Rapid City Police Department

Rules and Procedures

Karl Jegeris
Chief of Police

- 100 Law Enforcement Role, Responsibilities, and Relationships
- 200 Organization, Management, and Administration
- 300 The Personnel Structure
- 400 The Personnel Process
- 500 Law Enforcement Field Services
- 600 Criminal Investigations
- 700 Operations Support

An Internationally Accredited Law Enforcement Agency

RCPD Organizational Platform

Mission Statement

Community First, Service Above Self, Integrity-Driven - One Interaction at a Time

Vision Statement

Striving for a safe and crime-free Rapid City

Chief's Message

Members of the Rapid City Police Department are committed to excellence in public safety; the protection of life and property and are dedicated to the people, traditions and diversity of our city. We will provide community-enhancing services; foster a positive relationship with the community and develop our agency and officers with an emphasis on professionalism, integrity and service.

Respectfully,

Karl Jegeris
Chief of Police

RAPID CITY POLICE DEPARTMENT RULES AND PROCEDURES		
POLICY NO.: 100-TC	**SECTION:** Table of Contents	**PAGE NO.:** 1 OF 2
ORDER NO.: 16-03	**SUBJECT:** Law Enforcement Role, Responsibilities, and Relationships	
SUPERSEDES: 14-04	**EFFECTIVE:** 08-02-16	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

100 Law Enforcement Role, Responsibilities, and Relationships

110 Law Enforcement Role and Authority

111 Law Enforcement Agency Role
111-01 Core Values, Goals, Oath of Office & Code of Ethics
Annex A: Law Enforcement Code of Ethics
Annex B: Non-Sworn Code of Ethics

112 Limits of Authority
112-01 Jurisdiction and Legal Authority
112-02 Constitutional Requirements Observed
Annex A: Miranda Warning for the Rapid City Police Department
112-03 Criminal Process
112-04 Service of Legal Process
112-05 Property Obtained Through the Legal Process
112-06 Civil Suits
112-07 Intrusive Searches
112-08 Bias-Based Profiling

113 Use of Force
113-01 Use of Force
113-02 Use of Force Reporting
113-03 Weapon Use/Maintenance
Annex A: Specifications for Firearms and Ammunition for the Rapid City Police Department
113-04 Use of Force Training
113-05 Less Lethal Extended Range Munitions
113-06 Weapons Inventory and Maintenance
113-07 Controlled Electronic Weapons
113-08 Active Shooter Response

120 Agency Jurisdiction, Mutual Aid, and Regional Services

121 Agency Jurisdiction and Mutual Aid
121-01 Agency Boundaries and Concurrent Jurisdiction
121-02 Mutual Aid Agreements

122 Contractual Agreements for Law Enforcement Services
122-01 Contractual Agreements for Law Enforcement Services
122-02 Contractual Agreement for Services with the Pennington County Sheriff's Office

123 Relationships with Other Agencies
123-01 Criminal Justice Agency Liaisons

RAPID CITY POLICE DEPARTMENT **RULES AND PROCEDURES**		
POLICY NO.: 200-TC	**SECTION:** Table of Contents	**PAGE NO.:** 1 OF 2
ORDER NO.: 14-03	**SUBJECT:** Organization, Management, and Administration	
SUPERSEDES: 12-05	**EFFECTIVE:** 08-12-14	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

<u>200 Organization, Management, and Administration</u>

210 Organization and Administration

211 Organizational Structure
211-01 Agency Organizational Structure
211-02 Organizational Chart (policy)
Organizational Chart (chart)

212 Unity of Command, Authority and Responsibility
212-01 Unity of Command, Authority and Responsibility

213 General Management and Administration
213-01 Administrative Reporting
213-02 Department Forms
213-03 Personnel Information
213-04 Departmental Communications
213-05 Electronic Mail (E-Mail) and Internet Use
213-06 Declined Case Review

214 Goals and Objectives
214-01 Agency Goals and Objectives

215 Planning and Research
215-01 Planning and Research Component
215-02 Project Initiation

220 Agency Direction

221 Direction
221-01 Authority and Command
221-02 Staff Meeting Procedures

222 Written Directives
222-01 Written Directive System
222-02 Department Manual

222-03 Distributing Written Orders
222-04 Forensic Science Lab Position and Responsibilities – Position in the Department

230 Allocation and Distribution of Personnel and Personnel Alternatives

231 Allocation and Distribution of Personnel
231-01 Position Management and Allocation
231-02 Specialized Assignments

232 Reserves
232-01 Reserve Officer Program

233 Auxiliaries
233-01 Auxiliary Programs
233-02 Chaplain Services
233-03 Explorer Cadet Police Program
233-04 Police Auxiliary Program

234 Civilians
234-01 Civilian Staffing
234-02 Ride-Along and Law Enforcement Internship Programs

240 Fiscal Management and Agency-Owned Property

241 Fiscal Management
241-01 Fiscal Authority and Management
241-02 Travel Procedures

242 Purchasing
242-01 Purchasing Procedures

243 Accounting
243-01 Accounting Procedures

244 Agency-Owned Property
244-01 Agency-Owned Property

300 The Personnel Structure

310 Clarification and Delineation of Duties and Responsibilities

311 Task Analysis and Position Classification
311-01 Job Task Analysis
311-02 Position Classification Descriptions

320 Compensation, Benefits, and Conditions of Work

321 Compensation
321-01 Salary Program
321-02 Timekeeping Procedure

322 Benefits
322-01 Employee Leave
322-02 Insurance, Disability, and Retirement
322-03 Personnel Support Services
322-04 Employee Death or Serious Injury
322-05 Educational Benefits
322-06 Military Deployment and Reintegration
322-07 Peer Support Program

323 Conditions of Work
323-01 Annual Screenings
323-02 Physical Fitness
323-03 Off-Duty Employment

324 Uniforms and Equipment
324-01 Authorized Uniforms and Equipment
324-02 Wearing of Uniforms, Equipment, and Insignia
324-03 Repair and Replacement of Personal Equipment
324-04 Dismissal, Resignation or Retirement

330 Collective Bargaining and Employee Grievances

331 Collective Bargaining and Contract Management
331-01 Collective Bargaining and Contract Management

332 Grievance Procedures
332-01 Grievance Procedures

340 Rules and Disciplinary Procedures

341 Rules
341-01 Professional Conduct and Responsibilities
341-02 General Conduct
341-03 Public Activities
341-04 Grooming, Appearance and General Attire
341-05 Departmental Property and Equipment
341-06 Investigations, Arrests, and Detentions
341-07 Court Appearances and Legal Action
341-08 Communication and Correspondence
341-09 Liability Protection Program
341-10 Internet Sites/Web Pages/Social Networking

342 Sexual Harassment
342-01 Sexual Harassment

343 Disciplinary System
343-01 Disciplinary System

344 Commendations and Awards
344-01 Commendation and Award Process
344-02 Definitions of Commendations and Awards

345 Internal Affairs
345-01 Types of Complaints and Filing Procedures

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
400-TC	Table of Contents	1 OF 2
ORDER NO.: 07-06	**SUBJECT:** The Personnel Process	
SUPERSEDES: 06-09	**EFFECTIVE:** 09-20-07	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

400 The Personnel Process

410 Recruitment

411 Recruiting Practices and Procedures
411-01 Recruitment Program
411-02 Recruitment Plan and Program Evaluation

412 Equal Employment Opportunity and Recruitment
412-01 Affirmative Action and Equal Employment Opportunity

413 Job Announcements and Publicity
413-01 Job Announcements
413-02 Contact with Applicants

420 Selection

421 Selection Process
421-01 Selection Process Administration
421-02 Selection Process for Sworn Positions
421-03 Selection Process for Non-sworn Positions
421-04 Pre-employment Background Investigations
421-05 Pre-employment Polygraph Examinations

430 Training and Career Development

431 Training Administration
431-01 Training Function
431-02 Training Program Development
431-03 Training Program Attendance
431-04 Lesson Plans and Testing
431-05 Training Records

432 Training Instructors
432-01 Training Instructors

433 Recruit Academy and Field Training
433-01 Recruit Classroom Training
433-02 Field Training and Evaluation Program

434 In-Service, Shift Briefing, and Advanced Training
434-01 In-Service Training
434-02 Roll-Call (Shift Briefing) Training
434-03 Specialized and Advanced Training

435 Non-sworn Training
435-01 Non-sworn Training

436 Career Development
436-01 Career Development Program
436-02 Job Rotation for Career Development

440 Promotion

441 Promotional Process
441-01 Promotional Process

450 Performance Evaluation

451 Performance Evaluation
451-01 Performance Evaluation Elements and Objectives
451-02 Performance Evaluation Procedures

452 Early Identification System
452-01 Early Identification System

500 Law Enforcement Field Services

510 Patrol

511 Patrol Administration
511-01 Patrol Section Responsibilities
511-02 Patrol Officer Responsibilities
511-03 Shift Commander and Shift Supervisor Responsibilities
511-04 Patrol Shift Assignments
511-05 Differential Response
511-06 Back-Up Assistance
511-07 Patrol Daily Briefing

512 Vehicle Operations
512-01 Vehicle Response Conditions
512-02 Motor Vehicle Pursuits
512-03 Special Purpose Vehicles & Other Authorized Department Vehicles
512-04 Vehicle Markings and Equipment
512-05 Prisoner Transportation

513 Patrol Operations
513-01 Patrol Investigations
513-02 Major Tactical Operations
513-03 Field Interviews
513-04 Responding to Domestic Abuse
513-05 Officer Involved Domestic Abuse Cases
513-06 Juvenile Curfew Enforcement
513-07 Graffiti Eradication Project
513-08 Community Policing Area Graffiti Strike Force Teams
513-09 Response to Suspected or Confirmed Deaths
513-10 Civil Actions
513-11 "Gas Drive-Off" Offenses
513-12 Stolen Vehicle Information
513-13 On-The-Job Injury/Exposure to Disease or Health Hazards
513-14 Private Alarm and 9-1-1 Response
513-15 Response to Airport Incidents
513-16 Mutual Aid Channel

513-17 Responding to Persons with Mental Illness
513-18 Police Service Dogs
513-19 Part-time Officer Program
513-20 Responses To Animal Calls
513-21 Automated External Defibrillators (AED's)
513-22 Crisis Intervention Team
513-23 Foot Pursuits
513-24 Non-Sworn Field Services Operations

514 Patrol Equipment
514-01 Patrol Officer Equipment
514-02 Protective Ballistic Vests
514-03 Restraint Devices
514-04 Night Vision Goggles
514-05 Mobile Computer Terminals
514-06 In-Car Camera Recording Technology
514-07 Body Worn Camera Recording Technology

520 Traffic

521 Traffic Administration
521-01 Traffic Component
521-02 Traffic Records

522 Traffic Enforcement
522-01 Selective Traffic Enforcement Program (STEP)
522-02 Traffic Law Enforcement Actions
522-03 Traffic Stops
522-04 Special Traffic Violations
522-05 Speed Measuring
522-06 Driving Under the Influence Enforcement
522-07 Parking Enforcement

523 Traffic Crash Investigation
523-01 Traffic Crash Investigation and Reporting
523-02 Crash Scene Responsibilities
523-03 Crash Investigation Follow-up and Reconstruction
523-04 Crashes Involving Department Vehicles
523-05 Road Killed Big Game
523-06 Activation of the Critical Accident Reconstruction (CAR) Team

524 Traffic Direction and Control
524-01 Traffic Planning and Engineering
524-02 Manual Traffic Direction and Control
524-03 Special Traffic Control Situations
524-04 School Crossing Guards
524-05 Correction of Highway Hazards

525 Ancillary Traffic Services

525-01 Motorist Assists
525-02 Towing/Holding of Vehicles
525-03 Abandoned Vehicles

530 Unusual Occurrences and Special Operations

531 Unusual Occurrences and Special Operations Administration

531-01 Unusual Occurrences Administration
531-02 Special Response Team Administration
531-03 Water Rescue Team Administration
531-04 After-Action Reports

532 Unusual Occurrences and Special Operations Plans

532-01 Civil Disturbances, Disturbances at the Pennington Co. Jail, & Mass Arrests
532-02 Response Plan for Hostage/Barricade Situations
532-03 Bomb Threats and Bomb Emergencies
532-04 Mobilization Plan
532-05 Dignitary Protection
532-06 Response Plan for Special Events
532-07 Incident Command System
532-08 Terrorism Homeland Security
532-09 Mobile Response Team

600 Criminal Investigations

610 Criminal Investigations

611 Criminal Investigations Administration
611-01 Criminal Investigations Function
611-02 Case Management
611-03 General Criminal Investigations Procedures

612 Criminal Investigations Operations
612-01 Polygraph and Criminal Investigations
612-02 Surveillance Operations
612-03 Interview Room Recording Technology
612-04 Photo, Show-up & Physical Lineups
612-05 Interview Rooms
612-06 Event Deconfliction

613 Crimes Against Persons
613-01 Assault Investigations
613-02 Child Abuse Investigations
613-03 Death Investigations
613-04 Missing Persons
613-05 Rape Investigations
613-06 Robbery Investigations
613-07 Unlawful Use of the Phone/Electronic Communication Investigation
613-08 Sex Offender Registration & Verification Project
613-09 **A C**hild **I**s **M**issing (ACIM) **P**rogram
613-10 Internet Crimes Against Children (ICAC) Unit

614 Crimes Against Property
614-01 Burglary, Theft, and Receiving Stolen Property
614-02 Stolen Vehicles
614-03 Theft of Rental Property
614-04 Check Offense Investigations
614-05 Tracking Pawnbrokers' and Secondhand Dealers' Transactions
614-06 Identity Theft Investigation
614-07 Cold Case Investigation

615 Juvenile Operations

615-01 Juvenile Operations Function
615-02 Juvenile Offender Procedures
615-03 Protective Custody of Juveniles
615-04 School Liaison Officer Program
615-05 Operation Inform
615-06 School Threat Assessment Response (S.T.A.R.) Protocol
615-07 Amber Alert

616 Vice, Drugs, and Organized Crime

616-01 Vice, Drugs, and Organized Crime Functions
616-02 Vice, Drugs, and Organized Crime Administration
616-03 Vice, Drugs, and Organized Crime Records
616-04 Confidential Investigations Funds
616-05 Use of Informants
616-06 Special Operations

617 License Compliance

617-01 Processing and Routing of City License Applications

620 Evidence

621 Collection and Preservation of Evidence

621-01 Crime Scene Responsibilities
621-02 Crime Scene Processing Procedures
621-03 Evidence Packaging and Storage
621-04 Processing Recovered Stolen Vehicles
621-05 Chain-of-Custody and Laboratory Examinations
621-06 Crime Scene Training
621-07 Photography
621-08 Audio/Video Tape Duplication
621-09 Handling of Suspicious / Hazardous Substance Mail
621-10 Procedures, Seizure of Electronic Devices and Digital Evidence
621-11 Fingerprint Process and Comparison Procedures
621-12 DNA Evidence

622 Property and Evidence Control

622-01 Property and Evidence Control
622-02 Storage of Special Property
622-03 Evidence Section/Property Room Procedures
622-04 Property Records, Inventory, and Inspections
622-05 AFIX Tracker Fingerprint Identification System

630 Crime Analysis and Criminal Intelligence

631 Crime Analysis

631-01 Crime Analysis Function

631-02 Crime Analysis Documentation and Distribution

632 Criminal Intelligence

632-01 Criminal Intelligence Operations

700 Operations Support

710 Crime Prevention and Community Involvement

711 Crime Prevention and Community Involvement
711-01 Crime Prevention and Community Relations Administration
711-02 Crime Prevention and Community Relations Operations

720 Inspectional Services

721 Inspectional Services
721-01 Line Inspections
721-02 Staff Inspection Administration
721-03 Staff Inspection Procedures

730 Public Information

731 Public Information
731-01 Public Information Function
731-02 Release of Information and Access

740 Victim/Witness Assistance

741 Victim/Witness Assistance Administration
741-01 Victim/Witness Assistance Function

742 Victim/Witness Assistance Operations
742-01 Victim/Witness Assistance Responsibilities
742-02 Emergency/Next-of-Kin Notifications
742-03 Referrals/Diversion Programs
742-04 Officer Referral Listing

750 Communications

751 Communications Administration
751-01 Communications Function
751-02 F.C.C. Standards

752 Communications Operations
752-01 Calls for Service
752-02 Radio Communications
752-03 Radio Call Signs
752-04 Communications Access to Resources
752-05 Telephone and Radio Recording
752-06 Mutual Aid Channel

753 Communications Facilities and Equipment
753-01 Communications Center Access and Security
753-02 Communications Equipment
753-03 Emergency Operations Center

760 Records

761 Records Administration
761-01 Records Component
761-02 Records Repository and Retention
761-03 Records Distribution and Security
761-04 Juvenile Records Control
761-05 Audit of Records
761-06 Computer Records and Security

762 Reports and Forms
762-01 Report Information
762-02 Supervisory Review of Reports
762-03 Forms Control

RAPID CITY POLICE DEPARTMENT
GENERAL ORDER 00-01

MEMO TO: All personnel

FROM: Chief of Police, Thomas L. Hennies

SUBJECT: Rules and Procedures Manual

Effective January 1, 2000, the material in the Rules and Procedures Manual supersedes all previous Departmental Rules, Regulations, Policies, Procedures, and Orders. The Rules and Procedures Manual was prepared to provide a uniform understanding of the different Departmental components' responsibilities to the citizens we serve and other segments of the City and Department. Your responsibility is to carefully read and comply with the Rules and Procedures of the Department, keeping in mind the need to comply in the spirit of what they convey, rather than taking a narrow, literal interpretation.

You will note that this manual has been organized into a format to ease locating a topic and recognizing specific sections of the manual. Please refer to the Table of Contents for chapter numbering sequence.

A copy of all General Orders adding to or amending information in the Manual will be provided to you. Information will be given on all revisions as to which General Orders, if any, they supersede.

You have the responsibility to read and maintain your copy, if issued, of the Rapid City Police Department Rules and Procedures Manual. Any questions or suggested revisions should be immediately brought to the attention of your supervisor.

THOMAS L. HENNIES
Chief of Police

Rapid City Police Department

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605-394-4131
An Internationally Accredited Law Enforcement Agency
Karl Jegeris, Chief of Police Sam Kooiker, Mayor

This manual is specific to the operations of the Rapid City Police Department and made accessible by the authority of the Chief of Police of Rapid City. This manual is made available to all personnel of the Rapid City Police Department via the Intranet. It is also made available to the Community for their convenience via the Internet. Its provisions, except where specifically noted, are applicable to all employees, paid and unpaid. It is the responsibility of each member of the Rapid City Police Department to know and understand the policies, procedures, rules and regulations in this manual. These policies and procedures are designed to ensure uniformity of service to the community, and provide guidance to personnel in the performance of their duties, as well as to establish standards of performance and conduct.

The Chief of Police has the sole authority to amend the Policy and Procedure Manual. All changes, additions and deletions will be under the authority of the Chief of Police.

The Chief of Police has delegated to the commanders the authority to amend their respective operation manuals.

No policy, procedure, rule, regulation, or any other directive or practice of any component of the Rapid City Police Department shall be in conflict with the provisions of this manual.

This manual and all of its provisions shall be in effect continuously from the date of publication unless rescinded by order of the Chief of Police.

All policies and procedures, contracts, inter-governmental agreements, and memorandums of understanding remain in effect unless termination proceedings are initiated by this administration.

Karl Jegeris, Chief of Police

THE RAPID CITY POLICE DEPARTMENT PATCH

The current patch was introduced in 1984. The patch features nearby Mount Rushmore National Memorial, which symbolizes American democracy and freedom, ideals, which we in law enforcement serve to protect for all citizens. The bald eagle is important for many reasons: It is the national bird of the United States of America; and represents strength and bravery. The open wings of the eagle signify protection for our community, and the out-stretched talons represent the apprehension of evildoers. The bald eagle is sacred to many Native American cultures, including the Lakota in South Dakota. In many Native American cultures, the bald eagle is believed to be a messenger between the creator and earth. The stars represent excellence. The red banners represent strength and magnanimity (i.e. courageously noble in mind and heart). The yellow piping represents generosity, and the sable background represents dependability and endurance.

The Rapid City Police Department badge represents the public trust the community has given the individual officer. The badge, sometimes called a shield because of its shape, symbolizes the officer as the protector of the peace and of the people. The oath the officer takes is his or her promise to uphold the Constitution of the United States, and the Constitution of the State of South Dakota, and enforce the law wisely and adhere to the Core Values of the Rapid City Police Department.

1. The eagle at the top of the badge represents strength in character, courage in the face of strife, and protection of the community

2. The laurel wreath around the badge represents achievement and victory. It represents the best and most worthy to serve as Rapid City police officers.

3. The state seal serves as a symbol of life in South Dakota. It depicts the state's diversity of commerce and resources: farming, ranching, industries, lumbering, manufacturing and mining. It bears the motto: "Under God the People Rule." The seal was adopted in 1885, four years before the state was admitted to the Union.

4. The rank of the officer

5. Designation of city and department

6. Badge number or symbol of rank

PURPOSE: Employees, both sworn and non-sworn, represent the City of Rapid City, and bear the heavy responsibility of safeguarding their own conduct, as well as maintaining the honor and integrity of the City of Rapid City. It is the purpose of this policy to provide additional guidance to the standards of conduct embodied in the law enforcement officer's code of ethics, the non-sworn employee's code of ethics, this agency's mission statement and core values so that employees will better understand prohibitions and limitations pertaining to their conduct and activities while on and off duty. Finally, the purpose of this policy is to provide the public with a standard by which they can measure the performance of the Department.

POLICY: The Rapid City Police Department will maintain the highest standard of integrity by never violating the community's trust. All Department employees must recognize they are held to a higher standard than the private citizen is because, in addition to representing the Department and city government, they also represent the law enforcement profession. Conduct, on and off duty, must be beyond reproach. Agency employees must avoid any conduct, which might compromise the integrity, morale, operations and efficiency of the Department.

DEFINITIONS:

Ethical Conduct: In the context of this policy, ethical conduct means the duty of all employees to conduct themselves at all times in a manner that reflects the ethical standards consistent with the rules and values established by the Rapid City Police Department.

PROCEDURE:

A. PERSONAL CONDUCT:

1. Oath of Office**:** All sworn employees will take and abide by an oath of office before assuming sworn status, which is required by SDCL 9-14-6, or as may be otherwise required by law. The oath is to be administered by the nearest available judge of a court of record.

2. Ethical Conduct: The Department will maintain the highest standard of integrity by never violating the community's trust. All Department employees must recognize they are held to a higher standard than the private citizen is because in addition to representing the Department, they also represent the law enforcement profession and the City of Rapid City. An employee's conduct, either on duty or off duty, must be ethical conduct.

3. All sworn officers shall abide by the Law Enforcement Code of Ethics (Annex A). All non-sworn employees shall abide by the Code of Ethics for non-sworn employees (Annex B). In addition, all employees of the Rapid City Police Department shall abide by the Core Values of the Department, which are included in this chapter.

4. Abuse of position: Employees shall not use their Department position, identification card, or badge for:

a. Personal or Financial gain;

b. Obtaining privileges not otherwise available except in performance of official duty; or

c. Avoiding consequences of illegal acts.

5. Employees shall not under any circumstance solicit any gifts, service, gratuity, discount, or anything of value where there is any direct or indirect connection between the solicitation and their Department membership, without the expressed written permission of the agency head; and

6. Employees shall not accept any gift, service, gratuity, discount or anything of value, the acceptance of which might tend to influence directly or indirectly their actions in any police business; or which might tend to cast an adverse reflection on the Department or any employee thereof.

7. Associating with criminal element: No employee, except in the discharge of duty, may knowingly associate with persons engaged in unlawful activities.

8. Violations of ethical standards: Ethical conduct violations will be investigated by the appropriate authority to determine the validity of complaints and to report findings as prescribed by existing policies and procedures.

9. Employee responsibilities: Employees must exercise judgment, initiative, and sound reasoning in all official transactions; strive for efficiency and effectiveness, exercise restraint in difficult situations, seek self-improvement through formal and informal training, and assist fellow officers whenever possible. In situations where no written directive or supervisory guidance is available, employees are expected to analyze the situation and react in accordance with the mission statement and the core values of this agency.

10. In the performance of their duty, officers are called upon to make difficult decisions and must exercise discretion in situations where rights and liabilities are affected by conduct and judgment. Decisions are not made easily. These decisions may involve choices causing hardship or discomfort. Police Officers must be faithful to their oath of office, the mission statement of this agency, the principles of professional police service, and the objectives of the Department. In the discharge of duty, they must not allow personal motives to govern decisions and conduct.

11. Conduct Unbecoming an Employee: The conduct of a public employee, on and off duty, reflects upon the Department. Employees must avoid conduct, which might discredit themselves or adversely affect the morale, operations or efficiency of the department.

12. Courtesy: Effective law enforcement depends on a high degree of cooperation between the Department and the public. While the urgency of a situation might preclude ordinary social amenities, discourtesy under any circumstance is indefensible. Employees shall be courteous and civil to the public and others, avoiding harsh, violent, profane, or insolent language or manner, and shall maintain objective attitudes regardless of provocation.

13. Attention to duty: As most police work is performed without close supervision, responsibility for proper performance of duty lies primarily with the officer. An officer has a responsibility for the safety of the community and his or her fellow officers, and discharges that responsibility by faithful and diligent performance of duty.

14. Financial Obligations: Employees should avoid incurring financial obligations, which are beyond their ability to satisfy.

B. CORE VALUES OF THE RAPID CITY POLICE DEPARTMENT:

1. **COMMUNITY**
   personal and professional commitment
   We will commit to the community and work together to achieve a safe environment for residents and visitors.

2. **SERVICE**
   above and beyond the call
   We will utilize our resources in an effective, efficient manner to achieve a safe environment for residents and visitors.

3. **INTEGRITY**
   begins at home
   We will prepare and equip our members through training, education, and both personal and professional development to safeguard themselves, to be accountable to the citizens they serve and to make sound, ethical decisions.

C: GUIDING PRINCPLES:

1. EXCELLENCE: We strive to be the best in the law enforcement profession.

2. DIVERSITY: We recognize, respect, and value the diversity in our community.

3. PROFESSIONALISM: Our conduct and qualities of work characterize the best in the law enforcement profession. Professionalism is the incorporation of our core values, which guides our conduct to perform our tasks as a team with the highest standards, promoting a positive image of the individual, the Rapid City Police Department, and the City of Rapid City.

D: AGENCY GOALS

1. Provide Quality Public Safety.

2. Provide Community Enhancement.

3. Enhance Police / Community Relations

4. Develop a Professional Police Agency.

ANNEX A

LAW ENFORCEMENT CODE OF ETHICS

Sworn Personnel

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, the peaceful against violence or disorder; and to respect the constitutional rights of all men to liberty, equality and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others.

Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession, Law Enforcement.

ANNEX B

LAW ENFORCEMENT CODE OF ETHICS

Non-Sworn

I will keep my private life unsullied as an example to all; 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.

A. LIMITS OF AUTHORITY

Concurrent jurisdiction means the sharing of, or having equal jurisdiction or authority, within the same jurisdictional boundaries of two or more governmental entities. In the case of the City of Rapid City, the Rapid City Police Department has concurrent police jurisdiction with the law enforcement authorities of the **State of South Dakota**, and the **County of Pennington.**

B. LEGAL AUTHORITY DEFINED

1. Within the City limits, the Rapid City Police Department shall enforce the ordinances of the City of Rapid City and the laws of the State of South Dakota, and carry out all duties and responsibilities attributed to the Police Department through the Mayor of the City of Rapid City pursuant to the Code of Ordinances of the City of Rapid City, South Dakota, Chapter 2.20**,** which derives authority from the Constitution of the State of South Dakota and SDCL 9-29-1, 9-29-2, and 9-29-19.

2. The Rapid City Police Department shall enforce the traffic ordinances of the City of Rapid City as denoted in the Code of Ordinances, City of Rapid City, South Dakota, Chapter 10.04 as well as all motor vehicle and traffic laws as denoted in the South Dakota Codified Laws on all public streets, state highways and interstate road systems within the City limits. This authority is pursuant to South Dakota Codified Law, Title 32 and SDCL 9-29-1, 9-29-2 and 9-29-19.

3. The Rapid City Police Department's Detectives, Critical Accident Reconstruction Team (CAR-Team), Special Response Team (SRT), Gang Task Force (GTF), and various other officers are also commissioned as Deputy Sheriffs for the **Pennington County Sheriff's Office.**

4. The Rapid City Police Department's members of the Internet Crimes Against Children (ICAC) unit and members of the Unified Narcotics Enforcement Team (UNET) are commissioned as a Special Assistant Attorney General under the supervision of the Division of Criminal Investigation (DCI) for the State of South Dakota. This allows the members to investigate, detect crimes, apprehend criminal, fugitives or persons charged with violation of the law as directed by the DCI consistent with the ICAC and UNET Task Force Joint Powers Agreement.

POLICY: While conducting interviews and/or interrogations, employees shall diligently protect the constitutional rights of all persons with whom they come in contact, specifically, those rights concerning self-incrimination, counsel, search and seizure, and due process. The Rapid City Police Department intends to comply with current court decisions. The intent of this policy is to be neither more nor less restrictive than what the courts require.

PURPOSE*:* To distinguish between interviews and interrogations, clarify legal considerations for both, and specify guidelines.

A. DISCUSSION

Gathering verbal information involves two general techniques: interviews and interrogations. All agency personnel who participate in any kind of investigation are required to be familiar with laws, statutes, ordinances, and agency directives pertaining to these activities. Questioning of juveniles should be done only in accordance with the special provisions pertaining to them.

B. DEFINITIONS

1. **INTERVIEW**: The process by which an officer or other employee obtains information from a person, who is not believed to be responsible for the incident under investigation, but who may have personal knowledge of interest to Law Enforcement. An interview is conducted in order to collect any facts relating to an incident, to substantiate information obtained from other sources, or to obtain additional relevant information.

2. **INTERROGATION**: The process by which an officer obtains information from an uncooperative person who is a suspect, witness or victim of the incident under investigation. An interrogation is conducted in order to establish the extent of involvement of a particular person suspected of committing a crime, or to obtain information from cooperative or uncooperative persons who have knowledge of the incident under investigation.

3. **INVESTIGATIVE QUESTIONING**: An officer may question persons to obtain information such as name, address, telephone numbers, occupation and other identifying data, without advising such persons of their constitutional rights. In addition, suspicious persons may also be asked to explain their presence and conduct without advising them of their rights.

   However, whenever probable cause to arrest develops and the officer intends to restrict the freedom of the suspect while continuing to ask questions or the questioning has become sustained and coercive rather than brief and casual, advisement of rights will be given. The point at which questioning becomes sustained and coercive is difficult to establish. However, when the questions begin to relate to a specific crime, and the questioning has become accusatory and continuous, then a sustained and coercive condition probably exists.

4. **EXIGENT CIRCUMSTANCES**: Exigent Circumstance, allows law enforcement to enter a structure without a warrant, or if they have a "knock and announce" warrant, without knocking and waiting for refusal under certain circumstances. It must be a situation where;

   a. The officer must have reasonable grounds to believe there is immediate need to protect the lives of others or their own, or the property of others or their own.

   b. The search must not be motivated by intent to arrest and seize evidence.

   c. There must be some reasonable basis, approaching probable cause, to associate an emergency with the area or place to be searched.

   Simplified, it is an emergency situation requiring swift action to prevent imminent danger to life or serious damage to property, or to forestall the imminent escape of a suspect, or destruction of evidence.

Note: *The hot pursuit exception allows police officers to enter premises without a warrant when they are engaged in some sort of chase and have concrete information, either by themselves observing or by hearing from contemporaneous witnesses, that the defendant has entered the building. The court held that speed and continuous knowledge of the alleged perpetrator's whereabouts are the elements, which underpin this exception to the warrant requirement.* United States vs. Dawkins

C. INTERVIEW AND INTERROGATION POLICY

Investigating officers will remain alert to gather information from witnesses, suspects or arrestees that will help in the solution of crime. However, it is necessary to be equally alert to ensure that interviews and interrogations conform to legal standards. Carelessness can very easily result in having otherwise good testimonial evidence declared inadmissible. Therefore, investigating officers will interview, interrogate or otherwise question persons in accordance with the law and established procedures of the Rapid City Police Department.

D. INTERVIEWS – LEGAL CONSIDERATIONS

When an officer has not arrested a person, or otherwise taken the person into custody, in a manner restricting the person's freedom or ability to discontinue the conversation, then investigating officers may ask whatever questions are necessary and pertinent. The key in this circumstance is custody: where there is no custody, the law places no restrictions on questioning. An example of an unrestricted situation is when an officer talks to a person in a voluntary, non-custodial setting about crime conditions or leads.

E. INTERVIEWS – AUTHORITY AND METHOD

Investigating officers will, when possible, interview any person who may have the potential to supply information relating to an incident under investigation. Interviews should be conducted at a place convenient and familiar to the person being interviewed and as soon after the incident as possible and practical. Investigating officers will try to conduct interviews in an un-pressured and informal manner that causes minimal inconvenience to the person being interviewed.

F. INTERVIEWS – FACTORS AFFECTING WITNESSES

1. Investigating officers will note the condition of witnesses, their relationship to the incident under investigation, and any other information that would indicate the credibility of the person being interviewed.

2. The following essential elements should be determined about each witness or other person interviewed:

   a. Presence at the scene: Was the person present during all or part of the event under investigation?

   b. Awareness: Was the person conscious of the event, or a portion of the event, which prompted the investigation?

   c. Observant: Was the person attentive to the details of the incident?

   d. Narrative Ability: Is the person capable of discussing the observed event in a manner that is understandable and complete?

G. INTERROGATIONS – LEGAL RESTRICTIONS

1. When an officer exerts authority or control over a person in a manner that restricts the person's freedom to act, then a custody situation exists. In certain situations, legal restraints on questioning arise to protect the person's 5th Amendment rights concerning self-incrimination and assistance of counsel. A person is advised of their 5th Amendment privilege against self-incrimination by the officer through the Miranda warning. The Miranda warnings are only necessary when custody and questioning occur at the same time. The lack of one or the other dispenses with the need for any warning.

2. Custody and non-custody determination is not always divided by a bright sharp line. "The ultimate inquiry is simply whether there is a formal arrest or restraint of freedom of movement of the degree associated with a formal arrest." In *Berkemer v. McCarty* the United States Supreme Court held that traffic stops and reasonable suspicion (Terry type) stops are non-custodial for purposes of Miranda. Also, in *Pennsylvania v. Bruder*, the Court said a suspect is not "in-custody" for purposes of Miranda warnings when police are administering a field sobriety test.

3. The point at which custody occurs is determined by the circumstances surrounding the interrogation as interpreted by a reasonable person. The beliefs or intent of the investigating officer or the suspect is not considered. Some of the factors considered when applying the reasonable person test may be as follows.

   a. Place of Questioning: When conducted at the police department, or in a police vehicle, such circumstances may lead to a conclusion that custody has occurred unless the officer has specifically informed the person that they are not under arrest and are free to leave at any time.

   b. Time of Questioning: When conducted during unusual hours.

   c. Persons Present: If a person is removed from the presence of family or friends, or if several officers are present, a custodial interrogation may be indicated.

d. Physical Restraint Used: Physical restraint could invariably lead to a finding of custody. Handcuffed and/or held at gunpoint would probably indicate custody.

e. Orders to Perform Tasks Not Required by Law: Any orders to do something that the law does not require is indicative of custody. Example: ordering a person not to leave a room.

f. Length and Form of Questioning: Lengthy questioning consisting of accusatory statements, confrontation with witnesses or evidence, and leading questions may lead to a finding of custody.

g. Demeanor of The Investigating Officer: When an officer is accusatory and confronts a person with alleged guilt, the custody finding may occur.

h. The lack of an arrest following questioning generally leads to a finding of non-custody.

H. CUSTODY OF JUVENILES

Special rules govern any questioning of a juvenile whenever criminal charges have been made against them, or when there is a reasonable possibility such charges will be made. See Written Directive 615-02.

I. CUSTODY OF ADULTS

Whenever an officer arrests, or otherwise takes custody of an adult, and the officer intends to question the person about incidents, actions or conduct that is criminal in nature, then the officer shall advise the arrested person of his/her Miranda rights. Each officer will carry, or be familiar with, the Miranda Warning card and will make the advisement by reading aloud from the Miranda Warning card or reciting the warning. Refer to Policy 112-02, Annex A.

J. WAIVER OF CONSTITUTIONAL RIGHTS

1. Before statements made by a suspects who has been advised of their rights become admissible in court, the prosecution may be required to offer evidence to prove:

   a. The suspect was advised of their rights as outlined above.

   b. The suspect understood the advisement.

   c. The suspect knowingly and intelligently waived those rights.

Note: Officers should make every effort to be certain that the suspect understands the warning.

2. To secure a waiver, a version of the following questions should be asked:

   a. “Do you understand these rights?” or “do you understand each of these rights I have explained to you?”

   b. “Do you wish to waive these rights and talk to us at this time?” or “having these rights in mind, do you wish to talk to me now?”

3. If a suspect is advised of their Miranda rights, an affirmative reply will be obtained from suspects before questioning begins. Circumstances that establish an affirmative reply include, but are not limited to, the following:

    a. Formal Waiver: Suspects state orally and unequivocally that they understand their rights and wish to talk.

    b. Waiver Followed by Statement: An acknowledgment by a suspect that he/she understands, followed closely by a statement, is held to be a waiver.

    c. Non-Verbal Waivers: Nods and shrugs seem to be sufficient, absent coercion. Officers should however, attempt to obtain a verbal response. Gestures are subject to different interpretations and leave too much room for interpretation.

    d. Request to Talk to Attorney After: A desire to talk to an attorney in the future, while manifesting a willingness to answer questions now, without counsel, is a waiver.

    e. Refusal Followed by Change of Mind: Officers may question a suspect who originally refused to waive whenever the suspect initiates a request to talk. Officers shall re-advise such suspects of their constitutional rights and obtain a waiver before beginning a suspect-initiated interrogation.

4. If an individual invokes their right to an attorney, the officer may no longer question the suspect. However, an officer may resume questioning if the suspect initiates the contact and affirmatively waives their right to an attorney.

5. Unlike the invocation of the right to counsel, individuals who invoke their right to silence can be re-approached by a law enforcement officer. There are different schools of thought concerning how much time should lapse prior to re-approaching the individual, a minimum two-hour wait is considered reasonable and is recommended but each situation is different. The U.S. Supreme Court in "*Michigan v. Mosley*, 423 U.S. 96 (1975)", indicated a second interrogation may be allowed when:

    a. The suspect's right to remain silent was clearly honored in the first interrogation.

    b. A significant amount of time passed between the first and second interrogation.

    c. The suspect was given a fresh set of warnings before the second interrogation.

    d. No pressure tactics or illegal tactics were used to get the suspect to relent.

K. SITUATIONS WHEN THE MIRANDA WARNING IS NOT REQUIRED

1. Miranda rights are not required if you do not plan to arrest after the interrogation. In many instances, an arrest immediately following an interrogation even with a confession is not necessary for a number of reasons:

    a. There may be other victims, witnesses or co-conspirators who still need to be contacted for interviews or interrogations.

    b. There may be reports and other types of documentation, which need to be written and/or collected.

c. This applies to misdemeanors as well as felonies.

d. In all cases, consideration should be given to the seriousness of the crime, safety of victims and witnesses and the possibility of the subject being a flight risk.

e. If after considering all the factors, you decide you are not going to make an arrest following the interrogation, the person should be advised at the onset of the interrogation that:

(1) They are not under arrest

(2) They are not going to be arrested that day

(3) They are free to leave at any time.

2. A police officer is not required to give Miranda warnings before asking routine booking questions.

3. A suspect who voluntarily comes to the police station at the invitation of an officer and is told prior to questioning that they are not under arrest, need not be given warnings since he or she is not in "custody".

4. An officer need not give Miranda warnings to question an in-custody suspect regarding items that pose a danger to public safety. "Where's the gun? Where's the bomb?"

5. A suspect may be questioned, even after invoking the right to counsel or right to remain silent, when there is:

a. Urgency of need in that no other course of action promises relief;

b. The possibility of saving human life by rescuing a person whose life is in danger; and

c. Rescue as the primary purpose and motive of the interrogators.

6. If a suspect volunteers statements to a law enforcement officer, the officer need not stop the suspect and all such statements are admissible in the prosecution's case notwithstanding the lack of Miranda warnings.

Volunteered statements are not the result of government coercion that Miranda warnings are designed to overcome.

7. Certain types of evidence have been declared "non-testimonial" in nature and therefore do not implicate the 5th Amendment. Some examples are:

a. Fingerprints

b. Hair samples

c. Blood

d. Fingernail scrapings

e. Voice exemplars

f. Handwriting exemplars

* Seizure of these items must still meet Fourth Amendment standards.

L. CONSENT SEARCHES

1. Consent searches should be used with the knowledge that they are often subject to question after the fact. Consent in writing is preferred, but not required. The officer obtaining a verbal consent should attempt to have another officer or person witness the consent.

2. Consent must be voluntary.

3. The scope of a consent search may be limited to specific items, areas, or times.

4. Withdrawal of the consent may occur at any time. At the moment the subject withdraws consent, the officers will retain any sizeable items they have discovered and stop the consent search. A search warrant may be required to continue the search and may include information on items already seized during the consent search.

5. Consent must always be obtained from a person who has the proper control of the area to be searched and can lawfully authorize the search.

M. INVESTIGATORY STOP AND DETENTION (STOP AND FRISK)

1. An investigatory stop is justified upon a reasonable suspicion that criminal activity is taking place, or that a crime has been committed or is about to be committed. The purpose of the stop is to detain the suspicious person while an investigation is conducted. If at any time prior to or during the stop, a law enforcement officer develops reasonable suspicion that the person may be armed and dangerous, a pat-down search or frisk of a suspect may be conducted. This pat-down search or frisk may only be conducted for the purpose of discovering weapons.

2. Victim and/or witness memories are best immediately following the crime giving on-scene officers and investigators a better opportunity to identify the person responsible. In limited situations, officers and/or investigators must rely on a field investigative procedure such as a field show-up to identify a suspect when a formal line-up is not feasible. The most common situations are when a serious crime is still fresh and the suspect is believed to be still in the vicinity. Other factors include the time of day, number of witness and/or victims and the availability of victims and/or witnesses. Benefits of a field show-up include quick verification of a subject's identity. If the detainee is not the suspect, officers and/or investigators can continue searching for the person responsible.

   a. If an officer has reasonable suspicion to detain a suspect under the above circumstances, the officer may use such force as is reasonably necessary to stop the suspect from leaving, or to cause the suspect to remain in the officers' presence. If probable cause to arrest develops during the detention, an arrest should occur.

   b. The Department acknowledges that a show-up may provide sufficient probable cause early in an investigation to help avoid the escape of a prime suspect or facilitate the release of an innocent person.

Note: For more information regarding Show-ups, refer to policy 612-04 – Photo, Show-up & Physical Lineups.

3. An officer who is conducting a lawful frisk for weapons and feels an item they immediately recognize as contraband or evidence, may then seize the item in spite of the fact the officer knows it is not a weapon, subject to the following limitations:

   a. The officer must be conducting a lawful frisk (one supported by the reasonable suspicion to believe the subject has a weapon).

   b. The officer's immediate recognition must amount to probable cause to believe the item is evidence or contraband.

   c. The officer must immediately recognize the item as evidence or contraband without squeezing or manipulating the item.

N. MOTOR VEHICLE SEARCHES

1. Officers do not need a warrant to stop and search a vehicle capable of being moved when there is probable cause to believe that evidence of a crime is in the vehicle. This exception is allowed because of exigent circumstances created by the mobility of the vehicle and the diminished expectation of privacy expected in a vehicle. The search may be conducted as if a search warrant had been obtained.

2. Search of the passenger compartment of a vehicle following an arrest is allowed only if:

   a. The arrestee is unsecured and within reaching distance of the passenger compartment at the time of the search.

   b. An officer would be justified in searching a vehicle incident to the arrest of an occupant in cases where it would be reasonable to believe evidence relevant to the instant crime of arrest might be found in the vehicle**.** When a recent occupant is arrested for a traffic violation, there will be no reasonable basis to believe the vehicle contains relevant evidence.

   c. When these justifications are absent, a search of an arrestee's vehicle will be unreasonable unless police show that another exception to the warrant requirement applies."

O. PLAIN VIEW SEARCH AND SEIZURE

1. An officer lawfully on premises may make a warrantless plain view seizure of property if it is immediately apparent to the officer that the property constitutes criminal evidence.

2. Except in cases involving exigent circumstances or motor vehicles, a plain view observation of contraband or evidence does not normally justify a warrantless entry into a constitutionally protected area to seize the item.

P. SEARCHES INCIDENT TO ARREST

1. Search incident to a legal custodial arrest is a reasonable intrusion under the Fourth Amendment. Due to a recent Supreme Court decision in, Arizona v. Gant, *000 U.S. 07-542 (2009), search incident to arrest* ***does not apply to motor vehicles****.*

2. A search subsequent to a full custody arrest is permitted for the following:

   a. To collect and preserve evidence,

   b. To protect the safety of the arresting officer and others,

   c. To prevent escape, and

   d. To prevent weapons and contraband from entering a custodial facility.

3. A search incident to a lawful custodial arrest may be made of the immediate area at the time and place of arrest, or at the place of detention following the prompt conveyance of the arrestee. **This does not apply to motor vehicles**.

4. Searching may include a thorough search of the person and the area, which is quickly accessible to the person at the time of arrest. **This does not apply to passenger compartments of motor vehicles** from which an arrest is made.

5. Strip search requires articulable justification, and is to be completed in accordance with 112-07.

6. Searching incident to arrest must be contemporaneous with the arrest.

7. A limited protective sweep of premises may be conducted incident to an arrest to protect the safety of officers or others if the officer conducting the sweep possesses a reasonable belief the place to be swept may harbor an individual posing a danger to those on the arrest scene.

Q. WARRANTLESS ARREST PROCEDURES

An arrest warrant is required prior to the arrest of any person unless one of the below situations exists.

1. The arresting officer has probable cause to believe that the person arrested has committed a felony or Class 1 Misdemeanor. In the case of a felony or Class 1 Misdemeanor, warrantless arrests may be made in a public place if probable cause exists [(U.S. v. Watson, 423 U.S. 411 (1976)]. Absent truly exigent circumstances or valid consent, a suspect's home may not be entered without a warrant. [(Payton v. New York, 445 U.S. 573, (1980); Redic v. New York)].

2. The arresting officer has probable cause to believe a misdemeanor or a violation has been committed in their presence.

3. The arresting officer has probable cause to believe that the person to be arrested has committed a misdemeanor or violation and one of the following statutory exceptions to the warrant requirement exist.

   a. The officer has probable cause to believe the person to be arrested has committed abuse against a person eligible for protection from domestic violence or has violated a temporary or permanent protective order issued by a Judge, by committing another criminal act.

   b. The officer has probable cause to believe the person unless immediately arrested will destroy or conceal evidence, will cause further personal injury or property damage, or will not be apprehended.

c. The officer may, without a warrant, arrest any person involved in a traffic crash when the officer has probable cause to believe such person violated State traffic statutes.

4. Citizen's arrest. Any person may arrest another:

a. For a public offense, other than a petty offense, committed or attempted in their presence; or

b. For a felony, which has been in fact committed although not in their presence, if they have probable cause to believe the person to be arrested committed it.

ANNEX A

MIRANDA WARNING FOR

THE RAPID CITY POLICE DEPARTMENT

(General Order 06-07)

Before we ask you any questions, you must understand your rights:

1. You have the continuing right to remain silent and to stop questioning at any time;

2. Anything you say can be used as evidence against you;

   [For Juveniles, read:]

   2. a. Including possible proceedings to transfer your case to adult court and subsequent prosecution as an adult.

3. You have the continuing right to consult with and have the presence of an attorney; and

4. If you cannot afford an attorney, an attorney will be appointed for you.

5. Do you understand these rights?

6. Do you wish to waive these rights and talk to us at this time?

PURPOSE: The decision to deprive individual citizens of their freedom by placing them under physical arrest is one of the most critical decisions made by Law Enforcement Officers. The policies set forth in this section are designed to provide the officer with the information necessary to make lawful arrests in the performance of their duties.

A. CRIMINAL PROCESS

1. An arrest is defined as the taking of a person into custody in order that they may be forthcoming to answer for the commission of a crime.

   a. To constitute an arrest, there must exist, intent on the part of the arresting officer to take the person into custody, and a corresponding understanding by the person arrested that they are in custody.

   b. The test for determining the moment of arrest is whether, under all the circumstances, a reasonable person would believe they are being held to answer for a criminal offense.

2. Probable Cause:

   a. In addition to having lawful authority, an officer must also have probable cause to make an arrest.

      (1) Probable Cause means that based on all the facts and circumstances within the officer's knowledge, and of which the officer has reasonable trustworthy information, there is sufficient evidence to warrant a reasonable and prudent person to believe that the person to be arrested has committed or is committing or attempting to commit a crime. The evidence required to make an arrest is more than suspicion, but less than that needed to support a conviction.

      (2) It should be remembered the ultimate goal of an arrest is the supporting conviction obtained in a court of law.

   b. Probable cause requires more than mere suspicion, but does not require evidence, which would justify a conviction. Of great importance, therefore, is the totality of circumstances surrounding the arrest. Each officer should be aware of the circumstances and information, which may be used to help establish probable cause:

      (1) Direct observation by the police officers.

      (2) Evasive actions or flight from the scene by the suspect.

      (3) Evasive answers and/or conflicting stories.

(4) Time of day or night.

(5) Past experience of the officer in similar criminal situations.

(6) The transfer of information or probable cause between police officers.

(7) Reliable hearsay information in the form of statements from victims, witnesses or informants.

(a) Information obtained through informants and used to establish probable cause will be closely examined and may be the subject of legal challenge during the trial.

(b) The officer relying on the hearsay statement of an informant must show the information was reliable by a "totality of the circumstances" (Illinois v. Gates). This may be done by showing:

1) The circumstances establishing the reliability of the informant or the credibility of the information.

2) The circumstances establishing the reliability of the informant's information (the sources of his/her knowledge and a sufficiently detailed description of the accused criminal activity).

B. CIVIL AND CRIMINAL ARREST

1. An arrest warrant is a court issued document authorizing the arrest of an individual for a specified criminal charge based upon sufficient probable cause. An arrest warrant is issued in the name of a legal authority and directed to officers authorized to serve criminal process, commanding them to take an individual into custody.

2. An arrest with a warrant may be made at any time and in any place as authorized by the warrant.

3. The Emergency Services Communication Center (ESCC) maintains 24-hour access to accurate criminal warrants information, and all persons for which the Department holds a valid warrant are maintained in the Pennington County Sheriff's Office Global Subjects Name File.

4. The Pennington County Sheriff's Office will be responsible for the service of civil process documents in Rapid City.

5. The procedures for making an arrest without a warrant are established in 112-02.

C. ALTERNATIVES TO ARREST

The Rapid City Police Department's policy is to make physical arrests when appropriate. Officers are encouraged to consider **alternatives to arrest** whenever possible (i.e., citations, summonses, referral, informal resolution and warnings) to address the variety of problems they confront. Since the character of most arrestees is unknown to the police officer, preventative actions must be taken to protect citizens, officers, prisoners and property from possible injury or destruction by the arrestee.

D. PRETRIAL RELEASE PROCEDURES

1. Persons arrested for misdemeanor violations may be released on personal recognizance (PR) unless they have a known history of failure to appear for court, live outside Pennington County, or are likely to re-offend. If an arrested person is a candidate for a PR Bond, the officer may contact a Judge, explain the circumstances, and if the Judge approves it, sign the PR Bond on behalf of the Judge. Once approved by the Judge, the Bond must indicate the PR Bond was authorized by the Judge contacted. All persons arrested for felony violations or domestic violence will be required to **post bond** or **be incarcerated**.

2. Nothing in this section is intended to preclude the arresting officer(s) from using **discretion** in determining whether persons arrested are to post bond or are to be incarcerated, other regulations aside.

3. Employees shall not suggest, recommend, advise or otherwise counsel the retention of any specific attorney or bail bond broker. This does not apply when a relative of the employee is seeking such service. In no case may such advice be given where a fee, gratuity, or reward is solicited or accepted from the attorney or bail bondsman.

Note: Citations for Class II Misdemeanors such as, but not limited to Obtaining Property Without Pay (OPWP), or Disorderly Conduct (DC), does not apply to the PR Bond rule. A summons meets the criteria laid out in R&P. A summons to appear is not the same as a personal recognizance bond.

If an arrestee needs to be admitted to the hospital, or if an arrestee will be kept at the hospital for many hours, the arresting officer may contact a Judge and explain the circumstances. The judge will decide to either grant or not grant the personal recognizance bond. If a subject is arrested for a misdemeanor, and is admitted to the hospital the Judge is probably going to approve the PR Bond.

E. USE OF DISCRETION

1. A police officer shall use responsibly the discretion vested in the position and exercise it within the law. The principle of reasonableness shall guide the officer's determinations and the officer shall consider all surrounding circumstances in determining whether any legal action shall be taken.

2. Consistent and wise use of discretion, based on professional policing competence, will do much to preserve good relationships and retain the confidence of the public. There can be difficulty in choosing between conflicting courses of action. It is important to remember a timely word of advice rather than arrest -- which may be correct in appropriate circumstances -- can be a more effective means of achieving a desired end.

F. CLASS II MISDEMEANOR ARRESTS

1. **Arrest Policy**:

   a. The Rapid City Police Department’s policy is to issue citations (when appropriate) to people being arrested for Class II misdemeanors, and violations of City Ordinances. Great care is recommended in the handling and supervision of unusual arrest situations.

   b. In situations where it will be appropriate, the citation is intended to replace previous procedures when dealing with various violations of law.

c. Under SDCL 23-5-1, Department personnel are permitted to issue a summons for all class II misdemeanors, however, fingerprinting is required prior to this person's appearance in court. The following procedures will be followed when processing a class II misdemeanor arrest.

d. If the arresting officer determines a Class II arrest can be processed by issuing a summons (SD Complaint), then the summons may be used under the following circumstances:

(1) Adult Shoplifters: Citations should include a citizen's arrest report, with proper information on the person making the arrest. This should include the following:

(a) Name of subject arrested,

(b) Store name or home address,

(c) Date of birth,

(d) Social Security number; and

(e) Telephone numbers.

(2) Juvenile Arrests: Refer to Policy# 615-02, Juvenile Offender Procedures for specific guidelines.

e. All citizen's arrest forms should be checked carefully by the officer to ensure all elements of the offense are included, and it is complete and legible.

f. For all other Class II arrests, an addendum should be attached so a short summary of the events can be described as well as having a space to list names, addresses, etc.

g. Officers should try to avoid scheduling court appearances for adults on Mondays or the first court day following a holiday.

2. **Qualifying Arrests**:

a. Persons the officer believes do not present a danger to themselves or others, and will appear in response to a summons, can be handled in the manner specified in this procedure. Officers are encouraged to use the same criteria with which a person would qualify for a personal recognizance bond and the offender would qualify for a citation.

The offender must be positively identified, preferably by identification issued by a governmental agency to include, but limited to federal, state, tribal or military. The offender should have a verified address (not a P.O. Box) and no history of failure to appear warrants.

b. Officers must check with the Emergency Services Communication Center (ESCC) to determine current warrant history of the offender.

3. **Required Reports:**

   a. The citation will replace the arrest report currently written for Class II misdemeanors and City Ordinances. In the case of a citizen's arrest, the citation should be attached to the citizen's arrest report (CA). The CA report must contain the proper information on the person making the arrest (i.e. name, store name, home address, home and work telephone numbers, date of birth, SS#, etc.). Officer will not write "on-file" on any report where required information is needed to complete the form. Before the officer leaves the scene, they shall review the citizen's arrest report to ensure all elements of the offense are included, and the report is complete and legible.

   b. Officer initiated arrests will have an addendum attached to the citation articulating the facts surrounding the arrest. This will include a short summary of the events as well as names, addresses, etc. of the appropriate witnesses and victims. Traffic arrest reports will not be used for this purpose because of various records keeping requirements.

4. **Setting Court Dates**:

   a. Officers will set a court date of 10 court days from the date the citation is issued. The time of appearance will follow the times set by the courts.

   b. Officers should make every attempt to avoid citing offenders into court on Mondays. If the offender is unable to appear at any other time, Monday may be used. The Tuesday after a three-day weekend should also be avoided.

5. **Fingerprinting:**

   All non-traffic offenses require the offender be fingerprinted.

   a. Pennington County Sheriff's Office personnel will be available to fingerprint people every non-holiday weekday morning.

   b. Printing will take place on the first floor, Warrants Section, of the Public Safety Building.

   c. By 8:30 A.M., personnel from the Pennington County Sheriff's Office are responsible to the list of people fingerprinted to the Judge conducting morning court.

6. **Failure to Appear:**

   a. In the event a defendant makes their initial appearance, but has not been fingerprinted, State Law provides a remedy for this situation. Under SDCL 23-5-4, a warrant may be issued for the arrest of the suspect.

      (1) If the defendant fails to appear in court, the court will issue a bench warrant and the subject will be printed when the warrant is served.

      (2) The Pennington County State's Attorney's Office will be responsible for getting a warrant issued if it is discovered a subject has made their initial court appearance, but has not been fingerprinted.

   b. The Pennington County State's Attorney's Office will be responsible for issuance of a warrant compelling the defendant to appear for fingerprints.

G. L.E. OFFICERS TO EXECUTE ARREST WARRANTS

To constitute an arrest, the arresting officer must have lawful authority to make the arrest and must exercise that authority in a lawful manner. Only sworn law enforcement officers shall have the authority to serve criminal process.

H. ACCOMMODATION FOR DEAF, HEARING IMPAIRED, AND/OR LIMITED ENGLISH PROFICIENCY

1. The Rapid City Police Department's policy is to secure the services of a qualified interpreter whenever necessary. The purpose of this procedure is to ensure effective communication during a police investigation, prior to an arrest or the issuance of a non-criminal action, or during an interview/interrogation of a victim and/or suspect who is deaf, hearing impaired, or non- or limited English proficiency.

2. Access to an interpreter is obtained through the Emergency Services Communication Center. The Emergency Services Communication Center may contact or provide an investigating officer with the telephone number and contact person for these services.

   a. Community Services for the Deaf or other appropriate community service agency.

   b. Limited English proficiency, Language-Line is available as is a listing of available interpreter resources.

I. ARRESTS OF FOREIGN NATIONALS

1. Citizens of other nations, residing in or visiting South Dakota, are subject to South Dakota law except as indicated below, and foreign nationals who are arrested will be treated in the same manner as U.S. citizens.

   a. A foreign national who is arrested (taken into custody) will be informed they have a right under a treaty to which the United States is a party, to have their country's embassy of nearest consulate notified of his or her arrest and detention. It is the responsibility of the arresting officer to give the Consular Notification to the arrested foreign national. This can be done any time before booking into the jail is completed. For the purposes of this section, "arrest" refers to a custodial arrest and detention and does not include a release on citation.

      (1) A notation should be made in the case file of the fact that the accused was advised of their rights under the Vienna Convention on Consular Relations, and whether or not the accused requested that the embassy/consulate be contacted.

      (2) If the foreign national asks that their embassy or consulate be notified, it is the arresting officer's responsibility to contact the consulate or embassy. Unless the accused is a national from the countries listed below, **do not notify the embassy/consulate unless the accused requests they be notified.**

      (3) An updated listing of consulates and embassies can be found at the U.S. State Department website: https://travel.state.gov/content/dam/travel/CNAtrainingresources/CNA_Manual_4th_Edition_August2016.pdf This site also contains translations of the suggested rights warning in several different languages.

b. By law, if a citizen of the following countries is arrested, the supervisor or their designee will notify the nearest consulate or the embassy of the arrest.

(1) Notification of the consulate will be made at the time the accused is booked. A suggested form for sending a fax notice to the applicable consulate can be found at the State Department website.

Note: If the accused also requests asylum, contact the U. S. State Department for further guidance prior to notifying the consulate or embassy.

LIST OF MANDATORY NOTIFICATION COUNTRIES

Albania, Algeria, Antigua and Barbuda,
Armenia, Azerbaijan,
Bahamas, Barbados, Belarus,
Belize, Brunei, Bulgaria,
People's Rep. of China (including
Macao and Hong Kong),
Costa Rica, Cyprus
Czech Republic, Dominica,
Fiji, Gambia, Republic of Georgia,
Ghana, Grenada, Guyana,
Hungary, Jamaica,
Kazakhstan, Kiribati, Kuwait,
Kyrgyzstan, Malaysia, Malta,
Mauritius, Moldova, Mongolia,
Nigeria, Philippines, Poland,
Romania, Russia, St. Kitts & Nevis,
St. Lucia, St. Vincent & the Grenadines,
Seychelles, Sierra Leone, Singapore,
Slovakia, Tajikistan, Tanzania, Tonga,
Trinidad & Tobago, Tunisia, Turkmenistan,
Tuvalu, Ukraine, United Kingdom,
Uzbekistan, Zambia, Zimbabwe

This list is subject to amendment without notice from the Federal Government. List may be verified via website:
https://travel.state.gov/content/dam/travel/CNAtrainingresources/CNA_Manual_4th_Edition_August2016.pdf

c. Diplomatic and consular officers have the legal right to consult with their citizens who are detained by federal, state or local authorities. Any communication by a detained foreign national must be forwarded to the consular post, without delay.

(1) A diplomatic or consular official who is acting in this capacity will be treated with the utmost courtesy as befits their rank.

(2) The right of consular access and communication are generally subject to local laws and regulations concerning prisoner visitations.

(3) Whenever possible a senior officer or the State's Attorney should brief the diplomatic or consular officer on the fact and circumstances of the arrest and the legal process, which will be followed in the case.

d. If the foreign national who is arrested is in possession of a Passport, Visa, Border Crossing Card, Resident Alien Card, Consular Identification Card, or Alien Registration Card, the arresting officer shall make a photo static copy of the documents and attach them to the arrest/booking report. A copy should also be made of any other identity or travel documents in the possession of the accused.

e. When completing the arrest/booking report, obtain the following information:

(1) A complete home address (foreign address) of the accused

(2) A complete local address for the accused

f. The officer who contacts an embassy or consulate on behalf of an accused foreign national will note the date, time and the name of the person who received the call at the embassy or consulate in a supplemental report and place it in the case file.

g. If the accused foreign national is a juvenile, arrested for a felony and not accompanied by a parent or legal guardian, the Department of Homeland Security will be notified at the same time as the Juvenile Court. **(Contacting DHS does not relieve the arresting officer of Consular Notification responsibilities)**

h. If the foreign national is unable to communicate in English, a supervisor will be contacted and every effort made to obtain a translator. Miranda warnings must be translated before a questioning can begin. The investigating officer will include the name, address, telephone number and relationship of the translator to the victim/witness in the Incident Report or Supplemental Report.

i. During major events such as international conferences or sporting events, if a foreign national who is officially connected with the event is arrested, the States Attorney should be immediately contacted by telephone and provided with an oral summary of the incident. The States Attorney will advise the supervisor of any special procedures which should be followed.

2. If a foreign national is arrested for a felony, the Office of Homeland Security will be notified and provided with the name of the accused and the nature of the charges. **(Contacting DHS does not relieve the arresting officer of Consular Notification responsibilities)**

Contact Homeland Security at:

Office of Homeland Security
300 E. 8th Street
Sioux Falls, SD 57103
(605) 330-4272. Monday through Friday 8-5

After hours and weekends:
Law Enforcement Support Center
Burlington, Vermont
Regular: (802) 872-6020
Toll free: (866) 347-2423

A. LEGAL PROCESS INFORMATION RECORDED

1. The Rapid City Police Department's policy is the information regarding each item of the legal process is recorded to include the following elements:

   a. date and time received;

   b. type of legal process, civil or criminal;

   c. nature of document;

   d. source of document;

   e. name of plaintiff/complainant or name of defendant/respondent;

   f. officer assigned for service;

   g. date of assignment;

   h. court docket number; and

   i. the date service is due.

2. This procedure shall apply to the following legal process elements:

   a. Search Warrant;

   b. Search Warrant (oral). (SDCL 23A-35-4); and

   c. Verified Inventory.

Supporting Documentation: SDCL Chapter 23A-35

B. RECORDING EXECUTION/ATTEMPTED SERVICE OF LEGAL PROCESS

A record of executed or attempted legal process will include:

1. The date and time service was executed or attempted;

2. The name of the officer(s) executing or attempting service;

3. The name of the person on whom legal process was executed/attempted;
4. The method of service or reason for non-service; and
5. The address of service/attempted service.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
112-05	Limits of Authority	1 OF 1
ORDER NO.: 05-04	**SUBJECT:** Property Obtained Through the Legal Process	
SUPERSEDES: 02-01	**EFFECTIVE:** 12-08-05	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

A. LEGAL PROCESS FUNCTIONS FUNDS (PROPERTY)

The Rapid City Police Departments policy is all property received by employees, pursuant to the delivery of any legal process, shall be placed in evidence.

B. AUTHORITY FOR PROPERTY DISPOSAL

The Rapid City Police Departments policy is all property acquired through the legal process function shall be disposed of pursuant to evidence disposal procedures.

Supporting Documentation: SDCL Chapter 23A-37, Disposition of Seized Property

C. METHOD OF PROPERTY DISPOSAL

All property acquired through the legal process shall be disposed of according to evidence procedures of the Department.

Supporting Documentation: SDCL Chapter 23A-37, Disposition of Seized Property.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
112-06	Limits of Authority	1 OF 2
ORDER NO.: 05-04	**SUBJECT:** Civil Suits	
SUPERSEDES: 02-01	**EFFECTIVE:** 12-08-05	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

POLICY: The Rapid City Police Department and the City will support employees who have become involved in **civil litigation** rising from the lawful discharge of their duties.

A. ACCEPTANCE OF CIVIL PROCESS

1. All subpoenas of employees involved in civil litigation will go through the Civil Office of the Pennington County Sheriff's Office.

2. Service of all other **civil processes** (Notice of Claim, Complaints or Summonses) shall be accepted only by the named employee.

3. If only the City of Rapid City is named, service is to be made only on the **City Attorney, Mayor** or both.

4. If the City of Rapid City and the employee are named, the employee has no authority to accept serving process for the City of Rapid City and service is to be made only on the Mayor. The employee will be immediately notified by the City of impending civil action.

5. Acceptance of Civil Process will be in accordance with SDCL 15-6-4 (d).

B. PROCEDURE UPON EMPLOYEE RECEIPT OF CIVIL PROCESS

Any employee who receives a civil process to appear as a defendant in any civil action related to any circumstances arising from the performance of his duties shall:

1. Immediately make one **photocopy** of the entire civil process.

2. Notify their immediate **supervisor.**

3. Deliver the copy to the Office of the Chief of Police.

C. DUTIES OF THE CHIEF OF POLICE UPON RECEIVING COPIES OF CIVIL PROCESS.

When the civil process lists the employee as a defendant, the Chief of Police shall immediately notify the Mayor's Office of service.

1. A copy of the entire civil process shall be delivered to the Mayor's Office.

2. The Chief of Police shall obtain copies of all Department reports and documents pertaining to the action.

3. When this file is not complete, the Chief of Police shall take the necessary action to complete the file.

4. The Chief of Police shall notify the **City Attorney's Office** or Designee.

D. PROCEDURE UPON INVOLVEMENT IN INCIDENTS WITH THREAT OF CIVIL PROCESS

When an employee becomes involved in a job related incident involving a probable lawsuit, they shall immediately notify the **supervisor** in writing of the details of the incident.

E. PROCEDURE WHEN AN EMPLOYEE INITIATES A CIVIL SUIT RELATED TO EMPLOYMENT WITH THE CITY

When an employee determines they shall initiate any civil action resulting from employment with the City, they shall notify the Chief of Police via the **Chain of Command.**

INTRUSIVE SEARCHES:

Intrusive searches generally referred to as "strip searches" and "body cavity searches," may only be conducted on lawfully arrested persons based on reasonable suspicion that evidence, weapons or contraband may be found, or with a warrant or court order. Searching must always remain within the scope of the reasonable suspicion.

DEFINITIONS:

"***Strip Search***" means any search, which requires the officer to remove or arrange some or all of that person's clothing to permit a visual inspection of the underclothing, breasts, buttocks, or genitalia of the person.

"***Body Cavity***" means the stomach or rectal cavity of a person, and vagina of a female person. Any search involving not only visual inspection of skin surfaces, but also the internal physical examination of body cavities and, in some instances, organs such as the stomach cavity.

"***Visual Body Cavity Search***" means visual inspection of a body cavity.

"***Physical Body Cavity Search***" means physical intrusion into a body cavity for the purpose of discovering any object concealed in the body cavity. (Often referred to as a "*manual body cavity search*" in federal cases.)

A. REQUIREMENTS AND PROCEDURES FOR STRIP SEARCHES

1. Even though a strip search requires, at a minimum, *reasonable suspicion* by the courts, the Department recognizes that any strip search of a suspect is a serious intrusion of personal privacy and all employees involved in such searches will take reasonable steps to respect the dignity of an individual during such a search. To strip search a person, without at least reasonable suspicion to believe the subject possesses contraband, or weapons is a violation of the person's due process rights. The Department will not condone a strip search, which is done randomly, without supervisory approval, and without adherence to strict guidelines.

2. Anytime an officer contemplates the need for a strip search, believing they have reasonable suspicion, the officer must notify an on-duty supervisor before a strip search can take place. Only a supervisor may authorize a strip search based only on reasonable suspicion. When a strip search is authorized, the search may only be conducted under the following conditions:

   a. By personnel who are familiar with the process.

   b. In conformance with hygienic procedures and professional practices.

c. In a place not accessible to the public, nor where unauthorized personnel would have general access, preferably in a secured area of the jail or in an isolated location to protect the privacy of the subject from all except those authorized to conduct the search.

d. By the fewest number of personnel necessary and only by those of the same gender whenever possible.

Note: Employees may act outside of the guidelines of (a) through (d) if there is an imminent threat of danger to personnel or loss of evidence.

3. A strip search may only be done on a subject who has been placed under arrest and only in circumstances where an officer has reasonable suspicion to believe a subject is concealing contraband or weapons likely to be discovered by such an intrusive search. Regardless of why the subject was arrested, the arresting officer must have articulable, reasonable suspicion to believe the subject is concealing contraband or weapons. Reasonable suspicion may be based upon, but is not limited to the following:

   a. The nature of the offense(s) charged.

   b. The arrestee's appearance and demeanor.

   c. The circumstances surrounding the arrest.

   d. The arrestee's criminal record, particularly past crimes of violence and narcotics offenses.

   e. Detection of suspicious objects beneath the suspect's clothing during a search incident to arrest.

   f. The discovery of evidence of a major offense, either in plain view or in the course of a routine search incident to arrest.

4. All strip searches will be documented in a written report, which will articulate the reason for the search and the justification for the search. The report shall include, at a minimum, the following:

   a. Identity of the employee(s) conducting the search.

   b. Identity of the supervisor who approved the search.

   c. The date, the time, and the place of the search.

   d. Identity of the person(s) searched.

   e. Those who were present during the search.

   f. A detailed description of the nature and extent of the search.

   g. Any evidentiary items, which were collected during the search.

5. An exception to the strip search for contraband or weapons outlined above is a search and seizure of evidence from a suspect in a major crime, such as murder, manslaughter, rape or other crime in which clothing, jewelry, hair samples, skin samples, injuries, or other pertinent evidence is important in the case. The procedures outlined in A2 and A4 apply to such searches. These searches may require the suspect to remove some or all of their clothing for the purpose of seizing evidence and may be based upon the following conditions:

a. Voluntary consent if the subject is not under arrest.

b. Court order based upon probable cause.

c. Search incident to arrest.

d. Exigent circumstances.

B. BODY CAVITY SEARCHES

Body cavity searches shall only be conducted with the permission of the on-duty supervisor.

No person (nor a minor, prior to a disposition hearing) arrested for an infraction or a misdemeanor offense shall be subjected to a "*physical body cavity search*" except under the authority of a *search warrant* issued by a judge specifically authorizing the physical body cavity search.

Should visual examination of a suspect during a strip search and/or other information lead an officer to believe the suspect is concealing a weapon, evidence or contraband within a body cavity, the following procedures shall be utilized:

1. If circumstances warrant, the officer should advise the suspect of their Miranda rights and ask questions to determine the nature and location of the contraband. This approach may influence the suspect to remove the evidence or contraband voluntarily.

2. The suspect shall be kept under constant visual surveillance until a body cavity search is conducted or an alternative course of action taken.

3. The officer shall consult with their immediate supervisor to determine whether probable cause exists to seek a search warrant for a body cavity search. The decision to seek a search warrant shall recognize that a body cavity search is highly invasive of personal privacy and is reasonable only where the suspected offenses is of a serious nature and/or poses a threat to the safety of officers or others and/or the security of the Pennington County Jail's operations.

4. If probable cause exists for a body cavity search, an affidavit for a search warrant shall be prepared clearly defining the nature of the alleged offense and the basis for the officer's probable cause.

5. Based on a search warrant, a body cavity search shall be performed only by an authorized physician or by other medically trained personnel at the physician's direction in surroundings suitable to their needs. All persons conducting or otherwise present for a "*visual*" or "*physical body cavity search*," except for physicians or licensed medical personnel, shall be of the *same sex* as the person being searched. An officer, forensic examiner, or evidence specialist of the same sex shall be present to secure recovered evidence and maintain the evidentiary chain-of-custody. Persons are considered to be participating in the search if their official duties relative to search procedure require them to be present at the time the search is conducted.

6. All body cavity searches will be fully documented with a written report. The report will articulate the probable cause and, at a minimum, the following:

   a. Identity of the officer, forensic examiner or evidence specialist conducting the search.

   b. Identity of the approving authority.

   c. Identity date, time and place of the search.

d. The identity of the individual searched.

e. Those present during the search.

f. A detailed description of the nature and extent of the search.

g. The results of the search detailing any weapons, evidence or contraband found during the search.

7. The Commander of the requesting Division shall be advised by the supervising authority, of the warrant, and subsequent body cavity search as soon as practical.

C. USE OF PENNINGTON COUNTY JAIL

When the Pennington County Jail is utilized for intrusive searches, their policies and protocols shall be observed in addition to the above policy.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
112-08	Limits of Authority	1 OF 2
ORDER NO.: 08-03	**SUBJECT:** Bias Based Profiling in Enforcement Activities	
SUPERSEDES: 07-03	**EFFECTIVE:** 02-28-08	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 1.2.9		

PURPOSE: The Rapid City Police Department policy is that it does not condone bias based profiling and that such activities are unacceptable, and will not be tolerated. Bias based profiling is unethical and only serves to foster distrust of law enforcement personnel by our community. The Rapid City Police Department is committed to observe, respect, and protect the fundamental rights of all citizens, to ensure equal protection under the law, and freedom from unreasonable searches and seizures.

DEFINITION: Bias Based Profiling – The selection of an individual for police action based solely on a specific trait or traits including, but not limited to race, ethnicity, national origin, cultural group, gender, sexual orientation, religion, age, or economic status.

1. **Prohibition.** No Person shall be subject to any stop, whether traffic or field contact, detention, enforcement action, search, asset seizure or forfeiture efforts by members of this Department when such stop, detention, enforcement action, search or seizure is based solely on the person's race, color, sex, or national origin, or upon the member's perception of any person's race, color, sex, or national origin. Officers must be able to articulate specific facts and circumstances that support the standards of reasonable suspicion and/or probable cause to justify police actions. Traffic stops, investigative detentions, arrests, nonconsensual and consensual searches and property seizures will be conducted in accordance with the tenets set forth in the Constitution of the United States.

2. **Corrective Measures.** It is the responsibility of supervisors to properly review the actions and reports of subordinates to ensure no officer is permitted to engage in bias profiling or other discriminatory practices. All agency investigations and/or complaints will be handled in accordance with applicable Department policies and procedures.

3. **Training.** The Rapid City Police Department is committed to providing timely training to agency personnel as a part of the Rapid City Police Department's training program. Bias based profiling and related training may include topics such as appropriate practices and procedures, supervisory issues, cultural diversity, communications skills and related legal mandates including the legal aspects of bias based profiling. Biennial training will be provided to Department enforcement personnel through a variety of forums to include: In-Service Training, Roll-Call Training, Department meetings and any other means deemed applicable.

4. **Administrative Review.** The Field Services Commander or designee will conduct an annual administrative review of Department practices to ensure bias profiling is not occurring and/or to identify and analyze cases where it may have occurred. Sources for this review will include citizen complaints, the results of the Department's Citizen Surveys, referrals from Department personnel and any other communications received by the agency related to this topic. The review will indicate whether policy, training, or disciplinary issues should be addressed. Officer contacts during traffic stops, field contacts, and in asset seizure and forfeiture efforts will also be addressed. Following this review, the Field Services Commander or designee shall submit a memorandum to the Chief of Police detailing the results of the review. This process will be

completed in conjunction with our annual complaint review as outlined in policy 345-03, Complaint Files and Public Availability.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
113-01	Use of Force	1 OF 4
ORDER NO.: 12-05	**SUBJECT:** Use of Force	
SUPERSEDES: 11-03	**EFFECTIVE:** 10-19-12	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 1.2.2, 1.3.1, 1.3.2, 1.3.3, 1.3.4, 1.3.5, 1.3.6, 1.3.8, 1.3.9, 52.2.7		

PURPOSE: To establish guidelines for use of force.

DEFINITIONS:

1. Force (Control): The actions an officer takes to stop potentially dangerous and unlawful behavior, to protect the officer or another from injury or death, to protect subjects from injuring themselves, or in the process of effecting lawful arrest.

2. Force (Resistance): The actions a subject takes to attempt to evade an officer's attempts of control.

3. Deadly Force: Use of force, which does or has the potential to cause death or serious bodily injury.

4. Less-Lethal Force: Force, which may cause injury, but under normal circumstances is not likely to cause death or serious bodily injury.

5. Objectively Reasonable: This is the term created by the courts as the standard by which officer's actions will be evaluated in use of force situations. The United States Supreme Court, in Graham v. Connor, has ruled that because law enforcement officers are often forced to make split second judgments about the amount of force that is necessary in a particular situation, in circumstances that are frequently tense, uncertain and rapidly evolving, the reasonableness of the officer's belief as to the appropriate level of force should be judged from the on-scene perspective and not by using the 20/20 vision of hindsight." The proper application of "objectively reasonable" requires "careful attention to the facts and circumstances of each particular case, including the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officers or others, and whether he/she is actively resisting arrest or attempting to evade arrest by flight."

POLICY:

A. <u>USE OF NECESSARY FORCE</u>

1. The Rapid City Police Department's officers shall use only that force that is objectively reasonable to overcome resistance from a person being taken into custody, to stop an assault of a third person, in self-defense, or as reasonable and necessary to perform their police functions. Personnel will use reasonable force when force is used to accomplish lawful objectives.

2. Every possible consideration should be taken prior to the use of lethal force, and if an officer believes that under existing conditions, they should not use a firearm to apprehend a felon they should not be criticized or disciplined for this decision and their decision to employ every other means to affect an arrest.

3. The legal authority to use necessary force and to carry and use weapons in the performance of duties is authorized by South Dakota Codified Laws, sections 13-32-7, 22-1-2(44A), 22-14-6, 22-14-9, 22-14-24, 22-18-2, 22-18-3, and 22-18-4.

B. LETHAL FORCE

1. Officers are permitted to use **lethal force** only under the following circumstances:

   In self-defense and defense of others when the officer has clear and sufficient reason to believe, the person at whom the officer uses lethal force meets the following three (3) criteria:

   a. MEANS**:** The suspect must possess the means (ability) to take the officer's life or the life of another person.

   b. OPPORTUNITY**:** The suspect must have the opportunity to take the officer's life or the life of another person.

   c. JEOPARDY**:** The suspect must place the officer's life or the life of another person in imminent danger (immediate probable death or serious bodily injury).

2. Shots at a moving vehicle or its occupants are prohibited, unless the occupants are using deadly force against the officer or another person present. In addition, shots from a moving vehicle are prohibited unless deadly force is being used against an officer or another person present.

