in the USA,” and in other publications available on the FBI web site (www.fbi.gov).

OFF DUTY EMPLOYMENT

STOW POLICE DEPARTMENT POLICY & PROCEDURE NO. 4.29 MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 22.3.3; 22.3.4	ISSUE DATE: _____
	EFFECTIVE DATE: _____
	REVISION DATE: _____

A. GENERAL CONSIDERATIONS AND GUIDELINES

It is important that police department employees are able to provide for themselves and their families and meet their financial obligations. Employees often work overtime and paid details or obtain or continue employment outside of the department. However, police department employees must hold the trust and confidence of the public in order to do their jobs effectively. Therefore, it is important to avoid secondary employment that over-taxes the employee, damages public confidence, creates real or perceived allegiances to individuals or organizations, or creates a conflict of interest. Employees must not engage in any off-duty employment that creates or is likely to result in these conditions.

Employees must avoid working in areas that are heavily regulated by criminal statutes or set up excessive risk of conflicts of interest, such as the distribution or sale of alcoholic beverages, bail bond services, investigative work for insurance companies, private guard services, collection agencies or private attorneys. Obviously, police department employees must avoid involvement in unlawful activities for financial gain.

All personnel engaging in outside employment should clearly understand that their primary obligation is to the police department and the community they serve. Employees must not perform work that will make them unavailable in emergencies, exhaust them, require special scheduling or excessive shift swapping, or either bring the department into disrepute or impair its operation or efficiency.

B. POLICY

1. Employees may not engage in secondary employment without first obtaining authorization of the Chief of Police. [22.3.4(a)]
2. Employees may not engage in secondary employment that creates an unreasonable risk of conflict of interest, or that will damage public confidence.
3. The employee's primary employment obligation is to this Police Department.

C. DEFINITIONS

- a. *Administrative Surcharge*: A percentage paid for a detail by a contractor to the municipality, in addition to the officer's pay, for assigning, billing, and processing the detail.

- b. *Employment*: The provision of a service, whether or not in exchange for a fee or other service. Uncompensated work for a charitable organization is not considered employment under this definition.
- c. *Paid Detail*: An assignment to provide police services, which is paid for by another municipal department, government entity, private company or organization, or an individual.
- d. *Secondary Employment*: Employment where the actual or potential use of police powers is not a condition of employment.
- e. *Secondary Police Employment*: Employment to provide police services under appointment as a police officer by another appointing authority.

D. PROCEDURES

1) Paid Details

a) AVAILABILITY:

- i. Only sworn police officers may work paid details.
- ii. All officers are authorized to work details unless specifically restricted.
- iii. Officers shall indicate their availability to work paid details by annotating the paid detail availability sheet.
- d. **OPTIONAL**: Officers are limited to working no more than sixteen (16) hours in any twenty-four hour period

b) ASSIGNMENT

- e. **The Chief of Police** shall oversee adherence to the policies and processes governing paid details. [22.3.4(d)]

- vi. Detail assignments shall be posted on the detail assignment sheet. Such posting shall include:

Officer assigned;
 Location of the detail;
 Start time of the detail;
 Anticipated end time of the detail; and
 Company or person to be billed.

- g. **This includes out of Town Details which are allowed at the discretion of the Chief of Police**

c) DRESS

viii. Uniform:

Officers working details will generally wear the uniform of the day as prescribed in the department policy on **Uniforms and Equipment**. The uniform includes a department hat and duty belt.

Officers working traffic details, including road construction or supervising vehicle and pedestrian traffic movement, may wear a pancake or molded plastic holster attached to the uniform garrison belt. Officers must carry, at a minimum, a firearm with one spare magazine, portable radio, and handcuffs. An approved, high visibility traffic vest, straps, or jacket must be worn on traffic details. High visibility gloves or mittens are recommended in cold weather.

- ix. Plain Clothing: Officers may work a paid detail in civilian clothing if directed to do so by a competent authority.

d) CONDUCT [22.3.4(B)]

- x. Officers working paid details shall act in a professional manner at all times and obey all departmental rules, regulations, policies and procedures.
- xi. Regular patrol and detail officers are indistinguishable to the public. Therefore, detail officers shall be considered to be "on-duty." As such, detail officers are required to respond:
 - When serious violations of traffic or criminal law are committed in their presence, such as operating under the influence, assaults, domestic violence, robberies, and leaving the scene of an accident;
 - To incidents which require an immediate police response to protect life and safety;
 - To assist another officer; and
 - When instructed to do so by a dispatcher or supervisor.

e) SUPERVISION

- xii. Although detail officers are paid by a source other than the police department, they remain employees of the department and are not employees of the person or entity paying for the service.
- xiii. No employee of any company or organization, whether paying for police services or not, is authorized to direct the activities of officers assigned to a detail or to issue any order to police officers.
- xiv. Detail officers work under the supervision of the shift supervisor or a police supervisor assigned to the detail and are normally considered under the chain of command of patrol operations while so assigned. All supervisors within this chain of command shall oversee compliance to department rules, regulations, policies and processes relating to details. [22.3.4(d)]
- xv. Officers should attempt to satisfy the person who hired the detail. However, officers should use their discretion and best police practices in performing their duties. If a dispute arises over how to deliver a police service, the officer should advise the individual of the best practice. If the issue is not resolved, the intervention of a supervisor should be requested.

f) COMPENSATION

- xvi. Officers will be compensated at the rate specified in the employees' collective bargaining agreement. Special police officers will be compensated at the patrolman rate.
- xvii. Officers should submit requests for payment for details as soon as possible after the detail is completed and prior to the end of the pay period.
- xviii. If a contractor requires an invoice or work slip, officers shall provide the contractor with a detail slip. The slip should include the officer's name, hours worked, rate, administrative surcharge, and total amount owed.
- xix. Contractors shall make payment directly to the police department. Officers will receive pay for details in their regular police department pay. Any payment from a contractor to a police officer shall be turned in to the administrative assistant for deposit in the police department detail account. Officers shall not be paid directly by contractors.
- xx. Officers who submit detail slips for payment prior to the end of the pay period will be paid for the detail during the payroll for that pay period.

g) INDEMNIFICATION

- xxi. Officers working details are considered on-duty.
- xxii. Officers traveling to or from a detail are not considered to be on-duty during that commute period.
- xxiii. If an officer is injured while assigned to work, paid details are covered under M.G.L. c. 41, §111F.
- xxiv. Officers working a detail to which they are not assigned are not considered to be on-duty and will not be covered under IOD.

2) Secondary Police Employment

- h) AUTHORIZATION: An employee wishing to work part time as a sworn officer for another police department must first obtain authorization from the Chief of Police. Permission need not be granted. See Section C.7 of this policy.
- i) USE OF DEPARTMENT EQUIPMENT: Employees **may not** use issued department equipment i.e police vehicles, while working as a sworn officer for another police department without the permission of the Chief of Police.
- j) POLICE AUTHORITY
 - xxv. Officers working as police officers for another community maintain their police authority in this municipality for the purpose of jurisdictional authority.
 - xxvi. Officers must be appointed by the municipality for which they are working. Officers are not authorized to use police powers granted by this municipality in another jurisdiction while employed by another police department.
 - xxvii. This department will not be responsible for compensating or indemnifying employees for actions arising from their employment by another police department.
 - xxviii. This policy does not apply to officers assigned to work as members of this department in another community under mutual aid or another agreement.

3) Secondary Employment [22.3.3]

k) CONFLICTS OF INTEREST

- xxix. Conduct of public employees is regulated under M.G.L. c. 286A, the state's Conflict of Interest Law (COIL). In some cases, this department's policies are more restrictive than those of the COIL. Therefore, officers should be aware that even because something is not prohibited by state law, it may still not be in conformity with department rules or policy.

Under the COIL a public employee may not:

Accept other employment involving compensation of substantial value, the responsibilities of which are inherently incompatible with the responsibilities of his/her public office;

Use or attempt to use his/her official position to secure for him/herself or others unwarranted privileges or exemptions which are of substantial value and which are not properly available to similarly situated individuals;

Act in a manner which would cause a reasonable person, having knowledge of the relevant circumstances, to include:

- a. That any person can improperly influence or unduly enjoy his/her favor in the performance of his/her official duties; or
- b. That [s]he is likely to act or fail to act as a result of kinship, rank, position or undue influence of any party or person;

NOTE: An employee may be able to insulate him/herself by disclosing the appearance of a conflict of interest to the appointing authority.

Accept employment or engage in any business or professional activity which will require him/her to disclose confidential information which [s]he has gained by reason of his/her official position or authority; and

Improperly disclose material or data within the exemptions to the definition of public records, which were acquired in the course of his/her official duties nor use such information to further his/her personal interest.

I) PROHIBITED EMPLOYMENT

- xxx. Employees may not accept any outside employment where the use of law enforcement powers given by this appointing authority are a condition of employment, likely to be used or anticipated. Entities or persons wishing such services must hire a police detail. [22.3.4(b)]
- xxxi. Supervisors may not solicit subordinates for secondary employment or to perform services, even if compensated at fair market value.
- xxxii. Employees may not knowingly work for an employer who is known as a convicted felon, or who openly associates with convicted criminals.
- xxxiii. Officers may not accept employment involving work as a security guard or security officer within the jurisdiction of this department. (Note: While the COIL does not prohibit such action by reserve officers, this department does.)
- xxxiv. Investigative work is prohibited which includes, but is not limited to:
 - Private detective work;
 - Insurance company investigations;
 - Collection or credit agency services; and
 - Investigative work for a private attorney or bail bond agency.
- xxxv. Work that constitutes a threat to the status or dignity of law enforcement as a professional occupation is prohibited, including:
 - Nude dancing establishments;
 - Pornographic books, magazines, videos, implements, etc., as a principal business;
 - Sale, manufacture, or transportation of alcoholic beverages as a principal business; and
 - Gaming establishments.

- m) PROHIBITED CONTRACTS: Police employees shall generally be excluded from entering into private business contracts with the municipality to perform additional services, i.e., snow plowing, cleaning, etc. Some exemptions may apply.

n) PROHIBITED INTERESTS

- xxxvi. Employees may not acquire or retain financial interests in any business involving investigatory work outside of the department.
- xxxvii. Employees may not acquire or retain financial interests in any business with a person who is known as a convicted felon, or who openly associates with convicted criminals.

o) WORKING AS AN ATTORNEY

- xxxviii. No municipal employee shall, otherwise than as provided by law for the proper discharge of official duties, directly or indirectly receive or request compensation from anyone other than the city or town or municipal agency in relation to any particular matter in which the same city or town is a party or has a direct and substantial interest.
- xxxix. No municipal employee shall, otherwise than in the proper discharge of his official duties, act as agent or attorney for anyone other than the city or town or municipal agency in prosecuting any claim against the same city or town, or as agent or attorney for anyone in connection with any particular matter in which the same city or town is a party or has a direct and substantial interest.
- xl. A municipal employee may take uncompensated action, not inconsistent with the faithful performance of his duties, to aid or assist any person who is the subject of disciplinary or other personnel administration proceedings with respect to those proceedings.
- xli. Employees who are attorneys may not:

Engage in any criminal law practice, including:

- c) Acting as a criminal attorney or paralegal;
- d) Consulting or offering advice to other attorneys in criminal cases; and
- e) Engaging in any civil matters involving this municipality or in front of any boards or commissions in this community.

This is not applicable to National Guard or Reserve military attorneys in the performance of their military duties.

xl.ii. No supervisor may act as an attorney on behalf of or represent any member of this department.

p) PROBATIONARY EMPLOYEES

xl.iii. Sworn Police Officers

During Full Time Basic Recruit Police Academy: Employees must comply with academy rules and guidelines regarding secondary employment while attending a basic recruit academy. Such persons will not ordinarily be allowed to work paid details.

Post Police Academy

f) Field Training:

- 1) Non-police secondary employment is **authorized** during the field training phase as probationary officers obtain experience and on the job training.
- 2) Officers may work details during this time.

g) Post Field Training

- 3) Details: Probationary officers that have completed field training may work details without restriction during their probationary period.
- 4) Secondary Employment: Probationary officers may obtain conditional permission to work a non-police job during the probationary period. Permission may be revoked at the discretion of the Chief of Police to ensure that probationary employees obtain experience and on the job training.

xl.iv. Non-Sworn Employees: Non-sworn employees have no additional restrictions on secondary employment during the probationary period.

q) OBTAINING AUTHORIZATION [22.3.4(C)]

xl.v. Employees must submit a written request to the Chief of Police before commencing any outside employment. The request must include the following information:

Name and address of prospective employer;

Name of principal and/or part owners;

A description of prospective employment duties; and

Numbers of hours per week to be worked.

xl.vi. The Chief of Police will review the request and consider:

Potential for conflict of interest;

Any impact upon the image of the police department or municipality;

Potential for impact on on-duty performance; and

Issues regarding availability in the event of an emergency.

xlvi. An employee may be required to submit an Ethics Commission Disclosure of Appearance of Conflict of Interest form to comply with M.G.L. c 268A, §23(b)(3).

xlvi. A letter of authorization and a copy of any Disclosure of Appearance of Conflict of Interest forms shall be filed in the employee's personnel file.

r) CONDITIONS OF AUTHORIZATION: The Chief of Police may approve secondary employment subject to such conditions or restriction, as (s)he deems necessary.

s) DURATION OF AUTHORIZATION

xl. Secondary employment authorization is for a particular employee to perform a particular job function for a particular employer.

l. Authorization for secondary employment **[CHOOSE]**

...is valid until such authorization is suspended or revoked or the employment ceases.

t) REVOCATION

li. Authorization for off-duty employment may be revoked at the discretion of the Chief of Police.

lii. Upon revocation, the employee will be notified in writing as to the reason for such revocation.