3. Using all appropriate tactics and procedures, if an officer must fire their weapon to preserve life, (if indicated and necessary) they shall fire with sufficient volume and accuracy to cause the suspect(s) to be stopped and unable to continue hostile actions. If necessary and indicated, officers will continue to fire until that objective is achieved.

4. **Justification** for the use of **lethal force** is limited to what reasonably appears to be the facts known or perceived by an officer at the time they decide to use such force. Facts unknown to an officer, no matter how compelling, cannot be considered in later determining whether lethal force was justified. It is important that the officer must be able to show that he, she, or another person probably would have been killed or serious bodily injury would have resulted had the officer not used lethal force to stop the subject. It is not sufficient that the officer believe the subject could or might kill the officer or another; the officer must believe if they do not act immediately to stop the subject, the officer or a third person will die or suffer serious bodily injury.

C. WARNING SHOTS

Warning shots are prohibited.

D. CHEMICAL AGENTS/IMPACT WEAPONS

Use of Chemical Self-Defense Spray:

1. The purpose of **chemical self-defense spray** is to provide officers with the means of affecting an arrest, defending himself or others or restraining violent persons when other means have failed or are impractical.

2. Officers will use chemical **self-defense spray** in a manner consistent with Department training. Offenders will be treated immediately upon their arrival at the County Jail, or as soon as practical, for the removal of chemical **self-defense spray** from their person. The officer must attempt to reduce the chances of any injury, inflammation or irritation to the offender, caused by a lengthy contact with any chemical **self-defense spray**.

3. Only Department issued chemical Capsicum ® **self-defense spray** will be used by employees.

Use of the Impact Weapon:

1. The Department approved **Asp ® extendable baton** may be worn by uniformed police officers or kept in a readily available location in the patrol vehicle. Although not required, the Asp ® extendable baton is allowed as an optional tool. When using the **extendable** baton, reasonable caution must be used to avoid inflicting a fatal or permanent injury to a person. It must be used consistent with Department training. Strikes to the head are to be avoided unless the situation dictates the use of deadly force.

2. For the purpose of this policy, an **impact weapon** is any device used to strike another, which could cause injury or death.

Department Authorized Equipment:

Only Department authorized equipment shall be carried on duty:

Use of Force Reporting Requirements

1. Whenever an officer, uses force or takes an action resulting (or allegedly results) in injury or death to another person, a detailed written report will be completed along with use of force checklist. The report shall specify the action taken, type of force (if force is involved) and the use of lethal or less-lethal weapons. The report will be submitted to the officer's supervisor and through the chain-of-command for review.

2. Whenever an officer displays an CEW, less-lethal shotgun, or a firearm, the officer shall complete the use of force checklist

E. PROVIDING MEDICAL AID AFTER USE OF FORCE

1. The Rapid City Police Department's policy is to render reasonable medical aid to any person after the use of lethal, less-lethal, or physical force.

2. Medical aid will be rendered to injured persons after threats of violence to the officer or others have ceased.

3. Any officer who may have caused injury by lethal force, after the immediate threat has ceased, may approach the suspect to determine if life saving measures and/or appropriate medical aid should be initiated. Should the officer determine immediate medical aid should be rendered, or is not absolutely sure death has occurred, the officer will notify responding medical units, make the scene safe, and provide appropriate medical first aid to the suspect.

4. Any officer who may have caused injury by less-lethal force, after the immediate threat has ceased, may approach the suspect to determine if medical aid should be rendered to the suspect. The suspect should be handcuffed at this time. Should the officer determine immediate medical aid should be rendered to the suspect the officer should:

a. For **chemical self-defense spray**: Once the subject has calmed down, attempt to flush contaminated areas with copious amounts of cold water and expose to fresh air as soon as possible after exposure. Further relief may be gained by showering and washing affected areas with soap and water. Remove contact lenses and contaminated clothing if practical. Do not apply salves, creams, oils, or lotions, which can trap the irritants. When processing a suspect into the county jail, the officer must inform the intake officers the subject was sprayed with chemical irritants.

b. For **impact weapon**: After striking the suspect, contact a supervisor and transport to a hospital if there is an apparent injury, or complaint of injury by the suspect. The officer shall notify jail intake officer the suspect was struck with an impact weapon.

F. SURRENDER OF FIREARMS

1. Officers are strongly discouraged from ever surrendering their weapons to anyone who may be holding someone as a hostage, or who is a suspect in criminal activity.

2. The ultimate decision must be made by each individual officer involved, based upon the circumstances surrounding the incident.

G. REASSIGNMENT OF EMPLOYEES USING OTHER THAN LETHAL FORCE

Employees whose actions results in serious physical injury, either accidentally or intentionally, will be removed from line-duty assignment pending an administrative review. After review, the Chief of Police may allow the employee to return to duty pending the outcome of the investigation.

H. REASSIGNMENT OF OFFICERS USING LETHAL FORCE

1. The Chief of Police or designee shall have the authority, and responsibility to **relieve from duty,** any employee whose actions results in a death, either accidentally or intentionally.

2. The Chief of Police, or designee also shall have the authority to relieve from duty any employee, who has **discharged their firearm,** including off-duty situations, excluding firearms training, recreation or when prior permission had been received from a supervisor.

3. An employee shall be relieved of duty and put on Administrative Leave with full pay and benefits after a lethal force incident pending an administrative review.

4. Any employee who has been involved in any lethal force incident or other stressful situation shall be sent to a mental health professional for evaluation and/or counseling. This procedure does not preclude the use of the Critical Incident Team deployment for stressful situations.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:		PAGE NO.:
113-02	Use of Force		1 OF 3
ORDER NO.:	**SUBJECT:**		
18-01	Use of Force Reporting		
SUPERSEDES:	**EFFECTIVE:**	**APPROVED BY:**	
13-03	01-02-18	Chief of Police Karl Jegeris	
CALEA STANDARDS:			
1.3.6, 1.3.7, 1.3.13			

PURPOSE: To establish procedures for reporting and administrative review for use of force.

PROCEDURES:

A. FIREARM DISCHARGE, WRITTEN REPORT

1. Officers are required to give a written or recorded statement, which includes: the circumstances of the incident, the weapon used and the number of rounds fired. The report or transcribed recorded statement will be submitted to the officer's supervisor and through the chain-of-command for review.

   Exceptions - Training and recreation.

2. If an investigation of the incident concludes the discharge of the weapon was the result of negligence, the officer will be required to undergo firearms re-training.

B. REPORT ON USE OF FORCE

1. Whenever deadly force is used, the officer shall file a written report, or provide an oral statement to be transcribed, as soon as possible detailing the occurrence.

2. Whenever an officer applies the use of force to a person, the officer is required to complete a written report detailing the occurrence. The report shall address any use of physical force, use of less-lethal weapons, use of lethal force, or any other action resulting in injury or death, including traffic crashes. A detailed written report will be completed along with use of force checklist. The report will be completed within a timely period consistent with all reporting requirements and forwarded to the immediate supervisor for review. The reports will be forwarded to the Field Services Commander for an administrative review.

C. ADMINISTRATIVE REVIEW OF USE OF FORCE

1. The Field Service Commander or designee will review and/or investigate all uses of force. The administrative review includes a review of the action taken, type of force and the use of lethal or less-lethal weapons, or other use of force excluding firearms training, recreation, or routine disposal of an animal. The review in some cases may be accomplished using the agency use of force checklist sign-off area. Regardless of the format, the administrative review will indicate whether policy, training, equipment, or disciplinary issues need addressed.

2. Officers' use of force, which results in serious injury or death to a subject, will require an administrative investigation.

a. The **Criminal Investigation Division or other outside agency,** as determined by the Chief of Police, will be responsible for the investigation of incidents where a crime may have been committed.

b. The **delegated Agency** or **Commander** is responsible for informing the Chief of Police, as soon as possible, to be followed up with a written report detailing the chain–of-events.

3. Internal video evidence, if available, will be utilized as part of this review.

D. WEAPON USE FINDINGS TO CHIEF OF POLICE

1. At the termination of an investigation, the investigating commander shall prepare and submit a final report, to the Chief of Police, which shall contain the following:

   a. Method of investigation,

   b. Findings of fact, and

   c. Final determination.

2. The written firearms discharge report should include the relevant facts and circumstances surrounding the incident, and a conclusion as to whether the discharge violates any Department rule or procedure. In addition, whether training, equipment, or disciplinary issues shall be addressed.

E. USE OF FORCE ANALYSIS

1. The Rapid City Police Department conducts an annual analysis of actions taken by officers when:

   a. An officer discharges their firearm for other than training or recreational purposes;

   b. An officer takes action, which may result in or be alleged to have resulted in injury or death to another person;

   c. When an officer applies force through the use of lethal or less-lethal weapons;

   d. When the officer applies physical force as defined by the Department.

2. An officer who uses any amount of force, including displaying weapons, other than verbal direction in response to resistance, is required to complete written report and the Use of Force Report checklist.

3. Division Commanders, or their designee, will review reports on any incidents in which empty hand control, lethal and less-lethal use of force, to include but not limited to weapons, chemical self-defense spray, less-lethal force, or lethal force was utilized.

4. On an annual basis, the Firearms Administrator and the Defensive Tactics Administrators, or their designees will analyze these incidents to identify trends by officer, location, and type of call. As part of the documented analysis, a review of use of force policies and practices must be completed and recommendations made regarding training needs, equipment upgrades, and/or policy modifications. The written analysis will be directed to the attention of the Chief of Police, Division Commanders, and the Training Administrator.

5. The Training Administrator will utilize the analysis to identify training needs.

6. The Division Commanders will utilize the analysis to identify potential operational deficiencies.

PURPOSE: To establish procedures to ensure proper weapon use and maintenance.

PROCEDURES:

A. ON/OFF-DUTY WEAPONS

1. Officers are required to carry a **fully loaded,** Department issued firearm while on-duty.

2. This requirement may be **waived** by the Chief of Police or the Chief's designee, when appropriate. An officer who is given written permission by the Chief of Police to carry a personally owned Glock 9mm shall carry it loaded with department issued ammunition, and they must qualify with that weapon prior to carrying it on-duty.

3. When the Department issued firearm is carried off-duty, official **identification** must also be carried.

4. All applicable Rules and Procedures of the Department will be strictly adhered to when an off-duty officer initiates any type of police action while off-duty.

5. Authorized Weapons **On-Duty**:

   a. All officers shall carry a Department issued weapon.

   b. Officers on special assignment and/or on special operations may use specialized weapons, qualification required, with approval of the Chief of Police. (Refer to Annex A).

6. **Secondary Weapon On-Duty:** The Department recognizes in a violent, line-of-duty encounter, an officer's primary firearm may be subjected to severe impact, loss, or malfunction. The primary firearm may run out of ammunition, or be taken away by an offender. As a result, a police officer may, at their own discretion and expense, carry a secondary handgun, or "backup gun" while on duty. If a police officer chooses to carry a secondary handgun while on duty, the following restrictions apply:

   a. If an officer chooses to carry a secondary firearm the officer must complete a memorandum requesting approval from the Chief of Police, or a Division Commander in the Chief's absence, to carry a secondary firearm. The memorandum must include the Make, Model, Caliber, and Serial Number of the secondary firearm; and the method the officer plans to carry the firearm, e.g. inside a secure panel within the ballistic vest. The Make, Model, Caliber, and Serial Number of the secondary firearm will be on file with the Police Department. Prior to carrying the secondary weapon, the handgun must be inspected by a certified firearms instructor, and the officer must qualify with it in an approved agency qualification course of fire designed for use of a secondary weapon.

b. The secondary firearm must be carried discreetly on the officer's person, and in such a manner it is not visible to the public or to suspects.

c. The secondary firearm must be carried in a secure manner so that it will not fall out inadvertently, or be easily taken by a suspect.

d. The officer must demonstrate proficiency with the secondary firearm once a year in an approved firearm course.

e. Secondary firearms are subject to inspection for cleanliness, safety, improper modifications and serviceability by supervisory personnel, firearms instructors, and Department armorers.

f. Department armorers may inspect and service any Glock handguns carried as a secondary firearm.

g. Secondary weapons are subject to removal and secure placement at any facility where a firearm cannot be carried: Jail, JSC, Regional West Hospital, Federal Building, or other facility which requires temporary disarming of police personnel.

7. Secondary firearms are restricted to handguns that meet the following criteria for reliability, safety, control and suitability for law enforcement situations:

a. .45 Auto, 40 S&W, .357/38, 9mm and .380 caliber.

b. Safe action or double action handguns.

c. Barrel length of no less than 1.875 inches.

d. Shot capacity of no less than five (5) shots.

e. Any make of handgun which is well-constructed, safe, reliable, and meet or exceed the manufacturer's minimum standards for safety and performance. Specifically forbidden are derringer-type handguns, or single-action handguns.

8. Ammunition for back-up weapons for on-duty use will be restricted to new-factory manufactured, jacketed-hollow point ammunition. Reloads, hand-loads and off-brand ammunition is forbidden for on-duty use. Ammunition for secondary weapons will, generally, be purchased by the officer. However, the Department will provide duty ammunition for secondary weapons made for the 9mm caliber.

9. Authorized Weapons **Off-Duty within the Department's jurisdiction**:

a. All officers electing to carry an off-duty weapon may carry a Department issued handgun, or a personally owned handgun, while within the Department's jurisdiction.

b. All officers electing to carry an off-duty weapon while engaged in *secondary employment performing a security function*, may carry the Department issued Glock caliber 9mm with written approval from the Chief of Police.

c. Officers who are engaged in ***secondary employment***, while off-duty, with another law enforcement agency may not use their Department issued handgun regardless of the location of that employment.

d. The Chief's office will reserve the authority to allow any special police officer from any organization the right to use City equipment when it is deemed in the best interest of the City of Rapid City and the citizens of Rapid City.

e. Officers electing to carry a firearm off duty, while within the jurisdiction of Rapid City, must demonstrate to the Firearms Instructor that they are knowledgeable in the mechanics and safe operation of the weapon. They must qualify with the weapon before they are permitted to carry it.

10. Carrying firearms off-duty outside of the Department's jurisdiction:

a. All Rapid City Police Officers must comply with federal law (The Law Enforcement Officers Safety Act of 2004 codified as 18 U.S. Code §926B) if they choose to carry a handgun outside of the jurisdiction of the City of Rapid City. Officers have no extraterritorial authority to engage in law enforcement action except as otherwise provided by state law or mutual aid agreement. Officers have no special police authority outside the jurisdictional limits of the City of Rapid City; therefore they shall exercise good judgment and discretion.

b. It will be incumbent upon the individual police officer of the Rapid City Police Department to review any state laws pertaining to possession of firearms and ammunition for any state in which they may travel and carry a firearm while off-duty. Police officers must bear in mind the Law Enforcement Officers Safety Act does not supersede other federal laws, and certain state laws pertaining to the possession of, or concealed carry of, firearms.

c. Officers who elect to carry a handgun off-duty ***within*** the State of South Dakota may carry either the Department issued handgun, or a personally owned handgun.

d. Officers who travel out-of-state on ***Department approved business*** may carry their Department issued handgun with the approval of their division commander.

e. Officers traveling out-of-state on ***personal leave*** shall not carry a Department issued handgun outside of the State of South Dakota. Officers who choose to carry a handgun off-duty while out-of-state must carry a personally owned handgun. Officers are encouraged, but not required to limit their choices of personally owned handguns to firearms of the same type and caliber as Department issued handguns because of their well-proven serviceability and dependability. In addition, the Department armorers can ensure their continued serviceability and dependability. Officers who wish to carry a personally owned firearm while they are outside the jurisdiction of the City of Rapid City, and do not wish to carry a firearm of the same type and caliber as the Department issued handgun may do so at their own discretion. The Department does not restrict the make, type or caliber of firearm for off-duty carry within the City of Rapid City or outside the jurisdiction of the city, but recommends the following:

(1) Any make of firearm which is well constructed, safe, reliable, and meet or exceed the manufacturer's minimum standards for safety and performance.

(2) Caliber: 9mm, 38 Special, 357 magnum, .40 S&W or larger.

(3) Type: Revolver or semi-automatic.

(4) Action: Double action, or safe action.

f. Officers who carry a personally owned firearm ***within*** the jurisdiction of the City of Rapid City are required to qualify with that firearm at least once a year. Officers who carry a personally owned firearm ***outside*** the jurisdiction of the City of Rapid City are encouraged to qualify with that firearm once a year during one of the Department's scheduled firearms qualifications.

g. All officers choosing to carry a handgun off-duty, either within or outside the jurisdiction of the City of Rapid City shall carry their Department issued police identification in compliance of the Law Enforcement Officers Safety Act.

11. Newly hired personnel are not authorized to carry duty or off-duty weapons until satisfactory completion of a Department approved basic firearms course, which includes firearms training and qualifications.

B. CONTROL OF WEAPON AND AMMUNITION TYPE

1. Only Department issued ammunition shall be carried for use in Department issued weapons.

2. **Reloaded and/or altered ammunition** will not be carried, with the exception of firearms practice (See Annex A for Ammunition Specifications).

3. Uniformed officers assigned to patrol duties are required to carry at least 52 rounds of Department issued ammunition while on duty. However, uniformed officers assigned to non-patrol duties at the Public Safety Building do not have to meet this requirement.

4. Non-uniformed officers are required to carry fully loaded weapons and it is recommended they carry an additional fully loaded magazine of ammunition.

5. Only the Senior Firearms Instructor and authorized Range Masters will replace and distribute ammunition to sworn officers.

6. Special Response Team members may carry personally owned weapons with the written approval of the Special Response Team Commander and the Chief of Police. Any personally owned weapon a SRT member seeks to carry during normal police operations, SRT training, or special operations, must have the weapon inspected by a qualified armorer. SRT members must qualify, and sight their personally owned weapon with Department issued ammunition during regularly scheduled SRT training

C. FIREARMS SAFETY PROCEDURES

1. On-duty officers shall remove firearms from their holsters or racks only for the following reasons:

   a. In the line of duty,

   b. Inspections,

   c. Firearms training,

   d. When changing holsters or weapons, or

   e. Cleaning.

2. Officers will not remove their firearms from their holsters or racks or other storage device for any "dry firing" or "quick draw" activity.

3. All firearms shall be kept safe and properly stored both on and off-duty.

D. USE OF THE PATROL RIFLE

1. Only Department issued AR-15 based rifles will be authorized for use by its officers during the course of their duties. Patrol rifles will be available in patrol vehicles when the need for a shoulder-fired defensive weapon is required. Only officers who have received training in the safe use of these weapons, and successfully passed the annual rifle qualification course, are authorized to use patrol rifles.

2. A live round will be placed into the chamber of a **rifle** immediately following deployment from the patrol vehicle.

3. Only Department issued and approved rifles will be carried on-duty.

4. When not in use, the rifles shall be stored in the following manner (cruiser ready):

   Chamber ---------- Empty

   Dust Cover ---------- Closed

   Trigger ---------- Not Pulled

   Safety---------- On

   Magazine ---------- Fully loaded

4. When the rifle is available for service by patrol personnel, it will be locked in the “rifle lock" in the marked patrol car.

5. Rifles shall be loaded and unloaded using the following procedures:

   a. Remove the weapon from the confines of any building or vehicle.

   b. Point the muzzle towards the ground or into an approved safety container.

   c. Loading:

      (1) Engage the safety device;

      (2) Maintain a safe muzzle direction;

      (3) Remove the weapon from the confines of any building or vehicle if practical;

      (4) Point muzzle at the ground or into an approved safety container;

      (5) Insert a loaded magazine into the magazine well;

(6) Pull the charging handle to the rear and release, chambering a round while continuing to point the rifle in a safe direction;

(7) Close the dust cover;

(8) Insert a charged magazine; and

(9) Place weapon in vehicles gunlock.

d. Unloading:

(1) Engage the safety device;

(2) Point the muzzle at the ground or into an approved safety container;

(3) Remove the magazine from the rifle;

(4) Verify the weapon is clear by pulling the charging handle to the rear, extracting the chambered round and lock the bolt to the rear;

(5) Visually and physically check the chamber and press the bolt release;

(6) Close the dust cover; and

(7) Inspect the rifle for damage and store properly.

e. Rifles will only be repaired, modified or cleaned by the Armorer.

f. The Department weapons **clearing barrel** will be used to make safe any rifle prior to entering the Public Safety Building. This policy does not cover holstered handguns. The clearing barrel will be located near the lower north entrance door of the sally port.

E. REMOVAL OF PATROL RIFLE FROM PATROL VEHICLE

1. The purpose of this policy is to ensure the safety of all concerned, when deploying a rifle from its installed position in a patrol car. Consequently, all officers should familiarize themselves with the safe handling procedures outlined below.

2. Always check the status of the rifle at the beginning of shift. The police rifle should be loaded without a live round in the chamber with the safety in the **on** position. This procedure is outlined in Section D, **USE OF THE RIFLE.**

3. The removal of the rifle from the patrol vehicle should be accomplished in the following manner:

   a. From the seated or standing position, disengage the electric lock with either hand, grasp the rifle by the forward handgrip (keep your finger off the trigger), pull the rifle down over your head to the "lap position." The rifle should be removed from the lock with the muzzle pointed up away from your head and pointed in a safe direction. Once the rifle is safely outside the vehicle, a round should be chambered.

   b. After termination of the incident return the rifle to the "cruiser-ready" position (See Section D, **USE OF THE PATROL RIFLE**).

4. All sworn personnel are required to attend annual training with regard to the proper deployment and use of the patrol rifle.

F. INSPECTION OF FIREARMS

1. All Department-owned weapons, and secondary weapons owned by officers, are subject to inspection by the **Armorer, Supervisors and Command Officers** at any time.

2. At any time, Command Officers, Supervisors, Firearms Instructors and Armorers are authorized to inspect on-duty weapons, both Department-owned and officer-owned secondary weapons, to ensure safety and dependability.

3. **Roll-Call Firearms Inspection:** Semi-Automatic Glock

   a. All officers are to line-up single file, facing forward.

   b. On the command of "Inspection Arms":

      (1) From the holstered position, press the magazine release, remove the magazine, and place it in your belt or pocket.

      (2) Draw and point your weapon straight forward at hip level, finger in register. (This is not a firing position).

      (3) Keep the muzzle pointed in the same direction as when you drew, turn 90 degrees into the strong side, and lay the weapon over so the ejection port is down with the butt in front of your belly.

      (4) Keeping your hand behind the ejection port, jerk the slide briskly, letting any chambered round eject onto the floor.

      (5) Jerk the slide briskly a couple more times to insure all rounds have been ejected.

      (6) Press the slide stop lever up, and jerk the slide again, locking it back.

      (7) Visually and manually inspect three areas:

         (a) Chamber

         (b) Breech

         (c) Magazine-well

         (Ensure no rounds are present in these areas).

      (8) Turn facing forward again, and rotate the weapon back to vertical.

      (9) When you are satisfied the weapon is unloaded, and there are no rounds present, the weapon will be held at waist level with the muzzle in a vertical position.

   c. All weapons may now be inspected. The inspecting officer should visually and physically inspect each weapon for the presence of any rounds before inspecting for cleanliness. Magazines and rounds should be inspected for serviceability.

d. After inspection of an officer's weapon, the officer shall return to position as described above, and shall remain in that position until all weapons have been inspected.

e. On the command to "Charge and Holster":

(1) Holding the weapon at hip level and pointed in a safe direction, remove the magazine from your belt or pocket. Insert the magazine into the weapon, taking care to keep your finger in register.

(2) Keeping your hand behind the ejection port, and finger in register, jerk the slide briskly and let it slam forward, chambering a round. Then perform a visual inspection to ensure that a round was chambered.

(3) Keeping the muzzle pointed in a safe direction, and finger in register, re-holster and secure.

(4) Keeping the weapon holstered, remove the magazine, and load another round into the magazine.

(5) Insert the magazine into the weapon and using the heel of your hand, forcefully seat the magazine. Pull on the magazine footplate to ensure the magazine is securely seated in the weapon.

(6) Using your strong hand, perform a sweep between your body and the weapon, to ensure no clothing is caught between the magazine well and magazine.

G. ARMORER'S INSPECTION AND CLEANING

1. Each officer shall submit to the Armorer all Department-owned duty **weapons for inspection and cleaning.** The armorer shall clean the internal areas and parts of the weapon not normally accessible to the officer during normal cleaning. This inspection shall take place annually, as scheduled by the Lead Firearms Instructor, and shall include an inspection to determine if the weapon meets the manufacturer's minimum standards for safety and performance.

2. Mechanically **unsafe or undependable firearms** shall not be carried knowingly by officers. Any malfunction or suspected malfunction of a firearm shall be reported to a supervisor as soon as practical. The supervisor shall ensure the weapon is submitted to the Armorer for inspection. Any firearm not meeting the manufacturer's minimum standards shall be repaired before being carried by the officer. Only the Department Armorer may authorize or conduct repairs.

3. Any weapon registered by the officer as being used for police duties and determined to be in need of repair and/or maintenance shall be submitted to the Armorer upon completion of the repair or maintenance. The Armorer must certify the weapon meets minimum manufacturer's standards for safety and performance prior to the officer carrying the weapon in the performance of police duties.

4. The Armorer shall maintain adequate **records** of every weapon registered by officers. The records shall contain the officer's name, serial number of all weapons, dates of inspection and history of repairs and modifications.

H. OTHER APPROVED DISCHARGE OF WEAPON

1. Officers who are required to **discharge their weapons** should follow the following guidelines.

a. Discharge at an approved target at an approved firing range facility.

b. For practice or recreational shooting in an area where firing a weapon would be safe and lawful.

c. In order to destroy any animal that appears to be suffering from an apparent fatal wound or sickness, but only after making every reasonable attempt to locate and receive permission from the animal's owner.

d. At any animal obviously mad or vicious and cannot otherwise be prevented from killing or seriously injuring any person.

2. The discharge of a firearm is an irreversible action and, if possible, an officer should evaluate the following prior to firing their weapon:

   a. Direction the firearm is to be discharged.

   b. Extreme caution must be used at night as darkness may obscure the officer's vision.

   c. The danger of firing the weapon while running or jumping due to the possibility that other persons or property may be struck by the projectile(s).

   d. Regardless of the nature of the crime or the legal justification for firing at a suspect, officers are reminded that their basic responsibility is to protect the public. Officers are instructed to be particularly cautious when firing under conditions that would subject innocent bystanders to substantial danger.

3. If possible, and if time and conditions permit, an officer should assume a Department-approved position, as trained, prior to the discharge of the firearm.

I. DESTROYING ANIMAL WITH A FIREARM

1. Steps should be taken to ensure the safety of all citizens, property, and other animals prior to the destroying of the animal. The animal to be destroyed should be moved to an area of relative safety and out of public view, if possible. This area may be a vacant lot, rear yard, or a roadway median strip. The primary concern is the animal should be placed upon the ground, not pavement, to prevent ricochet.

2. Shoot the animal from close range (5 to 10 feet maximum, if possible).

3. Shoot down into the animal so that the projectile, if exiting the animal's body, will enter the ground.

4. Shoot the animal in the brain to minimize suffering,

   Exception: If the possibility of rabies or that the animal has bitten someone exists, the animal should not be shot in the brain. In these cases, the animal should be shot in the chest cavity, directly behind either front leg.

5. Whenever it is necessary to destroy an animal with the use of a firearm, a written report shall be completed detailing the occurrence.

Note: Refer to policy 513-20 Responses to Animal Calls

ANNEX A

SPECIFICATIONS FOR FIREARMS AND AMMUNITION FOR THE RAPID CITY POLICE DEPARTMENT

Only firearms and ammunition meeting Department-authorized specifications will be used by agency personnel. This appendix addresses the type and specification of firearms and ammunition to be used by officers for on and off duty responsibilities.

All duty ammunition is to be of new manufacture. Except where noted as brand specific, all ammunition must meet specific bullet weight and bullet type specifications. Where applicable, all cases are to be made of virgin brass or new nickel. All ammunition must meet SAAMI pressure specifications. Specialty rounds, such as less-lethal rounds are authorized, and are currently of Defense Technology of America Corporation manufacture, and include 37 mm rounds.

Weapons:

A. Handgun

Glock, Model 17, 19, 26, or 43; Caliber 9mm

B. Less-Lethal Shotgun

12 gauge Remington Model 870

C. Rifles

1. Sig Sauer AR-15 caliber .223 (5.56 mm)
2. Commercial variants of the Colt AR-15/M-16
3. Bolt action rifles authorized for Sniper/Spotter members (.308 caliber)

D. Gas Guns

1. 1.5 inch Federal Gas Guns
2. 37 mm Defense Technology Corp. Gas Guns

Ammunition:

A. 9mm Black Hills Ammunition

Minimum Specifications:

Bullet:	78 grain Barrier Blind Round + P
Powder:	New smokeless
Primer:	Non-mercuric, non-corrosive of American manufacture
Cartridge Case:	New nickel or virgin brass

B. .223 Caliber (5.56 mm):

Minimum Specifications:

55 grain Gold Dot

C. .308 Caliber (7.62 mm):

Minimum Specifications:

For open-air application, the following round is authorized: 168-grain Sierra Boat Tail jacketed hollow point with MolyCoat.

For penetration use, the following round is authorized: 180 grain core-bonded MolyCoat jacketed round.

For specialized applications to include limited penetration, Special Response Team commanders may approve ammunition previously tested by team members, and which meet the manufacturer's specifications.

Less-Lethal Munitions

CTS Model 2581 Super-Sock Stabilized Bean Bag, 12 gauge 2 ¾-inch shotgun shell, or equivalent.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
113-04	Use of Force	1 OF 4
ORDER NO.: 12-01	**SUBJECT:** Use of Force Training	
SUPERSEDES: 10-01	**EFFECTIVE:** 02-01-12	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 1.3.10, 1.3.11, 1.3.12		

PURPOSE: To establish guidelines for the training in use of force issues.

PROCEDURES:

A. INSTRUCTION ON USE OF FORCE

1. All Rapid City Police Department personnel authorized to carry weapons shall review Section 113-01 and be instructed in its content prior to being authorized to carry a weapon. Every employee authorized to carry weapons will be required to sign for and acknowledge receipt of these individual standards. A copy of this signed directive will be kept in each officer's personnel file.

2. Employees are to be familiar with and maintain a working knowledge of laws and ordinances in force in the City of Rapid City and the rules, orders, and procedures of the Rapid City Police Department.

3. Department personnel shall also be trained in arrest control and self-defense, known as Defensive Tactics. This includes unarmed defensive tactics, physical arrest techniques and less-lethal options including the police extendable baton, and OC chemical spray.

B. WEAPONS PROFICIENCY

1. Officers may carry a firearm, police extendable baton, electronic control device, and chemical spray weapons only after completing required training courses and achieving acceptable proficiency objectives as determined by the Firearms Instructors, Defensive Tactics Instructors, Electronic Control Device Instructors, and Chemical Weapons Instructors (see Section C and Section D).

2. Authorized non-sworn personnel may carry chemical spray weapons only after completing acceptable proficiency objectives as determined by the Chemical Weapons Instructors.

3. Classes will be conducted on:

   a. Department Rules and Procedures;

   b. State Laws on the use of Deadly Force;

   c. Firearms mechanics and safety;

   d. Chemical self-defense spray;

e. Electronic Control Devices;

f. Defensive Tactics; and

g. Police extendable baton.

4. **Weapons Training**: Because the ability to accurately fire a handgun, or rifle is a perishable skill, all sworn officers are required to attend firearms training when scheduled. Officers who fail to attend scheduled firearms training shall be subject to disciplinary action by the Chief of Police. Firearms, or lethal weapons, training is defined as training which may include live-fire training, simunitions training, Beam-Hit ® training, tactical movement training, scenario-based training, on-duty shooting courses, nomenclature, lecture on Federal or State laws or Department regulations, or any use of firearms training approved by the Senior Firearms Instructor.

   a. Each officer will complete a handgun qualification annually as defined by the South Dakota Law Enforcement State Handgun Qualification standards. Additionally, two other times a year officers will be required to attend firearms proficiency enhancement training as determined by the firearms staff. The training objectives, and/or proficiency objectives for firearms training, other than the annual qualification, will be determined by the Senior Firearms Instructor. Chemical self-defense spray and the police extendable baton training will be required at least biennially.

   b. Each officer who carries a personally owned firearm off duty within the jurisdiction of the City of Rapid City is required to qualify with that weapon annually.

   c. Each officer who is given written permission by the Chief of Police to carry a personally owned firearm on duty shall qualify with that firearm prior to carrying it.

   d. Each officer shall qualify with patrol rifles annually during training determined by the Senior Firearms Instructor.

   e. Each officer shall qualify with the less-lethal shotgun annually during training determined by the Senior Firearms Instructor.

   f. Officers failing to qualify with a firearm will not be allowed to carry that specific weapon. Any disciplinary action taken by the Department is subject to the terms of the Union Contract Article 16 Section 16.01 and 16.02. Any disciplinary action resulting from failure to qualify with a firearm is covered under Article 38 Section 38.02 to 38.06 of the Union Contract.

   g. Officers failing to qualify with the police extendable baton will not be allowed to carry that specific weapon. The biennial training for chemical spray does not necessarily require a qualification.

   h. Controlled Electronic Weapon (CEW) training and qualifications are specified in policy 113-07.

C. ANNUAL FIREARMS QUALIFICATION

1. The **Senior Firearms Instructor** shall be responsible for coordinating the firearms training programs, and shall be responsible for announcing in advance when training sessions are to occur. These training sessions are scheduled twice a year, and a third session for the annual qualifications as specified in section B-4 of this policy.

2. The goals of the weapons training program are to improve each shooter's skill and to give each officer the skill to recognize and survive a combat situation.

3. Based on the fact the ability to use a firearm is a perishable skill, in addition to the annual state qualification, all sworn officers are required to complete not less than two additional firearms training sessions throughout the year to insure the employee's knowledge in firearms use, and / or proficiency in firearms use. Officers who fail to attend scheduled trainings shall be subject to disciplinary action by the Chief of Police.

4. The annual handgun qualification is required by the State for all South Dakota Law Enforcement officers, and the course requirements are determined by the State of South Dakota Law Enforcement Officers Standards and Training Commission (South Dakota Administrative Rule 2:01:06:17.01). With the exception of the State mandated qualification, the firearms staff will determine prior to any other firearms training, rifle qualification, or less-lethal shotgun qualification what proficiency or performance objectives will be satisfactory. If an officer fails to attain a passing score at the annual qualification for the handgun, rifle, or less-lethal shotgun, the officer shall be given the opportunity to shoot one more course of fire. The officer who attains a passing score on the second course of fire will be considered qualified and competent to carry the firearm. If an officer is still unable to attain the minimum standard after firing two courses, that officer shall be asked to leave the range. If the officer does not pass the annual qualification, that officer shall not be returned to duty with the firearm until remedial training is conducted and proficiency with that firearm is demonstrated and documented. If the aforementioned firearm is the patrol rifle or less-lethal shotgun the officer may return to duty, but shall not carry that weapon on duty until competence is demonstrated. The officer will be prohibited from using either weapon until such time as they pass the qualification for that weapon.

5. Instructors, at their discretion, may conduct on the spot remedial training if that remedial training does not interfere with or distract the rest of a class. This type of remedial would only be appropriate when the instructor feels the sub-standard performance can be corrected in a short amount of time by specific recommendations and/or demonstrations by the instructor. If, after the short remedial, the shooter still fails to qualify or attain a satisfactory rating, the officer shall be asked to leave the range. This will all be documented in a memo to the Senior Firearms Instructor.

6. Officers who do not qualify or demonstrate proficiency shall be subject to firearms staff review of their firearms qualification and proficiency records. Upon review of the firearms staff, officers may be designated as "remedial shooters" for failure to meet standards.

7. The responsibility of the remedial shooter's division commander is to determine the officer's assignment within the division.

8. At the time when the mandatory annual qualification occurs, any employee who fails to qualify at the initial qualification shall be rescheduled for remedial training and a subsequent qualification attempt the following workday. If the employee again fails said qualification, future actions will be dictated by Union Contract, provided the City will furnish additional training and attempt to qualify within a seven-day period. If the employee fails to qualify within that seven-day period, the employee is then subject to suspension in accordance with the Union Contract.

Supporting Documentation: Union Contract Article 9 Section 9.02 and Article 16 Section 16.02

D. DEFENSIVE TACTICS

The goal of Defensive Tactics training is arrest control proficiency and training is to improve skill level and to give each officer the skills to control a subject, whether compliant or violently resisting arrest.

1. Based on the fact that the ability to control a subject is a perishable skill, all sworn personnel below the rank of Lieutenant are required to attend mandatory defensive tactics training during in-service, including demonstrating proficiency once a year. Sworn personnel who carry optional less-lethal weapons (e.g., extendable batons, and/or OC chemical spray) must demonstrate proficiency in these areas once every two years.

2. Proficiency shall be determined by the Defensive Tactics instructor. Proficiency consists of successfully passing each of the tested skill areas. If an officer fails to attain the required proficiency level in any skill area, the officer shall be given the opportunity to make up the skill area an additional two times. The officer who passes on the second or third course attempt shall be considered proficient.

3. If unable to demonstrate proficiency after three attempts, the employee shall be asked to leave the training facility. The Defensive Tactics instructor shall contact the lead instructor, who shall document the event and report it to the commander of the Support Services Section.

4. Personnel who do not demonstrate proficiency annually due to their inability to pass the skills test shall be designated as “remedial”.

5. The commander of the Support Services Section shall be advised by the Defensive Tactics staff the same day of the employee's inability to demonstrate proficiency and that the employee has been designated as "remedial."

6. A member of the Defensive Tactics staff shall hold a special training session with the "remedial" employee on the next possible working day. The "remedial" shall be assigned to "desk duty" until they demonstrate proficiency with defensive tactics skills and/or less-lethal extendable baton skills, if carried.

7. If the "remedial" employee fails to demonstrate proficiency after receiving 4 hours minimum of remedial defensive tactics training, the employee shall be subject to disciplinary action including, but not limited to, termination for inability to maintain vital job performance standards. A memorandum shall be submitted to the Commander of the Support Services Section documenting the employee’s inability to demonstrate proficiency, all training offered to the remedial employee and a recommendation on the employee’s status as “remedial” based on the employee’s demonstrated proficiency with the physical skills and/or less-lethal weapon.

8. Officers who do not demonstrate proficiency with the extendable baton, or OC may not carry the weapon on-duty.

Note: For further information regarding Remedial Training refer to policy 343-01 Disciplinary System Section F. Remedial Training

RAPID CITY POLICE DEPARTMENT **RULES AND PROCEDURES**		
POLICY NO.: 113-05	**SECTION:** Use of Force	**PAGE NO.:** 1 OF 4
ORDER NO.: 12-05	**SUBJECT:** Less-Lethal Extended Range Munitions	
SUPERSEDES: 09-06	**EFFECTIVE:** 10-19-12	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 1.3.4, 1.3.5, 1.3.9		

PURPOSE: The Rapid City Police Department recognizes handling combative, non-compliant, and or violent suspects wielding edged, impact, or other dangerous weapons require special training and equipment. The Department further recognizes there is a phenomenon, in which persons attempt to commit suicide by wielding firearms and or other deadly weapons within the close physical proximity of police officers in an attempt to force police officers to use deadly force against them (Suicide by Cop). The Rapid City Police Department has adopted less-lethal extended range munitions as an option to assist with the de-escalation and resolution of these potentially violent confrontations.

A. DEFINITIONS:

1. Less-Lethal Force Philosophy – A concept of planning and force application meeting operational objectives with less potential for causing death or serious physical injury.

2. Kinetic Energy Impact Projectiles – Flexible less-lethal projectiles, which are intended to incapacitate a subject with minimal potential for causing death or serious physical injury, when compared to conventional projectiles. These projectiles include, but are not limited to the 12-gauge drag stabilized beanbag round and other less lethal rounds currently in our inventory.

3. Suspect – the person who is the focus of the police action.

4. Cruiser Ready – When not in use, the shotgun shall be stored in the following manner (cruiser ready):

   Chamber ---------- Empty

   Action ---------- Closed

   Trigger ---------- Pulled

   Safety---------- On

   Magazine ---------- Fully loaded

B. PROCEDURES:

1. Technical Aspects

   a. The 12-gauge drag stabilized beanbag round is a translucent 12-gauge shell travels at a velocity of approximately 280 feet per second.

b. **Any other less-lethal extended range impact munitions authorized by the Department.**

2. Target Areas

a. The Less-Lethal Extended Range Projectiles will be fired at suspect target areas based on circumstances, range to the target, and level of force authorized.

b. The recommended firing distances and target points on the human body for the 12 gauge drag stabilized round are as follows:

***Note – if the officer or public is at immediate risk and deadly force is authorized, intentionally shooting the suspect in the neck, head (which is considered deadly force) or any other place on the body would be authorized.**

(1) **0-10 feet** do not fire (See *Note Above).

(2) **10-30 feet** exercise caution and target only the lower extremities such as the buttocks, thighs, knees, and shins, or the arms and upper shoulder area only if the suspect's lower extremities are behind cover. (See *Note Above)

(3) **30-60 feet** shoot at upper abdomen or lower extremities such as the buttocks, thighs, knees, and shins, or the arms and upper should area only if the suspect's lower extremities are behind cover. (See *Note Above)

(4) **Beyond 60 feet (20 yards)** energy or accuracy may not be sufficient for deployment.

3. Use of Force

a. The Rapid City Police Department recognizes uses of force in Policy 113-01 – Use of Force.

b. The use of less-lethal extended range impact munitions is considered deadly force when intentionally deployed to the head or neck.

4. Deployment Techniques

a. The approved and specially marked with blaze orange stock and forearm, less-lethal shotgun will be carried with four less-lethal drag stabilized beanbag rounds in the magazine and four rounds in the attached carrier. The shotgun will be stored in a "cruiser ready" configuration. The approved shotgun will be packed in a black foam-lined case in the trunk of the patrol vehicle.

b. The approved shotgun will be checked periodically or after deployment by a supervisor or armorer to ensure only less-lethal munitions are loaded in the weapon and are available for reload.

c. When an officer determines a situation warrants the use of the less-lethal extended range impact projectile option, they will request one or more assisting officers to deploy the less-lethal shotgun while they maintain surveillance and/or cover over the suspect.

(1) **Lethal cover shall always be used on suspects brandishing a firearm, edged weapon or an impact weapon.**

(2) Before shooting a suspect with a less-lethal round the officer should consider the following: Distance to the suspect (energy accuracy), available target areas, clothing, bystanders and backstop.

(3) Statistics show suspects are rarely incapacitated by one impact from an extended range projectile. Most deployments may take more than one shot placed on a suspect to incapacitate them.

(4) The covering officer shall assess the status of the suspect after each shot is delivered and will direct the apprehension (handcuffing and searching) of the suspect upon incapacitation or compliance. Under no circumstances will less-lethal weapons be left unsecured during apprehension.

5. Handling of Injured Subjects

Subjects that are struck with less-lethal extended range impact rounds shall be transported to a medical facility for examination.

6. Shotguns shall be loaded and unloaded using the following procedures:

a. Remove the weapon from the confines of any building or vehicle.

b. Point the muzzle straight up or into an approved safety container. Shotguns will not be loaded or unloaded or "cleared" for duty while under the parking garage.

c. Loading:

(1) Engage the safety device. Safety is engaged when pushed to the far right when the weapon is held in its normal position of use.

(2) Place shells into the magazine.

(3) The chamber should not be loaded until the weapon is to be used.

d. Unloading:

(1) Engage the safety device.

(2) Remove all shells from the magazine.

(3) Using the action, remove any shells in the chamber.

e. Shotguns will only be repaired, modified or cleaned by the Armorer.

The Department weapons **clearing barrel** will be used to make safe any shotgun or rifle prior to entering the Public Safety Building. This policy does not cover holstered handguns. The clearing barrel will be located near the lower north entrance door of the sally port.

7. Reporting

a. Whenever an officer uses less-lethal extended range munitions on a suspect, a detailed written report will be completed. The report should specify the action taken and be submitted to the officer’s supervisor. It should be forwarded through the chain of command for review.

b. Reports will include comments regarding inspection of the less-lethal weapons.

8. Training

Training in the use of less-lethal extended range munitions will consist of the approved Department program.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
113-06	Use of Force	1 OF 2
ORDER NO.: 06-07	**SUBJECT:** Weapons Inventory and Maintenance	
SUPERSEDES:	**EFFECTIVE:** 09-08-06	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 1.3.9		

POLICY: The Rapid City Police Department will maintain an inventory of all Department owned weapons. This inventory will assure constant accountability for all weapons and be unique in the fact that it will insure only safe dependable weapons are available and issued to officers. It will insure weapons reported or found to be defective will be repaired and returned to service in a timely manner.

PROCEDURE: To provide standard procedures and guidelines for review, approve, acquire, inventory, issue, maintenance and disposal of Rapid City Police Department owned weapons.

A. Inspection and Issue

1. The Chief of Police, Rapid City Police Department will be advised of any matter concerning the purchase or disposal of weapons and will have the final say in these matters.

2. The Firearms Administrator, Senior Firearms instructor or assigned lead weapon instructor will be notified of any weapon that becomes the property of the Rapid City Police Department, whether by purchase, trade, court order or gift.

3. The Firearms Administrator, Senior Firearms Instructor or their designee will without delay, enter the weapon(s) into the Department firearms inventory database.

4. The weapon(s) will be entered into the weapons database by make, model, if appropriate by caliber, and serial number.

   a. If the weapon is to be stored in the armory and not immediately issued, the word armory will be placed in the “Assigned to” block and the only other entry after that will be in the “last inspection date” block.

   b. When the weapon is assigned to an individual, their name and other appropriate entries will be made.

5. Without exception, all weapons acquired by the Rapid City Police Department by any means, which will be used in the line-of-duty, will be inspected by a qualified Armorer or lead weapons instructor for the specific weapons upon being placed in inventory and prior to being issued for duty.

6. A folder for each acquired weapon will be labeled with the make, model and serial number. The folder will then be placed in the appropriate section of the weapons file. The folder will contain a detailed weapon inspection sheet and a “Weapon History” sheet. When a weapon is re-inspected, the old inspection sheet will be discarded and the new inspection sheet will take its place. The only exception to this policy will be court ordered weapons. Court ordered weapons will be entered into the firearms inventory database, but do not require folders unless they will be issued to and used by Department personnel.

7. When a weapon is returned to the armory for any reason, the individuals name, ID number, issue date, and work assignment will be removed from the inventory database and Armory will be entered in the "Assigned to" block. An Armorer or weapons instructor will inspect the weapon at the time of return. The inspection date will be entered into the database and the inspection sheet will be placed in the weapon's folder. The "Weapon History" sheet will be annotated with the date, Employee's ID number, and "Returned to armory, OK to issue." If a problem is discovered and it cannot be corrected immediately, "Do not issue," and a brief explanation of the problem will be noted on the sheet and the firearm will have a tag affixed to it stating, do not issue. The Firearms Administrator, the Senior Firearms Instructor or lead weapons instructor will be notified of any weapon labeled "Do not issue."

8. Department weapons will only be issued by a Rapid City Police Department weapons instructor. At the time of issue, the involved instructor will pull the file on that weapon and confirm that it is designated "OK to Issue." If for some reason, "OK to issue" is not found, an inspection will be done by the instructor at that time. All pertinent information will be entered on the Weapon History Sheet and an E-mail will be sent to the assigned Administrator and the Senior Weapons Instructor concerning the weapon being issued.

9. The assigned Administrator or lead Instructor will be notified of any Department owned weapon that is temporarily or permanently removed from inventory for any reason including, lost, stolen, damaged, placed into evidence by our department or taken as evidence by another law enforcement agency. Any of these circumstances will be duly noted on the Weapon History sheet. In the case of a lost or stolen weapon, a copy of the initial report, the NCIC entry and any follow-up reports will be kept in the file folder and the folder will be maintained indefinitely. If recovered, the weapon will be inspected and placed back in inventory.

10. No Rapid City Police Officer will possess, report to duty with or continue on duty with any weapon they believe is malfunctioning. A weapons Instructor will be notified immediately and the weapon removed from service until repaired by qualified personnel.

For Clarification: All Rapid City Police Department firearms instructors are certified Glock Armorers. In addition to being Glock certified Armorers, some instructors also hold Colt and Remington armorer certifications.

B. Review and Approve Weapons

1. **Review -** The make, model, type and caliber, if appropriate, of all weapons will be reviewed on an as needed basis and as ordered by the Chief of Police to ensure the needs of the Department are being met.

2. Department firearms instructors, armorers and less-lethal weapons instructors will be consulted for research and input on approved weapons.

3. Changes resulting from any review will be reflected on the Approved Weapons List upon approval of the Chief of Police.

4. In the event changes are made, Department members will be notified via a General Order.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
113-07	Use of Force	1 OF 4
ORDER NO.: 16-03	**SUBJECT:** Controlled Electronic Weapons	
SUPERSEDES: 12-05	**EFFECTIVE:** 08-02-16	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 1.3.4, 1.3.5, 1.3.9		

PURPOSE: The Rapid City Police Department recognizes handling combative, non-compliant, and or violent suspects wielding edged, impact, or other dangerous weapons require special training and equipment. The Department further recognizes there is a phenomenon, in which persons attempt to commit suicide by wielding firearms and or other deadly weapons within the close physical proximity of police officers in an attempt to force police officers to use deadly force against them (Suicide by Cop). The Rapid City Police Department has adopted the use of the Controlled Electronic Weapon (CEW) as an option to assist with the de-escalation and resolution of these potentially violent confrontations. Controlled Electronic Weapons use electrical energy to affect the signaling mechanisms used by the human body to communicate. The electrical output simply "jams" the communication system of the body. The human target instantly loses muscular control of their body and cannot perform coordinated action, usually falling to the ground.

The CEW should be used early enough in a confrontation or situation to prevent the incident from escalating to a point where a greater level of force might be necessary. Officers will not intentionally place themselves or other innocent persons at substantially increased risk of death or serious injury by employing Controlled Electronic Weapons where conditions would otherwise call for immediate use of deadly force. Officers are to consider all use of force options when encountering a combative individual and be prepared to utilize other force options if the CEW is not effective.

DEFINITIONS:

1. CEW – Controlled Electronic Weapon (either the Taser X26 or X26P).
2. Deploy – The firing of a live cartridge to engage a person or animal, through which the probes have contact with that person or animal for one or more five second cycles.

3. Deploy/Drive Stun – Deployment of the CEW in direct contact with a person or animal. This can be done with or without the cartridge being removed.

4. Spark Test – Is the process of removing the cartridge, activating the Taser and the pulling the trigger and letting it run for one five second cycle to ensure the Taser is functioning properly.

5. Suspect – the person who is the focus of the police action.

PROCEDURES:

A. CARRY REQUIREMENTS

Controlled Electronic Weapons (CEW) are a common tool for law enforcement across the nation, and the public has clearly accepted it, to the point it is likely there is a current public expectation we have this tool available. All uniformed patrol officers operating in a first responder capacity will carry the CEW. This will include special events at the Civic Center and other assignments such as, but not limited to, Rapid City Regional Airport. In cases where an officer is working a special event on an overtime assignment and that officer has not been assigned his/her own CEW, officers will

check out a CEW following their last regularly scheduled shift and return it at their next scheduled shift after working the special event. This will be to prevent employees from having to make an additional trip to the PSB when working at a special assignment event. Officers are expected to use the same safeguards required for home storage of a firearm.

B. CEW SPECIFICATIONS AND USE

1. Technical Aspects

   The approved CEW for use by officers of the Rapid City Police Department is TASER International's TASER X26 and X26P models that are yellow in color. The TASER X26 and X26P are designed to stun and override a person's central nervous system, causing uncontrollable contractions of the muscle tissue, leading to temporary incapacitation.

2. Target Areas

   Officers firing the CEW will target center mass, but below the chest in an effort to avoid placing a probe on or near the subject's heart. It is understood that the dynamics of a physical confrontation are such that accuracy cannot always be achieved. The manufacturer's recommendations and guidelines should be followed in the application of this technology.

3. Use of Force

   The Rapid City Police Department use of force policy and explanations are contained in Policy 113-01 – Use of Force.

4. Deployment of Controlled Electronic Weapons

   a. The CEW shall be carried in an approved specifically designed holster. The CEW will be worn on an officer's duty-belt, on the opposite side from his/her duty handgun, in a loaded condition. The only authorized exception to this are officers equipped with a Department issued outer vest. In those cases, the CEW will be worn on an officer's duty-vest, on the opposite side from his/her duty handgun, in a loaded condition. The CEW is not to be carried in any other manner by officers wearing the duty uniform. Officers will carry the CEW in a cross-draw position, unless prior approval is received from the Chief or a designee. An officer will not draw their duty weapon and the CEW simultaneously, and should never have both in their hands at the same time.

   b. The CEW will be inspected by the officer upon checking it out for duty. It will be inspected for visible damage and the battery level. The battery should not be below 20%.

   c. Controlled Electronic Weapons can be deployed when:

      (1) A person may be criminally charged and demonstrates an overt intention to use violence or force against an officer or others.

      (2) A person resists detention and arrest, and other alternatives for controlling them are not reasonable or available under the circumstances.

      (3) Officers may use CEWs to protect a person who poses a danger to themselves or others. CEWs may only be used to the level of force that reasonably appears necessary to control or subdue a violent or potentially violent person.

(4) CEWs should be deployed no more than what is reasonably necessary to accomplish subduing a person until alternate means can be used to ensure compliance. A higher level of justification is required for deploying the CEW more than three times on a single individual. This justification must be present and articulated on the Use of Force report.

d. When an officer determines a situation warrants the use of the CEW, the following tactical considerations should be considered.

(1) Officers deploying CEWs should consider having additional officers immediately available for lethal cover, arrest and control. In those instances where deployment of the CEW is necessary by a lone officer, the officer should strongly consider exercising control of the suspect through continued use of the device in those instances where the suspect continues to be a danger to the safety of the officer or others until additional assistance arrives. Under no circumstances will the CEW be left unsecured during apprehension.

(2) Handcuffed prisoners – Controlled Electronic Weapons should not be used on handcuffed persons unless they are actively resisting or exhibiting aggression, and/or to prevent individuals from harming themselves or others. These circumstances will be clearly delineated in resulting reports.

(3) Special populations – CEWs should not generally be used against pregnant women, elderly persons, visibly disabled persons, young children and visibly frail persons unless exigent circumstances exist.

(4) Fleeing persons – Fleeing subjects have a greater chance of sustaining injury as the result of a fall following a CEW deployment. Therefore; Controlled Electronic Weapons should not be used on subjects running unless the following circumstances exist:

(a) There is reasonable suspicion that the fleeing subject has committed a violent criminal offense; and/or the subject poses an imminent threat to the public if not apprehended. The CEW should only be deployed in this circumstance if it is the only available means to apprehend the subject safely.

(b) The officer should also consider that the Controlled Electronic Weapon might fail during deployment against a fleeing person as movement may remove them from the initial effective range of the device's ability.

(5) Running motor vehicles – The use of an CEW in an attempt to control a driver in a running motor vehicle is prohibited. Extreme caution should be used when determining whether to deploy a CEW on passengers in running motor vehicles.

(6) Multiple officer deployment – Caution should be used when multiple officers are on scene with a resistive/aggressive subject. When possible, officers should coordinate their actions to avoid multiple officers deploying CEWs at the same time.

(7) Extreme caution should be used near flammable liquids or fumes as the CEW can cause ignition.

(8) Caution should also be exercised when deploying a CEW where the suspect is near the edge of a high area (i.e. rooftop, bridge), or when the suspect is in deep water.

(9) Passive Resistant Subjects – Officers will not deploy a CEW against a person who is offering only passive resistance without first receiving supervisory approval.

(10) CEW deployment warning – In order to warn other officers on scene that a CEW is being deployed, and to reduce the chances of the sound being mistaken for the firing of lethal rounds, an announcement of their impending deployment should be made prior to using the CEW, if practical. The officer deploying the CEW should say the word "TASER," to warn the other officers.

(11) The optimal method of use of the CEW is firing the probes, thus making penetrating contact with the suspect. The secondary method of use would be in the "Drive Stun Mode" where the probes are not fired but direct contact is made to the suspect's body.

5. Handling of Subjects After CEW Deployment:

Following the deployment of the probes or a drive stun from a CEW, officer(s) shall secure the subject and request a medical unit response. The officer will brief the arriving medical personnel of the CEW usage on the subject, to include information about the location of the probes in relation to the chest/heart. In cases where medical personnel determine that transport to the hospital is not necessary, a verbal refusal of treatment will be obtained from the subject by an on-scene paramedic. If the subject is to be booked into jail, the jail staff will be made aware that a CEW was used on the subject.

Probe Removal – After a subject has been secured in handcuffs or appropriate restraints, the officer(s) deploying the CEW will evaluate the subject to determine if the probes have penetrated the skin. An officer may remove the probes if they have not penetrated a sensitive area (head/neck/groin/breast). If possible, photographs of the probe sites shall be taken, prior to, and following probe removal. Only trained medical personnel shall remove a probe(s) from sensitive areas. In cases involving probe penetration of the skin, the probes/cartridge shall be placed into Evidence after being properly secured. In all cases, the cartridge/probes will be treated as a biohazard.

6. Reporting

a. Whenever an officer uses a CEW on a suspect, a detailed written report will be completed. The report should specify the action taken and be submitted to the officer's supervisor. A Use of Force Report shall also be completed. The reports should be forwarded through the chain of command for review. After each tactical deployment of a CEW, the officer's supervisor shall respond to the scene and the supervisor will review the incident and provide a written report of the findings, which will be forwarded through the chain of command.

b. Reports will also include comments regarding inspection of the CEW.

c. Following each tactical deployment or training usage, the CEW's electronic information shall be downloaded and a record will be maintained for each specific unit.

d. The Field Services Commander or a designee conduct an administrative review quarterly of CEW data downloads. They will be reviewed and reconciled with the recorded activations documented in the use of force reports and training reports.

7. Training

a. Only those personnel specifically trained in their use will carry CEWs.

b. Training with the CEW will be conducted annually. At a minimum, this will consist of classroom instruction, a deployment exercise and a written exam.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
113-08	Use of Force	1 OF 3
ORDER NO.: 14-04	**SUBJECT:** Active Shooter Response	
SUPERSEDES: 09-06	**EFFECTIVE:** 12-29-14	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 46.1.10		

PURPOSE: To provide Rapid City Police Officers with guidance in the response and handling of active shooter situations.

DEFINITIONS:

Active Shooter: One or more subjects participating in a random or systematic shooting incident. The subjects are demonstrating specific intent to inflict extreme bodily injury or death with firearms, or with any other deadly weapon. The actions of the shooter(s) would lead a reasonable person to believe the shooter intends to commit murder as opposed to the taking of hostages or other felonies.

Active Shooter Situation: Where shooter(s) are actively engaged in causing extreme bodily injury or death. The activity is not contained and there is the immediate risk of death or extreme bodily injury to victims.

POLICY: Rapid City Police Department officers are permitted to use lethal force in self-defense or the defense of others. Lethal force is authorized when it is evident the officers or those they are protecting will suffer death or extreme bodily injury as a result of a suspect's hostile actions. Officers responding to an active shooter incident shall deploy any legal means necessary to accomplish the goal of ***immediately*** finding the active shooter(s) and terminating their hostile actions. Legal means may include arrest, containment, and / or the use of lethal force. This policy recognizes the active shooter(s) must be stopped ***immediately*** to prevent loss of life. There is the possibility in an active shooter incident for the suspect(s) to cease being an active shooter, take hostages, and or barricade themselves. If this situation were to occur, standard hostage/barricaded gunman procedures would apply.

In an active shooter situation, the prioritizations of activities in order of importance are:

1. Stop, delay, or hinder the active shooter from further hostile actions.
2. Initiate command and control of the situation.
3. Contain and isolate the situation.
4. Rescue the victims.
5. Protect the crime scene.

Note: *While it is important to provide aid to the wounded and dying, it is our public safety duty to first protect lives by stopping the homicidal actions of the active shooter(s).*

A. COMMAND AND CONTROL

The first Supervisor to arrive on scene who is not part of the initial teams will be the incident commander (IC). The supervisor should follow established guideline in policy 532-02, Response Plan for Hostage/Barricade Situations.

B. TRAINING

The Rapid City Police Department will train in active shooter response tactics. We recognize the active shooter phenomenon is evolving, and our response and techniques will also have to evolve to meet this threat. The follow are training areas that should be considered:

1. Active shooter situation identification, approach, position and entry.

2. Room/building entry techniques with handgun, rifle, and less-lethal shotgun.

3. Building/area clearing techniques with handgun, rifle and less-lethal shotgun.

4. Victim rescue techniques.

5. Improvised explosive and explosive recognition.

C. ACTIVE THREATS

Definition – Active Threat - any deliberate incident that poses an immediate or imminent danger to others. Although these events often involve the use of firearms by perpetrators, they may also involve the use of other types of weapons or implements with the intent to cause harm.

1. Public Notifications for Awareness and Safety

   a. During an Active Threat Situation, the first responding on duty supervisor will become the Incident Commander and will remain in this role until relieved.

   b. The Incident Commander will, as soon as practical, make notification to activate the ICS/NIMS System.

   c. Once the incident has been stabilized, the Command Officer assuming ICS command will determine what public notifications for awareness and/or safety, if any, will be made.

2. Public Safety Agency/Other Resources Notification

   a. During an Active Threat Situation, after officers have been dispatched, the on-duty supervisor or designee will notify neighboring law enforcement agencies, as appropriate. Dispatch will also be directed to initiate medical response for staging.

3. Imminent Threat Response – Officers responding to an Active Threat Situation will deploy any legal means necessary to accomplish the goal of immediately finding the source of the threat and terminating their hostile actions.

   a. This policy recognizes the active threat must be stopped immediately to prevent loss of life.

      1) There is the possibility in an active threat incident for the suspect(s) to cease their aggression, take hostages, and or barricade themselves.

2) If this situation were to become apparent to responding officers, standard hostage/barricaded gunman procedures would apply.

3) Legal means may include arrest, containment, and/or the use of lethal force.

4. Public Sheltering/Incident Containment

   a. Public Sheltering - The Incident Commander will determine if the facility has undergone any degree of evacuation or if it is under lockdown. If an evacuation (to any degree) has taken place, the Incident Commander will attempt to gather intelligence from those evacuated and facilitate public sheltering, if necessary. If a lockdown has occurred prior to officer arrival, the Incident Commander will determine whether to order law enforcement supervised evacuation or leave it in lockdown mode.

   b. Incident Containment - The Incident Commander will determine and orchestrate the appropriate containment of the incident and any additional building sweep and/or clearing needed after the responding officers have completed their initial task.

5. Annual Policy Review/Training Needs – The Chief will direct that a documented annual review of the Active Threat Policy be conducted. The documented review process will include a review of recent Active Threat training to determine any additional or different training needs.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
121-01	Agency Jurisdiction and Mutual Aid	1 OF 3
ORDER NO.: 06-03	**SUBJECT:** Agency Boundaries and Concurrent Jurisdiction	
SUPERSEDES: 02-01	**EFFECTIVE:** 03-29-06	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 2.1.1, 2.1.2		

PURPOSE: Public safety agencies may, at any time, be faced with situations requiring the use of personnel and equipment beyond their existing capabilities. Most such circumstances require immediate and extraordinary action to preserve life and property. South Dakota law specifically allows neighboring local governments to enter into agreements to provide supplemental resources. There is a need for a common method of operation in such situations so these resources may be obtained in the shortest possible time.

POLICY:

A. AGENCY GEOGRAPHIC BOUNDARIES

The jurisdiction of the Rapid City Police Department is within the geographical boundaries of the corporate limits of the City of Rapid City. Rapid City derives its jurisdictional authority from South Dakota Codified Law 9-29-1, Territorial jurisdiction of municipalities.

Supporting Documentation: SDCL 9-29-2, 9-29-19.

B. CONCURRENT JURISDICTION

1. In routine circumstances not amounting to mutual aid request, the Rapid City Police Department recognizes other criminal justice agencies may have concurrent jurisdiction, by law, to conduct operations within the City of Rapid City. In addition, other agencies may, on occasion, enter the city to carry out specific operations in the performance of their duties. The Department's policy is to provide assistance and cooperation to other agencies operating lawfully within the City of Rapid City in accordance with the following procedures.

2. The Rapid City Police Department shall perform all duties and responsibilities within the City of Rapid City in accordance with state laws and city ordinances.

3. Authority of the **County Sheriff**:

   a. SDCL 7-12-1 grants the County Sheriff law enforcement authority throughout his county, regardless of the presence of municipal subdivisions.

   b. The Pennington County Sheriff's Office policy is not to provide police services to municipalities with full-time police departments, unless specifically asked to do so by the municipality.

   c. The Pennington County Sheriff's Office has an additional policy specifying a deputy will provide service in certain situations where the complainant refuses service from the municipal agency where the questioned complaint originated.

4. Authority of the **South Dakota Highway Patrol**:

   a. As with the County Sheriff, the South Dakota Highway Patrol has **concurrent jurisdiction** with municipal police agencies within the city limits of a municipality.

   b. The general policy of the South Dakota Highway Patrol is to refer calls for service and routine enforcement activities within the city limits to the municipal police agency in question.

5. **Federal Enforcement Agencies**:

   a. The Rapid City Police Department shall handle state and city criminal matters referred by federal enforcement agencies, which have occurred or are occurring within the city limits.

   b. The Rapid City Police Department shall assist federal enforcement agencies, upon formal request, in their investigation of federal offenses occurring within the City of Rapid City, such as but not limited to, bank robberies, counterfeiting, illegal aliens, fugitives, alcohol and drug investigations, and tobacco and firearms violations.

6. General Procedures:

   a. Although the Pennington County Sheriff's Office and the South Dakota Highway Patrol generally do not become involved in police activity within the city limits of Rapid City, nothing prohibits members of these agencies from taking action in situations occurring in their presence within the city limits.

   b. In any situation where a question arises concerning jurisdiction with another agency, the responding Rapid City Police Officer shall make every attempt to resolve the matter in the most professional manner possible. If this is not possible, the matter will be turned over to a **supervisor** or **shift commander** for resolution.

   c. The Rapid City Police Department has **exclusive jurisdiction** and responsibility in matters concerning Rapid City ordinances within the city limits.

C. INTERAGENCY AGREEMENTS

1. The Rapid City Police Department, as stated in Section B, has jurisdiction within the city limits of the City of Rapid City. In order to clarify which agency responds to calls for service, the following procedure will be followed:

   a. The Pennington County Sheriff is responsible for service of civil process both inside and outside the city limits. The County Sheriff is responsible for the administration and function of the Pennington County Jail. The Sheriff is also jointly responsible for the operation of the Special Response Team and School Liaison Program.

   b. The Pennington County State's Attorney is responsible for the prosecution and all legal duties of Pennington County and the State of South Dakota.

   c. The City Attorney's Office of the City of Rapid City is responsible for prosecution of violations of city ordinances and all legal duties associated with the operation of the city.

   d. The South Dakota Highway Patrol is responsible for enforcing the laws of the State of South Dakota and other related duties as outlined in Section B.

e. Federal agencies stationed within the City of Rapid City and Pennington County are responsible for enforcing federal laws and regulations as outlined in Section B.

2. The Rapid City Police Department will supply back-up communications, logistics and manpower support to any law enforcement function, to include prosecution between jurisdictions.

D. LAW ENFORCEMENT AGENCY LIAISON

1. The Rapid City Police Department's policy is to maintain liaison with other law enforcement agencies in adjoining jurisdictions. This liaison will be with those agencies having concurrent authority within the Rapid City service area.

2. The Department will maintain a cooperative exchange of information to enhance the arrest and return of fugitives, the exchange of information in criminal investigations, the establishment of joint plans for dealing with issues such as criminal conduct and traffic operations, and the sharing of statistical and support services.

E. EXTRADITION CASES

When a fugitive is arrested in the city on information furnished by authorities of the state where the crime was committed, the preliminary action taken shall be the same as if the prisoner was arrested for a crime committed in Rapid City. The prisoner shall be recorded as being held for the requesting agency and all pertinent information shall be forwarded to the Pennington County Sheriff's Office, which is responsible for the extradition process.

PURPOSE: To outline the nature and extent of mutual aid compacts by the Rapid City Police Department in compliance with SDCL Chapter 1-24, Joint Exercise of Governmental Powers, and Chapter 33-15, Emergency Management.

MUTUAL AID AGREEMENTS

1. The Rapid City Police Department's policy is to enter into a mutual aid compact with surrounding jurisdictions to supply police resources in cases of a police emergency or disaster. This mutual aid compact will be a document designed in a contract form and thereby called "**Pennington County Area Emergency Management Joint Powers Agreement**." Copies of these signed agreements will be filed with the Administrative Assistant for the Chief of Police.

2. As specified in South Dakota Codified Law, mutual aid agreements may be made with other neighboring agencies. Any additional mutual aid agreements will be filed with the Administrative Assistant for the Chief of Police.

PROCEDURES:

A. MUTUAL AID AGREEMENT PROVISIONS

Under the provisions of the **Pennington County Area Emergency Management,** the Department will follow the key points of the contract.

1. Legal Status – Law enforcement officers assigned to provide mutual aid assistance in another jurisdiction shall have all the powers and authority of law enforcement officers as provided by law, including the power of arrest in accordance with SDCL 33-15-36.

2. All sworn officers responding to the mutual aid request will have all **legal authority** to act within the receiver agency's jurisdiction.

3. Whenever a disaster is of such magnitude and consequence that it is advised by the senior official present of the stricken community to request assistance of the aiding agencies, they are authorized to do so under the terms of the mutual aid agreement.

4. The following persons are authorized to request mutual aid assistance:

   a. **Mayor** of Rapid City or senior city official;

   b. Chief of Police or a designee; or

   c. Senior official on the scene.

5. The **senior official** present of the stricken community shall assume full responsibility and command for operations at the scene. They will assign personnel and equipment, of the aiding agencies, to positions when and where they deem necessary.

6. Radio communications shall be maintained by the best means available.

7. The stricken community may reimburse the aiding agencies for those costs, damages, expenses and compensations as specified in SDCL 33-15-8.3. Benefits and worker compensation policies delineated in SDCL 33-15-38 shall remain in effect for workers and equipment.

8. If periodic revisions and reviews are prescribed in the mutual aid agreement, then necessary procedures to conduct this review must be implemented.

B. EXTENT OF MUTUAL AID

The Rapid City Police Department's policy is to include an estimate of the amount of aid available from provider agencies. Guidelines for this estimate will be an essential function of the Black Hills and Badlands Intergovernmental Service Agreement. This mutual aid agreement will stipulate provisions for maintaining adequate law enforcement services within the service area of the provider agency when its personnel and/or resources are sent elsewhere to provide aid.

Providing Mutual Aid:

1. The Chief or a designee will be notified immediately upon receipt of a mutual aid request.

2. A request for assistance should be made to the Rapid City Police Department by the requesting agency. The request may be in writing, or verbally through the agencies CEO or highest ranking on duty official. A teletype, facsimile transmission, or electronic mail message shall be considered written documentation.

3. The highest ranking on duty Rapid City officer shall immediately verify the mutual aid request with the highest ranking on duty officer of the requesting agency.

4. The Chief of Police shall approve mutual aid requests. In the event the Chief cannot be contacted, authorization must be obtained from a Division Commander.

5. On mutual aid responses, the Rapid City Police Department accepts mission assignments only and receives its direction from the Rapid City Police Department supervisors. The Rapid City Police Department supervisors shall coordinate the Department's activities with the on-scene Incident Commander of the requesting agency.

6. The on-duty Shift Supervisor may authorize a response in situations requiring an immediate short-term response.

C. ACCESS TO STATE DIGITAL RADIO SYSTEM

1. The Rapid City Police Department accesses the State Digital Radio System through digital radios equipped in all marked department vehicles. Additional indirect access is through the Emergency Services Communications Center (ESCC).

2. **The State Digital Radio System** is a specifically designated communication network for statewide general public safety communication.

3. The primary purpose for access to the State Digital Radio System is for the Rapid City Police Department to have inter-operable communications with local, state, and federal public safety agencies. For use of this system, refer to policy 513-16/752-06 – Mutual Aid Channel.

D. MUTUAL AID: USE OF OUTSIDE PERSONNEL

1. Personnel from aiding agencies may assist in the mass processing of arrestees, transport prisoners, operate temporary detention facilities and perform other police duties as is directed by the stricken community's **Incident Commander.**

2. 532-01 will be used as a guideline for officers involved in mass arrest situations.

E. REQUEST FOR MUTUAL AID ASSISTANCE

1. Mutual aid shall be **requested** when a problem, or the threat of a problem, exceeds the resources of the Rapid City Police Department. Mutual aid arrangements for local governmental units are authorized by SDCL 1-24-3 and SDCL 33-15-34. The policy of state assistance to local government in major disorders and unusual occurrences is to support local law enforcement with state resources after local and adjacent government aid has been reasonably committed, or whenever the magnitude of the emergency is such that the best interest of the state will be served by the involvement of state resources before the commitment of all local agencies. The following procedures will be followed prior to requesting assistance from any federal law enforcement agency.

2. Based upon a recognized need for mutual aid assistance, the **Chief** will be **notified** immediately.

3. The Chief or a designee shall decide the level of appropriate response and will contact the **Mayor.**

4. The Chief or a designee will authorize a detailed teletype or other written request for mutual aid. In the event the need for assistance is immediate, the initial contact/request will be made by telephone and followed by a **written request.**

5. In the event the Chief cannot be contacted, authorization must be obtained from a Division Commander**.**

6. The written request for mutual aid will include the following:

   a. Reason for mobilization;

   b. Date, reporting time and weather conditions;

   c. Personnel requested and an estimate of how long it will be needed;

   d. Assembly point and name of the Rapid City Police Department Supervisor/**Incident Commander** to contact; and

   e. Uniform and equipment needed.

7. An emergency operations center and/or command post shall be established and should be large enough to house all personnel involved in the decision-making, command, and support processes. This includes commanders of other jurisdictional units. For additional information and assistance with the Incident Command System, refer to policy 532-07.

8. A Rapid City Police Officer will be on duty at all times to receive the responding units, log them in, and log them out as they respond to assignments.

9. Responding units shall be briefed about the emergency and their assignment in resolving the situation.

10. A separate room with map space and radio monitoring capabilities should be set aside for the other responding jurisdictional units. A knowledgeable staff assistant should be assigned to that room to help those units with problems that may arise.

11. Responding units will be kept under the command and control of their supervisors. However, the supervisors will report to the commander of the Rapid City operation for instructions.

12. When it becomes necessary to move personnel, who may not be familiar with the geography of the City of Rapid City, a Rapid City Officer or Pennington County Deputy should be assigned to those groups to expedite such movements.

13. Commanders of other jurisdictional units will be included in the planning process, including assignments, which may involve duties such as assisting with mass arrests processing, prisoner transportation and operating temporary detention facilities.

14. The commander of the Rapid City operation is responsible for keeping an operational log in chronological order of the event. If the Emergency Operations Center is separate from the command post, two logs will be maintained.

15. Mass arrest situations will be handled as outlined in 532-01

16. Media will be handled as outlined in Section 731.

17. At the conclusion of the mutual aid assistance, the commander of the Rapid City operation will hold debriefing of all participants. A comprehensive after action report will also be completed and sent to the Chief and the Chief Law Enforcement Administrator of the assisting agencies. The report will include:

    a. An explanation of events leading to the emergency operation;

    b. A list of all agencies and personnel involved;

    c. A list of all equipment requested and used, to include a brief explanation of equipment loss, damaged or stolen, and the cost to replace said equipment;

    d. Identification of injuries to personnel involved in the operation;

    e. A list of damage to any public or private property caused by the emergency;

    f. A list of persons arrested by name, date arrested, charge and arresting officer and agency; and

    g. A detailed breakdown of all other costs.

h. Any other items listed in After-Action Reports, policy 531-04.

F. REQUEST FOR NATIONAL GUARD ASSISTANCE

An emergency may arise necessitating the call-out of the **South Dakota National Guard.** If so, the Chief or a designee must request the call-out through the **Mayor,** or the highest available City official. The Mayor must then request the call out through the **Governors office.**

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
122-01	Contractual Agreements for Law Enforcement Services	1 OF 3
ORDER NO.: 06-04	**SUBJECT:** Contractual Agreements for Law Enforcement Services	
SUPERSEDES: 02-01	**EFFECTIVE:** 04-21-06	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 3.1.2		

PURPOSE: The Rapid City Police Department supports the concept of establishing and maintaining effective channels of communication between law enforcement and other agencies. Good liaison between agencies can create an atmosphere, which eliminates barriers and fosters the cooperation necessary for the effective and efficient functioning of agencies in situations requiring interagency planning, coordination and action. The Rapid City Police Department's policy is to continually pursue contractual agreements with other law enforcement agencies. These contractual agreements will, by design, enhance and satisfy the needs of the citizens of Rapid City.

A. CONTRACT LAW ENFORCEMENT FINANCIAL ARRANGEMENTS

1. The Rapid City Police Department honors contractual commitments and agreements as follows:
   a. Intergovernmental Law Enforcement Service and Assistance Agreement;
   b. Jail Compact;
   c. Humane Society Animal Shelter Agreement
   d. Joint Dispatch Agreement, and.
   e. Pennington County Housing
2. Included in these contracts and agreements are:
   a. Salaries and fringe benefits;
   b. Payments for support services and overhead costs;
   c. Maintenance of financial reports;
   d. Time and manner of payment for services;
   e. Equipment costs; and
   f. Other costs.

B. CONTRACT LAW ENFORCEMENT CONTRACT CHANGES

All Rapid City Police Department contractual agreements contain language dealing with duration, modification, and termination of any contract.

1. The purpose of this procedure is so all parties to the contract have a clear understanding of the basic parameters of the agreement.

2. Any jurisdiction may, through contract language, terminate, renew, or renegotiate any contract or agreement with the Rapid City Police Department.

3. Every contract or agreement should have a defined date for the beginning and termination of the conditions of the agreement.

C. CONTRACT LAW ENFORCEMENT LEGAL CONTINGENCIES

All contractual agreements for law enforcement services by the Rapid City Police Department include specific language dealing with legal contingencies.

1. The agreement shall not be construed as or deemed to be an agreement for the benefit of any third party or parties, and no third party or parties shall have any right of action.

2. The contract agreement will contain those contingency safeguards, which protect the city from a fortuitous event, which comes without design, foresight, or expectation.

3. The contract agreement will also contain an element of "contingent liability," one which is not now fixed and absolute, but becomes so in case of the occurrence of some future and uncertain event.

D. CONTRACT LAW ENFORCEMENT CONTROL OF PERSONNEL

The Rapid City Police Department maintains control over its personnel while they are engaged in contractual law enforcement services.

1. The Rapid City Police Department is responsible for the following:

   a. Hiring;

   b. Training;

   c. Assignment;

   d. Disciplining; and

   e. Dismissal of personnel.

2. The purpose of this procedure is for the Chief of Police or a designee to retain authority over Department personnel and to maintain effective accountability.

E. CONTRACT LAW ENFORCEMENT RECORD KEEPING

1. The Rapid City Police Department will maintain records concerning the nature and extent of services provided under the contracts in Section A above, and Mutual Aid Agreements covered under policy 121-02.

2. The Rapid City Police Department will maintain information covering the following data:

   a. Numbers of calls for service;

   b. Nature of calls;

   c. Number of arrests;

   d. Number of persons arrested by sex and age;

   e. Number of non-criminal calls; and

   f. Assistance given.

3. The records kept by the Rapid City Police Department will note the geographical location or reported incidents, the time and day the call was received, the time required for a unit to respond, and the time on scene.

F. CONTRACT LAW ENFORCEMENT EMPLOYMENT RIGHTS

1. The Rapid City Police Department guarantees the rights of all its employees who might be assigned under contract for law enforcement services; this guarantee will not be abridged by the provider agency. The Department will honor all contracts and agreements which cover all personnel of the Rapid City Police Department.

2. The Department will not penalize or threaten the employment rights of any employee for participating in any contracted law enforcement function.

3. The Department will honor all union and non-union agreements.

4. This guarantee will extend to promotional opportunities, training opportunities, and fringe benefits.

A. CONTRACT LAW ENFORCEMENT WRITTEN AGREEMENT

1. The Rapid City Police Department's policy is to enter into a contractual agreement with the Pennington County Sheriff's Office. This contractual agreement is **titled "Intergovernmental Law Enforcement Service and Assistance Agreement."**

2. The intergovernmental agreement between City and County law enforcement agencies should be reviewed periodically to ensure the services contracted are being provided and to accommodate any changes occurring in the service area.

B. CONTRACT LAW ENFORCEMENT USE OF EQUIPMENT/FACILITIES

The Rapid City Police Department through the "Intergovernmental Law Enforcement Service and Assistance Agreement," provides specific arrangements for the use of equipment and facilities.

1. The agreement establishes clear lines of responsibility between the contracting parties concerning ownership, use, and maintenance of equipment and facilities.

2. The agreement also includes provisions for leasing, purchasing, and disposition of equipment and facilities following termination of the contract.

3. Joint ownership of equipment between the Rapid City Police Department and the Pennington County Sheriff will be carried under the Police Department or Sheriff's Office inventory.

C. CONTRACT LAW ENFORCEMENT SPECIFIC SERVICES

The Rapid City Police Department has entered into a written agreement with the Pennington County Sheriff's Office, to provide the following services and assistance.

1. The Rapid City Police Department will provide for both agencies:

   a. Administration and storage of evidence;

   b. Photography development;

   c. Filing and input into the computer of all juvenile criminal records;

   d. Polygraph services; and

   e. The use of document imaging records storage.

2. The Pennington County Sheriff's Office will provide the following for both agencies:

   a. Warrant service;

   b. Fingerprinting and photography of all City arrests;

   c. Partial vehicle care.

3. The Rapid City Police Department and Pennington County Sheriff's Office agree in cooperation with each other to share responsibilities with regards to the following:

   a. The mobile command post;

   b. Major criminal investigations;

   c. Drug investigation;

   d. Administration and staffing of the Special Response Team;

   e. In-service training;

   f. Staffing of the school liaison program; and

4. The above agencies also agree to share the following facilities:

   a. Conference rooms;

   b. Interview rooms;

   c. Firing range;

   d. Weight room;

   e. Briefing room;

   f. Break room.

   g. Mall Substation, and

   h. Training Facility.

5. In addition, pursuant to the terms of the contracts, the Rapid City Police Department and the Pennington County Sheriff's office agree to cooperate in the following endeavors:

   a. Emergency Services Communications Center Users Board;

   b. Advisory Board for Pennington County Alcohol and Drug Program (Detox).

RAPID CITY POLICE DEPARTMENT **RULES AND PROCEDURES**		
POLICY NO.: 123-01	**SECTION:** Relationships with Other Agencies	**PAGE NO.:** 1 OF 2
ORDER NO.: 18-02	**SUBJECT:** Criminal Justice Agency Liaisons	
SUPERSEDES: 06-03	**EFFECTIVE:** 02-26-18	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 61.3.6		

DISCUSSION: The Rapid City Police Department shares responsibility with the judiciary and other law enforcement and prosecution agencies in the criminal justice system. All elements of the system work toward common objectives and each element is functionally complimentary. Cooperative and harmonious working relationships are essential in obtaining those objectives.

A. CRIMINAL JUSTICE AGENCY LIAISON

1. The Rapid City Police Department's policy is to establish an active liaison system within the criminal justice agencies.

2. The Chief of Police or commanding officer of Investigations, or their designees, will meet, on no less than a six month basis, with the prosecutors and judges of the court for coordination proposes. This contact will be with both Juvenile and Adult courts.

3. Liaison with **schools** and participation in youth recreation programs is essential to the reduction of crime. The department will support such activities as the Police Explorer Scouts and encourages all officers to be involved in support programs of this type. As a part of the School Liaison Officers' duties, they are to establish and maintain communications with each middle and high school.

4. The department maintains a close working relationship with other law enforcement agencies and makes information available to them concerning techniques and procedures developed or used by the department.

5. The Criminal Investigation Division Commander will maintain a liaison relationship with the Pennington County State's Attorney's Office. This liaison relationship provides feedback from the court to the department of any investigative error or courtroom error; it also allows for greater understanding by prosecution of law enforcement problems; provides useful information to probation and parole agencies about law enforcement objectives; and maintains a communication flow with correctional agencies.

B. CRIMINAL JUSTICE COORDINATING COUNCIL

1. The Rapid City Police Department participates in national and/or local criminal justice coordinating activities.

2. In order to facilitate well balanced inter-agency coordination and planning, the Chief of Police and/or designee shall actively participate in the activities of organizations serving to further the best interests of Law Enforcement and the Criminal Justice System. Examples of such organizations include, but are not limited to:

a. South Dakota Municipal Police Chiefs Association;

b. West River Chiefs of Police Association;

c. Law Enforcement Coordinating Committee (LECC);

d. South Dakota Municipal League;

e. Governor's Highway Safety Conference;

f. Mid-States Organized Crime Information Center (MOCIC);

g. Rocky Mountain Accreditation Network (RMAN);

h. Commission on Accreditation for Law Enforcement Agencies (CALEA);

i. International Association of Chiefs of Police (I.A.C.P.)

PURPOSE: This section relates to the organization of the Department and the application of basic organizational principles. This directive is designed to outline the Department's organizational structure to ensure each member of the organization understands their role and position, knows whom they are responsible to, and for whom they are responsible. The Department has established a formal structure, through which organizational components are arranged, defined, directed and coordinated.

A. AGENCY ORGANIZATIONAL STRUCTURE

1. **ADMINISTRATION**:

   a. **Chief of Police**:

   The Chief is responsible for all the actions of the Department. The Chief is responsible for planning, directing and supervising Department budgeting, operations, personnel, equipment, facilities and the efficient deployment of all resources for use in accomplishing the legal and moral responsibilities of the Department.

   b. **Assistant Chief of Police**:

   The Assistant Chief shall serve as principal advisor to the Chief of Police in matters pertaining to the Department. Assists the Chief of Police in the development, administration, coordination and implementation of departmental policies, procedures, programs, and activities by performing the duties personally or through subordinate supervisors. The Assistant manages Internal Affairs, Staff Inspections, and assists with Research and Development. The Assistant Chief is responsible for administering the Support Services Division, Planning and Research, Grant Programs, Administrative Services Section, Professional Standards Section, Training Section, Crime Analysis, Accreditation, Crime Prevention, police recruitment and selection, and performs other duties as outlined in the City of Rapid City Human Resources Department, Position Classification Description. In the absence of the Chief, the Assistant Chief may assume the duties and responsibilities of the Chief's position at the discretion of the Chief of Police, as outlined in Section 221-01.

c. **Captain Investigations Division**:

The Captain shall serve as principal advisor to the Assistant Chief of Police in matters pertaining to the Department's Criminal Investigation Division. The Captain is responsible for supervising lieutenants and sergeants, along with personnel assigned to Crimes Against Persons, Crimes Against Property, the Evidence Section, and Administration of the Internet Crimes Against Children Task Force, and performs other duties as outlined in the City of Rapid City Human Resources Department, Position Classification Description. In the absence of the Chief and Assistant Chief, the Captain may assume the duties and responsibilities of the Chief's position, at the discretion of the Chief of Police, as outlined in Section 221-01.

d. **Captain Field Services Division**:

The Captain shall serve as principal advisor to the Assistant Chief of Police in matters pertaining to the Department's Field Services Division. The Captain is responsible for supervision of lieutenants in the Patrol Section, Sector Policing, the School Liaison Program, Police Auxiliary Program, the Cadet Program, the Chaplain Program, Part-time Sworn Officers, and performs other duties as outlined in the City of Rapid City Human Resources Department, Position Classification Description. In the absence of the Chief and Assistant Chief, the Captain may assume the duties and responsibilities of the Chief's position, at the discretion of the Chief of Police as outlined in Section 221-01.

e. **Police Administrative Coordinator:**

The Administrative Coordinator is the principal staff assistant to the Chief of Police and Division Commanders. The Administrative Coordinator provides administrative support, maintains confidential reports and files for the Department, to include the CALEA process, budget, and is the primary liaison to all non-sworn positions regarding training, evaluations, career development, volunteers, work-studies, and directly supervises one employee on the Community Advisory Committee. The Administrative Coordinator performs other duties as outlined in the City of Rapid City Human Resources Department, Position Classification Description.

f. **City Information Technology**:

The City of Rapid City Information Technology (IT) Division is a component of the City Community Resource Office. The IT Division has employees housed within the Police Department, who support various City Departments. The IT personnel address two main functions. These functions are Operational & Application support. Supervision of these employees is through the City IT Division and is not a function of the Rapid City Police Department. None of the IT positions appears on the Department Organizational Chart.

2. SUPPORT SERVICES DIVISION:

a. **Assistant Chief of Police**:

See description outlined in Administration.

b. **Research & Development Specialist – Professional Standards**:

The Research and Development Specialist is the principal staff assistant to the Assistant Chief of Police. The R&D Specialist is responsible for the supervision of assigned staff. The R&D Specialist is assigned as accreditation manager and manages the CALEA process for the Department and is chair of the CALEA Committee, and Research & Development. The R&D Specialist performs other duties as outlined in the City of Rapid City Human Resources Department, Position Classification Description.

c. **Lieutenant – Special Operations Section**:

The Special Operations Lieutenant is a staff assistant to the Assistant Chief of Police. The Special Operations Lieutenant is responsible for the administration and management of Airport Police Operations, Canine Units, Graffiti Strike Team, Dive Team, Fleet Management, and Special Events such as dignitary protection, parades, and other special events which require police presence or assistance. The Special Operations Lieutenant will also act as the Department liaison to the City/County Emergency Management Office. The lieutenant performs other duties as outlined in the City of Rapid City Human Resources Department, Position Classification Description.

d. **Sergeant – Special Operations Section**:

The Special Operations Sergeant is a staff assistant to the Special Operations Lieutenant. The Special Operations Sergeant is responsible for Fleet Management, and coordination of police services for special events including parades, community festivals, law enforcement checkpoints, or other duties as assigned by the Special Operations Lieutenant. The Special Operations Sergeant also supervises Parking Enforcement personnel. The sergeant performs other duties as outlined in the City of Rapid City Human Resources Department, Position Classification Description.

e. **Sergeant – Training Administrator**:

The Training Administrator is a program manager to the Assistant Chief of Police in matters pertaining to Department training. The Training Administrator is responsible for the development and management of the Department's training, selection tests, and performs other duties as outlined in the City of Rapid City Human Resources Department, Position Classification Description.

f. **Police Technology and Records Manager**:

The Records Supervisor is the principal staff assistant to the Assistant Chief of Police. The Records Supervisor is responsible for the supervision of non-sworn clerical personnel assigned to the Records Section. The Police Technology and Records Manager is responsible for managing and coordinating cross-functional law enforcement information technology systems and projects as well as managing staff within the Police Records department. As part of the Command Staff, this executive role provides strategic project management and technology leadership to the entire Police Department organization. The Police Technology and Records Manager performs other duties as outlined in the City of Rapid City Human Resources Department, Position Classification Description.

g. **Crime Analyst**:

The Crime Analyst is a principal staff assistant to the Support Services Division – Professional Standards – Research & Development Specialist. The Crime Analyst provides strategic and tactical crime analysis for the Department. The Crime Analyst performs other duties as outlined in the City of Rapid City Human Resources Department, Position Classification Description.

h. **Community Relations Specialist**:

The Community Relations Specialist is a principal staff assistant to the Assistant Chief of Police. The Community Relations Specialist develops, coordinates, and directs public relations activities for the Rapid City Police Department by performing the following duties personally or through supervisors. The Community Relations Specialist is the webmaster for the Department's website, Internet activity and Intranet. The Community Relations Specialist performs other duties as outlined in the City of Rapid City Human Resources Department, Position Classification Description.

i. **Non-Supervisory Positions**:

The duties and responsibilities for the positions of Patrol Officer, Clerks, Police Support Technicians, Accounting Clerk and Purchasing Specialist are available through the City Intranet, Administrative Coordinator, and the City of Rapid City Human Resources Department.

3. CRIMINAL INVESTIGATION DIVISION:

a. **Captain**:

See description outlined in Administration.

b. **Lieutenant**:

The Lieutenant is a principal staff assistant to the captain, responsible for supervising sergeants, in the Criminal Investigation Division. The lieutenant acts as a project manager for the Department. The lieutenant also acts as a complaint investigator in Department investigations. The lieutenant performs other duties as outlined in Section 610 and the City of Rapid City Human Resources Department, Position Classification Description.

c. **Forensic Laboratory Director – Evidence**:

The Director is a principal staff assistant to the captain, responsible for supervising assigned staff. The Director plans, directs the activities of the Department forensic laboratory. The Director acts as a project manager for the Department. The Director performs other duties as outlined in Section 610 and the City of Rapid City Human Resources Department, Position Classification Description.

d. **Sergeant**:

The Sergeant is responsible for supervision of detectives, officers, and non-sworn personnel in the Criminal Investigation Division. The sergeant performs other duties as outlined in Section 610 and the City of Rapid City Human Resources Department, Position Classification Description.

e. **Sergeant – Evidence**:

The Sergeant is the assistant to the Evidence Section Lieutenant in matters pertaining to evidence and evidence processes. The sergeant is responsible for supervision of Evidence Section staff. The sergeant performs other duties as outlined in Section 610 and the City of Rapid City Human Resources Department, Position Classification Description.

f. **License Compliance Officer**:

The License Compliance Officer is a principal staff assistant to the Property Crimes Section Sergeant. The License Compliance Officer performs background investigations, Sex Offender Registration and Compliance, fingerprinting, and inspects licensees to ensure compliance with city ordinances and applicable state laws. The License Compliance Officer performs other duties as outlined in the City of Rapid City Human Resources Department, Position Classification Description.

g. **Non-Supervisory Positions**:

The duties and responsibilities for the positions of Patrol Officer, Detective, Traffic Officer, Police Support Technicians, Forensic Media Specialist, Forensic Computer Crime Investigator, and other assigned staff are available through the City Intranet, Administrative Coordinator, and the City of Rapid City Human Resources Department.

4. FIELD SERVICES DIVISION:

a. **Captain**:

See description outlined in Administration.

b. **Lieutenant – Patrol**:

The Lieutenants are staff assistants to the captain, responsible for the supervision of assigned staff. A lieutenant is assigned to each of the three primary patrol shifts. The lieutenant acts as a project manager for the Department. The lieutenant acts as an investigator of informal complaints. The lieutenants are also responsible for the development and management of the Department's Crime Prevention Programs including Sector Policing, Neighborhood Watch, Citizen Police Academy, and Crime Free Multi-Housing. The lieutenants perform other duties as directed by the captain and as outlined in the City of Rapid City Human Resources Department, Position Classification Description.

c. **Lieutenant – Juvenile Operations**:

The Lieutenant is a principal staff assistant for juvenile operations to the Captain, responsible for supervising School Liaison Officers in the Field Services Division. The Lieutenant acts as a project manager for the department with activities relating to juveniles as well as other special projects. The Lieutenant also acts as a complaint investigator in Department investigations. The Lieutenant performs other duties as outlined in Section 610 and the City of Rapid City Human Resources Department, Position Classification Description. Additional duties are outlined in the MOU with the Rapid City Area School District.

d. **Sergeant**:

Sergeants are responsible for the supervision of assigned staff in the respective areas of assignment. The sergeants perform other duties as outlined in the City of Rapid City Human Resources Department, Position Classification Description.

e. **Non-Supervisory Positions**:

The duties and responsibilities for the positions of Patrol Officer, Detective, Officer, Clerks, Police Support Technicians, Crash Investigators, etc., are available through the City Intranet, Administrative Coordinator, and the City of Rapid City Human Resources Department.

B. RESPONSIBILITIES DETAILED AND AVAILABLE

1. The Rapid City Police Department makes an electronic copy of the Rules and Procedures Manual available to each employee upon employment. Additionally, all employees will be instructed on procedures to access the official copy of this manual, through the Rapid City Police Department Intranet. Any material printed from this manual is to be considered out of date once in printed form. The provided electronic copy of the manual will not be updated once it is distributed to new personnel. The official Rules and Procedures Manual of the Rapid City Police Department is located on the Department Intranet, which is available on all Department computers. This information is updated on a regular and on-going basis by Support Services. Each employee shall be familiar with the Rules and Procedures Manual.

2. The Department is responsible to inform all personnel of each organizational component. The Rapid City Police Department ensures every employee and volunteer understands the individual responsibilities of the organizational components.

C. ORGANIZATIONAL SUBDIVISIONS GROUPED BY FUNCTION

1. The organizational subdivisions of the Rapid City Police Department will be grouped within the span of control of the Chief of Police and in order of function (refer to 211-02, Organizational Chart).

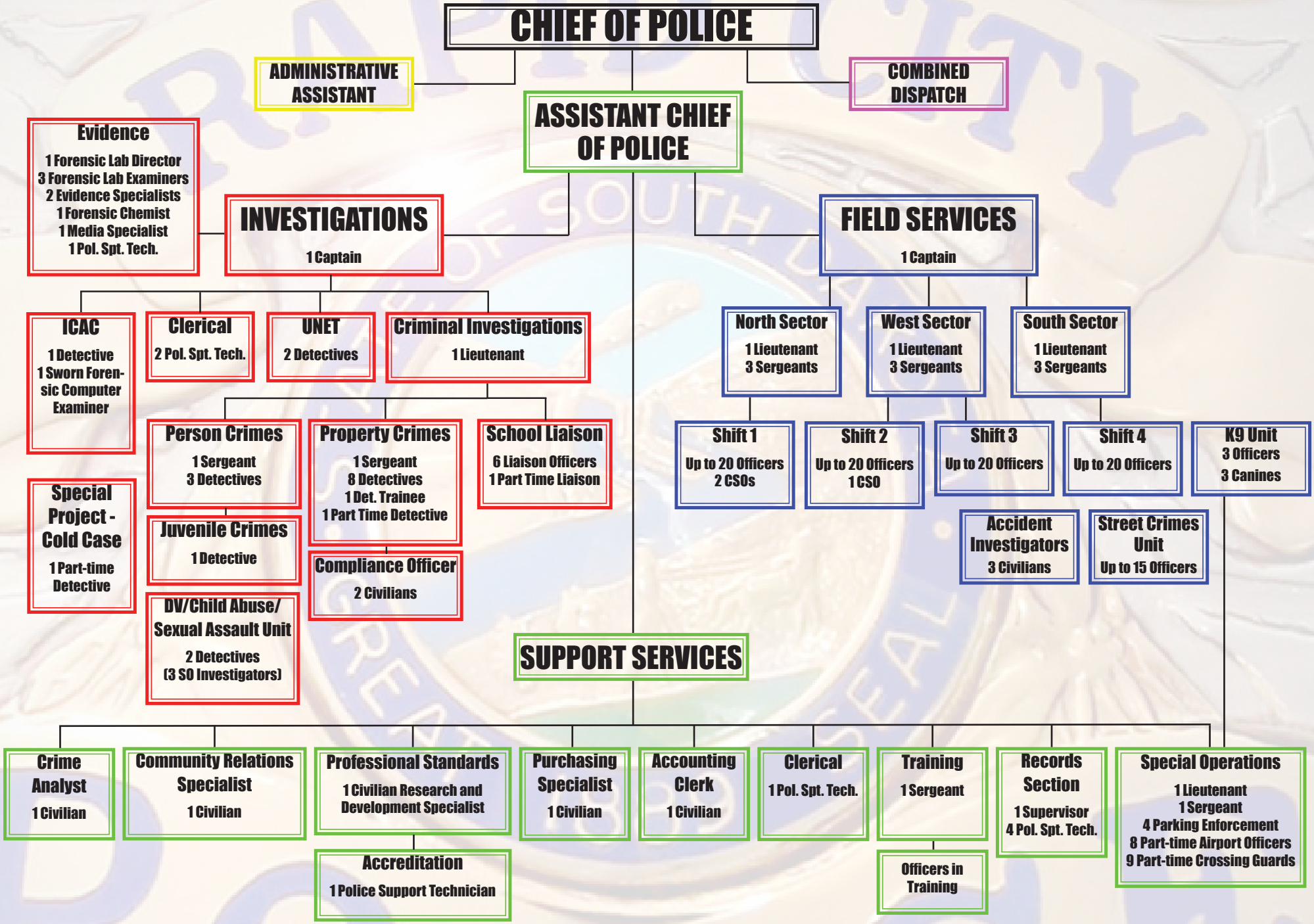
RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.: 211-02	**SECTION:** Organizational Structure	**PAGE NO.:** 1 OF 1
ORDER NO.: 12-03	**SUBJECT:** Organizational Chart	
SUPERSEDES: 11-01	**EFFECTIVE:** 06-20-12	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 11.1.1, 11.1.2		

PURPOSE: To graphically depict the organizational structure of the Rapid City Police Department.

A. ORGANIZATIONAL CHART MAINTAINED AND AVAILABLE

1. The **Organizational Chart** will be updated annually or when major changes occur.
2. The updated Organizational Chart will be made available to all personnel.
3. The Organizational Chart will reflect the chain-of-command, lines of authority and communication within the department.
4. The Organizational Chart will be posted on all Department computers, for all personnel to view.



RCPD Organizational Chart, November 2015

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
212-01	Unity of Command, Authority and Responsibility	1 OF 1
ORDER NO.: 06-03	**SUBJECT:** Unity of Command, Authority and Responsibility	
SUPERSEDES: 02-01	**EFFECTIVE:** 03-29-06	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 11.2.1, 11.2.2, 11.3.1, 11.3.2, 17.5.3		

PURPOSE: To delineate accountability to a supervisor and authority of that supervisor.

A. EMPLOYEE HAS SINGLE SUPERVISOR

Normally each employee will be accountable to only one supervisor at any given time. Occasions may arise requiring a supervisor to issue an order to an employee outside the Chain of Command. See Call / Mobilization List.

B. COMPONENT HAS SINGLE SUPERVISOR

When two supervisors of equal rank are assigned to one command, such as a patrol shift, and both are on-duty, one shall be designated as responsible for the duties of supervision.
See Call / Mobilization List.

C. EMPLOYEE-TO-SUPERVISOR RATIO LIMITED

Ordinarily no supervisor will have more than eight employees under their immediate control. This is for effective direction, coordination, and control. (Reference Organizational Chart, 211-02.)

D. DELINEATION OF RESPONSIBILITY

1. All supervisors are responsible for the effective execution of their functions and will be granted the commensurate authority to do so.

2. All employees, by virtue of their positions in the department, are responsible for the use of, or failure to use delegated authority.

E. SUPERVISORS ACCOUNTABILITY FOR EMPLOYEES' PERFORMANCE

1. Supervisors will be held accountable for the performance of the employees under their immediate supervision.

2. A commander has responsibility and accountability for every aspect of their command. Commensurably, within policy guidelines and legal constraints, they have the authority to coordinate and direct assigned personnel, and other allocated resources in achieving organizational objectives. They have responsibility for maintaining all agency-owned property assigned to their division in a state of operational readiness. In so doing, they must perform the full range of administrative functions, relying upon policy, direction, training, and personal initiative to guide them and their command in achieving the highest level of performance possible.

PURPOSE: A properly functioning administrative reporting system provides management information on the activity of the agency. Administrative reports will reflect imperative data and trends on activities and is effective in insuring proper communication of information throughout the department and chain of command.

A. MANAGEMENT INFORMATION SYSTEM

1. The Rapid City Police Department utilizes a **management information system** to provide reliable information for management decision making.

2. The management information system will provide statistical and data summaries of the Departments activities. In addition, varieties of administrative reports are required throughout the year. All administrative reports are listed in Annex A. The Accreditation Manager will maintain a database of Administrative Reports and send out notices as needed.

3. The Record's Supervisor, or a designee will provide, to the Chief of Police, copies of comparison reports and other computerized reports indicating the information reports available through the records system.

4. The management information system is an important function of the Department to predict workloads, determining work force, other essential resource needs, and preparing budgets. Examples of data sources are calls-for-service reports, offense reports, arrest reports, and Uniform Crime Reports.

B. ADMINISTRATIVE REPORTS

As a part of the management information system, certain administrative reports are necessary to ensure information is collected and distributed appropriately within the Department. The chart listed under Annex A outlines the positions responsible for the reports, the distribution of the reports, along with the frequency and due dates for the reports. See the appropriate Rules and Procedures Manual section for each report.

ANNEX A

ADMINISTRATIVE REPORTS

PERSON ASSIGNED	DESCRIPTION	FREQUENCY	DUE DATE	REPORT TO	CALEA STANDARD
1st Line Supervisor	Early Identification System (EIS)	At least Annually	On-going (Prior to Shift Bids for Patrol Officers)	Chief	35.1.9
Administrative Coordinator	Analysis of Grievances	Annually	May 1	Chief	25.1.3
Professional Standards Lieutenant	Review of Specialized Assignments	Annually	May 1	Chief	16.2.1
Professional Standards Lieutenant	Position Management System	Annually	May 1	Chief	16.1.1
Administrative Coordinator / Records Supervisor/ CID Police Support Technician	Cash Fund Accounting	Quarterly	January 1 April 1 July 1 October 1	Chief	17.4.2(f)
Chief Assigned by	Annual Evidence Property Inventory	Annually	December 1	Chief	84.1.6
Chief Assigned by	Property Storage Area Inspection (Unannounced)	Annually	As Assigned, but Annually at a minimum	Chief	84.1.6 (d)
Support Services Captain Assigned by	Quality Assurance Summary Report	Triennially	July 1	Support Services Captain	45.2.4
City Human Resources	Adverse Impact Evaluation	Annually	October 31	Chief	Agency 31.2.3
Support Services Captain	Affirmative Action Plan / Recruitment Analysis Report	Annually	1st Quarter of each year for previous year	Chief	31.2.2
City Finance	Accounting Status Reports (Expense Report)	Monthly	20th of the following Month	Chief	17.4.1
City Finance Assigned by	Cash Fund Accounting	Annually	December 31	Chief	17.4.2 (f)

Commanders/ Section Managers	Budget Recommendations	Annually	March 1	Chief	17.2.2
Commanders/ Section Managers	Evaluation of Previous Years Goals	Annually	December 15	Chief	15.2.1
Commanders/ Section Managers	Goals & Objectives	Annually	December 15	Chief	15.2.1
Accreditation Manager	Update Organizational Chart	As needed/ at minimum annual	On-going	Chief	11.1.2
City Computer Operations	Central Records Computer System Audit	Annually	June 15	Chief	82.1.6 (c)
Crime Analyst	Crime Analysis Evaluation	Annually	June 15	Chief	15.3.1
Crime Analyst	Crime Analysis	Periodically	On-going	Commanders	15.3.1
Commander Field Services	Effectiveness of Crime Prevention Programs	Triennial	March 1	Chief	45.1.1 (c)
Commander Field Services	Review of Crime Prevention Programs (Sector Policing Reports)	Quarterly reports at a minimum	January 15th April 15 July 15 October 15	Chief	45.2.2
Division Commanders	Workload Assessments (Periodic at least triennial)	Triennial	March 1	Chief	16.1.2
Drug Task Force Supervisor	Status Report of Drug/Organized Crime Activities	Periodically	On-going	Summary goes to DCI Pierre, SD	41.3.6
Evidence Section Supervisor	Property Control Procedures Report	Semi-Annually	July 1st January 5th	Chief	84.1.6 (a)
Evidence Section Supervisor	Change in Property/Evidence Supervisor (Audit)	As Needed	Incident	Chief	84.1.6 (b)
Supervisor Assigned by Chief	Annual Audit of Property in Evidence	Annually	As Assigned	Chief	84.1.6 (c)
Supervisor Assigned by Chief	Unannounced Inspection of Property/Evidence	Annually	As Assigned	Chief	84.1.6 (d)

Special Operations Lieutenant	Unusual Occurrence Equipment Inspection	Quarterly	January 15th April 15 July 15 October 15	Support Services Commander	46.1.8
Evidence Specialist	Evidence Audit Change of Custody	As needed	Upon change of Evidence Supervisor	Evidence Supervisor	84.1.6 (b)
Evidence Supervisor	Inspect Property Storage	Semi-Annually	July 1st January 5th	Support Services Commander	84.1.6 (a)
Professional Standards Lieutenant	Administrative Review of Bias-Based Profiling	Annually	May 1	Chief	1.2.9(d)
Professional Standards Lieutenant	Early Identification System Review	Annually	June 1	Chief	35.1.9 (c)
Professional Standards Lieutenant	IA investigations statistical summary	Annually	February 15	Chief	52.1.5
Field Services Commander	Declined Case Review	Periodically	On-going	Chief	35.1.9
Inspection Team	Staff Inspection per organization component	Triennially	October 1	Chief / Division Commanders	53.2.1 (e)
Juvenile Sergeant	Evaluation of Juvenile Enforcement / Prevention Programs	Annually	March 1	Chief	44.1.3
Lead LEDT Instructor	Pursuit Review	Annually	March 30	Division Commanders	41.2.2(j)
Professional Standards Lieutenant	Use of Force Analysis of Incidents	Annually	March 30	Chief	1.3.7 1.3.13
Officers	Use of Force	Per Incident	On-going	Field Services Commander	1.3.6
Officers	Pursuit Report Review	Per Incident	On-going	Field Services Commander	41.2.2(i)
Officers	Report Use of Roadblocks and forcible stops	Per Incident	On-going	Field Services Commander	41.2.3 (e)
Officers	Report Prisoner Escape	Per Incident	On-going	Field Services Commander	70.1.7 (b)
PTOs/ PTO Sergeants & Supervisors	Performance Evaluations of All Entry Level Probationary Employees	Quarterly, Monthly, Bi-Weekly, Daily	On-going	Training Administrator ./ Admin.	35.1.3

Records Supervisor	Total Quality Management Report	Monthly	1st	Support Services Captain	Agency
Shift Commanders	Command Mobilization List Provided to Communications Center	Semi-Annually or as needed	April 1 October 1	Division Commanders / ESCC Director	Agency
Shift Commanders or Incident Commanders	After Action Report for critical incidents	Per Incident	On-going	Chief	46.1.3 (h)
Sr. Firearms Instructor	Use of Force Report	Periodically	Per Incident	Chief	1.3.7
Sr. Firearms Instructor/ Lead Firearms Instructor	Use of Force and In-Service Training	Annually	January 31	Chief	1.3.11 1.3.13
Supervisors	Performance Evaluations	Annually	December 31	Chief	35.1.2
Assigned by Field Services Commander	Documented Review of traffic collision data	Annually	February 1	Field Services Commander	61.1.1 (a)
Assigned by Field Services Commander	Documented Review of traffic enforcement activities data	Annually	February 1	Field Services Commander	61.1.1 (b)
Assigned by Field Services Commander	Documented Review of traffic collision data and enforcement activities	Annually	February 1	Field Services Commander	61.1.1 (c)
Assigned by Field Services Commander	Selective Traffic Enforcement Evaluation	Annually	February 1	Field Services Commander	61.1.1 (f)
Special Operations Sergeant	School Crossing Guard Survey (Review)	Annually	July 1	Support Services Commander	61.3.4 (e)
Training Administrator	Training Resource Inventory	Annually	December 31	Chief	Agency 436-01

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
213-02	General Management and Administration	1 OF 2
ORDER NO.: 13-03	**SUBJECT:** Department Forms	
SUPERSEDES: 09-02	**EFFECTIVE:** 08-27-13	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 11.4.2		

PURPOSE: The Rapid City Police Department ensures accountability for all agency forms.

A. FORMS ACCOUNTABILITY

1. The **Records Supervisor** of the Rapid City Police Department is designated as the Forms Control Manager.

2. A form is defined, for the purpose of this system, as a printed or electronic document with blank spaces for insertion of required or desired information, and requests, in RCPD format.

3. "**RCPD format**" is defined as a form layout with a border around the main body, Rapid City Police Department in the upper left corner on the outside or depending on the form inside the border, and the form title in the upper right corner. The RCPD format includes the assigned forms **control number,** including revision date if applicable, in the lower left corner on the outside of the border. The body design has no predetermined layout.

4. The Rapid City Police Department **"Command Staff"** is charged with developing new and revamping old forms within the Department as needed. The command staff will have input from all divisions of the Department and the Sheriff's Office.

5. Any division form may require the approval of the concerned division commander, (i.e. Patrol assignment sheets, division inventories). If the form is to be utilized by more than one division, it will require **command staff review** and approval of the Chief of Police or a designee.

6. After the originating division has received final approval at the required level, a final draft of the form accompanied by a completed form request is forwarded to the Records Supervisor - Forms Control Manager.

7. The Forms Control Manager or a designee will:

   a. Develop a master of the form, in RCPD format.

   b. Issue a departmental forms-control number, if required.

8. The Day Shift Lieutenant or a designee is responsible for maintaining an adequate **inventory** of all Department forms.

9. The originating division forwards a written request for stock replenishment to the Police Purchasing Specialist or a designee in those situations where a report is peculiar to a division or section.

10. The Forms Control Manager in collaboration with the Command Staff will conduct a review of forms, as needed, to determine whether or not the forms are still in use or necessary. Those forms which have been discontinued are removed from stock.

11. When a form has become obsolete, the division, which primarily uses the form, notifies the forms control manager in writing that use of the form has been discontinued.

    a. Upon receipt of written notification of the discontinuation of a form the Forms Control Manager or a designee, conducts an investigation of the status of the form with other elements of the Department and **Sheriff's Office.**

    b. When it has been determined a form has indeed been discontinued for use by the Department, the Forms Control Manager will ensure existing stocks of the discontinued form are destroyed.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
213-03	General Management and Administration	1 OF 1
ORDER NO.: 06-03	**SUBJECT:** Personnel Information	
SUPERSEDES: 02-01	**EFFECTIVE:** 03-29-06	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

PURPOSE: To establish procedures for maintaining Department personnel information.

A. PERSONNEL INFORMATION

1. The Administrative Coordinator will record, maintain, and disseminate employee personnel information.

2. New employees must fill out a personal history form and return it to the Administrative Coordinator. Normally, the information is collected by the Administrative Coordinator during orientation.

3. Employees needing to make a change in employee status, or any of the items covered under Rules and Procedures section 341-02 section L, must contact the Administrative Coordinator, by the following workday of the change. The Administrative Coordinator will update the employee's information in the computer.

4. The employee is responsible for the notification under Rules and Procedures section 341-02 section L, to the Administrative Coordinator. The Administrative Coordinator will distribute changes in employee status to the Accounting Clerk, Emergency Services Communications Center, State's Attorneys Office, and City Personnel Office within 24 hours of receipt.

5. The Administrative Coordinator will review the Computer Personnel Listing monthly and post the listing in the Department's Intranet Public Folders as changes dictate.

6. The Personnel Listing is for Department Use Only and is available to all employees in the Department's Intranet Public Folders.

A. DEPARTMENTAL COMMUNICATIONS

1. Person to person contact (memos):

   a. Rapid City Police Department personnel may use the Rapid City Police Department Memorandum for short messages or any in-house memo. The block style should be used.

   Sample:

   RAPID CITY POLICE DEPARTMENT
   MEMORANDUM

   b. Letterhead stationery for more lengthy messages or correspondence outside the Rapid City Police Department should be written in block style.

   Example: (letterhead)

   (Date)

   TO:

   FROM:

   SUBJECT:

   (Message)

2. Written Correspondence:

   a. Official Department correspondence will be written in block style.

   b. The first page of the original letter will be written on letterhead stationery, with succeeding pages of plain paper of corresponding color.

   c. Copies of Department correspondence will be routed to the persons in the Department who need to be aware of the information.

   d. Letters written by officers will be sent through their supervisor for approval.

   Example: (letterhead if outside the Department; Memorandum form if in-house)

(Date)

(Name and address block)

(Greeting)

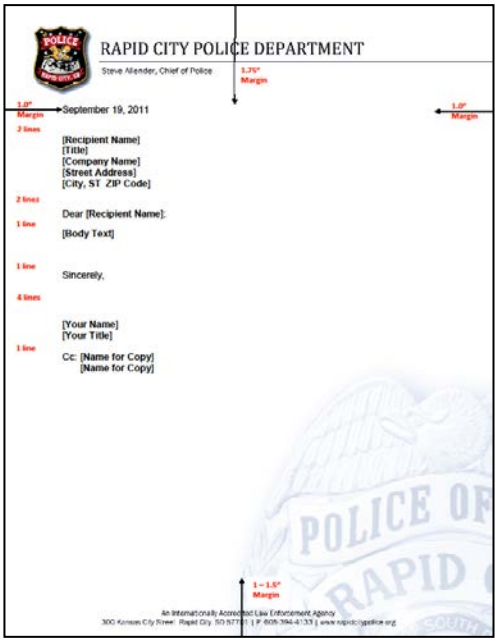
Message

(Salutation)

(Supervisor's signature block, if applicable)

(Signature block of sender)

(Cc: Names, if applicable)



3. Teletype:

   All teletype messages sent, concerning Department business, must be sent through Emergency Services Communications Center.

4. Fax Machine:

   Fax machines are available for Department use in Administration, Records, and Evidence.

5. Long Distance Telephone Calls:

   Long distance phone calls will be made for Department use only. Calls can be made through the Centrex or the MOCIC telephone procedures.

6. Telephone Operating Procedure:

   All incoming telephone calls should be handled in a timely, efficient, and polite manner.

   a. All personnel are charged with the responsibility to answer incoming phone calls. Divisions may set up a telephone answering protocol for the division, but under no circumstance should the phone be allowed to continuously ring during the divisions' normal working hours.

   b. In the event personnel in the division, or the primary call taker for the division, are unavailable to answer an incoming call, any available employee should answer the call. Where the person answering the call is not connected with the division, you should inform the caller of that fact and make every effort to answer the question or need of the caller.

   c. When answering a call, you should identify the division (section) and who is speaking.

   d. If the call does not pertain to the division called or should be handled by another division, verify whether the call has been transferred or dialed direct to the division.

e. If the call was dialed directly to the division and the problem should be handled by another division, explain the situation to the caller and inform them you will transfer them to the proper person. Give the caller the name of the person they should speak to and the number you are transferring them to in case there is a problem with the transfer.

f. If the call has been transferred to the division and you cannot assist the caller, get as much information as possible. Get the caller's name and phone number, and advise the caller we will get the information for them or have the appropriate person contact them.

g. Any incoming call that has been forwarded from another division will not be transferred a second time.

h. The person answering the call will obtain pertinent information from the calling party, and forward the information regarding the call to the appropriate division. This information should include, but is not limited to the name of the calling party and if known, who should receive the information.

i. All personnel are responsible for regularly checking their voice mail.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
213-05	General Management and Administration	1 OF 2
ORDER NO.: 09-02	**SUBJECT:** Electronic Mail (E-mail) and Internet Use	
SUPERSEDES: 06-03	**EFFECTIVE:** 03-09-09	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 12.1.4		

PURPOSE: The Rapid City Police Department has established guidelines regarding to and disclosure of, electronic mail messages sent or received by City employees during the use of the City's E-mail system and of the City's Internet system.

A. E-MAIL AND INTERNET POLICY

1. The City respects the individual privacy of its employees; however, employee privacy does not extend to the employee's work-related conduct, or to the use of City-provided equipment or supplies. All employees should be aware the following guidelines affect your privacy in the workplace.

2. Management's Right to Access Information:

   a. The electronic mail (E-mail) system has been installed by the City to facilitate business communications. Although each employee has an individual password to access this system, it belongs to the City and the contents of E-mail communications are accessible at all times by City management for any business purpose. These systems may be subject to periodic unannounced inspections, and should be treated like other shared filing systems.

   b. All E-mail messages are City records. The contents of E-mail, properly obtained for legitimate business purposes, may be disclosed within the City without your permission. Therefore, you should not assume messages are confidential. Back-up copies of E-mail may be maintained and referenced for business and legal reasons.

3. Personal Use of E-Mail and the Internet:

   a. Because the City provides the electronic mail system and Internet to assist employees in the performance of their job, they should use it for official City business. Incidental and occasional personal use of E-mail or Internet is subject to management directives. The City reserves the right to access and disclose any messages sent over its E-mail system or Internet service, without regard to content.

   b. Since personal messages can be accessed by City management without prior notice, employees should not use E-mail to transmit any messages they would not want read by a third party. For example, employees should not use the City E-mail system for gossip, including personal information about themselves or others, for forwarding messages under circumstances likely to embarrass the sender, or for emotional responses to business correspondence or work situations. In any event, employees should not use the system for such purposes as soliciting for commercial ventures, religious or personal causes or outside organizations or other similar, non-job-related solicitations.

c. If the City discovers an employee is misusing the E-mail or Internet system, they may be subject to disciplinary action under the City of Rapid City's Schedule of Disciplinary Offenses.

4. Forbidden Content of E-mail or Internet Communications:

a. Employees may not use the City E-mail system in any way that may be seen as insulting, disruptive, or offensive by other persons, or harmful to morale. Examples of forbidden transmissions include; sexually-explicit messages, cartoons, or jokes, unwelcome propositions or love letters, ethnic or racial slurs, or any other message that can be construed to be harassment or disparagement of others.

b. Employees may not use the City-provided Internet system to deliberately "browse" sexually explicit material, including; cartoons, jokes, unwelcome propositions, love letters, and other items of this nature. The only exception to this rule is during the course of a police investigation, when such a website needs to be viewed. In those cases, the Chief, and a commander must be notified.

c. Employees may not use the City-provided Internet system to deliberately "browse" any websites containing ethnic or racial slurs, or any other message that can be construed as harassing or disparaging of others. The only exceptions are viewing such sites as part of law enforcement duties (example: staying informed of hate groups) or as part of an investigation.

d. Use of the City-provided E-mail or Internet system in violation of this guideline may result in disciplinary action under the City of Rapid City's Schedule of Disciplinary Offenses.

5. Password Security and Integrity:

Employees are prohibited from the unauthorized use of passwords of other employees to gain access to the other employee's E-mail messages or access to unauthorized websites.

6. Checking of Electronic Mail

All Department personnel are instructed to check their E-mail on a daily basis with the exception of time off.

Note: It is important to check E-mail since all non-urgent phone messages from ESCC will be sent to your E-mail "Inbox." For officers' on-duty, ESCC will contact the employee with any phone messages received, as soon as possible.

7. Internal or sensitive information should be treated as confidential. This information should not be distributed outside the Department without due consideration to its contents and the possibility of misuse or misinterpretation by the public. Employees are reminded intra-departmental communications, such as but not limited to shift summaries, and gang task force reports may contain intelligence information and other criminal records, which may not be released to the general public. These communications often contain raw, and/or unverified information, which may be sensitive in nature. Because of the type of information involved, and the possibility of intelligence information contained in these items, all employees will adhere to strict standards of control and dissemination. **For all E-mails containing information of a sensitive nature as described employees should consider including, "<u>CONFIDENTIAL DO NOT FORWARD</u>" somewhere in the subject line.**

8. Any problems associated with the functions of e-mail should be directed to the City of Rapid City Information Technology (IT) Division help desk.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
213-06	General Management and Administration	1 OF 1
ORDER NO.: 05-03	**SUBJECT:** Declined Case Review	
SUPERSEDES: 04-03	**EFFECTIVE:** 10-19-05	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

A. DECLINED TO PROSECUTE CASE REVIEW

1. After the State's Attorney's Office declines a case, for those reasons listed on the declination of case report; the prosecutor's officer will forward all reports of declination to the Administrative Coordinator's office for action. The Administrative Assistant will then distribute the report to the respective divisions for action.

2. The division commanders will review all cases declined for prosecution or dismissed by the State's Attorney's Office for consideration for remedial action or for training purposes.

3. Those cases in which the prosecutor declines to prosecute or causes to be dismissed, owing to alleged law enforcement agency mishandling, will be reviewed by the Department.

RAPID CITY POLICE DEPARTMENT **RULES AND PROCEDURES**		
POLICY NO.: 214-01	**SECTION:** Goals and Objectives	**PAGE NO.:** 1 OF 2
ORDER NO.: 07-04	**SUBJECT:** Agency Goals and Objectives	
SUPERSEDES: 06-04	**EFFECTIVE:** 06-19-07	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 15.1.3, 15.2.1, 15.2.2		

PURPOSE: To establish a process to maintain Department goals and objectives.

A. MULTI-YEAR PLAN

The Rapid City Police Department's policy is to implement a multi-year plan for the agency. The multi-year plan will include the following information:

1. Goals and operational objectives.
2. Anticipated workload and population trends.
3. Anticipated personnel levels.
4. Anticipated **capital improvements** and equipment needs.
5. Provisions for review and revision as needed.

B. AGENCY GOALS AND OBJECTIVES

The department shall provide to all employees an organizational **philosophy statement** listing goals and objectives, which will be revised annually. Each division will identify in writing the goals and objectives targeted for the coming calendar year.

C. INPUT ON GOALS AND OBJECTIVES

The department shall provide a communication mechanism for all personnel to have input into the development of the Rapid City Police Department's annual goals and objectives.

1. Before the goals and objectives meeting, which is held once each year, the Chief of Police will draft a letter informing all personnel of the goals and objectives process. All department personnel will have the opportunity to contribute to the management and operation of the agency.
2. Any pertinent comments concerning the setting of goals and objectives for the upcoming year should be addressed in writing, through the chain of command, to the Chief of Police.
3. Each division of the Rapid City Police Department will elect a representative from their individual work groups. The work group will participate in the general discussion concerning the setting and implementation of goals and objectives for the entire department.

4. Established goals and objectives are made available to all agency personnel through a variety of means. Goals and objectives will be distributed through, but not limited to; publication of the meeting minutes, e-mail, and through discussions with the various work groups by the respective representatives and supervisors upon completion of the goals meeting.

D. GOALS AND OBJECTIVES PROGRESS

1. The intention of this policy to ensure the agency's chief executive officer is informed, on a regular basis, of the progress toward achieving established goals and objectives.

2. A progress report will be submitted to the Chief of Police by each division commander or supervisor prior to the semi-annual goals meeting.

3. Each division commander or supervisor will submit to the Chief of Police, a year-end progress report on its goals and objectives for the preceding year.

RAPID CITY POLICE DEPARTMENT RULES AND PROCEDURES		
POLICY NO.: 215-01	**SECTION:** Planning and Research	**PAGE NO.:** 1 OF 2
ORDER NO.: 14-03	**SUBJECT:** Planning and Research Component	
SUPERSEDES: 06-04	**EFFECTIVE:** 08-12-14	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 15.1.1		

PURPOSE: To outline the functions of the planning and research component of the Rapid City Police Department.

A. PLANNING AND RESEARCH FUNCTIONS

The function of the Planning and Research section of the Rapid City Police Department is as follows:

1. Long and short term operations planning for the department.
2. Maintenance of the accreditation program.
3. Evaluation of new and existing programs.
4. Directing inspections and inventories of department components.
5. Policy research and development.
6. Performs other duties as outlined in the City of Rapid City Human Resources Department's **Job Classification Description.**

B. PLANNING AND RESEARCH COMPONENT

1. It is essential for planning, as a process, to be conducted by the **Planning and Research Component** of the Rapid City Police Department. The scope of planning activities, however, may range from the Chief of Police downward to all employees of the department.
2. The Planning and Research activities of the Rapid City Police Department are essential to effective agency management. Planning and Research is a permanent component of the **Support Services Division** of the Department.
3. Planning involves the identification of facts and the analysis of these factors to determine present and future needs of the department.

C. PLANNING AND RESEARCH REPORTING CHAIN LIMITED

The Rapid City Police Department's policy is no more than one person in the chain of command between the planning and research unit and the Chief of Police.

D. PLANNING AND RESEARCH QUALIFICATIONS

The Rapid City Police Department's policy is to staff the Planning and Research position with persons who possess the necessary education and/or experience in planning and research.

E. SYSTEM FOR ACCOMPLISHING ACCREDITATION STANDARDS, MANDATED REPORTS, ETC.

1. The Rapid City Police Department's policy is to have an accounting system allowing for periodic reports, reviews and other activities mandated by the Accreditation Standards.

2. The responsibility of the Planning and Research section of the Rapid City Police Department is to manage the Accreditation process.

F. RESEARCH PERFORMED BY GOVERNMENT OR EDUCATIONAL ORGANIZATIONS

1. The Rapid City Police Department may contract with another Government Institution or an Educational Organization for the purposes of research, statistical analysis or related technical study when it is in the best interest of the Department to do so.

2. Indirect costs of such research or analysis will be reviewed and approved on an individual basis by the Chief of Police or designee and will be restricted to the following limitations:

    a. The maximum paid for indirect/administrative costs shall be up to 10% of the direct costs as outlined in the agreement.

    b. If the contracting agency's indirect costs exceed that of 10%, the maximum payable from the Rapid City Police Department remains at 10%.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
215-02	Planning and Research	1 OF 4
ORDER NO.: 06-03	**SUBJECT:** Project Initiation	
SUPERSEDES: 02-01	**EFFECTIVE:** 03-29-06	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

POLICY: The Rapid City Police Department's values each employee's knowledge, skills, and abilities and recognizes that the organization as a whole will benefit from a formal procedure of accepting **suggestions** from its members. The department, through the **Project Initiation Request** (PIR), hopes to more fully use the ideas and talents of its members and fully encourages the active use of the PIR to improve departmental services and procedures.

PROCEDURES:

A. PROJECT INITIATION REQUEST

1. Employees are encouraged to use the PIR as a formal means of submitting suggestions to the Chief of Police.

2. The purpose of the PIR is to:

   a. Suggest research to be done on programs, services, or equipment to be added, modified or deleted to enhance departmental effectiveness and efficiency.

   b. Request clarification on existing rules or procedures.

3. After completing the PIR, it should be forwarded through the appropriate chain of command to the Chief of Police, with pertinent comments from the supervisors.

4. The Chief may solicit the **Command Staff's** suggestions and then shall respond to the originator in writing within a reasonable time.

5. Action on the suggestion will take one of two forms:

   a. Approved for study.

      (1) When approved for study, the Chief of Police will appoint a **project manager**, who will usually be the originator of the suggestion, to work in conjunction with a member of Support Services, typically the Support Services Commander, Planning and Research, who will act as a resource person and coordinator

      (2) Deadlines will be set for:

         (a) Preliminary study to be completed for Command Staff;

         (b) Completion of study and presentation;

         (c) Implementation;

(d) Evaluation and presentation; and

(e) Regular progress reports to Command Staff.

(3) When assigned to the project manager, the study then becomes a formal assignment requiring the meeting of deadlines and completion.

b. Not approved for study:

A suggestion may not be approved for a number of reasons, including, but not limited to:

(1) Inappropriateness to the organization or its needs and priorities;

(2) Cost of research or project when completed;

(3) Legal, ethical or moral issues;

(4) Incomplete or contradictory research; or

(5) Other reason as determined by Command Staff.

6. Cancellation of a project:

A **project** may be canceled unilaterally by the Chief of Police. For cancellation by a project manager, the request must be in writing to the Chief of Police and accompanied by a detailed explanation for the reasons. The Chief must approve prior to the termination of the study. Reasons for the **cancellation** may include.

a. Excessive cost of research or project when completed;

b. Lack of progress on study, quantitatively or qualitatively;

c. Change in department needs and priorities; or

d. Other reasons.

B. DUTIES OF PROJECT PERSONNEL AND FINAL REPORT

1. The Project Manager will be responsible for:

a. The projects overall progress and timely completion;

b. Organizing the resources required;

c. Conducting the research and/or designing the experiment;

d. Presentations of the study to Command Staff;

e. Follow up evaluation; and

f. Keeping a time log and the amount of money spent on research.

2. The **Command Staff** will be responsible for:

   a. Assisting the project manager with:

      (1) Locating literature,

      (2) Technical aid in writing,

      (3) General guidance, and

      (4) Statistical verification

   b. Acquiring and making available the required resources;

   c. Setting realistic **deadlines**; and

   d. Giving adequate time to the project manager for research.

3. Report Format:

   Before the study is undertaken there should be an agreement made regarding the format of the report and the study's methodology by Research and Planning. The following is a guideline for a standard management research study report format:

   I. Cover Page:

   A. Title
   B. Department section or unit
   C. Author(s)
   D. Date

   II. Table of Contents

   III. Report Format by Sections

   1. Problem Statement

      A. Introduction to the Problem
      B. Purpose Statement
      C. Research Questions
      D. Assumptions (optional)
      E. Importance of the Study
      F. Overview of the Study

   2. Related Literature (Optional)

   3. Methodology

      A. Demographics
      B. Population
      C. Sample
      D. Measurements
      E. Instruments
      F. Analysis

4. Findings

   A. Demographics
   B. Measurement results

5. Summary and Conclusion:

   A. Problem statement briefly restated
   B. Purpose of the Study
   C. General methodology briefly stated
   D. Major findings
   E. Conclusions
   F. Recommendations
   G. Cost estimates for implementation (if pertinent); see VI, D2

6. Implementation: (Optional)

   A. Reasonable alternatives based from conclusions (Optional)
   B. Consequences of each alternative (Optional)
   C. Recommended course of action

      1. Key task activities
      2. Projected time line

   D. Resource commitments necessary to fulfill recommendation

      1. Personnel time
      2. Costs

   E. Other implications and considerations

7. Appendices: (Optional).

4. All final reports will be submitted to Command Staff at least one week prior to the presentation, unless otherwise arranged.

5. Special emphasis should be given to objective, empirical research, and citing references when appropriate.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
221-01	Direction	1 OF 3
ORDER NO.: 06-04	**SUBJECT:** Authority and Command	
SUPERSEDES: 03-01	**EFFECTIVE:** 04-21-06	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 12.1.1, 12.1.2, 12.1.3		

PURPOSE: This directive delineates the authority of Department personnel to direct the resources of the organization toward the proper accomplishment of its goals and objectives. The intent of this chapter is to; (1) clearly assign authority to command; (2) require compliance with proper command authority; (3) establish a protocol and order of precedence for command authority in the event of the absence of the Chief of Police; (4) establish a protocol for command authority that clearly establishes superior and subordinate relationships in situations where more than one ranking officer is involved in the same incident or situation.

A. AUTHORITY AND RESPONSIBILITY OF CHIEF OF POLICE

1. The Rapid City Police Department's Chief of Police is designated as having the authority and responsibility for the management, direction, and control of the operations and administration of the department.

2. The Chief of Police is the Chief Executive Officer of the Department and the final Department authority on all matters of policy, operations and discipline.

3. The position of Chief of Police is mandated by authority of the City of Rapid City and its ordinances: 2.20.010 and 2.20.020.

4. The Chief of Police has authority and responsibility to establish a formal organizational structure.

B. CHAIN OF COMMAND ESTABLISHED

1. Command authority in the Chief's absence:

   One of the division commanders or an appointed designee will assume the duties of the Chief of Police, during the absence of the Chief of Police.

2. In the event the Chief of Police is incapacitated, out of town, or otherwise unable to act, and no one has been appointed by the Chief of Police to assume command, the Mayor shall designate an Acting Chief of Police. The Acting Chief of Police will be chosen from the command staff and will provide continuity of leadership.

C. COMMAND PROTOCOL ESTABLISHED

1. **Command protocol** in a single operation involving personnel of different divisions normally will be determined by rank.

2. The officer assigned to the call has the authority and responsibility to be in charge unless:

   a. Relieved by a Detective on a crime scene. A Detective has the rank and authority to assume charge.

   b. Relieved by a Patrol Supervisor. A Patrol supervisor has the rank and authority to assume charge from either an officer or detective.

   c. Ultimately relieved by the Patrol Shift Commander. The Patrol Shift Commander has the rank and the authority to either assume charge of the scene or assign whoever he/she believes will best achieve the purpose of the operation.

3. The Detective assigned to the crime will be in charge of the crime scene unless relieved by a Supervisor.

4. In all instances where a Supervisor relieves the officer or the Detective at the scene, that Supervisor will then assume control of the situation.

D. EMPLOYEES TO OBEY LAWFUL ORDERS

1. Employees shall respond to the lawful order of supervisors and other proper authorities as well as calls for police assistance from citizens. The administrative delegation of the enforcement of certain laws and ordinances to particular units of the department does not relieve employees of other units from the responsibility of taking prompt, competent, effective police action within the scope of those laws and ordinances when the occasion requires. Employees assigned to special duties are not relieved from taking proper action outside the scope of their specialized assignment when necessary. All employees shall perform their duties as required or directed by law, Department Rules and Procedures, or by order of a supervisor.

2. Employees are required to obey any lawful order of a Supervisor, including any order relayed from a Supervisor by an employee for the same or lesser rank.

3. In the event an employee is given two different orders that may be in conflict, the last order given should prevail unless retracted or modified, such as through the effect of section D.

E. RESOLUTION OF CONFLICTING ORDERS

1. Orders from supervisor to subordinate shall be in clear, understandable language, civil in tone, and issued in pursuit of department business. No supervisor shall knowingly issue any order, which is in violation of any law or ordinance or department rule.

2. No employee is required to obey any order that is in contrary to federal or state or local laws or ordinances. Any employee who is given an order, which they feel is contrary to federal, state law or city ordinance or an order which they feel to be unlawful, unjust or contrary to the Rules and Procedures manual may request such order(s) be written or given in the presence of a third party. The supervisor will comply with such request if they determine it is practical to do so.

3. Responsibility for refusal to obey any order rests with the employee, who shall be required to justify the refusal. Responsibility for refusal to comply with the employee's request for written instruction or the presence of a third party rests with the supervisor, who shall be required to justify the order. Any employee who is given an order, which they feel to be unjust or contrary to the Rules and Procedures must first obey the order to the best of their ability and then may

proceed to appeal to their supervisor.

4. Any employee receiving an unlawful, unjust or improper order shall, at first opportunity, report in writing to the supervisor of the employee who issued the order. This report shall contain the facts of the incident and the unlawful, unjust or improper order believed issued.

5. Upon receipt of an **order conflicting** with any previous order or instruction, the employee affected will advise the person issuing the second order of this fact. Responsibility for countermanding the original order then rests with the individual issuing the second order. If so directed, the latter command shall be obeyed first. Orders will be countermanded or conflicting orders will be issued only when reasonably necessary for the good of the department.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
221-02	Direction	1 OF 1
ORDER NO.: 09-05	**SUBJECT:** Staff Meeting Procedures	
SUPERSEDES: 08-04	**EFFECTIVE:** 08-20-09	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 12.1.4		

A. STAFF MEETING PROCEDURES

1. Department Staff meetings will be held on each Tuesday following City Council meetings on the 1st and 3rd Mondays of each month, at 0900 hours unless otherwise directed.

   a. All command staff and other management personnel will attend.

   b. Other employees, as determined by the Chief of Police, may attend.

   c. The Chief will conduct the meeting. In the Chief's absence a command officer will appointed to conduct the meeting.

2. In order to properly prepare for the Command meeting, a lieutenants meeting should be held the week prior, during the 2nd and 4th week, to establish issues and/or items needing discussed during command staff. Items identified must be forwarded to the Administrative Coordinator by 1700 hours on the preceding Friday. The Administrative Coordinator will prepare an agenda for the Command Staff meeting.

3. Investigations Division staff meetings will be held on a weekly basis as determined and directed by the Division commander.

4. Records Section staff meetings will generally be held following regularly scheduled staff meetings, and as necessary.

5. Field Services staff briefings will be held at regular shift change or at the general staff meeting called by the Captain of Field Services or the assigned designee.

6. Division/Section staff meetings will be conducted by the Division/Section commander, or the assigned designee.

7. **Annually,** the staff of the Department will meet for the purpose of:

   a. Developing Department Goals and Objectives.

   b. Review of Department Policy and Procedures.

   c. Review Allocation and Distribution of Personnel.

   d. Complete an annual analysis of employee grievances to determine trends so steps may be implemented to minimize causes of such job dissatisfaction in the future.

PURPOSE: To establish a system of written directives for use by the Rapid City Police Department.

A. OFFICIAL DEPARTMENTAL PUBLICATIONS

1. Official Department publications are considered the policy and procedure of the Rapid City Police Department.

2. The directive system shall include the rules, policies, procedures and orders of the Rapid City Police Department.

B. WRITTEN DIRECTIVES

1. The manual of the Rapid City Police Department is hereby established and shall hereafter be referred to as the "Rules and Procedures Manual." Proper Department administration involves the efficient and effective management of a complex organization, which performs its function through the acts of its employees. The Rules and Procedures Manual is a means of improving the ability of the Department's employees to perform the functions necessary to meet Department's objectives.

2. The Rules and Procedures Manual is a composite of current policies, procedures and rules pertaining to the Department. It describes the Department's organizational structure and details the responsibilities and functions thereof.

   Policy: a written directive that is a broad statement of agency principles.

   Procedure: a written directive that is a guideline for carrying out agency activities.

   Rule: a set of specific guidelines to which all employees must adhere.

3. Employees shall not commit any act or omit any act, which constitutes a violation of any of the rules, procedures, directives or order of the department, except at the direction of a Supervisor.

4. Each employee will acknowledge in writing (see paragraph C 5b on page 3) they have received newly authorized changes, or receipt of the entire Manual.

   Note: Because the only official Rapid City Police Department manual is the one available and maintained on the Department's computer system, any printed versions of policies are to be considered out of date once in printed version.

5. General Orders incorporated into the Manual

a. General Orders will become a permanent part of the manual when change pages are issued or the manual is revised.

b. All General Orders will be issued in the format specified in 222-02 and indexed, to the Rules and Procedures Manual.

c. General Orders will be placed and remain with the Rules and Procedures Manual on the computer server until change pages are issued or the manual is revised.

d. The Accreditation Manager will maintain and upkeep the Department's network copy of the Rules and Procedures Manual.

6. The authority to modify, issue, or approve the Rules and Procedures lies with the Chief of Police.

7. Written Orders: Written orders shall be in one of four formats:

a. Order: An order issued by a Supervisor directing a subordinate to do a task, or to refrain from doing a task.

b. Personnel Order:

(1) An announcement of the changes in status of personnel; such as, appointments, resignations, retirements, and suspensions.

(2) Personnel orders are issued by the Chief of Police or a designee.

c. General Order:

(1) An order used to transmit permanent directives concerning department Rules and Procedures affecting more than one organizational component.

(2) General Orders are issued by the Chief of Police or a designee.

d. Special Order:

(1) A Special Order affects only a specific segment of the organization, or is used for temporary changes in the Rules and Procedures, or to cover a specific circumstance.

(2) Special Orders are issued by the Chief of Police, Division Commander or a designee.

8. Memorandum:

a. A short lived, informal written document.

b. Can contain, but is not limited to notification of who is to be acting Chief of Police in the Chief's absence, a directive covering a specific item not affecting the Rules and Procedures Manual, items of a specific nature not requiring a policy or procedure to be written, and/or informational items.

C. PROCEDURE FOR STAFF REVIEW OF PROPOSED POLICIES, PROCEDURES AND RULES

1. Command staff are required to discuss and review proposed General Orders with subordinates for constructive input.

   a. Command staff will note employee concerns to the Chief of Police for consideration.

   b. All employees desiring to personally share their concerns with the Chief of Police prior to approval of a General Order will be given a reasonable opportunity.

2. Any employee having a suggestion for either changing or creating a General Order will be given an opportunity to submit their position in writing, or personally to their Commanding Officer, or the Chief of Police. Those suggestions will be discussed during regularly scheduled Command Staff meetings.

3. All employees making suggestions pertaining to General Orders will be provided a written response as to any action taken and rationale by their commander or the Chief of Police. All General Orders should be discussed and reviewed at a Command Staff Meeting before issuance and dissemination. The review will also ensure the policy does not contradict other existing agency policy or applicable law.

4. Personnel, General, and Special Orders shall be issued separately, and individually numbered, beginning with year, hyphen and order number. Each order will be numbered consecutively thereafter.

   Example: General Order 06-01, 06-02, etc.

5. Only General Orders will be placed in the Rules and Procedures Manual.

   a. Each employee will receive an electronic copy of General Orders.

   b. Each employee will acknowledge in writing receipt of the General Order or, if distributed electronically, the record of the file being opened will constitute proof of receipt.

RAPID CITY POLICE DEPARTMENT **RULES AND PROCEDURES**		
POLICY NO.: 222-02	**SECTION:** Written Directives	**PAGE NO.:** 1 OF 2
ORDER NO.: 06-05	**SUBJECT:** Department Manual	
SUPERSEDES: 03-01	**EFFECTIVE:** 06-14-06	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 12.2.1		

PURPOSE: The **Rules and Procedures Manual** of the Rapid City Police Department is a composite of current policies, procedures, and rules pertaining to the operation of the Department.

A. DEPARTMENT MANUAL

1. The Manual is organized as a binder of individual policies and procedures, grouped by content. Each policy is numbered with a five-digit number, of the format xxx-xx, as outlined below.

2. The Manual is comprised of seven main areas of focus. Each of these areas is represented in policies by the hundreds-number grouping, e.g. **1**23-01:

   a. 100 Law Enforcement Role, Responsibilities, and Relationships

   b. 200 Organization, Management, and Administration

   c. 300 The Personnel Structure

   d. 400 The Personnel Process

   e. 500 Law Enforcement Field Services

   f. 600 Criminal Investigations

   g. 700 Operations Support

3. Within each of the main areas are more specific groupings of topics, or "chapters." Each of these is designated by the tens-number grouping of the policy number, e.g. "1**2**0 Agency Jurisdiction, Mutual Aid, and Regional Services."

4. Each topic or section is represented by the unit-number grouping of the policy number, e.g. "12**3** Relationships with Other Agencies."

5. Within each section, a specific policy or procedure is given sequentially numbered two-digit identification, e.g. "123-**01** Criminal Justice Agency Liaisons."

6. Policies and procedures will be issued by General Order, from the Office of the Chief of Police, following staff review. The Accreditation Manager will be the central point for numbering and inclusion into the Manual.

7. New policies and procedures will receive a policy number, and will show the General Order number through which they are issued, and the date effective. Revised policies and procedures

will retain the same policy number, but show the General Order through which revised, the General Order which is being replaced, and the effective date.

8. Policies and procedures may contain a statement of PURPOSE, a POLICY STATEMENT, DEFINITIONS, and/or PROCEDURAL GUIDELINES.

9. Policies and Procedures will be in outline format:

A. HEADING

1.

a.

(1)

(a)

1)

a)

10. The only official version of the Rules and Procedures Manual is available electronically on the Department server and available on all Department computers.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
222-03	Written Directives	1 OF 2
ORDER NO.: 18-02	**SUBJECT:** Distributing Written Orders	
SUPERSEDES: 11-01	**EFFECTIVE:** 02-26-18	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 12.2.2		

PURPOSE: To establish procedures for distributing written orders.

A. PROCEDURES FOR ISSUING AND DISTRIBUTING WRITTEN ORDERS

1. Distribution of written orders will be done through the Administrative Coordinator's Office.

   a. Drafts of all written orders affecting rules and procedures will be forwarded to Accreditation for indexing to the Rules and Procedures Manual.

   b. Numbering and finalizing of written orders will be done through the Administrative Coordinator's Office after a review by the Chief of Police. The Administrative Coordinator will retain the original for filing.

   c. Distribution responsibilities if disseminated electronically:

      (1) Administrative Coordinator:

      Chief of Police, Command Staff (All Captains), Training Administrator, Crime Analyst, Research and Development Specialist, Accounting Clerk, Purchasing Specialist.

      (2) Field Services Commander (Captain):

      Patrol Shift Commanders (Lieutenants), Sergeants, and Patrol Officers, Special Operations Lieutenant, Sergeants, Officers, Juvenile Operations Lieutentant, School Liaison Officers, Parking Enforcement, Crash Investigators, Clerical, and Briefing Room Board.

      (3) Criminal Investigations Commander (Captain):

      Lieutenants, Sergeants, Investigators, Clerical Staff, Drug Task Force Officers, Internet Crimes Against Children Officers, Evidence, Detective, Evidence Specialists and Compliance Officers.

      (4) Support Services Commander (Captain):

      Lieutenants, Sergeants, Clerical Staff, Community Relations Specialist and Records Supervisor.

      (5) Training Administrator (Sergeant):

      Officers in Training.

(5) Records Supervisor:

Records Clerical Staff.

d. If distributed in electronic form, the Administrative Coordinator will maintain a record of when employees have reviewed the file and submitted for documentation of receipt and review.

2. If disseminated in hard copy form, those designated as responsible for an area of distribution will return the Receipt of General Order form to the Administrative Coordinator for filing with the General Order. The Administrative Coordinator will include the signature forms with the General Order.

   a. Within one month of the issue date, the Administrative Coordinator will furnish the Accreditation Manager with a list of those employees that have acknowledged receipt. The Accreditation Manager will notify supervisors of those employees who have not acknowledged receipt, with a copy to the Chief.

   b. The supervisors will assure employees have received the General Order, and will give written notice to the Administrative Coordinator for completion of the General Order file.

RAPID CITY POLICE DEPARTMENT **RULES AND PROCEDURES**		
POLICY NO.: 222-04 / FL111-01	**SECTION:** Written Directives	**PAGE NO.:** 1 OF 2
ORDER NO.: 12-05	**SUBJECT:** Forensic Science Lab Position and Responsibilities - Position in the Department	
SUPERSEDES:	**EFFECTIVE:** 10-19-12	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA Standards / ISO/IEC17025 and ASCLD STANDARDS: 4.1.1, 4.1.2		

PURPOSE: The Rapid City Police Department Forensic Science Lab is authorized by and part of the Rapid City Police Department. This policy delineates its position within the parent organization and its associated responsibilities.

POLICY:

A. Authority

1. The Rapid City Police Department Forensic Science Lab is a component of the Rapid City Police Department (RCPD), and operates solely with the authority of its parent organization and at the will of the Chief of Police.

2. The Forensic Science Lab Rules and Procedures Manual is authorized by the Department, as described in this policy.

3. No rule, policy or procedure within the Forensic Science Lab Policy Manual shall be in conflict with any order found in the Department's Rules and Procedures Manual. If any item in the Forensic Science Manual is found to be in conflict with the Department's Rules and Procedures Manual, the Rapid City Police Department manual shall be taken to be correct until the Forensic Science Manual can be amended.

4. The Chief of Police shall have the sole authority to approve any item within the Forensic Science Lab Manual.

B. Responsibilities

1. Laboratory

   a. The Laboratory shall carry out storage, shipping, testing, reporting and other work as requested and as its capabilities allow for its clients by properly trained professionals who shall have the proper equipment and facilities to perform such tasks.

   b. All operations within the Lab shall conform to the standards set forth in ISO/IEC 17025:2005 and the 2011 ASCLD/LAB-*International* Supplemental Requirements provided they do not conflict with the requirements of the CALEA accreditation.

2. Personnel are defined in Rapid City Police Department policy 211-01 – Agency Organizational Structure and through the City Intranet and City Human Resources.

   a. **Forensic Lab Director**

   b. **Non-Supervisory Positions**

      (1) Forensic Chemist,

      (2) Forensic Media Specialist,

      (3) Forensic Examiner,

      (4) Evidence Specialists,

      (5) Police Support Technician(s), and

      (6) Other staff as assigned.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
231-01	Allocation and Distribution of Personnel	1 OF 1
ORDER NO.: 07-05	**SUBJECT:** Position Management and Allocation	
SUPERSEDES: 05-04	**EFFECTIVE:** 08-02-07	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 16.1.1, 16.1.2		

A. POSITION MANAGEMENT SYSTEM

1. The Rapid City Police Department maintains a position management system, which includes the following information:

   a. Identity of the number and type of each position authorized in the departments budget;

   b. Location of each authorized position within the departments organizational structure; and

   c. Position status information, whether filled or vacant, for each authorized position in the department.

2. The Accreditation Manager is responsible for updating the position management system annually or as needed.

B. PERSONNEL ALLOCATION BY WORKLOAD ASSESSMENTS

Allocation of personnel shall be based upon documented workload assessments consistent with the Department's mission, goals, objectives and fiscal resources. The primary manpower allocation goal shall be to provide equitable, effective and efficient deployment of departmental human resources. A documented workload assessment is to be conducted at least triennially.

C. COMPONENT DISTRIBUTION OF PERSONNEL

The Rapid City Police Department allocates personnel according to the components distribution of workload assessments. The intent of this is to encourage the equalization of individual workload within each organizational component. The assessment should specify all incidents and factors used in making each workload assessment and indicate any time and location factors necessary to complete a task.

A. SPECIALIZED ASSIGNMENT

1. Specialized Assignment is defined as an assignment often characterized by increased levels of responsibility and specialized training, but within a given position classification; a specialized assignment may involve higher pay or additional benefits.

2. All Specialized Assignments serve at the pleasure of the Chief of Police, and are not considered promotions, advancements, or guaranteed positions. Specialized Assignments may be created or eliminated as necessary and assigned personnel may be increased or decreased based on the operational needs of the agency.

B. ANNOUNCEMENT OF SPECIALIZED ASSIGNMENT OPENINGS

The Rapid City Police Department advertises any specialized assignment openings within the Department. Notification of special assignments will be made with a Department memorandum distributed to all personnel. Listings of specialized assignment openings will include the duties, responsibilities, and required qualifications for the position.

Supporting Documentation: Union Contract section 7.11, Notice of Positions or Assignments.

C. SELECTION CRITERIA FOR SPECIALIZED ASSIGNMENTS

The criteria for assignment will be based on the skills, knowledge, and abilities required for the specialized assignment and should include, at a minimum the following:

1. Formal education;

2. Length of experience required; and

3. Career development.

4. A review of comments from the employee's supervisor and performance evaluations.

D. APPOINTMENT TO SPECIALIZED ASSIGNMENT

1. The employee may be required to function in the assignment for a minimum term as determined by the Chief and as agreed on with the initial assignment or as specified in contract. This considers the time and expenditures of providing specialized training for the assigned employee.

Removal from the duties of an assignment is not automatic at the prescribed term of service. Specialized assignments may be continued through mutual agreement.

2. Request for Removal from Specialized Assignment.

   a. When employees encounter conditions beyond their control and believe it would affect efficient performance in the specialized assignment, the employee may make formal request for removal from the specialized assignment through the normal chain-of-command.

   b. The Chief of Police or designee will make the final determination based on the needs of the employee and the Department as well as Union Contract regulations.

E. REVIEW OF SPECIALIZED ASSIGNMENTS

1. Specialized assignments will be reviewed annually, by Command Staff, to determine the need to continue any specialization.

   The review will contain a list of specialized assignments within each Division, statement of purpose for the assignments, and an evaluation of the initial problem or condition requiring the implementation of the specialized assignment.

2. Staffing levels of the various divisions of the Department may be increased or decreased based on the operational needs of the agency. This may cause removal, transfer, or non-replacement of personnel from the various divisions and sections.

ANNEX A

SPECIALIZED ASSIGNMENTS

1. Bicycle Patrol
2. Canine
3. Critical Accident Reconstruction (CAR) Team
4. Dive Team
5. Gang Task Force/Joint Terrorism Task Force
6. Honor Guard
7. Internet Crimes Against Children (ICAC)
8. Polygraphist
9. School Liaison Officer
10. Special Response Team (SRT)
11. Unified Narcotics Enforcement Team (UNET)
12. Mobile Response Team (MRT)
13. Unmanned Aircraft Team

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.: 232-01	**SECTION:** Reserves	**PAGE NO.:** 1 OF 1
ORDER NO.: 07-05	**SUBJECT:** Reserve Officer Program	
SUPERSEDES: 05-02	**EFFECTIVE:** 08-02-07	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 1.2.1, 16.3.1, 16.3.2, 16.3.3, 16.3.4, 16.3.5, 16.3.7, 22.2.7, 22.2.8, 32.1.2, 32.2.7, 32.2.8, 32.2.9, 33.5.1		

Deleted: 07-01-07

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
233-01	Auxiliaries	1 OF 1
ORDER NO.: 05-02	**SUBJECT:** Auxiliary Programs	
SUPERSEDES: 03-01	**EFFECTIVE:** 07-19-05	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

A. AUXILIARY PROGRAMS

1. The Rapid City Police Department auxiliary personnel are not commissioned as law enforcement officers. Auxiliaries may be assigned to law enforcement-related community service functions - e.g., volunteers, Chaplains, and law enforcement Explorers.

2. Auxiliaries may be used as a resource in emergencies and large-scale special events.

3. Auxiliary duties do not require the status of a sworn officer, and their level of training may be adjusted accordingly.

PURPOSE: The Rapid City Police Department Volunteer Chaplain Program invites into this ministry ordained clergy and lay people who have an official endorsement from a denomination or local church, who are sensitive to people of all religious faiths as well as to those who profess no religious faith, and who have the skills and the willingness to provide compassion and support to those in crisis. Such individuals must understand that attempts to evangelize or convert police or civilians are explicitly not consistent with the primary purposes of the Rapid City Police Department Voluntary Chaplain Program.

A. THE CHAPLAINCY PROGRAM

1. The Rapid City Police Department Chaplain Program is a voluntary auxiliary program authorized by the Chief of Police. Volunteers are not compensated for their efforts or services. Volunteers are primarily assigned to Law Enforcement-related community service functions. They can also be used as a resource in emergencies and large-scale special events.

2. The Police Chaplains are not involved in the day-to-day delivery of Law Enforcement services. Their duties do not require the status of a sworn officer and their level of training does not warrant a commission, nor are they assigned duties requiring sworn officer status. A member of this program will not be armed and only possess those powers of arrest as granted any other citizen under State law.

3. Volunteer Chaplains will function in support of community relations activities and other civilian level support activities.

4. The primary purpose of the Rapid City Police Department Chaplain Program is to provide comfort, counseling, consultation, guidance and assistance for Department personnel, their families and the community in crisis situations. Chaplains are not intended to replace any employee benefits such as the Employee Assistance Program or those support services as outlined in 322-03, Personnel Support Services.

    a. Chaplains should be constantly available to give assistance and guidance to all personnel from initial employment through retirement. Their services help provide the moral fiber needed to strengthen law enforcement officers in the discharge of their duties.

    b. On a confidential basis, law enforcement personnel are authorized to consult with these dedicated members of the Chaplain Team who have an intimate knowledge of law enforcement problems.

    c. The services of a Police Chaplain are to be available on the basis of need and desire. Chaplains are not intended, nor do they desire, to replace an individual's own clergy.

d. The Chaplain's task during on duty hours is not to proselytize (convert to a religious doctrine), but to reflect Godly compassion and concern.

5. The Police Chaplain will assist law enforcement personnel and the people of the community through a field service ministry.

6. Each Chaplain will have an annual evaluation by the Chaplain Program Supervisor.

B. QUALIFICATIONS AND QUALITIES

Chaplains shall be selected by the Chaplain Program Supervisor and Lead Chaplain, and confirmed by the Chief of Police upon completing the application process and background investigation.

A candidate for law enforcement chaplain should meet the following requirements:

1. Be an ecclesiastically certified person in good standing and endorsed for the law enforcement chaplaincy by a recognized religious body or church. They should have three years' experience and good standing in the ministry either as an ordained or commissioned church worker or lay person;

2. Show a genuine compassion, understanding and love for others and relates easily to people;

3. Maintain high spiritual and moral standards, living a life that is above reproach;

4. Be willing and available to respond to any and all situations where a chaplain's presence is indicated;

5. Be tactful and considerate in approaching all people, regardless of race, sex, creed or religion;

6. Be willing to become involved in training programs that enhance his or her efficiency in meeting and dealing with people in crisis. Chaplains are to attend one Department authorized training annually. A Chaplain should be familiar with community medical, psychiatric and other helping resources in the Rapid City area;

7. Must never have been convicted of a criminal offense or offenses involving moral turpitude; and

8. Must possess a valid driver's license.

9. Must be able to attend regularly scheduled Chaplain Team Meetings.

C. CHAPLAIN DUTIES AND RESPONSIBILITIES

1. Chaplains are requested to be on-call for one week at a time every 4-6 weeks.

2. Chaplains are to volunteer at least 10 hours a month in the performance of their duties. These duties may include, but are not limited to the following:

   a. Ride-Alongs;

   b. Department walk-throughs;

c. Office hours in the Chaplain Office;

d. Callouts;

e. Attending department events such as Department graduations, promotion activities, award ceremonies, dinners and social events;

f. Training (Department In-Service or LE Chaplain specific training);

g. Providing counseling to members of the Department and/or their family members;

h. Regularly scheduled Chaplain Team Meetings;

i. Visitation of sick or injured staff members;

j. Performing weddings or baptisms for staff member families;

k. Any other Department related activity as requested.