4) National Guard and Reserve

u) APPLICATION OF POLICY

lii. This policy applies to members of the Massachusetts National Guard and Air National Guard, and Armed Forces Reserve. The policy will be applicable to members of a National Guard Unit of another state during federal mobilization **[MUNICIPALITY MAY ELECT TO APPLY THIS POLICY TO STATE MOBILIZATION AND TRAINING]**. State mobilization and training are regulated by the state to which the unit belongs.

liv. Activities of the Commissioned Corps of the National Oceanic and Atmospheric Administration (NOAA), Civil Air Patrol and Coast Guard Auxiliary are not covered under this section.

v) RESPONSIBILITY OF MEMBER

lv. Employees do not need authorization of the Chief of Police to join the National Guard or Reserve.

lvi. The employee or a military officer representing the employee must give verbal or written notice of military duty and is encouraged to give notice well in advance, if possible, to minimize affecting other employees. Notice may be waived for military necessity.

lvii. Employees must provide the department with a copy of military orders in order to receive pay under sections 5 and 6 of this policy.

w) RESPONSIBILITY OF MUNICIPALITY

lviii. Employers may not discriminate against employees because of their membership in the National Guard or Reserve. To do so is a violation of criminal law.

lix. Employers must afford members all rights under statutes adopted by the municipality and other applicable statutes under Chapters 32 and 33 of the Massachusetts General Laws. Statutes adopted by this municipality are

Chapter 32B: Section 9I. Employees on military leave of absence for active service; payment of premiums; acceptance of section;

C Chapter 32B: Section 10. Acceptance of chapter by county, city, town, municipality or district;

Chapter 33: Section 59. Effect of military service on salary or vacation allowance of public employees; and

Chapter 33: Section 59A. Military service of public employees; work release for drills.

Ix. Employers must afford members all rights under the Uniformed Services Employment and Reemployment Rights Act of 1994, ([USERRA](#).) Title 38 of the U.S. Code 4301- 4334.

x) MONTHLY TRAINING ATTENDANCE

Ixi. An employee shall be released from his/her tour of work, without compensation, to attend assigned weekly or weekend drills which require absence from the normally scheduled work tour without effect to leaves of absence or vacation with pay.

Ixii. Employees are encouraged to schedule training to avoid conflicts with the delivery of police services. **The Chief of Police** may contact the employee's military commander if a conflict arises.

y) ANNUAL TOUR FOR TRAINING

Ixiii. Continuance of Pay While On Active Duty

Ixiv. Members of the Massachusetts National Guard are required to attend 15 days per year of training under MGL c. 33, s. 60. If the municipality has adopted MGL c. 33, s. 59, an employee on active duty as a member of the Massachusetts National Guard or Armed Forces Reserve will continue to receive his/her regular pay and benefits, and accrue sick and vacation time, for up to 17 days, provided that the period of active duty is for annual training.

Note: since the state's fiscal year runs from July 1st through June 30th, and the Federal Government's fiscal year runs from October 1 to September 31st, in some "Years" an officer may be assigned to "summer camp-like" annual training for up to 34 days in some cases.

z) MOBILIZATION FOR ACTIVE DUTY OTHER THAN TRAINING

Ixv. Employee Benefits

a) Active Duty for State Mobilization: An employee on active duty as a member of the Massachusetts National Guard Mobilized by the Commonwealth will continue to receive all pay and benefits provided that the period of active duty is for:

- i. Annual training;
- ii. Riots, public catastrophe, natural disaster, to augment civilian police in suppressing riots, preserving order, affording protection and supporting the law;
- iii. Escort and other duties including special duty and emergency assistance to state and civil authorities in the preservation of life and property; or
- iv. To repel an invasion or to suppress an insurrection made or threatened.

2) Active Duty for Federal Mobilization

a) Employees will not continue to receive pay while under federal mobilization for other than annual training.

b) Employees may elect to use accrued vacation, compensatory time **[SICK TIME IF ALLOWED]** during mobilization.

c) Continuance of Insurance While on Active Duty:

- i. Employees called to active duty in the service of the National Guard or Reserve are deemed to be granted leave without pay. Employees may continue to receive life and health insurance benefits, provided they pay their portion of the premium that would normally be deducted had they not been mobilized.

OR

Employees may elect to continue coverage for up to twenty-four (24) months **(employee may be charged up to 102% of the premium)**.

- d) Vacation Time: Employees do not accrue vacation time while on active duty (possibly unless others on a leave of absence are allowed to do so).
- e) Sick Time: Employees do not accrue sick time while on active duty (possibly unless others on a leave of absence are allowed to do so).

lxvi. **Employment upon Return from Mobilization**

- 3) Active duty may be either voluntary or involuntary.
- 4) The employee is obligated to provide the department advanced notice, have received an honorable or general discharge, not have been gone for more than five years, and return to work promptly upon discharge.
- 5) Reemployment rights are terminated if the employee is:
 - f) Separated from uniformed service with a dishonorable or bad conduct discharge;
 - g) Separated from uniformed service under other than honorable conditions, as characterized by regulations of the uniformed service;
 - h) c)A commissioned officer dismissed as permitted under 10 U.S.C. 1161(a) by sentence of a general court-martial; in commutation of a sentence of a general court-martial; or, in time of war, by order of the President; or,
 - i) A commissioned officer dropped from the rolls under 10 U.S.C. 1161(b) due to absence without authority for at least three months; separation by reason of a sentence to confinement adjudged by a court-martial; or, a sentence to confinement in a federal or state penitentiary or correctional institution.
 - j) A military review board has the authority to prospectively or retroactively upgrade a disqualifying discharge or release. A retroactive upgrade may restore reemployment rights.
- 6) Seniority: A returning member is entitled to seniority and other rights and benefits determined by seniority as if (s)he had not been mobilized. This includes but is not limited to:
 - k) Vacation time;
 - l) Longevity; and
 - m) Shift bidding.
- 7) Pension: During the time of active military service, an employee shall be treated as if no break in service occurred. **[UPON RE-EMPLOYMENT OR DURING THE MILITARY LEAVE OF ABSENCE]**, the municipality shall make **[THE EMPLOYER'S OR BOTH THE EMPLOYEE'S AND EMPLOYER'S]** contributions to the employees pension plan.

ON LINE TRAINING

STOW POLICE DEPARTMENT POLICY & PROCEDURE NO. 4.30	ISSUE DATE: _____
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: none	EFFECTIVE DATE: _____
	REVISION DATE: _____

A. GENERAL CONSIDERATIONS AND GUIDELINES

The goal of law enforcement training and education programs is to enable officers to develop and maintain the skills, attitude and good judgment necessary for the effective performance of their duties.

Although the Massachusetts Municipal Police Training Committee (MPTC) is statutorily charged with approving a prescribed course of study for in-service officers' training, the MPTC recognizes that other valuable training sources are also available to municipal police departments.

The MPTC has determined that the Municipal Police Institute, Inc. (MPI) has demonstrated a high degree of professionalism in its on-line programming content. It uses recognized experts in municipal law enforcement training, as well as MPTC instructors and courses.

The MPI Distance Learning system has been accepted for in-service training credit by the Council. Individual courses are submitted to and subsequently approved by the MPTC for such credit.

B. POLICY

It is the policy of this department to utilize in service training on an annual basis through the MPTC.

- A. Implement MPI Distance Learning (on line) training throughout the department when necessary
- B. Encourage the regular use of MPI training to achieve the maximum benefit from this resource;
- C. Ensure appropriate documentation and testing; and
- D. Use MPI's web site as a source of reliable news and information to help keep personnel up-to-date on law enforcement's current events and legal issues.

C. PROCEDURE: TRAINING OFFICER

GENERALLY: The Training Officer will coordinate in-service training, maintain training records and submit to the MPTC, if and when requested, individual officer training records in such form as the MPTC may prescribe. (The Training Officer may alternatively be called the Training Supervisor or Training Coordinator and may, but need not, be the Chief.)

ORGANIZATION

STOW POLICE DEPARTMENT POLICY & PROCEDURE NO. 4.31	ISSUE DATE: _____
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 11.1.1; 11.1.2; 11.2.1; 11.2.2; 11.3.1; 11.3.2; 11.4.5; 12.1.1; 12.1.2; 12.1.3	EFFECTIVE DATE: _____
	REVISION DATE: _____

A. GENERAL CONSIDERATIONS AND GUIDELINES

This agency is structured into a series of organizational components that represent functional groupings of employees performing like activities. The organizational structure of the department provides management with a means for assigning responsibility for performance of a group of functions to a single supervisor or manager, as well as letting employees know to whom they are accountable.

The ranks of the police department reflect the para-military nature of the organization. The executive head of the department is the Chief of Police. The subsequent ranks provide a structure for the various levels of authority and responsibilities throughout the organization.

Commensurate with these responsibilities, all employees are given the authority to make the decisions and use the available resources that are necessary for the successful completion of their assigned duties. In the acceptance of this delegated authority, each employee also accepts the accompanying accountability for his/her actions (or lack of actions) and obligations. Employees confronted by an exceptional situation, for which there are no guidelines or policies, are expected to consult with their immediate supervisor, on whom the ultimate accountability falls. In the event that this consultation is impossible, it is expected that each employee will exercise his/her best judgment in taking the necessary action, while keeping in mind the goals and philosophies of the department.

B. POLICY

It is the policy of the department that it be so structured and organized as to:

- Efficiently accomplish the missions of the agency; and
- Effectively allocate and use personnel resources.

C. PROCEDURES

Rank Structure

CHIEF OF POLICE: The Chief of Police is the highest-ranking sworn position within the police department and the Chief Executive Officer of the department. The Chief is appointed by the **Selectmen** and is **exempt from civil service**. The sworn authority of the Chief of Police is derived from M.G.L 41 Section 97

[M.G.L. c. 41, §97] The Chief of Police shall be in immediate control of all town property used by the department, and of the police officers, who shall obey his orders. The Chief shall abide by and enforce suitable regulations governing the police department and the officers thereof as determined by the Board of Selectmen.

The Lieutenant or Sergeants report to the Chief of Police and assumes those duties in the Chief's absence.

LIEUTENANT: Lieutenant's rank is achieved by the recommendation of the Chief of Police and is superseded in rank by the Chief. A Lieutenant is generally assigned as Executive Officer.

SERGEANT: Sergeant's rank is achieved by promotion and is superseded in rank by Lieutenant. A Sergeant is generally assigned as Shift Supervisor.

Patrolman's] rank is achieved by the selection process and is superseded in rank by Sergeant. A Patrolman is generally assigned as a patrol officer, detective, school resource officer, traffic officer, desk officer

Organization

ORGANIZATIONAL STRUCTURE AND FUNCTIONS: The department structure has been organized to carry out the mission of the department with the available personnel. Each division or unit shall be under the direct command of a single supervisor.

ADMINISTRATION: The Chief of Police oversees the operation of the police department and provides for the following:

- A. Overseeing the delivery of patrol and investigative services to the community;
- B. Planning, development management and control of those administrative functions necessary to support both patrol and investigative operations;
- C. Providing internal security, audit, and investigative oversight to other components of the department.

PATROL DIVISION

- D. The Patrol Division shall consist of uniformed officers assigned to staff the patrol routes of the department, including officers assigned vehicle patrol.
- E. This division consists of three shifts each day commanded by **Lieutenant, Sergeant or Senior Patrol Officer**.

CRIMINAL INVESTIGATION DIVISION

- F. The Criminal Investigation Division (**Detective Bureau**) is responsible for identifying criminal activity, investigating criminal behavior, and pursuing and apprehending criminal offenders.
- G. This division is commanded **by the Investigations Sergeant**.

TRAFFIC DIVISION

- H. The Traffic Division shall consist of uniformed police officers and assigned civilian personnel.
- I. The Division has the primary responsibility for traffic and parking enforcement, and accident reconstruction. This includes (but is not limited to) the direction, control, planning, and analysis of traffic and parking related issues and working with other regulatory agencies. The intent is to ensure the safe and efficient movement of vehicles and pedestrians in the community.

COMMUNICATIONS DIVISION

- J. The Communications Division consists of Civilian Public Safety Dispatchers, Sworn Police Officers.
- K. This unit is responsible for sending and receiving radio and telephone communications, dispatching appropriate police, fire, and EMS personnel, and for recording all incidents of crime, police, and fire activities in the appropriate logs.
- L. This division is commanded by the Services Division Sergeant **and a Dispatch Supervisor**.

THE SERVICES DIVISION: The Services Division is responsible for Property and evidence control, Vehicle Maintenance, Police Detail and overtime administration.

ORGANIZATIONAL CHART

- M. The Police Department Organizational Chart is posted in **the overtime/detail roster board** to graphically display the agency's organizational structure.
- N. The Organizational Chart shall be updated by **the Chief of Police** whenever a change to the department's organization is made to reflect those changes.
- O. It will be posted prominently **outside of the communications center** which is accessible to all department personnel.

Succession of Command Protocol

A plan is in place to ensure the continuity of command in the absence of the Chief, due to a planned or unplanned event where the Chief is not available. The plan will ensure that executive level leadership is always available.

During day to day operations where the Chief is absent for less than one week, **the Lieutenant** shall address executive command level issues. The **Lieutenant** may deal with issues that clearly fall under the existing policies and procedures of this agency. Issues which are beyond the scope of existing policies and procedures should be deferred until the Chief returns or is conferred with. Issues which, in the judgment of **the Lieutenant** require immediate action may be addressed. A report of the issues and actions shall be prepared for presentation to the Chief upon his/her return.