3. Chaplains may also be called upon to assist with the following:

a. In the event of an officer involved shooting, available Chaplains should respond to the PSB to support or assist in any way;

b. Assist in making notification to families of Department members who have been seriously injured or killed;

c. Respond to the hospital when an officer has been seriously injured or killed;

d. Callouts from other agencies, such as the Pennington County Sheriff or the Rapid City Fire Department;

e. Attend and participate, when requested, in the funerals of active or retired members of the Department;

f. Assist the Peer Support Team if requested;

g. As directed by a supervisor, be on-call and available on the streets during any major demonstration, or any public function requiring the presence of a large number of Department personnel;

h. Represent the Department before official bodies and public functions at the request of the Chief of Police;

i. Respond to all major disasters and render appropriate assistance;

j. Be involved in public relations efforts;

k. Provide liaison with other religious leaders in the community.

4. When responding to a callout, Chaplains will do the following:

a. Respond to the scene as soon as possible while following the speed limit and obeying all traffic laws;

b. Upon arrival, contact the person in charge, identify yourself, and ask how you can be of assistance;

c. Offer assistance to community members, calling for the assistance of another Chaplain if needed;

d. Ask the community members if they have a pastor, religious leader, friend or relative who can be contacted to come and assist;

e. When that person arrives or Chaplain support is no longer needed, check with the person in charge and clear the call by contacting Dispatch;

f. Complete a Chaplain Activity Report and submit to the Chaplain Program Supervisor and Lead Chaplain.

5. The Chaplains attire must comply with Department standards, being appropriate for the occasion and professional in appearance.

   a. The Chaplain's uniform will clearly distinguish them from other Department personnel;

   b. Each Chaplain will be issued a polo shirt and jacket to be worn while carrying out their official duties;

   c. Chaplains should wear their department issued ID while carrying out their official duties.

D. CHAPLAINCY ORGANIZATIONAL STRUCTURE

1. The Chain of Command for the Police Chaplain Program descends from the Chief of Police as follows:

   a. Chief of Police

   b. Support Services Division Commander (member of Steering Committee)

   c. Chaplain Program Supervisor (a Lieutenant or Sergeant assigned as collateral duty-member of Steering Committee)

   d. Lead Chaplain

   e. Associate Chaplain(s)

2. The Lead Chaplain shall meet the qualifications and qualities outlined in this policy and will have a wide range of responsibilities:

   a. Faithfully carry out all duties and responsibilities outlined in this policy.

   b. Director for all in-house Department activity, such as group and individual counseling. Responsible for all spiritual leadership afforded at any police meeting, or activities taking place within Department facilities.

c. Director of all Police Chaplain activity occurring outside the Police Department facilities. Any meetings of police personnel requiring a time of prayer or devotion will be coordinated by the Lead Chaplain.

d. Work with the Chaplain Program Supervisor to oversee all Chaplain activity and the relationship between the Department and the Chaplaincy Program.

e. The Lead Chaplain will work within the chain of command when reporting any serious situations they may feel are of importance to the safety and operation of the Police Department.

f. Create a monthly schedule for Chaplains who are on-call for citywide response, and the Chaplain Office schedule.

g. Coordinate and schedule all training, meetings and seminars available for the Chaplaincy Program.

h. Counseling or other required Chaplain response outside the Police Department will come under the Lead Chaplain's jurisdiction.

i. The Lead Chaplain will serve an extended term agreed upon by the Chaplain Program Supervisor assigned to the Steering Committee and the selected Lead Chaplain. A new Lead Chaplain will be chosen from the volunteer members when the Lead Chaplain wishes to resign from the position, or it is determined by the Steering Committee it is in the best interest of the program to select a new Lead Chaplain.

3. The Associate Chaplains shall meet the qualifications and qualities outlined in this policy and will:

a. Be in good standing with and have an official endorsement from a denomination or local church. If there is a change in this status, they will report it immediately to the Lead Chaplain.

b. Faithfully carry out all duties and responsibilities outlined in this policy.

c. Seek authorized Law Enforcement Chaplaincy Training within the first two years with the Department.

d. When called out to assist with an incident, submit a Chaplain Activity Report to the Chaplain Program Supervisor and Lead Chaplain within one week of the incident. The report should include the following information:

(1) The name of the officer or emergency services personnel at the scene;

(2) The name of the citizen(s) in need;

(3) The case report incident number;

(4) The address of the incident;

(5) A summary of the incident and other important information.

e. Submit a monthly Time Log to the Lead Chaplain by the 5th day of the following month.

E. CONFIDENTIALITY

1. Department Chaplains are available to all personnel and their families for counseling. However, as ex officio members of the Police Department, the chaplain has a responsibility to report emotional or medical conditions which he considers to be a great danger to the employee, their family or others to the Chief of Police.

2. All Chaplains shall be guided by State Law when dealing with confidentiality issues during any counseling situations.

POLICY: The Rapid City Police Department maintains a contingent of Police Explorer Cadets comprised of young private citizens between the ages of 15 and 20 years, inclusive. They shall be trained in police work, and are intended to aid and assist regular officers in normal police duty and assist in cases of emergencies. The Rapid City Police Department Explorer Police Cadets are not commissioned sworn officers.

A. EXPLORER POLICE CADET PROGRAM

All duties of the Police Cadets are outlined in the Cadet Policy and Procedures Manual.

B. SELECTION OF POLICE CADETS

Police Cadets shall be selected for membership by the Advisory Staff in accordance with the procedures set forth in the Rapid City Police Cadet Policy and Procedures Manual.

C. POLICE CADET RULES AND PROCEDURES

1. All members of the Rapid City Police Cadets shall adhere to the rules and procedures set forth in the Rapid City Police Department Rules and Procedures. Because of the uniqueness of the Cadet Program, and in order to effectively manage the Cadet Program, the Advisory Staff may adopt additional rules and procedures governing:

   a. Scheduling;

   b. Administrative Functions;

   c. Grievance Procedures; and

   d. Leaves

2. The additional rules and procedures will take the form of a Cadet Policy and Procedures Manual and is subject to approval by the Chief of Police.

D. POLICE CADET UNIFORMS AND EQUIPMENT

1. Police Cadets may be required to provide some uniform and equipment items that are not furnished by the Department. Uniforms and equipment requirements for Cadets are set forth in the Rapid City Police Cadet Policy and Procedures Manual.

2. The Police Cadet uniform must be distinctly different from the duty uniform of the Rapid City Police Department.

3. Department owned equipment, i.e. radios and flashlights, is available for use by Cadets in the event it is not going to be used by on duty officers.

E. POLICE CADET TRAINING

Scheduling is administered by the Cadet Training Advisors. Training will be conducted by the Cadets and advisors, and will follow the guidelines as outlined in the cadet policy handbook. All Cadet training will be approved by the Department Cadet Advisory staff and Cadet leadership.

F. CADET ADVISORY STAFF

The Chief of Police will appoint a command staff officer to serve as liaison for the Cadet program. The command staff officer will oversee the operation and function of the cadet program. Cadet Advisors are also appointed by the Chief of Police and serve at the direction of the Command Officer.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
233-04	Auxiliary	1 OF 1
ORDER NO.: 07-02	**SUBJECT:** Police Auxiliary Program	
SUPERSEDES:	**EFFECTIVE:** 02-28-07	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 16.4.1, 16.4.2, 16.4.3		

PURPOSE: The Rapid City Police Department shall actively recruit volunteers and participate in a Police Auxiliary Program. Auxiliary members are identified as valuable, concerned citizens aged 18 and older who will provide police support service to our community.

DEFINITION: Auxiliary: A citizen who is affiliated with the Rapid City Police Department in a part-time, without compensation, non-sworn capacity. Auxiliaries are not commissioned as law enforcement and do not have the authority to make a full custody arrest or other duties designated by law for sworn officers.

POLICY: The Rapid City Police Department utilizes auxiliaries to enhance the effectiveness of the Department.

PROCEDURE:

A. RECRUITMENT

The Rapid City Police Department will actively recruit members of the community for the auxiliary program and recruitment will be continual. Applicants will complete the Rapid City Police Department Auxiliary Program Application and the Department will complete a criminal history background, driver history check and personal interview.

B. TRAINING

As required or necessary, training related specifically to the task for which auxiliary personnel have applied will be provided through the appropriate section where the work is needed.

C. DEPLOYMENT

Auxiliary personnel may work in a variety of assignments and will be furnished with an Auxiliary Polo Shirt identifying them as an auxiliary member, reflective vest, as needed, with a Rapid City Police Department/Auxiliary patches, name tag, ID, cold weather gear when necessary and proximity card that will be available when needed. Auxiliary personnel will be covered by the City's workman's compensation insurance when supporting police services and by the City's liability insurance when driving a department vehicle for and on behalf of the city.

D. SUPERVISION AND OVERSITE

The Chief of Police will appoint a command staff officer to serve as liaison for the Police Auxiliary Program. The command staff officer will oversee the operation and function of the police auxiliary program.

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RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
234-01	Civilians	1 OF 1
ORDER NO.: 05-04	**SUBJECT:** Civilian Staffing	
SUPERSEDES: 03-01	**EFFECTIVE:** 12-08-05	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

POLICY: Positions in the Rapid City Police Department not requiring sworn personnel are specified as civilian positions and staffed accordingly.

A. CIVILIAN STAFFING

1. Sworn personnel may be temporarily assigned to civilian positions in the event of an urgent agency need or to broaden an officer's experience.

2. Sworn personnel are not to be permanently assigned to civilian positions within the Department.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
234-02	Civilians	1 OF 3
ORDER NO.: 18-02	**SUBJECT:** Ride-Along and Law Enforcement Internship Programs	
SUPERSEDES: 07-05	**EFFECTIVE:** 02-26-18	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

POLICY: The Rapid City Police Department encourages students interested in the law enforcement field to enroll in an education internship program established between the Department and recognized education institution. The Department encourages the citizens of Rapid City to avail themselves the opportunity to ride on patrol with an on-duty uniformed officer.

A. RIDE-ALONG PROCEDURES

1. All persons requesting to ride with an Officer/Civilian must have first completed and submitted a "RELEASE AND COVENANT NOT TO SUE" form prior to the scheduled Ride-Along. Ride-Alongs may be requested through the Rapid City Police Department website. Once requested, release forms can be sent electronically to the requestor or picked up in person at the Public Safety Building during normal business hours. Exceptions to this procedure are extended to Police Chaplains and Police Auxiliary.

2. Ride-Alongs should be scheduled at least two days in advance by the division commander or their designee. Reservations may be made by telephone if desired.

3. The minimum age for the Ride-Along Program is l6 years of age. A parent or guardian of minors under l8 years of age must provide a signed release form for the minor. Release forms can be obtained from the division commander or their designee.

4. Riders are expected to be neat and clean in appearance. Clothing should be discreetly selected, as riders will be in full view of the public. Sweat shirts, shorts, or other type of leisure apparel will not be permitted. Riders will not be permitted to wear clothing that might give the impression they are in law enforcement (another agency uniform or similar clothing).

5. Rides may be terminated at any time for persons who are unruly, fail to obey instructions, distract an officer from their duties, or at the discretion of the Shift Supervisor.

6. In order to accommodate the greatest number of people, no one will be permitted to ride more than once every six months.

7. Exceptions may be made for special programs at the discretion of the Chief or designee.

8. Probationary officers will not be accompanied by a Ride-Along. Participant exceptions may be approved by the Shift Commander; however, this practice is to be discouraged.

9. Wives or husbands of officers may participate in the Ride-Along Program subject to the provisions of this chapter. However, wives or husbands are not permitted to ride repeatedly with their spouse. This provision also applies to persons who have a close personal relationship with the officer.

10. No one will be permitted to participate in the Ride-Along Program in order to further their personal business interests.

11. Riders are prohibited from carrying any weapon, unless they are a certified officer from another agency. The intention to carry a weapon must be noted on the rider release form at the time of application, and has to be approved by the Chief of Police or designee.

12. Riders must not be convicted of any misdemeanor crime in the last three years or any felony conviction unless approved by the Patrol Division Commander or his/her designee.

B. STUDENT INTERNSHIP PROGRAM

1. The Rapid City Police Department will sponsor a student internship program. The goal of the program is to provide undergraduate students, who are considering police work as a career, a structured program, which will present a practical look at a local law enforcement agency.

2. The Support Services Division Commander will be responsible for administering the education internship program.

3. The Department will inform select colleges and universities in South Dakota and other regional states about the student internship program, via the College Recruitment Program and the Department's website.

4. Students will comply with all procedures established for the Ride-Along Program.

5. A curriculum of study will be agreed upon by the educational institution, intern and the Support Services Division Commander prior to the beginning date of the internship.

6. If an irreconcilable behavior or program problem occurs between the student and an employee, the Chief of Police and the educational institution are to be notified with an explanation.

C. APPLICATION FOR STUDENT INTERNSHIP PROGRAM

1. The applicant should preferably be a junior or senior level student in good standing, currently enrolled in a college or university, and not currently working as a police officer.

2. The student's course of study can be in any field.

3. The Support Services Division Commander or designee will review the qualifications of each internship applicant, including a criminal history check, and conduct an interview.

4. The Support Services Division Commander will review the candidate's qualifications, and any staff recommendations, and will determine if the candidate will be accepted into the internship program.

5. Each candidate who interviews for an internship will be notified of the department's decision to accept them into the internship program. Successful candidates will be advised of the dates of their internship.

6. The student intern may be required to complete a mutual "Internship Training Agreement."

7. Student Internship Program criteria:

    a. The student intern will generally receive no compensation from the Police Department during their internship.

    b. Internships will generally be no more than four months in duration. Time spent with the Department will be the amount of time required by the intern's educational institution so minimum course requirements are met by the intern.

    c. There will generally be no more than four undergraduate interns simultaneously enrolled in the internship program.

    d. All student interns will be under the direction of the Support Services Division Commander.

    e. Each intern will become familiar with the Law Enforcement Code of Ethics and necessary Department Policies and Procedures.

8. The Department retains the right to terminate a student's internship for unacceptable behavior. The student's academic advisor will be notified by the Support Services Division Commander, or designee, about the termination of the internship and related circumstances justifying the student's dismissal.

PURPOSE: Directives contained in this section are designed to provide guidance relative to accounting, budgeting, and fiscal control procedures. As the Police Department is a component of a larger governmental organization, accounting practices and procedures shall be consistent with those of the municipal authority.

A. CEO'S FISCAL AUTHORITY AND RESPONSIBILITY

1. The Rapid City Police Department's policy is the Chief of Police is designated as having the authority and responsibility for the fiscal management of the department.

2. Although the City of Rapid City maintains a Centralized Fiscal System in which the Finance Officer has the ultimate accountability over the City's Budget, Article I, Sec.2.20.020 of the City of Rapid City's Code of Ordinances, and SDCL 9-29-18 gives the Chief of Police the authority and power to conduct the financial business of the department.

B. FISCAL PERSONNEL QUALIFICATIONS

1. The Chief of Police and division commanders are responsible to ensure the integrity and reliability of the Department's fiscal matters.

C. BUDGET PREPARATION PARTICIPATION

1. The Chief of Police prepares, submits for approval, and administers the Department's budget with input and assistance from Division Commanders, Lieutenants, Supervisors and the Police Purchasing Specialist.

2. Each departmental component shall submit written recommendations to the Chief of Police for the development of the Department budget.

D. FISCAL MANAGEMENT RESPONSIBILITIES

1. All personnel are encouraged to participate in the budget process.

2. Every Department employee is encouraged to submit requests for future purchases for the upcoming budget cycle. Requests are to be made to the employee's immediate supervisor, and then processed up the chain of command to the Chief of Police.

3. Fiscal management functions of specialized budgetary items (i.e. vehicles and radios) may be

delegated to commanders.

4. All budget requests must be submitted in writing to the Chief of Police prior to the finalized departmental budget meeting on or before the date provided by the Mayor's Office.

E. BUDGET RECOMMENDATIONS DEVELOPMENT

1. The Rapid City Police Department prepares written recommendations based upon operational and activity analysis for the use in the development of the Department's budget.

2. The written recommendations will be submitted through the chain of command by using the Budget Request form for the appropriate year requested.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
241-02	Fiscal Management	1 OF 2
ORDER NO.: 05-02	**SUBJECT:** Travel Procedures	
SUPERSEDES: 03-01	**EFFECTIVE:** 07-19-05	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

A. REQUEST TO TRAVEL

Any time an employee requests to travel, a travel request letter will be submitted to the Chief of Police through the chain of command. The travel request letter must include a cost breakdown of estimated time away from the department, gas, food, lodging and any other expenses associated with the travel (i.e. registration fees, books or other special needs). The travel request letter must have an endorsement from the Training Administrator.

B. TRAVEL REQUEST

1. Any time an employee travels out-of-town for any reason, or attends a local function apart from the Department for Department business, the Rapid City Police Department requires that the employee **MUST** complete a **travel request.**

2. The travel request will be filled out in its entirety to include:

   a. The place of the meeting/school, dates of the same, costs and names of other department attendees.

   b. A brief paragraph on the type of meeting/school the employee will be attending;

   c. Who is paying for the meeting/school.

3. The person requesting and signing the travel voucher will be responsible for travel funds, if needed, and completing the required trip report upon their return.

C. TRAVEL REQUEST FOLLOW-UP REPORT

1. Upon returning to duty, the employee is required to submit a typed follow-up trip report to the Chief of Police unless prior authorization to report differently has been obtained from the Chief. This report is to be in memo form and should be forwarded in no more than three working days after returning. Failure to submit this report may result in disciplinary action.

2. The following information should be included in the follow-up trip report:

   a. Where you went;

   b. How long you were gone (time left and returned);

   c. Who funded the meeting/school/seminar, etc.;

d. Were meals and board provided;

e. Subject matter; and

f. How the City benefited by having the employee attend the training/meeting or seminar.

D. TRAVEL FUND

1. The employee will submit a letter and travel request to the Chief of Police requesting approval of travel related expenses **before** travel. All costs should be estimated as close as possible.

2. Cash will be allowed for gas and lodging. No money for meals will be allowed. A per diem for meals will be allowed upon return. A purchase order will also be done separately for tuition when an invoice is issued after the training.

3. A petty cash voucher will be signed by the employee receiving money and the employee distributing the money.

4. Upon return from a trip, the employee will be required to turn in receipts for all costs except food. The employee must have a copy of the guest register receipt for the motel costs. **All left-over money and receipts must be turned in the next working day.** The receipts and the returned money must equal the amount issued prior to traveling.

POLICY: The Rapid City Police Department allows the requisitioning and purchasing of equipment, which is in the best interest of the City and the Department.

A. REQUISITIONING AND PURCHASING PROCEDURES

1. All purchase requests will be submitted through the Division Commander to the Police Purchasing Specialist. Upon the recommendation of the Police Purchasing Specialist, they may be approved for purchase by the Chief of Police. The Police Purchasing Specialist will be responsible for making all purchases, and any receipts to be turned in should be done so through the Police Purchasing Specialist.

2. All requisitioning and purchasing of equipment and services for the department must first be approved for bids by the Chief of Police.

   a. A formal written **Purchase Request** from any employee must be reviewed by their immediate supervisor and then forwarded up the Chain of Command.

   b. The responsibility of the Division Commander is to submit a written report to the Chief of Police requesting approval or disapproval of the items to be bid. A detailed justification should be documented for approval or denial for awarding any purchase of equipment.

   c. The request for purchase of equipment and services must then be approved by the Chief of Police.

   d. Prior to the advertisement or purchase of any equipment item and services, detailed bid specifications must be submitted for approval to the Chief of Police.

3. If the purchase request is approved by the Chief of Police, the following procedure must be followed:

   a. After the purchase request is signed by the Chief of Police, it is to be forwarded to the Police Purchasing Specialist to make the purchase and see that the item is inventoried and placed in the property management system.

   b. The Chief of Police or his/her designee may enter into contracts within the same dollar amounts without prior approval by the Common Council, so long as the aggregate amount of contracts signed by the Chief of Police for the vendor does not exceed $25,000 within a calendar year.

c. For such purchases that are more than $5,000, reasonable attempts shall be made to obtain informal quotations from local suppliers.

d. A sole source contract may be awarded for supplies or services without competition if the purchasing agency provides documentation through a memo that the supplies or services are of such a unique nature that the contractor selected is clearly and justifiably the only practicable source to provide the supplies or services.

e. All purchases over $25,000, must be submitted and advertised for public bid under South Dakota Codified Law Chapters 5-18A through 5-18D. Purchases that are less than $25,000 may be publicly bid. All bids must be submitted to the Chief of Police and Council for approval.

f. The bidding process may be forgone if items are purchased directly through the State bid approved price list.

4. Property which is transferred within or outside of the department will have a **Fixed Assets Changes & Deletions form** filled out and given to the **Police Purchasing Specialist** **BEFORE** the items are transferred.

5. Property which is to be destroyed or placed on the auction list must first be declared surplus by the City Council. A request for declaration for surplus must be submitted to Finance and declared surplus by resolution. A **Fixed Assets Changes & Deletions form** must then be completed and given to the **Police Purchasing Specialist** **BEFORE** the item is destroyed or auctioned.

6. The selection of **vendors** and **bidders** for equipment to be purchased shall be determined by the following criteria:

   a. History of product and vendor reliability;

   b. Known market performance;

   c. After the sale service;

   d. Proven quality construction;

   e. Market research; and

   f. Compatibility of equipment to existing inventories.

7. Nothing in this standard prevents the department from purchasing equipment or supplies from a pre-existing contract with State or City agencies. The purchase of items on pre-existing contract must first be approved by the Chief of Police by using the Purchase Request procedures. All purchase requests must be approved by the City Council before payment if the purchase exceeds $25,000.00.

Supporting Documentation: City Ord. 3.04.030, 3.04.040, 3.04.050).
SDCL Chapter 5-18A through 5-18D.
SD Local Government Guide for Acquisitions, Disposals and Exchanges (Current Edition)

B. EMERGENCY PURCHASING PROCEDURES

1. All purchases of materials, services or supplies over $25,000, the necessity for which is of a strictly emergency nature, may be purchased by the Finance Officer, upon approval of the Mayor.

A written determination of the basis for the emergency and for the selection of the particular vendor/supplier shall be included in the contract file.

2. If the purchase is for less than $25,000, the bid laws don't apply and the Police Purchasing Specialist can purchase. The Chief can also ratify the purchase.

3. All receipts for emergency purchases will be forwarded, in a timely fashion to the supervisor.

Supporting Documentation: SDCL Title 5, Rapid City Ord. 3.04.020, 3.04.050

C. SUPPLEMENTAL AND EMERGENCY FUND REQUESTS

1. The Rapid City Police Department's policy is to request emergency or **supplemental appropriations** and/or fund transfers in the case of an emergency or other unanticipated expenditure.

Supporting Documentation: SDCL 9-21-7 "Supplemental appropriation ordinance for indispensable functions or discharge of municipal duties."

A. ACCOUNTING SYSTEM ELEMENTS

The responsibility of the **Finance Office** of the City of Rapid City is to maintain an accounting system that includes at a minimum the following monthly status reports:

1. Initial appropriation for each account;
2. Balances at the commencement of the monthly period;
3. Expenditures and encumbrances made during the period; and
4. Unencumbered balance.

B. CASH HANDLING PROCEDURES

1. The Rapid City Police Department performs specific procedures for the collection, safeguarding and disbursing of **cash accounts** from the Administrative Services, Support Services, Field Services, and Criminal Investigation Divisions. Each division is responsible for the following procedures:

   a. The supervisor or designee is responsible for security of all money.

   b. Maintain a separate cash record accounting of monies collected and disbursed for expenditures;

      (1) The permanent cash fund as pre-determined for each area is maintained for making change, and/or disbursements.

      (2) Upon the receipt of monies, the employee will complete a receipt and issue a receipt to the payee.

2. The responsibility of cash accounts in the divisions listed above will be delegated to the following:

   a. Administrative Services:

      Petty Cash – Administrative Coordinator

   b. Support Services:

      (1) Travel Fund – Accounting Clerk

      (2) Records & Permits – Police Support Technician

c. Criminal Investigations:

(1) Drug Task Force & Investigative Fund – Police Support Technician

(2) Background and Fingerprinting – Compliance Officer

(3) Evidence – Police Support Technician

3. Transfer to City Finance:

The supervisor or a designee will transport and relinquish all money with receipts to the City Finance Department. Finance will provide a receipt for all monies received and verify the amount with the original receipt tally. This notation will include amount received, date received, receipt number and initials of employee receiving.

4. Security:

All monies will be maintained in a locked container located in the assigned divisions or sections.

5. Audit:

The supervisor and/or designee will monitor money collections, disbursements and the cash box. It is the responsibility of the supervisor to verify the contents at any time. The supervisor or designee will make periodic unscheduled checks on compliance with receipt procedures as well as cash handling. Any discrepancies will be turned over to the Division Commander for investigation. The supervisor or designee is responsible for conducting quarterly internal audits.

C. INDEPENDENT AUDIT

1. The responsibility of the City Finance Officer is to conduct **audits** of the Rapid City Police Department fiscal control procedures. Any audit will follow the guidelines as stipulated in SDCL 4-11-4 and 4-11-7.

PURPOSE: To establish methods to account for Department property owned by the City of Rapid City.

A. PROPERTY MANAGEMENT RESPONSIBILITY

1. The Police Purchasing Specialist has general responsibility for the Department's property management function, to include the care and control of Department owned property.

2. Duties of the **Police Purchasing Specialist** include:

   a. Procurement and/or requisitioning of agency-owned property;

   b. Distribution and issuance of agency-owned property to authorized users (sworn and civilian):

      (1) Property will be issued by the Police Purchasing Specialist in accordance with the employee's work assignment.

      (2) Employees will not be issued equipment unnecessary to their job function

      (3) Before accepting it from the Police Purchasing Specialist, employees are responsible for inspecting the equipment to determine if it is in a state of operational readiness

      (4) Employees will sign a receipt indicating their acceptance of the property.

      (5) Employees are responsible for maintaining their issued equipment in a state of operational readiness and will promptly report any deficiency, malfunction, or loss. For replacement of defective or worn equipment, employees will return the equipment to the Police Purchasing Specialist prior to issuance of the replacement item.

      (6) Weapons will not be issued to employees until the Firearms Administrator or a designee has verified they are authorized to carry and use them in the line of duty.

   c. Maintain the computerized inventory of agency owned property;

   d. Provide for the reassignment of property from one area of responsibility to another;

   e. Assume general responsibility for Department property; and

   f. Other duties as outlined in the City of Rapid City Human Resources Department's Job Classification Description.

3. The position of Police Purchasing Specialist is under the direct supervision of the Support Services Commander.

4. The Police Purchasing Specialist will make appropriate deletions, additions, and reassignments of agency owned property on the official Department inventory when approved by proper authority.

5. Property assigned within each division shall be specifically designated as being the responsibility of a particular Shift or Division Commander.

B. INVENTORY CONTROL

1. The Rapid City Police Department's policy is control of agency property, equipment and other assets are the responsibility of the **Police Purchasing Specialist.**

2. The **Police Purchasing Specialist** will maintain a computerized inventory list, updated on an as needed basis, which will include the following items:

   a. Classification of asset, whether fixed or disposable, life expectancy, and whether asset is subject to depreciation,

   b. Date item purchased / PO number,

   c. Cost of item,

   d. Item description including model and serial number, if available,

   e. Responsible cost center or custodian (Physical Location),

   f. Department's Office Property Identification Number, if applicable by value,

   g. Special disposition instructions, if applicable, pertaining to donated, transferred, or property purchased from grant / special funding sources.

3. Re-issuance of Property:

   a. Custodians will carefully examine all returned equipment to determine its reissue condition.

   b. Property which is presentable and in good working order should be reissued; and,

   c. Property which cannot be reissued is subject to disposal.

C. CENTRALIZED PROPERTY PROCUREMENT

1. All purchases of new equipment or property shall be accomplished as required by current city policy, and shall be centralized through the office of the Chief of Police.

2. The Police Purchasing Specialist shall be responsible for the processing of field purchase orders and the accompanying paperwork.

3. Once an authorized purchase has been made and the property received, the Police Purchasing Specialist shall enter the item into the Department inventory – unless determined that the item does not meet the criteria for entry.

D. INVENTORY PROCEDURES:

1. The Rapid City Police Department's policy is to maintain complete accountability of department **property** and equipment.

2. The Police Purchasing Specialist is responsible for insuring each item of Department owned reportable property is properly marked with a City inventory control sticker.

3. The Police Purchasing Specialist is responsible directly to the Chief of Police on matters pertaining to the inventory of equipment and other Department property.

4. The Police Purchasing Specialist will make appropriate deletions, additions, and reassignments of agency owned property on the official Department inventory when approved by proper authority.

5. Supervisors are responsible for notifying the Police Purchasing Specialist if any item tracked by inventory is transferred to the control of another supervisor.

6. Annually, the Police Purchasing Specialist will conduct an inventory of reportable Department property to ensure property records are correctly maintained and to ascertain the presence of agency property.

7. Supervisors and other employee's assigned Department equipment are responsible for responding promptly to requests from the Police Purchasing Specialist when conducting inventories of agency assets.

8. The Police Purchasing Specialist will compare the location of equipment (as recorded in the computerized inventory record) with the equipment's current location and will revise the computerized inventory record as necessary to reflect the current location of assigned property.

9. Upon concluding an inventory, the Police Purchasing Specialist will submit to the Chief of Police a summary of the inventory's results. Property that cannot be located shall be recorded and reported in these summaries.

E. OPERATIONAL READINESS OF AGENCY OWNED PROPERTY

1. Individual Division Commanders shall be assigned specific responsibilities to ensure the operational readiness of equipment assigned to their command.

PURPOSE: The purpose of this section is to provide a detailed description and specification of each rank, assignment, and position within the Rapid City Police Department. It is the intent of this section to provide each employee with a thorough reference relative to their duties, responsibilities and tasks. Effective management in this area is a necessary component of ensuring appropriate compensation, adequate supervision, and training for all employees.

A. JOB TASK ANALYSIS OBJECTIVES

1. The responsibility of the Rapid City Police Department is to maintain accurate **Position Classification Descriptions (PCD)** and **job task analyses** for all positions in the department. The City of Rapid City Human Resources Department will review and update position classification descriptions when significant changes occur, whether through attrition, modification, or deletion of duties and responsibilities. All Position Classification Descriptions will accurately reflect the several duties grouped into each PCD.

2. Each Department employee shall be recruited, hired, trained, promoted or appointed into a specific rank or position. The employee's specific classification shall be based upon the following:

   a. An assessment of their duties;

   b. Responsibilities, and qualifications as compared to the job description; and

   c. Specification provided in the series of job descriptions.

3. The City of Rapid City Human Resources Department, in collaboration with the Rapid City Police Department **Training Administrator,** will assist in the establishment of training curricula.

4. The Rapid City Police Department will provide guidance to employees and their **supervisors** concerning the duties and responsibilities of individual positions.

B. JOB TASK ANALYSIS MAINTAINED

1. The City of Rapid City **Human Resources Department** is solely responsible for continual updating of all job description and job task analyses for police department employees.

2. The responsibility of the **Administrative Coordinator** is to ensure that a job description and task analysis is developed anytime a new position, rank or full-time assignment is added to the Rapid City Police Department.

3. The City of Rapid City Human Resources Department will maintain on file all current **job task analysis** for every position within the department.

C. JOB TASK ANALYSIS ELEMENTS

The **Job Task Analysis** used by the City of Rapid City Human Resources Department will include, at a minimum:

1. Identify the position classification for each position within the city;
2. What is required to do the essential function of each position;
3. Extent of visual acuity and hearing acuity required to perform the function;
4. Percentage of average work shift devoted to the function;
5. Other physical or mental activities associated with performing the functions if not adequately described elsewhere.

A. CLASSIFICATION PLAN ELEMENTS

1. The City of Rapid City Human Resources Department is responsible for the documentation and maintenance of the **Position Classification Description** plan, which includes:

   a. The grouping of every job into classes, based upon similarities in duties, responsibilities, and qualification requirements;

   b. The existence of class specifications for every job within the class;

   c. Provisions for relating compensation into classes; and

   d. Provisions for reclassification.

2. The City of Rapid City policy is to provide for a detailed review of any city position, which is being created, reclassified, or adjusted in salary level due to a substantial change in job duties, or for other reasons. The following procedure will be followed to request a position status change:

   a. A **Position Description Questionnaire (PDQ)** will be completed by the respective management authority and submitted to the Chief of Police for review and approval.

   b. If the request is for a new position or a new classification, the PDQ will be submitted to the **Director of Finance,** during the normal budget process for inclusion in the annual budget request to the **Mayor.** If the request is for a new position outside of the annual budget process, the Director of Finance will review the request against the respective Department's current budget and position allocation level.

   c. Upon approval by the Chief of Police and/or the Director of Finance, the PDQ will be submitted to the **Human Resources Director** for review and approval. The Director may conduct a desk audit of the position if the request is for reclassification.

   d. The request will then be submitted to the **Personnel Committee** and the **Mayor** for final administrative review and approval.

B. DUTIES AND RESPONSIBILITIES STATEMENTS

1. The Police Department's Position Classification Description, available for review in the Administrative Coordinator's Office and through the city intranet, will list a statement of duties and responsibilities required for each position. The following statement of duties is applicable to the Police Department's function:

a) Essential functions of the position;

b) Additional tasks;

c) Environmental factors; and

d) Minimum qualification requirements.

C. AGENCY ROLE IN CLASSIFICATION PLANNING

1. The Rapid City Police Department's policy is every employee will complete and return to the Accreditation Manager a **Task Analysis Questionnaire,** during the time allocated for review of their respective area of employment, as outlined above. Each Questionnaire must be returned to the appropriate supervisor in a timely manner, by the date specified in writing by the Human Resources Director, or the Chief of Police.

A. SALARY PROGRAM ELEMENTS

1. The Rapid City Police Department's policy is to describe the Department's salary program, to include:

   a. Entry-level salary for the department;

   b. Salary differential within ranks;

   c. Salary differential between ranks;

   d. Salary levels for those with special skills, if any (i.e. PTO's);

   e. Compensatory time policy;

   f. Overtime policy; and

   g. Extra duty assignment and compensation.

2. The delineation of salary compensation for employees of the Rapid City Police Department shall be based on the agency position classification plan.

3. The Police Department will adhere to the provisions as negotiated, in the **Union Contract** and the **Non-Union Employee Information Guide,** (Article 32, Appendix "A" of the Union Contract)

4. Rates of pay to include overtime compensation and extra duty assignment information are available through the Accounting Clerk's Office.

B. SALARY PROGRAM METHODOLOGY

1. The Rapid City Police Department and the Rapid City Human Resources Department will, as required, review regulated elements of the salary program. Salary studies will be accomplished as directed by the Mayor.

C. SALARY AUGMENTATION

1. Any salary augmentation submitted to the employees of the Rapid City Police Department is offered under the following:

Non-Union Employee Information Guide
Union Contract (Fraternal Order of Police) -- Article 32, Article 35, Article 36.

D. EMPLOYEE TIME ACCOUNTING POLICY

1. The Rapid City Police Department's policy is the number of hours worked by each employee, both regular and overtime, be accurately recorded on the daily time sheet.

2. Time sheets must be completed on a daily basis for full compensation and submitted to the Accounting Clerk as required.

3. The supervisor must sign the daily time sheet before submittal to the Accounting Clerk.

4. All hours worked but not recorded will not be compensated.

5. The supervisor is responsible for the accurate completion and timely submission of the daily time sheet to the Accounting Clerk.

E. RECORDING OVERTIME

1. Overtime must be recorded on the daily time sheet, either to be paid or to be taken as compensatory time in accordance with City and Personnel regulations.

2. All recorded overtime must be accompanied with a brief description of the reason for the overtime, e.g., crime report number, or overtime verification slips.

3. Overtime pay/compensatory time for court/administrative hearing appearances:

   a. An employee receiving a subpoena, notice of trial, notice of hearing, or any other similar notice directing him to appear at an official hearing or trial will complete a court time verification slip and will include the name of the attorney, hearing officer or court clerk.

   b. If a subpoena or other notification is not received by the employee, but the employee appears at court or a hearing, a court time verification slip shall be completed by the employee, including the name of the attorney, hearing officer or court clerk responsible for the hearing.

   c. When submitting a daily time sheet, all corresponding documentation referred to above must be attached when any overtime pay or compensatory time is requested.

   d. No trial or hearing overtime will be authorized unless required and the employee actually appears at the scheduled trial, hearing, or actually appears at the Police Department to prepare for the hearing. If the employee only appears at the Police Department, a supervisor shall sign the court time verification slip.

   e. Failure to comply with this procedure will result in the pay or compensatory time being denied.

   f. The responsibility of the subpoenaed employee is to contact the Prosecuting Attorney's office on the day of the scheduled appearance to verify the trial/hearing is still scheduled. Failure to comply with this provision may result in loss of compensation for the appearance.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
321-02	Compensation	1 OF 2
ORDER NO.: 10-02	**SUBJECT:** Timekeeping Procedure	
SUPERSEDES: 08-02	**EFFECTIVE:** 03-31-10	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 22.1.1		

POLICY STATEMENT: The Rapid City Police Department uses and maintains accurate time and attendance records for the Criminal Investigation Division and Support Services Division personnel. All personnel within the Criminal Investigation Division and Support Services Division will be knowledgeable in timekeeping procedures.

PROCEDURAL GUIDELINES:

1. Each individual is responsible for reporting overtime and comp time hours to the respective section/division timekeeper on a daily basis. If unable to report time during the daily briefing, the employee must contact the timekeeper before noon on the business day following the earning of overtime and/or comp time.

2. On a daily basis, the division timekeeper will complete a time sheet reflecting overtime, comp time, vacation time or sick time. Once approved by the division commander or designee, the timesheet will be forwarded to the Accounting Clerk. The division commander must initial any additions or changes.

   Leave Request Forms (copy attached) – an employee requesting leave of any type will complete a Leave Request Form and forward it to their immediate supervisor for approval. Once approved by the immediate supervisor, the form will be forwarded to the division commander for final approval. Upon final approval, for Criminal Investigation Division personnel, the form will be given to the Police Support Technician Supervisor who will make two copies (one for the employee and one for the division timekeeper) and forward the original to the Accounting Clerk.

3. Division supervisors will assign holidays to be worked on an equal basis.

4. Compensation Time (Comp Time)

   a. Compensation time is a benefit afforded to the Investigations Division, Support Services Division, as well as other support staff as an alternative to overtime.

   b. Compensation time may be awarded on a case-by-case basis only in situations where overtime pay would be justified, but through a mutual agreement between the employee and their supervisor.

   c. Compensation time may be awarded to employees who have been required to work over and above one of the following:

      (1) The employee's regular 8 or 10 hour shift, or:

      (2) 40 hours in any work week (Sunday through Saturday).

d. Any employee can hold a compensation bank with a maximum of 40 hours in any calendar month.

e. The division timekeeper will log compensation time. At the end of the calendar month, all unused comp time over 40 hours will be converted to overtime. All comp time less than 40 hours will be carried forward to the next month.

f. Use of compensation time will be based on a time-and-a-half ratio, e.g. one hour of actual accrued compensation time will equate to one-and-one-half hours of leave.

5. Field Services Division sworn personnel are not eligible for compensation time.

Supporting Documentation: FOP Union Contract – Article 35 – Overtime and Premium Pay – Section 35.01.

PURPOSE: To establish types of employee leave available to Department Personnel.

A. LEAVE

1. All regular full-time employees will be allowed administration leave as covered under the following articles:

   Non-Union Employee Information Guide:

   Administrative Leave
   Court Appearance Leave
   Extended Sick Leave
   Family Medical Leave
   Jury Leave
   Leaves for Legitimate Personal Reasons
   Maternity Leave (Pregnancy)
   Military Leave
   Military Leave for Annual Duty
   Sick Leave
   Special Death or Retirement
   Training

   Union Contract (Fraternal Order of Police)

   Article 19 ---------- Sick Leave
   Article 19 ---------- Funeral Leave
   Article 21 ---------- Family Medical Leave
   Article 22 ---------- Special Death or Retirement Benefits
   Article 24 ---------- Jury Duty
   Article 25 ---------- Military Leave
   Article 25 ---------- Military Leave for Annual Duty SDCL 2-6-22
   Article 26 ---------- On and Off Duty Court Appearance Leave
   Article 19 ---------- Maternity Leave
   Article 27 ---------- Leaves for Legitimate Personal Reasons

B. HOLIDAY LEAVE

1. All regular full-time employees will be allowed **Holiday Leave** as covered under the following contract articles:

   Non-Union Employee Information Guide -- Page 11

Union Contract (Fraternal Order of Police) -- Article 18

C. SICK LEAVE

1. All regular full-time employees will be allowed **Sick Leave** as covered under the following contract articles:

   Non-Union Employee Information Guide -- Page 12
   Union Contract (Fraternal Order of Police) -- Article 19

D. FAMILY MEDICAL LEAVE

1. All regular full-time employees will be allowed **Family Medical Leave** as covered under the following contract articles:

   Non-Union Employee Information Guide -- Page 16
   Union Contract (Fraternal Order of Police) -- Article 21

E. VACATION LEAVE

1. Paid **Vacations** are given so regular full-time employees may have an opportunity to relax from everyday work routine. Annual vacations will be granted to all full-time employees under the following contract and policy articles:

   Non-Union Employee Information Guide -- Page 10
   Union Contract (Fraternal Order of Police) -- Article 17

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
322-02	Benefits	1 OF 1
ORDER NO.: 10-02	**SUBJECT:** Insurance, Disability, and Retirement	
SUPERSEDES: 09-04	**EFFECTIVE:** 03-31-10	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 22.2.2		

A. HEALTH INSURANCE

1. Health Insurance for all full-time employees of the Rapid City Police Department is provided by the **Group Insurance Plan** for the City of Rapid City. Other health insurance benefits are granted to all full-time employees under the following contract and policy articles:

   Non-Union Employee Information Guide
   Union Contract (Fraternal Order of Police) -- Article 28

B. LIABILITY PROTECTION

1. All insurable liability exposures (professional, general liability, worker's compensation, etc.) for the Rapid City Police Department are provided for by the City of Rapid City's various insurance programs, which protect employees for actions or omissions directly related to their law enforcement function. (341-09, Liability Protection Program)

C. DISABILITY AND DEATH BENEFITS PROGRAM

1. **Disability and Death Benefits** for all full-time employees of the Rapid City Police Department is provided by Short Term Disability Plan for the City of Rapid City. Other disability and death benefits are granted to all full-time employees under the following contract and policy articles:

   Non-Union Employee Information Guide
   Union Contract (Fraternal Order of Police) -- Article 22

D. RETIREMENT

1. The retirement program for full-time employees of the Rapid City Police Department is provided by the **South Dakota Retirement System.** Other retirement benefits are granted to all full-time employees under the following contract and policy articles:

   Non-Union Employee Information Guide
   Union Contract (Fraternal Order of Police) -- Article 28, and 31

A. EMPLOYEE ASSISTANCE PROGRAM

1. All employees of the Rapid City Police Department may take advantage of the City of Rapid City's **Employee Assistance Program.** Information pertaining to the Employee Assistance Program may be obtained from their Division Commanders or Human Resources Department.

B. VICTIM/WITNESS ASSISTANCE TO AGENCY PERSONNEL AND THEIR FAMILIES

1. Victim assistance is provided to employees of the Rapid City Police Department and their families by the **Employee Assistance Program.** This service is administered and coordinated through the Human Resources Department of the City of Rapid City.

C. PERSONNEL SUPPORT SERVICES

1. The Rapid City Police Department's policy is to make employees aware of the effects of **post-traumatic disorders** and to make help available.

   a. Whenever an employee is involved in a highly traumatic or stressful experience, certain mental and physiological reactions may take place. Often the stress can be so severe that much of the trauma is internalized to avoid the immediate mental anguish.

   b. The department shall provide a procedure for dealing with the effects of highly traumatic or stressful situations experienced by employees, specifically their physical, mental, and emotional health.

   c. It is also recognized that similar mental and physiological reactions are experienced by family members and/or close friends of the employee following such traumatic or stressful situations.

2. The following procedures are recommended whenever an employee of the Department is involved in a **traumatic situation or critical incident:**

   a. An attitude of personal concern for the employee involved is comforting and supportive, and an important element of physical and mental first aid. Supervisors and fellow employees who respond to the scene and find it appropriate should express concern for the well-being of the employee involved. Questions regarding the state of being of the employee, and statements of support and concern are encouraged only if they can be expressed sincerely.

b. It is highly recommended the employees involved should be given a psychological break and removed from the scene as soon as possible. A supervisor and/or if possible, a personal friend of the employee involved, or fellow officer, should accompany the employee to the Public Safety Building, or appropriate location. The supervisor, fellow officer, or friend should remain with the employee unless the employee desires to be left alone, which is not encouraged.

c. The employee should not be offered stimulants, such as coffee, cigarettes, etc. If the employee wishes to smoke or drink coffee, they should not be prevented from doing so; however, employees are to be reminded stimulants can agitate and further stress an already stressed system, and their intake is not advised.

d. In **shooting situations,** all firearms used will be collected and preserved for examination and testing. Whenever a handgun is taken from an officer, it should be replaced immediately with another handgun.

e. A reasonable recovery time will be allowed the employee before any questioning, except for limited questioning deemed critical to the on-scene investigation. This is a critical time during which the employee should be left with a supervisor, fellow officer or a friend. Concern for the employee should be shown as appropriate.

f. Arrangements should be made by the division commander to contact the employee's family to advise them of the incident and the post-incident procedures, which will be followed. An open line of communication should be established between the employee's immediate family and the division commander, and the Chief of Police, who will remain available to answer questions and see to any reasonable needs of the family. If the employee requests, arrangements will be made to transport their spouse or other immediate family members to their aid.

g. The employee shall attend a confidential debriefing with a psychologist as soon as possible (preferably within 24 hours) following the incident. Arrangements for the debriefing and any subsequent sessions with the psychologist shall be made through the office of the Chief.

h. A **Peer Support Team is deployed in critical incidents,** consisting of employees of the Department who have been through the certified peer support training. The Rapid City Police Department’s Peer Support Program is designed to provide confidential emotional support during and after times of personal or professional crisis to members who express a need for assistance, or for whom supervisory staff feel could benefit from program involvement. The Peer Support Program shall promote trust, allow anonymity, and preserve confidentiality for all members utilizing the program. The Peer Support Team is an established and trained group of peers and mental health professionals capable of providing one-on-one support, referrals, stress awareness/reduction help, small group defusings and debriefings after traumatic events.

i. An **administrative leave** of absence, with pay, is required for any employee directly responsible for the death or serious injury of another person. An administrative leave of absence, with pay, may be authorized for any employee involved in any other traumatic or overly stressful experience. At the option of the Chief, a temporary reassignment may be authorized in lieu of an administrative leave of absence. Such leave of absence shall be for a time period to be determined on an individual basis.

j. During the time the incident is being investigated, and for as long thereafter as is necessary, all telephone calls to the employee while at work shall be screened by the Division Commander or their immediate supervisor. Only those callers recognized by the employee should be put through to them directly. If the situation elicits extensive or adverse public sentiment, other extraordinary circumstances, or if the employee and their family are bothered by harassing phone calls at home, arrangements should be made to assist the employee with getting their home telephone number changed. If deemed necessary, arrangements for family counseling at Department expense should be made. The **counseling** should be coordinated through the Chief's Office by using the most appropriate program available.

3. Commanders and supervisors are responsible for dispelling any rumors by telling their subordinates at regular **roll-calls** or special employee meetings those facts concerning the incident, which should be known by employees in general.

4. **Stress Management Training**:

The Department's **training unit** shall provide an adequate number of recruit and in-service training sessions concerning the causes, symptoms, and methods of dealing with stress to ensure a general department-wide awareness. Reading material concerning stress management shall be kept by the Training Administrator and is available to all employees.

PURPOSE: To outline assistance available to employees and/or their families in the event of an employee death or serious injury.

A. DEATH OR SERIOUS INJURY - ON/OFF Duty

1. In the event of serious **bodily injury or death** of any Police Department employee, the Shift Commander on duty shall immediately notify the Chief of Police and the Division Commander of the effected employee, as well as any other notification that would normally be required. This notification shall take place whether the injury or death occurred on duty or off duty.

2. If the Chief is unavailable, the following **protocol** will make the notification:

   a. Employee's Division Commander

   b. On Duty Shift Commander

   c. Supervisor on duty

   d. Senior Officer on duty

3. No specific information about the injury, identity of the employee, or other information shall be discussed over the police radio.

4. The Chief of Police, or a Command Officer designated by the Chief, shall be responsible to notify the employee's family of the event, and of the condition of the employee.

   a. Prior to this notification, the Division Commander, or other assigned Command Officer, should attempt to locate and review the employee's Personal History Form and apply any appropriate information, such as the requested order of notification.

   b. This **notification** shall be made as soon as possible following the event, and shall be made in person unless circumstances of the incident render this impossible.

   c. The Officer making the notification should not be involved in any aspect of any pending investigation of the incident, and shall remain available to the family as long as practical.

   d. The Officer making the notification should have available and/or present appropriate persons to support and assist the family. If this information is not indicated on the employee's Personal History Form, they may include:

      (1) Other Police Personnel;

(2) A chaplain, personal clergy, or other religious support;

(3) A psychologist;

(4) A close family friend or other relative; and/or

(5) An EMT, nurse, or other appropriate medical personnel.

e. However, if the above are not immediately available, notification should still be made as soon as possible, with one or all of the above notified for timely follow-up.

5. The following **guidelines** should be considered in making the **notification:**

a. The officer assigned by the Chief to make the notification must be effective. Therefore, if the event adversely affects this officer, and the officer does not feel they can make the notification, the officer should advise the Chief of this so that the duty can be assigned to another employee.

b. If the family wishes to go the hospital or some other location, they should be transported and not required to drive themselves.

c. If the employee has died, the family should be informed of this. Information given to the family should be up-to-date and factual.

d. Family may request that other relatives be notified. Guidance and assistance in doing this should be provided to the family. Have appropriate assistance available.

e. There may be a need to provide immediate child care. Be ready to assist the family with this. This may include arranging for child care, transporting children or a babysitter, etc.

6. The Command Officer making the notification should stay with the family and act as the Department's **liaison** as long as possible and consistent with the wishes of the family. Although this may be unpleasant duty, the family should not be abandoned until other appropriate support is in place. The family should also be asked to identify one member who will act as the family's representative to the Police Department. This will insure the most effective communication.

B. FOLLOW-UP-ASSISTANCE

1. Once a liaison relationship has been established, it should be continued. For example, if new information becomes available, i.e. change of health of the employee, status of a subsequent investigation, etc. the information should be relayed to the family immediately and by the same officer. If not possible, the same officer should at least be present during the notification.

2. This **liaison** officer shall assist the family in any way possible to include:

a. Appropriate notification of insurance companies, hospital representatives, funeral arrangements, etc.;

b. Travel and lodging arrangements for out of town family members;

c. Specific information on funeral procedures that may follow, i.e. Honor Guard, presentation of flag, taps, etc.;

d. Arrangements for a reception following a funeral; and/or

e. A police representative should also be available to screen incoming phone calls to the family home, during specified hours, if requested by the employee's family.

3. If possible, the liaison officer shall attempt to establish a follow-up **family support group,** assign specific responsibilities, and provide for regular contact with the Police Department. This may be accomplished through the use of volunteers from other Police families.

C. DEPARTMENT NOTIFICATION

1. In the event of serious injury or death of a Police employee, the Chief of Police shall ensure all other Police employees are promptly notified of the facts and circumstances surrounding the event. The format for this notification shall be at the discretion of the Chief of Police. The notification should include the condition of the employee (if other than deceased) and what support services are being provided to the family.

2. All Department members shall be notified as to which officer has been assigned as liaison to the family. Any employee interested in assisting the family should be asked to contact the liaison officer to coordinate the assistance.

3. Assistance that other employees can provide may include:

   a. Transportation and lodging of family members;

   b. Child care;

   c. Errand running and other support such as shopping, message delivery, cooking and household chores; and

   d. Companionship.

D. BENEFITS COORDINATION

1. Following the serious injury or death of a Police employee, the designated liaison officer shall provide information and assistance to the family with the details of filing for all appropriate benefits. This may include notifying:

   a. City Finance Officer;

   b. Appropriate insurance companies;

   c. Workman's Compensation Board;

   d. First American Administrators;

   e. Veteran's Administration or others; and

   f. Employee Assistance Program.

2. If an Officer is killed in the line of duty, the family may be entitled to a **Federal Death Benefit.** To determine whether they are eligible, contact should be made with:

Public Safety Officers' Benefits Program Bureau of Justice Assistance
633 Indiana Avenue, NW
Washington, DC 20531
Tel: 202-307-0635
Fax: 202-514-5956
Internet: http://www.ojp.usdoj.gov/BJA/grant/psob/psob_main.html

3. Other benefits may be available by contacting:

U.S. Department of Labor
Office of Workers' Compensation Programs
200 Constitution Avenue, NW.
Washington, D.C. 20210
Phone: 202-693-0031
Internet: http://www.dol.gov/esa/owcp_org.htm

Denver Regional Office
U.S. Department of Labor, ESA/OWCP
1801 California Street, Room 920
Denver, CO 80202-2614
Phone: 303-844-1223

4. The liaison officer should remember that much of the information about benefits and financial assistance will be confidential, and should be treated as such.

E. REHABILITATION COORDINATOR

1. In the event of a serious bodily injury to an employee, the designated liaison officer or another designated employee shall provide **follow-up assistance** to the injured employee. Beyond the coordination of benefits as mentioned above, this may include assistance in the recovery stage such as transportation to and from hospitals, doctors or other appointments, and assistance with other family or household duties if possible.

2. The liaison officer shall be responsible to contact the employee at a minimum of once each week to update the employee on routine Department operations, news, etc. and to give the employee an opportunity to request assistance. Any unusual or difficult requests shall be reported to the Chief of Police for approval.

3. If there is a subsequent investigation or Court trial, the employee, or in the case of death of an employee, their family shall be updated on the status of the investigation or Court case as frequently as possible. Any significant event, i.e. the arrest of a suspect, a verdict or sentence should be reported immediately, prior to release to the media if possible.

F. POLICE FUNERAL PROCEDURES

1. Whenever a full **Police funeral** is conducted for the death of a Police employee, the following procedures have been established to provide coordination of the event. The Chief of Police will have overall responsibility to coordinate the Police funeral. Generally, the Chief of Police will assign designated officers to specific tasks. These tasks may include:

a. Preparation and dissemination of informational **teletype.** This should be prepared immediately following the notification of family. It should outline the brief facts surrounding the death, and provide as much information as is known, i.e. date of wake or funeral, calling hours, etc. It should request an RSVP from every agency intending to send formal representatives and provide a phone number to be called. This teletype should be sent to all South Dakota Law Enforcement agencies, and a copy shall be kept on file. The **Emergency Services Communication Center** should be provided with the appropriate information to answer questions regarding this teletype. This should be done whether there will be a full police funeral or not.

b. **Liaison with a funeral home.** Once a funeral home has been selected, the Chief of Police should appoint one person as liaison. The liaison will coordinate visitors during calling hours, assist funeral home if needed by providing appropriate uniform for the deceased officer. Additionally, traffic and parking needs will be handled by the liaison. This officer shall also be responsible for coordinating the funeral escort, and assuring that appropriate reserve seating is provided for family, fellow employees and other dignitaries.

c. **Honor Guard Assignment.** If requested by the family, the Honor Guard Commander shall ensure that appropriate Honor Guard staffing is provided. The Honor Guard Commander shall also advise the family of the services provided by the Honor Guard, i.e. honor guard at the wake, escort of the funeral procession, presenting the flag at grave side services, etc.

d. **Funeral Procession Coordinator.** An officer should be assigned to coordinate the funeral procession from the funeral home or church to the graveside services. The number and position of cars should be specifically assigned. The lead car is generally a marked vehicle, followed by the hearse, followed by the pallbearer's vehicle. Next is the family vehicle followed by other dignitaries. NOTE: The wishes of the family shall be considered and the order of the vehicles in the funeral procession shall be approved by the family if they indicate an interest.

e. **Graveside services** should be coordinated with the funeral director and the Honor Guard representative. Again, traffic and parking must be given consideration. Additionally, a reception for guests should be planned following the services sponsored by either the family, Police Department or the Peace Officers Association.

f. **Reception.** An officer should be assigned to coordinate a reception for guests after a funeral service.

RAPID CITY POLICE DEPARTMENT RULES AND PROCEDURES		
POLICY NO.: 322-05	**SECTION:** Benefits	**PAGE NO.:** 1 OF 1
ORDER NO.: 10-02	**SUBJECT:** Educational Benefits	
SUPERSEDES: 09-04	**EFFECTIVE:** 03-31-10	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 22.2.2		

PURPOSE: To establish benefits for those employees who desire to or have furthered their education beyond secondary school education.

A. EDUCATIONAL BENEFITS

1. Educational benefits submitted to the employees of the Rapid City Police Department are offered under the following contracts and policies:

   Non-Union Employee Information Guide
   Union Contract (Fraternal Order of Police) -- Article 33

2. The Rapid City Police Department encourages union employees to take advantage of Article 33, of the Union Contract, "Employee Education Loan Program."

B. EDUCATIONAL LEAVE FOR CAREER DEVELOPMENT

1. The Rapid City Police Department's policy is vacation leave or leave without pay may be granted to permit employees to attend seminars, workshops or other advanced educational training in police work.

   Union Contract (Fraternal Order of Police) -- Article 33

C. SHIFT PREFERENCE AND ACADEMIC STUDY

1. The Rapid City Police Department makes every effort possible to accommodate employees desiring to continue their formal education.

   Union Contract (Fraternal Order of Police) -- Article 33, Section 33.01

D. EDUCATIONAL DEVELOPMENT PLAN

1. The Rapid City Police Department encourages all sworn members to participate in college-level training with the minimum goal of attaining a Bachelor's degree or its equivalent.

   Union Contract (Fraternal Order of Police) -- Article 33

PURPOSE: The Rapid City Police Department will support the employees who serve in the armed forces as they transition to and from active duty status through deployment. To best identify and meet the needs of the employee, the following policy is established for military activations exceeding 90 days. The Department is committed to strict compliance with federal employment regulations and the wellbeing of the employees serving dual roles in the armed forces.

A. AGENCY POINT OF CONTACT

1. The deploying employee will be assigned a primary point of contact in the agency by the Chief of Police or designee. The agency point of contact will have the responsibility of maintaining contact with the employee and/or his family for communication and resource purposes. The agency point of contact will provide status updates as requested by the Chief of Police.

B. HUMAN RESOURCES OFFICE POINT OF CONTACT

1. The City Human Resources Manager or designee will serve as the Human Resources point of contact for the deploying employee for employment resources and information that is generally managed outside of the department. The employee will be provided the name and the contact information of the individual prior to deployment.

C. PRE-DEPLOYMENT PROCESSING

1. The deploying employee will be scheduled for an interview with the Chief of Police or his designee prior to deployment. The purpose of this interview is to relay the points of contact from the agency and the City Human Resources Department to the employee, and have open communications regarding deployment matters. The employee will be encouraged to leave a family point of contact in addition to a stateside military contact, and establish a methodology of communication (e-mail, phone, social media) suitable to the conditions and environment of the deployment.

D. STORAGE OF DEPARTMENT EQUIPMENT

1. The deploying employee will have the option of maintaining possession of and storing department equipment for the duration of the deployment or he/she may opt to contact the department Police Purchasing Specialist for storage of department equipment. The department Police Purchasing Specialist will turn firearms over to a firearms instructor for storage in the armory. Upon the employees return he/she can contact the Police Purchasing Specialist for the re-issuance of equipment.

E. POST-DEPLOYMENT PROCESSING

1. The employee will schedule an interview with the Chief of Police or his designee upon returning from deployment. The purpose of this interview is to help with the transition back to the workforce through assessment of needs or direction to available resources.

F. REINTEGRATION TRAINING

1. Upon return, the employee will contact the Training Administrator to schedule refresher training to include policy, legal, use of force and technology updates, weapon and skills qualifications and other training matters determined relevant by the employee and the Training Administrator.

POLICY: The Rapid City Police Department places the greatest possible value and emphasis upon the welfare of its employees and recognizes public safety employees face situations which may create significant distress. The Rapid City Police Department's Peer Support Program is designed to provide confidential emotional support during and after times of personal or professional crisis to members who express a need for assistance, or for whom supervisory staff feel could benefit from program involvement. The Peer Support Program shall promote trust, allow anonymity, and preserve confidentiality for all members utilizing the program.

PURPOSE: To establish guidelines for the establishment and utilization of the department Peer Support Team.

A. DEFINITIONS

1. Peer Support Team: Formally established and trained group of peers and mental health professionals capable of providing one-on-one support, referrals, stress awareness/reduction help, small group defusing and debriefing.

2. Personal or Professional Crisis: Any incident which causes severe physical or mental injury, usually due to an external agent. One of these events may include, but are not limited to:
   a. The use of deadly force.
   b. Assault on an employee involving a deadly weapon.
   c. Injury, illness or death of an employee or family member.
   d. Assisting family with an employee's death.
   e. Investigations involving death, such as S.I.D.S.
   f. Substance abuse
   g. Marital, relationship, health, family, financial, employment, or other personal problems.

3. Traumatic Event: Directly experiencing or witnessing actual or threatened death or serious injury or experiencing a threat to one's own physical integrity or the integrity of someone else. Any event that may temporarily overwhelm an individual's usual methods of coping or produce unusual strong reactions.

4. Individual Reactions to a Traumatic Event: It's important to note an individual's reaction to a traumatic event is individual-specific based on the totality of circumstances in that individual's life (i.e. the degree of involvement, cumulative events, personal likeness, children, etc.).

5. Critical Incident: Abnormal, traumatic or unusually challenging events with the potential to create significant human distress which can overwhelm usual coping mechanisms.

6. Critical Incident Stress Management Team: A partnership between mental health professionals and emergency service employees who are interested in preventing and mitigating the negative

impact of acute stress on them and their peers.

7. Peer Support Program Coordinator – The employee designated to coordinate the program and responsible for administering the program to include assigning and supervising advisors in the performance of their duties associated with the support and referral program. The coordinator will be designated by the Chief of Police.

8. Peer Support Advisor: An employee who, by virtue of prior experience, training, or interest, has expressed a desire and has been selected to provide support for employees of the Rapid City Police Department. Also referred to as peer support.

9. Client: Any Rapid City Police Department employee may initiate the program's benefits by either making a self-initiated contact, being referred by another employee, or being contacted by an advisor. Any client may maintain a mutually consensual Peer Support relationship with any advisor.

10. Debriefing: Small group, phase sensitive, peer driven, formal crisis intervention tool usually accomplished within 1-10 days after a traumatic event or critical incident.

11. Defusing: A shortened version of the debriefing, generally lasting less than one hour. A defusing is a small group, peer driven, loosely guided discussion usually accomplished within 12 hours of a traumatic event or critical incident. The defusing may be used to determine the need for debriefing and/or other services.

12. Demobilization: Usually a one time, after shift/event, large group, information process which provides for information, rest and assessment. The demobilization serves a secondary function as a screening opportunity to assure an individual who may need assistance is identified early after a traumatic event or critical incident.

13. Peer assistance: A process by which trained personnel provide emotional support and referrals for a colleague during a crisis or when they are under stress. Generally, peer assistance is sought by the employee in need or suggested by the employee's peer(s) or supervisor. Peer assistance does not replace the need for structured group intervention following trauma. Peer assistance or support is a necessary adjunct to professional mental health guidance and leadership in trauma support services. Peer assistance is not a replacement for the department's contracted Employee Assistance Program.

B. SELECTION AND TRAINING

1. Employees wishing to serve on the Peer Support Team should forward a letter of request to the Program Coordinator through their chain of command. The selection process for the Peer Support Team will be based upon department need, position vacancies, experience, and qualifications. The Department will announce anticipated openings for the Peer Support Team agency wide.

2. All members of the Peer Support Team will receive training on stress awareness, reduction, referrals, and critical incident stress management techniques and procedures.

C. TEAM COMPOSITION

1. The Rapid City Police Department Peer Support Team is comprised of personnel who have personal experience and/or training in police-related traumatic events and specialized training in assisting peers and their families with the immediate adverse psychological affects following a

traumatic event or critical incident.

2. Once trained, Peer Support Team Members will be available to provide peer support, referrals, and CISM assistance to public safety employees and their immediate family.

3. Peer Support Team Members understand that being a member is voluntary and must be prepared to answer calls for help on a 24-hour basis.

4. One of the most important responsibilities of a Peer Support Team member is the promotion of trust, anonymity and confidentiality. Therefore, communications between a Peer Support Team member and an employee being assisted is considered privileged by the department unless criminal acts are involved; or where the employee, through words or actions, manifests there is an articulable danger to himself/herself, citizen(s), or fellow employees.

5. A communication made by an emergency service provider to a critical incident stress management team or to a peer support team member while the provider receives critical incident stress management services is confidential and may not be disclosed in a civil or administrative proceeding. Peer Support Team members have no legally protected privilege of patient confidentiality in criminal proceedings. Regardless of any possible criminal or civil proceeding, team members shall not make or maintain any notes regarding their communications.

6. A violation of confidentiality, except as mandated, will be grounds for immediate dismissal from the Peer Support Team. The Peer Support Team Coordinator and/or the Chief of Police will be responsible for making this determination.

D. PEER SUPPORT ACTIVATION PROTOCOL

1. Trauma takes a variety of forms and cannot be accurately or exhaustively quantified in description. However, certain events are of such magnitude they should be considered disruptive to nearly anyone involved. For the purpose of the Rapid City Police Department response criteria, situations appropriate for Peer Support Team activation and usage include, but are not limited to, line of duty deaths/serious injuries, high risk incidents, incidents involving serious injury/death to others, natural disasters, significant stressful events (duty and non-duty related), shootings, etc.

2. When such incidents occur, an automatic Trauma Response will be initiated. The on-duty shift supervisor will see that a Peer Support Team Member is notified. The need for group intervention or immediate peer support will be assessed and mobilized.

3. Department supervisors should be aware of situations that may require Peer Support Team activation and usage. Supervisors may contact the Peer Support Team Coordinator or an Assistant Team Coordinator anytime to activate Peer Support Team members or inquire if activation may be appropriate.

4. This program is dependent upon the identification of all traumatic and critical incidents, large and small, to help reduce the emotional impact and to avoid the effects of post-traumatic stress.

5. When making the notification, the supervisor should attempt to utilize an on-duty Peer Support Team Member. If no Peer Support Team members are on-duty, the shift supervisor will contact the Peer Support Team Coordinator or an Assistant Team Coordinator.

6. Department employees may access any Peer Support Team member for one-on-one informal peer support and referrals anytime at their discretion.

7. Departmental supervisors may request a Peer Support Team member to conduct a Defusing as needed.

8. All requests for Peer Support Team assistance involving formal Debriefings, Demobilizations, and Defusings shall be made through and coordinated with the Peer Support Team Coordinator or an Assistant Peer Support Team Coordinator. The Peer Support Team Coordinator/Assistant Coordinator will identify the type of service and staffing required.

E. REPORTING

1. No written note taking or recordings are allowed at any Peer Support Team interventions. Peer Support Team Members providing any type of assistance will complete and forward a Peer Support Team usage report form to the team coordinator. The only names included on this report will be those of assisting Peer Support Team members. The report will include type of assistance provided, Peer Support Team members involved, locations, date and times, number of attendees and type of incident involved.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
323-01	Conditions of Work	1 OF 1
ORDER NO.: 10-02	**SUBJECT:** Annual Screenings	
SUPERSEDES: 09-04	**EFFECTIVE:** 03-31-10	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 22.3.1		

A. ANNUAL SCREENINGS

1. Physical and Wellness screenings will be administered to all sworn employees as offered under the following contract and policies:

   Non-Union Employee Information Guide
   Union Contract (Fraternal Order of Police) -- Article 15, Section 15.01

B. REQUIRED PHYSICALS AT NO COST

1. Every sworn employee shall be examined once a year by one of two physicians of the City's choosing. If an employee elects to undergo the annual physical exam by a physician of their own choosing, then the employee will be responsible to pay any difference in cost, less the benefits payable under their health insurance.

2. Any charges beyond the initial physical exam shall be the obligation of the employee. If an employee fails to pass their physical exam, then a review of their case will be made in accordance with the Personnel Policy and Union Contract listed in paragraph 'A' above.

C. ANNUAL WELLNESS SCREENING

1. Annually, every sworn employee will be asked to submit a confidential wellness screening to the Department Psychologist.

PURPOSE: The Rapid City Police Department will promote and maintain a reasonably healthy and physically fit work force for the purpose of preventing undue health related costs, facilitating employee safety, and assuring a capable and productive work force. This will be achieved through establishing reasonable physical fitness standards for employees, and providing a wellness program to promote, facilitate, and reward the general health and well-being of all employees.

A. GENERAL HEALTH AND FITNESS

1. The Rapid City Police Department recognizes every employee's level of **general health** and **physical fitness** is related to the overall efficiency, effectiveness, morale and well-being of the work force. It is also recognized the nature of police work requires, as a business necessity, a healthy and physically fit work force capable of performing their duties.

2. Ill health and physical fitness deficiencies among Department personnel are related to other significant organizational and employee costs such as sick days, accidents, health insurance, worker's compensation, and even in certain instances, legal liability.

3. Police officers have unique job functions, some of which can be physically demanding. An officer's capability to perform those functions can affect personal and public safety. Physical fitness underlies an officer's ability to perform the frequent and critical job tasks demanded. The minimum fitness standards identified are levels below which an officer's capacity to safely learn and perform frequent or critical job tasks is compromised. Higher levels of fitness are associated with better performance of physical job tasks required by peace officers.

4. Any fitness/physical training conducted by Department personnel will have an AED ready and on hand at the training location. The lead instructor or highest ranking personnel conducting any physical/fitness training is **required** to coordinate the appropriation of an AED. If an AED is not readily available at the training location, a machine can be checked out from the Training or Special Operations Sergeant.

B. TESTING

1. **Physical fitness testing** is mandatory for all sworn personnel and **candidates.** Testing is conducted for assessing and evaluating the physical fitness condition of each employee and the overall organization according to established standards. Testing for sworn personnel candidates will be limited to push-ups. Sit-ups and 1.5 mile run.

    a. Testing will be conducted no less than annually for all eligible employees. Eligible employees include both sworn and non-sworn personnel who have passed a recent (within one year) physical examination.

b. **Non-sworn personnel** are not required to test, but are encouraged to take the examination voluntarily.

c. The fitness instructor(s) will be certified by a recognized authority within the health and fitness field.

2. Notification of the testing date will be announced by the **Lead Fitness Instructor** no less than 30 days in advance through an intra-agency memo.

3. Employees will be examined during the annual Department physical to determine eligibility to take the fitness test. The physician will indicate whether an employee is medically able to take the fitness test and indicate which fitness tests may or may not be used. This is to be accomplished utilizing the Department's Physician Medical Report form. If for some documented medical reason an officer is unable to perform any portion of the physical agility test, the specific disorder must be noted in a physician's letter. The physician's letter must be presented to the physical fitness instructor prior to the start of the examination.

4. The Rapid City Fire Department (RCFD) has agreed to support candidate testing events with medical personnel. The Training Sergeant will coordinate with the RCFD to ensure medical personnel are notified ahead of candidate testing events.

C. REQUIRED PASSING OF TEST

1. Annually, all sworn officers will be required to pas a physical fitness test as a condition of employment.

2. The PT test will be conducted according to Department protocol. The tests themselves are comprised of standards as developed by the Cooper Institute, United States Military Services, and John Wills. The test is administered the specific order listed with 5 to 10 minute rest periods between each component. The PT tests are listed below. The requirements for each of the tests may be found in Appendix A of this policy:

   a. **Upper Body Strength** Tests (employee's choice of one of the three listed below):
      (1) Push-ups to be completed in a 1-minute time limitation, or;
      (2) Maximum bench press, or;
      (3) Chin-ups for Males and Flex-arm Hang for Females;

      (5-minute rest)

   b. **Core Strength** Tests (employee's choice of one of the three listed below):
      (1) Sit-ups to be completed in a 1-minute time limitation, or;
      (2) Plank, or;
      (3) Bicycle Crunch

      (5-minute rest)

   c. **Aerobic Fitness** Tests (employee's choice of one of the three listed below):
      (1) 1.5 mile run, or;
      (2) 12-minute Elliptical, or;
      (3) 12-minute Stationary Bicycle

   (If you pass 1 year until a retest, if not retest within 90 days)

Note: For testing Age & Sex Norms, see **Appendix A**.
For the specifics of all Test Protocols see **Appendix B.**

D. RETESTING, DISCIPLINE AND TERMINATION OF SWORN PERSONNEL

1. Officers not in compliance with the testing will be reviewed and a program will be worked out with the Department contracted physicians and the fitness instructors to aid them in coming into compliance. The officers in this category will test twice a year to evaluate their fitness level. For further information regarding this, refer to Section E of this policy.

2. Any officer who is unable to comply with the fitness testing due to medical reasons will speak directly to the Chief of Police. The Chief of Police will be responsible to determine a course of action.

3. Any officer failing the annual testing will have six months to retest to come into compliance. If they do not pass the second test they shall report directly to the Chief of Police, who will be responsible to determine a course of action.

4. Probationary officers are required to successfully pass the Department fitness standards prior to being released from probationary status.

E. INDIVIDUAL EDUCATION AND GOAL SETTING

1. Nutritional and wellness training shall be provided for probationary officers. Additional training shall be provided on an annual basis during in-service training. Non-sworn employees are encouraged to attend this training.

2. Officers not in compliance with the testing will be reviewed and a program will be worked out with the Department fitness instructors to aid them in coming into compliance. As needed, contracted physicians will also be utilized in developing this program. Employees placed on individual programs will be monitored and encouraged, with on-going support and evaluation of progress. As part of the personalized program, adjustments will be made to keep the employee progressing toward the overall goal of general health and well-being of all employees.

F. GENERAL TRAINING GUIDELINES

1. Whereas many training routines can be used to improve performance in the Physical Readiness Testing (PRT), participants should keep in mind that physical training is *specific*. That is, one improves in activities practiced. If one wishes to optimize push-up performance, push-ups should be included in the training program. Many other exercises can also be included to strengthen the chest, shoulders and arms, but push-ups should be included in the routine. Ideally, muscles and the aerobic and anaerobic energy systems should be gradually, progressively trained over several weeks or months to achieve significant fitness gains. Physical adaptations occur gradually in response to regular, consistent overloads, i.e. doing more than your body is accustomed to doing. Everyone is different – a stimulus resulting in an appropriate, moderate overload to one person may be impossible for another person to perform, while yet another person is not stressed at all. A participant who has been inactive for a significant period of time should ideally take six to twelve weeks to train for the PRT.

2. The training routine should include exercises to train upper body strength and muscular endurance, abdominal muscular endurance, leg power, cardio-respiratory endurance and

anaerobic capacity. Strength and cardio-respiratory endurance activities should be performed about every other day, or three days per week, to allow adequate recovery and positive adaptations to occur. Anaerobic (high intensity) training should be done once per week, and can be performed in lieu of a cardio-respiratory training session. For flexibility enhancement, good back health, and injury prevention, stretching exercises should be performed before and after training sessions, and can be done on off days as well.

APPENDIX A

PRT Standards

Males	Core Fitness	Upper Body Fitness	Aerobic Fitness
Age Group	Sit-ups / Bicycle Crunch / Plank	Push-ups / Bench Press / Chin-ups	1.5-MILE Run / Elliptical / Stationary Bike
20-24	40 / 50 / 60 seconds	33 / 1.13% of weight / 9	13:15 / PRT Calculator
25-29	40 / 50 / 60 seconds	33 / 1.13% of weight / 9	13:45 / PRT Calculator
30-34	36 / 50 / 60 seconds	27 / 1.06% of weight / 7	14:15 / PRT Calculator
35-39	36 / 50 / 60 seconds	27 / 1.06% of weight / 7	14:45 / PRT Calculator
40-44	31 / 50 / 60 seconds	21 / 0.93% of weight / 6	15:15 / PRT Calculator
45-49	31 / 50 / 60 seconds	21 / 0.93% of weight / 6	15:45 / PRT Calculator
50-54	26 / 50 / 60 seconds	15 / 0.75% of weight / 4	16:15 / PRT Calculator
55-59	26 / 50 / 60 seconds	15 / 0.75% of weight / 4	16:51 / PRT Calculator
60 +	20 / 50 / 60 seconds	9 / 0.68% of weight / 4	18:20 / PRT Calculator

Females	Core Fitness	Upper Body Fitness	Aerobic Fitness
Age Group	Sit-ups / Bicycle Crunch / Plank	Push-ups / Bench Press / Flex-arm Hang	1.5-MILE Run / Elliptical / Stationary Bike
20-24	35/ 50 / 60 seconds	26 / 0.65% of weight / 45 sec.	15:15 / PRT Calculator
25-29	35 / 50 / 60 seconds	26 / 0.65% of weight / 45 sec.	15:45 / PRT Calculator
30-34	27 / 50 / 60 seconds	21 / 0.57% of weight / 37 sec.	16:15 / PRT Calculator
35-39	27 / 50 / 60 seconds	21 / 0.57% of weight / 37 sec.	16:38 / PRT Calculator
40-44	22 / 50 / 60 seconds	15 / 0.52% of weight / 29 sec.	17:00 / PRT Calculator
45-49	22 / 50 / 60 seconds	15 / 0.52% of weight / 29 sec.	17:08 / PRT Calculator
50-54	17 / 50 / 60 seconds	13 / 0.46% of weight / 22 sec.	17:15 / PRT Calculator
55-59	17 / 50 / 60 seconds	13 / 0.46% of weight / 22 sec.	18:18 / PRT Calculator
60 +	8 / 50 / 60 seconds	8 / 0.45% of weight / 22 sec.	19:25 / PRT Calculator

APPENDIX B

Bicycle Crunch Protocol

1. Have participant lay on their back on the floor/ground/exercise mat with legs fully extended.

2. The participant shall place both of their hands on their head behind the ears with their fingertips touching.

3. The participant shall commence the exercise by bringing their left knee up to a 45 degree angle and their right knee to a 90 degree angle while at the same time bringing their left elbow up and across their body to touch their right knee.

4. The participant shall extend their right leg back out to a 45 degree angle and bring their left knee up to a 90 degree angle while at the same time bringing their right elbow up and across their body to touch their left knee.

5. The participant shall then extend their left leg back out a 45 degree angle and repeat steps three and four.

6. Each time the participant touches their elbow to their knee counts as one repetition.

7. This is a timed event and the participant has one minute to do a minimum of fifty repetitions. This test is scored on a pass/fail basis with fifty repetitions being the minimum.

8. If the participant stops at any point during the test prior to one minute the test is concluded with the score being whatever number of repetitions the participant has completed to that point.

Plank Protocol

1. Instruct the participant to lay prone, keeping the upper body elevated and supported by the elbows. Raise the hips and legs off the floor, supporting the body on the forearms and toes. Position the elbows directly under the shoulders. Maintain straight body alignment from shoulder through hip knee and ankle.

2. The ankles should maintain a 90 degree angle; the scapulae should remain stabilized with the elbows at a 90 degree angle. The spine should remain in a neutral position throughout the assessment.

3. Once the feet are in position, the participant then extends the knees lifting off the floor. Start the stopwatch at this time.

4. Instruct the participant to contract the abdominals so that the back will remain flat in the neutral position for the duration of the testing assessment.

5. Any deviations from the above posture will warrant two verbal warnings. If a third infraction occurs stop the watch and terminate the assessment.

6. The participant shall hold this position as long as they can with a minimum time of one minute to pass. This test is scored on a pass/fail basis.

Chin-up Protocol

1. This is not a timed event.

2. Assistance to the bar with a step up, being lifted up, or jumping up is authorized. Any assistance to the bar will not be used to continue into the first chin-up.

3. The bar must be grabbed with both palms facing either forward or to the rear.

4. The correct starting position begins when the participant's arms are fully extended beneath the bar, feet are free from touching the ground or any bar mounting assist, and the body is motionless.