- P. In the event of a planned absence in excess of a week or longer, the Lieutenant will act as the Officer in charge until the Chief returns to duty.
- Q. In the event of a sudden, unplanned absence or incapacitation, the succession of command is as follows:
The Lieutenant, Senior Sergeant, followed by the second Sergeant.

Unity of Command

Each member of the department shall be accountable to one supervisor at any given time, according to his/her particular duty assignment at that time. If another supervisory officer needs to assign an officer not directly under his/her supervision, that supervisor shall consult with the officer's supervisor prior to such assignment whenever possible.

Generally, when engaged in a police function, the senior officer shall be in charge.

- r. When personnel of the same function are engaged in a single operation, seniority shall be determined by rank, followed by time in rank, followed by time in service.
- S. In situations where personnel of the same rank, but different functions engage in a single operation, the senior officer of function under which operation falls shall be in charge.
- T. In times of emergency, seniority shall be determined by rank, followed by time in rank, followed by time in service, regardless of function.
- U. An employee of lower seniority may be placed in command of an operation by a senior officer if the employee possesses a high degree of specialization or expertise for that operation.

- V. The Chief or his/her designee may place an employee in the position of command outside of the normal command structure.

Span of Control

The term “span of control” refers to the number of persons reporting to any one supervisor.

Assignment of supervisors in the police department will be done in a manner that will ensure a manageable span of control whenever possible.

In an emergency or unforeseen circumstance, or whenever the needs of the department require it, commanding officers may require sufficient supervisors to work overtime in order to reduce the span of control to a reasonable number until their presence is no longer required.

Accountability

Supervisors are responsible for directing the efforts of their employees and ensuring that they are performing satisfactorily. Supervisors shall be accountable for the activities of employees under their immediate control.

It is the responsibility of all supervisors to notify the **Chief** of any incidents where there may be a question as to the agency’s liability or which may result in heightened community interest. Supervisory discretion must be used in judging the severity of the incident in determining whether the notification must be made immediately or if the notification may wait for the **Chiefs** next scheduled duty day.

Obedience to Orders

1. Employees are expected to be familiar with and comply with all lawful orders, rules and regulations, and policies and procedures issued by the department.
2. Employees are required to obey any lawful order of a superior, including any order relayed from a superior by an employee of the same or lesser rank.
3. **Conflicting or Unlawful Orders:** In the event that an employee receives an order from a superior that is in conflict with any previous order, departmental order, rule, regulation, policy or procedure, the officer to whom such order is given will call attention to the conflict to the superior giving the order. See the department *rules and regulations* **Stow Police Department Rules and Regulations Section 8.0** for further instructions.

OR

Unlawful Orders: Obedience to an unlawful order is never a defense for an unlawful action; therefore, no employee is required to obey any order which is contrary to any federal or state law. Responsibility for refusal to obey an unlawful order rests with the employee to whom such order was given. The employee shall be strictly required to justify such action. Employees issued what they believe to be an illegal order shall request the issuing superior to clarify the order or to confer with higher authority.

Conflicting Orders: Should any order given by a superior conflict with any previous order, departmental order, rule, regulation, policy or procedure, the employee to whom such order is given will call attention to the conflict. If the person responsible for issuing the order does not change the order to avoid the conflict, the order will be obeyed, but the employee obeying the order shall not be held responsible for disobedience of the previous order, rule, regulation, policy or procedure. Responsibility for the conflict shall be upon the superior who issued the conflicting order. It should later be reported to the Chief of Police, through the chain of command, for clarification.

4. **Unjust or Improper Orders:** When lawful orders which appear to be unjust or improper are given, the employee to whom the order is given shall respectfully notify the superior issuing the order of its impropriety. If the order is not corrected, then it is to be carried out. After carrying out the order, the employee to whom the order was given may file a written report to the Chief of Police, via the chain of

command, indicating the circumstances and the reasons for questioning the order, along with a request for clarification of departmental policy. After complying with this section, an employee who carries out an order found to be unjust or improper by the Chief of Police or court or tribunal of competent jurisdiction will not be held responsible for carrying out such order.

Delegation of Authority

- a. Each commander, supervisor, or employee to whom responsibilities are delegated shall have commensurate authority to make decisions necessary for the effective execution of their responsibilities.
- b. The delegation of authority by a superior rank to a lower rank shall not relieve the higher rank of responsibility for that which has been delegated.
- c. The delegation of authority shall be consistent with the agency's organizational values and mission statement.

POLICE VEHICLES

STOW POLICE DEPARTMENT POLICY & PROCEDURE NO. 4.32	ISSUE DATE: _____
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 41.1.3; 41.3.1; 41.3.2; 41.3.3	EFFECTIVE DATE: _____
	REVISION DATE: _____

A. GENERAL CONSIDERATIONS AND GUIDELINES

Police department vehicles are purchased and maintained for the purpose of delivering police services to this municipality. This department is committed to maintaining agency vehicles to be safe, dependable and professional in appearance. Vehicles should be maintained with equipment and stocked with supplies so that employees may effectively carry out their job functions. Employees are required to upkeep the vehicles by cleaning and fueling them, stocking supplies, and reporting defects and damage in a timely manner.

The security of public safety vehicles and equipment is an important issue, in light of intelligence exposing terrorist tactics using marked government vehicles for access to areas that would otherwise be restricted, or as delivery platforms for explosive devices. Marked public safety vehicles are trusted vehicles.

When police vehicles are retired from service, it is important that all equipment and markings that are unique to policing are removed to ensure that the vehicle does not appear to be an in-service law enforcement vehicle. Such vehicles may be misused by criminals or terrorists.

Vehicle accidents account for about one third of police fatalities each year. The wearing of seatbelts by employees and passengers can significantly improve survivability and reduce the severity of injuries in a crash. Seatbelts help operators maintain control of their vehicles during emergency driving and after a crash and are a critical component in the vehicles' occupant safety system.

B. POLICY

It is the policy of this department that:

1. Department vehicles shall only be used for police purposes, as determined by the Chief of Police;
2. All agency vehicles shall be maintained in a clean, safe and dependable condition and,
3. Accidents involving agency vehicles shall be reported immediately to a supervisor, documented and investigated.

C. DEFINITIONS

- a. *Fleet Manager*: An employee designated by the Chief of Police or the Services Division Commander who is responsible for coordinating the equipping, stocking, maintenance and replacement of department vehicles.

- b. *Patrol Vehicle*: A marked or unmarked four wheel sedan or truck intended for regular patrol duties by uniformed personnel.
- c. *Specialty Vehicle*: A motor vehicle intended for a specific purpose, such as a mobile command post, tactical team van, four wheel ATV, boat etc.
- d. *Unmarked Vehicle*: A sedan or truck without the visible paint, markings, and equipment which would make it easily identifiable as a police vehicle.

D. PROCEDURES

E. Fleet Manager : The Services Division Commander shall be the fleet manager and shall be responsible for coordinating the equipping, stocking, maintaining and replacing of department vehicles. [41.1.3(c)]

F. Operation

1) AUTHORIZATION

- a) Department vehicles may be operated only by employees authorized to do so by a supervisor.
- b) Department vehicles may be issued to specific individuals by the authority of the Chief of Police.

2) LICENSING:

- c) Persons operating department vehicles must possess a valid Massachusetts Operator's License.
- d) An employee whose right to operate has been suspended or revoked must inform his/her supervisor immediately upon learning of such suspension or revocation.
- e) The employee must advise any supervisory employee that [s]he is not licensed if directed or instructed to operate a motor vehicle by such employee.

3) USER RESPONSIBILITIES

- f) Prior to operating a department vehicle, normally at the beginning of an employee's tour of duty, employees must inspect the vehicle to ensure that fluid levels are adequate and the equipment is operating properly, and they must check for cleanliness, adequate supplies, and damage. The inspection shall be noted on the Department Vehicle Inspection Sheet.
 - i. In the case of an emergency, a vehicle inspection may be postponed until the emergency has passed, at which time an inspection shall be conducted.
 - ii. Operators are responsible for adding fluids, such as motor oil, transmission fluid, coolant, windshield washer, and brake fluid.
 - iii. Operators shall identify and report defective equipment, such as head, directional and marker lights; auxiliary emergency lights; and radios.
 - iv. Body fenders, bumpers, glass and tires shall be viewed for obvious signs of damage.
 - v. Tires shall be inspected for damage and proper inflation.
 - vi. Supplies carried by the vehicle shall be checked and replaced or replenished as necessary. [41.3.2]
 - vii. Other equipment found to be inoperative or defective, such as radar, Lojack receivers, gun racks, scanners, etc., shall be reported when discovered.

Defective or damaged vehicles shall be reported the shift supervisor, who will inspect the reported deficiency and cause same to be reported to the fleet manager.

The supervisor shall initiate an investigation of any unexplained damage.

In the event that department property is found bearing evidence of damage which has not been previously reported, it will be considered prima facie evidence that the last person using the property or vehicle is responsible for said damage until the officer comes forward and proves by a preponderance of the evidence that [s]he was not responsible.

viii. Vehicles used to transport detainees shall be inspected for contraband and weapons.

g) Operators shall ensure that vehicles are washed regularly.

h) Prior to returning the vehicle, the operator shall ensure that the vehicle is fueled and the interior clean.

4) EQUIPMENT AND SUPPLIES

i) Patrol Vehicles

ix. All marked and unmarked patrol vehicles shall be equipped with emergency lights and a siren, and the supplies and equipment specified in Appendix 1 of this policy.

x. Supplies for patrol vehicles are stored in the Vehicle Supply Locker located in the department garage. Vehicle operators may replenish supplies as used or identified during vehicle inspections.

j) Unmarked Vehicles

xi. All police department unmarked vehicles intended for use other than for normal patrol shall be equipped with the supplies and equipment specified in Appendix 1 of this policy

k) Additional permanently mounted radios, firearms and racks, equipment vaults, Lojack receivers, auxiliary emergency lights, push bumpers, must be authorized by the Chief of Police prior to being installed.

l) No body or paint modifications may be made without prior approval of the Chief of Police.

5) PASSENGERS: No person shall be permitted to be an occupant or ride as a passenger in a department vehicle, except when necessary in the performance of a police function, unless authorized by the Chief of Police or the On-Duty Supervisor.

6) SEAT BELTS [41.3.3]

m) The wearing of seat belts in department vehicles is Mandatory at all times.

n) Seatbelts are mandatory for all civilian passengers.

xii. Children traveling as passengers must use car seats appropriate for the child's age or weight.

xiii. Children may be transported without a car seat only if car seats are not available.

14) *The seatbelt must never be bypassed by locking it behind the occupant or by the use of any bypass device.*

NOTE: To protect an occupant during a crash, the airbag control module may fire the seatbelt tensioners, which lock a seatbelt tightly in place around the wearer, fire the airbag, or both, depending upon the severity of the impact. If the seatbelt indicates that it is being worn, the airbag control module may make a decision to deploy only the seatbelt tensioner. If the seatbelt is not being worn, the occupant will not be protected.

7) PUSHING VEHICLES:

Department vehicles equipped with push bars may be used to push disabled vehicles from traffic to the breakdown lane or shoulder of the road. Care must be used not to cause damage to either vehicle.

8) JUMP STARTING VEHICLES: Department vehicles may not be used to jump start vehicles other than department vehicles.

9) ROUTINE OPERATION

- o) Employees shall operate department vehicles carefully, obeying all statutes, rules, regulations, ordinances and bylaws relating to the operation and parking of vehicles. Employees shall exercise due care and judgment.
- p) In responding to an emergency, operators may drive in excess of applicable speed limits, provided that due caution is exercised under the circumstances for the safety of persons and property. Operators may drive through an intersection contrary to traffic signals and signs, provided that the vehicle is brought to a full stop and then proceeds with caution. See the department policy on ***Response to Calls***.

G. Specialty Vehicles [41.1.3]

10) The following specialty vehicles are available to members of this department:

- q) All Terrain Vehicles (ATV)
 - xv. This vehicle is authorized for use by all department personnel as needed. Operators must be trained in its operation prior to use.
 - xvi. The vehicle may be used for police operations off road and in light traffic in the case of an emergency, as well as to tow light trailers (ATV trailer, jet ski, speed trailer). The vehicle should not be used on roads with high speed traffic or high traffic volumes. Operators must wear a protective helmet while operating at all times, except while towing short distances at low speeds.
 - xvii. The Service Division Commander shall coordinate upkeep and maintenance.
 - xviii. No special equipment is normally carried on or assigned to this vehicle.
- r) Patrol Boat
 - xix. The patrol boat is authorized for use by sworn personnel trained in its use. Operators must hold a Boat Safety Course certificate issued by the Massachusetts Environmental Police or other state's equivalent, or by the Coast Guard Auxiliary.
 - xx. The boat shall be used primarily within the waterways of this jurisdiction but may be transported elsewhere for mutual aid.
 - xxi. The Service Division Commanders shall coordinate upkeep and maintenance, and replenish supplies and equipment.
 - xxii. A list of equipment and supplies to be kept on the vehicle is listed in Appendix 1 of this policy.
- s) Additional equipment may be carried at the discretion of the supervisor of the function to which the vehicle is assigned.

H. Maintenance

11) REGULAR MAINTENANCE

- t) Regular scheduled maintenance, such as oil changes, state safety inspections, tire replacements, etc., shall be coordinated by the Fleet Manager.
- u) In the event that a tire is discovered to be flat or damaged, the shift Supervisor shall authorize the department contracted tow service to change the effected tire.

12) MECHANICAL AND AUXILIARY EQUIPMENT PROBLEMS

- v) Mechanical and equipment problems shall be reported to the shift supervisor who will determine if the vehicle should be taken out of service. The supervisor shall cause the Fleet Manager to be notified of the condition so that it may be resolved.