5. The participant's legs may be positioned in a straight or bent position, but may not be raised above the waist.

6. One repetition consists of raising the body with the arms until the chin is above the bar, and then lowering the body until the arms are fully extended; repeat the exercise. At no time during the execution of this event can a participant rest his chin on the bar.

7. The intent is to execute a vertical "dead hang" chin-up. A certain amount of inherent body movement will occur as the chin-up is executed. However, the intent is to avoid a pendulum like motion that enhances the ability to execute the chin-up. Whipping, kicking, kipping of the body or legs, or any leg movement used to assist in the vertical progression of the chin-up is not authorized. If observed the repetition will not count for score.

Flexed Arm Hang Protocol (Females Only)

1. This is a timed event.

2. Assistance to the bar with a step up, being lifted up, or jumping up to the start position is authorized.

3. The bar must be grasped with both palms facing either forward or to the rear.

4. The correct starting position begins when the participant's arms are flexed at the elbow, the chin is above the bar and not touching it, and the body is motionless. At no time during the execution of this event can a participant rest her chin on the bar.

5. The participant is authorized to drop down below the bar; however, some degree of elbow flexion must be maintained with both arms. Once a participant's arms are fully extended or the participant drops off the bar, the clock will stop.

ELLIPTICAL & STATIONARY CYCLE TEST PROTOCAL

1. Allow the participant to warm up and familiarize themselves on the machine to be used.

2. Prior to programming the machine ensure existing data has been cleared from the machine.

3. Instruct the participant to get on the machine.

4. Program the following four items in the order required by the specific machine:

   a. Manual program

b. Resistance of the participant's choice

c. Weight

d. 12 minutes. If the machine has an automatic cool down adjust the time accordingly. For example, if there is an automatic two minute cool down program on the machine set the time for fourteen minutes so the machine does not automatically reduce the resistance at ten minutes.

5. Conduct the test for twelve minutes allowing the participant to vary the resistance/load and stride rate/pedal rate to maximize performance while otherwise keeping hands on the handlebars throughout the test.

6. At the 12 minute mark read and record the caloric output from the cycle or elliptical display screen.

7. Input the caloric output and weight of the participant into the calculator to be converted to the run time and score.

8. Cycle and elliptical test events shall be ended when the participant has completed exactly twelve minutes. The cycle and elliptical test is failed when the participant terminates the test prior to twelve minutes such as:

   a. Stopping to rest

   b. Stopping the machine

   c. Standing up on the cycle

   d. Removing hands form the handlebars (other than for momentarily for comfort, E.G., to adjust the resistance). Handlebars for the elliptical are defined as the primary set of movable handles, not the secondary set that do not move.

POLICY: The Rapid City Police Department's policy is all employees (sworn and non-sworn) will obtain **written consent** of the Chief of Police before engaging in secondary employment. **Secondary employment** that brings the Department into disrepute or impairs the operation or efficiency of the Department, or employee will not be authorized. The nature of the law enforcement task requires Department employees to have the ability to work irregular duty schedules, which are subject to change in meeting deployment needs. Additionally, it is necessary employees have **adequate rest** to be alert during their tour of duty. Since certain occupations inherently conflict with an employee's primary responsibility to the community, the Department may impose conditions on outside employment, or may prohibit it altogether.

DEFINITIONS:

1. **Secondary employment** means any work for material value, including self-employment and is not assigned by the Department. Secondary employment does not mean work performed as a volunteer for a service club, school, or other similar entity.

2. **Special Police Work** means secondary employment involving the use of police authority.

3. **Non-Police Work** means secondary employment not involving the use of police authority.

4. **Extra-duty Police Service** is employment, which is considered as an extension of a sworn employee's departmental responsibilities, provided by the Department as a supplementary police service to a secondary employer, and which is conditioned upon vested police powers of sworn personnel. The service is rendered during a period of time not within the employee's assigned hours of duty.

5. **Vacates** means an employee no longer works an assignment, or the employee has obtained a replacement on four consecutive work days, or an employer has contacted the Department for an off-duty employee.

A. GENERAL REGULATIONS

1. Employees will devote their primary attention to police duties. Employees may be permitted secondary employment, providing the employment will not interfere with the efficient performance of their duties.

2. Secondary employment will not be approved for any employee whose sick record indicates a lack of strength or stamina necessary to sustain both jobs.

3. Employees off duty due to illness or injury, or on limited duty status must obtain written permission to perform secondary employment while in that status.

4. Secondary employment will not be authorized when it conflicts with police **ethics,** or raises a question of a conflict of interest.

5. Employees engaged in secondary employment are subject to all rules and procedures of the Department.

6. Provisions of secondary employment will not relieve any employee from the responsibility of being available and responding to a call for active duty by the Department at any hour.

7. Employees working in construction or other hazardous areas should wear all appropriate safety equipment.

8. Employees performing secondary employment will be subject to supervision by the command officers of the Department. Employees are encouraged to ask for advice from any command officer in all circumstances of an unusual nature, or about which the employee has questions.

9. Entry-level officers will not be permitted to perform secondary employment prior to completing probation except by waiver of the Chief of Police.

B. SPECIAL POLICE WORK

1. Any employee desiring to work as a private security officer, may do so with the permission of the Chief's Office and with the proper licensing, taxing and bonding requirements met. Any police officer, after meeting all other work related guidelines, may also work in uniform for any governmental entity, when that employment is first approved by the Chief of Police, or the Chief's designee.

2. All requests to hire an employee for any job outside of the Rapid City Police Department will be forwarded, in writing, to the Chief's Office. Upon acceptance, the information will be given to the Accounting Clerk who will post a job offer for all employees who qualify. Arrangements must be made by the individual employees with the requesting party.

    a. The Police Department will not act as a broker for secondary employment, and all arrangements shall be made during the employee's own time.

    b. Requests submitted by governmental entities for police officers to work on their off-duty time will be posted, including the sign-up roster, by the Accounting Clerk.

3. Employees carrying a firearm for use in secondary employment must comply with Rapid City Police Department policy 113-03.

4. No Rapid City Police Officer, while engaged in **part-time employment** as a **security officer,** will identify themselves, or use the credentials identifying themselves as Rapid City police officers. All arrests made while in employment as a private security officer will be made as a private citizen. This should not be construed to mean off-duty police officers, who find themselves in a serious situation where they must take police action, are prohibited from using their regular Police Department credentials. This applies only to those officers otherwise employed, at the time the situation occurs.

5. Officers will not be permitted to perform special police work in any establishment selling or dispensing any alcoholic beverage, or any bingo or raffle games without specific written approval from the Chief. This approval is in addition to the approval to participate in secondary employment.

6. Officers will not perform special police work, such as a watchman or guard, on any project or at any business where there is a labor dispute or strike.

7. Officers performing special police work will be bound only by police authority for the enforcement of the enacted ordinances and laws. This authority does not extend to the enforcement of rules made by or in the interests of management of the secondary employment.

8. Officers authorized to perform special police work will be responsible for properly advising their employer of the Department policy and liabilities regarding secondary employment.

C. NON-POLICE WORK

1. Permission will be granted for non-police work in the same manner as special police work.

2. Non-police work that is voluntary or an unpaid contribution to the community as a citizen or as a result of a membership in a community group whose goals are the betterment of the community are not held to the same permission standard as secondary employment for wages.

D. EXTRA-DUTY EMPLOYMENT

1. Payment for the provision of extra-duty police service to a secondary employer by the Department is a financial contract between the private employer and the City based upon an established fee schedule, i.e. Non-Union Employee Information Guide and Union Contract.

2. Payment for the provision of extra-duty police service to a sworn employee of the Department who provides such service is paid by the City to the employee.

3. The Chief of Police or designee is responsible for the administration and approval of all requests for extra-duty police service within the City of Rapid City.

4. The **Accounting Clerk** assigned to the Support Services Section is designated as the extra-duty coordinator. The Accounting Clerk is responsible for the daily administration and coordination of the availability and assignment of sworn employees.

5. Sworn employees are deemed to be acting within the course and scope of official duties while fulfilling extra-duty assignments within the City of Rapid City. The duties performed may be restricted to the tasks set forth within the scope of the extra-duty assignment. Example: If the extra-duty assignment is for crowd control at the Civic Center, it will be the primary task of the officer.

6. An approved employee can be removed from the extra-duty list by the Division Commander for the following reasons:

   a. An unsatisfactory sick leave record;

   b. An unsatisfactory performance evaluation; or

   c. Relief from duty pending an investigation or administrative action, or as a result of disciplinary action.

7. Extra-duty employment, which the Division Commander or Chief of Police determines conflicts with the employee's primary duties will not be approved.

8. Extra-duty employment by any sworn or non-sworn member of the Rapid City Police Department will be in accordance with existing rules and procedures.

9. The Chief of Police may **prohibit extra-duty** employment, which might:

   a. Render an employee unavailable during an emergency period;

   b. Physically or mentally exhaust an employee to a point where their job performance may be affected;

   c. Require any special consideration be given to the employee's schedule of regular duty hours;

   d. Bring the Department into disrepute, or impair the operation or efficiency of the Department or employee;

   e. Compromise the integrity of the Department or the employee.

10. In the event a sworn employee working an extra-duty assignment affects an arrest, they are responsible for completing the initial reports, with exception of the jail custody report and associated booking reports. An on-duty patrol unit will respond to the scene, transport and book the prisoner, and book any associated evidence or property.

11. In the event a sworn employee is requested to work over the projected time period by the secondary employer, the sworn employee must notify their immediate supervisor of the extension of duty.

12. Prior to employment in special police work for an employer other than the City of Rapid City, the employee seeking employment and the prospective employer may be required to sign waivers of indemnification releasing the Department from all civil, medical and disability liability that may result from the employee's extra-duty employment.

E. SECONDARY EMPLOYMENT PROCEDURE

1. All requests for secondary employment will be made in writing and forwarded through the requesting individual's division commander to the Chief. The written request will be made on forms supplied by the Department.

F. CIVIL LIABILITY WHILE PERFORMING SPECIAL POLICE WORK

1. The City of Rapid City will not accept liability for employees who are employed by someone other than the City and acting beyond the limits of their police authority, such as enforcing the rules of management.

2. Employees incurring an injury, which is not the result of an official police action, while engaged in secondary employment, will be responsible for reporting the injury directly to the State Division of Labor or the insurer of the employer. This report will not be processed through the Department. All such injuries will be considered by the Department as an injury not in the line of duty and the employee's absence will be deducted from their accumulated sick leave. Upon use of an accumulated sick leave, additional absence from duty will not be compensated by salary. If the injury is the result of an official police action, reporting will comply with City Personnel Rules and Department Rules and Procedures.

3. A written waiver of liability may be required.

G. OFF-DUTY ENFORCEMENT ACTION

1. Whenever possible, off-duty officers observing serious incidents will refer those incidents to an on-duty officer. Where the incident requires immediate enforcement action, the off-duty officer will respond with the appropriate action.

2. Officers involved in an off-duty enforcement incident will complete the required reports and will be compensated in accordance with Article 32 and 42 of the Union Contract.

POLICY: The Rapid City Police Department has its uniformed employees consistent in appearance and readily identifiable. Department authorized **uniforms** consist of and are worn according to the following specifications.

A. CLOTHING AND EQUIPMENT

1. It is each employee's responsibility to maintain all uniforms and equipment in good order and request replacement of any uniforms or equipment damaged and/or irreparable. Any claims for damage to clothing or other personal or issued property belonging to an employee caused by performance of duty shall be made in writing. See policy 341-05.

2. **Sworn Officer Uniforms Issued by the Department**:

   a. **Regular Duty Uniform (Winter or Summer)**

      (1) **Winter**

         (a) Black four-in-hand tie with safety release or Department issued black turtleneck or Dickie, with white Rapid City Police Department insignia;

         (b) Blue long sleeve uniform shirt;

         (c) Blue uniform jacket and/or parka with shoulder patches, emblems and rank insignia;

         (d) Blue uniform trousers;

         (e) Blue winter uniform hat (if requested);

         (f) Uniform cap.

      (2) **Summer**

         (a) Blue short-sleeve uniform shirt;

         (b) Blue under-shirt, if worn (supplied by the officer);

         (c) Blue uniform hat;

         (d) Blue uniform trousers.

(e) Blue uniform shorts. (Blue uniform shorts may be worn at the employee's discretion in July and August only. The Patrol Division Commander may approve blue uniform shorts at any other time during the summer months. Blue uniform shorts may not be worn to court or to other functions not approved by the Division Commander.)

(3) **Uniform Accessories for Summer and Winter Uniforms**

(a) Badge and cap shield;

(b) Blue Raid Jacket;

(c) Collar brass;

(d) Name plate, with Accreditation Pin;

(e) Raincoat.

Note: For certain occasions, as designated by the Chief of Police, additional clothing may be issued, such as but not limited to; White ascot type scarf, White dress gloves, White braid to be worn around left side shoulder.

b. **Dress Uniform:**

The Dress Uniform will be worn to formal, designated activities and/or at the direction of the Chief of Police.

(1) The **Dress Uniform** for non-command officers and personnel consists of long-sleeved shirt, tie, trousers, uniform cap and all accessories.

(2) The Command Officers Dress Uniform consists of the Class "A" Dress Uniform Jacket, formal dress white shirt or blue uniform shirt, tie, trousers, and uniform cap with the police shield.

(a) The blue shirt is to be worn on all occasions except police funerals and as specified by the Chief of Police.

(b) Issued shoulder boards are to be worn on the epaulets of the formal white dress shirt. The rank designation is to be worn on the collar.

(c) Command Rank Designator Pins are to be worn on the dress jacket centered on the outer portion of the epaulets of each shoulder.

c. **Utility Uniform**

(1) Wearing of the utility uniform, in special situations, must be authorized by the Chief of Police or a designee. No part of the utility uniform may be worn at any other time without express permission. The utility uniform will consist of the following items:

(a) The **Dark Blue Knit Shirt** with embroidered badge and specialized lettering;

(b) Issued baseball style cap with "Police" imprint;

(c) Denim, cargo, or similar style pants (supplied by the employee);

(d) Black shoes or boots (supplied by the employee);

(e) Duty belt.

(2) All firearms training will be conducted in the utility uniform, or as otherwise directed. The dress code for firearms training will be dependent on the weather conditions and type of training being offered. Notification will be made prior to the scheduled training as to the dress code if a change is necessary.

(3) Additional functions as appropriate to wear the Dark Blue Knit Shirts, as authorized by the Chief of Police or a designee.

3. Sworn Officer Equipment Issued by the Department:

a. Ammunition carrier (magazine type);

b. Authorized holster;

c. Baton holder;

d. Black leather or neoprene gloves;

e. Black basket weave leather gear;

f. Blank uniform traffic complaints;

g. Cellular telephones (issued to command staff, sergeants, detectives, in each patrol vehicle, and at the direction of the Chief of Police);

h. Chemical spray holder;

i. Chemical spray;

j. Department keys;

k. Expandable metal baton;

l. Firearm and ammunition;

m. Flashlight holder;

n. Flashlight;

o. Handcuff and Keys;

p. Handcuff case;

q. Inner belt;

r. Key holder (if requested);

s. Metal citation holder;

t. Outer belt;

u. Photo Identification card;

v. Portable radio carrier;

w. Portable radio;

x. Reflective traffic vests (in vehicles);

y. Report forms;

z. Rubber gloves;

aa. Soft Body Armor.

4. **Authorized uniform and equipment provided by the employee**.

a. Mandatory:

(1) Black or navy blue socks (when foot apparel allows visibility of socks) unless other colors are specified for medical purposes;

(2) Black shoes or boots, which are able to be polished;

(3) T-shirts, if visible, will be blue in color. Exception: Tactical operations;

(4) Watch or other time-keeping device in good working order.

(5) Black low cut sneakers, athletic shoes or tennis shoes to be worn with blue uniform shorts only. (Athletic shoes must be 90% black and have accent colors limited to blue, grey or black. Athletic shoes should be approved by a supervisor prior to purchase.)

(6) Black low cut, visible socks to be worn with black low cut athletic shoes.

b. Optional:

(1) Black over-boots;

(2) Insulated footwear (winter use only);

(3) Navy military style V-neck pull over sweater, with sewn in badge holder, and shoulder patches. Sweater may be worn as part of the winter uniform;

(4) Navy blue windbreaker pull-over with embroidered badge and issued name tag attached (supplied by the employee);

(5) Pocketknife;

(6) Sunglasses (non-mirrored);

c. Any other equipment authorized by a supervisor.

5. **Optional Load-Bearing Vests provided by the Officer:** Officers assigned to the Field Services Division may seek authorization to wear a load-bearing vest under the following circumstances.

   a. The officer will submit a written request to the Chief of Police to wear the load-bearing vest on duty in lieu of duty uniform and department-issued duty belt. The officer's request must include a detailed description on the make, style and model of the vest, and the accessories to be used to accommodate the department-issued handgun, Taser, OC spray and so on. The color of the vest shall be black.

   b. If approved by the Chief of Police the officer may purchase, at their own expense, the load-bearing vest and accessories for personal use. The officer has the option to use the department-issued ballistic panels in the load-bearing vest, or the officer has the option, at their own expense, to purchase ballistic panels fitted for their vest. In addition, the officer has the option to wear the department-issued uniform shirt with the load-bearing vest. If the officer chooses to wear a collared, navy blue polo shirt with the vest, the officer will purchase the shirt at their own expense.

6. The **Canine (K-9) Officer Uniform:**

   a. Black cargo, or similar style pants;

   b. Black Department approved boots or shoes (supplied by the employee);

   c. Black Nylon Duty belt and gear;

   d. Black polo-style shirt with embroidered Badge on left breast, and Canine logo on the right breast, with "POLICE" embroidered on the back;

   e. Black Winter Jacket with embroidered K-9 Unit on back and embroidered badge on the front;

   f. Rapid City Police Department canine baseball style cap.

7. The **Special Response Team uniform** will consist of the following items:

   a. BDU style outer shirt, T-shirt, pants and belt;

   b. Combat style boots;

   c. Fleece Jacket and pants;

   d. Gore-Tex ® jacket and ball cap;

   e. Gore-Tex ® overalls;

   f. Issued black knit shirt with SRT emblem (when appropriate); and

   g. Nomex ® gloves and balaclava.

8. **Crash Investigator Uniforms:**

   a. Black leather basket weave belt (1 1/2");

b. Department approved boots or shoes (supplied by the employee);

c. Department shield;

d. Light blue uniform shirt (summer or winter) to be worn with shoulder patches (Crash Investigation), service emblems, and tie or issued turtleneck or Dickie with white Rapid City Police Department insignia (with winter shirt or jacket);

e. Metal name tag with accreditation pin;

f. Navy blue car coat;

g. Navy blue trousers;

h. Reflective Polo Shirt with Department insignias (long and short sleeve);

i. Reflective Jacket with Department insignias;

j. Watch or other time-keeping device.

9. **Community Service Officer:**

a. Black basket-weave belt with equipment holsters.

b. Department approved black boots or shoes (supplied by the employee);

c. Royal blue uniform shirt (summer or winter) with embroidered name and insignias;

d. Light brown utility pant with side-pockets.

10. **Parking Enforcement Personnel:**

Parking Enforcement Persons' uniform will consist of the following:

a. Baseball style cap or visor: navy, black or khaki in color, stocking hat, ear band, ski mask, and approved khaki sunhat.

b. Black gloves;

c. Cold weather boots: white, tan, brown or black.

d. Inner belt with equipment;

e. Blue lightweight coat, winter parka and yellow traffic rain coat;

f. Navy long or short sleeve polo shirt with embroidered shield and “Parking Enforcement” and last name embroidered above and below shield;

g. Option to wear long sleeve polo shirt with or without turtleneck or dickie;

h. Khaki slacks or shorts;

i. Black snow pants;

j. Walking shoes for spring, summer and fall: white, tan, brown or black.

11. **Evidence Section Uniform:**

a. Blue knit polo shirt, short or long sleeve, with embroidered Evidence Section emblem;

b. Dark blue coveralls;

c. Insulated coveralls for winter;

d. Light blue or gray lab coats;

e. Raid jacket;

f. Tan cargo pants.

12. **Honor Guard Uniform:**

a. Blue uniform cap;

b. Blue uniform trousers with white stripe down the outside of the pant legs;

c. Clarino ® finish duty belt;

d. Clarino ® finish shoes or boots;

e. Ike jacket with honor guard shoulder patches;

f. Plain white shirt and black tie for informal events;

g. White ascot type scarf;

h. White braid around left side shoulder;

i. White dress gloves.

13. **Firearms Instructor Uniform:**

a. Appropriate footwear (supplied by the employee);

b. Appropriate trousers (supplied by the employee);

c. Department issued red or blue knit shirt with Department insignia;

d. Off-duty holster or duty belt.

14. **The Emergency Vehicle Operations Course Instructor Uniform:**

a. Appropriate footwear (supplied by the employee);

b. Black issued BDU style pants;

c. Black boonie style hat;

d. Gray knit EVOC instructor polo and t-shirt with insignia.

15. The **Defensive Tactics Uniform:**

a. Appropriate footwear;

b. Appropriate trousers;

c. Department issued shirt with insignia.

16. **The Bicycle-SCU Officer Uniform**:

a. Appropriate dark colored pants for cold weather;

b. Appropriate footwear (supplied by the employee);

c. Bicycle helmet;

d. Department issued blue knit polo shirt, or bike patrol jersey (preferred);

e. Gloves (optional);

f. Pocketed bike shorts;

g. Raid jacket.

17. **The following unauthorized equipment will not be carried on duty**:

a. Any type of spring-loaded, lead-weighted instruments used for striking. This shall include, but not be limited to, blackjacks, saps or sap gloves;

b. Mirrored **sunglasses;**

c. Weapons other than those listed in the Rapid City Police Department Rules and Procedures, shall not be carried except with the written permission of the Chief of Police.

A. INSIGNIA OF RANK

1. The Department **insignia** for rank of officers shall be indicated by the following specifications when uniforms are worn:

   a. Chief of Police:

      (1) Chief's shield and cap badge;

      (2) Gold strap on cap;

      (3) Gold adornments on bill of cap; and

      (4) Gold star on shirt collar and jacket epaulets.

   b. Assistant Chief of Police:

      (1) Assistant Chief's shield and cap badge;

      (2) Gold strap on cap; and

      (3) Gold eagle on shirt collar and jacket epaulets.

   c. Captain:

      (1) Captain's shield and cap badge;

      (2) Gold strap on cap;

      (3) Double gold bar on shirt and jacket epaulets.

   d. Lieutenant:

      (1) Lieutenant's shield and cap badge;

      (2) Gold strap on cap;

      (3) Single gold bar on shirt collar and jacket epaulets.

   e. Sergeant:

      (1) Sergeant's shield and cap badge;

(2) Silver strap on cap;

(3) Silver and Blue Sergeant's chevrons on collar, winter and summer shirt and jacket sleeves.

f. Detective:

(1) Detective's shield and cap badge;

(2) Black stranded strap on cap;

(3) Silver and Blue Corporal chevrons on collar, winter and summer shirt and jacket sleeves.

g. Senior Police Officer:

(1) Police Officer shield and cap badge;

(2) Black stranded strap on cap;

(3) Silver and Blue corporal chevrons on collar, winter and summer shirt and jacket sleeves.

h. Police Officer:

(1) Police Officer shield and cap badge;

(2) Black stranded strap on cap;

(3) Collar brass to be RC/PD (awarded upon completion of probation).

B. POSITIONING OF RANK INSIGNIA:

1. Chief of Police

One gold metal or embroidered star mounted on each shoulder of the outer jacket and shoulder boards affixed to the epaulets of the dress white shirt. The emblem shall be positioned on the center of the jacket shoulder or shoulder board 1/2" from the sleeve seam or 1/2" from the outer edge of the shoulder board.

2. Assistant Chief of Police

One gold metal or embroidered eagle mounted on each shoulder of the outer jacket and shoulder boards affixed to the epaulets of the dress white shirt. The emblem shall be positioned on the center of the jacket shoulder or shoulder board 1/2" from the sleeve seam or 1/2" from the outer edge of the shoulder board with head of the eagle pointed toward the collar.

3. Captains and Lieutenants

One raised 1" gold metal or embroidered Captains or Lieutenants bar, to be worn on the shoulder epaulet of the uniform jacket or shoulder board affixed to the epaulet of the dress Class-A Jacket, parallel to the sleeve seam and 1/2" in from the outer shoulder seam. No rank insignia will be worn on the epaulets of the white shirts. The rank insignia will only be worn on the collar of the white shirts and on the non-dress uniform shirt, the miniature bars are to be positioned parallel to and 5/8" in from the top of the collars.

4. Sergeants

   Chevrons on each sleeve of all uniform jackets and shirts shall be worn point to point immediately below the shoulder patch.

   Miniature metal chevrons shall be positioned parallel to and 5/8" in from the leading edge of the collar and 7/8" down from the top of the collar.

5. Detectives and Senior Police Officers

   Chevrons on each sleeve of all uniform jackets and shirts shall be worn point to point immediately below the shoulder patch.

   Miniature Corporal chevrons shall be positioned parallel to and 5/8" in from the leading edge of the collar and 7/8" down from the top of the collar.

6. Officers who have completed probation, but have not risen to the rank of Senior Officer or Detective, shall wear silver RC/PD collar brass. The RC/PD shall be positioned parallel to and 5/8” in from the leading edge of the collar and 7/8” down from the top of the collar. The RC is to be positioned on the right collar, and the PD positioned on the left collar.

C. SERVICE EMBLEMS

1. Members of the Rapid City Police Department's Special Response Team are authorized to wear the approved **Special Response Team Emblem** centered on the right pocket of the uniform shirt, above the nametag.

2. Officers receiving **awards and commendations** will wear the emblems above the right pocket, centered just above the nametag.

3. Officers who are certified with Dive Rescue International and are active members of the Rapid City/Pennington County Water Rescue Team are authorized to wear the approved **Water Rescue Team Emblem** centered with and directly above the nametag.

D. UNIFORM CHANGEOVER

1. The wearing of winter or summer uniforms (long or short sleeve uniform shirts) is at the discretion of the officer without reference to calendar.

E. DAILY UNIFORM, OTHER EMBLEMS, INSIGNIA, AND EQUIPMENT

1. Uniforms shall be worn as prescribed by Department procedures. Uniforms shall be kept neat, clean and well pressed at all times. Uniform shirts and trousers shall be worn securely buttoned. The summer uniform shirt is to be worn with the top button unbuttoned to present a neat, open-collar appearance with a dark navy blue undershirt visible.

2. The winter uniform shirt may be worn with the top button unbuttoned to present a neat, open-collar appearance with a dark navy blue undershirt visible. Additionally, the winter uniform shirt may be worn with an open-collar and a Department approved turtleneck, Dickie, or Under Armour shirt. Uniformed employees also have the option to wear the winter uniform shirt with the top button fastened with the issued four-in-hand tie with safety release.

3. Regulation Shoulder Patch:

   The Patch on the sleeve of all non-command dress uniform jackets and shirts is worn 1/2" below the shoulder seam, centered on the military crease.

4. Name Tag:

   The metal **nametag** is worn on the uniform shirt above the right pocket so the bottom of the nametag rests on the top edge of the pocket flap and the nametag itself is centered on the military crease. Nametags will contain the employee's first name and last name. This requirement is contingent on the length of the name and the space available on the tag. Police Training Officers and Sergeants shall be identified as such on their nametags.

5. Official Shield:

   The official **shield** of the Department is worn on the uniform shirt/jacket/raincoat over the left breast.

6. Leather:

   All leather gear will be highly polished, black, basket weave design, unless otherwise specified for duty assignment.

7. Holsters:

   Officers assigned to the Field Services Division, and working in a uniform capacity shall wear a Department issued holster with their utility belt. Officers assigned to a plainclothes assignment, or other assignment, which does require the use of the uniform utility belt may wear a personally owned holster. The personally owned holster must contain safety mechanisms to prevent the weapon from accidentally falling out of the holster. Department issued, and personally owned, holsters are subject to inspection at any time by a member of the Firearms Training Cadre, and any holster not meeting safety requirements for any reason may be rejected for duty use. Cross-draw, clamshell, enclosed holsters, or shoulder holster will not be worn on duty unless authorized, in writing, by the Chief of Police.

8. Footwear:

   Footwear shall be black, smooth leather, shined to a high luster. Style shall be either boot or shoe. The wearing of insulated boots during cold and/or inclement weather is authorized.

9. Uniform Cap:

   a. Uniformed Officers shall carry their uniform caps in the vehicle at all times or have them readily available to them. Officers, while in uniform, are required to wear their hat during the following circumstances;

      (1) When conducting traffic control for a funeral escort.

      (2) When attending funerals or other formal ceremonies.

      (3) At the direction of a supervisor.

   b. Wearing the uniform cap is optional at all other times.

c. Winter Cap: Officers may wear a plain dark blue or black winter hat to protect themselves from cold weather.

10. Jewelry:

    Wearing of jewelry is permitted with the authorized uniform. The wearing of unnecessary jewelry is discouraged, and the loss or damage of such will not be reimbursed by the Department. Refer to policy 341-04 D Wearing of Jewelry.

11. Cellular Telephones:

    Any employee issued a cellular telephone will carry it and be accessible to call at all times except when on authorized leave or when at their permanent residence, or in situations where the wearing of the cellular telephone is not practical.

12. The reflective **traffic safety vest** or the raincoat shall be worn when the employee is exposed to traffic hazards, working in the roadway, and anytime while directing traffic.

13. Employees on duty who are permitted to wear **civilian clothing** may wear that which conforms to standards normally worn by office personnel in private business firms, unless otherwise directed by the Division Commander or Manager. Refer to Policy 341-04 for detailed information.

14. All equipment used on duty or owned by the Department shall be clean, in good working order, and conform to Department specifications.

15. Officers may carry their official identification and weapon when off duty, but are not required to do so. (Refer to Policy 113-03)

16. The Rapid City Police Department will issue weapons to all officers. Officers shall carry a *Department issued* weapon on duty. Officers may seek exemption from this regulation from the Chief of Police through their chain of command. Refer to Policy 113-03 for detailed information.

17. Officers on duty shall carry a serviceable watch.

18. **The wearing of sunglasses is** permitted with other uniform attire. Only non-mirrored sunglasses are permitted. Sunglasses style, shape and color will be at the discretion of the Shift Supervisor. Only designs and colors in good taste will be permitted by uniform personnel. When practical, officers should remove sunglasses whenever talking to the public.

19. Command Officers may authorize temporary variations in uniform regulations when special hazards or conditions exist.

20. Other provisions for the use of clothing and equipment used by employees in the performance of their law enforcement function are covered under the following contracts and policies:

    Union Contract (Fraternal Order of Police) – Article 13

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
324-03	Uniforms and Equipment	1 OF 1
ORDER NO.: 10-02	**SUBJECT:** Repair and Replacement of Personal Equipment	
SUPERSEDES: 09-06	**EFFECTIVE:** 03-31-10	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

A. REPAIR/REPLACEMENT OF PERSONAL EQUIPMENT

1. The only personal equipment employees are required to provide is footwear and a watch. These are the only items, other than corrective lenses, the Department will consider repairing or replacing if damaged during the performance of duty.

   Supporting Documentation: Union Contract Article 13, 13.02

2. Any claim for damage sustained to an employee's personal property must be submitted in writing to the employee's supervisor, explaining the circumstances and damage sustained. This may be done utilizing a case report, if applicable, however if more explanation is required, an additional memo may be needed. Each claim for repair or replacement of damaged personal property will be evaluated based upon the circumstances. Employees should be aware if they choose, for example, to wear a very expensive watch and it is damaged beyond repair they may not receive full compensation.

3. The employee may petition the court for reimbursement of damages or repairs from the suspect who damaged their personal property.

4. **Reimbursement** by the City for **damages** will not normally be made for personally owned:

   a. Flashlights;

   b. Portable radios;

   c. Cameras;

   d. Binoculars;

   e. Audio recorders;

   f. Scanners;

   g. Cellular telephones; or

   h. Laptop computers.

5. The Chief of Police must authorize reimbursement for required personal property damaged or lost in the performance of duty.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
324-04	Separation from Service	1 OF 2
ORDER NO.: 14-03	**SUBJECT:** Dismissal, Resignation or Retirement	
SUPERSEDES: N/A	**EFFECTIVE:** 08-12-14	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

POLICY: It is the policy of the Rapid City Police Department to retrieve Department issued equipment from sworn and non-sworn personnel who separate from service for any reason and to allow sworn personnel, who resign or retire in good standing to purchase, or be gifted pursuant to the City's Employee Recognition Program, their Department issued handgun.

A. PROCEDURES FOR EQUIPMENT AFTER SEPARATION FROM SERVICE

1. Equipment or other property purchased by the Department and issued to employees who are separated from service for any reason will be returned to the Department's Purchasing Specialist prior to the employee receiving final separation pay. The cost of any missing equipment may be deducted from the employee's final pay.

2. The Purchasing Specialist will ensure that all Department issued equipment, or other property is received from the separating employee.

3. A sworn employee who resigns from service may be eligible to purchase the Department issued handgun which they carried during their career under the following criteria:

   a. Must have served a minimum of 15 continuous years with the Department.

   b. Separation from service must be voluntary.

   c. Must have resigned in good-standing, meaning free of numerous or repeated reprimands and performed well and to the best of their ability.

   d. Must not resign for medical reasons based on mental health reasons.

   e. Must be legally able to own a firearm.

   f. Must submit a written request, at least 30 days before the effective date of separation from service, to the Chief of Police requesting to purchase their Department handgun. If the sworn employee was issued more than one Department handgun, they may only purchase one.

   g. The purchase price of the handgun is dependent upon the current market value to replace the Department handgun in its inventory.

   h. The Department will assist in facilitating the transfer of ownership of the firearm to the employee.

   i. The Chief of Police reserves the right to cease the handgun purchase option for resigning sworn officers at any time and for any reason.

4. A sworn employee who retires from service may be eligible to receive as a gift, under the City's Employee Recognition Program, the Department-issued handgun which they carried during their career under the following criteria:

   a. The sworn employee must have reached the normal retirement age, i.e. the Rule of 75 or greater, recognized by the South Dakota Retirement System (SDRS) or retire due to medical disability under SDRS.

   b. Must have been employed by the Police Department for a minimum of 20 years for normal retirement and for a minimum of 10 years for a medical disability retirement.

   c. Must have retired in good-standing, meaning free of numerous or repeated reprimands, and performed well and to the best of their ability.

   d. Must not retire for medical reasons based on mental-health reasons.

   e. Must be legally able to own a firearm.

   f. Must submit a written request, at least 30 days before the effective date of separation from service, to the Chief of Police requesting to receive their Department-issued handgun as an award under the Employee Recognition Program. If the sworn employee was issued more than one Department handgun, they may only receive one.

   g. The Department will assist in facilitating the transfer of ownership of the firearm to the employee.

   h. The Chief of Police reserves the right to cease this handgun award option for eligible retiring sworn officers at any time, for any reason.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
331-01	Collective Bargaining and Contract Management	1 OF 2
ORDER NO.: 06-03	**SUBJECT:** Collective Bargaining and Contract Management	
SUPERSEDES: 03-02	**EFFECTIVE:** 03-29-06	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 24.1.1, 24.1.2		

PURPOSE: The intent of this directive is to identify the Rapid City Police Department's role in the collective bargaining process, and to establish procedures to ensure the terms of any agreement are distributed to all personnel and understood by supervisory personnel.

A. AGENCY'S ROLE IN COLLECTIVE BARGAINING

1. The Rapid City Police Department is a specific agency of the City of Rapid City and all agency management personnel directly or indirectly report to the Chief Executive Officer of the agency, the Rapid City Police Chief. In bilateral fashion, the Police Chief and management personnel discuss specific items of interest prior to and during each negotiation.

B. COLLECTIVE BARGAINING TEAM

1. The agency bargaining team is appointed by the Mayor and customarily includes the City Attorney as "Chief Negotiator", Chief Executive Officer of the agency/Rapid City Police Chief, and Personnel Director for the City of Rapid City. The Chief Negotiator has primary responsibility to carry on negotiations, selectively coordinating the other members of the bargaining team. All items for current discussion are reviewed by the negotiating team in caucus or prior to negotiation sessions.

C. AGENCY ADOPTS "GOOD FAITH BARGARINING"

1. The agency participates in the negotiations based upon the principle of "good faith" bargaining under the Taft-Hartley Act, and South Dakota law. All agreements made during negotiations are reflected in written contractual language and carried out appropriately. The Department commits to abide by the ground rules for collective bargaining that arise out of the collective bargaining process or labor arbitration as described in Section F of this policy.

D. BARGAINING UNIT ESTABLISHED

1. Fraternal Order of Police, South Dakota Lodge 2A is recognized as the sole collective bargaining representative pursuant to State law for all police department employees excluding management, administrative assistants, captains, lieutenants, and part-time and temporary employees.

E. COLLECTIVE BARGAINING AGREEMENTS RECORDED

1. The agency has a written record of agreements resulting from collective bargaining in the form of the negotiated agreement.

F. IMPASSE RESOLUTION

1. Pursuant to this Agreement, grievance procedures contained in this negotiated agreement are adequate to provide fair and final determination of issues. (Union Contract – Section 6.01)

2. Strikes, stoppages or lock out cannot occur under the term of the Agreement. (Union Contract – Section 6.02, 6.03)

3. In addition, South Dakota law provides any labor contract controversy can be submitted to arbitration.

Supporting Documentation: SDCL 21-25A-1

G. DIRECTIVES BROUGHT INTO COMPLIANCE WITH AGREEMENT

1. The Accreditation Manager, under the supervision of the Support Services Division Commander, as quickly as possible following the negotiations, reviews and amends administrative directives and policies to ensure compliance with the agreement.

H. COLLECTIVE BARGAINING AGREEMENTS DISSEMINATED

1. The agency will distribute copies of the negotiated agreement to the affected management personnel.

2. The Chief of Police informs all supervisory and management personnel during staff meetings of the terms of the agreement during and after the negotiations. Not only are the terms of the agreement expressed at staff meetings, but also an explanation statement and the Department's philosophy to assure the terms of the Agreement are met in word and in spirit.

RAPID CITY POLICE DEPARTMENT **RULES AND PROCEDURES**		
POLICY NO.: 332-01	**SECTION:** Grievance Procedures	**PAGE NO.:** 1 OF 3
ORDER NO.: 13-03	**SUBJECT:** Grievance Procedures	
SUPERSEDES: 10-02	**EFFECTIVE:** 08-27-13	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 25.1.1, 25.1.2, 25.1.3, 26.1.6		

PURPOSE: A critical element of a sound personnel system is the existence of a formal procedure to allow employees to resolve their grievances with management in a fair and expeditious manner. Good management practices recognize a carefully designed grievance process can help to reduce personnel dissatisfaction, increase morale, identify problems in the organization, and increase the positive perception employees have of the organization. Formal grievance procedures usually evolve from informal attempts to resolve differences between employees and employer.

A. GRIEVANCE PROCEDURE ESTABLISHED

1. The Rapid City Police Department will provide a grievance procedure for all employees. The grievance procedure will include the following:

   a. Identifying matters that are grievances;

   b. Establishing time limitations for filing or presenting the grievance;

   c. Establishing procedural steps and time limitations at each step in the grievance procedure; and

   d. Establishing criteria for employee representation.

2. The grievance procedure for employees of the Rapid City Police Department is covered under the following contract and policy articles:

   Non-Union Employee Information Guide
   Union Contract (Fraternal Order of Police) -- Article 5

B. GRIEVANCE COMPONENTS

1. The Rapid City Police Department's policy is the following information will be included in a grievance:

   a. A written statement of the grievance and the facts upon which it is based;

   b. A written allegation of the specific wrongful act and harm done; and

   c. A written statement of remedy or adjustment sought.

   Non-Union Employee Information Guide
   Union Contract (Fraternal Order of Police) -- Article 5

C. GRIEVANCE RESPONSE

1. The following procedure will be followed in responding to grievances:

   a. Acknowledge receipt by noting time, date and the person receiving the grievance;

   b. Analyze the facts or allegations;

   c. Affirm or deny, in writing, the allegation(s) in the grievance; and

   d. Identify the remedy or adjustments, if any, to be made.

2. The grievance procedure for the Rapid City Police Department will be a formal effort, and documentation will provide valuable information, through review and analysis, for correcting deficiencies in the Department.

   Non-Union Employee Information Guide
   Union Contract (Fraternal Order of Police) -- Article 5, par. 5.03, 5.04(Step II), 5.05, 5.06

D. GRIEVANCE APPEALS

1. The Rapid City Police Department's policy is if an employee disagrees with the decision of the grievance, the employee may, within 30 days after receipt of the decision, initiate an appeal to the South Dakota Department of Labor.

2. The South Dakota Department of Labor shall conduct an investigation and hearing and shall issue an order covering the points listed in the grievance, and shall order it be binding on the employee and the City in accordance with provisions of SDCL Section 3-18, subject to either party's right of appeal pursuant to SDCL 1-26. (All references to days shall be construed as calendar days)

   Non-Union Employee Information Guide
   Union Contract (Fraternal Order of Police) -- Article 5, Section 5.05

E. GRIEVANCE COORDINATION

1. The Rapid City Police Department's policy is the immediate supervisor is expected to handle and settle grievances whenever possible. Those grievances which cannot be handled by the immediate supervisor should be referred promptly to the Division Commander through the chain of command. It shall be the supervisor's duty to not discourage the employees from coming to them with grievances.

2. The Chief of Police is ultimately responsible for coordinating grievances within the Rapid City Police Department.

   Non-Union Employee Information Guide
   Union Contract (Fraternal Order of Police) -- Article 5, par. 5.03

F. GRIEVANCE RECORDS

1. Grievance records will be maintained by the Office of the Chief of Police. Only those persons directly involved with the grievance, or having a need to know, shall be granted access to such records.

2. Retention of grievances shall be in accordance with the State of South Dakota Bureau of Administration Records Management Retention and Destruction Schedule. Said retention period shall be a minimum of three years, provided no appeals to a grievance are pending.

G. ANNUAL ANALYSIS OF GRIEVANCES

The analysis of grievances for the Rapid City Police Department will be conducted in two ways:

1. The Command Staff will meet annually for the purpose of analyzing employee grievances to determine trends so steps may be implemented to minimize causes of such job dissatisfaction in the future. As part of the analysis of grievances, a documented review of the agency's policies and practices must be included. Any recommendations for changes in policy and practices should be included in the analysis documentation.

2. Labor Management Meetings will be held on an as-needed basis to discuss and resolve grievance related issues within the Department.

RAPID CITY POLICE DEPARTMENT **RULES AND PROCEDURES**		
POLICY NO.: 341-01	**SECTION:** Rules	**PAGE NO.:** 1 OF 2
ORDER NO.: 06-08	**SUBJECT:** Professional Conduct and Responsibilities	
SUPERSEDES: 03-02	**EFFECTIVE:** 11-09-06	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

PURPOSE: To establish basic rules of work, such that employees have an understanding of what is expected of their conduct.

A. CODE OF CONDUCT

1. Employees shall respond to the lawful order of supervisors and other proper authorities as well as calls for police assistance from citizens.

2. The administrative delegation of the enforcement of certain laws and ordinances to particular units of the department does not relieve employees of other units from the responsibility of taking prompt, competent, effective police action within the scope of those laws and ordinances when the occasion requires.

3. Employees assigned to special duties are not relieved from taking proper action outside the scope of their specialized assignment when necessary.

4. All employees shall perform their duties as required or directed by law, Department Rules and Procedures, or by order of a supervisor.

B. VIOLATION OF RULES

Employees shall not commit any act or omit any act, which constitutes a violation of any of the rules, procedures, directives, or orders of the department, except at the direction of a supervisor.

C. CONDUCT UNBECOMING AN EMPLOYEE

1. Police Department employees are the most conspicuous representatives of government. An employee's conduct is closely scrutinized, and when their actions are found to be excessive, unwarranted, or unjustified, they are criticized far more severely than comparable conduct of persons in other walks of life.

2. The conduct of all personnel in the Rapid City Police Department must be free from impropriety. Their personal behavior, both on and off duty, must be above reproach.

3. Employees should not act in an official capacity for the purpose of securing personal gain of any kind. Consequently, an employee will never make an on-duty contact with any person for the purpose of establishing a personal relationship.

4. At no time shall employees conduct themselves in such manner as to compromise their ability to perform their duties or effectively bring discredit upon the department or impair the effective operations of it.

D. INSUBORDINATION

Employees shall promptly obey any order of a supervisor, including orders relayed from the supervisor. Failure to obey a lawful order shall be judged to be insubordination**.**

E. KNOWLEDGE OF LAWS AND RULES

Employees are to be familiar with and maintain a working knowledge of laws and ordinances in force in the City and the rules, orders, and procedures of the department.

F. CONDUCT TOWARD OTHER EMPLOYEES

Employees shall treat supervisors, subordinates and associates with respect. They shall be courteous and civil at all times in their relationship with others.

G. QUESTIONS REGARDING ASSIGNMENT

Employees in doubt as to the nature or detail of assignments shall seek clarification from their immediate supervisor.

H. ACCOUNTABILITY OF SUPERVISORS

Supervisors are accountable for the performance of employees under their immediate control. This applies to each level of supervision in the department.

I. COURTESY

Members shall address ranking officers by use of their title and will not use first names or nicknames in front of the public. Superior officers shall likewise address subordinates by their proper title. All employees, in public, will address one another in a professional and courteous manner.

A. TRUTHFULNESS

All employees shall truthfully state the facts in all reports as well as when they appear before any judicial, departmental or other official investigation, hearing, trial or proceeding. The employee shall cooperate fully in all phases of such investigations, hearing, trials, and proceedings.

B. MORAL TURPITUDE

The intention of the department is not to regulate the sexual behavior of its employees. However, it is strictly forbidden to engage in sexual activity while on duty or engage in sexual activity on or off duty that compromises the integrity of the department.

C. REPORTING FOR DUTY

Employees shall report for duty at the time and place designated by assignment or order and shall be physically and mentally fit to perform their duties. They shall be properly equipped for the proper performance of duty. Judicial subpoenas and administrative notices constitute an order to report for duty in accordance with existing procedures.

D. NEGLECT OF DUTY

1. Employees shall not read for recreation**,** play games, watch television or movies or otherwise engage in entertainment while on duty, unless authorized by their supervisors.

2. Employees shall not engage in any activity or personal business which would cause them to neglect or be inattentive to duty. Employees shall remain awake on duty. If unable to do so, they shall contact their supervisor who shall determine the proper course of action.

E. RELIEF

All employees are to remain at their assignment and on duty until they are released by a replacement or until their tour of duty ends.

F. REPORTING ABSENCE PRIOR TO DUTY TIME

When sickness or unforeseen circumstances prevents an employee from reporting for duty as scheduled, their supervisor or the on duty supervisor shall be notified, at least sixty (60) minutes whenever possible prior to duty time. Notifying the Communication Center does not fulfill this responsibility.

G. ABSENCE FROM DUTY

Every employee who fails to appear for duty on the date, at the time and place specified for doing so, without consent of competent authority, is "absent without leave." Such absence within the period of one day must be reported in writing to the commanding officer. Absences without leave in excess of one (l) day must be reported in writing to the Chief. Every employee absent without leave for three days shall be deemed to have resigned. However, subsequent leave can be granted by the Chief of Police to reconcile the absence, if warranted by the circumstances causing the leave.

H. FEIGNING ILLNESS OR INJURY

Employees shall not feign illness or injury**,** falsely report themselves ill or injured or otherwise deceive or attempt to deceive any official of the department as to the condition of their health.

I. REPORTING DURING ILLNESS OR INJURY

Employees shall not fail, while off duty due to illness or injury**,** except while hospitalized, to contact their supervisor at daily intervals to report condition and progress of recovery, and may upon request be required to provide a medical report. The Shift Commander or supervisor can excuse employees from reporting.

J. UNSATISFACTORY PERFORMANCE

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

2. Prima-facie evidence of unsatisfactory performance includes, but is not limited to the following:

    a. Repeated poor evaluations;

    b. Written records of corrective recommendations and failure to correct unsatisfactory performance;

    c. Excessive or unjustified sick leave;

    d. Disciplinary records;

    e. Lack of knowledge of the application of laws required to be enforced;

    f. Unwillingness or inability to perform assigned tasks; and/or

    g. Failure to take appropriate action on any situation deserving police attention.

K. MANNERISMS

Mannerisms such as spitting, slouching, shuffling, and hands in pockets or other general offensive actions shall be avoided.

L. ADDRESS, TELEPHONE, STATUS, RESIDENCY

1. The location of the employee's residence must be such, that if the employee is called back to work in an emergency, the employee can report to the Public Safety Building, ready for assignment, within forty-five (45) minutes of being contacted.

2. Within twenty-four (24) hours, where practical, after changing address, telephone number or marital status (name change), employees shall notify their supervisor and the Office of the Chief of Police, providing their correct information.

3. Employees must complete a Change of Status form annually, available through the Office of the Chief of Police, whenever personal history information has changed.

M. MEALS

Employees may suspend their police duty for meals, which shall be taken within the time allotted. Employees may take their meals at their homes, if homes are within the limits of the City of Rapid City. Employees who live outside the city may take their meals at home with permission of the supervisor.

N. DEPARTMENT REPORTS

Employees shall promptly submit such reports as are required by the performance of the duties or by competent authority. Reports will be completed and turned in prior to being relieved of duty unless a delay is approved by a supervisor.

O. LOITERING

Employees on duty or in uniform shall not enter taverns, theaters, or other amusement places except to perform a police function. Employees off duty shall not disrupt the activities of on duty personnel. Officers are not prohibited from eating in restaurants licensed to serve liquor.

P. COURTESY

Employees shall be courteous to the public. Employees shall control their tempers and not engage in argumentative discussions. Employees shall not use coarse, violent, profane or insolent language or gestures. Employees shall not express prejudice concerning race, religion, politics, nationality, life style or personal characteristics.

Q. GIVING NAME AND I.D. NUMBER

An employee shall politely give their name, rank and identification number to any violator or other person when requested to do so, unless such action is likely to jeopardize the successful completion of a police assignment.

When contact is made via phone, employees shall identify themselves to the party to whom they are speaking unless the action could make vulnerable a law enforcement operation.

R. RESPONDING TO REQUESTS TO VIEW PERSONNEL IDENTIFICATION

If, during the course of an employee's duties, a request is made to view an employee's issued Rapid City Police Department personnel identification card, the employee shall present that information unless such action is likely to jeopardize the successful completion of a police assignment. The intent of this is to ensure the public can identify law enforcement officers and be certain the person they are dealing with is in fact an officer.

S. MISUSE OF IDENTIFICATION

Employees shall not use their official identification to avoid the consequences of an illegal act or to obtain services not offered to the general public.

T. USE OF BUSINESS CARDS

Business cards bearing any representation of employment by the City of Rapid City, or the Rapid City Police Department, will be used for city business only. Personal use of business cards, which indicate employment by the City, is not allowed.

U. CITIZEN COMPLAINTS

Employees shall courteously and promptly record any complaint made by a citizen against any employee of the Rapid City Police Department. If possible, supervisors are to receive and resolve the complaints. Handling of citizen complaints shall be according to established procedures.

V. REQUEST FOR ASSISTANCE

When any citizen requests assistance, or reports any incident, all pertinent information will be obtained in an official and courteous manner.

W. MISUSE OF PRIVILEGED INFORMATION

Employees shall not use information gained through their employment for their personal benefit or the personal benefit of others.

X. NATIONAL COLORS AND ANTHEM

1. Uniformed members will render full military honors and employees in civilian dress shall render proper civilian honors to the national colors and anthem at appropriate times.

2. Persons wearing the Rapid City police uniform shall render a military salute to the flag when it is carried by a color bearer in marching formations or when being hoisted or lowered from a flag-staff during a ceremony. Persons wearing the Rapid City police uniform without headgear will place their right hand over their heart in addressing the flag.

3. During the rendition of the national anthem, employees in uniform shall face the flag and render a military salute at the first note of the anthem and retain this position until the last note. Employees wearing the Rapid City police uniform without headgear will place their right hand over their heart at the first note of the anthem and retain this position until the last note.

4. Employees may be exempt from rendering honors if in doing so the police function is compromised.

Y. DRINKING INTOXICATING BEVERAGES ON DUTY

Employees shall not drink any intoxicating beverage on duty except in the performance of a police function, and then only with specific consent of the supervisory officer. Employees shall not, at any time, be under the influence of an intoxicating beverage on duty without specific consent of a commanding officer. Employees shall not report for duty or make contact with the general public on duty when an odor of an intoxicating beverage is on their breath or person.

Z. PURCHASE OR DRINKING OF AN INTOXICATING BEVERAGE

Employees, whether on duty or off duty, shall not purchase or consume any intoxicating beverage while wearing an identifiable uniform of the Department.

AA. INTOXICATING BEVERAGES OR DRUGS ON DEPARTMENT PREMISES

Employees shall not store or bring into any police facility or vehicle intoxicating beverages, controlled substances, narcotics or hallucinogens, except those items which are to be held as evidence or are to be used in the course of authorized police business.

AB. DRUGS AND NARCOTICS

Employees shall not possess any narcotic, hypnotic, amphetamine, barbiturate, hallucinogenic drug or tranquilizer medication, except in the performance of their lawful duties or if prescribed by a licensed physician. Use of any narcotic, hypnotic, amphetamine, barbiturate, hallucinogenic drug or tranquilizer medication by department employees is prohibited unless the use is in accordance with a lawful prescription obtained from a licensed physician. Employees using prescription medication or over counter medication that has a warning label must notify their supervisor of type and reasons for taking the medication.

AC. USE OF TOBACCO PRODUCTS

Employees on duty shall use utmost discretion when using any tobacco products**.** Tobacco approved areas shall be utilized as needed.

AD. ENDORSEMENT AND REFERRALS

Employees shall not recommend or suggest in any manner the employment or procurement of a particular product, professional service, or commercial service (for example: attorneys, bondsmen, morticians, private requests for towing, and ambulance services) to any non-employee, excluding family members. The provisions of this item do not apply to department authorized referral agency.

AE. ACCEPTANCE OF GIFTS, GRATUITIES, FEES, ETC.

Employees will not solicit or accept any gift or gratuity**,** any item of value, loan or service which would be given due to the employee's employment with the Rapid City Police Department, except by the authority of the Chief of Police.

AF. REWARDS

No employee, on or off duty, will accept a reward for services normally rendered by the department except by authority of the Chief.

AG. DISPOSITION OF UNAUTHORIZED GIFTS AND GRATUITIES

Items of value which are described and embody the spirit of the above two sections will be forwarded to the Office of the Chief of Police for return to the giver, for presentation to a charitable organization, or other disposition as authorized by the Chief of Police.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
341-03	Rules	1 OF 1
ORDER NO.: 09-02	**SUBJECT:** Public Activities	
SUPERSEDES: 06-08	**EFFECTIVE:** 03-09-09	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

A. CONDUCT TOWARD THE PUBLIC

1. Employees shall be courteous in their dealings with the public. Requests shall be attended to as quickly and accurately as possible.

2. Employees should be aware of the procedures for making application for employment, testing and the selection process. Employees are encouraged to participate in the recruiting process whenever possible.

B. COMMERCIAL TESTIMONIES

Employees shall not allow their names or photographs to be used in any commercial testimonial alluding to their position or employment with the Rapid City Police Department.

C. PUBLIC APPEARANCE REQUESTS

Employees are encouraged to honor requests for public appearances**;** however, clearance shall be obtained from the employee's supervisor.

D. PERSONAL PREFERMENT

No employee may seek the influence or intervention of a person for purposes of personal advancement, advantage or transfer.

E. TRANSPORTING CITIZENS

Citizens will be transported in Department vehicles only when necessary to accomplish a police purpose.

F. COMPUTER SECURITY

Employees of the Rapid City Police Department may not reveal any information concerning access to the Department's computer system. The authorization to permit access to the Department's Computer system is accomplished through the City of Rapid City Information Technology (IT) Division helpdesk.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
341-04	Rules	1 OF 3
ORDER NO.: 18-04	**SUBJECT:** Grooming, Appearance and General Attire	
SUPERSEDES: 16-04	**EFFECTIVE:** 06-06-18	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 26.1.1		

POLICY: As representatives of the Rapid City Police Department and the City of Rapid City, all employees will exercise proper decorum when selecting clothing and hairstyles to wear in the workplace. As the situation dictates, an employee's supervisor may temporarily suspend or modify the standards within this policy, with the concurrence of the appropriate Division Commander. If there is disagreement, the employee's supervisor will have final determination whether an employee's grooming, appearance and general attire are appropriate.

A. ALL EMPLOYEES

1. Hair shall be clean, combed, styled neatly, and of a natural color. Male employees' hair should not extend below the collar. Wigs are authorized, but must conform to the hair styling standards of this policy.

2. Male employees may wear mustaches, beards, or goatees, if they are less than one inch long. If the Chief or Command Staff deem the facial hair to be unsightly, the employee will shave as requested.

3. Fingernails should be trimmed so as to not interfere with assigned duties. Male employees may not wear nail polish.

4. Earrings are prohibited for male employees.

5. Body art or modification: 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, etc., must be removed while on duty or in uniform.

6. Cosmetics for male employees are only allowed if prescribed by a physician. Cosmetics for female employees shall be applied in good taste.

7. Bracelets, necklaces and rings may be worn if they do not interfere with the employee's assigned duties, cause a safety problem, or cause disruption to fellow employees.

8. When attending training sessions, employees shall adhere to the dress code standards of the class and the Training Administrator. Jeans may be authorized by the Chief of Police or the Training Administrator.

9. Tattoos: No employee shall have visible tattoos, (referred to hereinafter as "markings") to the head, face, neck or scalp. Visible markings on the other parts of the body are permitted as long as the marking is not inappropriate or offensive.

a. INAPPROPRIATE**:** If the marking depicts, describes, or otherwise refers to sexual conduct, acts, or organs.

b. OFFENSIVE: If the marking depicts, describes or refers to intolerance of, or discrimination against any race, color, preference, creed, religion, gender, national origin, or; it is commonly associated with any organization or group which advocate such intolerance or discrimination, or it brings discredit upon the agency, detracts from the professional appearance of the employee or violates the standards of decency and morality.

c. Markings determined to be inappropriate or offensive shall be covered with the department authorized uniform or attire, or an approved uniform accessory (e.g. tattoo cover sleeve).

d. The Chief of Police or his designee shall be the final authority in determining if a marking is considered offensive or inappropriate.

B. SWORN AND/OR UNIFORMED PERSONNEL

This section includes sworn staff, Crash Investigators, Parking Enforcement Officers and Cadets while in uniform:

1. Hair should not interfere with equipment required for duty and shall not show from under the front edge of police headgear. The back of the hair should be neatly trimmed (male employees). Hair shall not extend below the bottom of the collar more than six inches (female employees).

2. Female employees may wear one pair of stud earrings.

3. Necklaces shall not be worn outside the collar. Only one wristwatch and one bracelet may be worn while in uniform.

4. Female employees may wear nail polish if it is of a single, subdued color.

5. All sworn and/or uniformed personnel, while working in plainclothes:

   a. While in plainclothes and in view of the general public, weapons should be concealed from view.

   b. Dress clothes or business casual clothes are appropriate.

   c. Dress clothing or uniform should be worn when appearing in court.

   d. Females may wear no more than two pairs of small earrings.

6. While working special assignments or while assigned to a specialized unit, exceptions to the normal dress code may be permitted, with authorization from the employee's supervisor, and with approval from the Division Commander or higher.

7. When responding to a call-out situation, employees may wear business casual clothing. Jeans are allowed when responding to a call-out.

8. Officers will adhere to the policy on the issuance and wearing of uniform and accessories regarding the appearance of the uniform and authorized accessories (324-02, Wearing of Uniforms, Equipment and Insignia).

C. NON-SWORN PERSONNEL

1. Dress clothes or business casual clothes are appropriate.
2. Females may wear no more than two pairs of small earrings.

A. USE OF EQUIPMENT

Employees shall use Department equipment for its intended purpose and shall not abuse, damage or lose assigned equipment.

B. REPORTING DAMAGE/LOSS OF DEPARTMENTAL PROPERTY

Employees shall immediately report to their supervisor in writing any loss or damage of Department property assigned or used by them. The supervisor will, if possible, correct the deficiency and notify the Division Commander of any action taken through the following guidelines. All City and State crash reports required shall be completed by the end of the duty period in which the damage or loss occurred.

1. **Responsibility for equipment -** It is the responsibility of the assigned employee to handle all assigned equipment in such a manner as to prevent loss, theft, or damage.

    1. Employees may be financially responsible for equipment if lost, stolen, or damaged as a result of negligence, carelessness, and/or inattentive or intentional circumstances.

    2. Issued equipment, unless authorized by a Command Officer, will not be loaned.

2. **Stolen or vandalized equipment -** Stolen or vandalized issued equipment or uniforms will be reported to the employee's immediate Supervisor. A crime report will be completed with the agency having jurisdiction. If reported in another jurisdiction, a copy of the initial report will be attached to Department paperwork.

3. **Damaged or lost equipment -** Damaged or lost issued equipment or uniform items will be reported to the employee's immediate Supervisor. A Report will be completed outlining the details.

C. SURRENDER OF DEPARTMENT PROPERTY

Employees are required to surrender all Department property issued and in their possession when requested to do so by competent authority. For a full explanation of this process, refer to policy 244-01 – Agency Owned Property.

1. Upon separation of employment, employees will return all Department issued equipment to the Police Purchasing Specialist or designee.

2. The Police Purchasing Specialist or designee will place the items back into inventory for re-issue, when appropriate.

3. Assignment specific equipment will be returned to the respective section commander or designee.

4. Requests from employees for equipment re-issue will be forwarded to the section commander. The request should include whether the property was lost, stolen or damaged and include whether any other reports were completed.

D. CARE OF DEPARTMENT BUILDINGS

Employees shall not mar, mark, or deface any surface in any building. Damages or other deficiencies to Department facilities should be reported to Buildings and Grounds through the chain-of-command.

E. DEPARTMENT VEHICLES

Damage to Department vehicles are to be reported as specified in policy 511-02 - *Patrol Officer Responsibilities*, section *E: Vehicles and Equipment*. A copy of the damage report regarding Department vehicles is to be forwarded through the chain-of-command to Fleet Management.

F. UNIFORM AND EQUIPMENT DAMAGE CLAIM

Any claims for damage to clothing or other personal property belonging to an employee caused by performance of duty shall be made in writing to the employee's supervisor. For a full explanation of this process, see policy 324-03 - *Repair and Replacement of Personal Equipment*

Union Contract (Fraternal Order of Police) – Article 33

A. INVESTIGATIONS

Investigations at the scene of any police function shall be made in accordance with current department procedures.

B. ARREST, SEARCH AND SEIZURE

Officers shall not make any arrest, search or seizure which they know is not in accordance with law and department procedures.

C. IDENTIFICATION AS POLICE OFFICIAL

Except when identification is obvious or impractical, employees shall identify themselves by displaying their official identification before taking police action.

D. TREATMENT OF PERSONS IN CUSTODY

Officers shall not mistreat persons who are in custody. Such persons shall be handled according to department procedures.

E. USE OF FORCE

Officers shall not use more force than is reasonably necessary to subdue and apprehend a suspect.

F. REPORTS AND BOOKINGS

No employee shall knowingly falsify reports or cause inaccurate or improper information to be recorded on departmental records.

G. SECURITY OF DEPARTMENT BUSINESS

Employees shall not release departmental business information or records outside the department except in performance of their duties or when required to do so by law.

H. COMPROMISING CRIMINAL CASES

Employees shall not engage in any of the following:

1. Interfere with the service of subpoenas, warrants or other legal process;
2. Interfere with the attendance or testimony of witnesses through duress or coercion;
3. Attempt to have any traffic citation or criminal action reduced or voided for personal gain or benefit; or
4. Take any other action that would interfere with the administration of criminal justice.

A. COURT APPEARANCES

Employees shall, upon being subpoenaed or notified by competent authority, attend court or quasi-judicial hearings. Permission to omit this duty shall be obtained from the prosecuting attorney handling the case or other competent court or hearing officials. If unforeseen emergency circumstances prevent or delay prompt attendance in court, they shall notify the proper court or hearing officials by the fastest means.

B. ACCEPTANCE OF SERVICE OR PROCESS AND SUBPOENAS

1. Employees shall accept all services of process legally served. If the service of process indicates, or if the employee is informed the civil suit is against the department or the City or any other person, he shall notify the shift commander immediately in writing. This subsection does not apply to suits which do not arise from the employee's association with the department.

2. Employees shall respond to the first subpoena served when they are ordered to report to two separate courts of equal rank at the same time. Employees shall respond in accordance with the following protocol.

   a. Federal District Court

   b. State Circuit Court

   c. Magistrate Court

   d. Administrative Hearings

3. In all cases, employees shall promptly notify the second court of the subpoenas received from the first court.

C. SUITS AGAINST EMPLOYEES

Any employee who is named as a complainant or defendant in a criminal or civil action shall notify their supervisor immediately in writing.

D. TESTIFYING FOR THE DEFENDANT

Any employee subpoenaed to testify against the Rapid City Police Department or the City of Rapid City, in any hearing or trial shall notify their supervisor upon receipt of the subpoena. An employee shall not volunteer to testify in civil actions and shall not testify unless legally subpoenaed.

E. COMPENSATION FOR COURT APPEARANCE

All compensation received by an employee as a witness fee for a court appearance on duty shall be submitted to the City.

F. PERSONAL APPEARANCE

Employees shall be neat in their personal appearance and conduct themselves with dignity. The official uniform or appropriate business attire (business suit) shall be worn. If a court orders the wearing of clothing other than required by this manual, the court directive shall be obeyed.

G. COURTROOM DEMEANOR

Officers shall act in a professional manner while in court. Employees shall not engage in loud conversations, even if court is not in session.

H. SPECIAL INTEREST

Employees shall avoid any action that would indicate a special interest in securing a conviction or give an outward appearance of dissatisfaction with decisions. The position of an impartial public servant seeking justice is the only position justified.

I. PREPARATION

Before appearing in court, employees shall organize and read their notes and consider the manner in which they intend to testify. Notes should be taken to court.

J. CONSULTING WITH ATTORNEYS

Employees who are in doubt about how to present something which is relevant to a case should discuss the matter with the prosecutor or attorney subpoenaing the employee before the trial.

K. EXPERT WITNESS POLICY

1. No employee of the Rapid City Police Department shall be retained as an expert witness or consultant for compensation, in a case where the employee is involved directly as a result of their employment with the Rapid City Police Department.

2. This policy is not intended to apply when an employee is subpoenaed to testify under the provisions of either state or federal law.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
341-08	Rules	1 OF 1
ORDER NO.: 05-04	**SUBJECT:** Communication and Correspondence	
SUPERSEDES: 03-02	**EFFECTIVE:** 12-08-05	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

A. CORRESPONDENCE PROHIBITIONS

1. Department letterhead shall not be used for private correspondence.

2. Employees may not send correspondence out of the department without supervisory approval.

3. All written correspondence using department letterhead written by non-supervisory employees must be approved by the employee's supervisor before being sent.

B. FORWARDING COMMUNICATIONS TO HIGHER COMMANDS

Employees may direct verbal or written communications to higher ranking officers. Employees receiving communications from a subordinate are encouraged to institute the decision-making process at the lowest appropriate level in the organization. If the message should more appropriately be forwarded to a higher ranking employer, the employee receiving the communication shall sign it, indicate approval, disapproval or acknowledgment and forward it through the chain of command.

C. RADIO DISCIPLINE

All employees operating communication equipment including computers, radios, and cell phones shall observe departmental procedures and Federal Communications Commission regulations. No employee shall broadcast questionable or obscene statements.

RAPID CITY POLICE DEPARTMENT RULES AND PROCEDURES		
POLICY NO.: 341-09	**SECTION:** Rules	**PAGE NO.:** 1 OF 1
ORDER NO.: 11-03	**SUBJECT:** Liability Protection Program	
SUPERSEDES: 06-10	**EFFECTIVE:** 05-05-11	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 11.4.5		

PURPOSE: The City of Rapid City and the Rapid City Police Department provides protection for employees from liability arising from acts or omissions leading to personal injury, death, or property destruction directly related to their law enforcement function.

PROCEDURE:

Indemnification: The City of Rapid City will indemnify and defend any employee against any claim or suit and pay any sums, which the employee shall be legally obligated to pay as a result of that employee's reasonable or lawful activities and exercise of authority within the scope of their duties and responsibilities as an employee of the Rapid City Police Department.

Liability Coverage: Collision, comprehensive, bodily injury and property damage liability insurance coverage for employees authorized to use their own vehicles on City business. Liability insurance may be subject to provisions of the collective bargaining agreements, if applicable.
Union Contract (Fraternal Order of Police) Article 43 section 4.03

A. CHIEF NOTIFICATION OF POTENTIAL LIABILITY

Any incident arising where there may be a question as to the liability of the City or the Police Department, or those which may result in a heightened community interest will be reported to the Chief of Police as soon as practical.

1. Employees who become involved in or become aware of an incident(s) where there may be a question as to the City's liability or likely to be of a heightened community interest, shall notify their immediate supervisor.

2. Incidents where the liability risk includes the likelihood of death or serious injuries to persons or significant loss of property will be reported immediately and without delay.

3. Incidents where the liability risk is not likely to affect life, health or safety will be reported, but through less urgent methods.

4. The supervisor will direct the affected employee(s) to prepare a memo or report, as appropriate.

5. The supervisor will review the incident(s), and ensure the matter is forwarded to the Chief, via the established chain-of-command.

6. For further examples of incidents requiring notification of the Chief, refer to policy 511-03 – Shift Commander and Shift Supervisor Responsibilities, section D.

PURPOSE: To establish the Department's position on the utility, management, administration, and oversight of social media. This policy is not meant to address one particular form of social media, rather social media in general, to allow for new tools and future technologies.

A. ON-THE-JOB USE

1. Department-Sanctioned Presence

   a. Where possible, each Department-created social media page shall include an introductory statement clearly specifying the purpose and scope of the agency's presence on the website.

   b. Where possible, the page(s) should link to the Department's official website.

   c. All Department-related social media sites or pages shall be approved by the Chief, or a designee, and shall be administered by the Community Relations Specialist or as otherwise designated.

      Pages for specific officers, divisions, or programs within the Department must be approved by the Chief, or a designee. Care must be taken to maintain the integrity of the Department's brand online.

   d. Where possible, social media pages shall clearly indicate they are maintained by the Department and have Department contact information prominently displayed.

   e. Social media content shall adhere to applicable laws, regulations, and policies, including all information technology, records management, Department, and City policies.

   f. Where possible, social media pages should display or link to the City Social Media Web Site Comments Policy.

2. Department-Sanctioned Use

   Department personnel representing the Department via social media outlets shall:

   a. Conduct themselves at all times as representatives of the Department and adhere to all Department standards of conduct.

   b. Identify themselves as a member of the Department.

   c. Not make statements about the guilt or innocence of any suspect or arrestee, or comments concerning pending prosecutions, nor post, transmit, or otherwise disseminate confidential information.

d. Not conduct political activities or private business.

e. Observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.

3. Uses

a. Social media is a valuable investigative tool when seeking evidence or information about:

(1) missing persons;

(2) wanted persons;

(3) gang participation;

(4) crimes perpetrated online;

(5) photos or videos of a crime posted by a participant or observer.

b. Social media can be used for community outreach and engagement by:

(1) providing crime prevention tips;

(2) offering online-reporting opportunities;

(3) sharing crime maps and data;

(4) soliciting tips about unsolved crimes.

c. Social media can be used to make time-sensitive notifications related to:

(1) road closures;

(2) special events;

(3) weather emergencies;

(4) missing or endangered persons.

d. Social media may be used for:

(1) recruiting;

(2) advertising employment opportunities;

(3) publicizing volunteer positions; and

(4) offering training opportunities.

B. PERSONAL USE

Barring state law or binding employee contracts to the contrary, Department personnel shall abide by the following when using social media:

Precautions and Prohibitions:

1. Department personnel are free to express themselves as private citizens on social media sites to the degree that their speech does not impair working relationships of the Department for which loyalty and confidentiality are important, impede the performance of duties, or negatively impact the public perception of the Department.

2. As public employees, Department personnel are cautioned that speech, on or off-duty, made pursuant to their official duties is not protected under the First Amendment and may form the basis for discipline if deemed detrimental to the Department. Department personnel should assume their speech and related activity on social media sites reflects upon their office and this Department.

3. Department personnel shall not post, transmit, or otherwise disseminate any information to which they have access as a result of their employment without written permission from the Chief or a designee.

4. Department personnel should use good judgment and discretion while displaying logos, uniforms, or similar identifying items on personal web pages.

5. When using social media, Department personnel should be mindful that their speech becomes part of the worldwide electronic domain indefinitely. Adherence to the Department's Code of Conduct, Ethics and Sexual Harassment Policy are required in the personal use of social media.

6. Department personnel should be aware that speech containing obscene or sexually explicit language, images, or acts and statements that ridicule, malign, disparage, or otherwise express bias against any race, religion, sexual orientation, or protected class of individuals may provide grounds for undermining or impeaching an officer's testimony in criminal proceedings.

7. Department personnel may not divulge information gained because of their authority; make any statements, speeches, endorsements, or publish materials that could reasonably be considered to represent the views of the Department without express authorization.

8. Department personnel should expect any information created, transmitted, downloaded, exchanged, or discussed in a public online forum may be accessed by the Department at any time.

9. It is the responsibility of the employee to ensure their personal social media page is properly secured through the use of restrictions and permissions.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.: 342-01	SECTION: Sexual Harassment		PAGE NO.: 1 OF 2
ORDER NO.: 06-05	SUBJECT: Sexual Harassment		
SUPERSEDES: 03-02	EFFECTIVE: 06-14-06	APPROVED BY: Chief of Police Karl Jegeris	
CALEA STANDARDS: 26.1.3			

All employees of the Rapid City Police Department should enjoy a working environment free from all forms of discrimination, including sexual harassment. Sexual harassment shall be treated as an area of employee misconduct and will not be tolerated under any circumstances.

A. DISCUSSION OF SEXUAL HARASSMENT

1. The Rapid City Police Department is responsible for providing a variety of services to the community in the most efficient and businesslike manner possible. In order to accomplish this goal, the Department must provide the most businesslike work environment possible for its employees.

2. As in any workplace, the proper conduct of all employees is essential in creating this environment and great care should be used in all interpersonal relationships. An area of increasing concern is the problem of sexual harassment. On June 19, 1986, the U.S. Supreme Court ruled unanimously that sexual harassment is a form of discrimination covered by Title VII of the Civil Rights Act of 1964 as amended in 1972 to be applicable to all units of State and local government (Vinson v. Taylor). For further information regarding Sexual Harassment, visit *The U.S. Equal Employment Opportunity Commission* website**:** http://www.eeoc.gov/facts/fs-sex.html

B. DEFINITION OF SEXUAL HARASSMENT

Sexual harassment may be defined as: Any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when:

1. Submission to such conduct is made either implicitly or explicitly a term or condition of employment;

2. Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual; or

3. Such conduct has the purpose or effect of unreasonable interfering with an individual's work performance or creates an intimidating, hostile, humiliating, or offensive work environment. Sexual harassment is not limited to requests for sexual favors in return for job benefits. Sexual harassment may take the form of verbal abuse, leering, salacious gestures, inappropriate language, jokes, pictures, electronic communication, or cartoons of a sexual nature**,** or any undesired touching or patting.

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

a. The victim as well as the harasser may be a woman or a man. The victim does not have to be of the opposite sex.

b. The harasser can be the victim's supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non-employee.

c. The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.

d. Unlawful sexual harassment may occur without economic injury to or discharge of the victim.

e. The harasser's conduct must be unwelcome.

C. PROCEDURES

The Rapid City Police Department recognizes any allegation of sexual harassment requires a determination of the facts in each case, and further recognizes any such investigation should be conducted in a confidential manner until the allegation is properly reviewed. The following procedures shall be adhered to in all circumstances when an employee feels they are the victim of sexual harassment.

1. It is incumbent upon any employee who believes they have been sexually harassed to report the incident to their immediate Supervisor, Division Commander, or the Chief of Police immediately after the incident. An employee also has the option of reporting an incident to the Director of Human Resources, or the Mayor.

2. The Chief of Police or the appropriate Division Commander shall assign a superior officer not involved in the allegation to investigate and provide and update report of the findings within 10 working days.

3. The Chief of Police shall review the results of the investigation and shall notify the reporting employee of the findings of the investigation and of the corrective action, if any, to be taken by the Department with regard to the offending employee.

4. Any corrective or disciplinary action up to and including immediate discharge shall be consistent with current City and Department Policy.

5. In no case shall an employee reporting an incident of sexual harassment, be subject to adverse employment action unless it is determined through the investigation the allegation was not based upon fact and the employee made the allegation with malicious intent, or knowing it was false.

PURPOSE: To establish the Department's course for proceeding with disciplinary actions.

A. DISCIPLINARY SYSTEM ELEMENTS ESTABLISHED

1. One of the primary tasks of a supervisor is the administration of discipline. Discipline can be positive or negative; it may involve encouragement, inspiration, training, or imposition of negative sanctions. It has as its immediate purpose the channeling of individual effort into effective and productive action.

2. To be effective, discipline must not only be fair in its application, it must also follow within a reasonable time the act, which it is intended to correct. Therefore, there must be a prompt resolution of disciplinary cases.

3. The policy of the Rapid City Police Department is that employees encourage citizens to bring forward legitimate complaints regarding misconduct by Department employees or concerns with Department procedures. Employees shall assist and cooperate in the expeditious, effective and impartial processing of citizen complaints**.**

B. CHIEF'S AUTHORITY DURING AN INVESTIGATION OF MISCONDUCT

During the investigation of any alleged misconduct by a Department employee, the Chief, acting in the best interest of the Department, may take any of the following actions concerning the accused employee:

1. Continue the employee on duty as assigned;

2. Continue the employee on duty in another assignment;

3. Evoke administrative leave upon the employee with pay, pending results of Department proceedings; or

4. In cases of strong evidence, which if sustained, would be a basis for dismissal, suspend the employee without pay pending the results of departmental and legal proceedings. During this period officers may be relieved of the Department issued firearms, badge, and official identification.

C. AUTHORITY TO IMPLEMENT DISCIPLINARY ACTIONS

1. Sergeants may implement:
    a. Oral corrective communications;
    b. Counseling and training;
    c. First warning;
    d. Final warning;
    e. Emergency Suspension with pay; and
2. Lieutenants and Managers may implement:
    a. Oral corrective communications;
    b. Counseling and training;
    c. First warning;
    d. Final warning;
    e. Emergency Suspension with pay;
3. The Chief of Police or Division Commanders may implement:
    a. Oral corrective communications;
    b. Counseling and training;
    c. First warning;
    d. Final warning;
    e. Emergency Suspension with pay;
    f. Suspension without pay;
    g. Demotion; and
    h. Termination.

D. RELIEVED FROM DUTY

1. An emergency suspension against a subordinate employee may be imposed when such action is in the best interest of the Department.
    a. An emergency suspension against a subordinate employee may be imposed by a supervisor or command officer.

b. Any employee so suspended shall report to the Office of the Division Commander at a designated time on the next business day, unless otherwise ordered.

c. The command officer or supervisor imposing the emergency suspension, shall notify the Division Commander immediately and be prepared to appear with the suspended employee in the Office of the Division Commander or Chief of Police.

d. At the time of the emergency suspension, the employee will be relieved of the Department issued firearms, badge, and official identification.

2. The responsibility of the supervisor or command officer requesting an internal investigation is to inform the employee what action is being instituted against the employee before the action is requested, unless notification may jeopardize the investigation.

Supporting Documentation:
City of Rapid City--Standard Schedule of Disciplinary Offenses/Penalties for City of Rapid City Employees;
Union Contract (Fraternal Order of Police) Article 37 -- Section 37.01 to 37.06 Discipline and Discharge.

E. IMPLEMENTATION OF DISCIPLINARY ACTION

When an investigative report presented to the Chief indicates a finding substantiating misconduct, the Chief or the Chief's designee shall summon the accused to appear for the purpose of ascertaining extenuating circumstances and imposing a disciplinary or remedial action. Disciplinary or remedial action may consist of one or a combination of the following. The Early Identification System (EIS), policy 452-01, will be utilized as appropriate.

1. Counseling administered orally by any supervisor in the chain-of-command of the employee and noted on an EIS log. The employee's supervisor shall be notified of the outcome.

2. Remedial training may be ordered in cases where lack of knowledge appeared to play a prominent role in the infraction and noted on an EIS log.

3. Reprimand given orally or in writing by a supervisor, command officer, or the Chief for violation of Department or City rules and regulations will be noted on an EIS log. Copies of written reprimands shall be forwarded to the Division Commander, the employee and the employee's personnel file.

4. Suspension.

5. Demotion may be given for violation of rules or unacceptable behavior. Demotions must be supported by documentation by the Chief.

6. Termination.

F. REMEDIAL TRAINING AS AN ALTERNATIVE TO DISCIPLINE

1. Training conducted by the Rapid City Police Department has a direct impact on discipline. Training discipline is **not** considered punitive, rather discipline assuring the behavior of officers are consistent with expected employee performance in carrying out the employees' daily duties and responsibilities. In addition to the formal on-going training programs, the supervisory officer is frequently required to arrange training in response to a specifically identified performance problem.

2. In cases where an incorrect procedure has occurred, a rule or regulation has been violated, or otherwise inappropriate performance, the supervisor may provide appropriate remedial training based upon the nature and severity of the identified problem.

   a. Informal Training:

      (1) Informal undocumented training actions are most often taken as the result of minor infractions or performance problems.

      (2) Informal training generally takes the form of corrective guidance, direction, explanation, and information.

      (3) Informal training may be documented through an evaluation, memo to file or other documentation forwarded to the employee's personnel file.

      (4) It would be impractical for a supervisory officer to prepare a memo for every instance that they provided guidance. The decision to document training provided informally is largely a judgment call.

   b. Formal Training:

      (1) When critical remedial job training is deemed necessary, formal documentation is required. Remedial training shall be recommended to the Division Commander through the chain-of-command. The recommendation is to describe; the issue, what actions have already been taken to correct the performance problem, and why remedial training is believed necessary. The recommendation should include whatever specific performance deficiencies need to be brought up to standard in terms of job skills and knowledge. If a particular training course, or on-the-job training curricula, is recommended, it should clearly address the identified performance deficiencies.

      (2) In those cases when a supervisor believes a recommendation for remedial training is in order, the supervisor has the following options:

         (a) The supervisor can suggest the officer to self-study specified subject matter related to the identified job-knowledge and job-skills deficiency. The employee will subsequently be tested to assure they have attained the Department's standard of performance required.

         (b) The supervisor can suggest the attendance of a formal training course offered outside the Department.

         (c) The supervisor can recommend the employee be assigned to a police-training officer (PTO) for either on-the-job training, or a field job-performance assessment.

3. Documentation of remedial training actions is maintained in the officer's file and Training Office records. Remedial training action can be removed from the officer's record by the Chief of Police.

G. COUNSELING AS A FORM OF DISCIPLINE

1. Counseling is the process of approaching a suspected or identified problem with an employee through a private interview. During counseling, it is the intent of the supervisory officer to:

   a. Determine if in fact there is a problem;

   b. Discuss any identified or perceived problem and attempt to determine the cause or causes;

   c. Discuss the importance and/or the impact of the problem on the employee's professional or personal life;

   d. Discuss possible solutions; and

   e. Determine the appropriate steps necessary to effectively deal with a performance problem.

2. If counseling itself does not present a remedy to the performance problem, then the employee may be referred to the Employee Assistance Program or other designated resources.

3. Upon directive of the Chief of Police, the employee will be required to receive outside assistance at Department expense.

4. The decision as to whether employee counseling shall be documented is discretionary. However, counseling regarding serious performance problems is to be documented. The supervisor may take one of the following courses of action:

   a. In minor or routine cases, the supervisor may conduct informal undocumented counseling. This is the on-going "coaching" of an employee that is a key part of a supervisor's responsibilities, and will normally prevent minor issues from becoming big problems.

   b. In serious cases or in instances when the problem is ongoing, the supervisor will conduct formal documented counseling, and forward a memorandum conveying the sum and substance of the counseling session through the chain-of-command.

   c. Refer the employee to the Employee Assistance Program.

H. DISCIPLINARY APPEALS

Rapid City Police Department employees shall have the right to appeal the disciplinary decision as outlined in policy 332-01.

Non-Union Employee Information Guide
Union Contract (Fraternal Order of Police) -- Article 5 & 37

I. DISMISSAL INFORMATION PROVIDED

1. Severe misconduct may result in the dismissal of the employee. When dismissed, the employee shall receive, in writing:

   a. A statement citing the reason for dismissal;

   b. The effective date of the dismissal;

   c. A statement of the status of fringe and retirement benefits after dismissal; and

   d. A statement indicating a copy of the dismissal will be placed in the employee's personnel file.

2. Other action directed by the Chief shall be made as determined suitable.

3. Probationary employees may be dismissed without cause.

J. PURGING OF DISCIPLINARY ACTION RECORDS

1. Purging of Commendations and Disciplinary Action Records from Personnel Files maintained by the Chief of Police is at the discretion of the Chief of Police.

2. Employees of the Department will be granted an opportunity to review their personnel files. Employees may petition the Chief of Police for permission to remove disciplinary action records.

3. Unless extenuating circumstances exist, the reckoning period listed in the current City Personnel Policy will govern the use of disciplinary information, which has not been removed from an employee’s personnel file.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
344-01	Commendations and Awards	1 OF 2
ORDER NO.: 08-03	**SUBJECT:** Commendation and Award Process	
SUPERSEDES: 06-07	**EFFECTIVE:** 03-28-08	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 26.1.2		

POLICY: The Rapid City Police Department routinely expects a high level of professional conduct from all of its employees. When employees perform their duties in a manner exceeding the highest standards of the Department, it is fitting to officially commend that performance and arrange for appropriate publicity to be provided. This gives full public recognition to those who have brought honor to themselves and the Department.

A. AWARDS REVIEW BOARD

1. The Awards Review Board shall consist of:

   a. One command staff officer to be appointed by the Chief of Police or designee;

   b. One employee from each division to be appointed by the Chief of Police or designee.

2. All Department personnel have a duty to report exceptional service of employees and citizens.

3. A recommendation for an employee award or citizen award is submitted through the chain of command to the Division Commander, who then submits the recommendation to the Chairperson of the Awards Committee.

4. All recommendations for an employee award or citizen award will be forwarded to the Award Review Board without a determination as to the degree of award. The Board will review and evaluate each recommendation on the contained information.

5. The Awards Review Board will rule on each commendation by a majority vote.

6. The recommendation will then be forwarded to the Chief's office, for final determination.

B. FREQUENCY OF CONSIDERATION FOR COMMENDATIONS AND AWARDS

1. The Awards Review Board will consider recommendations for commendations and awards on a quarterly basis.

2. An employee or citizen receiving a commendation or award will be notified of the receipt of that honor as soon as practicable. The formal presentation of awards will be held at an appropriate ceremony.

C. RECEIVING AWARDS AND COMMENDATIONS

Employee commendation received by any means other than a citizen letter is to be documented.

D. OTHER AWARDS AND COMMENDATIONS TO BE WORN

The Chief of Police has the authority to permit special awards to be worn on the duty uniform. Formal permission to wear such awards may be granted in writing and become a permanent part of the employee's personnel file.

E. YEARS OF SERVICE EMBLEMS

All sworn Department employees shall wear embroidered patches with white bars, each designating one year of service with the Department, and/or white stars, each designating five years of service with the Department. The service patch will be sewn 2 ¾" above the end of the left sleeve of the uniform jacket and with the rear of the patch adjacent to the crease line of the sleeve.

When both stars and bars are worn, the stars will be positioned closest to the end of the sleeve.

F. EMPLOYEE SUGGESTION PROGRAM

All Department employees are encouraged to participate in the City of Rapid City Employee Suggestion Program. Application forms for the Suggestion Program may be obtained from the Administrative Coordinator's office during normal business hours.

A. DEFINITIONS OF COMMENDATIONS AND AWARDS

1. **Medal of Honor Medal**

   This is the highest award that may be bestowed upon members who distinguish themselves by intentionally and knowingly placing themselves in a situation that involves an actual and imminent danger of death and whose actions demonstrate conspicuous bravery or heroism significantly above and beyond the call of duty.

2. **Distinguished Service Cross Medal**

   This award may be bestowed upon members who distinguish themselves by demonstrating exceptional bravery despite an imminent risk of serious bodily injury or death. A member may be aware or unaware of great personal peril to themselves prior to the performance of the act.

3. **Combat Cross Medal**

   This award may be bestowed upon members who distinguish themselves through an individual act of heroism, at the imminent personal hazard of life, in combat with an armed adversary.

4. **Purple Heart Medal**

   This award may be bestowed upon members for a serious physical injury received in the line of duty as a result of an action that was not the fault of the member.

5. **Life Saving Medal**

   This award may be bestowed upon members for an act performed in the line of duty, which through disregard of personal safety or prompt and alert action, results in saving a life. The award will only be bestowed if the victim survives the incident.

6. **Meritorious Service Medal**

   This award may be bestowed upon members for service rendered in the line of duty of a highly unusual accomplishment, under adverse conditions, with some degree of hazard to life and limb to the nominee or where death or injury to a third party is prevented.

7. **Exceptional Duty Medal**

A highly creditable accomplishment, bringing public acclaim to the employee, their Department or the Police profession, as a result of training, devotion to duty or service to the public.

8. **Exemplary Conduct Medal**

This award may be bestowed upon members for displaying exemplary conduct amongst one's peers, modeling remarkable leadership, self-control and valor under dangerous situations.

9. **Civilian Service Medal**

This award may be bestowed upon a civilian who personally assists in apprehending a criminal or extending one's own safety to provide prompt action to aid people who are in danger.

10. **National Defense Medal**

This award may be bestowed upon any employee who has either previously served or is currently serving in the United States Armed Forces. Their service can be at peace time or conflict. This medal is meant to recognize and honor all of the veterans currently serving as police department employees.

11. **Special Recognition Medals**

This medal may be bestowed upon Department members while distinguishing themselves for an act of exceptional service or participation. This medal can be worn at the discretion of the Chief of Police. Examples of this medal are but not limited to: Iraqi Freedom, FBI National Academy, PT, SRT, Honor Guard, World Trade Center, etc.

12. **Unit Commendation**

An annual award recognizing a unit, shift, section or team for an outstanding achievement by a team of individuals. This award can be nominated by an immediate supervisor or above. This recognition is in the form of a certificate and citations.

13. **Chief's Commendation**

This award may be awarded to sworn personnel under any of the following criteria:

a. For an employee who demonstrates a substantial commitment to a quality of life issue which significantly impacts the community and reflects positively on the police profession.

b. For an act giving evidence of selfless conduct by an employee during a time of crisis or emergency.

c. For a notable performance during an event or situation in which the employee demonstrates the highest levels of commitment and professionalism.

d. Chief's Commendation may be bestowed at the discretion of the Chief of Police based upon a recommendation from any source. Chief's Commendations are not required to go through the same formal review process as for other medals, although the Chief of Police may submit to the Awards Committee for review.

14. **Departmental Achievement Medal**

This award is given by the Chief of Police to non-sworn personnel, when the employee demonstrates exemplary service, above and beyond the normal scope of their duties, on an incident, special project, quality of life issue, or achievement which significantly impacts the department, or the efficiency of the department.

15. **Commanders Citation**

This award is given by a division commander, when the member demonstrates exemplary service, above and beyond the normal scope of their duties, on a case, incident, special project, or to an employee who maintains their composure when confronted with a highly volatile situation and continues to perform well in accordance with acceptable standards of contact.

16. **The Community Service Award**

This award is given by the Chief of Police to a person or group who directly impacts public safety and the quality of life for the citizens of Rapid City.

B. REPEAT AWARD RECIPIENTS

1. Repeat award recipients will receive medals with gold star appurtenances affixed for each subsequent recognition, with the medal itself serving as the first award. The maximum amount of appurtenances per medal will be three, indicating a total of four recognitions of the same award.

PURPOSE: The internal affairs policy establishes a mechanism for receiving, investigating, and resolving complaints of employee misconduct. The goal of internal affairs investigations is to ensure the integrity of the Department is maintained through a system of internal discipline where fairness and justice are assured by an objective and impartial investigation and review.

The Department has an obligation to investigate or review any allegation of employee misconduct that is a potential violation of the Department's rules and regulations or which indicates that the employee is unable, unwilling or unfit to perform his or her duties. The obligation to investigate includes not only acts of misconduct that are alleged to have occurred while the employee was on-duty, but also acts of misconduct that are alleged to have occurred while the employee was off-duty, or outside the jurisdiction of the Rapid City Police Department.

For the purpose of this section, a complaint will be defined as a communication from a person regarding the misconduct of an employee, the execution of an unfair or inappropriate policy or procedure or general dissatisfaction with the Department. The term employee includes both sworn and non-sworn employees of the Rapid City Police Department.

A. PREVENTION OF MISCONDUCT

Prevention is the primary means of reducing and controlling inappropriate behavior and misconduct. While disciplinary actions may be imposed on employees who engage in wrongdoing, they are of limited value if they shield or obscure organizational conditions which permit the abuses to occur. The Department should make every effort to eliminate the organizational conditions that may foster, permit, or encourage inappropriate behavior by employees. In the furtherance of this objective, special emphasis should be placed on the following areas:

1. **Recruitment and Selection**

   Recruiting and selecting the highest quality individuals to serve as police officers and non-sworn personnel is a top priority of the Rapid City Police Department. During the selection process, each candidate completes a written test, psychological tests and individual interviews in an attempt to identify those who would be best suited for law enforcement or the law enforcement support role. An intensive background investigation is completed on each finalist as a measure of character, work experience, reliability and suitability.

2. **Training**

   Basic and in-service training for Rapid City police officers emphasizes the sworn obligation of those officers to uphold the law and provide for the public safety of the community. It is equally important to train non-sworn support personnel in customer service, agency and community expectations, and safeguarding confidential records. Police ethics is a valuable component in

the training curricula for all employees. Department administrators should always consider the need for training when police officers or non-sworn employees engage in inappropriate behavior or misconduct. The question should be, “Could training have prevented this behavior, and can training prevent it from happening in the future?” Training in this sense can be anything from informal counseling of an employee about a particular policy or procedure, to formal Department-wide training. The Department may also take advantage of other agencies, the State Training Academy, the State’s Attorney’s Office, the Division of Criminal Investigation or other public/private entities.

3. **Supervision**

Proper supervision is critical to the discipline and management of a law enforcement agency. To maximize their effectiveness, Department supervisors should receive appropriate supervisory training as close as possible to the time of their promotion. Emphasis should be placed on anticipating problems among employees before they result in improper performance or conduct. Supervisors are expected to recognize potentially troublesome employees, identify training needs of employees, and provide professional support in a fair and consistent manner.

4. **Early Identification System (EIS)**

The Rapid City Police Department has an early identification system (EIS) to provide systematic reviews of specific, significant events involving employees. This system is necessary for the Department to exercise its responsibility to evaluate, identify, and assist employees who exhibit signs of performance and/or stress related problems.

The EIS is a time-sensitive, systematic approach designed to organize effectively critical performance and evaluation data. The format will be conducive to the prompt identification of early indicators for certain performance and/or stress related problems that might otherwise be overlooked and to facilitate any necessary or appropriate follow-up measures.

5. **Staff Inspections**

While the primary responsibility for enforcing Department policies rests with the supervisors, the command staff cannot rely solely on those supervisors for the detection of violations. The staff inspection process is an essential mechanism for evaluating the quality of the Department's operations, ensuring that the Department's goals are being pursued, identifying the need for additional resources, and ensuring that control is maintained throughout the Department. The inspection process compares the Department's formal expectations with actual performance. Inspections, conducted with clear objectives and a positive approach, provide a means of communication within the Department, not only "downward" but also "upward."

6. **Community Outreach**

Command officers should strive to remain informed about and sensitive to the needs and problems of the community. The Department should make regular contact with citizen advisory councils, religious groups, schools, businesses and other community leaders to discuss community concerns. These contacts help command officers identify potential crises and keep channels of communication open between the Department and the community. The disciplinary process should be discussed openly in these forums.

B. COMPLAINT REGISTERING PROCEDURES

1. All complaints of employee misconduct shall be accepted from all persons who wish to file a complaint regardless of the hour or day of the week. This includes reports from anonymous sources, juveniles and persons under arrest or in custody. A lieutenant or captain, if available, should accept complaints. If a lieutenant or captain is not available, supervisory personnel should accept reports of employee misconduct, and if no supervisory personnel are available, the complaint should be accepted by a police officer. At no time should complainants be told to return later to file their report.

2. Citizens should be encouraged to submit their complaints as soon after the incident as possible. If the citizen cannot personally appear at the Department to file the complaint, a member of the Department, preferably a lieutenant or sergeant should visit the citizen's home, place of business or other location if necessary to complete the report. Under no circumstances shall it be necessary for a citizen to make a sworn statement to initiate the internal affairs process. Furthermore, the Department shall accept and investigate anonymous complaints.

3. The internal affairs investigator, supervisor or other officer receiving the complaint will explain the Department's disciplinary procedures to the person making the complaint. The officer should advise the complainant that they will be kept informed of the status of the complaint and its ultimate disposition. To accomplish this, the Department shall distribute a fact sheet to people who make complaints. This fact sheet includes information on the Department's internal affairs process and what role the complainant can expect to play. The Department's fact sheet can be found at the end of this policy, APPENDIX A.

4. Complaints may be filed by the following methods:

   a. Direct verbal communication to a supervisor or commander

   b. Telephone communication to a supervisor or commander

   c. Letter or e-mail to a supervisor, commander or the Chief of Police

   d. An official complaint form or,

   e. Through the on-line complaint form located on the Department's website

5. Complaint form

   The Department's complaint form can be found at the end of this policy, APPENDIX B.

C. CLASSIFICATION OF COMPLAINTS

Complaints will be classified into one of two categories: formal or informal.

1. **Informal complaint**

   a. Demeanor – Complaint regarding the employee's gestures, bearing, attitude, language or other inappropriate actions.

   b. Minor policy infractions – Complaint for conduct such as untidiness, tardiness, faulty driving, or failure to follow procedures.

   c. Judgment or decision-making – Complaint about the employee's conduct relating to the resolution of conflict or call for service, cause to stop a vehicle or other judgment issue.

d. General – Complaints about the delivery of services that are generally viewed as minor in nature.

2. **Formal Complaint**

a. Criminal activity – Commission of a criminal act, including misdemeanor and felony.

b. Excessive force – Complaint regarding the use or threatened use of excessive force against a person.

c. Improper or unjust arrest – Complaint that the restraint of a person's liberty was improper or unjust, or violated the person's civil rights.

d. Improper entry – Complaint that entry into a building or onto property was improper or that excessive force was used against property to gain entry.

e. Improper or unjustified search – Complaint that the search of a person or property was improper, unjust, violated established Department procedures, or violated the person's civil rights.

f. Differential treatment – Complaint that the taking, failure to take, or method of police action was predicated upon irrelevant factors such as race, appearance, age, or sex.

g. Serious policy infractions – Serious rule infractions: Complaint for conduct such as insubordination, drunkenness on duty, sleeping on duty, neglect of duty or making false statements.

h. Repeated minor policy infractions – Complaint for conduct such as untidiness, tardiness, faulty driving, or failure to follow procedures.

i. Sexual misconduct – Complaint about on or off duty sexual encounters that violate the code of ethics or otherwise damage the reputation of the Department.

j. Sexual harassment – Complaint about sexual harassment or discrimination of fellow employees.

k. Other – The Chief of Police may designate any employee complaint as formal, depending on the circumstances.

D. CHAIN-OF-COMMAND NOTIFICATION

1. The division commander will be notified of all informal and formal complaints of misconduct by the commander's employees.

2. The division commander will notify the Chief of Police of all formal complaints.

3. The division commander should periodically summarize informal complaints for the Chief of Police. This may be accomplished through the Early Identification System (EIS).

E. REQUESTING OUTSIDE AGENCY ASSISTANCE

Division commanders and the Chief of Police may request the investigative assistance of an outside agency when the following circumstances are present:

1. An employee has caused serious bodily injury or death to another person.
2. An employee fires a lethal weapon at another person.
3. An employee is known to have or suspected of committing a criminal offense.
4. An employee is accused of sexual harassment by another employee
5. The Department is accused of corruption.

F. DIRECT ACCESSIBILITY TO CHIEF OF POLICE

1. Based on the fact internal investigations may reveal sensitive information, the investigating officer need not be bound by a requirement to submit updates or other case information through the chain-of-command.
2. The investigating officer, whether a command officer, division commander or a member of an outside agency may report directly to the Chief of Police anytime there is a need.

G. GENERAL INVESTIGATION PROCEDURES

1. Only after a thorough and impartial investigation can an informed decision be made as to the proper disposition of the complaint. Decisions based upon such an investigation will support the credibility of the Department among the employees as well as the public at large.
2. As with all other investigations, lawful procedures must be used to gather all evidence pertaining to allegations against a law enforcement officer or other public employee.
3. On any internal complaint investigation, the investigating officer may use any lawful investigative techniques including but not limited to:
   a. Interviewing the complainant, witnesses and the involved employees.
   b. Analysis of reports, records and other documents.
   c. Collection and analysis of physical evidence.
   d. Collection and viewing of photographs and video footage.
   e. Requiring the employee to submit to medical or laboratory examinations.
   f. Requiring the employee to submit to being photographed to facilitate a photo line-up. Generally, actual physical line-ups will not be used.
   g. Requiring the employee to submit financial disclosure statements.
   h. Requiring the employee to submit to handwriting samples.
   i. Requiring the employee to submit to the collection of hair, saliva or other biological samples.
   j. Requiring the employee to submit to a polygraph examination.

H. PUBLIC EMPLOYEE INTERVIEWS / LEGAL CONSIDERATIONS

Public employee interviews during an internal affairs investigation are rendered difficult by the conflict that exists between the employee's right against self-incrimination in criminal interviews and the employee's obligation to answer questions truthfully during an administrative investigation.

1. Criminal Investigation

   Employees who have been compelled by order to produce incriminating information, with the belief that a failure to do so will result in disciplinary action, cannot have that evidence used against them in a criminal prosecution.

2. Administrative Investigation

   a. In the case of an administrative investigation, employees can be compelled to answer questions during an internal affairs investigation.

   b. Employees can be disciplined for refusing to answer questions related to an administrative investigation.

3. Garrity Warning

   a. Employees can be disciplined for refusing to answer questions during an internal affairs interview if he or she has been told that whatever he or she says during the interview will not be used against them in a criminal case. The procedure by which an employee is informed that his or her statement will not be used against him or her in a criminal case is called a Garrity Warning.

   b. Through this warning, the employee being interviewed is informed that he or she must cooperate with the investigation and can be disciplined for failing to do so because either a decision has been made declaring the investigation non-criminal in nature or the employee has been granted, "use immunity." Under this doctrine, the employee's statement cannot be introduced as evidence against him or her in a criminal case.

4. Combining Administrative and Criminal Investigations

   a. It is a likely scenario that an employee accused of committing a crime, will also have violated Department rules and procedures. The reverse is also possible: an employee believed to have violated rules and procedures may have committed a crime. For this reason, it is necessary to establish the nature and scope of an internal investigation as soon as possible after receiving the complaint. It is possible that during the initial stages of an investigation the discovery of evidence will change the focus of the investigation. Based on this fact the investigating officer must continually reassess the nature of an internal affairs investigation as evidence is being gathered.

   b. Having initially determined a particular allegation is criminal or administrative in nature, it is important for the investigating officer to revisit this decision during the course of an investigation to determine whether any of the evidence gathered following the initial determination changes the nature and scope of the investigation. In the event the nature and scope of an investigation has changed, the investigator must be prepared to change the methods and procedures utilized to reflect the new focus.

c. Should the investigation suggest a crime has been committed; the Department may request the assistance of an outside agency, preferably the South Dakota Division of Criminal Investigation.

d. In cases where both a criminal investigation and an administrative investigation are needed, the investigating officer may be expected to perform both investigations. Under these circumstances, the criminal investigation may conflict with the administrative investigation. Typically, this conflict will become most apparent during an accused employee's interview. Employees have the right to remain silent during a criminal investigative interview. On the other hand, the same employee must cooperate and answer questions posed by his or her employer during an administrative investigation. Thus, while the investigating officer cannot require an accused employee to answer questions during a criminal interview, the investigator can require the employee to answer questions during an administrative interview. See Figure 1.

e. Careful consideration should be given to the timing of the accused employee's interview. Scheduling the employee only after enough preliminary information has been gathered to make an intelligent assessment of criminal involvement is crucial. This will help avoid requiring a statement from the employee believing the violation is administrative when in reality it is criminal in nature. Such a statement will be subject to suppression in criminal court.

f. The confusion caused by these issues can be alleviated by two methods. One method is to separate the investigations by time - the criminal investigation is completed first, and then the administrative investigation may follow.

g. Another method is the utilization of bifurcated investigations. In a bifurcated investigation, the responsibility for a criminal investigation is separated from the responsibility for an administrative investigation. In this case, one investigating officer is assigned the responsibility of gathering evidence of criminal wrongdoing while a second is assigned the responsibility of gathering evidence for an administrative investigation.

Figure 1.

	Criminal Investigation	Administrative Investigation
Employee is suspect	• Treat as any other defendant • Possible Miranda warning • Right to counsel (Legal and/or FOP) • No Garrity Warning unless State's Attorney agrees.	• Obligation to cooperate • Right to representative
Employee is witness	• Obligation to cooperate • No Miranda warning • No right to representative	• Obligation to cooperate • No right to representative

I.

Upon receiving a misconduct complaint, the investigating officer:

1. Must notify the accused employees of the complaint and their rights and responsibilities relative to the investigation, in writing, unless such notification would jeopardize the investigation. Verbal notification is acceptable in the case of an informal complaint.

2. For formal complaints, the investigating officer shall notify the employee, in writing, of the right to Fraternal Order of Police (FOP) representation during the investigation.

3. Must consider whether the accused employee should be placed on suspension during the investigation. In order to effect an immediate suspension pending the investigation, at least one of the following criteria should be present at the onset or during the preliminary stages of the investigation:

   a. The employee is unfit for duty

   b. The employee is a hazard to any person if allowed to remain on the job.

   c. An immediate suspension is necessary to maintain safety, health, order or effective direction of law enforcement services.

   d. The employee has been charged with a crime, whether committed on or off duty.

4. The suspended employee should be notified of the suspension in writing whenever practical.

5. The supervisor or command officer imposing the immediate suspension shall notify their chain-of-command as soon as possible.

J. INVESTIGATION PROCEDURES FOR INFORMAL COMPLAINTS

Following the principle that the primary goal of internal affairs and discipline is to correct problems and improve performance, relatively minor complaints should be handled by the lieutenant in the employee's chain-of-command. This is important because it is sometimes difficult for an immediate supervisor to investigate a subordinate objectively. In addition, that arrangement might obscure the possibility that part of the inappropriate conduct was the result of poor supervision. Although it is preferred lieutenants investigate complaints, they may delegate informal complaints for investigation by the employee's immediate supervisor.

1. The investigating officer should make contact with complainant to acknowledge receipt of the complaint, either in writing or by other means.

2. The investigating officer should interview the complainant, all relevant witnesses, and the employee involved, as well as review relevant reports and documents, gather evidence, and conduct any other investigation as appropriate. The investigator should then submit a report to the division commander summarizing the matter and indicating the appropriate disposition. Possible dispositions include:

   a. Exonerated: The alleged incident did occur, but the actions of the officer were justified, legal and proper.

   b. Substantiated: The investigation disclosed sufficient evidence to prove the allegation against the officer or Department.

   c. Unsubstantiated: The investigation failed to disclose sufficient evidence to clearly prove or disprove the allegation.

d. Unfounded: The alleged incident did not occur.

3. If the investigating officer determines that the complaint is unfounded, exonerated or unsubstantiated, the investigation report is to be forwarded to the administrative assistant for indexing and filing.

4. If the complaint is substantiated, the investigating command officer should determine the appropriate disciplinary action. Typical disciplinary actions for minor infractions include verbal or written reprimands.

5. In the event the recommended discipline amounts to suspension without pay, or other loss of benefits, the investigating officer shall recommend the disciplinary action to the division commander, who will review the recommendation. The division commander or chief will impose any suspension without pay.

6. The investigating command officer or division commander shall complete the appropriate disciplinary document, and provide a copy of that document to the employee being disciplined. A copy of the disciplinary document shall be forwarded to the administrative assistant for indexing and placement in the employee's personnel file.

7. The complainant shall be notified of the outcome of the investigation:

   a. If the investigation resulted in a conclusion of unfounded, unsubstantiated or exonerated, this conclusion should be stated and defined for the complainant.

   b. If the investigation resulted in a substantiated allegation with discipline, the notification should simply state that the allegation was substantiated and that the employee has been disciplined according to Department policy. It is not necessary to specify the discipline imposed.

   c. Written notification of the complainant is preferred, but verbal communication is acceptable in the case of an informal complaint.

8. The employee shall be notified of the outcome of the investigation:

   Written notification is preferred, but not mandatory.

K. INVESTIGATION PROCEDURES FOR FORMAL COMPLAINTS

The Chief of Police or Division Commander will direct that an appropriate investigation be conducted by assigning personnel to conduct the internal affairs investigation. Upon notification of a formal complaint, the command will assign an internal affairs investigator from the command rank of Lieutenant and above. The internal affairs investigator is granted the authority to report directly to the Chief of Police. If a conflict of interest exists, a commander from another division may investigate a formal complaint against an employee. Command officers must strive to conduct a thorough and objective investigation without violating the rights of the subject officer or other officers. Command officers, who may be called upon to do an internal investigation, must be thoroughly familiar with the Department's entire internal affairs policy, including the protection of the subject officer's rights and the procedures for properly investigating internal complaints.

1. The investigating command officer shall notify the employee in writing that an internal investigation has been started, unless the nature of the investigation requires secrecy. The command officer should interview the complainant, all witnesses and the employee, as well as review relevant reports and documents, and obtain necessary information and materials.

2. Union employees will be informed of the right to employ FOP representation throughout the investigation.

3. The investigating officer should make contact with complainant to acknowledge receipt of the complaint, either in writing or by other means. This contact should be documented in the initial investigation report or summary.

4. Upon completion of the investigation, the command officer will recommend to the division commander, a previously defined disposition for each allegation. The command officer should provide written recommendations and comment for consideration by the division commander.

5. The division commander, upon reviewing the report and recommendations, supporting documentation and information gathered during any supplemental investigation, shall confer with the chief of police. With the concurrence of the Chief of Police, the division commander will direct whatever action is deemed appropriate.

    a. If the complaint is unfounded or unsubstantiated, or the employee is exonerated, the reports along with the disposition shall be indexed and filed with the administrative assistant.

    b. If the complaint is substantiated and requires disciplinary action the division commander shall schedule and administer the discipline in accordance with the Department Rules and Procedures, City Policy and FOP contract.

    c. If the complaint is substantiated and requires disciplinary action, the employee shall be given the opportunity to employ FOP representation as well as the right to hearings and appeals processes as provided in the FOP contract.

6. Upon final disposition of the complaint, in cases where the employee was not notified of the outcome through some written form of discipline, the employee shall be notified of the outcome of the case through a written internal Department communication.

7. In all cases, a letter shall be sent to the complainant explaining the outcome of the investigation. If the investigation resulted in a conclusion of unfounded, unsubstantiated or exonerated, this conclusion should be stated and defined for the complainant. If the investigation resulted in a substantiated allegation with discipline, the letter should simply state that the allegation was substantiated and the employee has been disciplined according to Department policy. The specifics of the discipline will not be disclosed.

L. INTERNAL INVESTIGATION REPORTS

1. **The Internal Affairs Report**

    a. At the conclusion of the internal affairs investigation, the investigator shall submit a written report through the chain-of-command. This report should consist of an objective investigation report, which recounts all of the facts of the case, and a summary of the case along with conclusions for each allegation and recommendations for further action.

    b. The first part of the report will be an objective recounting of all the relevant information disclosed during the investigation, including statements, documents, and other evidence. This part of the report is similar in all respects to a standard law enforcement investigation report. It should contain a complete account of the investigation.

2. **Summary and Conclusions**

a. The investigator should summarize the case and provide a conclusion of the facts relevant in the investigation for each allegation. The conclusion should be recorded as exonerated, substantiated, unsubstantiated, or unfounded.

b. If the conduct of an employee was found to be improper, the report must cite the Department policy or rule violated. In addition, any aggravating or mitigating circumstances surrounding the situation, such as unclear or poorly drafted Department policy, inadequate training or lack of proper supervision, shall be noted.

c. If the investigation reveals evidence of misconduct not based on the original complaint, this too must be reported. An investigation concerning this secondary misconduct should be conducted.

3. **Report Checklist**

A report checklist will be used to help assure the completeness of both the investigation and the final report. The checklist can be found at the end of this policy: APPENDIX C.

M. TIMELINESS OF INTERNAL INVESTIGATIONS

Internal investigations are to be handled in a timely manner. Investigation status reports shall be submitted through the chain-of-command every 15 days. The investigation and final resolution shall be completed within 30 days unless an extension is granted by the Chief of Police or a designee.

N. INTERNAL AFFAIRS RECORDS

The Department shall maintain a filing system for internal complaint investigations.

1. **Internal Affairs Index System**

a. The purpose of the internal affairs index system is to serve as a record control device. It will maintain an inventory of internal affairs case files and summarize the status of each case for authorized personnel.

b. All internal affairs complaints shall be recorded in the index system. Entries should record the basic information on each case, including the subject officer, allegations, complainant, date received, investigator assigned, and disposition for each complaint. A unique case number is assigned to each internal affairs complaint.

2. Internal Affairs Files

a. A separate internal affairs investigation file is used for all internal affairs reports. The internal affairs investigation file should contain the entire work product of the internal affairs investigation, regardless of the author. This includes investigators' reports, transcripts of recorded statements, if applicable, and copies of all documents relevant to the investigation. The file should also include all related material from other Department incidents that may be applicable i.e. copies of reports, personnel evaluations etc.

b. In those cases where an internal affairs investigation results in the filing of criminal charges, the internal affairs file shall be made available to the State's Attorney's Office. It will be the responsibility of the State's Attorney's Office to determine which items are discoverable and

which are admissible. In these cases, the Department shall honor the requests of the State Attorney's Office.

3. Retention Schedule

Internal investigation reports and associated documents shall be securely stored by the Department for the duration of the accused employee's employment plus five years.

4. Confidentiality

a. Due to the nature of internal investigations, the reports and associated resulting materials are to be considered confidential. The contents of the internal investigation case files shall be retained in the administrative assistant's office and will not be disseminated without the approval of the division commander or chief of police. The information and records of an internal investigation shall only be released under the following limited circumstances:

(1) In the event formal disciplinary action has been brought against an employee, and an appeal hearing will be held, a copy of the internal investigation reports to be used as evidence in the hearing shall be provided to the employee upon request.

(2) In the event the employee, agency, or governing jurisdiction has been named as a defendant in a lawsuit arising out of the specific incident covered by an internal investigation, a copy of the internal investigation reports may be released to the attorney representing the employee, agency or jurisdiction.

(3) Upon request or at the direction of the State's Attorney, State Attorney General, or U.S. Attorney.

(4) Upon receipt of a court order.

(5) The Chief of Police may authorize access to a particular file or record for good cause. The request and the authorization should be documented in the file. The authorization should also specify any conditions of the access.

(6) If the release of internal affairs documents is appropriate, the agency should inventory the reports being released and document the transaction.

b. Agencies may receive subpoenas directing the production of internal affairs investigative records. Before responding to the subpoena, the Chief of Police or division commander should consult with the city attorney to determine whether the subpoena is valid, reasonable and if it should be honored or challenged.

5. Personnel Files

a. Personnel files are separate and distinct from internal affairs investigation records. Internal affairs investigation reports shall never be placed in personnel records. When a complaint has a disposition of exonerated, unsubstantiated, or unfounded, there shall be no indication in the employee's personnel file that a complaint was ever made.

b. In those cases where a complaint is sustained and discipline imposed, the only item to be placed into the employee's personnel file is a copy of the complaint summary and disciplinary document. No part of the internal affairs investigation report shall be placed in the personnel file.

O. ANNUAL SUMMARY, PUBLIC AVAILABILITY

The policy of the Rapid City Police Department is to compile annual statistical summaries, based upon records of internal affairs investigations. This statistical summary will be provided to the news media and Department employees during the first quarter of the calendar year.

APPENDIX A

Rapid City Police Department

Citizen Complaint Fact Sheet

The members of the Rapid City Police Department are committed to providing law enforcement services that are fair, effective, and impartially applied. It is in the best interests of everyone that your complaint about the performance of an individual employee is resolved fairly and promptly.

The Rapid City Police Department has formal procedures for investigating your complaint. These procedures attempt to ensure fairness and protect the rights of both citizens and law enforcement officers, or non-sworn employees.

- Your complaint will be sent to a command officer who will conduct a thorough and objective investigation.
- You will be notified of the initiation of the investigation and will be provided contact information for the investigating officer.
- You might be asked to help in the investigation by giving a detailed statement about what happened or providing other important information.
- If the investigation shows that a crime might have been committed, the State's Attorney will be notified. You might be asked to testify in court.
- If the investigation results in an employee being charged with a violation of Department rules or procedures, you might be asked to testify in a Departmental hearing.
- If our investigation shows that the complaint is unfounded or that the employee acted properly, the matter will be closed.
- All disciplinary hearings shall be closed to the public.
- It is unlawful to provide false information in this matter.
- You may call the command officer in charge of the investigation at 605-394-4133 with any additional information or any questions about the case.
- All complaints against law enforcement officers and non-sworn law enforcement support personnel are thoroughly investigated. You will be advised in writing of the outcome of the investigation.

APPENDIX B

Rapid City Police Department
Citizen Complaint Form

1 Please provide your name, address and contact numbers **or you can remain anonymous:**

Your name:	Home phone:	Work / Cell phone:
Address – Number and Street:	City:	State & Zip

2 Please provide the following information to assist in the identification of the involved officer(s):

Employee's name:	Badge/ID#	Vehicle#	Other description
Employee's name:	Badge/ID#	Vehicle#	Other description

3 Date / time and location of incident:

Date / time of incident:	Location of incident:

4 Please provide details of the incident. You may attach additional sheets.

What do you believe would be a satisfactory resolution to this complaint?

I verify that the statements made in this complaint are true:

Signature:	Date:

Please complete this form and return to a supervisor at the Rapid City Police Department, or you can mail it to:

Chief of Police
Rapid City Police Department
300 Kansas City Street, Ste. 200
Rapid City, SD 57701

EFFECTIVE: 10-20-11

APPENDIX C

Internal Affairs Procedures
RCPD R&P 345-01

RCPD Case # _____

Internal Investigation Case Checklist and Summary Sheet

Internal Case # _____ Date received: _____

Type of complaint: _____

Officer (s): _____

Yes	No		
☐	☐	N/A	Complaint form completed
☐	☐	N/A	Citizen Information form given to complainant
☐	☐	N/A	Complaint information entered into computer/index file
☐	☐	N/A	Memo assigning investigation
☐	☐	N/A	Employee notified of complaint and their right to FOP representation
☐	☐	N/A	Complainant initial notification and provided with contact information ____ Letter ____verbal ____other (explain) _____
☐	☐	N/A	Medical reports received
☐	☐	N/A	Photographs taken
☐	☐	N/A	Video tapes received
☐	☐	N/A	Communications tapes received
☐	☐	N/A	Interview of complainant
☐	☐	N/A	Interview of witnesses
☐	☐	N/A	Interview of employees
☐	☐	N/A	Special reports by employees received
☐	☐	N/A	Evidence reports
☐	☐	N/A	Internal affairs investigation report
☐	☐	N/A	Related Department reports attached
☐	☐	N/A	Employee notified of conclusion
☐	☐	N/A	Complainant notified of conclusion

Allegation Conclusion

Allegation	Conclusion
1.	__ Substantiated __ Unsubstantiated __Unfounded __Exonerated
2.	__ Substantiated __ Unsubstantiated __Unfounded __Exonerated
3.	__ Substantiated __ Unsubstantiated __Unfounded __Exonerated

Completed by: _____ Date: _____

☐ In House Use Only (To be determined by CEO)

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
411-01	Recruitment Practices and Procedures	1 OF 2
ORDER NO.: 11-03	**SUBJECT:** Recruitment Program	
SUPERSEDES: 06-06	**EFFECTIVE:** 05-05-11	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 31.1.2		

PURPOSE: The Rapid City Police Department recognizes the need to develop and maintain an on-going list of qualified candidates so entry-level positions may be filled with the best candidates available.

A. RECRUITMENT PROGRAM ESTABLISHED

1. The Rapid City Police Department recognizes the need to develop an up-to-date list of qualified candidates so entry-level positions may be filled with the best candidates available.

2. The Rapid City Police Department ensures the procedures used are fair and nondiscriminatory, to provide equal opportunity to women, minorities, and all applicants.

3. The Rapid City Police Department recognizes it is in the best interest of the Department and the community it serves, to ensure the broadest and most diversified field of applicants possible is available from which to select entry-level employees.

4. The specific benefits of positive recruitment and selection policies and procedures will be manifested in a lower rate of personnel turnover, fewer disciplinary problems, higher morale, better community relations, more efficient and effective police services and in attracting career employees.

5. The primary authority and responsibility for coordinating, developing and administering the Department's recruitment program rests with the Support Services Division Commander. The Training Administrator coordinates with the Support Services Division Commander and assists with the Department's recruitment process and testing procedures.

B. AGENCY ACTIVELY INVOLVED IN RECRUITMENT

1. The Rapid City Police Department is responsible for most recruitment functions for both sworn and non-sworn positions. The Department works in close cooperation with the City Human Resources Department.

2. At the direction of the Chief of Police and the Support Services Division Commander, the Training Administrator will coordinate with the City Human Resources Department to schedule entry-level examinations for new police officer applicants. The decision when to test for new officers depends on a variety of factors. Some factors to be considered are whether the new officer is certified or non-certified. Non-certified entry-level officers are required to attend the Basic Law Enforcement Training Academy in Pierre, SD., however new officers already certified may not have to attend the Academy, but may have to attend mandatory portions of it and/or take the State reciprocity test. These issues result in preplanning between the Training Administrator and Academy officials.

C. OUT-OF-JURISDICTION RECRUITMENT

The Rapid City Police Department recruits outside the jurisdiction of the Department. This recruitment may be accomplished utilizing trained recruiters. The majority of recruitment including any focus at colleges and universities will be accomplished utilizing mass media and various social networking capabilities.

D. ALL PERSONNEL INVOLVED IN RECRUITMENT

The responsibility of all employees of the Rapid City Police Department is to support the Department's recruiting efforts. All employees are encouraged to present the Rapid City Police Department as a positive place to work when contacting members of the public, and to help interested and qualified persons make the appropriate contacts necessary to apply for various positions within the Department.

E. RECRUITMENT PERSONNEL QUALIFIED

The Training Administrator shall ensure individuals assigned to recruitment activities are knowledgeable in personnel matters, agency operations, career opportunities, salaries, benefits, training, federal and state compliance guidelines and Equal Employment Opportunity/Affirmative Action issues along with knowledge of the Americans with Disabilities Act as they relate to recruitment. Those employees assigned as recruiters should preferably have completed a degree program.

F. DIVERSIFIED RECRUITMENT OF WOMEN AND MINORITIES

Recruitment strategies include an emphasis to recruit qualified women and minority candidates for the benefit of diversifying the Department staff composition.

G. RECRUITMENT RESOURCES

The Rapid City Police Department recruitment video, recruitment book, brochures, and website will be reviewed annually. Updates will be completed as necessary to accurately reflect and promote the quality of our community and the Department. This will be coordinated by the Support Services Division Commander, the Training Administrator, and appropriate staff.

PURPOSE: The Rapid City Police Department's objective, in conjunction with the Rapid City Human Resources Department is to recruit highly qualified employees. The Department will attempt to achieve the goal of an ethnic, racial, and gender workforce composition in the sworn law enforcement ranks in approximate proportion to the makeup of the available workforce in our service community.

A. COMPREHENSIVE RECRUITMENT PLAN

The recruitment process will attempt to generate at least one hundred-fifty (150) candidates each year for entry-level police officer positions. In order to remain eligible for testing as a police officer candidate, each applicant must, prior to employment:

Be at least 21 years of age and a United States Citizen;

Not be convicted of a felony crime or multiple; and/or serious misdemeanor offenses;

Possess a valid driver's license;

Have an Associate's degree or a minimum of 64 hours of college credit from an accredited institution; or

Have four years certified law enforcement experience; or

Have four years full-time active duty military service; or

Have a combination of both College hours and law enforcement experience, or military service. The general rule is two years of sworn law enforcement experience may substitute for one year of college, or three years full-time active duty military service for one year of college.

B. RECRUITMENT PLAN ELEMENTS

1. The Rapid City Police Department shall maintain an active recruitment program, under the direction of the Support Services Division Commander. This program shall be designed to attract the most qualified candidates for any actual or forecasted vacancy. The recruitment plan is intended to:

   a. To mirror the community's racial, ethnic, and gender of available workforce without sacrificing the most qualified persons to perform the job of police officer through the use of appropriate on or off-site recruitment efforts;

   b. Provide for appropriate job announcements and publicity; and

c. Ensure compliance with affirmative action and equal employment opportunity guidelines.

2. The Department's budgeted and authorized strength are established in the Police Department budget as approved by the Rapid City Common Council.

3. Annual college and advertisement recruitment expenditures are contained in the current budget approved by the Rapid City Common Council for the Police Department and City Human Resources Department.

4. Special employee candidate background investigation expenses are to be approved by the Chief of Police.

C. PLAN OF ACTION

1. Identify under represented racial, ethnic, and gender categories.

2. Target recruiting more likely attract protected classes.

3. Measure and evaluate progress toward increasing viable or potential candidate pools for the protected classes.

4. Revisit and revise as necessary the goals objectives, and plan of action.

D. ANNUAL RECRUITMENT ANALYSIS REPORT

The Support Services Division Commander or a designee will prepare a written Recruitment Analysis Report annually, minimally containing the following elements:

1. A measurement of recruitment activities against quantitative objectives;

2. An evaluation of the effectiveness or ineffectiveness of recruitment, which includes progress toward the stated objectives; and

3. Recommendations for revision and improvement of the recruitment plan, as needed.

PURPOSE: It is a matter of National policy and law to provide citizens with equal employment opportunity. The Civil Rights Act of 1964**,** as well as the Americans with Disabilities Act, provides the legal basis for equal employment opportunity to all without regard to race, color, religion, gender, age, national origin or handicap status. The Rapid City Police Department's policy is to treat each person with the respect, dignity, and integrity due him or her as an individual and to utilize fair employment practices in all phases of the employer-employee relationship.

A. EQUAL EMPLOYMENT OPPORTUNITY PLAN

1. The Rapid City Police Department recruiting shall be administered and conducted within the spirit and scope of the City of Rapid City's Equal Employment Opportunity Commitment.

2. The City Human Resources Department shall submit a Recruitment Summary Report, which includes an assessment of the progress relative to Equal Employment/Affirmative Action activities.

3. The Support Services Division Commander shall ensure the annual written Recruitment Analysis Report contains an assessment of the applicability of the Equal Employment Opportunity Plan, an analysis of recommendations for improvement and revisions of the recruitment plan, as needed.

B. MINORITY RATIO AND AFFIRMATIVE ACTION

1. The components of the Rapid City Police Department's Equal Employment Opportunity Plan include the following key features designed to assure equal opportunities for employment and employment conditions for women and other protected groups.

2. The components of the Equal Employment Opportunity Plan are:

   a. Establishment of Policy:

      The Chief of Police intends this directive to serve as a clear and unequivocal policy establishing the Rapid City Police Department as an Equal Opportunity Employer and shall establish related policies in reference to affirmative action and recruitment, as well as sexual harassment described in policy, section 342.

b. Practices and Procedures:

The Chief of Police shall ensure written directives identifying practices and procedures relative to recruitment, selection, equal employment opportunity, affirmative action and sexual harassment are prepared and made available to all personnel.

c. Affirmative Action Plan:

The Department will regularly monitor the composition of its work force in conjunction with the City Human Resources Department as it compares to the percentage of minorities and other protected groups in the general population of the City of Rapid City. If it is determined a disparity exists between the representation of minorities or women in the work-force as it compares to their representation in the service population area, an appropriate affirmative action plan shall be developed pursuant to section C below.

d. Systematic Review:

There shall be ongoing review and reporting of all equal employment, affirmative action and recruitment practices and procedures as provided for in section A above.

e. Complaint Resolution:

(1) No member of the Rapid City Police Department shall discriminate against any other employee or applicant for employment with the Rapid City Police Department on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, and marital or familial status...

(2) Any employee who is aware of or who has been a victim of such discrimination shall immediately report any violations to their immediate supervisor, the Chief of Police or the Personnel Director or a designee.

(3) Applicants for employment may file complaints of discrimination by the Department with the City Human Resources Department or the Chief of Police.

(4) Complaints of discrimination against the Department shall be handled as provided for in R&P Section 332 - Grievances, or in Section 342 - Sexual Harassment.

C. AFFIRMATIVE ACTION PLAN

1. At the completion of the hiring process for sworn positions, the Training Administrator will request an analysis by the City Human Resources Department to assess the agency's ratio of minority group employees. This analysis is to assess whether the agency's ratio of minority group employee's is in legally comparative proportion to the numbers of women and minorities available in the workforce within the population of the City of Rapid City.

2. If this analysis determines minority group members or women are underrepresented in the employment force of the Rapid City Police Department, an affirmative action plan shall be developed to address the situation.

3. The written Affirmative Action Plan shall be prepared as follows:

a. The first section should contain a utilization analysis which indicates the most recent population and percentage of minority figures available (the most recent U.S. Census), the current employment status of minorities and women in sworn positions in the Rapid City Police Department, and applicant information over the previous 12 months. Applicant information should include the total number of applicants and percentage breakdown of minorities and women applying to sworn positions.

b. Section Two of the Affirmative Action Plan shall be an analysis of the figures presented in Section One, and shall set forth measurable agency objectives relative to this analysis.

c. Section Three of the Affirmative Action Plan shall recommend goals and timetables for the Department to correct any under representation of women or minorities. All goals and timetables should be attainable, realistic, and measurable.

d. Section Four of the Affirmative Action Plan shall contain the action steps necessary to realize the goals and timetables from section three. These steps shall be specifically designed to correct the identified problem.

e. Section Five of the Affirmative Action Plan shall provide an estimate of the expenses related to the proposed action steps.

f. Section Six shall contain the writer's recommendation for periodic review and/or evaluation of the progress of the Affirmative Action Plan.

4. The Affirmative Action Plan shall generally be applicable for three calendar years, or updated as needed. The Affirmative Action Plan shall be prepared so the Chief may sign and date the Plan, which will authorize its implementation. No Affirmative Action Plan shall be implemented unless the Chief of Police has authorized it.

D. RECRUITMENT LITERATURE

If the Department prepares photographic recruitment literature or public service announcements (PSA's), they will where possible, include depictions of women and/or minorities in law enforcement roles.

E. MINORITY PERSONNEL INVOLVED IN RECRUITMENT

Whenever possible, women and/or minority members of the Department will participate in the recruitment efforts.

A. JOB ANNOUNCEMENT

1. The City Human Resources Department is responsible for coordinating and implementing the advertisement of the on-going police applicant testing process as well as advertisements for any job vacancies or testing being conducted for any non-sworn position within the Department.

2. The Training Administrator shall ensure brief descriptions of the position of Police Officer are developed and maintained to distribute to those applicants or other persons expressing an interest in employment in the position.

   a. This material shall describe the duties, responsibilities, requisite skills, educational level, physical requirements and the steps in the testing process for the position to be filled.

   b. The material shall also contain a brief description of the City of Rapid City and the Rapid City Police Department.

   c. This material shall contain information relative to the pay and benefits.

B. ENTRY-LEVEL VACANCIES ADVERTISED

All entry-level job vacancies for the Rapid City Police Department will be advertised through use of print, mass media, internet websites, various social networking capabilities, and any future technology adopted by the Department.

C. JOB VACANCIES PUBLICIZED

The responsibility of the Rapid City Human Resources Department is to publicize Department job vacancies at least ten working days prior to any official application-filing deadline.

D. EQUAL OPPORTUNITY EMPLOYER DESIGNATION

The Rapid City Police Department’s policy is any advertisement for employment, recruit selection and promotion will include an "Equal Opportunity Employment" statement on the publication.

E. RECRUITMENT ASSISTANCE FROM COMMUNITY

1. The Rapid City Police Department seeks recruitment assistance, referrals, and advice from community organizations and other leaders in the community.

2. The City Human Resources Department shall be responsible to contact key community organizations to request their assistance or advice in the recruiting effort through referrals or by publicizing existing or anticipated job vacancies.

F. JOB ANNOUNCEMENTS POSTED IN COMMUNITY

The City Human Resources Department will ensure community service organizations periodically receive information regarding the selection and testing process for sworn officers and vacancies for other positions when appropriate.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
413-02	Job Announcements and Publicity	1 OF 1
ORDER NO.: 06-07	**SUBJECT:** Contact with Applicants	
SUPERSEDES: 03-03	**EFFECTIVE:** 09-08-06	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 31.3.3, 31.3.4		

A. CONTACT WITH APPLICANTS

1. Rapid City Police Department applicants will be notified when their application has been accepted and will be reminded if there are any errors on the application needing correction. After the application has been verified, the pre-study guide and test date reminders will also be sent to the applicants. Any last minute changes or instructions are also sent to the applicant at this time.

2. Applicants who test will be notified of their progress after each stage of the hiring process, from the initial application through final employment disposition.

Supporting Documentation: Human Resourcse Department Recruiting and Testing Procedures

B. APPLICATION DEADLINES

Any application for employment with the Rapid City Police Department must be on file with the Rapid City Human Resources Department, prior to any deadline, in order to be considered for testing.

C. APPLICATION REJECTION CRITERIA

Applications for employment with the Rapid City Police Department are not rejected because of omissions or deficiencies that can be corrected prior to the testing or interview process. The applications are processed routinely, and if an applicant has not completed the necessary process, they are reminded prior to the testing procedure.

PURPOSE: The Rapid City Police Department recognizes the need to have a personnel selection process resulting in the appointment of those individuals who possess the aptitude, skills, knowledge and abilities necessary to perform effectively. The selection process has been acutely affected in recent years by court decisions and regulatory requirements mandating useful job related and non-discriminatory system for entry-level positions. With this in mind, the following procedures have been developed and adopted.

POLICY: The Rapid City Police Department goal is to recruit, select, and retain highly qualified people.

A. SELECTION PROCESS ADMINISTRATION

The Training Administrator shall have the authority and responsibility necessary for the routine administration of the Rapid City Police Department entry-level police officer selection process. All entry level testing, interviews, background investigations, and field training assignments shall be coordinated through the Training Section.

B. CHIEF OF POLICE SELECTION RESPONSIBILITIES

1. The Chief of Police retains full selection authority for the final hiring decision.
2. Sworn applicants will have a personal interview with the Chief of Police.
3. Non-sworn applicants may be required to attend a personal interview with the Chief of Police.

C. SELECTION PROCESS MANUAL MAINTENANCE

The responsibility of the City Human Resources Department is to produce a current "Selection Manual" for the Rapid City Police Department selection process. The Training Administrator will work with the Human Resources Department to assure the “Selection Manual” is accurate.

D. SELECTION PROCESS COMPONENTS

1. All persons participating in the selection process must complete the City of Rapid City Employment application. Persons selected for sworn positions, not possessing a South Dakota Law Enforcement Certification, will also be required to fill out an application for the Law Enforcement Training Academy. If the application is necessary, the Training Administrator will assist the applicant with this process.

2. Sworn position applicants will be required to: pass a job validated written examination, pass a physical fitness test, pass an oral interview, pass a background investigation, pass a standard medical evaluation, which includes a psychological test, and pass a final interview with the Chief of Police and satisfy all State standards for police officer.

3. Applicants for non-sworn positions may be required to take a practical examination, administered through the City Human Resources Department. Materials for these tests are available through the City Human Resources Department.

4. Written tests used as part of the selection process will have documentation on file demonstrating validity, utility and minimum adverse impact. Those documents will be retained by the Training Administrator and the City Human Resources Department.

E. SELECTION CRITERIA INTERPRETED UNIFORMLY

All elements of the selection process shall be administered, scored, evaluated and interpreted in a uniform fashion within the classification. Time limits, oral instructions, etc. must be clearly set forth and carried out under similar conditions for all candidates on all examinations. The test administrator shall read the appropriate test instructions from the testing guide to ensure the uniformity of the testing process.

F. EQUAL EMPLOYMENT OPPORTUNITIES AND AFFIRMATIVE ACTION

1. All elements of the selection process will be in accordance with the City's Affirmative Action Plan.

2. Whenever possible, personnel representing legally protected groups and women will be encouraged to participate in the selection process.

3. The Rapid City Police Department will comply with any reasonable accommodations necessary as required by the American’s with Disability Act of 1990.

4. The selection process will be administered fairly by administering, scoring, evaluating, and interpreting selection tests uniformly according to proscribed procedures. The selection tests will be on file with the Training Administrator and/or the City Human Resources Department.

5. The Rapid City Police Department in conjunction with the City Human Resources Department will conduct an adverse impact evaluation annually, after each testing cycle, to identify any stages within the selection process, which may adversely exclude women and protected minority groups. This will be accomplished as part of the annual recruitment analysis as specified in policy 411-02.

    a. The evaluation will include all positions.

    b. The evaluation will give the proportion of majority (male/Caucasian) and minorities (protected and suspect class groups/handicap) who pass/fail for every selection stage within the process.

    c. The evaluation will provide a summary report indicating the total number of applicants hired and rejected and any statistically significant impact findings showing prima facie discrimination. The report shall be submitted to the Training Administrator and the Chief of Police.

G. CANDIDATES PROVIDED WITH SELECTION INFORMATION

At the time of their formal application candidates will be provided with written notice explaining all elements of the selection process, which will include:

1. The types of selection stages and their purpose;

2. The expected duration of the process;

3. The confidential nature and the extent of certain elements of the selection process, such as psychological, physical fitness standards, background investigations, drug testing, and if required, a polygraph;

4. Recommendations for preparing for certain selection stages such as physical and written tests;

5. Re-testing policy and procedures, which will include times and place of the next cycle when candidates may retake the entry-level examination.

H. CANDIDATE RE-APPLICATION

1. Any candidate failing to be hired during the selection process will be given a reasonable opportunity to reapply and be re-tested for the next eligibility selection cycle.

2. "Reasonable," as defined, means allowing the candidate to re-test for up to three consecutive selection cycles. In the event the candidate fails three consecutive selection test cycles, they cannot reapply and re-test for a minimum of two years from their last application.

3. Exceptions to paragraph 2 may granted by the Chief of Police, only when the applicant can sufficiently demonstrate the acquisition of additional knowledge, skills, abilities and/or experiences which would likely enable the applicant to overcome previous deficiencies.

I. NOTICE OF NON-APPOINTMENT TO PROBATIONARY STATUS

1. Those candidates who are not eligible for appointment as probationary employee shall be informed in writing of their ineligibility within 30 days of the final employment decision.

2. Candidates who are not eligible for appointment to probationary status as a result of their failure to provide required information, fail to meet entrance requirements, or for other reasons, are notified as required.

3. This directive shall not apply to those candidates who have been tested, but not selected for further testing at the time. These candidates shall remain on the active eligibility list for a period up to one year.

J. SELECTION MATERIAL SECURITY

All written selection and/or test material will be securely stored at City Human Resources Department vault, or in the Training Administrator's secure storage cabinet.

K. SELECTION MATERIAL DISPOSAL

1. In the event classified selection materials are to be disposed of, the method will be by shredding or burning.

2. The security and destruction of classified selection tests such as psychological test will be the responsibility of the Police Department's Psychologist, unless those selection tests are in the control of the department's Training Administrator. In such instances, the Training Administrator will destroy them in accordance with normal policy and procedures set forth above.

L. REJECTED APPLICANT RECORDS DISPOSITION

All records and information regarding candidates who have not been selected for employment shall be maintained for a period of three years, as per the South Dakota Records Retention and Destruction Schedule, as follows.

1. Applications of unsuccessful candidates will be maintained at the City Human Resources Department.

2. Physical Agility Test results and Oral Interview score sheets will be maintained at the Training Office.

A. PHYSICAL AND AGE QUALIFICATIONS

Sworn positions require the applicant to be at least 21 years of age at time of employment and satisfactorily complete a physical examination. A fitness test based on the Institute for Aerobic Research physical fitness norms will be administered to all applicants for sworn positions.

Supporting Documentation: SDCL 23-3-42

B. APPLICATION PROCESS POLICE OFFICER/SWORN

1. Any person wishing to apply may do so by contacting the City of Rapid City Human Resources Department either by telephone, or in writing, however applicants will be directed to apply on-line through the City of Rapid City website. All applications for employment with the City of Rapid City are on-line at http://agency.governmentjobs.com/rapidcity. Applicants are also directed from a link on the Rapid City Police Department website to apply as specified above. The Department information booklet, *Beginning Your Career* is available on-line, through the Department website at http://www.rcgov.org/police/media/hbook.pdf.

2. At the time of their formal application, candidates will be provided with written notice explaining all elements of the selection process, which will include:

   a. The types of selection stages and their purpose:

      (1) Written examinations necessary to evaluate the essential function of the position will be administered to all candidates,

      (2) Physical fitness test,

      (3) Interview board,

      (4) Staff input concerning candidate selection, and

      (5) Background investigation to include, but not limited to:

         (a) Verification of the candidate's qualifying credentials,

         (b) Criminal history,

         (c) Verification of at least three references,

         (d) Credit references check,

(e) Computer internet search of social networking sites.

Note: For complete information regarding background requirements, refer to policy 421-04. Background of non-selected candidates will be retained on file for a minimum of three years.

b. The expected duration of the process;

c. The confidential nature and the extent of certain elements of the selection process, such as psychological, background investigations, drug testing and if required, a polygraph;

d. Recommendations for preparing for certain selection stages, such as physical and written tests; and

e. Re-testing policy and procedures, which will include times and place of the next cycle when candidates may retake the entry-level examination.

3. Special consideration may be given to those candidates who must travel great distances in order to take the test. In those cases, an accelerated testing procedure may be followed. As such, the applicants may be scheduled to take the written portion of the examination and the interview board portion within a two-day period.

4. The hiring of sworn personnel is determined by the Chief of Police.

5. As a requirement of employment, candidates are obligated to complete the following tests as a condition of employment.

   a. Psychological evaluation;

   b. Medical examination;

   c. Optical examination;

   d. Drug testing; and

   e. Audio test.

6. Any candidate applying for sworn or non-sworn positions must not have, "Unlawfully used any prescribed drug, controlled substance, or marijuana within one year prior to application for employment."

Supporting Documentation: SDCL 23-3-42

C. SELECTION PROCESS BY PRIVATE FIRM

Those selection tests utilized or administered by the Department will meet the requirements of validity, utility and minimum adverse impact.

1. Private vendors will provide validation reports to assure compliance.

2. All selection tests will be reviewed each year to assure they meet legal requirements of validity, utility, and minimum adverse impact.

D. USE OF WRITTEN TESTS IN SELECTION

As part of the selection process, the Rapid City Police Department shall utilize the McCann Associates, Inc. "Written Examination for Entrance Police Officer" test, or other equivalent test as designated by the Chief of Police. The test utilized must be documented as having job validity, utility, and minimum adverse impact.

E. PHYSICAL AGILITY SCREENING

1. All candidates who participate in the application process must sign a letter of indemnification releasing the City of liability prior to allowing them to perform the fitness test. The letter will be given to the physical fitness instructors of the Department prior to taking the physical fitness examination. The requirements are specified in physical fitness policy, section 323-02, and are consistent with the procedures used for annual testing of officers.

    a. The physical fitness instructor shall notify the officer/person conducting the assessments of the date, time, and the total number of candidates taking the physical fitness assessments.

    b. The written results of the agility assessment shall be maintained as part of the candidate's regular application file. If the candidate is hired, the agility assessment shall be maintained as part of the employee's regular records file.

2. If for some documented medical reason, a candidate is temporarily unable to perform a portion of the physical agility test, the specific disorder must be recorded by the evaluator. A reasonable accommodation will be made to retest the candidate, as determined by the Chief of Police.

3. To qualify for oral interview, the applicant must attain or exceed all of the physical standards. These standards are established in policy 323-02 – Physical Fitness..

F. INTERVIEWS

Those candidates who have successfully completed all phases of the screening process may be selected to participate in an interview, with an Interview Board. Applicants will be required to appear before an interview board as part of the hiring process. The board will be comprised of a cross section of employees from within the Department.

G. BACKGROUND INVESTIGATION REQUIRED

Complete and thorough background investigations shall be performed on candidates prior to any job offer, as directed by the Chief of Police. Background Investigations will not be completed until candidates have been selected as a finalist in the process. For further information regarding background investigations, refer to policy 421-04.

H. CONDITIONAL OFFER OF EMPLOYMENT

At the discretion of the Chief of Police, the candidate may be given a conditional offer of probationary employment. This conditional offer shall be consistent with, “The Americans with Disabilities Act” (ADA) regulations. Acceptance of the conditional offer constitutes an agreement to complete comprehensive medical and psychological exams.

I. MEDICAL EXAM

Prior to appointment as a probationary officer, a candidate being considered for employment, and/or having received a conditional offer of employment, shall be scheduled for a comprehensive medical examination including; complete physical, drug screen, vision exam, and hearing test.
.
The examination is designed to reveal any medical problems that might inhibit or completely bar the candidate's ability to perform any of the **essential functions** of the job of police officer for the City of Rapid City, South Dakota.

J. LICENSED PHYSICIANS CERTIFY CANDIDATES

1. The examination of all candidates shall be performed by a licensed physician at a recognized medical facility with the capabilities to perform all required medical fitness procedures.

2. The written results of said examination shall be maintained in a separate file as dictated by the constraints of the ADA. When the candidate is hired, medical screening is accomplished by a licensed physician. The medical examination report is then maintained as part of the employee's regular medical records file.

3. Should the medical examination reveal a condition, which, in the opinion of the Rapid City Police Department, could inhibit or bar the applicant's ability to perform any of the essential functions of the job of police officer, then the Chief of Police or Support Services Division Commander may authorize a further investigation or examination of the condition.

4. Access to the employee's medical file is limited only for those instances as specified under the Americans with Disabilities Act (ADA).

K. PSYCHOLOGICAL EXAM

Prior to appointment as a probationary officer, the candidate shall have their psychological and emotional fitness evaluated using valid and useful non-discriminatory procedures. The screening devices may assist the evaluator with additional judgments regarding the emotional and psychological suitability of the candidate. Only qualified professionals, either psychologists or psychiatrists shall be utilized for this process.

L. PSYCHOLOGICAL EXAM RECORDS MAINTAINED

1. A report containing the results of, and an analysis of, all phases of the psychological assessment shall be provided to the Training Administrator for review by the Chief of Police, and/or the Support Services Division Commander.

2. The report shall be maintained as part of the candidate's permanent application file. Should the candidate be hired, the report shall be maintained as part of the employee's permanent medical records file. Should the candidate not be hired, the report shall be maintained with the Training Administrator for a period of at least one year, as per the South Dakota Records Retention and Destruction Schedules.

M. PROBATIONARY PERIOD REQUIRED

The probationary period for employees of the Rapid City Police Department shall be consistent with the Union Contract and Department Policy. The standard probationary period for all sworn Department Employees will be 18 months. All other employees' probationary period will normally be for one-year duration.

Union Contract (Fraternal Order of Police) -- Article 7 par 7.01

N. PROBATIONARY PERIOD EXCEPTIONS

1. Any exceptions to the probationary period will be consistent with the Union Contract and Department Policy.

2. In order to rehabilitate an employee who may otherwise be terminated, the Department may extend the probationary period to provide remedial services and counseling.

3. Officers on probation will not be utilized as an undercover agent.

Union Contract (Fraternal Order of Police) -- Article 7 par 7.01

O. REAPPLICATION PROCESS FOR FORMER DEPARTMENT EMPLOYEES

1. An expedited hiring may occur if:

   a. The former employee left within the past 18 months from the last day worked, and;

   b. The former employee left in good standing, and;

   c. The former employee has not been arrested or convicted of a crime that would preclude employment with the Department, and;

   d. The former employee has not engaged in behavior that would preclude employment with the Department.

2. No former employee of the Rapid City Police Department is eligible for the expedited rehiring process unless pre-authorized by the Chief of Police. Any former employee meeting the criteria listed above and wishing to be considered for the expedited rehire must submit the request, in writing to the Chief of Police. The Chief will review the criteria listed above and make a determination of eligibility. The response for authorization or rejection will be communicated in writing to the former employee.

3. All former employees must complete a new employment application, undergo an update to their background investigation, drug screen, and receive final approval from the Chief of Police.

4. The former employee is eligible to be placed on their former pay grade and step.

5. Upon satisfactory completion of all pre-employment screening, the former employee, if hired back will be placed on one-year probation and during that year, must comply with all of the Department's minimum qualifications.

6. Former Department employees wishing to be rehired by the Department and not meeting the criteria above must complete the established hiring process required of all applicants as described in Section B of this policy.

A. APPLICATION PROCESS CIVILIAN NON-SWORN

1. Any person 18 years of age or older, at the time of application, shall be eligible to apply for the following non-sworn positions within the Rapid City Police Department:

   a. Accounting Clerk;

   b. Administrative Assistant;

   c. Clerical;

   d. Community Relations Specialist;

   e. Crash Investigator;

   f. Crime Analyst;

   g. Evidence Specialist;

   h. Forensic Examiner;

   i. Forensic Chemist;

   j. Forensic Media Specialist;

   k. License Compliance Officer;

   l. Meter persons;

   m. Police Purchasing Specialist;

   n. Police Support Technician;

   o. Records Supervisor;

   p. Research and Development Specialist

   q. Volunteers;

   r. Other positions, with the approval of the Chief of Police.

2. Any person wishing to apply for a civilian non-sworn position may do so by contacting the City of Rapid City Human Resources Department either by telephone, or in writing, however applicants will be directed to apply on-line through the City of Rapid City website. All applications for employment with the City of Rapid City are on-line at http://agency.governmentjobs.com/rapidcity. Applicants are also directed from a link on the Rapid City Police Department website to apply as specified above. A formal application is accepted only when a position vacancy is announced.

3. At the time of their formal application, candidates will be provided with written notice explaining all elements of the selection process.

4. The Rapid City Police Department recognizes the fact civilian non-sworn employees are frequently placed in situations where they have access to sensitive information. As such all civilian employees may be subject to the following inquiries prior to their appointment:

   a. An interview with the Chief of Police and/or the appropriate Division Commander. The interview may be conducted by the immediate supervisor of the position being filled and/or other personnel as determined by the Division Commander.

   b. A background investigation may include those elements outlined in policy 421-04.

   c. A polygraph examination may be conducted consistent with other requirements of policy 421-05.

   d. Further testing for determination of ability to perform the essential functions of the job.

5. Any civilian non-sworn management position for the Rapid City Police Department may require an application and selection process consisting of any combination of screening elements for sworn and civilian non-sworn employees.

6. The hiring of civilian non-sworn personnel is determined by the Chief of Police.

B. INTERVIEWS

1. Those candidates who have successfully completed all phases of the screening process may be selected to participate in an interview with an interview board. Applicants will be required to appear before an interview board as part of the hiring process. The board will be comprised of a cross-section of employees from within the Department.

C. BACKGROUND INVESTIGATION REQUIRED

1. Complete and thorough background investigations shall be performed on candidates prior to any job offer, as directed by the Chief of Police or a designee. Candidates who are selected to undergo a background investigation must have satisfactorily completed all phases of testing administered.

D. PROBATIONARY PERIOD REQUIRED

1. The probationary period for employees of the Rapid City Police Department shall be consistent with Union Contract and Department Policy. The probationary period for all Department Employees will be a minimum of one year.

Union Contract (Fraternal Order of Police) -- Article 7 par 7.03

E. PROBATIONARY PERIOD EXCEPTIONS

1. Any exceptions to the probationary period will be consistent with Union Contract and Department Policy.

2. In order to salvage an employee that may otherwise be terminated, the Department may extend the probationary period to provide remedial services and counseling.

F. REAPPLICATION PROCESS FOR FORMER DEPARTMENT EMPLOYEES

1. An expedited hiring may occur if:

    a. The former employee left within the past 18 months from the last day worked, and;

    b. The former employee left in good standing, and;

    c. The former employee has not been arrested or convicted of a crime that would preclude employment with the Department, and;

    d. The former employee has not engaged in behavior that would preclude employment with the Department.

2. No former employee of the Rapid City Police Department is eligible for the expedited rehiring process unless pre-authorized by the Chief of Police. Any former employee meeting the criteria listed above and wishing to be considered for the expedited rehire must submit the request, in writing to the Chief of Police. The Chief will review the criteria listed above and make a determination of eligibility. The response for authorization or rejection will be communicated in writing to the former employee.

3. All former employees must complete a new employment application, undergo an update to their background investigation, drug screen, and receive final approval from the Chief of Police.

4. The former employee is eligible to be placed on their former pay grade and step.

5. Upon satisfactory completion of all pre-employment screening, the former employee, if hired back will be placed on one-year probation and during that year, must comply with all of the Department's minimum qualifications.

6. Former Department employees wishing to be rehired by the Department and not meeting the criteria above must complete the established hiring process required of all applicants as described in Section A of this policy.

A. BACKGROUND INVESTIGATION REQUIRED

Complete and thorough background investigations shall be performed on candidates prior to any job offer, as directed by the Chief of Police. Candidates who are selected to undergo a background investigation must have satisfactorily completed all phases of testing administered.

B. BACKGROUND INVESTIGATION ELEMENTS: SWORN AND NON-SWORN EMPLOYEES

1. Background investigations will be conducted by detectives within the Criminal Investigation Division, but may be conducted by other employees or outside agencies at the discretion of the CID Command Staff.

2. The assigned background investigator will assure that the applicant has completed all personal history forms and copies of applications, and board comments have been received for proper completion of the background investigation.

3. The assigned background investigator will conduct background investigations according to the following guidelines:

   a. Verification of the candidate's qualifying credentials, to include educational achievements, transcripts from schools attended within the past 10 years, military achievements, prior employment and residency records, as well as documentation of birth records, citizenship, credit records, etc.;

   b. Criminal record checks in all cities of residence and employment;

   c. Computer inquiries of motor vehicle records and licensing records in all states of residence and employment;

   d. Criminal history computer checks in all states of residence;

   e. National Crime Information Center (NCIC) checks under all known identities;

   f. (FBI) Interstate Identification Index (Triple I) check;

   g. Mid-States Organized Crime Information Center (MOCIC);

   h. Rapid City Police Department and Pennington County Sheriff’s Office records;

   i. Other Law Enforcement Agencies;

   j. Credit report.

k. Conduct a personal (preferred) or telephonic interview with the candidate; and

l. Verification of at least three of the candidate's personal references, as well as two or more developed reference checks, if possible. These may include:

(1) Inquiries made to past and present neighbors, spouses and landlords.

(2) Acquaintances, character references, and members of fraternal and social organizations to which the applicant belongs or has belonged.

(3) Any other sources of information, which the above contacts believe to be important.

4. Because of the Americans with Disabilities Act (ADA) regulations those persons assigned to conduct background investigations shall guard against making inquiries into the following areas:

a. Amount of sick time used at any previous place of employment;

b. Any workmen's compensation claims placed at any previous place of employment;

c. Any addictions the candidate may have had in the past; and

d. Any other inquiry likely to elicit information concerning any of the above topics. Information voluntarily given, and not as a result of questions asked by the investigator, may become part of the final report of the candidate's background investigation.

5. The assigned background investigator will then review all the information compiled and write a background investigation report in the standard Department format and submit it through the chain of command to the Chief of Police.

C. BACKGROUND INVESTIGATION ELEMENTS: RAPID CITY POLICE DEPARTMENT VOLUNTEERS

1. The background investigation for a Rapid City Police Department volunteer shall contain the following:

a. Criminal records checks in all cities of residence and employment.

b. Computer inquiries of motor vehicle records and licensing records in all states of residence and employment.

c. Criminal history computer checks in all states of residence.

d. National Crime Information Center (NCIC) checks under all known identities.

e. Interstate Identification Index (Triple I) check.

f. Mid-States Organized Crime Information Center (MOCIC) check of database.

g. Rapid City Police Department and Pennington County Sheriff's Office Records.

h. All other law enforcement agencies.

i. Conduct a personal (preferred) or telephonic interview with the candidate.

j. Verification of at least two references of the candidate, preferably one personal and one work reference, to verify honesty, integrity, work ability, and dependability.

2. The assigned background investigator will then review all the information compiled and write a background investigation report in the standard Department format and submit it through the chain of command to the Chief of Police.

D. OTHER BACKGROUND INVESTIGATIONS

The Compliance Inspector or their designee is responsible for conducting background investigations for the City of Rapid City Human Resources Department. See attached Index of Position Background Codes. Please note the policy and procedure covers all employees, regular, temporary, and seasonal.

CITY OF RAPID CITY
BACKGROUND CHECKING POLICY
Established: July 16, 2001 Revised: January 25, 2006, November 3, 2008
Latest revision approved by City Council on November 3, 2008

It is the policy of the City of Rapid City to conduct a reasonable check of criminal history, references, credit and/or other relevant background information for prospective employees. The extent of such inquiries will depend on many factors, some of which are: nature and duration of the job, number of applicants, job licensure requirement and the extent of the applicant's employment history.

It will be the responsibility of the hiring manager to conduct reference checks. Upon a conditional offer of employment to the potential new employee by the hiring manager, employees will complete the necessary background check form and other requirements at the City of Rapid City Human Resources Department. The form will include a background classification code.

Each position is assigned a background classification code. Appendix A lists the Category assigned to each position. There are six classifications Class A (Advanced), B (Intermediate) and C (Basic), with Class A the most comprehensive in nature. The least comprehensive check is C; however, if questionable issues arise in a C background the necessary checks will be conducted to address these concerns. Positions assigned a Category D and E (generally Public Safety and certain Airport classifications) have provisions in place for extensive backgrounds unique to their positions and are exempt from this policy. Category F is for fire positions. Positions assigned a dollar sign ($) will be subject to a credit background. All temporary/seasonal employees will be given a Class C background, unless otherwise designated by the hiring manager. Background checks on volunteers or employees of temporary employment agencies will be conducted on a case-by-case basis depending on the nature of their assignment. The request for the background will be at the discretion of the supervising Department Director.

The criteria used to determine the Class is based on the job-related need and any one or more of the following factors can be met:

1. Has extensive contact with the public.

2. Handles money or other financial resources.

3. Is a caregiver for children or vulnerable adults.

4. Enters private homes as part of their job responsibilities.

5. Has access to materials deemed confidential under federal or state data privacy laws.
6. Has regular access to drug or controlled substances.
7. Has access to secure areas restricted to the public and other City employees.
8. Performs duties and/or are subject to conditions that would warrant a criminal history check to preserve the resources of the City.

The following are definitions of categories to be assigned to each position classification for the City of Rapid City.