- w) If, in the discretion of the shift supervisor, a condition that makes the vehicle unsafe exists, the supervisor shall cause the vehicle to be taken out of service. The Service Division Commander shall then be notified and the vehicle brought in for service to identify and fix the problem.

13) TOWING: If a police vehicle becomes disabled and needs to be towed:

- x) If the vehicle is in the local area, the operator shall call communications who shall arrange for the vehicle to be towed.
- y) If the vehicle is outside of the local area, the operator shall notify the shift supervisor. The state police or local police department in whose jurisdiction the disabled vehicle is located shall be called to arrange for the towing of the vehicle.

I. Accidents

14) GENERALLY

- z) Officers who are involved in an accident with a department vehicle, or when a vehicle is disabled and has been damaged, shall not move the vehicle except in an emergency.
- aa) A supervisor shall immediately go to the scene and make an investigation and report all particulars to the Chief of Police forthwith.
- bb) The officer involved shall promptly submit a written report in accordance with department regulations.

15) OUTSIDE OF THE JURISDICTION

- cc) Officers who are involved in an accident with a department vehicle outside of the agency's jurisdiction shall immediately notify the shift supervisor.
- dd) The shift supervisor shall cause the State Police or police department of the jurisdiction to be notified.
- ee) The accident shall be investigated by the State Police or the police department of jurisdiction.
- ff) At the discretion of the shift supervisor or a superior officer, the shift supervisor may respond to take photographs and otherwise render assistance.

J. Disposal

- 16) When a police department vehicle is to be disposed of through auction, trade in, possession by an insurance company, or other means, the Fleet Manager shall cause all loose supplies and equipment to be removed from the vehicle.
- 17) The vehicle shall be stripped of all retro-fitted equipment that is unique to public safety vehicles, such as two-way radios, emergency lights, prisoner cages, radio racks, MDT mounts, push bars, sirens, etc.

M.G.L. c 89, §7B.

M.G.L. c 89, §7B.

[APPENDIX A FOLLOWS AS PART OF THIS POLICY FOR REVIEW ONLY. THE ACTUAL APPENDIX WILL BE A SEPARATE DOCUMENT]

Mandatory Equipment – All Patrol Vehicles

- a. Mobile two-way radio
- b. Siren
- c. Emergency auxiliary lights
- d. First Aid Kit
- e. Fire Extinguisher
- f. Spare tire, jack, lug wrench (not required for motorcycle)
- g. Blanket
- h. Road flares, 30 minute with wire stand
- i. Personal Flotation Vest (water rescue)
- j. Flotation Throw Line or Life Ring (water rescue)

Optional Equipment

- k. Public Address System
- l. Rifle in locking rack
- m. Shotgun in locking rack
- n. Radio scanner
- o. Mobile Data Computer
- p. Lojack receiver
- q. Police line tape
- r. Portable Spike Strips

Mandatory Equipment – All Unmarked Vehicles

- s. Mobile two-way radio
- t. Siren
- u. Emergency auxiliary lights
- v. First Aid Kit
- w. Fire Extinguisher
- x. Spare tire, jack, lug wrench (not required for motorcycle)
- y. Blanket
- z. Road flares, 30 minute with wire stand
- aa. Personal Flotation Vest (water rescue)
- bb. Flotation Throw Line or Life Ring (water rescue)

Optional Equipment

- cc. Public Address System
- dd. Rifle in locking rack
- ee. Shotgun in locking rack
- ff. Radio scanner
- gg. Mobile Data Computer
- hh. Lojack receiver
- ii. Police line tape
- jj. Portable Spike Strips

Mandatory Equipment – Patrol Boat

kk. Mobile two-way radio

ll. Siren

mm. Emergency auxiliary lights

nn. Public Address System

oo. First Aid Kit

pp. Fire Extinguisher

qq. Towing rig

rr. Blanket

ss. Road flares, 30 minute with wire stand

tt. Personal Flotation Vest (water rescue)

uu. Flotation Throw Line or Life Ring (water rescue)

vv. Binoculars

ww. Hand held spot light

xx. Boat hook

PROMOTIONS

STOW POLICE DEPARTMENT POLICY & PROCEDURE NO. 4.33	ISSUE DATE: _____
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 34.1.1; 34.1.2; 34.1.3; 34.1.5; 34.1.6; 34.1.7	EFFECTIVE DATE: _____
	REVISION DATE: _____

i. GENERAL CONSIDERATIONS AND GUIDELINES

This policy applies to promotions for sworn personnel only.

Our department's commitment to developing employees to take on increasing levels of authority, responsibility and leadership is embodied in promotions. Eligible candidates have an opportunity to apply and participate in the promotion process as set forth in this policy.

Promotions must be based upon the merits of the individuals and their personal performance in the promotion process, and never on favoritism or seniority alone. A promotion is an investment in the future, not only for the department, but also for the employees who will be supervised and guided by the promoted member.

ii. POLICY

It is the policy of this department to promote employees based upon their training, experience and merit.

No employees will be denied promotion based upon any discriminatory criteria, including, but not limited to, their sex or sexual orientation, race, religion, nationality or union membership.

III. DEFINITIONS

Time in Grade: The number of years and months that an employee has held a specific rank or pay grade.

Bypass: The selection of a person or persons whose name or names, by reason of score, merit preference status, court decree, decision on appeal from a court or administrative agency, or legislative mandate, appear lower on a certification than a person or persons who are not appointed and whose names appear higher on said certification.

iv. PROCEDURES

NON-CIVIL SERVICE MODEL

Promotion Process [34.1.1]

- a. DEPARTMENT ROLE IN THE PROMOTION PROCESS: This department shall notify employees of the promotion process, and shall provide testing and performance evaluations, and shall evaluate training, experience, seniority, and work history. The results of selection evaluations shall be reported to the appointing authority. [34.1.1]
- b. PROMOTION PROCESS MANAGER: The Chief of Police shall manage and coordinate promotions within this department and shall have the authority necessary to carry out the duties of the position. The duties shall include the following: [34.1.2]
 - 1) Be knowledgeable of the promotion processes for all employees;
 - 2) Provide and post any written announcements of any scheduled promotional opportunities;
 - 3) Maintain data on eligibility requirements for positions above entry level;
 - 4) Maintain copies of active promotion lists;
 - 5) Coordinate with any companies or consultants contracted to participate in the promotion process;
 - 6) Coordinate with any other government agencies or entities involved in the promotion process; and
 - 7) Protect the integrity of the promotional process by ensuring that all promotional materials, documents, scores, evaluations forms, and completed evaluations remain confidential and are kept in a secure, locked location. [34.1.3(h)]
 - a) Account for all copies of tests prior to the exam date.
 - 2) Exams, interview forms, and assessment center materials are controlled items and shall never be copied, scanned, photographed or reproduced unless expressly directed by the Chief of Police.
 - c) Testing and scoring materials shall not be left unattended for any period of time. Materials not being under the direct and immediate direct control of a person authorized to possess them shall be kept in a locked, secure area approved by the promotion process manager.
 - d) Such materials may only be reviewed by the Chief of Police or Lieutenant with the express permission of the Chief.
 - e) Promotional materials shall be retained for at least three years. Once a promotional process has been completed, all appeals have been exhausted or appeal periods have expired, and no litigation is pending, promotional materials shall be destroyed by shredding. These include:
 - i. Obsolete and used exam books and completed answer sheets;
 - ii. Interview questions and score sheets;
 - iii. Assessment Center questions, exercises, evaluations and other related materials; and
 - iv. Any other materials of a confidential nature.
- c. NOTICE OF PROMOTION PROCESS [34.1.5]
 - 8) At least four months prior to the date of a scheduled promotional exam, a notice of such exam shall be made available to all affected employees.
 - 9) Such notice shall be:
 - f) Posted in a prominent place;
 - g) Forwarded to supervisors to be read at roll-call;
 - h) Sent to all affected personnel in the form of an e-mail; and
 - i) Mailed to any officers who are out sick or injured, on extended leave, on active military duty, or otherwise not likely to receive notice.
 - 10) The test announcement shall include:

- j) Eligibility requirements;
 - k) Method of applying;
 - l) Closing date that application will be accepted;
 - m) Topics to be tested;
 - n) The selection process;
 - o) Exam material and/or reading list, if applicable;
 - p) Any interviews, job task performance or assessment center requirements;
 - q) Duration of the process; and
 - r) Intended date that the promotion(s) will take place. If such exam is being held to establish a promotion list, it shall be noted in the announcement.
- d. ELIGIBILITY: To be eligible for promotion to each successive rank:
- 11) An officer must be a permanent member employed by this department for at least one year.
 - 12) Lateral transfer officers must be a permanent member employed by this department for at least one year.
 - 13) An officer must be a permanent police officer.
 - 14) Reserve officers are not eligible for promotion to permanent ranks.
 - 15) An officer must hold a position in the next lower rank for at least three years prior to the date of the exam. [43.1.6(c)]
 - 19) OPTION - If there are less than four employees or eligible applicants in the preceding grade, the exam will be opened to the next proceeding grade until four eligible employees have applied or the exam is open to all permanent officers.**
 - 20)**
 - 16) Ineligible officers may not reapply until such time that they become eligible. [34.1.3(f)]
- e. PROMOTIONAL EXAMINATION [34.1.3(B)]
- 17) The examination portion of the promotion process shall be conducted by a testing vendor authorized by the Chief of Police.
 - 18) Examination procedure, topics to be tested, scoring, time, date and location of the exam shall be approved by the Chief of Police.
 - 19) Candidates must obtain a passing score on the examination to be considered in any other portion of the promotion process.
 - 20) Completed examination materials shall be secured by the promotion process manager.
- f. CANDIDATE INTERVIEWS [34.1.3(D)]
- 21) Candidate interviews will be conducted by a committee approved by the Chief of Police.
 - 22) Interviews shall be conducted from a prepared list of questions and individually scored by each member of the committee.
 - 23) A cumulative score will be reported to each candidate after all candidates have been interviewed, at a time determined by the Chief of Police.
 - 24) Individual committee member score sheets shall remain confidential. All scoring materials shall be secured by the promotion process manager.

g. ASSESSMENT CENTERS [34.1.3(C)]

- 25) The assessment center portion of the promotion process shall be conducted by a vendor authorized by the Chief of Police.
- 26) Assessment center procedures, topics to be tested, scoring, time, date and location of the exam shall be approved by the Chief of Police.
- 27) Every reasonable effort shall be made to ensure that candidates being evaluated have an opportunity not to work the shift before the assessment center.
- 28) Completed assessment materials shall be secured by the promotion process manager.
- 29) A cumulative score will be reported to each candidate after all candidates have been interviewed, at a time determined by the Chief of Police.

Note: A reasonable effort shall be made to assist candidates taking an exam or engaging in an interview or assessment center to have an opportunity not to work the midnight shift before the exam. This will typically include approval of requests for swaps or the use of personal leave. Where an officer does not have any available vacation or personal leave time available, consideration may be given to a request to advance a day of such leave to be repaid when such day would otherwise be accrued in the future.

h. CANDIDATE EVALUATIONS [34.1.3(A)]

- 30) The results of all phases of candidate testing shall be consolidated into a cumulative score in a process approved by the Chief of Police: [34.1.6(a)]
 - u) Written Examination: Weight 25 %;
 - v) Oral Interview: Weight 25 %;
 - w) Assessment Center: Weight 15%;
 - x) Training, education, experience: Weight 15 %;
 - y) Seniority: Weight 10 %
 - z) Veteran: Weight 10 %
- 31) Candidates shall be ranked by the cumulative score. In the event that two or more candidates obtain identical cumulative scores, ranking shall be determined by seniority, test score, time in service, time in grade. Candidates may also be listed as "tied."
- 32) A cumulative score will be reported to each candidate after all candidates have been interviewed, at a time determined by the Chief of Police and prior to being made available to the employees at large. The score shall also show the employees' scores on each individual component of the promotion process.

i. CANDIDATE APPEAL AND REVIEW [34.1.3(E)]

- 33) Within seven days of receiving notice of individual promotion process component scores, an employee may appeal to the Town of Stow's Personnel Manager. He or she may also refer his/her decision to the Board of Selectman to conduct a review of any or all of the components.
- 34) Upon completion of such review, the employee shall be advised in writing of the results of the review and in the event of a change, the scores and ranking shall be adjusted accordingly.

ii.

- j. DURATION OF THE LIST: Once established, a list of eligible candidates shall be valid for two **years** or until such time that a new list is established, whichever is first. [43.1.6(d)]

k. CANDIDATE SELECTION [43.1.6(E)]

36) The number of candidates to be included in any final selection for promotion shall be determined by the appointing authority.

37) The Chief of Police shall recommend candidates to the appointing authority in an order of preference.

38) In creating such recommendations, the Chief shall consider at a minimum:

aa) Cumulative score ranking;

bb) Work history;

cc) Sick use history;

dd) Disciplinary history;

ee) Seniority; and

ff) Any and all specialty training.

I. PROBATIONARY PERIOD: All employees promoted to a higher rank shall be subject to a six month probationary period [34.1.7]

SERGEANT PROMOTIONS

POLICY & PROCEDURE NO. 4.33.1	ISSUE DATE: __4/13/2021__
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 34.1.1; 34.1.2; 34.1.3; 34.1.5; 34.1.6; 34.1.7	EFFECTIVE DATE: __4/13/2021__ REVISION DATE: __4/13/2021__ __

I. GENERAL CONSIDERATIONS AND GUIDELINES

This policy applies to promotions for sworn personnel only.