INVESTIGATION REQUIREMENTS	***Category A*** Department Director Advanced	***Category B*** Intermediate	***Category C*** Basic	***Category D*** Public Safety / POLICE	***Category E*** Public Safety / AIRPORT	***Category F*** Public Safety / FIRE
Fingerprints	X	X		X	X	X
Local Criminal History Check	X	X	X	X	X	X
State Criminal History Check	X	X	X	X	X	X
Federal Criminal History Check	X	X		X		X
Driver's License History & Status	X *	X *	X *	X	X *	X
Credit History Check	X *	X *	X *	X	X *	X
MOCIC Check	X		X **	X		X
Triple I			X ***	X		
Age Verification			X *	X		
State & National Sex Offender Database Check	X	X	X	X	X	X
Established Standards of Homeland Security					X	
Established Standards per R&P 421-04				X		
In-person or phone interviews and investigation conducted by the Police Department or a contracted investigator. References and other relevant individuals who may have knowledge of the applicant's background will be contacted.				X		
Phone interview and investigation conducted by the Police Department or a contracted investigator verifying the applicant's current and past residences and community history.				X		
***As indicated by Human Resources.**						
****Crossing Guards only.**						
*****Crossing Guards and PD Professionals only.**						

The completed forms will be forwarded by the City Human Resources Department to the Criminal Investigation Division of the Rapid City Police Department, where the background will be conducted by the Police Department. This process should take no longer than 14 working days from the time of form submittal to return of information to the City Human Resources Department. If immediate information is needed, the Human Resources Department shall contact the Criminal Investigation Division and request a priority for review.

In cases where fingerprints are required of the applicant, additional time may be required for processing.

Upon return of the background to the City Human Resources Department, the hiring manager will be notified of the status of the job-related criminal background check and may review results in the City Human Resources Department. The hiring manager will make the final determination to hire based on their review of the background.

The following are the guidelines for screening the applicants:

1. Any omission or false statement regarding a criminal conviction may disqualify the applicant.

2. Each applicant's background will be evaluated by the Department Director or Division manager giving consideration to the nature and date of the offense as well as any mitigating circumstances. No registered sex offenders or convicted felons can be hired without department director's approval.

If the applicant is a current employee and is found to have failed to disclose any of the above information upon his/her application, the employee will be evaluated on a case-by-case basis and subject to disciplinary action up to and including termination.

E. BACKGROUND INVESTIGATION RECORDS RETENTION

1. In those cases where the candidate is hired by the Department, the background investigation shall become a permanent record and shall be maintained as part of the employee's file for at least five years after the employee leaves the department.

2. In all other cases, the background investigation shall be maintained as part of the candidate's identification/testing record. Information that is voluntarily given, and not as a result of questions asked by the investigator, may become part of the final report of the candidate's background investigation.

3. Background investigations of candidates not selected for employment shall be maintained for a period of five years.

F. TRAINING FOR BACKGROUND INVESTIGATIONS

All employees assigned to conduct background investigations will be trained in the proper procedures for conducting such investigations.

POLICY: The Rapid City Police Department may use the polygraph to detect deception in the selection process and to clarify unresolved issues in the background investigation.

A. POLYGRAPH RESULTS NOT SINGLE DETERMINANT

1. Those candidates who have performed satisfactorily on the written and oral board phases of the selection process may be selected to have an entry-level polygraph examination administered. The results of the polygraph examination shall be used as an investigative aid only, and may not be used as the single determinant of whether to hire a candidate.

2. Candidates will not be excluded from the selection process solely for refusal to undergo a polygraph examination.

B. POLYGRAPH QUESTION AREAS LISTED

1. In those instances in which the polygraph examiner is utilized in the selection process, the candidate will:

   a. Be informed a polygraph examination may be required;

   b. Be informed submission to the test is optional and voluntary on their part.

2. Candidates volunteering to undergo the polygraph examination will:

   a. Sign an informed consent form;

   b. Be explained the express purpose and extent of the inquiry;

   c. Questions to be asked will be discussed with the candidate prior to the exam; and

   d. Be given sufficient time to review and understand the questions asked.

C. TRAINING OF POLYGRAPH EXAMINERS

1. Only certified polygraph examiners from the Rapid City Police Department or other law enforcement agencies are permitted to operate the instrument, and then only for the specific purposes relating to criminal investigations or maintaining employment standards. This procedure is subject to the approval of the Commander of the Investigations Division.

2. The administration of all polygraph examinations and the evaluation of them, shall only be conducted and approved by a professionally trained Polygraphist, with credentials from a recognized polygraph training program.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
431-01	Training Administration	1 OF 5
ORDER NO.: 10-02	**SUBJECT:** Training Function	
SUPERSEDES: 06-07	**EFFECTIVE:** 03-31-10	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 33.2.3		

PURPOSE: The responsibility to properly train police officers is frequently cited as one of the most important responsibilities of a law enforcement agency. Training serves four purposes. First, well-trained officers are 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. Fourth, training is a means to advance police practices. Training programs must ensure the needs of the agency are addressed and there is accountability for all training provided. In particular, training must be consistent with the agency's goals and objectives. In keeping with these considerations, the following policies have been developed and implemented.

POLICY: The Rapid City Police Department will provide employee training, which is consistent with job related and personal development needs of its employees. The expertise of city employees will be used in the training of other employees to maximize efficiency. Approval for training will be contingent upon its value to the employee(s) and the organization, and when the benefits of the training are deemed to be cost effective.

A. TRAINING FUNCTION ESTABLISHED

1. Designated instructors, supervised by the Training Administrator assigned to Administrative Services, will be responsible for the training.

2. The Training Administrator will coordinate all inquiries training.

3. The Training Administrator will be responsible for coordination of all internal training, regardless of the type or Division, including such training as roll-call training, shift training, and investigation specific training.

4. Meaningful, job related training will be available to employees through the:

   a. Basic police academy;

   b. In-service training;

   c. Roll-call training; and

   d. Outside schools and seminars.

5. Examples of continuing job specific and specialized training available to personnel:

   a. Instructors training.

   b. Investigations training.

c. Traffic Specialization.

d. General and clerical.

e. Leadership, management and supervisory.

6. Department employees may contact the Training Administrator for assistance in locating available and affordable training. Available training can also be located on the State DCI website: http://dci.sd.gov/let/calendar/index.htm

B. TRAINING COMPONENT ACTIVITIES

1. The Training Administrator will establish, maintain, determine, coordinate, evaluate and notify personnel of all training matters.

   a. Determine training needs for the Department through job task analysis.

   b. Plan and develop training programs.

   c. Schedule in-service training.

   d. Provide annual in-service training at a rate of at least forty hours per year.

   e. Coordinate and obtain instructors for in-service training.

   f. Provide instruction for courses where appropriate.

   g. Consult rosters at class, ensures class attendance by designated personnel and report absent personnel to the appropriate supervisor.

   h. Schedule make-up classes and ensures attendance of personnel who were on excused or unexcused absence.

   i. Responsible for the Field Training Program and the training of the Police Training Officers.

2. Additional responsibilities of the Training Administrator will be to coordinate training programs through outside organizations or agencies.

   a. Coordinate various training programs and seminars.

   b. Initiate correspondence to training schools throughout the region and nation.

   c. Maintain records for and disseminate information on outside training to all personnel.

   d. Process necessary paperwork.

   e. Act as liaison between the Department and basic law enforcement training academies.

      (1) The Training Administrator will utilize the facilities, instructional material, instructors and equipment, wherever possible, for retraining of officers in academy certified curriculum.

      (2) The Training Administrator will communicate training needs, new programs or changes

to programs, through the area state representative to the Law Enforcement Commission or through the Director of the Academy.

(3) The Training Administrator will facilitate locating suitable instructors, instructional material and/or equipment to assist in the state academy training curriculum as reasonably requested.

f. Select instructors having a recognized expertise in the subject area.

3. Evaluate, update and revise all Department-training programs annually.

4. Provide orientation programs for new officers and their families.

a. Introduction of personnel.

b. Coordination of swearing in ceremony.

c. Issuance of Department equipment.

d. Coordinate instruction on the care and use of Department equipment.

5. Maintain all training records.

a. The Training Administrator is responsible for maintaining and updating all training records on a monthly basis.

b. Records will be kept by the Training Administrator in the following areas:

(1) Lesson plans approved by the Training Administrator for all classes given. All lesson plans will conform to guidelines and formats for lesson plan development, performance objectives, along with the content of the training specifications.

(2) Test results for the training courses as required by the Chief of Police (Constitutional Law, Essential Knowledge, Firearms, and Use of Force).

(3) Training course contents, including any handouts, names of the attendees, and instructor's name.

6. Administer the Specialized Training Programs to include, but not limited to: Firearms, Defensive Tactics, and Emergency Vehicle Operations.

a. Coordinates with the Lead Instructor or designee regarding the respective training, to include instructors, lesson plans, performance standards and practices for all sworn Department personnel.

b. Maintain records of all specialized courses and scores of personnel qualifying on those courses.

7. Miscellaneous Duties of the Training Administrator.

a. Assist with recruiting process.

b. Coordinate background investigations with Criminal Investigations.

c. Background Investigator.

d. Develop remedial training plan and process when requested by a supervisor.

C. TRAINING PROGRAM AFFILIATIONS

1. The Rapid City Police Department, being committed to excellence in training, has chosen to affiliate with selected colleges, universities and vocational training institutions to provide selected employees with advanced training. Affiliation is based upon perceived training needs and is contractual in nature on an individual school/student basis. The following educational institutions have been selected by the Rapid City Police Department to provide advanced training.

   a. Black Hills State University, Spearfish, South Dakota.

   b. The University of Virginia, Federal Bureau of Investigation, National Academy, Quantico.

   c. South Dakota School of Mines and Technology, Rapid City, South Dakota.

   d. Western Dakota Technical Institute, Rapid City, South Dakota.

   e. National American University, Rapid City, South Dakota.

2. As part of the Rapid City Police Department's commitment to the community, employees are encouraged to affiliate with local high schools, colleges, and universities as either a student or instructor.

D. TRAINING PROGRAM & OUTSIDE AGENCY RESOURCES

Employee selection for advanced training, FBI Academy, FBI-LEEDA, Northwestern Traffic Institute, etc., shall be reviewed by Command Staff and the Chief, considering the following:

1. Does the training support Department goals?

2. Does the training meet an identified need within the Department?

3. Does the training improve professional competency of the attendee?

4. Is the training supportive of the employee’s position or assignment?

5. Does the training satisfy mandatory training requirements?

6. Has the selected person demonstrated leadership abilities?

E. PROCESS FOR APPROVAL OF OUTSIDE AGENCY TRAINING

All training requests will be submitted and reviewed by the respective section sergeant. Once approved by the sergeant, the request along with supporting documentation and travel request will be presented to the respective lieutenant. The lieutenant will then bring the request to weekly staff meetings for discussion, final approval and signatures. Upon approval, the request will go to the Training Administrator. The Training Administrator will make or assist in making appropriate training or class reservations, contact the employee(s) requesting training and assist them in

arranging transportation and lodging. Once completed, the Training Administrator will initial and forward all paperwork to the Accounting Clerk for filing and eventual expense reimbursement.

Note: All travel and training over $1,500 must also be approved through the Mayor. After command staff approval, requests requiring the Mayor's approval are forwarded through the Accounting Clerk.

F. INTERAGENCY TRAINING

1. The Chief of Police may authorize law enforcement personnel from other departments or persons from other public or private agencies to attend Department training programs, or have access to training materials.

2. The Chief of Police may authorize a member of the Rapid City Police Department to conduct training for the Law Enforcement Standards and Training Commission, another law enforcement agency, or other public or private organizations.

G. CLASSROOM SPACE FOR DEPARTMENT TRAINING

1. The Rapid City Police Department will provide adequate classroom space for all internal training programs.

2. Resource materials will be made available through the Training Administrator.

A. TRAINING COMMITTEE

1. The purpose of the committee is to:

   a. Assist in identifying training needs;

   b. Formulate a training calendar; and

   c. Make recommendations for training improvements.

2. The Training Committee will be chaired by the Training Administrator.

3. The committee should be representative of the various workgroups and consist of at least seven members:

   a. Training Administrator (Chairperson);

   b. Lieutenant;

   c. Sergeant;

   d. Patrol Officer;

   e. Detective;

   f. Clerical; and

   g. Technician.

4. Assignment of personnel shall be made by the Training Administrator, after a recommendation by the Division Commanders, and with the approval of the Chief of Police or designee. Consideration in the selection of members will be from all divisions within the Department having differing views and expertise in their areas of responsibility. Service on the committee will be for one year, but may be extended through mutual agreement. If a committee member is unable to fulfill their term, the Training Administrator will appoint a replacement.

5. The recommended training programs shall be presented to the command staff by the Training Administrator for review and approval of the finalized training calendar.

B. TRAINING PROGRAM DEVELOPMENT

The following resources will be considered in the development of annual and in-service training programs:

1. **Inspection Reports -** Areas of deficiency noted in departmental inspection reports shall be addressed (as appropriate) in training programs. The deficiency shall be addressed by the Division Commander and they may request training in the problem area.

2. **Staff Reports/Meetings -** Recommendation of the departmental Command Staff shall be considered in the development of training programs.

3. **Consultation with Field Personnel and Field Observation -** Informal suggestions and observations by field personnel shall be considered, as well as formal training suggestions made as a result of training evaluation forms.

4. **Training Committee Reports -** Recommendations made by members of the Department Training Committee shall be considered in the development of training programs.

5. **Internal Affairs Investigation Reports -** When an Internal Affairs investigation uncovers a training need. The Division Commander of the effected division shall be notified. The Division Commander may notify the Training Administrator so that the topic may be addressed in the future training programs.

6. **Current Job Descriptions -** Job descriptions based upon job task analysis shall be considered when developing training programs to determine needs based upon assignment.

7. **Five Year Strategic Plan –** Training will be supportive of advancing organizational goals and objectives through human resource development.

8. The Chief of Police may participate in the development of departmental training by suggestion, review and approval.

A. TRAINING PROGRAM ATTENDANCE

1. Department members assigned to any training program or class, which is being conducted by or for the Rapid City Police Department, are required to attend. Failure to attend shall be treated as the equivalent of failing to report for duty.

   a. An employee may be excused from training by the Training Administrator or the appropriate Division Commander for a valid reason.

   b. Employees failing to attend appropriate training due to illness or other reason shall immediately contact the Training Administrator. The Training Administrator is responsible to ensure the official departmental attendance report accurately reflects the employee's status on the training day.

   c. The Training Administrator when feasible will ensure an employee not attending assigned training is re-scheduled for make-up training.

2. During a training exercise, employees will adhere to the directions of the instructor or training officer.

3. In the event any supervisor believes a training exercise is unsafe or unlawful, they shall suspend the training exercise, or the portion of the exercise believed to be unsafe, or unlawful. All such actions will be reported to the Training Administrator immediately.

B. SCHOOL DRESS REQUIREMENTS

1. While attending any course of instruction, seminars or any other training activity, employees shall be dressed in either the uniform of the day, slacks, shirt and tie, or “business casual” (i.e. slacks and polo shirt). Blue jeans are permitted when authorized by the Training Administrator or the Chief of Police. All clothing shall be neat and clean presenting a well-groomed professional appearance.

2. In the case of specialized courses involving field work (SRT training, firearms, etc.), students will dress according to the requirements of the course or as the instructor(s) require.

C. TRAINING PROGRAM REIMBURSEMENTS

The Rapid City Police Department’s policy is to reimburse employees when they attend required training programs in or outside the Department's service area.

Supporting Documentation:
Union Contract (Fraternal Order of Police) -- Article 12 par. 12.04, Article 34
City Travel Expense Policy

A. TRAINING COURSES LESSON PLANS

1. The Rapid City Police Department requires that Lesson Plans be completed for all In-Service Training Courses. The lesson plan establishes the purpose of the training program, sets forth the performance objectives, relates training to critical job tasks, and identifies what will be taught and the manner in which it will be taught. Lesson Plans also serve to establish a basis for standardizing repeated presentations of the same class, and serve to protect the agency and instructor from liability claims.

2. Lesson Plans are to be completed in the same standard format, and must be approved by the Training Administrator prior to being utilized during the training program. Lesson plans shall contain the following components:

   a. Heading; and

   b. Statement of performance objectives.

3. The statement of performance objectives in the Lesson Plans is to be quantifiable and easily measured in terms of retained knowledge or skills. Performance objectives are intended to accomplish the following:

   a. Focus on the requirements of the target group of instruction by considering the training provided the group's ranks, assignments, job descriptions, etc.;

   b. Provide clear statements of what is to be learned;

   c. Provide a basis for evaluating participants; and

   d. Provide a basis for evaluating the effectiveness of the training program.

4. Examples of performance objectives are as follows:

   a. "The student will be able to list four types of hostage-takers."

   b. "The officer will complete the exertion course in less than three minutes."

   c. Avoid performance objectives that are general and hard to measure such as: "The student will become familiar with the importance of proper handcuffing techniques."

5. The body content of the lesson plan will be dictated by the subject matter. However, it will normally be prepared as follows:

   a. The contents shall be arranged in standard outline format (Roman numerals, capital letters,

Arabic numerals, lower-case letters).

b. The outline should not contain the presentation verbatim, but should present the key ideas and issues.

c. The material shall be arranged in a logical smooth flowing order.

d. The width of the right margin shall be approximately one third of the page to allow for notes to be written by the instructor.

B. LESSON PLAN APPROVAL PROCESS

The Training Administrator shall:

1. Ensure that every member of the Department that instructs an in-service class submits a lesson plan in the prescribed format above.

2. Review all lesson plans at least one week in advance of the instruction.

3. Approve all lesson plans for use in instruction by ensuring that they are consistent with Department policy and procedures, State law, and that they set forth the training objectives intended to be covered in the training program.

4. Maintain a file of all lesson plans.

C. TRAINING PROGRAM TESTING PROCEDURES

1. All tests will be constructed to professional testing standards related to learning objectives.

2. When applicable, both pre-tests and post-tests may be administered based upon the instructor and/or Training Administrator's direction.

3. The minimum passing score will be determined by the instructor or Training Administrator.

D. REMEDIAL TRAINING

1. In order to ensure all officers are performing to the best of their abilities, it is essential to offer **remedial training** in those areas where an officer exhibits a lack of knowledge or poor performance.

2. Designated personnel will attend remedial training when directed.

3. Employees requiring remedial training shall be informed by their supervisor of the need. The Training Administrator will schedule remedial training in a timely fashion.

4. Remedial training shall be provided in other situations as deemed appropriate by the Chief of Police or a designee. Any superior officer may recommend remedial training pursuant to procedures established in the Department's Disciplinary System, policy 343-01.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
431-05	Training Administration	1 OF 2
ORDER NO.: 06-07	**SUBJECT:** Training Records	
SUPERSEDES: 03-03	**EFFECTIVE:** 09-08-06	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 33.1.6, 33.1.7		

A. TRAINING RECORDS MAINTENANCE

The responsibility of the Training Administrator is to maintain on file, all written records of proficiency and career specialty in-service training.

B. TRAINING RECORDS UPDATE

1. The Training Administrator shall be responsible to maintain accurate and current employee training records. All training received shall be recorded and become a permanent part of the employees training record immediately following their participation in the training program.

2. Employee training records are to be maintained and updated on a monthly basis.

3. Records will be managed by the Training Administrator in the following areas:

   a. Lesson plans will be approved by the Training Administrator on all classes given. The lesson plans will conform to guidelines and formats for lesson plan development, performance objectives, along with the content of the training specifications.

   b. Test results for the training courses.

   c. Training course contents, including any handouts, names of the attendees, and instructor's name.

   d. Attendance records of employees attending in-service training.

C. TRAINING CLASS RECORDS MAINTAINED

The following procedures shall be adhered to in order to properly document in-service training.

1. An administrative file shall be created for each training program conducted during the year, and shall contain the following:

   a. Lesson Plans for all topics presented;

   b. Student Evaluations of Instructors;

   c. Memorandum, when appropriate regarding topics presented, instructor name, length of class, and student participants' names; and

d. Student sign-in sheets.

2. Training sessions may be documented on video media if practical.

3. Performance of individual attendees shall be measured by objective testing. Test records, when appropriate, shall be maintained as part of the individual officer/employee training record.

4. The employee's training record shall be reflective of the date of training and type of training received. The employee's personnel file shall contain a record of training received. The Training Administrator shall maintain a file of school or course records by employee and course, as well as training received for each individual training file. This will apply when the training is offered by the Department.

5. When an employee attends approved training outside the Department, the employee is required to submit a Department training report form, and course certificate when provided, to the Training Administrator for placement in the employee records and for review by command staff.

D. RELEASE OF TRAINING RECORDS

1. The Rapid City Police Department's training records shall only be released upon the following conditions:

   a. Upon the request of the officer; or

   b. At any other time upon approval of the Chief of Police.

2. Prior to the release of any training records to outside requester, the following procedures must be followed:

   a. All requests must be in writing.

   b. Search and copying costs will be paid by the requester.

PURPOSE: To ensure training offered by the Rapid City Police Department is conducted by qualified instructors.

A. TRAINING OF TRAINERS

1. Upon assignment to the training function or as a primary instructor with the Rapid City Police Department, personnel must complete an instructor development course, covering at a minimum:

   a. Lesson Plan Development;

   b. Performance objective development;

   c. Instructional techniques;

   d. Learning Theory;

   e. Testing and evaluation techniques; and

   f. Resource availability and use.

2. Technical instructors shall be required to hold the appropriate levels of technical training and certification necessary to be qualified instructors in their field. Technical training necessary to become an instructor will be established by the Training Administrator and as needed, the Chief of Police.

B. TRAINING INSTRUCTOR QUALIFICATIONS

1. Department instructors will preferably be trained in instructional methods, theories and practices of instructing as well as having demonstrated a level of expertise in the field of instruction.

2. Criteria for selection of in-service training program Instructors:

   a. May be selected from either the public or private sector.

   b. Possess the level of expertise in the requisite field of knowledge.

3. Personnel desiring to become an instructor in the Rapid City Police Department must meet the following qualifications:

   a. Ability to express oneself orally and in written form;

b. Ability to comfortably speak before groups;

c. Fundamental knowledge of the area in which they wish to instruct; and

d. Provide the Training Administrator with a lesson plan and a series of relevant test questions taken from their presentation.

4. It is desirable for specific individuals to be designated as the instructors for specific types of training or topics, since it allows specialization and familiarity with the material and results in a better quality of presentation.

C. TRAINING INSTRUCTOR TENURE

Instructors used in all agency-operated training programs shall maintain their instructor status as long as:

1. There is a need to continue to present the subject;

2. The instructor's qualifications, such as required certification or refresher training are maintained;

3. By mutual agreement, the instructor desires to continue in the capacity; and

4. The nature or change of the instructor's assignment and/or duties does not make continued instruction too difficult or unreasonable.

D. DETERMINATION OF THE NUMBER OF AUTHORIZED INSTRUCTORS FOR SPECIALIZED TRAINING FUNCTIONS

1. The number of authorized instructors will be recommended by Lead Specialized Instructors and the Training Administrator to the Chief of Police for approval.

2. The Training Administrator will maintain a list of active instructors.

3. The Training Administrator and Lead Instructor will notify the Chief of Police when there is inadequate number of instructional staff.

4. The Training Administrator will work with division commanders to balance the Department training cadre.

E. OUTSIDE INSTRUCTOR SELECTION

Outside instructors shall be selected by virtue of their expertise in the area of instruction. The training lesson plans and reviewed in advance, by the Training Administrator, to ensure the quality and content of their presentation meets Department needs. Outside instructors will be evaluated through review of class critiques and the results shared with the instructors.

A. AGENCY SPECIFIC CONTENT PRIOR TO OUTSIDE ACADEMY

1. The Training Administrator will coordinate with the Rapid City Human Resources Department to schedule the entry examination for new police officers a minimum of 12 weeks prior to the Law Enforcement Standards and Training Commission Basic Course held at the State Academy.

2. Upon completion of orientation, newly hired personnel will attend the Department's entry-level classes prior to attending the basic course. Course topics include, but are not limited to Department policies and procedures, rules, and regulations. When recruits satisfactorily complete the basic course, they will enter the Police Training & Evaluation Program for 15 weeks.

Supporting Documentation: Police Training and Evaluation Program

B. RECRUIT TRAINING ELEMENTS

1. The Rapid City Police Department's recruit training program shall include:

   a. A curriculum based on job task analysis of the most frequent assignments of officers who complete recruit training; and

   b. The use of evaluation techniques designed to measure competency in the desired skills, knowledge, abilities, and personal characteristics.

2. The Training Administrator shall review the field training of all recruit officers, to insure proper documentation of training as described in the Police Training Program.

3. Police Training Officer (PTO) continuity will be maintained for the benefit of the recruit's learning experience.

   a. Recruits will be assigned a PTO for each phase, by the Training Administrator.

   b. In the event the PTO is not available to train the assigned recruit, the PTO is to notify the Training Administrator so appropriate arrangements can be made for the recruit.

   c. When a PTO is absent, the shift supervisor will assign the recruit to another PTO, or assign the recruit an independent study day for completion of projects such as PBLE, NPE, and other assignments described in the PTO program. When this occurs, the supervisor is to notify the Training Administrator.

d. Police Training Officers will suspend ancillary duties conflicting with the recruit's training schedule unless otherwise authorized by the Training Administrator.

C. RECRUIT TRAINING PRIOR TO ASSIGNMENT

1. With regard to entry-level police officers, the Training Administrator shall insure the following duties are accomplished:

   a. Complete all the requirements for the recruitment and selection of entry-level personnel as specified in Sections 410 – Recruitment, and 420 – Selection;

   b. Complete all processing paperwork as is required to start employment;

   c. Immediately upon employment, the Training Administrator shall obtain an academy start date from the South Dakota Law Enforcement Training Academy, and shall make all necessary arrangements to schedule the recruit officer to enter field training status. Field Training is to be conducted post academy.

      (1) Field training shall be a logical, cohesive program directly connected to attendance at the South Dakota Law Enforcement Training Academy. Prior to entering field-training status, recruit officers may be utilized in a law enforcement support function. Any time spent in a support function prior to entering field training status shall not be deemed to be spent in training.

      (2) Recruit officers shall not be utilized in any function or capacity that would involve them in arrest situations prior to completion of the academy, except as part of the Police Training Program.

      (3) Specific shift assignments for field training will be scheduled through the Field Services Division.

2. Newly hired personnel are not authorized to carry off duty weapons until satisfactory completion of the basic certification course.

D. STATE ACADEMY REQUIREMENTS

1. All newly appointed police officers shall be required to complete a preparatory program of police training as specified by the South Dakota Law Enforcement Standards Commission within the first year of employment.

2. All newly appointed full-time police officers with certified prior experience and training may be eligible to receive consideration for certification based upon this documented certification from another law enforcement academy or other state authority (Police Officer Standards and Training).

3. All newly appointed full-time police officers with certified prior experience must pass a state reciprocity test and attend academy training covering the following subjects:

   a. Firearms training;

   b. Emergency Vehicle Operation Course; and

c. Constitutional Law.

4. If the newly appointed full-time police officer fails the criteria in section three above, they must attend the entire basic certification course.

5. The South Dakota Division of Criminal Investigation operates the training academy from funds derived from penalty assessment monies and other tax dollars as provided by South Dakota Statute.

   Recruits are paid 100% of their salary and benefits while attending the South Dakota Law Enforcement Training Academy. Salary and benefits shall be paid by the City of Rapid City.

6. The Rapid City Police Department provides qualified instructors to the training academy as situations and needs dictate.

7. The Training Administrator shall communicate frequently with the training academy. This communication is essential for the South Dakota Law Enforcement and Training Commission to properly evaluate and adjust the training to understand the needs and desires of the Rapid City Police Department.

Supporting Documentation: South Dakota Codified Laws, Sections 23-3-41, 23-3-42, 23-3-44, 23-3-45, and 23-3-46.

E. RECRUIT ORIENTATION HANDBOOK

1. The South Dakota Law Enforcement Training Academy supplies the recruit an orientation handbook. The rules and procedures of this handbook will be in effect during their time of training. All newly hired police officers attending the training academy will obey the rules and regulations of the training academy during their enrollment at the academy.

2. In addition to the academy handbook supplied to the recruit, newly hired police officers will comply with the codes of conduct and other regulations covered under the Rapid City Police Department's rules and procedures.

F. RECRUIT EMS TRAINING

All newly hired sworn police officers receive EMS/First Responder training during their basic academy training.

A. PROBATIONARY EMPLOYEE EVALUATIONS

1. The work performance of each probationary employee will be evaluated according to the guidelines and procedures of the "Police Training Program."

2. Once the Police Training Program is completed, evaluations will be completed quarterly until the recruit is released from probationary status

B. POLICE TRAINING AND EVALUATION PROGRAM

1. The normal duration of the Police Training Program for sworn officers is 15 weeks. While the program length may exceed 15 weeks for various reasons, it shall not normally be reduced. Exceptions to this may be made on a case-by-case basis for sworn officers with previous law enforcement experience.

2. The quality of the Police Training Officer (PTO) is critical to the success of the Police Training Program. The Police Training Officer will be required to train and evaluate recruit officers on a constant basis, and be responsible for the quality of law enforcement service delivered to the citizens of the community by the recruit officer. As a result of the importance of the individual PTO, the following selection process shall be adhered to:

   a. The minimum qualification for becoming a Police Training Officer are;

      (1) Three years of continuous service with the Rapid City Police Department; and

      (2) Recommendation by current supervisor; and

      (3) Satisfactory or preferably above average performance evaluation.

   b. Each officer expressing an interest in the Police Training Program will submit an application to the Training Administrator. The completed application will include personal information as well as previous experience, assignments while working for the Rapid City Police Department, any special qualifications, training, educational background, teaching and supervisory experience.

   c. The Training Administrator and an appointed board will interview the prospective candidates. As part of this process, a review of the applicant’s personnel file will be completed to verify information, and/or to identify any possible areas of concern.

   d. The Training Administrator shall forward all applications with recommendations to the Chief of Police for review and approval.

e. During a Command Staff meeting, PTO candidate's qualifications and abilities will be discussed for appointment to PTO.

f. After reviewing the recommendations from Staff, the Chief of Police shall select and assign individuals to the position of Police Training Officer.

3. Police Training Officers shall be assigned the responsibility for the on-the-job training of the recruit officer. The Police Training Sergeant of the assigned shift shall be responsible for the day-to-day supervision of the recruit officer and PTO while the recruit is assigned to their shift. The Training Administrator shall be responsible for the overall coordination of the recruit-training program, but shall not be responsible for the day-to-day supervision of the recruit officer or PTO.

4. The Training Administrator shall act as a liaison to the director and staff of the South Dakota Law Enforcement Training Academy.

   a. The Training Administrator shall ensure the recruit is properly scheduled for the South Dakota Law Enforcement Training Academy, and shall be responsible for all matters relating to the recruit's attendance.

   b. The Training Administrator shall remain abreast of training requirements or changes in them, to insure department recruit training is compatible and in compliance with existing standards.

5. The PTO shall be proficient and knowledgeable in all skills necessary to perform their duties and instruct their recruit officers in the proper performance of those duties.

   a. The PTO may be given preference over other officers for selected schools so they may develop and maintain the knowledge and skills necessary to properly train and instruct new recruits. This is to avoid scheduling conflicts within the PTO program.

   b. If a PTO fails to train recruit officers for a period of one year, the PTO pay may be suspended and the assignment reviewed to determine if the PTO would be permitted to continue in this capacity. The Training Administrator will conduct the review and provide a recommendation to the Chief of Police.

6. During the training period the recruit will be scheduled, according to availability, to a Patrol Services shift and will periodically rotate between shifts during this training cycle.

7. Each recruit trainee's progress is recorded by means of written evaluations as the trainee proceeds through the program. All recruit trainees will be evaluated in accordance with the procedures of the Reno Post Academy Training Program.

8. To ensure the proper documentation of recruit job performance and the proper evaluation of Police Training Officer training techniques, the following shall be completed:

   a. The Police Training Officer completes a daily journal. This report is a permanent record of the trainee's progress as well as problem areas and prescriptive efforts to resolve them. The journal is completed and discussed with the trainee at the end of the shift.

   b. Evaluation meetings are generally held every two to three weeks during the training program. All Police Training Officers currently assigned a trainee are required to attend unless excused by a Police Training Supervisor. The meetings provide an opportunity for the PTO to discuss the performance of their trainee, problems encountered and the ways the PTO solved those problems. The meetings provide a forum for exchanging ideas as well as information.

c. The mid-term and final evaluation will be completed by the Police Training Evaluator and submitted to the Training Administrator.

d. The Police Training Officer is responsible to assign and assist the recruit officer with the completion of problem based learning exercises and a neighborhood portfolio exercise. These assignments are to be made during the orientation week.

A. RETRAINING REQUIREMENTS

1. The Rapid City Police Department recognizes the need to provide well-structured and informative in-service training to all personnel.

   a. The Rapid City Police Department will provide a variety of In-Service Training programs designed to meet the needs of the department, and to maintain and develop the skills, knowledge, and abilities of employees.

   b. In-Service Training will include appropriate instructional methods to retain and refresh employees in the skills and knowledge necessary to perform the duties and responsibilities incumbent upon a police department employee.

   c. In-Service Training shall be coordinated through the Training Administrator. Subject matter for training sessions shall be determined by the Training Administrator, Training Committee, Command Staff, and designated instructors.

2. Certain fundamental and highly specialized programs must be re-scheduled on a regular basis in order to maintain a reasonable level of employee proficiency. At a minimum, the following training programs shall be presented as established below, and shall be a mandatory requirement of the Rapid City Police Department In-Service Program:

   a. Triannual Firearms Training;

   b. Annual Defensive Tactics Training;

   c. Annual Legal Update Training;

   d. Annual Use of Force;

   e. Annual Training on the Rapid City Police Department All Hazard Plan and Incident Command for affected personnel;

   f. Biennial Bias-Based Profiling;

   g. Biennial Ethics Training;

   h. Biennial Law Enforcement Driver Training (LEDT);

   i. Biennial Tire Deflator Training in conjunction with LEDT;

j. Biennial DNA Evidence Collection; and

k. Triennial RADAR/LIDAR Re-certification.

l. Triennial awareness level training for events involving hazardous materials.

m. At a minimum of once every four years, Domestic Violence Training will be conducted per State Training Standard requirements.

B. FAMILIARIZING AGENCY EMPLOYEES WITH THE ACCREDITATION PROCESS

Agency employees shall be provided with familiarization training regarding the accreditation process as follows:

1. To all newly hired agency personnel within 30 days after their employment begins or within 30 days after completing the recruit academy.

2. To all agency personnel prior to an on-site assessment.

C. ACCREDITATION MANAGER TRAINING PROCESS

Employees assigned to the position of Accreditation Manager shall receive specialized accreditation manager training within one year of being appointed.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
434-02	In-Service, Shift Briefing, and Advanced Training	1 OF 1
ORDER NO.: 06-10	**SUBJECT:** Roll-Call (Shift Briefing) Training	
SUPERSEDES: 05-02	**EFFECTIVE:** 12-29-06	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 33.5.2		

A. ROLL-CALL TRAINING PROGRAM

1. The roll-call training program shall be designed to keep all personnel informed concerning current trends pertaining to law enforcement.

2. Most roll-call training will be presented by first-line supervisors, training officers, commanders or senior officers. Other personnel may be assigned the task of preparing and presenting roll-call training.

3. Methods of instruction may include, power-point presentations, lectures, video media presentations, movies, handouts, or other materials deemed appropriate.

4. Supervisors shall determine appropriate topics for presentation at roll-call training. The Training Administrator shall render assistance as needed.

5. Roll-call training may be evaluated as determined by supervisors, the Training Administrator, and the Training Committee.

6. Roll-call training shall be scheduled for review and update of important policies and procedures and practices.

7. Any employees are encouraged to attend roll-call training if the subject matter being taught is applicable to their job function.

B. ROLL-CALL TRAINING ELEMENTS

Roll-call, debriefing, and any other division-specific training shall be directed by both the appropriate supervisors and training staff. Coordinated tasks will include:

1. Planning for roll-call training;

2. Techniques and methods of training;

3. Personnel to be used as instructors;

4. Scheduling of training.

A. SPECIALIZED TRAINING SPECIFIED

For purposes of this section, Specialized Training shall be defined as any training provided designed to provide skills, knowledge and ability, in addition to those taught in Recruit, Roll-Call or In-Service training programs. (Specialized Training is frequently provided by agreement or contract with outside agencies, such as the Federal Bureau of Investigation, Drug Enforcement Administration, South Dakota Law Enforcement Training Academy, etc.).

1. Specialized training will be provided for those functions and assignments requiring training for specialized skills, knowledge, and abilities beyond those gained in basic training or other post-academy training. Additional specialized training will be provided to those functions selected by the supervisory staff or to those officers required by virtue of promotion or assignment to have specialized skills.

2. Pre- and post-appointment specialized training shall be provided as stated in the job description for the function in question.

3. The purpose of specialized training is to provide:

   a. Development and enhancement of the skills, knowledge and abilities particular to the specialization,

   b. Management, administration, supervision, personnel policies, and support services of the function, and

   c. Supervised on-the-job training,

   d. Any retraining requirements.

4. Positions and/or assignments which require specialized training include, but are not limited to those positions listed in policy 231-02 Annex A, Specialized Assignments.

5. Non-sworn employees who hold positions of supervisory responsibilities will receive additional training in the areas of, but not limited to:

   a. Performance appraisals,

   b. Budgeting process, and

   c. Management training.

6. In house and outside training and education will be afforded to keep pace with the changing technology and processes utilized by the Department.

B. SPECIALIZED TRAINING ELEMENTS

Specialized training provided to personnel shall include, but not be limited to:

1. Development and/or enhancement of the skills, knowledge and abilities particular to the specialization;

2. Management, administration, supervision, personnel policies, or the provision of support services to any function or component;

3. Performance standards;

4. Agency policies, procedures, rules and regulations specifically related to the function or component;

5. Supervised on-the-job training;

6. Identification of any retraining requirements and/or

7. Training in personnel matters, especially EEO/Affirmative Action and ADA issues as they effect the management, operations and recruiting practices of the agency shall be provided for those individuals assigned to recruitment activities.

C. SPECIALIZED TRAINING PROVIDED PROMPTLY

The division commander and supervisors will assess the training needs of employees newly assigned to specialized positions. Those needs will be met as soon as reasonably possible, working in cooperation with the Training Administrator.

D. ADVANCED TRAINING

1. For purposes of this directive, Advanced Training shall be defined as training designed to impact higher level supervisory, technical and management skills to selected personnel. Advanced Training may be considered to be the type of training as provided for the FBI National Academy, FBI-LEEDA, the Institute of Police Technology and Management, Senior Management Institute for Training (PERF), or other Command and/or Executive Certification.

2. Personnel shall be selected to attend Advanced Training courses by virtue of their assignment within the agency and as directed by the present needs of the agency as determined by the Chief of Police.

3. Personnel selected for Advanced Training shall be utilized in management; technical and supervisory positions and Advanced Training shall be provided as per the job description for the affected position.

E. IN-SERVICE MANAGEMENT TRAINING

Personnel promoted or placed in special assignments will receive training pertinent to their new responsibilities, assignment, or promotion. The immediate supervisor will be responsible for the training, which may include:

1. Management;
2. Administration;
3. Supervision;
4. Personnel policies; and
5. Support Services.

F. SKILL DEVELOPMENT TRAINING UPON PROMOTION

Upon promotion, personnel will be required to complete the skill development training as prescribed by the Position Classification Description and Career Management Program for each particular position.

G. PROFICIENCY IN-SERVICE TRAINING

The Rapid City Police Department, as part of career development, will attempt to provide training in Management, Supervisory Skills and Specialized Patrol techniques. This training shall include at a minimum, having employees attend leadership, management, and supervision related courses as selected by the Training Administrator and the Training Committee.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
435-01	Non-sworn Training	1 OF 1
ORDER NO.: 06-09	**SUBJECT:** Non-sworn Training	
SUPERSEDES: 03-03	**EFFECTIVE:** 12-07-06	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 33.7.1, 33.7.2		

A. GENERAL EMPLOYEE ORIENTATION

1. All entry-level personnel will receive training, at a minimum, in the following areas:
   a. Orientation to the Department's role, purpose, goals, policies and procedures;
   b. Working conditions and regulations;
   c. Responsibilities and rights of employees, and requirements of any applicable job description; and
   d. Specific job training and on-the-job training as required by the position or assignment.
   e. Familiarization with CALEA and the accreditation process.
2. Training shall be conducted or delegated by the Division Commander.

B. NON-SWORN STAFF PRE-SERVICE TRAINING

1. All personnel shall receive appropriate training to perform their job function.
2. Training for these positions will be coordinated by the Division Commander in charge of them, in association with the Training Administrator.
3. General staff training conducted may address:
   a. Legal issues, powers, or responsibility where applicable.
   b. Safety concerns or issues related to the function.
   c. The importance of the link they provide between the Department and the citizen in the community.
   d. The importance of their position to overall organization effectiveness.
   e. Orientation to the Department's role, purpose, goals, policies and procedures.
   f. Working conditions and regulations.
   g. Responsibilities and rights of employees.
   h. Other training approved or required for effective job performance.

PURPOSE: The implementation of an effective and worthwhile Career Development Program is a key component of the overall personnel plan. Career development is a specific supervisory and management activity that is directed toward the long-range planning for organizational needs and employee growth opportunities.

A. CAREER COUNSELING

Career counseling is available to all officers. The primary focus of the counseling will be an in-depth look at the officer's skills, knowledge and abilities from past evaluations, interviews with the officer and their current supervisor(s).

B. CAREER DEVELOPMENT PROGRAM

1. It is the goal of career development to provide for:

   a. Direction to the employee's law enforcement career through information and guidance combined with an objective appraisal of the employee's abilities and potential; and

   b. The development of an employee's abilities and potential in a manner that facilitates planning for future organizational personnel requirements.

2. Career development activities are closely related to and must be integrated with department activities in the areas of:

   a. Advanced and specialized training;

   b. Performance evaluations; and

   c. The promotional process.

3. The Rapid City Police Department values career development for its officers. Career development is designed to promote productive job performance and to improve the overall level of job satisfaction.

4. The Department greatly values higher education for its officers, feeling that college or university training provides to the citizens a more rounded and competent officer, especially in the areas of understanding society, effective interpersonal communication, and acceptance of new ideas.

C. CAREER DEVELOPMENT PROGRAM OBJECTIVES

1. Career counseling is available to officers on a voluntary basis. The primary focus of the counseling will be an in-depth look at the officer's skills, knowledge and abilities from past evaluations, interviews with the officer and their current supervisor(s).

2. The Training Administrator will keep a record of:

   a. Number of officers using career counseling;

   b. List of outside resources and how many times used;

   c. Total training hours provided;

   d. Impact on minorities and women;

   e. Inventory of career specialties and the skills, knowledge and abilities needed for each specialty; and

   f. Annual review of the employees' in-service training record/counseling sessions.

3. The following are the career development program objectives stated in quantitative terms for the purpose of annual evaluation. Quantitative factors for evaluation are included.

   a. Every officer will be notified of the voluntary career development program during job orientation and performance evaluations.

      (1) Number of officers going through job orientation;

      (2) Number of new officers notified of the career development program during job orientation; and

      (3) Number of officers notified during performance evaluations and not notified.

   b. The names and numbers of sworn personnel participating in the career development program will be annually reported using the following quantitative factors:

      (1) Sex (for EEO and Affirmative Action purposes);

      (2) Minority status (for EEO and Affirmative Action purposes);

      (3) Seniority;

      (4) Education level;

      (5) Sworn position;

      (6) Next position desired;

      (7) Hours of training received toward career objective;

      (8) Number of career counseling sessions;

      (9) Progress toward career objective (inadequate, adequate, very good);

(10) Number of submissions for in-service training; and

(11) Number of denials for in-service training.

c. The number of sworn personnel that are non-participating in the career development program will be annually reported using the following quantitative factors:

(1) Sex (for EEO and Affirmative Action purposes);

(2) Minority status (for EEO and Affirmative Action purposes);

(3) Seniority;

(4) Education;

(5) Sworn position;

(6) Reason(s) for non-participation; and

(7) Number reminded that they can participate at anytime during performance evaluations.

d. Every sworn officer will receive a minimum 40 hours of training per year.

(1) Total number of sworn personnel receiving 40 hours of training;

(2) Total number of sworn personnel not receiving 40 hours of training;

(3) Total number exceeding 40 hours of training;

(4) Total number of training hours for all sworn personnel; and

(5) Average number of training hours per sworn personnel.

e. Annual Department training budget expenditures.

(1) Total expenditures divided by sworn personnel; and

(2) Total expenditures divided by total training hours.

f. The training schedule will be updated at least monthly, or as needed and made readily available to all personnel. Updated training schedules will include the number of openings as well as the any date changes.

g. Encourage all sworn personnel to attain a **college degree.**

(1) Number of sworn personnel without a college degree;

(2) Number of sworn personnel with a college degree by type; and

(3) Average number of years of college per sworn officer.

h. Encourage affirmative action practices for promotional purposes.

(1) Number and percentage of minorities represented in each rank and specialty position;

(2) Number and percentage of minorities being promoted; and

(3) Number and percentage of minorities participating in the career development program.

i. Provide career development counseling in-service program to all supervisors.

(1) Number of supervisors;

(2) Number of supervisors receiving career counseling training.

j. Give periodic written directives from administration to encourage sworn personnel to apply for career specialty opportunities.

D. CAREER DEVELOPMENT PROGRAM ADMINISTRATION

1. The career counseling component of the Training Section is comprised of a coordinator and a number of approved counselors who are all trained in providing career counseling to department employees. The coordinator and counselors are department employees who are recognized for their maturity, experience, and ability to deal with the concerns of others in the organization. They are individuals who are trusted and who have demonstrated their dedication to this Department and law enforcement in general.

2. The goals of career counseling are:

   a. To increase job satisfaction; and

   b. To improve job performance.

3. Additional career counselors may be added to the program on an as-needed basis. Counselors will receive applicable training such as counseling, assessment techniques, and educational opportunities.

4. Career counselors are specifically selected and trained to provide this service to employees who desire to participate in this process. The criteria for the selection of counselors are that they:

   a. Must accept the departmental goals and philosophies as well as satisfactorily performs assigned duties.

   b. Must have the respect and acceptance of employees.

   c. Must have credibility with the management of the department.

   d. Must volunteer to be a career counselor.

E. CAREER DEVELOPMENT PROGRAM PERSONNEL TRAINING

1. The Training Administrator shall maintain up-to-date reference material from educational institutions and state supported training schools for all members of this department. The material should include course schedules, course descriptions, application procedures and other requirements.

2. Training requests are encouraged to be made in accordance with the results of career counseling.

3. The Department will make every effort to accommodate employees desiring to continue their formal education in accordance with the Union Contract. Employees are encouraged to obtain, at a minimum, a bachelor's degree.

F. SKILLS, KNOWLEDGE, AND ABILITIES (SKA) INVENTORY

1. As an integral part of the Career Development Program the Rapid City Police Department will maintain an inventory of the skills, knowledge and abilities of each employee.

2. All employees will complete a Personal History Form questionnaire when either first employed by the department or as requested by the Administrative Coordinator of the Chief's office.

3. The Personal History Form will be maintained by the Administrative Coordinator. Special skills will be listed on the form in order to inventory those special skills the employee might possess for future career development training or advancement within the department.

4. The Training Administrator will regularly record Skills, Knowledge and Abilities information into the training data base to update and plan for future training and development of the employee.

5. The Personal History Form will contain the following information:

   a. Name and Address of employee;

   b. Personal history of the employee;

   c. Work experience; and

   d. Special skills:

      (1) Managerial and leadership skills,

      (2) Technical and specialized skills,

      (3) Educational (prior training),

      (4) Military training,

      (5) Foreign languages, and

      (6) Other information relative to career development

G. CAREER SPECIALTIES INVENTORY

1. The Training Administrator of the Rapid City Police Department will keep an inventory of career specialties and the skills, knowledge and abilities needed for each specialty.

2. The responsibility of the Training Administrator is to identify the Department's needs and training requirements relative to each career specialty position within the agency.

3. A program inventory of the Rapid City Police Department, derived from job analysis and job

classification information, will:

a. Identify the most important and frequently performed jobs; and

b. Identify the jobs requiring special training and knowledge for the performance of specific duties and responsibilities.

H. CAREER SPECIALTY IN-SERVICE TRAINING

1. The policy of the Rapid City Police Department is that career specialty in-service training will be a vital component of the career development program.

2. The Training Administrator is responsible for **identifying specialty training** which will facilitate the career plans of employees and the manpower needs of the organization.

3. All training requests from sworn personnel may be made in accordance with the results of career counseling.

I. ANNUAL TRAINING RESOURCE INVENTORY

1. The responsibility of the Training Administrator is to conduct an annual inventory of the resources used to develop in-service training for career development.

2. The resource inventory will be completed by the end of each calendar year.

3. The resource inventory will briefly describe the training opportunities offered by the resources listed and other contact information.

4. A copy of the inventory will be kept on file with the Training Administrator and available to all participants in the career development program.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
436-02	Career Development	1 OF 3
ORDER NO.: 13-01	**SUBJECT:** Job Rotation for Career Development	
SUPERSEDES: 11-04	**EFFECTIVE:** 01-22-13	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 16.2.3, 33.8.3		

POLICY: The Rapid City Police Department uses job rotation as a means for broadening an officer's experience, increasing their skills, and as a preferred qualification for promotion to an advanced rank.

A. JOB ROTATION FOR CAREER DEVELOPMENT FOR LINE LEVEL POSITIONS

1. Temporary job assignments will be used as a means of broadening and developing Department employees when circumstances present a reasonable opportunity to do so, for the benefit of the employee and Department.

    a. Temporary assignments normally involve a three-month to two-year reassignment to a specific task or function.

    b. Examples of temporary assignments may include assignment to a specific investigation, assignment to a staff writing assignment or project, or assignment to coordinate a temporary police operation.

2. Job rotation may be provided to police officers by temporary assignment. Job rotation may be provided to supervisory personnel through reassignment to other divisions of the Department. Positions available for temporary assignment are as follows:

    a. Detective in the Criminal Investigation Division (two year): Selection for this position is based on the ability to perform job requirements found in the Position Classification Description for Detective, and performance in the selection process for the position. The selection process includes submitting a letter of interest, résumé, an interview by board, interview and final selection by the Chief of Police. The oral interview will consist of elements relating to criminal investigations. This assignment may be renewed for two years by mutual agreement.

    b. Drug Task Force Officer in the Criminal Investigation Division (two year): Selection for this position is identical to the two year Detective position described above.

    c. Detective Trainee in the Criminal Investigation Division (three month): One position within the division will be staffed with a patrol officer assigned to temporary duty status for a period of three months. Following completion of this assignment, the officer will be re-assigned and another officer may be assigned to temporary duty status with the division. The intent of this rotation into the Criminal Investigation Division is to provide officers with advanced exposure and experience in investigative techniques. Assignment is generally by seniority, and is mandatory.

d. School Liaison Officer (two year): Selection for this position is based on the ability to perform job requirements found in the Position Classification Description for Detective, and performance in the selection process for the position. The selection process includes submitting a letter of interest, résumé, an interview by board, interview and final selection by the Chief of Police. This assignment may be renewed for two years by mutual agreement.

3. Any job rotation or reassignment must be approved by the Chief of Police.

B. SUPERVISORY ASSIGNMENTS BEYOND PATROL

1. Supervisory assignments beyond Patrol can be used as a means of broadening and developing Department employees when circumstances present a reasonable opportunity to do so, for the benefit of the employee and Department. They can be defined as a reassignment often characterized by increased levels of responsibility and specialized training, but within a given position classification.

2. Examples of supervisory assignments beyond Patrol include but are not limited to being reassigned to CID, UNET, SCU, Special Operations, Training Administrator and Evidence.

3. All supervisory assignment positions serve at the discretion of the Chief of Police, and are not considered promotions, advancements, or guaranteed positions. Reassigned positions may be created or eliminated as necessary and assigned personnel may be increased or decreased based on the operational needs of the agency.

C. ANNOUNCEMENT OF SUPERVISORY ASSSIGNMENT OPENINGS

The Rapid City Police Department advertises any supervisory assignment openings within the Department. Notification of opportunity for reassignment will be distributed to all qualified personnel. Listings of reassignment opportunities will include the duties, responsibilities, and any special qualifications for the position.

Supporting Documentation*: Union Contract section 7.11, Notice of Positions or Assignments.*

D. SELECTION CRITERIA FOR SUPERVISORY ASSIGNMENTS

The criteria for assignment will include a review of the candidate's experience, skills, knowledge, past performance and overall suitability for the open position. A performance review may be conducted by the Chief of Police or his designee as part of the process.

Supporting Documentation: *Union Contract section 7.03, Seniority*

E. APPOINTMENT TO SUPERVISORY ASSIGNMENTS

1. The supervisor may be required to function in the assignment for a minimum term as determined by the Chief and as agreed on with the initial assignment or as specified in contract. This considers the time and expenditures of providing the needed training for the assigned employee.

2. Request for Removal from Supervisory Assignments.

a. When employees encounter conditions beyond their control and believe it would affect efficient performance in the assignment, the employee may make formal request for removal from the specific assignment through the normal chain-of-command.

b. The Chief of Police or designee will make the final determination based on the needs of the employee and the Department as well as Union Contract regulations.

PURPOSE: The goal of the Rapid City Police Department is to have the best possible police leadership available. Any promotional system should ensure the best-qualified officers are appointed to supervisory ranks. This requires as much objectivity as possible to be utilized in considering character, ability, performance, aptitude, and other related factors. It is with this in mind that the following promotional procedures have been developed.

A. PROMOTIONAL PROCESS ROLE DEFINED

The Rapid City Police Department shall establish and maintain a comprehensive promotional process for its members as prescribed by the Chief of Police. All aspects of the promotional process are determined and administered by the Rapid City Police Department.

Union Contract (Fraternal Order of Police) -- Article 8

B. PROMOTIONAL PROCEDURES VALID

The promotional process shall be job related and all candidates shall be provided an equal opportunity to demonstrate their fitness for the position through non-discriminatory procedures. Promotional selections shall be made with consideration to character, ability, performance, aptitude, education, experience, and other related factors such as merit.

C. PROMOTIONAL PROCESS ADMINISTRATION

1. The Department is responsible for acquiring/designing and administering the promotional process. This shall be accomplished in accordance with Article 8, Paragraph 8.07 of the Union Contract.

2. The Support Services Captain or designee shall have the responsibility to oversee the design, development, and implementation of the promotion process. In addition, the captain or designee will facilitate updating test questions, posting testing dates, proctoring the tests, compilation of test scores, and arranging interview boards.

D. PROMOTIONAL PROCESS MAINTAINED

1. All facets of the promotional process shall be designed to be job related and to have no adverse impact on employees. The selection procedure for sergeant will consist of seven categories:

    a. Written examination;

b. In-Basket exercise;

c. Essay question;

d. Performance Evaluations;

e. Education;

f. Seniority and experience;

g. Oral Interview.

Any of the categories may consist of several parts. The scoring potential of each category will be determined prior to each selection process.

2. The selection process for Command Staff will be determined, announced and administered by the Chief of Police. The selection procedure will consist of categories similar to the categories described above, but may not include all seven aspects.

3. The following procedure will be observed:

a. Written, Performance, and Personnel File Review Phases:

(1) In accordance with Union Contract, promotional testing will occur on an as needed basis.

(2) Tentative dates for the exam and a listing of study material will be announced in advance of the testing to provide eligible candidates an opportunity to study for the exam.

(3) In the event of a change of date of the testing, the new testing date will be a minimum of seven calendar days after the initial testing date to allow employees an opportunity to arrange their schedule to meet the new date.

(4) Candidates will be notified, in a confidential manner, regarding the results of the exam.

b. Oral Phase:

(1) Dates, times and locations of the oral interviews will be announced.

(2) The Oral Interview Board shall be comprised of at least five members. The Oral Interview Board for supervisory positions will normally be command staff officers and generally chaired by a division commander.

E. WRITTEN PROMOTIONAL ANNOUNCEMENTS

1. Any official notice of impending promotional testing shall be posted in writing prior to the first portion of the process.

2. The notice of examination shall include:

a. A description of the ranks for which vacancies exist.

b. The dates, times, and locations of all scheduled elements of the testing process. If a later element of the process has not yet been scheduled, the information will be posted at a later date. Information pertaining to the exact date, time, and location of the testing shall be provided in a timely enough fashion to allow candidates to make necessary arrangements.

c. A description of the eligibility requirements for each rank being tested.

d. An outline of the elements to be used in the promotional process for each position.

3. All personnel eligible for promotion will be notified of their eligibility in writing, regarding the date, time, and place of the initial testing.

F. WRITTEN PROMOTIONAL TEST

1. A list of resources and references from which questions will be drawn, will be made available to all personnel as far in advance of the testing as possible. In every case, references will be posted in advance of the written test.

2. References are chosen to provide a source of information and the knowledge necessary for and related to successful job performance in the position for which the candidate is testing. References will generally be divided into the following key categories, although others may be added:

   a. Department Procedures

   b. Laws and Ordinances

   c. Constitutional Law and Court Decisions

   d. Principles of Supervision

   e. Police Procedures/Investigations

   f. Current Events

   g. Advanced and Management References

3. References assigned in each category shall be made available by the Department, unless readily available to the candidates. The police resource library may be used to maintain references.

G. ELIGIBILITY LIST DEVELOPMENT CRITERIA

1. Eligibility lists shall be established by aggregating the scores of the written/practical tests and file review, along with the scores of the oral interview.

2. Candidates will be contacted confidentially regarding their eligibility ranking.

3. Service requirements for the positions of Sergeant, Lieutenant, and Captain are specified in the position classification descriptions for each rank. Experience may have been with any law enforcement agency comparable to the Rapid City Police Department as determined by the City. A candidate shall not be eligible, regardless of prior service, except upon completion of the probationary periods established in contract agreements and the South Dakota State Law Enforcement Standards and Training Commission.

4. An eligibility list for each rank shall be established based on ranking by combined scores. After the list has been established, the Chief of Police or designee will contact each candidate in writing advising them of their scores in each category of the test, the final score, and their standing on the eligibility list.

   Union Contract (Fraternal Order of Police) -- Article 8 paragraph 8.03

H. PROMOTIONAL POINT SYSTEM

1. Candidates achieving the highest cumulative scores in the first six categories will move to the oral interview with a minimum of twice as many candidates as open positions

   Union Contract (Fraternal Order of Police) -- Article 8 paragraph 8.08

2. There is no promotional point system for command positions. The rank order is determined by board members based upon the oral interview. The Chief of Police has final discretion based on the recommendations of the interview board.

I. ELIGIBILITY LIST USE CRITERIA

1. After the eligibility list has been established, the Chief of Police or designee will certify all candidates appearing on the list are eligible for promotion.

2. The eligibility list shall remain in force for a maximum of one year, or where the eligibility list has been exhausted and a new list is certified, or until the Chief of Police voids it.

3. The selection for promotion shall be made from this list, but not necessarily in order of score. Final selection shall be based on a consideration of performance of all stated categories, but not limited to the following criteria:

   a. Position on the eligibility list.

   b. Performance evaluations.

   c. Seniority.

4. After staff review and recommendations, the Chief of Police will make the final determination on selection for promotion. The Chief will issue a Personnel Order announcing the selection(s).

5. Upon promotion, the candidate's name shall be removed from the eligibility list and the list shall remain in effect as previously described.

6. Unsuccessful candidates are permitted to retest during the next testing process.

   Union Contract (Fraternal Order of Police) -- Article 8 paragraph 8.12

7. The eligibility list is created for the command positions and rank ordered by the interview board. The life of the list will be determined by the Chief of Police.

J. REVIEW AND APPEAL OF PROMOTIONAL TESTING RESULTS

1. The right of candidates to review and challenge all aspects of the promotion process is an integral part of the process itself. Candidates are allowed to review and appeal all scores and evaluations related to their performance in the process to ensure fairness and impartiality.

2. All candidates are afforded the opportunity to review all portions of the test up to 15 days following score notification. Candidates are directed to contact the Training Administrator or designee to schedule a review.

3. Upon completion of the review, the candidate may challenge any portion of the test. If the Training Administrator or designee is unable to satisfy the candidate in a challenge, the decision may be appealed to the Field Services Commander, and if needed through the chain-of-command to the Chief of Police, and/or shall be referred to the Labor-Management Committee for an advisory opinion.

4. The entire promotional process is subject Article 8 of the Union Contract.

K. SECURITY OF PROMOTIONAL MATERIALS

1. Promotional process materials and records shall be maintained in a secure storage.

2. Candidates in the promotional process may review their tests, as provided in Section J above, in the presence of the Training Administrator, or a designee.

L. PROBATION UPON PROMOTION

1. Upon promotion to the position of Sergeant, an employee shall be on probation for a period of six months.

2. During the probationary period, the employee will be subject to evaluation and the employee's performance will be scrutinized, periodically evaluated verbally and in writing, and the City may provide appropriate training, counseling and performance improvement measures.

3. At any time during the probationary period the Department may, in its sole discretion, revoke the promotion and return the employee to his or her former position and shift assignment. If the former position or shift is unavailable, the employee will be placed in a position with pay and benefits at least equivalent to the employee's pay and benefits prior to promotion.

4. There will be no probationary period once promoted to Lieutenant or Captain. Command Staff employees are considered "at will employees." As a result, unsatisfactory performance by command staff may result in removal from the position or assignment at the will of the Chief of Police. Unless requested otherwise by the demoted member or due to unusual circumstances, those demoted may be returned to the previously assigned area, but not necessarily to the same assignment or location depending on the Department's needs.

PURPOSE: The existence of a performance evaluation system ensures employees who excel in their work will be recognized, and employees who are deficient may be given the guidance required to improve. With these factors in mind, the Department's performance evaluation system has been instituted.

A. PERFORMANCE EVALUATION ELEMENTS

1. All full-time employees and part-time sworn officers of the Department, with the exception of the Chief of Police, will be evaluated using the approved Rapid City Police Department Employee Performance Evaluation form. Evaluations are done for the specified timeframe appearing on the Employee Performance Evaluation. The basis for the evaluation is determined by the assigned position during the listed evaluation period.

2. Employees are evaluated by their immediate supervisor (rater). The employee and the rater review the evaluation and employees have the opportunity to make comments and sign the evaluation.

3. Raters will forward the completed evaluations through the chain-of-command, for the review and signature of the supervisors. Supervisors will have the opportunity to make comments and sign the evaluation.

4. Evaluations are placed in the employee's personnel file and become part of the employee's permanent personnel record. Employees will receive a copy of the final evaluation report.

5. Performance evaluations are to be regarded as planning tool and as a basis for:

   a. Counseling employees as to their job performance, strengths, and weaknesses;

   b. Identifying personal goals and objectives;

   c. Determining training needs;

   d. Promotions and transfers;

   e. Re-employment decisions; and/or

   f. Disciplinary actions.

B. PERFORMANCE EVALUATION OBJECTIVES

1. The primary objectives of the performance evaluation system are:

a. To provide feedback to the employee about how well they are doing their job;

b. To allow fair and impartial personnel decisions;

c. To maintain and improve performance;

d. To provide a method for performance counseling;

e. To facilitate proper decision-making regarding probationary employees;

f. To provide objective and fair means for recognition and measurement of individual performance in accordance with prescribed guidelines;

g. To identify training needs; and

h. To provide information concerning the employee's suitability and effectiveness in their assignment and to assume more responsibility.

2. Supervisors of the Rapid City Police Department are required to conduct timely and meaningful evaluations of their subordinates. The Department "Employee Performance Evaluation" rating system provides the formalized and uniform procedures by which the Department supervisors accomplish this task. Performance evaluations assist in the administration of the personnel performance system, principles of which include:

   a. Retaining employees on the basis of the adequacy of their performance;

   b. Correcting inadequate performance; and

   c. Separating employees whose inadequate performance cannot be corrected.

C. ANNUAL PERFORMANCE EVALUATIONS REQUIRED

At minimum, an annual performance evaluation shall be completed on each full-time employee and each part-time sworn employee, with the exception of the Chief of Police.

D. NOTICE OF UNSATISFACTORY PERFORMANCE

1. If any employee's job performance is recognized by the supervisor as unsatisfactory, the supervisor will personally notify the employee immediately and not wait until the end of the annual reporting period. This may be accomplished either verbally or in writing, depending on the circumstances. Any significant deficiencies will be communicated in writing. Every attempt to should be made to notify the employee of the deficiencies in writing and in a timely manner prior to the end of the evaluation period. The supervisory officer shall conduct a review of the employee's performance with that employee to identify specific methods and actions needed to improve. Supervisors should keep personnel reasonably informed regarding below standard job performance.

2. Performance counseling may occur at any time during the rating period, as deemed necessary by the immediate supervisor.

3. The Immediate supervisor may require periodic progress reports to assure deficiencies are being addressed. The ultimate goal is for the employee to improve and eliminate any deficiency.

E. USE OF PERFORMANCE EVALUATION RESULTS

1. The performance evaluation may be referred to, if necessary, to gather information relevant to suitability for assignments, training needs, career development, promotional recommendations, and employee effectiveness.

2. Disciplinary actions will not generally be removed from a personnel file. A written request for removal may be made by the employee in conjunction with the review of their personnel file. Requests shall be forwarded to the Chief of Police via the employee's Supervisor or Division Commander through the chain-of-command.

F. PERFORMANCE EVALUATION APPEAL PROCESS

1. Employees are encouraged to resolve contested evaluations at the lowest level of management, including but not limited to, their immediate supervisor.

2. Contested evaluations unresolved after use of the chain-of-command may be resolved through the procedures in the Union Contract under Article 5, Grievance and Appeals Procedure, sections 5.01 to 5.07. Procedures for non-union employees are outlined in Non-Union Employee Information Guide on Grievances.

G. PERFORMANCE EVALUATION OF PROBATIONARY EMPLOYEES

1. All sworn probationary employees shall be evaluated using the Police Training Program procedures established by the Training Office. Sworn employees shall be evaluated quarterly utilizing the Department's Quarterly Evaluation of Probationary Employees form. A memorandum regarding the employee's status with a recommendation for continuation or conclusion of probationary status is to be completed with the sixth quarter evaluation. This memo will be forwarded to the division commander.

2. All non-sworn probationary employees shall be evaluated quarterly by their immediate supervisor(s) utilizing the Department's Quarterly Evaluation of Probationary Employees form. A memorandum regarding the employee's status with a recommendation for continuation or conclusion of probationary status is to be completed with the fourth quarter evaluation. This memo will be forwarded to the division commander.

A. IMMEDIATE SUPERVISOR PERFORMS EVALUATION

1. Employees shall be evaluated by their immediate supervisor. If the employee has had more than one supervisor during the period, or if the supervisor is unavailable, the evaluation will be assigned to the most recent or other appropriate supervisor.

2. The rating supervisor shall consult with previous supervisors with whom the employee has worked with within the rating period for evaluative input.

B. PERFORMANCE EVALUATION RATER RESPONSIBILITIES

1. Raters will monitor the employees' performance using the available management tools (i.e., monthly statistical reports, field observations, complaints) to determine the employee's level of performance during the rating period. When it is determined an employee's level of performance falls in the unsatisfactory range the rater will make every attempt to promptly notify the employee in writing. When possible, an employee shall be given no less than 90 days notice prior to the evaluation to allow the employee a period to improve performance prior to the actual evaluation. The rater will outline measures that may be taken to bring the employee's level of performance up to the "acceptable" range.

2. For assistance with evaluation of employees with ratings in an unacceptable range, supervisors will consider reviewing the job description and/or requirements for the employees' present position. This will assist in completing explanations in the narrative areas of the evaluation and in developing a written performance improvement plan. An explanation should be clear regarding the level of performance expected for the current position, the criteria used for the evaluation, and the numerical rating system.

C. PERFORMANCE EVALUATION CRITERIA

1. The immediate Supervisor or other assigned member will be responsible for preparation of an accurate and objective evaluation report. This responsibility will not be transferred, reassigned, or informally shifted without permission from a Division Commander.

2. The rater will be thoroughly aware of the objective criteria upon which the employee is evaluated and compare it with others of the same position and experience. Raters should avoid empirical ratings without explanation.

3. The rater may place an employee at a rating not consistent with the objective criteria on the overall evaluation as long as they can clearly articulate why the employee deserves the higher rating or the lower rating.

D. PERFORMANCE EVALUATION RATER TRAINING

All personnel performing Employee Performance Evaluations will be trained prior to using the Employee Performance Evaluation system. Training will be coordinated through the Department's Training Administrator or division commander.

E. EXTREME RATING EXPLANATION

A narrative explaining ratings is required in all categories of the evaluation, regardless of the rating. Raters shall specifically substantiate any ratings in the highest or lowest categories and give detailed reasons for these ratings in the narrative portion of the evaluation.

F. RATING PERIOD COUNSELING

1. The Rapid City Police Department's policy is each employee will be counseled at the conclusion of the rating period to include the following areas.

    a. The results of the performance evaluation just completed;

    b. The level of performance expected, rating criteria or goals for the new reporting period; and

    c. Career counseling relative to such topics as advancement, specialization, or training appropriate for the employee's position; however, career counseling is encouraged to be completed separately from the performance evaluation.

2. The supervisor shall review the evaluation with the employee to ensure specific duties and responsibilities of the assigned position are understood for the upcoming rating period.

G. EMPLOYEE REVIEW OF PERFORMANCE EVALUATION

1. An employee may review and/or discuss their annual evaluation during counseling or at a time mutually agreed upon.

2. The supervisor or Division Commander shall ensure the employee has an opportunity to preview their written evaluation prior to the performance evaluation meeting.

3. The employee shall have the right to attach written comments to any evaluation.

4. The employee will be requested to sign the completed evaluation; however, such signature does not imply agreement with the contents.

H. EMPLOYEE TO RECEIVE COPY OF PERFORMANCE EVALUATION

1. Employees shall receive a copy of their performance evaluation as follows:

    a. Upon completion of their supervisor's periodic evaluation.

    b. At anytime upon request.

2. All personnel may review the contents of their personnel file at the conclusion of the annual evaluation process.

    a. This review shall be under the direct supervision of the Chief of Police or the Chief's designee.

    b. Any problems or discrepancies within the file shall be brought to the Chief's immediate attention.

3. Employees may review their personnel file at any time by scheduling a time with the Administrative Coordinator.

I. PERFORMANCE EVALUATION SECOND LEVEL REVIEW

1. The commander of the appropriate division shall review and sign the employee's performance evaluation as completed by the supervisor, or division commander.

    a. The division commander may make comments as appropriate. These comments may agree or disagree with the rater's statements.

    b. The Chief of Police may make additional comments as appropriate.

    c. If additional comments are made in writing regarding the performance evaluation after the employee has signed, the employee shall be notified about those comments.

2. The division commander shall sign the evaluation report and forward the report to the Administrative Coordinator for filing.

J. RATERS EVALUATED ON RATING QUALITY

To ensure there is fairness and impartiality in the evaluation system, raters will be evaluated by their supervisors on the quality of ratings given to personnel. Supervisors may evaluate the raters in the comments section or under the supervisory factors of the evaluation. Supervisors are encouraged to request anonymous ratings, from their work group, regarding their support and management style effectiveness.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
452-01	Performance Evaluation	1 OF 4
ORDER NO.: 09-05	**SUBJECT:** Early Identification System	
SUPERSEDES: 07-02	**EFFECTIVE:** 08-20-09	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 22.2.6, 35.1.9		

POLICY: To demonstrate a positive approach to identifying and assisting police employees whose performance indicates a possibility of job stress or other adverse job related problems and to determine appropriate options that can offer employees a better opportunity to meet their personal and career goals.

PURPOSE: The Rapid City Police Department has an Early Identification System to provide systematic reviews of specific, significant events involving employees. This system is necessary for the Department to exercise its responsibility to evaluate, identify, and assist employees who exhibit signs of performance and/or stress related problems. Employees are the Department's most important resource. A comprehensive Early Identification System is an essential component of good discipline in a well-managed law enforcement agency.

DEFINITIONS:

1. Early Intervention System (EIS) The EIS is a time-sensitive, systematic approach designed to effectively organize critical performance and evaluation data. The format will be conducive to the prompt identification of early indicators of certain performance and/or stress related problems that might otherwise be overlooked and to facilitate any necessary or appropriate follow-up measures. The EIS is only one of the methods by which employees are identified as possibly needing assistance with performance and/or stress related problems.

2. **GUARDIAN TRACKING® SOFTWARE –** A Windows-based computer software program designed to document employee performance and support complex processes in law enforcement.

A. EIS ACTIVATION

1. The EIS activates when a sworn officer has:

   a. Two or more formal complaints within 365 days.

   b. Eight uses of force incidents within 60 days.

   c. Six or more Declination of Case within 60 days.

   d. Three or more conduct issues relating to general conduct in 90 days.

   e. Six incidents involving any combination of Crashes, Attendance/Tardiness, Policy Violation, Bias-based Profiling, Pursuits in 60 days.

2. Department supervisors will make a record of issues described in this policy and other pertinent employee information into the Department's Guardian Tracking® system.

3. If the first or second level supervisors become aware of rapidly repeating incidents, attributed to one employee, whether through the Guardian Tracking® program or personal observation, initiation of the EIS will take place. At any point in which the activation criteria listed above has been met an intervention review will be completed.

B. EIS COORDINATOR

1. The Division Commanders shall serve in an ancillary capacity as Early Identification System Coordinator (EISC) for their respective divisions. The Division Commanders have access to this information on a daily basis as incidents occur.

2. Target incidents as specified in Section A require documentation, thereby generating basic data available for retrieval and review.

3. Guardian tracking is routinely monitored and reviewed for activities requiring follow-up.

C. FIRST AND SECOND LEVEL SUPERVISOR RESPONSIBILITIES

1. Shift Commanders and Sergeants shall continually assess the performance, attitudes and behaviors of their employees. They must be able to recognize signs of personal or job-related problems negatively affecting an employee's work performance and use indicators to determine whether there exists a pattern of activity indicating the existence of a problem. These indicators shall be documented using the Guardian Tracking® software and may include, but are not limited to:

   a. Poor performance evaluations;

   b. Citizen complaints;

   c. Attendance patterns;

   d. Disciplinary actions;

   e. Use of force incidents;

   f. Internal affairs investigations and reports;

   g. Traffic collisions;

   h. Commendations.

2. Supervisors shall take appropriate action, consistent with Department policy and procedures, whenever they observe inappropriate employee conduct or behavior patterns.

3. The first or second level supervisors may initiate a review of the employee's involvement in targeted events to confirm a pattern exists. Whenever supervisors observe a pattern of behavior requiring intervention efforts the supervisor will address the intervention review, which is immediately available to the employee and all supervisors through the chain of command. A memo to the division commander should summarize the following:

   a. Details of the pattern of conduct and behaviors raising the concern;

b. Identification of other witnesses to the behavior;

c. Recommended intervention action, i.e.: remedial training, counseling, E.A.P. referral or disciplinary action.

4. An EIS follow-up meeting with the employee will be conducted. Those attending the EIS follow-up meeting with the employee will be at a minimum the second level supervisor. For serious problems or patterns the second level supervisor should allow for feedback from the division commander prior to implementation.

5. The second level supervisor will forward a memo to the division commander summarizing the reason for the meeting and the outcome of the meeting along with suggestions for remedial actions or referrals for employee assistance.

6. The division commander will give final authorization to any intervention plan.

D. DIVISION COMMANDER'S RESPONSIBILITIES

1. The Division Commander shall notify the Police Chief upon receipt of a written report requesting intervention;

2. The Division Commander shall conduct a review of the report submitted, files and Guardian-Tracking entries involving the employee's conduct and behavior;

3. The Division Commander shall then schedule a meeting with the employee to discuss the matter;

4. The Division Commander shall confer with the Police Chief and the employee's immediate supervisor to outline the plan of corrective action (if warranted) and formulate a follow-up plan of action. Employees will be referred to the Employee Assistance Program (EAP) or other specified assistance, when applicable, consistent with the procedures set forth in Policy 322-03;

5. The Division Commander shall provide the Police Chief with a full written report of action at the conclusion of the investigation

E. PURPOSE OF EIS FOLLOW-UP

1. Employees will be notified they have been identified for follow-up in the EIS.

2. EIS follow-up meetings will be scheduled with the employee and are to be facilitative and non-disciplinary in nature.

3. Although the EIS is not a disciplinary system, employee disciplinary measures may occur separately to or parallel with the EIS based on the type or severity of the behavior.

F. REMEDIAL ACTIONS

1. Remedial actions will be governed by Department policies and may include training, counseling, referral, reassignment, medical intervention, a work performance plan and/or monitoring.

2. The employee's immediate supervisor shall conduct periodic meetings with the employee until a resolution has been achieved.

3. When deemed appropriate, the employee will be advised of the EAP, which is a voluntary and confidential program available to employees and their families.

G. EIS FOLLOW-UP DOCUMENTATION

1. The employee's immediate supervisor shall provide a written report to the Division Commander after each meeting indicating the employee's progress.

2. The Division Commander shall provide a written report to the Police Chief upon conclusion of all corrective action taken and required follow-up procedures.

3. Documentation related to EIS follow-up meetings will be stored in the EIS file in the Field Services Commander's office, and/or in the employee's personnel file depending on the outcome.

4. The contents of the EIS file are considered sensitive and confidential.

5. Affected employees' supervisors may review EIS follow-up documentation to ensure the pattern has stopped and not simply for historical reference.

H. EARLY IDENTIFICATION SYSTEM DATA REVIEW

1. At least annually (ideally in conjunction with periodic performance evaluations), the first line supervisor will review collected data as well as the personnel files of each of their subordinates to determine if there are any patterns of involvement in targeted incidents.

   a. Sources of material for review include but are not limited to:

      (1) Guardian Tracking®

      (2) Targeted Incident Database indexes are in Guardian Tracking® and in the custody of the Administrative Coordinator.

      (3) Guardian Tracking® contains supporting information related to the target incident.

   b. The periodic performance evaluation form will reflect a review of the material has taken place.

2. For the purposes of this policy, a "review" will consist of the inspection of supporting documentation of targeted incidents. In the event the reviewed cases cause concern for the employee's welfare, a follow-up meeting will be scheduled as outlined in section C above.

I. EVALUATION OF THE EARLY IDENTIFICATION SYSTEM

1. Annually, the Chief of Police will assign a command officer to evaluate the EIS in order to determine the system's effectiveness and to propose any changes to the system.

2. The annual evaluation will cover the period of January 1 through December 31 and be completed during the first quarter of the following year.

PURPOSE: This section establishes the goals, functions and objectives of the patrol section within the Rapid City Police Department. The word "Patrol" is used in its broadest sense, and is defined as the deployment of officers to suppress and prevent criminal activities, investigate offenses, apprehend offenders, and provide police services to the community by engaging in a wide variety of activities.

POLICY: Rapid City Police Department police officers are primarily responsible for carrying out the functions of the Patrol Section. The functions are as follows: the prevention of crime, the protection of life and property from criminal conduct, the apprehension of violators of criminal and traffic codes, recovery of lost and stolen property, the regulation of non-criminal conduct, providing emergency services and community security.

A. PATROL COMPONENT RESPONSIBILITIES

1. The Rapid City Police Department provides a service to the community and must measure the quantity and quality of that service. Evaluations of service demand and citizen satisfaction are important to the continuation of adequate police service. Planning for the delivery of service must be based on an evaluation of demands, efficiency, and the effectiveness of the organization.

2. The general objectives of the patrol function include, but are not necessarily limited to, the following:

   a. Prevention of Crime: The prevention of crime and the voluntary compliance with the law is a basic obligation of every person living in a free society. Professional police are employed by society to prevent crime, to deter it, and to apprehend those who violate the law.

      (1) The Prevention of crime can be achieved only through the free exchange of information between the public and the Department. Identifying problem areas, sharing crime information as well as trends, and communications are paramount in the dual effort by the public and the Department to prevent crime. All Department employees should possess knowledge of crime problems and law enforcement needs.

      (2) Suppress and prevent opportunities for crime, investigate criminal activity to prevent increases in the crime rate.

   b. Deterrence of Crime: Crimes committed in public places are reduced by the criminal's fear of immediate apprehension or increased likelihood of detection. The deterrence of crime requires the investigation of behavior that reasonably appears to be criminally directed. The Department must strike a balance between deterrence and any appearance of oppression. The people, not the department, determine the limitations of their freedom.

   c. Apprehension of Offenders: Once a crime has been committed, it is the duty of the

Department to initiate the criminal justice process by identifying and arresting the perpetrator, by obtaining necessary evidence, and cooperating in the prosecution of the case.

d. Recovery and Return of Property: The Department will make every reasonable effort to recover lost or stolen property, to identify its owners, and to ensure its prompt return.

e. Movement of Traffic: The Department will enforce traffic laws, investigate traffic crashes, and direct traffic to facilitate the safe and expeditious movement of vehicular and pedestrian traffic. The Department warns, cites, and arrests traffic law violators to enforce compliance with traffic laws and to develop driver awareness of the causes of traffic crashes.