Our department's commitment to developing employees to take on increasing levels of authority, responsibility and leadership is embodied in promotions. Eligible candidates have an opportunity to apply and participate in the promotion process as set forth in this policy.

Promotions must be based upon the merits of the individuals and their personal performance in the promotion process, and never on favoritism or seniority alone. A promotion is an investment in the future, not only for the department, but also for the employees who will be supervised and guided by the promoted member.

II. POLICY

It is the policy of this department to promote employees based upon their training, experience and merit.

No employees will be denied promotion based upon any discriminatory criteria, including, but not limited to, their sex or sexual orientation, race, religion, nationality or union membership.

III. DEFINITIONS

- A. *Time in Grade*: The number of years and months that an employee has held a specific rank or pay grade.
- B. *Bypass*: The selection of a person or persons whose name or names, by reason of score, merit preference status, court decree, decision on appeal from a court or administrative agency, or legislative

mandate, appear lower on a certification than a person or persons who are not appointed and whose names appear higher on said certification.

IV.PROCEDURES

1. **DEPARTMENT ROLE IN THE PROMOTION PROCESS:** This department shall notify employees of the promotion process, and shall provide testing and performance evaluations, and shall evaluate training, experience, seniority, and work history. The results of selection evaluations shall be reported to the appointing authority. [34.1.1]
2. **PROMOTION PROCESS MANAGER:** The Chief of Police and Town Administrator shall manage and coordinate promotions within this department and shall have the authority necessary to carry out the duties of the position. The duties shall include the following: [34.1.2]
 - a. Be knowledgeable of the promotion processes for all employees;
 - b. Provide and post any written announcements of any scheduled promotional opportunities;
 - c. Maintain data on eligibility requirements for positions above entry level;
 - d. Maintain copies of active promotion lists;
 - e. If used, coordinate with any companies or consultants contracted to participate in the promotion process;
 - f. Coordinate with any other government agencies or entities involved in the promotion process; and
 - g. Protect the integrity of the promotional process by ensuring that all promotional materials, documents, scores, evaluations forms, and completed evaluations remain confidential and are kept in a secure, locked location. [34.1.3(h)]
 - h. Promotional materials shall be retained for at least three years. Once a promotional process has been completed, all appeals have been exhausted or appeal periods have expired, and no litigation is pending, promotional materials shall be destroyed by shredding.
3. **NOTICE OF PROMOTION:**
 - a. All promotions will be posted internally for 7 days, prior to any external posting, which will remain posted for a period of an additional 7 days.

- b. No outside recruiting will occur during the 7 days of internal posting
- c. Such notice shall be:
 - 1. Posted in a prominent place;
 - 2. Forwarded to supervisors to be read at roll-call;
 - 3. Sent to all affected personnel in the form of an e-mail; and
 - 4. Mailed to any officers who are out sick or injured, on extended leave, on active military duty, or otherwise not likely to receive notice.
- d. The notice shall include:
 - 1. Eligibility requirements as described in job descriptions;
 - 2. Job descriptions
 - 3. The selection process;
 - 4. Method of applying;
 - 5. Process for promotion
 - 6. Closing date for each step;
 - 7. Duration of the process; and
- 4. ELIGIBILITY: To be eligible for promotion to each successive rank:
 - e. An officer must be a full time officer for at least five years.
 - f. Officers must be in good standing within their department or if a member of Stow Police with the Stow Police Department.
 - g. An officer must be a permanent police officer.
 - h. Reserve officers are not eligible for promotion to permanent ranks.
 - i. Ineligible officers may not reapply until such time that they become eligible.
[34.1.3(f)]

5. PROCESS [34.1.3(D)]

- j. Promotional announcement with Sergeant Job Description
- k. Cover Letter and Resume to the Chief on intent to take part in Sergeant Process
- l. Essay questions give to candidates
- m. Essay questions turned into Promotional Board

- n. Sergeant Promotional Board to review, score and rank essays
- o. Promotional Board interview
- p. Candidates scored, reviewed and ranked by Promotional Board
- q. Scores, Ranking, Notes on Candidates and essay given to area Command Interview Board.
- r. Command Interview Board (Area Police Chiefs) Interview
- s. Command Board score and rank candidates
- t. Top 3 Candidates interview with Town Administrator and Police Chief

6. CANDIDATE EVALUATIONS [34.1.3(A)]

- u. The Chief and Town Administrator shall have the right to select the individual that they believe to be the best candidate for the position. In making their decision, they shall consider criteria which may include but not be limited to: [34.1.1] [34.1.2]
 - i. Written Essays or Test, Promotional Board Interview: Weight 20 %;
 - ii. Oral Interview with Chiefs: Weight 25 %;
 - iii. Oral Interview with Chief and Town Administrator: Weight 25%;
 - iv. Training, education, experience: Weight 15 %;
 - v. Seniority: Weight 10 %
 - vi. Veteran: Weight 5%
- v. Candidates shall be ranked by the cumulative score. In the event that two or more candidates obtain identical cumulative scores, ranking shall be determined by seniority, test score, time in service, time in grade. Candidates may also be listed as "tied."
- w. A cumulative score will be reported to each candidate after all candidates have been interviewed, at a time determined by the Chief of Police and Town Administrator and prior to being made available to the employees at large. The score shall also show the employees' scores on each individual component of the promotion process.

7. CANDIDATE APPEAL AND REVIEW [34.1.3(E)]

- x. Within seven days of receiving notice of individual promotion process component scores, an employee may appeal to the Town Administrator. He or she may also refer his/her decision to the Board of Selectman to conduct a review of any or all of the components.

- y. Upon completion of such review, the employee shall be advised in writing of the results of the review and in the event of a change, the scores and ranking shall be adjusted accordingly.

8. CANDIDATE SELECTION [43.1.6(E)]

- z. The number of candidates to be included in any final selection for promotion shall be determined by the appointing authority.

aa. The Chief of Police and Town Administrator shall recommend candidates to the appointing authority in an order of preference.

bb. In creating such recommendations, the following shall be considered at a minimum:

Cumulative score ranking;

Work history;

Sick use history;

Disciplinary history;

Seniority; and

Any and all specialty training.

cc. PROBATIONARY PERIOD: All employees promoted to a higher rank shall be subject to a six month probationary period [34.1.7]



Town of Stow POLICE DEPARTMENT

305 Great Road
Stow, Massachusetts 01775

(978) 897-4545
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Michael Sallese
Chief of Police

January 9, 2023

Select Board
380 Great Road
Stow, MA 01775

RE: Policy 4.33.2 Lieutenant Hiring

I would like to advise the Select Board that Lt. Darren Thraen has announced his retirement, effective May 11, 2023. Although we are happy for him but sad for us, I have accepted his notice. His retirement will mark the end of 31 years of service here at the Stow Police Department. Lt. Thraen has been with the Town of Stow since 1991 starting as a Police Dispatcher, moving up to Patrol Officer/ DARE Officer, being promoted to the rank of Sergeant, then to the rank of Lt. in 2021. His dedication and commitment to this department and community will be missed. He has been a thread connecting Stow his entire career, always going above and beyond. Lt. Thraen will be appointed as a special officer upon his retirement, so he will still be available to help the department.

In April of 2021, a policy was passed by the board for the process in which Sergeants were promoted. At that time, a process was outlined and followed, 2 qualified officers were promoted from Patrol Officer to Sergeant. When Lt. Thraen was promoted from Sergeant to Lieutenant, he was the only in-house qualified individual.

The requirements of the Lieutenant, require at least 3 years in the rank of Sergeant. Currently the Stow Police Department has no Sergeants that meet the minimum qualifications. Therefore, this new Lieutenant will be hired from outside the Stow Police Department. Working in collaboration with the Town Administrator and HR Director, we have been able to develop a hiring policy, and a current job description for the position of Lieutenant.

The Lieutenant is not covered by the terms of the Collective Bargaining Agreement with Police Union Local 206, as it is a non-union position. However, this new policy does in fact keep the offering to union members first for 7 days. Also, to add another level of independent review in the process, an outside consulting company will be conducting a written exam and assessment. This policy also keeps standards intact that will be used for our accreditation. This policy has already been reviewed by the local union with no concerns.

Part of the process includes an interview with the hiring committee, which will be made up of Town Administrator, Police Chief, HR Director, and two at-large community members. In the past we have had an excellent involvement from members of the community and community partners such as NASJA and will be reaching out again for assistance.

I am requesting that the Select Board approve the attached Stow Police Policy 4.33.2 outlining the process in which a Lieutenant will be hired.

Respectfully Submitted,

Michael Sallese, Chief of Police

RECORDS MANAGEMENT

STOW POLICE DEPARTMENT POLICY & PROCEDURE NO. 4.34	ISSUE DATE: _____
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 82.1.1(a)(b); 82.1.3; 82.3.5	EFFECTIVE DATE: _____
	REVISION DATE: _____

1. GENERAL CONSIDERATIONS AND GUIDELINES

Many of the activities in which police personnel are involved result in the creation of some types of records. Although the records are created by and in the custody of this department, they are actually under the authority of the Massachusetts Secretary of the Commonwealth, Public Records Division. The length of retention is determined by that office, and they may lawfully be destroyed only with the permission of that office.

The purpose of this directive is to establish organization and guidance for the collection, storage, and permanent archive or destruction of records.

2. POLICY

It is the policy of the department that:

C.O.R.I., juvenile records, and personal data will be protected in compliance with Massachusetts General Law, C.M.R.s and other regulations.

All records in the custody of the police department shall be retained and/or destroyed in accordance with the standards of the Office of the Secretary of the Commonwealth.

III. DEFINITIONS

C.O.R.I.: "Criminal offender record information": records and data in any communicable form compiled by a criminal justice agency which concern an identifiable individual and relate to the nature or disposition of a criminal charge, an arrest, a pre-trial proceeding, other judicial proceedings, sentencing, incarceration, rehabilitation, or release. For a more in-depth definition, see the department policy on *C.O.R.I.*

Public Record: All books, papers, maps, photographs, recorded tapes, financial statements, statistical tabulations, or other documentary materials or data, regardless of physical form or characteristics, made or received by any officer or employee or any agency, executive office, department, board, commission, bureau, division or authority established by the General Court to serve a public purpose, unless such materials or data fall within one or more of the exemptions found within M. G. L. c. 4, §7(26).

4. PROCEDURES

Administration: The Lieutenant shall be responsible for the records management function. The duties shall include:

- a. Collection of all reports and related data;
- b. Distribution of reports to appropriate agency recipients;
- c. Maintenance of incident, accident, arrest and other reports in an organized manner through filing of hard copies and management of electronic records;
- d. Retrieval and distribution of records and documents for authorized persons and entities;
- e. Compliance with records requests under state law and the Freedom of Information Act;
- f. Protection of C.O.R.I., confidential and personal data;
- g. Maintaining the archive of records required to be stored permanently; and
- h. Destruction of records in compliance with protocols provided by the Secretary of the Commonwealth.

Storage and Security [82.1.1(a)]

i. PAPER RECORDS

- 1. The Lieutenant shall be responsible for the security of paper records stored in the records section of this agency.
- b. Paper records are stored in the squad room.
- c. Paper records shall be stored in a secure area free from unsupervised access by members of the public and unauthorized personnel.
- j. **ELECTRONIC RECORDS:** Security of electronic records shall be the responsibility of the departments systems administrator. For further information about electronic records, see the department policy on **Computers and Data Security**.
- k. **PAPER RECORDS STORED BY OPERATIONAL COMPONENTS:** Security of records stored by other operational components of this department shall be the responsibility of the commander of that component. The following records are stored as such: All records are stored in the Squad Room. All CI information shall be stored with the Detective Division and all Personnel records shall be stored with the Chief of Police. [82.3.5]

I. ACCESS BY EMPLOYEES [82.1.1(B)]

- d. Paper records stored by the records management section shall be accessible to employees at all times.
- e. Requests for records may be made in person during business hours and submitted to the Records Department
- f. Records may be obtained after business hours and released with the approval of a Sergeant.
- g. Electronically stored records are available to authorized personnel at all times through the department's computer network. For further information about electronic records, see the department policy on **Computers and Data Security**.

Challenge of Accuracy of Police Records

- m. **C.O.R.I.:** For information on C.O.R.I. challenges, see the department policy on **C.O.R.I.**
- n. **POLICE REPORTS:** Any person who wishes to challenge the accuracy of a police report may do so by:
 - h. Speaking with a supervisor to explain the nature of the alleged inaccuracy; and
 - i. Submitting a request in writing explaining the nature of the alleged inaccuracy.

- o. The employee's supervisor will present the request to the employee who authored the report, or portion of a report in dispute.
- p. The author will review the portion in question. The report's author may:
 - j. Edit the report to correct the inaccuracy raised or any other inaccuracy found.
 - k. Take no action.
- q. Upon completion of this process the Chief or his designee, will advise the person challenging the report in writing of the outcome of the review.

Expungement: This procedure shall apply to adult and juvenile records.

- r. Upon receipt of a judicial order of expungement of any record, records management personnel shall identify and obtain the record.
- s. Hard copy records shall be destroyed in compliance with this policy.
- t. Electronic records, files and other data will be deleted manually or using specific expungement or deletion software programs in the department's records management software.

V. Retention of Records [82.1.3]:

- u. Police department records shall be retained, at a minimum, for the time specified in the records disposal schedules promulgated by the Secretary of the Commonwealth, as amended from time to time.
- v. Disposal schedules apply to information, not the media containing the information. If records maintained on electronic media are printed out in an eye-readable format, the original electronic records may be immediately destroyed.
- w. If the electronic record is the sole source of the information, it must be treated in the same manner as its hard copy counterparts for the purposes of disposal, and must be maintained in accordance with the disposal schedule.

Destruction

x. OBTAINING AUTHORIZATION

- l. Nearly all records held by police departments require authorization of the Supervisor of Public Records, Office of the Secretary of the Commonwealth. Instructions and sample letters are included in each category of Records Disposal Schedule which is available from the Secretary of the Commonwealth's web site, http://www.sec.state.ma.us/arc/arcpdf/MA_Municipal_Records_Retention_Manual.pdf
- m. Any records which may be destroyed without the permission of the Supervisor of Public Records shall be destroyed after being retained at least for the minimum duration specified in the destruction schedule. Such records are denoted with an asterisk "*" on the destruction schedule.
- n. Police department records shall be destroyed in compliance with the records disposal schedules promulgated by the Secretary of the Commonwealth, as amended from time to time.
- o. No records that are subject to any current or pending litigation, public records request, or which have not been retained for at least the minimum retention duration may be destroyed.
- p. Original records cannot be destroyed without the written permission of the Supervisor of Public Records.
- q. No records created prior to 1870 may be destroyed.
- r. Application for Authorization for Destruction: Submit a letter in duplicate to the Supervisor of Public Records requesting permission for destruction. A sample letter is available in Appendix A of this policy. The letters must be signed by the Chief of Police and contain the following:

1. Schedule Number: the destruction schedule number in which the record to be destroyed is found (Police Department: 14-81);
 2. Date of last revision of the schedule, listed on the Disposal Schedule cover sheet;
 3. Series Number, as indicated on the destruction schedule to identify the particular type of record to be destroyed;
 4. Estimated volume of records to be destroyed;
 5. Inclusive dates of each series to be destroyed; and
 6. Date of last audit, if applicable.
- s. Upon approval, one copy of the letter will be returned and the records described therein may be destroyed.
- t. To destroy records that are not included on the Police disposal schedule, refer to the Administration/Personnel (23/89) records disposal schedules. This schedule includes records held in common by various municipal offices.
- u. To destroy a record that is not included in the police disposal schedule or the Administration/Personnel (23/89) disposal schedule, submit a letter in duplicate to the Supervisor of Public Records. In addition to the information above, the letter should describe the record. If possible, attach a photocopy of the record.

y. METHODS OF DESTRUCTION

- v. Records containing confidential information or information that would be segregated, excluded, or redacted from release as a public record shall be destroyed in such a manner as to make the record unreadable and unrecoverable. Security of the records must be maintained until they are actually destroyed.
- w. Paper records, optical media, and flexible media, such as a floppy drive, may be shredded or burned.
- x. Hard drives may be destroyed by the following methods:
7. Disassemble the hard drive case and destroy the physical disk;
 8. Run a wipe utility to over-write the disk and file allocation tables; or
 9. Complete degaussing.

RECORDS REQUESTS

STOW POLICE DEPARTMENT POLICY & PROCEDURE NO. 4.35	ISSUE DATE: 9/11/14
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 33.6.1; 33.7.2; 55.1.3 (b); 82.1.1 (c); 82.1.2	EFFECTIVE DATE: 1/1/15
	REVISION DATE: 1/28/20

POLICY

Every record made or received by the Police Department is presumed to be a public record, unless it is subject to an exemption as outlined in Section VII of this policy. The Massachusetts Public Records Law provides that every person has an absolute right of access to public information. This right of access includes the right to inspect, copy or have copies of records provided upon the payment of a reasonable fee. Therefore, it shall be the policy of the Police Department to adhere to the requirements of the Public Record Law as well as the applicable regulations promulgated by the Secretary of the Commonwealth.

PROCEDURES

1. DEFINITIONS

- a. **Commercial Purpose:** means “the sale or resale of any portion of the public record or the use of information from the public record to advance the requester's strategic business interests in a manner that the requester can reasonably expect to make a profit, and shall not include gathering or reporting news or gathering information to promote citizen oversight or further the understanding of the operation or activities of government or for academic, scientific, journalistic or public research or education.”
- B. **Public Records:** includes “all books, papers, maps, photographs, recorded tapes, financial statements, statistical tabulations, or other documentary materials or data, regardless of physical form or characteristics, made or received by any officer or employee of any agency, executive office, department, board, commission, bureau, division or authority of the commonwealth, or of any political subdivision thereof, or of any authority established by the general court to serve a public purpose, or any person, corporation, association, partnership or other legal entity which receives or expends public funds for the payment or administration of pensions for any current or former employees of the commonwealth or any political subdivision as defined in section 1 of chapter 32...” This includes those records which are created by electronic means.

- C. Records Access Officer:** “the employee designated within a governmental entity to perform the duties described in 950 CMR 32.00 including coordinating a response to requests for access to public records, assisting individuals seeking public records in identifying the records requested, and preparing guidelines that enable requesters to make informed requests regarding the availability of such public records electronically or otherwise.”
- D. Redact:** means to delete, or otherwise expurgate that part of a public record that is exempt from disclosure under G.L. c. 4, § 7(26) or other legally applicable privileges from non-exempt material.
- E. Requester:** any person or entity making a request for records pursuant to the Public Records Law.
- F. Segregation Time:** means the time used to review records to determine what portions are subject to redaction or withholding under G.L. c. 4, § 7(26) or other legally applicable privileges. Segregation time shall not include time expended to review records for accuracy and correct errors.

2. RECORDS ACCESS OFFICERS

- a. At least one employee of the Department will be designated as the Records Access Officer (RAO) for the Department. Such designation shall be made by the Chief of Police or his designee.
- b. The employee(s) designated as RAO for the Department shall be identified in a notice, conspicuously displayed in the Department lobby and the Department website, if one exists. The notice shall include name, title, business address, business telephone number, and business email address of each records access officer.
- c. If an RAO is scheduled to be out of the office for a period of time, a substitute RAO shall be designated to handle requests for public records.
- d. The RAO for the Department shall be responsible for the following tasks:
 1. Accepting all requests for public records;
 2. Responding thoroughly to all requests in a timely manner;
 3. Assisting requesters in identifying the records sought;
 4. Assisting in the preservation of public records in accordance with all applicable laws, rules, regulations and retention schedules;
 5. Preparing guidelines that enable the requester to make informed requests regarding the availability of such public records electronically or otherwise. The guidelines shall include a list of categories of public records maintained by the Department and such list shall be updated periodically. The guidelines shall be posted on the Department website if one exists; and

6. Posting commonly available public record documents on the Department website if one exists.

3. REQUESTS FOR PUBLIC RECORDS

1. The Department shall accept all requests for public records made in writing (via mail, courier, electronic mail, hand delivery or facsimile) and made orally (in-person or over the telephone).
2. A requester shall not be required to complete any particular form, however, the Department may make one available to assist requesters.
3. A requester shall not be required to make a personal inspection of the record prior to receiving a copy.
4. If the request is unclear or the requester is unsure as to the requested records, the RAO shall assist the requester in determining what records are sought.
5. As an alternative to obtaining copies, a requester shall be permitted, to the extent feasible, and at reasonable times:
 - i. To view and inspect records prior to obtaining copies; or
 - ii. To use a personal device such as a camera or portable scanner to copy records.
6. The RAO shall not require the requester to specify the purpose for a request, except:
 1. when the requested records concern information which may be exempt from disclosure under exemption (n);
 2. to determine whether the records are requested for a **commercial purpose** ; or
 3. whether to grant a request for a fee waiver.

4. RESPONSES TO REQUESTS FOR PUBLIC RECORDS

- a. The RAO shall respond to each request for public records within **10 business days** following the receipt of the request.
- b. For written requests, the calculation of time begins on the first business day following receipt of the request. For oral requests, the calculation of time begins on the day the request was made.
- c. The RAO shall provide a written response to the requester unless the RAO has provided the requester with a copy of all of the requested documents in un-redacted format or has permitted the requester to inspect the requested documents in un-redacted format.
- d. A written response shall be made via electronic mail, if preferred, or via first-class mail.

- E. The RAO and requester may enter into an agreement to extend the time required to respond to the request. The RAO shall document any such agreements in writing.
- f. The written response shall include the following:
- 1) confirm receipt of the request;
 - 2) identify any records or categories of records sought that are not within the department's possession, custody, or control (**if applicable**);
 - 3) identify the agency or municipality that may be in possession, custody or control of the record sought, if known (**if applicable**);
 - 4) identify any records, categories of records or portions of records that the department intends to withhold, and provide the specific reasons for such withholding, including the specific exemption or exemptions upon which the withholding is based (**if applicable**);
 - 5) identify any records, categories of records, or portions of records that the department intends to produce, and provide a detailed statement describing why the magnitude or difficulty of the request unduly burdens the other responsibilities of the department and therefore requires additional time to produce the public records sought (**if applicable**);
 - 6) identify a reasonable timeframe (no more than **25 business days** following the initial receipt of the request **for municipal police departments**) in which the records will be produced;
 - 7) suggest a reasonable modification of the scope of the request or offer to assist the requester to modify the scope of the request if doing so would enable the entity to produce records sought more efficiently and affordably (**if applicable**);
 - 8) include an itemized, good faith estimate of any fees that may be charged to produce the records (**if applicable**); and
 - 9) include a statement informing the requester of the right of appeal to the supervisor of records under subsection (a) of section 10A and the right to seek judicial review of an unfavorable decision by commencing a civil action in the superior court under subsection (c) of section 10A.
- g. The RAO shall provide public records to a requester in electronic format unless the record is not available in electronic form, or the requester does not have the ability to receive or access the records in electronic format, or the requester prefers the records in another format. In the absence of a preferred format, the records shall be provided in a searchable machine-readable form. Where the requester is an individual held in custody in any correctional facility, the RAO shall presume that the requester does not have the ability to receive or access records in electronic form.
- h. The RAO may furnish records by providing reasonable assistance in locating the records on an appropriately indexed and searchable public website, if available.
- i. If the record is withheld or redacted on the basis of the attorney-client privilege, the RAO shall provide the following information in the response: (1) a detailed description of the

record; (2) the names of the authors and recipients; and (3) in general terms, the subject matter of the withheld information.

- j. The RAO may deny requests from a requester who has previously failed to pay for records already produced. In such instances, the RAO shall provide an explanation of the reason for the denial and the amounts owed in the written response. The requested records may be withheld until any reasonable fee is paid.

5. EXTENSIONS TO RESPOND TO REQUESTS

a) Obtaining a First Extension

- i. If the Department is unable to respond within 10 business days as a result of the undue burden placed upon the other responsibilities of the Department due to the magnitude or difficulty of the request, or of multiple requests from the same requester, the Department may obtain an extension to do so.
- ii. The extension may be for up to, but no more than, **25 business days** following the initial receipt of the request.
- iii. The written response must include all of the items listed in Section IV(F) of this policy and must be provided no later than 10 business days after the initial receipt of the request.

b) Requesting a Second Extension

- 1. If the Department requires more than 25 business days to respond to the request as a result of the undue burden placed upon the other responsibilities of the Department due to the magnitude or difficulty of the request, or of multiple requests from the same requester, the Department may file a petition with the Supervisor of Public Records in order to obtain a second extension.
- 2. The Supervisor may grant a single extension of up to **30 business days** to respond upon a showing of good cause. The Supervisor also has discretion to grant a longer extension or to relieve the Department of its obligation to comply with the request if the Supervisor determines that the request is frivolous or designed to intimidate or harass, and the request is not intended for the broad dissemination of information to the public about actual or alleged government activity.
- 3. The petition must be filed within 20 business days after the initial receipt of the request or within 10 business days after receipt of a determination by the Supervisor of Public Records that the requested record constitutes a public record. The requester must be provided with a copy of the petition.
- 4. The petition must address the following factors probative to good cause:
 - a. the need to search for, collect, segregate or examine records;
 - b. the scope of redaction required;

- c. the capacity or the normal business hours of operation of the Department;
- d. efforts undertaken by the department to fulfill request;
- e. whether the request is frivolous or intended to harass or intimidate the department;
and
- f. the public interest served by expeditious disclosure.

6. CHARGING FEES

A. Generally

1. The RAO may only assess such fees as are reasonable and assessed pursuant to this policy.
2. The RAO shall provide a requester with a written, good faith estimate within 10 business days of the request being made if the RAO intends to charge any fee.
3. No fees shall be charged if the RAO fails to provide a written response to a request within 10 business days.
4. Requested records may be withheld until the fee is paid, if any.
5. Any and all fees obtained in connection with this policy shall be accounted for and forwarded to the Office of the [INSERT APPROPRIATE TITLE HERE - e.g. Treasurer; Collector].

B. Copy Costs

1. The RAO may only assess the following copy costs:
 - a. A maximum of \$0.05 per page for single and double-sided black and white paper copies or printouts of public records susceptible to reproduction by ordinary means.
 - b. The actual cost of reproduction for records which are not susceptible to reproduction by ordinary means.
2. No copy costs shall be charged for records provided electronically or by facsimile.

C. Search and Segregation Fees

1. The RAO may only charge a fee for search and segregation time if:
 - a. The Department is required to devote more than 2 hours of time to search for, compile, segregate, redact or reproduce a record; and
 - b. The segregation or redaction of records is required by law or the fee is approved by the Supervisor of Public Records.

2. The search and segregation fee must be calculated using the hourly rate equal to or less than the hourly rate of the lowest paid employee who has the necessary skill to complete the search and segregation, but shall not exceed \$25.00 per hour unless approved by the Supervisor of Public Records.

3. **[FOR MUNICIPALITIES WITH OVER 20,000 PEOPLE]** The first 2 hours shall not be charged.

[FOR MUNICIPALITIES WITH 20,000 PEOPLE OR LESS] The first 2 hours may be charged.

D. Postage Costs

The RAO may charge the actual cost of postage to mail copies of public records, but only if:

1. The requester specifically requests that records be mailed or is unable to receive copies in person; and
2. The RAO charges the lowest cost available for such mailing, at the discretion of the requester.

E. Medium Costs

The actual cost of any storage device requested may be charged to the requester.

F. Discretion to Waive Fees

The RAO shall have the discretion to waive or reduce fees. Such waiver or reduction may be granted where it is shown that:

1. Disclosure of a requested record is in the public interest;
2. The request is not primarily in the commercial interest of the requester; or
3. The requester lacks the financial ability to pay the full amount of the reasonable fee.

G. Petitions to Charge Fees

1. If the RAO wishes to charge: (i) an hourly fee in excess of \$25, or (ii) the time spent segregating or redacting documents not required by law, the RAO shall file a petition with the Supervisor of Public Records to that effect, and the RAO shall provide the requester with a copy of the petition.
2. The supervisor may approve the petition if:
 - a. the request is for a **commercial purpose** ; or
 - b. the fee represents an actual and good faith representation to comply with the request, the fee is necessary, the amount of the fee is reasonable and the fee is not designed to limit, deter or prevent access to requested public records.

7. EXEMPTIONS

The RAO shall ensure that if any portion of a record is redacted or withheld pursuant to one of the exemptions to the Public Records Law, the RAO shall provide the requester with the applicable exemption and describe, with specificity, how it applies to the particular record.

A. Exemption (a)

1. Exemption (a) applies to records that are specifically or by necessary implication exempted from disclosure by statute.
2. As an example, the following statutes may provide the basis to withhold records under exemption (a):
 - **Criminal Offender Record Information:** G.L. c. 6, § 167.
 - **Delinquency, Sealing by Commissioner of Probation:** G.L. c. 276, § 100B.
 - **Department of Youth Services Records:** G.L. c. 120, § 21.
 - **Home Addresses, Telephone Numbers and Personal E-Mail Addresses of Public Safety Personnel:** G.L. c. 66, § 10B.
 - **Name, Home Addresses, Telephone Numbers and Personal E-Mail Addresses of Family Members of Public Safety Personnel:** G.L. c. 66, § 10B.
 - **Home Addresses, Telephone Numbers, Place of Employment or Education and Personal E-Mail of Victims of Adjudicated Crimes, Domestic Violence Victims and Persons Providing Family Planning Services:** G.L. c. 66, § 10B.
 - **Name, Home Addresses, Telephone Numbers, Place of Employment or Education and Personal E-Mail of Family Members of Victims of Adjudicated Crimes, Domestic Violence Victims and Persons Providing Family Planning Services:** G.L. c. 66, § 10B.
 - **Juvenile Delinquency Case Records:** G. L. c. 119, § 60A.
 - **Rape and Domestic Abuse Reports:** G. L. c. 41, § 97D.

B. Exemption (b)

1. Exemption (b) applies to records that are related solely to internal personnel rules and practices of the government unit, provided however, that such records shall be withheld only to the extent that proper performance of necessary governmental functions requires such withholding.
2. For exemption (b) to apply, the RAO shall demonstrate not only that the records relate solely to the internal personnel practices of the government entity, but also that proper performance of necessary government functions will be inhibited by disclosure.

C. Exemption (c)

Exemption (c) applies to personnel and medical files or information; also any other materials or data relating to a specifically named individual, the disclosure of which may constitute an unwarranted invasion of personal privacy.

D. Exemption (d)

Exemption (d) applies to inter-agency or intra-agency memoranda or letters relating to policy positions being developed by the agency; but this subclause shall not apply to reasonably completed factual studies or reports on which the development of such policy positions has been or may be based.

E. Exemption (e)

Exemption (e) applies to notebooks and other materials prepared by an employee of the commonwealth which are personal to him and not maintained as part of the files of the governmental unit.

F. Exemption (f)

1. Exemption (f) applies to investigatory materials necessarily compiled out of the public view by law enforcement or other investigatory officials the disclosure of which materials would probably so prejudice the possibility of effective law enforcement that such disclosure would not be in the public interest.
2. The RAO shall not use exemption (f) as a blanket exemption for all records that investigative officials create or maintain.
3. The RAO must demonstrate that the release of the requested records would result in the prejudice to investigative efforts by showing one of the following in order to apply exemption (f) to a particular request:
 - a. The requested records relate to an ongoing investigation, which if disclosed, could potentially alert suspects to the activities of investigative officials.
 - b. The requested records contain confidential investigative techniques, the disclosure of which would prejudice future law enforcement efforts.
 - c. The requested records contain information, which if disclosed, creates a grave risk of directly or indirectly identifying a private citizen as a witness. [55.1.3 (b)]

G. Exemption (g)

Exemption (g) is not applicable to the records maintained by the Department.

H. Exemption (h)

Exemption (h) applies to proposals and bids to enter into any contract or agreement until the time for the opening of bids in the case of proposals or bids to be opened publicly, and until the time for the receipt of bids or proposals has expired in all other cases; and inter-agency or intra-agency communications made in connection with an evaluation process for reviewing bids or proposals, prior to a decision to enter into negotiations with or to award a contract to, a particular person.

I. Exemption (i)

Exemption (i) is not applicable to the records maintained by the Department.

J. Exemption (j)

Exemption (j) applies to the names and addresses of any persons contained in, or referred to in, any applications for any licenses to carry or possess firearms issued pursuant to chapter one hundred and forty or any firearms identification cards issued pursuant to said chapter one hundred and forty and the names and addresses on sales or transfers of any firearms, rifles, shotguns, or machine guns or ammunition therefor, as defined in said chapter one hundred and forty and the names and addresses on said licenses or cards.

K. Exemption (k)

Exemption (k) was repealed.

L. Exemption (l)

Exemption (l) applies to questions and answers, scoring keys and sheets and other materials used to develop, administer or score a test, examination or assessment instrument; provided, however, that such materials are intended to be used for another test, examination or assessment instrument.

M. Exemption (m)

Exemption (m) is not applicable to the records maintained by the Department.

N. Exemption (n)

1. Exemption (n) applies to records, including, but not limited to, blueprints, plans, policies, procedures and schematic drawings, which relate to internal layout and structural elements, security measures, emergency preparedness, threat or vulnerability assessments, or any other records relating to the security or safety of persons or buildings, structures, facilities, utilities, transportation or other infrastructure located within the commonwealth, the disclosure of which, in the reasonable judgment of the record custodian, subject to review by the supervisor of public records under subsection (b) of section 10 of chapter 66, is likely to jeopardize public safety and cyber security.
2. For all requests in which exemption (n) applies, the RAO may ask the requester for the purpose of making the request.
3. The RAO is not prevented from engaging the requester in conversation by asking the requester to voluntarily provide additional information in order to reach a reasonable judgment," but the RAO may not require the requester to provide personal information.
4. The determination of whether exemption (n) will be used to withhold records shall be based upon the totality of circumstances of the requester including the purpose for making the request.

O. Exemption (o)

Exemption (o) applies to the home address, personal email address and home telephone number of an employee of the judicial branch, an unelected employee of the general court, an agency, executive office, department, board, commission, bureau, division or authority of the commonwealth, or of a political subdivision thereof or of an authority established by the general court to serve a public purpose, in the custody of a government agency which maintains records identifying persons as falling within those categories; provided that the information may be disclosed to an employee organization under chapter 150E, a nonprofit organization for retired public employees under chapter 180, or a criminal justice agency as defined in section 167 of chapter 6.

P. Exemption (p)

Exemption (p) applies to the name, home address, personal email address and home telephone number of a family member of a commonwealth employee, contained in a record in the custody of a government agency which maintains records identifying persons as falling within the categories listed in subclause (o).

Q. Exemption (q)

Exemption (q) is not applicable to the records maintained by the Department.

R. Exemption (r)

Exemption (r) applies to information and records acquired under chapter 18C by the office of the child advocate.

S. Exemption (s)

Exemption (s) is not applicable to the records maintained by the Department.

T. Exemption (t)

Exemption (t) applies to statements filed under section 20C of chapter 32

U. Exemption (u)

Exemption (u) is not applicable to the records maintained by the Department.

8. TRAINING

- A. All RAOs shall receive initial training on the Public Records Law upon being designated as an RAO consisting of at least four (4) hours. [[33.6.1](#) ; [33.7.2](#)]
- B. All RAOs shall receive refresher training the Public Records Law on a bi-annual basis. The required hours of training for such refresher course shall be in the discretion of the Chief of Police or his designee. [[33.6.1](#) ; [33.7.2](#)]

UNIFORMS, CLOTHING AND INDIVIDUAL EQUIPMENT

STOW POLICE DEPARTMENT POLICY & PROCEDURE NO. 4.36	ISSUE DATE: 9/11/14
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 17.5.2; 22.2.5	EFFECTIVE DATE: 1/1/15
	REVISION DATE: 07/20/21

1. GENERAL CONSIDERATIONS AND GUIDELINES

As service providers, employees should present a professional appearance to the public at all times and reflect a positive image as members of the department. A person who is neatly dressed and well-groomed instills confidence in others about his/her abilities. A professional uniform appearance also enhances morale, fosters teamwork, and develops *esprit de corps*.

2. POLICY

It is the policy of the department that:

Standards of uniform attire shall be maintained by this agency.

All employees shall present a neat, well-groomed, professional appearance while in uniform.

Non-uniformed employees shall present a neat, well-groomed, professional appearance while on duty.

a. Tattoos, Brandings, or Intentional Scarring

a. Tattoos, brandings or intentional scarring, are allowed to be visible to the public after approval is given by the Chief ensuring policy Section II 4 b and c are adhered to.

b. Tattoos, brandings, or intentional scarring are not permitted on the face, neck, ears, scalp, or hands.

c. Tattoos, brandings, or intentional scarring that are gang related; that convey sexual, racial, religious, ethnic, or related intolerances; that promote a partisan political statement or expression; or that portray derogatory or offensive characterizations is prohibited.

5. Body Art or Modification

a. Intentional, non-medical body modification that cannot be concealed or eliminated, such as split tongues, gauged piercings, and facial implants is prohibited. Any additional piercings that cannot be concealed by clothing, such as those in the tongue, nose, lip, face, etc, must be removed while on duty or in uniform

6. Exceptions may be made by a competent authority if necessitated by the police mission.

3. DEFINITIONS

1. *Civilian Attire*: Non-uniform clothing.
2. *Business attire*: Dress clothes such as business suit, suit coat, dress pants, shirt and tie for men, or a business dress or pants suit for women.
3. *Business Casual*: Neat casual clothing such as khakis, dress shirt, polo shirt, etc. Jeans are not considered business casual.
4. *Uniform Accessories*: Articles approved by the Chief of Police which may be worn with the official uniform.
5. *Uniform of the Day*: Uniform as directed by this policy or a competent authority.
6. *Uniform Insignia*: Patches, name tags, rank insignia, and other items worn on the uniform.

4. PROCEDURES

1. Employee Attire

- i. Generally: Employees should present a professional appearance to the public at all times. However, exceptions may be authorized for medical necessity or to further the police mission.
 - ii. COURT:
Business attire is always appropriate for court appearances and mandatory for Jury Trials, Grand Jury, and Superior Court.
The uniform of the day is also appropriate for District Court, Clerk Magistrate appearances, or hearings at the Registry of Motor Vehicles.
- iii. Special Assignments: Attire for special assignments may be directed by The Chief of Police or his designee
 - iv. TRAINING:
In-service training: Uniform of the day.
Classroom type training: Uniform or business casual unless otherwise specified.
Firearms training: Jeans or tactical pants, outdoor type clothing and footwear, weather appropriate. Body armor is always required at the range.
 - v. SERVICE WEAR
- a. Police Officers
 - 1) Administration: Uniform of the day or business attire.
 - 2) Investigations: Business attire unless otherwise authorized by a supervisor for an investigative function.
 - 3) Patrol: Employees shall wear the Class B uniform with duty belt while performing patrol duties. Specialty assignments are authorized to wear alternate uniforms while performing those duties.
 - a) Motorcycle Officer: Motorcycle uniform.
 - b) Tactical Team Member: Class C uniform.
 - c) Canine Officer: Class C uniform.
 - d) Bicycle Officer: Bicycle uniform.
 - e) Marine Patrol: Marine uniform.
 - 4) Extra-duty Details: The Class B uniform of the day shall be worn for most details. While working traffic details, officers may wear a firearm in a pancake or molded polymer holster rather than the

complete duty belt. Officers must also carry handcuffs, portable radio and at least one spare magazine.

5) Services: Uniform of the day, Class C uniform, business casual

6) Variations to normal attire may be authorized by a supervisor.

- b. Dispatchers: Business casual **OR** Dispatchers will be uniformed while performing dispatching duties.
- c. Clerical: Business casual unless otherwise authorized.
- d. Animal Control Officer: Employees will generally be uniformed while performing normal duties.
- e. Crossing Guard: Employees will be uniformed while performing crossing guard duties. Clothing shall be weather appropriate and include an approved, high visibility traffic safety vest or crossing straps.

2. Department Uniforms

vi. WEARING OF UNIFORMS GENERALLY

- i. All uniform items issued or paid for by the department are property of the department.
- ii. Summer uniform may be worn from spring to fall at date determined by the Chief of Police or his designee. Winter uniform must be worn in the fall to the spring at a date determined by the Chief of Police or his designee. Exceptions for unseasonable weather may be authorized by the Chief of Police or his designee.
- iii. Only members of this department are authorized to wear a department uniform. Uniforms may be worn only for an official police purpose.
- iv. Only issued or authorized uniform items may be worn as part of this department's uniform.
- v. Civilian clothing shall not be worn with any distinguishable part of the uniform unless the employee is commuting to or from duty.
- vi. Officers shall keep their uniforms neat, clean and well-pressed at all times.
- vii. Care should be taken not to wear threadbare or faded items.
- viii. The uniform cap shall be worn out of doors/vehicles unless otherwise directed by competent authority.
- ix. Officers shall not wear any identifiable part of the uniform outside the limits of the community except while in the performance of official duty, while commuting to and from duty, or with the permission of the Chief of Police.

vii. AUTHORIZED UNIFORMS ITEMS GENERALLY

Footwear: The following footwear is authorized to be worn with the department uniform unless otherwise specified:

Black, low quarter, leather uniform shoes.

Black leather athletic/walking shoes.

Black leather or ballistic nylon/leather combination uniform boots.

Except for bicycle patrols, uniformed employees wearing footwear where the socks are exposed shall wear black or navy blue socks.

Undershirts shall not be exposed at the collar or sleeve. Undershirts exposed while wearing the department uniform must be white or black in color.

Insignia

No buttons, insignia, attachments or coverings of any kind will be worn on a department uniform unless it is authorized by the Chief of Police.

A black mourning band may be worn around the department badge when a law enforcement officer is killed in the line of duty in the Commonwealth, or when authorized by the Chief of Police. The band may be worn from the time of official death notification through the day of the funeral.

viii. **POLICE OFFICERS**

Class A, Dress Uniform

The dress uniform will consist of a uniform dress blouse, pants, white or navy blue long sleeve uniform shirt, and black tie.

Footwear shall be black, patent leather, high gloss **[low quarter shoes or paratrooper boots]** with black socks.

Duty belt, holster, magazine holders and cross strap shall be of black, patent leather, high gloss finish.

Insignia:

The department patch shall be standard and sewn on to both sleeve(s) of the dress blouse, one half (1/2) inch from the shoulder seam, centered on the shoulder.

A coat badge shall be worn on the left breast of the dress blouse, as provided by the garment manufacturer.

A name tag shall be worn over the right breast pocket.

Military service ribbons may be worn one half (1/2) inch above the name tag.

A uniform tie bar shall be worn, even with the lower edge of the shirt pocket flap.

Service Stripes

Service stripes may be worn on the left sleeve of the dress blouse. The stripe(s) shall be situated one half (1/2) inch above the upper cuff seam with the rear of the stripe abutting the sleeve crease. A single stripe shall signify five years of service as a reserve and/or full time sworn officer.

Patrolman service stripes shall be **determined**

Superior officer service stripes shall be gold

The dress hat shall be worn with the hat badge affixed to the front of the hat, as provided by the manufacturer.

Class B, Patrol Uniform

Summer uniform consists of uniform short sleeve shirt, pants, mesh uniform hat and footwear.

Winter uniform consists of uniform long sleeve shirt and tie or turtleneck shirt, pants, cloth uniform hat and footwear.

Outer wear: Uniform jackets, coats, uniform sweater, insulated cold weather hat, department watch hat, rain gear and black gloves. High visibility traffic vest or cross straps, and gloves may be worn while directing traffic.

Insignia

Department Patch: The department patch will be worn on **BOTH** sleeve(s), centered on the sleeve crease, one half (1/2) inch from the shoulder seam.

Patrolman badges, name tag and other insignia shall be of polished chrome finish. Superior officer badges, name tags and other insignia shall be of polished brass or gold finish.

Name Tag: The name tag shall be worn on the right side. Name tags shall be worn on uniform shirts. Name tags shall not be worn on rain gear.

Badge: The department shirt badge shall be worn left side above the shirt pocket, as provided by the clothing manufacturer. A coat badge shall be worn on outerwear in the location provided by the clothing manufacturer. If no location is provided by the manufacturer, a badge need not be worn on that outer garment.

Rank insignia shall be worn on all shirts and outerwear with the exception of rain gear.

Sergeant Chevrons shall be worn on both sleeves in a position one half (1/2) inch below the department patch, centered on the sleeve crease.

Rank insignia for other superior officer ranks shall be worn sewn onto or pinned to both of the shirt or outerwear epaulets, one inch from the sleeve shoulder seam. Insignia on shoulder boards may be worn on the epaulets of outer wear.

Service Stripes

Service stripes may be worn on the left sleeve of the long sleeve shirt and outerwear, other than rain gear and uniformed sweater. A single stripe shall signify five years of service as a reserve and/or full time sworn officer. The stripe(s) shall be situated one half (1/2) inch above the upper cuff seam with the rear of the stripe abutting the sleeve crease.

Patrolman service stripes shall be determined by the Chief of Police

Superior officer service stripes shall be gold

Collar Insignia: State seal

Motor Cycle Officer patch

Traffic Officer Patch

Class C, Utility Uniform

The uniform consists of a black, BDU, long sleeve shirt, pants, utility hat and footwear.

Class B uniform outer wear may be worn with this uniform.

The Class B duty belt or a ballistic nylon duty belt is authorized to be worn with the Class C uniform.

Insignia:

Department Patch: The department patch will be worn on **BOTH** sleeve(s), centered on the sleeve crease, one half (1/2) inch from the shoulder seam.

Badge: A cloth badge shall be affixed over the left breast, above the pocket.

Name Tag: The employee's name shall embroidered and affixed over the right pocket.

Bicycle Patrol

This uniform consists of a **bike** shirt which may be worn with short long pants, and a protective helmet. Footwear is black athletic shoes with white socks for short pants, black or navy blue socks for long pants. The Class B duty belt or a ballistic nylon duty belt may be worn.

A **police** jacket may be worn as outerwear.

Marine Patrol

This uniform consists of a **police** shirt which may be worn with short or long pants and utility hat. Footwear is black athletic shoes with white socks for short pants, black or navy blue socks for long pants. The Class B duty belt or a ballistic nylon duty belt may be worn.

A **police** jacket may be worn as outerwear.

[DESCRIBE FLOTATION VEST IF PROVIDED OR REQUIRED.]

3. Individual Equipment

ix. BADGES

Badges shall be issued by and remain the property of this department and must be returned as directed by a competent authority.

Animal Control Officer: Shall be issued one each, shirt, jacket, and wallet badge.

Crossing Guard: Shall be issued one each shirt, jacket, and hat badge.

Dispatcher: Shall be issued one shirt badge.

Police Officer: Shall be issued one each shirt, jacket, wallet, and hat badge.

x. Body Armor: For information see the department policy on **Body Armor**.

xi. Duty Belt: At a minimum, the basic duty belt shall consist of a "Sam Brown" belt, holster, magazine holder, handcuff case, radio case and keepers. Additional weapons and holders may be issued or authorized. Additionally, the following accessories are authorized. Accessories must be of similar material to the belt (nylon, leather, etc.). Equipment may be added to vest carriers and carried on the vest carrier instead of the duty belt, with the approval of the Chief of Police.

Folding knife and case

Leatherman or similar tool

Pagers

Cell phones

Key retainers

Baton ring

Flashlight and holder

xii. Identification: Department identification cards shall be issued by and remain the property of this agency and must be returned by the employee as directed by a competent authority. Identification cards shall be issued to:

Sworn Full Time Police Officers

Sworn Part Time Police Officers

4. Uniform and Clothing Issue

xiii. Uniform and Equipment Initial Issue: An initial issue of clothing shall be issued to new employees of the following job functions: [22.2.5]

Full Time Police Officer

xiv. Change of Uniform: In the event that an authorized uniform item is changed, existing uniform items shall remain in service as directed by the Chief of Police. The Chief may direct that the item be:

Replaced immediately at the cost of the department;

Replaced when no longer serviceable; or

Replaced at the discretion of the employee, paid for from the employees clothing allowance.

xv. PROMOTIONS

Upon an employee's promotion to the rank of sergeant, the employee's uniforms shall be updated with sergeants' chevrons at the expense of the department.

Upon an employee's promotion from the rank of sergeant to a higher rank, clothing bearing sergeants' chevrons stitched to the garment shall be replaced with garments bearing the appropriate rank at the expense of the department.

Upon an employee's promotion from a rank above sergeant to another rank, the employee's uniforms shall be updated with the appropriate rank at the expense of the department.

5. Obtaining Clothing and Equipment

xvi. INITIAL ISSUE:

Clothing: New employees shall be provided with a uniform and equipment purchase authorization. New employees may obtain the specified uniform and equipment items from an approved vendor.

Individual Equipment: Employees shall obtain department issued uniform and equipment. The issued items shall be recorded on an **[EQUIPMENT ISSUE FORM]** which shall be maintained by Chief of Police or his designee [17.5.2]

xvii. MAINTENANCE ISSUE: Employees may obtain replacement uniform items:

By charging replacement items at an approved vendor against the employee's clothing allowance **as specified in employees' collective bargaining agreement**

Patrolman

Dispatcher

Detective

Police Officer

Superior Officer

6. Lost, Stolen, Damage Reporting: Loss or damage of uniform items, badges, insignia, or individual equipment issued by this department shall be reported in writing to **The Chief of Police or his designee** as specified in the Department Rules and Regulations

7. Returning Issued Equipment

xviii. Issued Police Department property shall be returned upon separation from Police Department employment, when no longer needed or serviceable, or when instructed by a competent authority.

xix. Upon return, **The Chief of Police or his designee** shall provide the employee with a receipt for the returned equipment.

xx. Returned items shall be inspected for serviceability. Serviceable items may be re-issued. Some items which may be re-issued are:

Portable Radios

Firearms and magazines

Flashlights

Impact Weapons

Badges

Outer wear

Citation Book Holders

Forms Boxes

Other items as determined by the Chief of Police.

- xxi. Uniform items discarded by employees shall be
destroyed so as to render them no longer serviceable and to keep them from being used by unauthorized personnel to impersonate a department employee.

Or

issued to **another department member who may choose to use this equipment.**

8. Separation from Service and Retirement

- xxii. Officers who separate from the department without retiring or retire for medical reasons are required to return all uniform clothing, firearms, weapons, magazines, individual equipment, body armor, badges and identification. Footwear and gloves may be retained by the separating member.
- xxiii. Officers who retire after satisfactorily completing their service and wish to remain a special police officer may retain all uniforms, outerwear, hats, footwear and duty belt at the discretion of the Chief of Police, until such time as they no longer actively work as a special officer.
- xxiv. Retired members shall be issued a retirement identification card and badge.

Military Activation and Reintegration

STOW POLICE DEPARTMENT POLICY & PROCEDURE NO. 6.12	ISSUE DATE: ____ March 26, 2024__
MASSACHUSETTS POLICE ACCREDITATION STANDARDS 22.2.7	EFFECTIVE DATE: ____ March 26, 2024__
	REVISION DATE: ____ March 26, 2024__

POLICY

This policy establishes procedures for the handling of all department personnel who actively serve for the United States Armed Reserved Forces or National Guard and are deployed for military serviced during their time of employment.

PROCEDURES

A. The Department's Point of Contact is the Chief of Police.

1. The Lieutenant will communicate with the deployed employee and his/her family members when necessary.
2. The Lieutenant will ensure that the deployed employee is periodically notified of agency news, significant events, and promotions.
3. The Lieutenant will notify the deployed employee of those promotional opportunities that are relevant to him/her.
4. The Lieutenant will forward all relative information to the Business Officer Manage and arrange for a point-of contact with Human Resources.

B. Processing Prior to Military Deployment

1. A department member, who is a member of the National Guard or reserves of the United States Armed Forces, who is deployed for a period exceeding 90 days will be placed in military active-duty status and granted a leave of absence.

- a. Reasonable advance notice of impending military leave should be provided by the employee and a copy of the orders should be submitted to his/her shift commander who will forward to the Lieutenant.
- b. The employee will have an out-processing interview prior to deployment with the Chief of Police or his/her designee, if the timing of the deployment permits.

C. To ensure proper storage, safekeeping & maintenance for the duration of deployment, department property must be turned into the administrative lieutenant, including:

1. firearm, taser, magazines, portable radio and batteries, etc.
2. If the employee has other items or assigned resources that for the benefit of the department need to be temporarily reassigned, the Lieutenant will identify such items with the employee and reassign such items after consulting with his/her chain of command.
3. Technology items, such as laptops, tablets and phones, unless otherwise authorized by the Chief or designee.

D. Members returning from military deployment, particularly those having been involved in combat operations, may need support.

1. Traditional Employee Assistance Programs (EAP) may not sufficiently meet the needs of returning military members/police officers.
2. The department will consider all locally available and feasible resources to meet the returning employee's needs.
3. The returning employee has access to Human Resources benefits specialists.
4. The returning employee will have an in-processing interview with the Chief of Police or his/her designee.

E. Initial and/or Refresher Training, Weapons Requalification, and Steps for Reintegration as Appropriate

1. Any sworn member returning to duty after an absence exceeding six months will receive refresher training with issued weapons and successfully complete an MPTC approved qualification course prior to being permitted to return to full duty. Mandatory training will be provided for any and all missed training and qualifications no matter how long the absence.
2. The Lieutenant in conjunction with the Records/Training Bureau Commander will determine the training needs of the returning employee and establish a plan to provide the training.

3. The Lieutenant with the Chief or designee's approval may make arrangements with the field training coordinator to assign a field training officer to the returning employee after prolonged deployments if deemed appropriate.
4. Update Post Certification if necessary.
5. Confirm License to operate motor vehicles and license to carry are active.
6. Reassign equipment.
7. Confirm CJIS security training, background, and user status is up to date.