(1) Increase the safety of the motoring public by reducing crashes through appropriate traffic enforcement and patrol procedures.

(2) Effectively enforce traffic regulations.

f. Service to the Public: The Department will respond to calls for service and render such aid or advice as is necessitated by the situation. Such services are provided in cooperation with other public and private agencies.

(1) Maintain high levels of citizen satisfaction as measured by the triennial survey of persons receiving service from the Department.

(2) Utilize specialized teams to increase investigative or tactical effectiveness in pre-determined situations.

(3) Conduct appropriate in-service training to increase the effectiveness and safety of officers in the working environment.

3. In addition to these general objectives, the Field Services Division Commander shall ensure specific goals and objectives are developed and submitted in conjunction with annual budget requests.

B. CONTINUOUS PATROL COVERAGE

1. The Rapid City Police Department will provide law enforcement response to all emergencies 24 hours a day, every day of the week, within the Department's service area.

2. The Rapid City Police Department utilizes a shift overlap between the oncoming and off-going shifts. This shift overlap will allow for continuous patrol coverage at shift change. The number of shifts and time frame for each shift may vary. Shift scheduling will depend on periodic workload assessment.

C. PATROL COORDINATES WITH OTHER UNITS

1. The exchange of information between patrol shifts and other Department components or bureaus is critical to the effectiveness of the Department as a whole, and may be accomplished through memorandums, e-mail, or verbally, depending upon the given situation.

2. There are a number of ways information may be communicated and cooperation/coordination maintained between patrol and other agency components. The following procedures shall be utilized to ensure appropriate communication within the agency:

a. Investigative/Support personnel shall, whenever practical, attend and participate in roll-call briefings, which serve as a critical means of broadcasting information between the patrol and investigative components.

b. The review of written case reports by investigative personnel shall serve to provide a flow of information between the patrol and investigative components.

c. Supervisory personnel of all agency components shall be provided the opportunity to coordinate issues or problems of mutual concern at periodic staff meetings.

3. Each patrol officer's responsibility is to maintain communication with all components of the Department.

   a. Each officer shall cooperate with other employees of the Department.

   b. Officers shall coordinate their investigation efforts with members of the Investigation Division or members of any other specialized enforcement component.

   c. Officers shall forward important crime information to the Investigation Division.

4. The responsibility of every member of the Department is to ensure communication, coordination, and cooperation between patrol shifts and other specialized functions are achieved.

PURPOSE: To establish basic responsibilities of the patrol officer.

A. PATROL OFFICER RESPONSIBILITIES: GENERAL

Officers will:

1. Immediately begin their assigned duties upon dismissal from briefing.

2. Inspect their assigned patrol areas as soon as possible to resolve problems, and identify potential and actual hazards requiring police attention.

3. Through calls for service and personal observations, identify violations of federal, state, and municipal law, and initiate police action as required.

4. Become thoroughly familiar with the city. Officers shall acquire knowledge to enable them to render intelligent and helpful assistance.

5. Familiarize themselves with all activities in their patrol areas in order to recognize unusual or suspicious circumstances, or persons acting in an unusual way.

6. Faithfully, diligently and continuously patrol and inspect every part of their district as often as possible, unless otherwise directed by a supervisor, and in doing so does not establish a pattern.

7. Not leave their assigned areas during their tour of duty except with the permission of the supervisor, or to conduct necessary police business. Officers shall not fail to render assistance in the protection of persons and property.

8. During hours when businesses are closed, exercise vigilance and pay particular attention to those buildings for signs of criminal activity, fires, and other damage or hazards. Officers shall immediately investigate all suspicious and unusual circumstances.

9. Notify the Dispatcher and immediately respond and give assistance or take appropriate police action upon sight or receipt of information from any source of a serious crash or crime or other situation requiring police attention.

10. At locations where large crowds are assembled, preserve order and prevent the commission of crimes, interference with traffic and the destruction of property.

11. Take every lawful means to prevent crimes in their patrol area. Officers shall report locations they suspect are being used in violation of any law or are the resorts of questionable persons or known criminals to the Shift Supervisor. If the premise is licensed by the State of South Dakota, Department of Revenue, the officer shall be especially vigilant for all violations of municipal ordinances, state and federal laws, and shall include them in his report.

B. PATROL OFFICER RESPONSIBILITIES: TO SUPERVISORS AND OTHER OFFICERS

1. Officers will immediately notify the Shift Supervisor of any unusual occurrences, serious crime or unsafe public conditions in their district.

2. In unusual or emergency situations where a supervisor is not present, or available for guidance, the senior officer is in charge.

3. When the officer in charge at the scene can dispense of the services of other officers who have responded, he shall direct them to resume patrol.

4. Officers will notify the supervisor, prior to briefing, of scheduled court appearances during their tour of duty.

C. PATROL OFFICER RESPONSIBILITIES: COMMUNITY CONTACTS

Officers will:

1. Respond promptly to calls for service and resolve them to the best of their abilities. Unless the reporting party or complainant specifically requests not to be contacted when a call is received, the responding officer will make every reasonable attempt to contact the reporting party.

2. Take corrective action on all nuisances, impediments, obstructions, defects, or other conditions in or adjacent to the streets, alleys and public places which tend to endanger the health safety or convenience of the public.

3. Contact any person who is under the influence of drugs, alcoholic beverages, or is mentally ill to determine if he may be a danger to himself or someone else. If appropriate, protective custody and placement in the proper facility as required. If a violation of law exists, appropriate police action is to be taken.

4. Participate in crime prevention and community relations functions.

5. Advise citizens of suitable crime prevention measures and urge their cooperation with the police in reporting all crimes, suspicious persons and incidents.

D. PATROL OFFICER RESPONSIBILITIES: TRAFFIC FUNCTIONS

Officers will:

1. Be responsible for traffic enforcement.

2. Immediately report all traffic signals, controls or signs obstructed by a sign, tree, post or other object, condition which creates a blind, hazardous corner, or is ineffective due to damage.

3. Enforce all traffic laws of Rapid City and the state of South Dakota.

E. PATROL OFFICER RESPONSIBILITIES: VEHICLES AND EQUIPMENT

Officers will:

1. Complete a daily vehicle inspection form in the Records Management System, at the beginning of their shift to ensure the vehicle is serviceable and prepared for duty. All discrepancies, damage, malfunctions, mechanical problems, etc., shall be documented in the vehicle inspection form. The Shift Supervisor shall be notified of any missing equipment or new damage to the vehicle.

2. Be responsible for the proper use and servicing of the equipment and vehicles assigned to them. Vehicles shall not be parked until after they have been filled with fuel, if they are dirty or in any way defective, without the approval of the Shift Supervisor.

3. Not unnecessarily leave the patrol car unattended and shall remove the keys and lock the car if they leave it.

F. PATROL OFFICER RESPONSIBILITIES: TO OTHER AGENCIES

Officers will:

1. Document all assists to other agencies relating to criminal matters.

2. Immediately report all fires they observe and respond to those fires where there is a serious threat to life, possible arson, or where they are needed for traffic or crowd control or are specifically requested by the Fire Department.

3. Report all dead animals found on public property to an Animal Control Officer or Dispatcher.

G. PATROL OFFICER RESPONSIBILITIES: RECOVERED PROPERTY

Officers will:

1. Seize any property that has been lost, stolen or abandoned in accordance with department procedures.

2. Properly inventory, record and deliver to the Evidence Custodian's office all property and evidence seized or found, according to departmental procedures before going off-duty.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
511-03	Patrol Administration	1 OF 3
ORDER NO.: 11-03	**SUBJECT:** Shift Commander and Shift Supervisor Responsibilities	
SUPERSEDES: 09-04	**EFFECTIVE:** 05-05-11	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 11.4.5, 81.2.4		

PURPOSE: To establish basic responsibilities of the Patrol Shift Supervisor and Shift Commander.

A. SHIFT COMMANDER AND SUPERVISOR RESPONSIBILITIES: GENERAL

1. The Shift Supervisor should not be assigned or assume any duty that will unreasonably relieve them of their responsibility for patrol supervision.

2. Prior to daily assignment, the Shift Supervisor shall assemble the patrol officers, inspect their uniforms and ascertain whether each officer is properly equipped and fit for duty. The Shift Supervisor shall instruct the patrol officers about current teletype orders and conditions requiring the attention of the patrol force. Shift Supervisors shall complete this task in a timely manner to ensure members of the shift are prepared to begin their assignments as soon as possible.

3. Shift Supervisors shall patrol the entire city and respond to all radio calls of a serious nature and shall supervise patrol officers.

4. The Shift Supervisor shall notify the Shift Commander on calls of any serious unusual occurrence, or serious crime.

5. It is the duty of the Shift Supervisor to maintain open communications with the other components of the Department.

    a. The Shift Supervisor shall ensure cooperation and coordination between the members of the Patrol Division and members of all other components of the Police Department.

    b. Shift Supervisors shall ensure pertinent information is passed on from the Patrol Division to the Investigation Division and any other component of the Department that may have need for such information.

    c. The Shift Commander is encouraged to attend periodic briefings of the Investigation Division in order to exchange information and maintain open communications.

6. All Supervisors must be familiar with both formal and informal mutual aid plans.

B. SHIFT COMMANDER AND SUPERVISOR RESPONSIBILITIES: CALL RESPONSE

1. It is the responsibility of the Shift Supervisor to take charge of any major emergency operation as quickly as possible until properly relieved.

2. The Shift Supervisor is responsible for requesting additional personnel to a crime scene when they are needed, including Detectives, Forensic Examiners, and Command Officers or other specialized personnel.

3. Shift Supervisors are responsible for the appropriate assignment and control of officers under tactical conditions.

4. Shift Supervisors/Commanders will review any serious incidents occurring during their tour of duty. This written critique should be comprehensive and may cover such incidents as homicides, serious traffic crashes, pursuits, hostage barricaded suspects, natural disasters or other related incidents. This should be accomplished as described under the specific policies, or as described in policy 531-04 – After-Action Reports.

5. If a serious crime or crash occurs under circumstances, which indicate the officers assigned to that district may have prevented it, the Shift Supervisor shall investigate and report the findings to the Shift Commander.

C. SHIFT COMMANDER AND SUPERVISOR RESPONSIBILITIES: SUPERVISORY

1. Shift Supervisors shall be familiar with the duties of their subordinates, inspect, and make every effort to correct deficiencies in procedures and safety precautions.

2. Shift Supervisors shall demand from their subordinates' compliance with the rules, procedures, and directives of superior officers.

3. Shift Supervisors shall ensure their personnel are trained in new laws, rules, procedures and all other matters that will improve the officers and the image of the Department.

4. Shift Supervisors shall carefully review all reports submitted by the patrol officers to ensure their completeness.

5. The Shift Supervisor is responsible for reviewing all arrests made during their shift or previous shift period.

6. Shift Supervisors will investigate and attempt to resolve citizen complaints against employees when practical.

7. Shift Supervisors shall follow-up or resolve complaints and/or ascertain that they receive proper attention as described in policy 345-01 – Types of Complaints and Filing Procedures.

8. Shift Supervisors shall routinely inspect patrol vehicles for cleanliness, safety, overall conditions, supplies and mechanical condition. Any deficiencies shall be resolved as soon as possible.

9. Shift Supervisors shall inspect the patrol vehicles from time-to-time and investigate all damage to the vehicles not previously logged in an attempt to identify officers responsible for damage when applicable.

10. When court is in session, supervisors should periodically observe how patrol employees perform their duty in court. They shall pay particular attention to how the officers; testify, their appearance, and their general demeanor.

D. ON-SCENE SUPERVISORY PRESENCE

1. Supervisors should ensure notification of incidents, of a significant nature are expediently forwarded through the chain-of-command to the Chief of Police.

2. The on-duty Shift Commander should be notified immediately of any major ongoing incident. This includes operations conducted by the Investigation Division and the Support Services Division.

3. The on-duty Commanding Officer shall be responsible for notifying the Chief of Police of any situation involving injury or death of an officer or any other major situation or situations of a sensitive nature. This notification shall be accomplished as soon as sufficient information has been obtained to give the Chief of Police an adequate briefing.

   Examples of incidents where notification should be made are:

   a. Any suspicious death caused by violent criminal acts or traffic crashes;

   b. Natural disasters;

   c. Major fires or civil disturbances;

   d. Serious injury or death of an officer;

   e. Hostage situations;

   f. High-speed pursuits;

   g. Any incident at the Shift Supervisor's/Commander’s discretion; or

   h. Any incident described in policy 341-09 – Liability Protection Program.

4. Any incident involving criminal activity on City property or involvement by City employees must be reported to the Chief of Police. Normally, the Chief will report the incident to the Mayor or City Attorney unless there is an operational need to withhold the information, or if there is a need to protect the confidential nature of the incident.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
511-04	Patrol Administration	1 OF 3
ORDER NO.: 07-04	**SUBJECT:** Patrol Shift Assignments	
SUPERSEDES: 06-03	**EFFECTIVE:** 06-19-07	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 41.1.1		

POLICY: The Rapid City Police Department will structure Patrol Division shifts to provide optimum deployment of available resources to meet the needs of the community.

A. PATROL SHIFT ASSIGNMENT

1. The Field Services Division Commander determines shift assignments for all officers under his command. Such assignments shall be made based upon the following factors:

   a. Requests or recommendations received from the affected officers or supervisors;

   b. Special enforcement needs such as festivals, parades, or other special events;

   c. Balance of experienced officers on each shift;

   d. Balance of members of specialized units;

   e. Balance of Field Training Sergeants and Officers; and

   f. Any other special circumstances as deemed necessary by the Field Services Division Commander.

2. Due to the nature of modern police operations, a contingency approach must be taken when viewing long-term scheduling. The ultimate goal in the scheduling of police officers is to provide the highest level of service while realizing maximum utilization of existing resources.

3. The number of consecutive times an officer may be assigned to work the same shift hours will be left to the discretion of the Patrol supervisory staff. Patrol personnel may be re-assigned from their shift at any time if it is determined to be in the best interest of the department.

4. Prior to configuring shifts for the next shift rotation, the Field Services Division Commander will meet with Field Services Commanders to discuss the shift bid process and to make command assignments for the Lieutenants as it applies to the upcoming shift cycle. Consideration will be given to seniority when these assignments are made. However, the Field Services Division Commander will make the final determination as to these command assignments.

5. Notification of shift bidding will originate from the Field Services Division Commander's office. A letter of notification will be sent to each officer via the Department e-mail system. The notification will include information as to when the shift bids will occur, and the basic mechanism behind the procedure.

6. Shift bidding will occur as follows:

a. Officers will submit their requested bid in the format authorized by the Field Services Commander.

b. The Field Services Commander, Patrol Lieutenants and Sergeants will then meet and finalize the shift structure.

c. Officers who fail to submit a bid in the format requested will forfeit their privilege to bid. Their subsequent assignment will be at the discretion of the Patrol Supervisory Staff.

7. No later than 24 hours after the shifts have been established, the Field Services Division Commander will make notification of shift assignments. Notification of shift assignments will be sent to the entire Department via e-mail in the form of a Personnel Order.

8. Officers will have the opportunity to discuss their assignments as needed. However, the Field Services Division Commander will make the final determination as to the assignment of personnel within the division.

B. SHIFT ROTATION

Shift Rotation will occur on a six month basis. Preference for assignment to a shift and area of responsibility will be bid on a seniority basis. Assignment decisions will be based on needs of officers balanced with the needs of the Department and the Division as outlined in section A above.

C. AREA ASSIGNMENT CRITERIA

1. The authority to assign officers to areas rests with the Shift Commander and Shift Supervisor of each shift. When distributing personnel, the Shift Commander shall base the assignments upon defined call areas.

2. Districts are assigned by senior officer preference. The ultimate responsibility for district assignments rests with the Shift Commander. The Commander will evaluate officer effectiveness in a given district.

3. The purpose of the area assignment is to affix accountability for providing law enforcement services within the geographical area. The daily assignment of areas shall occur at the beginning of each shift.

D. DAYS OFF ASSIGNMENTS

1. The Shift Commander is responsible for maintaining and scheduling an adequate number of patrol officers for each shift.

   a. Days off will be prescheduled in accordance with the needs of the department.

   b. Holidays and vacation shall be scheduled in accordance with personnel requirements for the shift.

2. The Shift Commander shall be responsible to approve the days off for all personnel under their command.

E. PATROL SUPERVISOR SPAN OF CONTROL

The span of control for a supervisor normally shall not exceed eight officers per shift.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
511-05	Patrol Administration	1 OF 2
ORDER NO.: 05-02	**SUBJECT:** Differential Response	
SUPERSEDES: 04-01	**EFFECTIVE:** 07-19-05	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 82.2.5		

PURPOSE: To outline differential response, including responsibilities of the front desk officer and for other officers responding to calls for service via telephone.

A. FRONT DESK OFFICER ASSIGNMENT

1. In order to handle calls for service arising from citizens who come to the Public Safety Building and telephone inquiries, and alleviate the call load of area units, an officer may be assigned to the desk office. The front desk officer would handle calls for service outlined in section B below when available.

2. The officer assigned to the front desk will be supervised by on-duty Patrol supervisory personnel, and the customary chain of command will apply. Requests for temporary assignment of the desk officer should go to a Shift I supervisor if the task is of a minor nature. If any duties of an ongoing nature are requested of the front desk officer, it must occur in writing and be sent through the proper chain of command.

3. If the desk officer is unavailable due to absence or is busy, a hierarchy of replacement is necessary. If the person is scheduled to be absent the replacement may come from Shift I. If the desk officer is busy or at lunch, then their responsibilities will be handled in the following order:

   a. Patrol Officer;

   b. Patrol Supervisor in the station;

   c. Call a unit in from the field;

   d. Detective.

4. In the event that an officer is restricted to light duty, that officer may be assigned to the front desk until able to return to duty. The regular front desk officer will work in the field while the other officer is on light duty status.

B. INCIDENT REPORTS TAKEN BY TELEPHONE

1. In order to alleviate the call load and response time, it may be beneficial to handle a call for service by telephone. Calls for service that may be handled by telephone are limited to those types where an on-scene presence is not essential to provide quality police service. Criminal calls that may be resolved by telephone are limited to misdemeanors, where there is no physical evidence that may be observed or collected by the officer. Calls that may be handled by telephone include, but are not necessarily limited to:

a. Thefts;

b. Unlawful use of the telephone;

c. Destruction of private property (excepting gang graffiti);

d. Initial runaway reports; and

e. Information items which are not crime-specific.

2. Calls for service which may not be resolved by telephone include felonies, in-progress calls, incidents where physical evidence may be present, and returned runaway verification.

3. If an officer contacts a person by telephone, and finds that the criteria are not met, that the person is exceptionally distraught, or that the person has an expectation to see an officer in person, the officer will make personal contact.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
511-06	Patrol Administration	1 OF 1
ORDER NO.: 05-02	**SUBJECT:** Back-Up Assistance	
SUPERSEDES: 04-01	**EFFECTIVE:** 07-19-05	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 81.2.4		

A. CRITERIA FOR ASSIGNMENT AND REQUEST OF BACKUP UNITS

1. Backup units will be assigned whenever additional personnel are required for any of the following reasons:

   a. To ensure the safety of the unit originally assigned.

   b. To adequately and expeditiously handle multiple tasks required at a scene.

   c. To keep a volatile situation from escalating.

   d. To assist in the apprehension of a suspect.

   e. To assist in a pursuit.

2. Backup or assistance by plainclothes officers.

   Anytime that a plainclothes officer responds to the scene of any ongoing tactical situation or in-progress call, the plainclothes officer shall advise the Dispatcher by radio.

3. Backup units:

   a. Patrol officers will notify the dispatcher whenever they back-up another unit.

   b. The closest available unit will respond as a back-up when requested by another unit or at the request of a supervisor.

   c. Backup units may include:

      (1) Assigning a Traffic officer.

      (2) Reassigning an officer handling another call.

      (3) Assigning a Shift Supervisor.

      (4) Any sworn officer.

   d. Backup units will respond at a response code dictated by the circumstances of the call.

4. Supervisors in charge of field operations may use their discretion to alter the number of backup units responding and the code response they use in responding to a situation.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
511-07	Patrol Administration	1 OF 2
ORDER NO.: 18-02	**SUBJECT:** Patrol Daily Briefing	
SUPERSEDES: 05-02	**EFFECTIVE:** 02-26-18	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 41.1.2		

POLICY: The Rapid City Police Department will facilitate the flow of timely information relevant to activity involving both the Field Services and Criminal Investigations Divisions of the Department by conducting daily briefings. The Field Services Briefing is designed to correct information sharing deficiencies, thus affording officers valuable information, which may assist them in the successful directed patrol, while at the same time providing them with information which may prove useful in terms of officer protection and assistance to the Criminal Investigations Division (CID). The provisions of this Standard Operating Procedure (SOP), applies to all members of the Patrol Division.

PURPOSE: The purpose of the briefing is to accomplish six basic tasks:

1. Briefing officers with information regarding daily patrol activity, with particular attention given to unusual situations and changes in the status of wanted persons, stolen vehicles, targeted patrol areas, and major investigations.

2. Notifying officers of changes in schedules and assignments.

3. Notifying officers of new directives, or changes in directives.

4. Conduct necessary roll-call training on a variety of topics.

5. Evaluating officers' readiness to assume patrol by conducting, but not limited to, inspections of uniforms, firearms, and overall appearance.

6. Crime analysis should periodically provide current useful information to aid operational personnel in meeting their tactical crime control and prevention objectives.

PROCEDURAL GUIDELINES:

1. The briefings will occur at the beginning of each shift.

2. The briefing will be held in the Patrol briefing room, unless otherwise specified.

3. Assigned personnel are required to attend the briefing, unless they have previously advised a Patrol supervisor of their inability to attend, and have received approval. Regularly scheduled days off, holidays, vacations, sick time, or special assignments preclude the necessity of notifying a Patrol supervisor of inability to attend.

4. The briefing may last up to 30 minutes, unless circumstances dictate otherwise.

5. The briefing will be conducted by a Patrol supervisor or designee.

6. The Patrol supervisor will be responsible for assuring all pertinent informational documents are available to effectively conduct the briefing. These documents shall include:

a. A copy of the current "log," reflecting law enforcement operations for the previous 24 or more hours.

b. The "Bulletin", containing information relevant to officer safety, wanted persons and property, law enforcement operations, training and other matters.

c. Pass-down information from previous shifts.

d. Completed shift roster, with area and vehicle assignments.

7. Personnel will be expected to participate in the briefing by taking pertinent notes and sharing information as appropriate.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
512-01	Vehicle Operations	1 OF 5
ORDER NO.: 18-02	**SUBJECT:** Vehicle Response Conditions	
SUPERSEDES: 14-01	**EFFECTIVE:** 02-26-18	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 41.2.1, 41.3.3, 61.3.3		

PURPOSE: To outline the modes of operation of police vehicles while responding to calls for service and regular patrol operation.

A. CALL RESPONSE PRIORITIES

1. **COLD Response:**

   a. Calls of a routine (non-emergency) nature will normally require a non-emergency response (normal, non-urgent operation conditions).

   b. Officers should notify Dispatch before escalating the response of a call from non-emergency or non-urgent to emergency response.

2. **HOT Response:**

   a. A police vehicle shall operate under emergency response conditions, using both emergency lights and siren, when responding to calls which are critical and in progress, where immediate police intervention is required to avert personal injury, extensive property damage or where prompt arrival is necessary to effect criminal apprehension.

   b. An officer answering a call as an emergency response shall do so in accordance with the provisions of state law.

      (1) The suspension of required traffic law compliance will not relieve the officer of the responsibility for safe vehicle operation or justify actions that imperil the lives of others.

      (2) A police vehicle operating under emergency response conditions shall use emergency equipment (lights and siren) to give adequate warning to motorists and pedestrians of its approach.

   c. No officer may operate a police vehicle at a rate of speed that may cause the loss of control at any time.

   d. If possible, emergency response vehicles should pass to the left of the vehicle traveling in the same direction.

   e. While operating emergency vehicles with emergency warning devices activated, officers shall slow to allow safe passage through intersections.

   f. Emergency response units will not make sudden turns across moving traffic, U-turns, or other changes of direction without ensuring such movements may be done safely.

B. USE OF EMERGENCY EQUIPMENT

1. Officers shall proceed to emergency calls as quickly as possible, but in a manner that will permit them to reach the scene safely.

2. Officers shall employ common sense and sound judgment in determining the direction, manner and method of any emergency or non-emergency response they make. The decisions the officers make will be based upon their understanding of the facts and circumstances surrounding the incident at hand, their knowledge of the location, environmental factors, and the legal requirements that govern the response of emergency vehicles.

3. Only when operating in HOT Response status may an officer exercise the privileges according to emergency vehicles pursuant to SDCL 32-31-1 through 32-31-8. During HOT Response status, an officer will use emergency lights/siren and other emergency signals as the situation dictates and in accordance with the provisions of SDCL 32-31-1 to 32-31-8 and this directive.

4. South Dakota State Law, Chapter 32-31 entitled "Emergency Vehicles" permits the operator of an emergency vehicle to:

   a. Park illegally;

   b. Proceed past a stop sign or signal, but only after slowing down as may be necessary for safe operation;

   c. Exceed the posted speed limit; and/or

   d. Disregard the rules governing direction of travel or turning.

5. An officer may only exercise the privileges identified in "4" above if all of the following three conditions apply:

   a. The officer is responding to an emergency or is in pursuit of an actual or suspected violator of the law;

   b. The emergency vehicle is using audible and visual emergency signals; and

   c. The emergency vehicle is operated with due regard for the safety of all persons.

6. The statute requires that pedestrians and the operators of other vehicles yield the right-of-way to an emergency vehicle being operated as provided above. However, officers should be aware that persons using the public way might be surprised by the sudden appearance of a fast-moving emergency vehicle. Officers operating a vehicle during an emergency response cannot totally depend upon the use of the siren and red lights, as it is often difficult for motorists to identify the source and direction of the sound. Best results are obtained from a siren that is not operated at a steady pitch. Some motorists may not readily see emergency lights, particularly in the daytime.

7. Officers must realize that even in an emergency if they use neither the audible nor the visual emergency signals then they are no longer eligible to exercise the privileges accorded them by SDCL 32-31 and the officer is therefore bound by the rules that govern all other traffic.

8. This section does not preclude the use of emergency equipment in non-emergencies to accomplish a valid police purpose; however, the officer is still bound by the rules that govern all other traffic. An example of the use of emergency equipment in non-emergency situations is the stopping of a motor vehicle where the equipment is utilized to gain the attention of the operator of a vehicle, and to warn others of a traffic hazard caused by the motor vehicle stop.

9. The use of other police vehicle equipment may be permitted during both emergency and non-emergency situations. Specifically, the use of the vehicle spotlight may be utilized to illuminate hazardous situations. The public address system may be utilized to warn individuals of dangerous situations or to assist officers in communicating with persons from a distance, such as in felony traffic stops where the officer will want to stay in an area protected by his vehicle.

10. The use of any other hazard lights shall be authorized in situations where the use serves a valid purpose. Officers should not utilize hazard flashers when operating as an emergency vehicle as the use of the flashers interferes with the operation of the vehicle's directional signals. During nighttime operation, officers should not use bright headlights as emergency illumination either during the response or for scene protection.

Supporting Documentation: SDCL 32-31-1 to 32-31-8

C. ROUTINE OPERATING PROCEDURES

1. Under normal, non-urgent operating conditions, and while responding to routine calls for service, operators of police vehicles will adhere to all existing traffic laws, driving defensively and in a safe and courteous manner.

    a. Operators of Department vehicles may utilize their police radio or MDC while driving, however they must do so safely. Officers will apply good judgment and will not be relieved of responsibility if an accident occurs due to their use.

    b. Operators shall not use hand-held mobile communication devices (cellular telephone, etc.) while driving a Department vehicle for any other purpose than receiving or initiating a voice call.

2. Operators of police vehicles will comply with all parking regulations and will not double-park or otherwise block traffic lanes except:

    a. In inspections of premises believed to be in violation of laws where inadequate parking and the need for prompt entrance necessitates relaxation of parking regulations; or

    b. When responding to a call for service where the circumstances preclude proper parking.

3. Police vehicles shall be strategically parked in roadways to protect crash scenes, injured persons, or officers directing traffic flow when such use is signaled by activation of the emergency lights of the vehicle.

    a. When unmarked vehicles are used, a marked patrol vehicle will relieve them as soon as practical.

    b. Police vehicles will not be left unattended and blocking fire hydrants or entrances of roadways at fire scenes.

4. Operators of marked police vehicles making a traffic stop will make every effort to direct the violator to a suitable stopping point where normal traffic will not be impeded.

a. Emergency lights and siren should be used both to signal a violator of the officer's intention to stop the violator and will switch to amber flasher where practical to protect the violator's vehicle from oncoming traffic after the stop has been made.

b. Private driveways, gas stations (when open), or other areas providing access to businesses or residential establishments should not be used for traffic stops if possible. When private property must be used for a traffic stop, all-possible care will be taken to avoid inconvenience to the property owners or patrons.

c. When making a traffic stop, officers should position the vehicle in such a way as to provide protection for them and avoid creating a traffic hazard.

D. OPERATORS OF DEPARTMENT VEHICLES

Employees should not allow any person other than another employee to operate any Department vehicle unless a supervisor gives permission.

E. EMERGENCY OPERATIONS OF UNMARKED VEHICLES

Operators of unmarked vehicles, while using emergency lights and sirens, must exercise a high degree of caution because unmarked vehicles are not readily identifiable to the public.

1. The use of emergency equipment is justified only in cases where there is danger to the public or it becomes necessary to obtain verification of or evidence of the guilt of a suspected offender.

2. Officers operating unmarked vehicles with emergency lights and sirens should be thoroughly familiar with SDCL 32-31-1, 32-31-2, 32-31-3, 32-31-4 and 32-31-5, and all applicable state laws.

F. SAFETY RESTRAINING DEVICES

1. All employees of the Rapid City Police Department shall wear available lap belt and shoulder harness safety equipment while operating or a passenger in any Department-owned motor vehicle.

2. Prisoners being transported shall wear provided seat belts, unless circumstances warrant that the Officer's safety would be in jeopardy while seat belting the prisoner or with the permission of a Supervisor.

3. Under circumstances where the police vehicle will be traveling at slow speeds and the possibility exists, where the officer may have to make a quick exit from the vehicle, the use of seat belts is at the officer's discretion.

G. HOSPITAL TRANSPORTATION

1. Officers should not use Department vehicles and emergency equipment to escort a private vehicle to a hospital or doctor in an emergency. It is recommended that first aid be rendered and an ambulance called to provide transportation if rapid transport is needed.

2. Transportation of sick or injured persons in a Department vehicle shall not be permitted except under exigent circumstances, which if possible, should be authorized by a supervisor.

H. EMERGENCY ESCORTS OF AMBULANCES AND CIVILIAN VEHICLES

1. Officers except under exigent circumstances shall not escort emergency vehicles, particularly ambulances.

    a. Two emergency vehicles traveling together more than double the hazard to traffic.

    b. One exception will be to escort an emergency vehicle from the city limits to a hospital when the driver of the emergency vehicle is not familiar with the location of the hospital.

2. Employees should not escort civilian vehicles in medical or other emergencies. If an escort is necessary, the patient should be transferred to an ambulance, or in the event that an ambulance is unavailable, to the patrol car for the emergency run. The driver of the civilian vehicle should be directed to proceed to the emergency medical facility at normal speed in compliance with all traffic regulations.

    a. All emergency equipment shall be utilized, and the employee should not exceed the posted speed limit by more than 20 MPH.

    b. The employee should not proceed through traffic control devices without first stopping and insuring that both vehicles can safely proceed.

3. Employees will terminate emergency escort and resume normal vehicular operation when continuation of the escort would constitute unacceptable risk to the public.

Supporting Documentation: "A Manual of Model Police Traffic Services," US Department of Transportation, NHTSA (January 1986) Section 6.4, Publication Number DOT US 806 906.

POLICY: The Rapid City Police Department will pursue known wanted criminals and traffic violators who fail to yield upon receiving proper notice. However, good judgment and common sense must be used in every vehicle pursuit engaged in by members of this department, keeping in mind that it is of the utmost importance that the officer not unduly endanger the public, themselves, or other employees. While involved in a pursuit, the officer must activate the patrol car emergency equipment. For the purposes of this policy, the terms "will" and "shall," indicate mandatory provisions, while the terms "can," "should," and "may" are discretionary.

A. INITIATION OF A PURSUIT

The seriousness of the possible outcome of the pursuit commands a police officer to weigh many factors when deciding whether to pursue the violator. Some of the specific questions officers must ask themselves when deciding whether to pursue include:

1. Does the seriousness of the crime warrant a chase at a high rate of speed?
2. What is the possibility of apprehension?
3. Will the pursuit take place on residential streets, a business district, or a freeway?
4. What are the traffic conditions?
5. What are the weather conditions?
6. What is the condition of the police vehicle?
7. Is the pursuing officer alone or is there the assistance of another officer?

Note: Refer to the Pursuit Decision Making Matrix, located in **Annex A** of this document, for use as a *guide* to initiate, to sustain, or to terminate a vehicle pursuit.

B. PURSUIT PROCEDURES

1. When the operator of a vehicle increases speed or drives in such a manner as to endanger the safety of others, the pursuing officer shall immediately activate the siren and emergency lights and shall continuously use both throughout the pursuit.
2. When safe to do so, the pursuing officer is to establish communication with the dispatcher, relaying information such as the location, direction of travel, identity of the unit, exact reason for pursuit, and other details, which will enable the other officers in the area, as well as the dispatcher, to be aware of the pursuing officer's situation.

a. In the case of a two-officer car, the passenger officer should handle the radio transmissions.

b. To the fullest extent possible, detailed descriptions of the pursued vehicle, license plate, and occupants shall be obtained and broadcast.

3. During a pursuit, a safe distance shall be maintained between the officer and the pursued vehicle. The officer must maintain this distance to have appropriate time to react and respond to sudden vehicle maneuvers of the violator vehicle, and lessen the possibility of a collision in the event of a sudden stop or collision involving the pursued vehicle. To avoid being arrested, many motorists will take imperiling chances. Regardless of the extenuating circumstances, the pursuing officer should not duplicate these hazards.

4. During a pursuit, no more than two police vehicles will be operated in close pursuit. The second unit is responsible for radioing the pursuit. Exceptions to this include considerations for a supervisor, canine apprehension, multiple or high-risk suspects or when preparing for Tactical Vehicle Intervention (TVI).

5. Any unmarked vehicle or vehicle mounted on a truck chassis involved in a pursuit shall relinquish close pursuit to a marked vehicle as soon as is reasonably possible. Pursuit at high speeds with a vehicle having a truck chassis is discouraged. Truck based vehicles will have a designator affixed to the instrument panel indicating the need for added caution during pursuits.

6. If the violator should abandon their vehicle, the officer should secure the police vehicle, notify the dispatcher of the location, quickly check the suspect vehicle for hidden occupants, remove the keys or block the vehicles exit and continue the pursuit.

7. If an officer participates in a high-speed pursuit, the officers and their Shift Supervisor/Commander shall each immediately submit reports to the Chief of Police with a copy for the appropriate Division Commander. This report shall be comprehensive, shall explain in detail the circumstances of the pursuit, any use of mechanical tire deflation devices and specifically shall cite all facts known to the officer at the time of the pursuit was undertaken, as well as a justification by the Shift Supervisor/Commander for either continuing or discontinuing the pursuit. This report shall be separate from any other report that may be required. An administrative review of the pursuit will be made to determine whether policy, training, equipment, or disciplinary issues should be addressed.

8. Officers operating Department vehicles with passengers other than officers and Department members (i.e., civilian riders, witnesses, complainants) should not become engaged in pursuit situations or should drop their rider(s) at a safe place and notify their supervisors before engaging in the pursuit. The supervisor shall be responsible for having the dropped rider(s) picked up as soon as possible.

9. Rapid City Police Department Supervisors should require units involved in the pursuit to go to the Rapid City Interagency Channel when involved with:

   a. A multi-agency pursuit

   b. A local pursuit, which appears to be heading out of our jurisdiction.

10. Rapid City Police Department Supervisors should request and maintain “emergency traffic” on channel one until the pursuit has ended.

C. CONTINUANCE OR TERMINATION OF PURSUIT

1. The pursuing officer must use the best judgment in evaluating a chase, making a continuous appraisal in deciding if the pursuit should be continued. The element of personal challenge to the officer shall never enter into the decision.

2. Officers shall discontinue any chase when:

   a. The pursued vehicle's location is no longer known.

   b. The hazards of exposing the officer and the public to unnecessary dangers do not warrant continuation.

   c. Environmental conditions or other risk factors indicate the futility of continued pursuit.

   d. If the crime is a misdemeanor and the identity of the occupants has been determined and immediate apprehension is not necessary to protect the public or police officers.

   e. The level of risk or danger to the officers or public created by the pursuit outweighs the need for immediate apprehension.

   f. When directed to do so by a supervisor.

3. When the pursued vehicle leaves the roadway, containment rather than pursuit should be initiated unless a violent crime is involved.

4. The Department expects an officer to terminate involvement in fresh pursuit whenever the risks to personal safety and the safety of others outweigh the danger to the community if the suspect is not apprehended.

5. When a pursuit has been terminated, officers driving police vehicles will turn off all emergency lights and sirens. They will then slow, and obey all traffic laws.

6. After the termination of a pursuit, if the suspect vehicle re-appears, a new pursuit may be initiated only when directed by a supervisor.

7. Officers shall not pursue a fleeing vehicle the wrong direction of any divided highway.

D. SUPERVISORY RESPONSIBILITY REGARDING PURSUITS

1. Shift Supervisors will acknowledge over the radio they are aware of a pursuit being initiated and will monitor the pursuit. Supervisors are discouraged from becoming actively involved in an on-going pursuit.

2. Supervisors must continuously evaluate the justification for the pursuit. If the hazards become too great, supervisors shall terminate the pursuit. Supervisors will terminate a pursuit if the primary Officer fails to broadcast adequate pursuit conditions as prescribed in this policy.

3. The shift Supervisor will assume supervisory command of the pursuit and will direct or change tactics as needed. Supervisors shall make assignments of all cars assisting in the pursuit. The Supervisor will continue supervisory command of a pursuit until it has ended, or it has been handed off to another agency, which has accepted the pursuit.

4. The supervisor must continually evaluate the justification for the pursuit.

5. If possible, containment should be used rather than pursuit to apprehend a suspect.

6. In the exercise of discretion, the Supervisor may order units into or out of the pursuit, dictate the number of units involved in the pursuit, authorize tactical intervention, or order the immediate termination of the pursuit.

7. The Supervisor will meet with the pursuing Officer immediately upon conclusion of any pursuit, whether successful or terminated, to debrief the incident. Supervisors will conduct a review of all pursuits for the purpose of identifying any issues with adherence to policy.

8. Supervisors will ensure proper reports are completed as directed in this policy and forwarded through the chain-of-command for administrative review.

E. OFFICERS NOT INVOLVED IN PURSUIT ACTIVITY

1. Officers not involved in the pursuit are to curtail radio transmission except for emergency traffic.

2. Officers not involved in the pursuit are to remain in their areas, but should move to the portion of their area that is closest to the pursuit activity.

3. Other units not designated as a primary or secondary unit are not actively involved, but may serve in the role of traffic control support.

4. When possible, these units should assist with traffic control along the anticipated route of the pursuit and may render assistance at the termination or discontinuation point.

5. These units may also assist with setting up a mechanical tire deflator deployment in accordance Department policy.

F. DISPATCHER RESPONSIBILITIES REGARDING PURSUITS

1. Establish emergency traffic on Channel 1 and send all non-related traffic to Channel 2 until the pursuit has been terminated and/or advised to clear emergency traffic status by the on-duty supervisor or primary unit.

2. The dispatcher monitors the officer's location, making contact when necessary with officers involved in a pursuit.

3. The dispatcher must keep track of the progress of the pursuit in order to be able to pass on such information to assisting officers or supervisors.

4. If the pursuit appears to be leaving the city, the dispatcher must advise the jurisdiction affected by the pursuit as soon as possible by telephone, through an appropriate radio channel, or by telephone.

G. USE OF MECHANICAL TIRE DEFLATOR

1. The policy of the Rapid City Police Department is that the use of an issued mechanical tire deflator is an acceptable method of terminating a pursuit. The decision to deploy a mechanical tire deflator shall be based on careful consideration of all facts apparent to the officer. The deployment of the device will be within this policy's guidelines.

2. Conditions warranting deployment of a Mechanical Tire Deflator are, but not limited to:

   a. To influence the suspect vehicle's direction of travel, as a way to keep the suspect vehicle out of congested areas or keep them on a certain road or street.

   b. To slow the speed of the pursuit.

   c. To disable the suspect vehicle.

3. Deployment of the Mechanical Tire Deflator:

   a. Deployment shall be in accordance with the manufacturer's instructions. Training in the deployment of the device shall occur in conjunction with Law Enforcement Driver Training (LEDT) by the LEDT staff.

   b. The device shall not be used to stop motorcycles, mopeds, or similar two or three wheeled vehicles.

   c. The mechanical tire deflator shall not be used to stop the following vehicles unless the continued movement of the pursued vehicle would result in a serious hazard to others.

      (1) Any vehicle known to be transporting a hazardous material.

      (2) Any passenger bus, school bus, or van transporting passengers.

   d. The mechanical tire deflator shall not be used in locations where geographic configurations increase the risk of injury of the suspect, i.e., on roadways bounded by steep descending or ascending embankments, on curves, on bridges, or at any location where the safety of proceeding or opposing traffic cannot be assured.

      (1) Deployment locations should have adequate sight distances in all directions to enable officers deploying the device to observe the pursuit and other traffic as it approaches.

      (2) The deploying unit should notify the pursuing units as far in advance as possible. The deploying unit should be in a position at a pre-determined location to allow sufficient time for deployment.

      (3) The deploying unit should not attempt to overtake a vehicle being pursued at high speeds in order to position the device.

      (4) After the mechanical tire deflator has been deployed, that officer will immediately seek the protection of their vehicle or other barricade and maintain communications with the pursuing officers. Those pursuing officers must increase time and distance from the violator to allow the device to be cleared from the roadway before passing through the deployment site.

(5) The officer deploying the deflator is responsible for securing the device immediately after use.

(a) The officer will immediately pull the device from the roadway;

(b) Wait for pursuing vehicles to pass the location;

(c) Secure the device in a patrol car;

(d) Search the immediate area where the device was used, and collect any spikes which may have become detached; and

(e) The mechanical tire deflator and any detached spikes will be forwarded to the Shift Commander or their designee to insure prompt re-assembly or repair

(f) Use of a Mechanical Tire Deflator is considered a use of less-lethal force. After utilizing a mechanical tire deflator, a report will be filed detailing the occurrence pursuant to 113-02 - Documentation of the use of less-lethal force. An administrative review of the pursuit will be made to determine whether policy, training, equipment, or disciplinary issues should be addressed.

H. TACTICAL VEHICLE INTERVENTION (TVI)

1. DEFINITION

   a. Tactical Vehicle Intervention (TVI) involves making intentional physical contact with another vehicle in an attempt to intervene in a pursuit causing its immediate termination.

   b. This technique employs the use of deliberate contact between the front fender of a moving police vehicle and rear quarter panel of a moving target vehicle. The intent of the maneuver is to cause the suspect vehicle to rotate from its direction of travel and come to a stop, thus forcibly ending a pursuit.

   c. When performed according to this procedure, TVI is considered an intermediate application of force as the technique is not designed or intended to effect serious injury or death.

2. TRAINING

   a. Only officers trained in TVI will be authorized to use the technique.

   b. Officers must successfully complete the TVI certification course offered by the Rapid City Police Department. This course will include classroom training and practical exercises at a driving facility.

   c. Officers must re-certify every two years to maintain TVI certification. Re-certification will include demonstration of proficiency in the practical exercises.

   d. The technique will only be taught by Department-approved emergency vehicle driving instructors.

3. LIMITATIONS AND USE

   a. TVI will be permitted under the following circumstances:

(1) When authorized by a supervisor. An exception to this would be when obtaining such authorization at the time would prove unreasonable or impractical. Supervisors shall be decisive and consider the totality of the circumstances when authorizing or declining TVI.

(2) When the TVI officer has reasonably determined it is necessary to apprehend a dangerous suspect or terminate a hazardous driving situation because the suspect poses an imminent threat to public safety.

(3) When the apparent risk of harm to the public from the fleeing suspect outweighs the apparent risk of harm involved in using the TVI maneuver.

(4) When the police vehicle is operated with lights and siren activated during the maneuver.

b. TVI should not be utilized:

(1) On motorcycles, ATVs or off-road vehicles.

(2) On trucks with passengers riding in an open bed or cargo area.

(3) On vehicles with placards showing hazardous materials.

(4) On vehicles where contact points cannot be reasonably matched by police vehicles.

4. FACTORS TO CONSIDER

a. Once TVI is determined to be appropriate, officers should attempt the maneuver early in a pursuit as the danger to public safety increases with added pursuit duration.

b. Officers utilizing TVI will plan for the timing and execution of the technique. The executing officer should select a location that provides sufficient roadway width, free from obstructions to allow the target vehicle to come to rest without impacting any object or person. Prior to the execution of TVI, the following potential hazards need to be evaluated:

(1) Speed of fleeing vehicle

(2) Presence of pedestrians

(3) Volume of vehicular traffic

(4) Actions of passengers in the fleeing vehicle

(5) Parked vehicles

(6) Weather conditions and roadway surfaces

(7) Time of day and lighting

(8) Other hazards such as roadway width, elevation changes, ditches, abrupt curves, utility poles, construction, etc.

c. Officers must take additional considerations when attempting TVI on vehicles with high centers of gravity such as elevated trucks, vans or SUVs or when they are operating police vehicles with high centers of gravity.

5. UTILIZING TVI

   a. When practical, the officer attempting the technique will make notification over the police radio that he/she is about to perform the maneuver.

   b. A minimum of one additional police vehicle should be present before TVI is attempted. The assisting unit(s) should remain behind the executing unit for the purposes of suspect apprehension.

   c. Upon completion of TVI, a "pin" of the suspect vehicle can be attempted at the discretion of the involved officers when their tactical and practical assessments of the situation deem it appropriate.

   d. A coordinated high-risk apprehension (felony stop) should follow the execution of the technique whenever possible. Officers are cautioned against rushing the suspect vehicle and should avoid any potential cross-fire situations.

6. REPORTING

   a. A use of force form will be completed as part of the officer's report.

   b. A State Accident report is not required for TVI unless an unintended collision occurs after the target vehicle comes to rest meeting State criteria. However, a diagram of final rest should be added to the officer's narrative.

   c. Photographs will be taken of department and suspect vehicles documenting the points of contact and any resulting damage. Photos should also document any relevant scene evidence at the location of termination.

   d. The Department vehicle will be taken to the Street Department Fleet Maintenance section to ascertain the extent of any damage received.

   e. All incidents of TVI or TVI attempts will be documented in the Pursuit Memo and in the Annual Pursuit Report, which is submitted to the Chief of Police. An administrative review will be conducted with each use of TVI.

I. USE OF ROADBLOCKS

1. Because of the extreme and obvious dangers inherent in the use of roadblocks in pursuit situations, roadblocks shall not be used to apprehend wanted subjects when it is apparent the danger to innocent persons exceeds the danger presented by the wanted subject.

2. The use of roadblocks is discouraged, and their use is limited to only those incidents of a severe nature whereby the escape of the suspect may result in death or serious bodily injury to others. Roadblocks will be established only after authorization from a supervisor.

3. Once a roadblock has been ordered, and a Department vehicle has been stationed as part of a roadblock, no one shall remain in or behind the vehicle. Only personnel trained in roadblock techniques and properly equipped shall be utilized.

4. An administrative review of the use of the roadblock will be made to determine whether policy, training, equipment, or disciplinary issues should be addressed.

J. PURSUITS ORIGINATED BY OTHER JURISDICTIONS

1. When another agency initiates a pursuit either within the City of Rapid City, or enters the City of Rapid City from another jurisdiction, the Shift Supervisor shall determine what assistance is to be rendered, if any, and make assignments accordingly.

    a. Notification of a pursuit, by itself, from an outside agency is not a request for assistance.

    b. Requesting assistance, by itself, is not a request for the jurisdiction being entered to take over the pursuit. If an officer is unsure of the nature of the request, the officer should ask the supervisor for clarification.

2. Officers will not fall in line and continue pursuits outside of the City when the pursuit was initiated by another jurisdiction, unless directed by the supervisor.

3. Officers will not take over pursuits initiated by other agencies unless specifically requested and a Supervisor authorizes the request.

4. All procedures pertaining to pursuits are applicable to officers assisting another jurisdiction in the pursuit.

5. When the primary pursuing agency terminates a pursuit, RCPD officers will terminate their involvement based on the pursuing agency's determination.

K. RELINQUISHMENT OF PURSUIT TO ANOTHER JURISDICTION

The continuous working relationships between the Rapid City Police Department, the Pennington County Sheriff's Office and other law enforcement agencies may involve pursuits originating in the city and continuing outside the city limits. Conversely, pursuits may originate outside of the city limits and progress into the city. Although the provisions of state law authorize agencies to pursue across jurisdictional lines, there are times when the initiating agency may find it wise to relinquish a pursuit to another agency. Public safety may best be served by having the pursuit executed by officers and supervisors most familiar with the area where the pursuit is taking place. It is important the agencies understand how pursuits may be "handed off" to another agency and the procedures for doing so. Once a pursuit is handed off to another agency, all RCPD involvement will cease, unless a specific request for additional resources is made and the Shift Supervisor assigns this role.

1. These procedures are founded on these principals.

    a. Agencies have policies in force prohibiting their personnel from joining a pursuit with another agency unless directed by a supervisor.

    b. Agencies have policies in place enumerating the roles and responsibilities of supervisors in use of force situations.

    c. Agencies have policies in force regulating pursuits for protecting the public and involved personnel.

    d. Agencies have policies in place requiring personnel involved in pursuits to keep the supervisor informed of the progress to the greatest extent possible.

    e. The Rapid City Police Department will adhere to this policy regardless of whether the other agency has a corresponding policy.

2. The procedure to "hand off" a pursuit involves the following considerations and stipulations.

   a. Some pursuits may cross-jurisdictional lines so quickly that it is best for the originating agency to pursue until the suspect is stopped or the pursuit is terminated by the original agency.

   b. The non-originating agency may not have sufficient personnel or personnel may be in a poor position to take over a pursuit.

   c. No pursuit will be assumed by another agency unless a request is made from the originating agency's on-duty supervisor and accepted by the other agency's on-duty supervisor.

   d. No pursuit will be assumed by another agency unless pertinent information about the suspect and offense(s) is provided to the other agency's on-duty supervisor.

   e. When a pursuit is assumed from another agency, pursuing officers of the originating agency shall disengage from the pursuit.

   f. When a supervisor from either agency accepts the request to take over a pursuit, that supervisor shall assume all authority regarding that pursuit and shall adhere to their agency's policies.

   g. Acceptance of a pursuit from another agency does not impose any obligation on the supervisor to continue the pursuit in violation of policy or judgment. The supervisor of the agency assuming the pursuit shall have complete authority to terminate the pursuit without consultation with the supervisor of the originating agency.

   h. Radio traffic for a pursuit should be conducted on the inter-agency channel at the first sign the pursuit will leave the city or when another agency is involved.

3. A request for another agency to deploy mechanical tire deflators shall not, in itself be deemed a request to "hand off" a pursuit.

   a. Either agency may request such assistance through their respective supervisors and maintain responsibility for the pursuit.

   b. The law enforcement officer assigned to deploy the tire deflators shall restrict their activity to that single task and shall not become involved in the pursuit if the use of the deflator is unsuccessful and the pursuit continues.

L. MOTOR VEHICLE PURSUIT ANALYSIS

1. The Rapid City Police Department policy is to conduct an annual analysis of the motor vehicle pursuit reports, to include the use of the mechanical tire deflation device, required by section B.8 above.

2. On an annual basis, the Lead Law Enforcement Driver Training Instructor will analyze these incidents to identify trends by officer, by location, and by type of call. As part of the analysis documentation, an annual review of pursuit policies and reporting procedures must be included along with any recommendation for changes.

3. Upon receiving pursuit reports, the Field Services Commander will generate a copy to the Lead Law Enforcement Driver Training Instructor.

4. The written analysis will be directed to the attention of the Training Administrator and Division Commanders. The analysis will be for the calendar year, due the following January 31st.

5. The Training Administrator will utilize the analysis to confirm specific training needs.

6. The Division Commanders will utilize the analysis to discuss potential operational deficiencies, and manage appropriate corrections.

ANNEX A

PURSUIT DECISION MAKING MATRIX			
DECISION THRESHOLD DEGREE OF RISK			
DEGREE OF SERIOUSNESS	**LOW**	**MODERATE**	**HIGH**
VIOLENT FELONY OFFENSE **Violent Misdemeanor (i.e. credible weapons threat in a Domestic Violence)**	**May pursue: Continue to assess risks.**	**May pursue: Continue to assess risks.**	**May pursue: Discontinue if risks outweigh known threat to public safety if capture is delayed.**
PROPERTY FELONY OFFENSE	**May pursue: Continue to assess risks.**	**May pursue: Continue to assess risks.**	**Do not pursue, or terminate pursuit if initiated.**
MISDEMEANOR OFFENSE OR TRAFFIC VIOLATION (*Includes Traffic Misdemeanors*)	**May pursue if strong justification exists: Continue to assess risks.**	**Do not pursue, or terminate pursuit if initiated.**	**Do not pursue.**

SPECIAL PURPOSE VEHICLES: A special purpose vehicle is any motorized vehicle owned or operated by the Rapid City Police Department, other than standard marked and unmarked cruisers. The Special Operations Lieutenant is responsible for the condition and maintenance of all vehicles owned by the Rapid City Police Department.

A. OPERATION OF MOBILE COMMAND POST VEHICLE

1. The vehicle will be used as a mobile command post for emergencies, which require extended communications and control facilities. The Mobile Command Post Vehicle will provide work space and a communications station for field command operations

2. The Command Vehicle may be used as a tactical command post or command post during disaster or emergency response situations. The vehicle may also be used as a command post for any other Department special operation.

3. The Command Vehicle provides communication capabilities and shelter from the elements. It is equipped with a generator for electrical power, radios, telephone hook-up, lights, and other specialized equipment. This equipment shall be regularly checked for serviceably and replenishment by Special Response Team members, and the RC Fire Department

4. The Command Vehicle may only be operated by personnel with the following qualifications:

   a. The operator must possess a valid driver's license; and

   b. The operator must be trained on delivery and set up of the command post.

5. The use of the Command Vehicle must be authorized by the Chief of Police, the Chief of the Fire Department, or the Pennington County Sheriff, or their appropriate designee and may only be operated by an assigned person from those agencies who is trained in the vehicle's operation.

6. The RC Fire Department shall be responsible for the condition and maintenance of the Command Vehicle.

7. All equipment and supplies stored in the Command Vehicle shall be utilized for deployment to any emergency. The Command Vehicle may be deployed to other jurisdictions in cases of mutual assistance requests, per the signed MOU of assistance.

B. BICYCLE DEPLOYMENT CRITERIA

1. The Rapid City Police Department deploys a Street Crimes Unit (SCU) in an effort to increase the level of positive community service, enhance enforcement efforts, and provide more opportunities for direct community interaction. The Street Crimes Unit uses a variety of Department vehicles, including bicycles to perform their duties. By providing high profile policing on bicycles, the unit shall utilize a quiet, but mobile approach to specific areas of the community.

2. During clement weather, the Department's bikes may be used to patrol areas or other terrain not suited for conventional vehicle patrols.

    a. Officers assigned to the Street Crimes Unit are expected to handle all types of calls for service, but may on occasion need the assistance of marked units for situations that cannot be handled on a bicycle, such as transportation after an arrest. Since officers will wear a uniform unique to SCU, they must be careful to identify themselves whenever taking police action to avoid unnecessary confusion and disputes.

    b. Officers may engage in pursuits of pedestrians or other bicycle as far as the risk of the pursuit does not outweigh the social benefit to be derived from the subject’s apprehension.

    c. Officers shall not attempt to make motor vehicle traffic stops unless the officer can identify themselves to the drivers, and the stop can be accomplished safely.

    d. Officers shall emphasize patrol for which the bicycle is best suited, such as bike paths and areas unsuited for conventional patrol vehicles.

3. Bicycle patrols will normally be used during daylight hours, however at the discretion of the Shift Supervisor/Commander, bicycle patrols may be permitted at any time, such as for special surveillance operations. Other circumstances where bicycle patrols may be utilized shall include but are not limited to:

    a. Bike path/City parks;

    b. Downtown patrol;

    c. Special events (i.e. Civic Center Task Force); and

    d. Community relations events (i.e. parades, fairs, fairgrounds, etc.).

4. The SCU is a full-time assignment. Members shall include regular sworn officers from the Field Services Division. Officers shall be provided training in the safe operation and handling of the Department’s bicycles. Personnel assigned the duties of care, maintenance and operation of the Department bicycles shall be responsible for arranging, and providing training for those wishing to participate in the SCU as new officers are assigned to the unit.

5. A designated patrol shift supervisor and patrol officer shall be responsible for the care and maintenance along with documentation of its use by the Field Services Division. Members assigned to the SCU shall also inspect the bike prior to going out on duty.

    a. Any damaged or missing items will require an information item from the person responsible, or the first person to discover the damaged or missing items.

    b. Damage will be reported to those responsible for the care and maintenance of the bikes, and then to the on duty supervisor.

c. Damage to the bikes being used on duty will be paid for by the Department with the exception of neglect or careless action by the person using the bike.

d. When in use the rider shall be responsible for its security. The bikes shall be secured to a fixed object if the rider will be away from it for an extended period. When not assigned, the bikes will be stored properly in an acceptable location.

6. Department bicycles will be equipped with a forward positioned light for nighttime use, saddlebags containing a first aid kit, bike lock and necessary reporting forms for the officer's use while on duty.

7. The Street Crimes Unit is a voluntary full-time assignment; therefore, officers desiring bike duty must first successfully complete their probationary status. Members of the SCU are drawn from the ranks of sworn officers in the Field Services Division. Since operating a bike for an entire shift can be a strenuous activity, members are required to pass all portions of the Department's physical fitness standards in annual testing.

8. Proper attire for bike patrol shall be as follows:

   a. A safety helmet will be worn at all times while the bike is being ridden by a uniformed officer. Riding gloves and glasses are highly recommended.

   b. The uniform will consist of the assigned Bike Patrol uniform, shirt and pants. Duty belt and comfortable footwear will be worn.

9. Inventory:

   a. All bikes assigned to the Field Services Division are the property of the City of Rapid City.

   b. Bikes will be recorded on the normal inventory system for all Department owned property.

C. OPERATION OF ALL TERRAIN VEHICLES

The Rapid City Police Department will deploy all-terrain vehicles (such as a Gator or other similar four-wheel drive UTVs) in an attempt to increase the level of positive community service, enhance enforcement efforts and provide more opportunities for direct community interaction. Use of an UTV will enhance efforts to provide police services in areas where a conventional vehicle would be impractical.

1. Duties of officers assigned to an UTV:

   a. Officers assigned to an UTV will handle all types of calls for service, but may on occasion need assistance of units in a conventional patrol unit for situations that cannot be handled by an UTV unit, such as arrest transportation.

   b. Officers may engage in pursuits of pedestrians or bicycles in so far as the risk of the pursuit does not outweigh the social benefit to be derived from the subject's apprehension.

   c. Officers should not attempt to make traffic stops unless the officer can identify themselves to the drivers and the stop can be accomplished safely.

   d. OFFICERS OPERATING AN UTV SHALL NOT ENGAGE IN A PURSUIT WITH A MOTOR VEHICLE.

e. While the UTV is a licensed, street legal vehicle use of the UTV on the public roadways should be kept to a minimum. Primary use of the UTV should be to areas not readily accessible to conventional patrol vehicles.

2. Uses for an UTV include but are not limited to:

   a. Parades

   b. Patrol of the bike path

   c. Patrol of special community events

   d. Concerts (Civic Center task force)

   e. Evidence scenes in limited access areas

   f. Creek cleanup

   g. Sporting events

   h. Other events approved by a supervisor

3. All operators of an UTV will have a valid driver's license. No specialized training is required.

4. The on-duty patrol shift supervisor is responsible for the assignment of an UTV. Members assigned to patrol duty on an UTV will inspect the UTV prior to going on duty.

   a. Damage to the UTV will be reported on the appropriate report form (crash, case report or info item).

   b. Officers assigned to an UTV are responsible for its security. When parked, the key will be removed from the ignition.

   c. An UTV is not designed as a water vehicle, although it can be used for shallow water crossings similar to other vehicles.

   d. When not in use the UTV will be parked in a secure location

5. To the extent possible, the all-terrain vehicles shall be equipped with first aid and fire extinguisher similar to those contained in standard police patrol vehicles.

D. OPERATION OF SPECIAL RESPONSE TEAM VEHICLE (SRV)

1. The vehicle will be used as a transport vehicle for emergencies requiring the use of the Special Response Team.

2. The SRV may be used as a tactical command post or command post during a disaster or emergency response situations (if the Command Vehicle is not available) and for any other Department special operation.

3. The use of the Command Vehicle must be authorized by the Commander of the SRT or the commander's designee.

4. The SRV can be operated by any SRT personnel with the following qualifications:

   a. The operator must possess a valid driver's license; and

   b. The operator must be trained on start-up/shut down. Training will be accomplished during regular SRT training. No other specialized training is required to operate this vehicle.

5. The SRV will be stored inside the lot at 4th & St. Joseph Street.

6. All equipment and supplies stored in the SRV shall be utilized for deployment to any tactical situation. Equipment and supplies will be maintained as listed on the vehicle inventory. The SRV may be deployed to other jurisdictions in cases of mutual assistance requests, per the signed MOU for assistance. It is equipped with; Ballistic Blanket, Ballistic Shields, Ballistic Plates, Stop Sticks, Axe, Tow Chain, First aid kit, Rams, Pack of Thor, Bang Pole, Rake & Brake, Mirror, Hooligan Tool, Flood Lights, Less-Lethal Shotgun, Gas Guns, GPS, Night Vision Goggles, Glock Training Replacement Barrels, Portable Radio Repeater, and a Command Board.

7. Condition and maintenance of this vehicle will be the responsibility of the SRT Commander or a designee.

A. PATROL VEHICLE MARKINGS

All vehicles used in routine or general patrol service will be conspicuously marked.

B. PATROL VEHICLE EQUIPMENT

Each vehicle used in routine or general patrol duties will be equipped, at a minimum, with the following operational equipment:

1. Red/Blue emergency lights;
2. Siren and Amber Warning Lights;
3. Mobile radio transceiver.

C. PATROL VEHICLE OPERATION

The Rapid City Police Department's policy is its employees maintain and operate city vehicles in a manner providing for the safety of the public and the employee.

D. VEHICLE INSPECTION AND MAINTENANCE

1. Employees are required to conduct the following inspection and inventory of assigned vehicles prior to beginning the daily assignments. Unmarked vehicles shall be periodically inspected, by those employees assigned to the vehicle, to ensure the vehicle is operating properly.
2. Exterior Inspection:
   a. Any new body damage discovered, or caused by an officer, is to be immediately reported to the Shift Supervisor. In addition, the officer will report this damage to fleet management by E-mail.
   b. An Information Item will be completed when unreported damage is discovered. The supervisor notified will check the daily assignment sheets to determine who was previously assigned the vehicle and how the damage was caused, as well as the reason it was not reported. A report of these findings will be submitted to the Division Commander.
   c. If a crash report is required, refer to policy 523-04, Crashes Involving Department Vehicles.
3. Patrol Vehicle Equipment Inspection and Inventory:

a. Check all equipment to ensure proper operation.

b. Ensure the patrol rifle is operational and properly loaded with the safety on. (Refer to Patrol Rifle Procedures – 113-03).

c. Check tire conditions.

d. Check trunk for following required emergency equipment.

(1) First Aid Kit – fully stocked

(2) Fire Extinguisher – fully charged

(3) Clean Blanket

(4) Other equipment listed on the inventory form

e. Inspect the HeartStart FRx Automated Exterior Defibrillators (AED's) for function as described in policy 513-21

f. Check back seat for weapons and/or contraband.

(1) If weapons and/or contraband are found in the vehicle, the officer shall immediately notify the Shift Supervisor and complete a written report containing the details of what was found and under what circumstances.

(2) The Supervisor notified will check the Daily Assignment Sheet to determine the last officer assigned the vehicle and investigates the incident. The Supervisor shall report the findings through the chain-of-command.

4. Deadlined Vehicle Equipment: Any time a vehicle is deadlined for an extended time period and left at any maintenance facility for repairs, any firearm, speed measuring device, AED's, or any other valuable piece of equipment will be secured at the Police Department. If this occurs an E-mail will be sent to the Fleet Management group. The description of the problem should be given in this E-mail.

5. Employees noticing a deficiency in vehicle equipment will correct the deficiency, or if unable to do so, will notify the Fleet Management group by E-mail.

6. The Fleet Manager or designee shall complete an annual inspection of Patrol vehicles, ensuring required equipment is present and functional. Prior to the end of each shift, all Patrol employees should fuel their vehicle. If unable to do so, employees shall notify the on-coming shift supervisor or officer assigned to the vehicle. Employees of the Investigations Division will ensure their assigned vehicle is maintained with a minimum of a half tank of fuel.

7. All other assigned Department vehicles will be the responsibility of the assigned personnel to ensure the vehicle is functional and contains the required equipment. Deficiencies will be reported to the Fleet Management group via E-mail.

PURPOSE: In all situations when officers transport prisoners, they shall ensure their own safety, as well as the safety of the prisoner and the general public. Officers must ensure prisoners are adequately controlled and restrained so they do not escape from custody and are not placed in situations that could result in increased danger to themselves or the public. The policy of the Rapid City Police Department is to make physical arrests when appropriate. Officers are encouraged to consider alternatives to arrest whenever possible (i.e., citations, summonses, referral, informal resolution and warnings) to address the variety of problems they confront.

A. TRANSPORT OPERATIONS

1. **Prisoner Search Prior To Transport**

   a. The procedure for determining the disposition of an arrestee shall be governed by South Dakota Codified Laws, Chapter 23, Department Policy and Training criteria.

   b. Whenever an officer takes custody of a prisoner, either in the field or for the purposes of transportation, (i.e. mass arrest, etc.) the officer shall (prior to transport):

      (1) Handcuff as appropriate, and then search the prisoner seizing any contraband or potential weapons.

      (2) Make a search of the area within the immediate reach and control of the person arrested.

      (3) All weapons and contraband recovered shall be recorded according to Department procedures.

      (4) Search of persons taken into custody by officers shall be conducted thoroughly in a professional and courteous manner.

      (5) When an arrestee is transferred from the custody of one officer to that of another, the receiving officer shall ensure the arrestee has been searched.

   c. An officer assigned to transport an arrestee, even if that arrestee has been in custody and is merely being transferred to a different facility, the officer will search the prisoner prior to transport.

2. **Search of Transport Vehicles**

   Prior to, and again following the transport of any prisoner, the officer shall conduct a search of the transport vehicle's passenger compartment to ensure no contraband or similar items have been introduced.

3. **Prisoner Transport Vehicle Inspection**

Beginning with one's tour of duty, officers shall conduct a thorough search of the vehicle and remove any contraband or similar items present. Any items located that are of any significance shall be brought to the attention of the officer's immediate supervisor. The items shall be placed into evidence, and an Information Item written by the officer.

4. **Seating of Transporting Officers**

a. All police vehicles routinely used for the transport of arrestees will be equipped with safety barriers to separate the rear passenger compartment from the driver's compartment.

b. If feasible, no more than two arrestees may be transported by a single officer.

c. A second officer should be used to assist in transporting any potentially violent arrestee.

d. Prisoners being transported in vehicles equipped with safety barriers shall be placed as follows within the vehicle:

(1) An officer without assistance during transport shall place the prisoner(s) in the rear, on the passenger side if possible.

(2) If assisted, the second officer may sit either in the front or in the rear behind the driver.

e. Prisoners being transported in vehicles without safety barriers (i.e. detective units, administration vehicles) shall be placed within the vehicle as follows:

(1) If the transporting officer/detective is without assistance, the arrested person shall be placed in the right front seat of the vehicle.

(2) If the transporting officer/detective is accompanied by another officer/detective, the arrested person shall be placed in the right rear seat of the vehicle and the accompanying officer shall occupy the seat immediately to the rear of the driver.

(3) If two prisoners are to be transported, they shall be seated in the right front and right rear passenger seats. The assisting officer/detective shall sit directly behind the driver.

f. The transportation of prisoners in vehicles not equipped with safety barriers is discouraged. Only in extenuating circumstances should officers use a detective or administration vehicle for transporting prisoners.

5. **Observation Of Prisoners During Transport**

Officers shall maintain continuous sight of prisoners being transported. Officers shall make provisions for the security of the prisoner in situations where direct supervision is inappropriate.

a. In cases of extended transports, prisoners may be allowed use of non-supervised toilet facilities providing the following security arrangements can be ensured;

b. The toilet facility has only one entrance/exit, and this entrance/exit can be monitored by the officer.

c. The toilet facility has been completely searched by the officer for contraband/weapons and is not being utilized by members of the general public. Officers must ensure the safety of the public while allowing the prisoner use of any public facility.

6. **Law Enforcement Services by Transporting Officer**

a. Officers shall not stop to provide law enforcement services while transporting a prisoner. The only exception to this would be when there are no other available units to assist, and there is a substantial risk to the safety of a third party and the risk to the prisoner is minimal. In such cases, the officer shall take every precaution to ensure the safety and security of the subject being transported.

b. Transport officers should be aware of the possibility of planned distractions which are designed to allow for the escape of the prisoner being transported.

c. Normally, extended transportation of arrestees will not be considered and will not be done without the approval of the Shift Sergeant or Shift Commander.

7. **Prisoner Communication with Others**

Once an arrestee is in transit from one location to another, there will be no communication by the arrestee, with anyone other than law enforcement personnel, except in cases of extreme emergency. Any person desiring to communicate with an arrestee will be instructed to contact the arrestee after they reach their destination.

8. **Transport Officers Actions at Destination**

a. When an officer transports an arrestee to another facility where a change of custody will occur, that officer will at a minimum:

(1) Secure their firearm in an appropriate container at the facility prior to handling the arrestee, or entering the facility.

(2) Unless otherwise directed by facility personnel, remove restraining devices prior to the arrestee being place in any holding cell.

(3) Assist in the search and removal of property from the arrestee.

(4) Provide facility personnel a copy of all documents necessary for their custody of an arrestee.

(5) Complete all facility forms and document transfer of custody.

b. If, in the opinion of the transporting officer, or if the transporting officer is advised by other officers, of a significant security/escape/hazard risk or a medical hazard exists concerning an arrestee, that officer shall inform the appropriate custodial officer or any other concerned official of the nature of the risk.

9. **Prisoner Escape**

a. If, during the course of an arrestee transport, the arrestee should escape from custody, the officer will:

(1) Immediately notify the communications center of the location of the incident and the last known direction of flight.

(2) Request additional units or have the communications center notify the appropriate jurisdiction.

(3) As soon as possible, notify the duty supervisor of the incident.

(4) Assist in a search of the area.

b. In every case a complete and detailed report outlining the details of the escape, as well as any follow-up action taken or required, shall be prepared by the transporting officer.

10. **Assisting with Prisoner Escapes**

a. The Department will assist outside jurisdictions to locate and return any escaped prisoners that enter the Rapid City Police Department's jurisdictional boundaries.

b. The Department may assist outside jurisdictions with the apprehension of high threat escapees based on the provisions of the State Codified Law and existing MOU/MOA.

Upon notification of an escape, the Chief or designee will make appropriate determination to the extent of the assistance and possible notification and outreach with media/social media if there is possible threat to public safety and security.

11. **Positive Identification of Prisoners**

When an arrestee must be transported from the Department to another facility, officers will ensure that the correctly identified arrestee is transported following the guidelines in these procedures.

B. RESTRAINING DEVICES

1. **Prisoner Restraint During Transport**

a. To preserve the safety of the officer and to prevent the escape of an arrestee, officers will use handcuffs to restrain an arrestee. The arrestee's hands will be handcuffed behind their back.

b. All arrestees shall be handcuffed unless there are extenuating circumstances. Such circumstances include consideration of the arrestee's age, physical disabilities or other mitigating circumstances.

(1) Handcuffs should be used any time there is the remotest possibility of escape or assault by an arrestee.

(2) When two arrestees are to be transported in the same vehicle, they will be handcuffed separately.

(3) Leg restraints may be used at the discretion of the officer.

c. No exception to the handcuffing requirement may be made in any case where:

(1) The prisoner is under the influence of alcohol or drugs.

(2) The prisoner is under arrest for a violent offense.

(3) The prisoner has a known history of violence.

(4) The prisoner resisted arrest or otherwise has exhibited violent behavior.

d. All officers shall ensure when an individual is handcuffed, the handcuffs are double locked. In the event the prisoner is violent and it is impossible to immediately double lock the handcuffs, the handcuffs shall be checked, adjusted and double locked as soon as assistance is available and it is possible. In the event that additional restraining devices are necessary, the use of an appropriate temporary restraining device may be used.

e. A prisoner will not be secured to any portion of any vehicle under any circumstances.

f. Prisoners in custody should be reasonably monitored for inappropriate behavior.

2. **Mentally - Disturbed Person Restraint**

Handcuffs and/or other restraining devices may be used to constrain a person who is mentally disturbed and acting in such a manner that the person may injure themself or another person.

3. **Restraint of Handicapped Prisoners**

a. When an arrestee is sick, injured or handicapped and needs to be transported by the Department, a determination will be made as to whether conventional police restraints are appropriate. If restraints are unacceptable, and restraint of the arrestee is considered inappropriate, an ambulance will be summoned to transport the arrestee.

b. When transporting handicapped prisoners, officers shall take into consideration the specific handicap of the prisoner and determine if the use of restraining devices are appropriate given the totality of the circumstances. Officers should not assume that restraining devices are not required on handicapped prisoners.

4. **Restraint of Sick or Injured Prisoners**

a. In cases where sick/injured prisoners are to be transported, the assigned officer shall ensure the security of the prisoner as well as the security of any medical personnel attending to the prisoner.

b. In cases where the use of a restraining device is not appropriate due to the nature of the illness/injury, or where the prisoner is considered as a security risk, two officers may be assigned to the transport.

C. SPECIAL TRANSPORT SITUATIONS

1. **Prisoner Transport by Officers of Opposite Sex**

a. When an officer is required to transport an arrestee of the opposite sex, prior to the transport, the officer will notify the Communications Center of the mileage and the unit number used for the transport. Transporting officers will only advise the Communications Center of the actual odometer reading at time of transport, **the trip meter reading will not be used** as an indicator of actual mileage traveled during transport.

b. The officer will also notify the Communications Center of the mileage at the end of the transport. If any special or extenuating circumstances exist, the supervisor may require that an officer of the same sex as the arrestee or a second officer to be detailed to accompany the transporting officer.

2. **Transport of Handicapped Prisoners**

a. When transporting handicapped prisoners, the transporting officer shall ensure the transport is conducted in a safe manner consistent with the specific needs of the handicapped prisoner, as well and the security needs of the Department.

b. If a person with a physical handicap requires transportation to or from the Police Department, the supervisor may determine the appropriate mode of transportation to be used.

c. In cases where the handicapped prisoner cannot be transported safely in a police car, an ambulance or other appropriate vehicle may be utilized. It is the responsibility of the officer to ensure adequate safeguards/security precautions are taken during unusual transport situations.

3. **Transporting Sick or Injured Prisoners**

a. In cases where prisoners become sick or injured prior to or during transport, the arresting officer shall immediately notify the Shift Commander/Supervisor and arrange for the provision of medical services as appropriate.

b. When an arrestee requires medical attention, an employee shall summon an ambulance or transport the injured person to medical facilities so treatment can be arranged.

c. If medical attention is required at the scene of the incident, officers shall ensure the continued security of the prisoner while allowing for the provision of emergency medical care.

d. If medical attention is requested by the prisoner, but is not required at the scene of the incident, the officer shall notify the Shift Commander/Supervisor. The Shift Commander/Supervisor will determine if the prisoner should be transported to jail and examined by Pennington County Jail Staff medical personnel or transported to the Rapid City Regional Hospital.

e. Once an arrestee has been treated at a medical facility, the transporting officer will obtain a copy of all pertinent medical documents. A written report will be completed detailing the circumstances of any injuries to the arrestee and their subsequent treatments.

f. When an arrestee is treated for injuries sustained prior to or during an arrest, the arrestee is responsible for the medical bills. This fact must be emphasized to the subject and to the medical facility. The bill must be sent to the arrestee.

g. When injury to an arrestee follows arrest, the Department may assume responsibility for payment.

4. **Emergency Custody of Mentally Ill Persons**

Persons appearing to be mentally ill, an imminent danger to themselves or others or to be gravely disabled shall be taken into custody upon probable cause. The officer will complete the necessary paper work as soon as possible and forward the same to the States Attorney's Office. Refer to policy 513-17.

5. **Intoxicated Persons - Taken Into Custody**

The following procedure will be used when an intoxicated person is taken into custody by officers and transported to a detoxification center.

a. The subject will be detained, searched and transported to the detoxification center.

b. Subject may keep his personal property, other than contraband or weapons, as the personal property will be held at the detoxification center.

c. If the subject is unconscious, injured or a suspected diabetic, he will be taken to a hospital prior to being taken to the detoxification center.

d. Complete all detoxification center paperwork.

e. **Verify the subject is not violent**.

6. **Intoxicated Persons - Not In Custody - Transported**

The following procedure will be used when an officer has determined, by degree of intoxication or other circumstances, that placement at the detoxification center is not warranted.

a. Where the subject has indicated they have a place to reside and there will be a responsible person to care for them, the officer may transport the subject to that location.

b. Officers must determine there is a responsible person who will remain and care for the subject, before the officer may release the subject.

c. Officers will follow the Department safety polices when transporting intoxicated subjects to include searching.

7. **PRISONER SECURITY DURING MEDICAL CARE**

a. When the arrestee requires medical treatment, the transporting officer shall remain with the arrestee at all times, unless the officer's presence would jeopardize any treatment. In that case, the officer shall position themselves in such a manner as to be immediately adjacent to the treatment area where he can control possible exit by the arrestee.

b. If an arrestee's condition requires admittance to a medical facility, the transporting officer shall remain with that arrestee. The officer shall immediately notify a supervisor so arrangements can be made for continuous security.

8. **SPECIAL PRISONER TRANSPORT SITUATIONS**

a. The Rapid City Police Department does not have the resources or duty to provide personal transportation to detainees.

b. Prisoners requesting special/exceptional transportation arrangements will be transferred to the Pennington County Sheriff.

D. TRANSPORT EQUIPMENT

1. **Vehicle Safety Barriers**

   a. Police patrol vehicles have been equipped with steel and Plexiglas dividers between the front and rear compartments.

   b. Safety barriers are not a substitute for handcuffs. Prisoners shall be handcuffed in the same manner as they would have been if there was no barrier.

2. **Vehicle Modified to Prevent Escape**

   Vehicles will be modified in such a way so as to prohibit the opening of the doors or windows in the rear passenger compartment by the arrestee.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
513-01	Patrol Operations	1 OF 3
ORDER NO.: 05-02	**SUBJECT:** Patrol Investigations	
SUPERSEDES: 04-01	**EFFECTIVE:** 07-19-05	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 42.1.4, 42.2.1, 42.2.2		

PURPOSE: To establish procedures for field investigations by patrol officers.

A. PATROL PRELIMINARY INVESTIGATIONS

1. Officers and/or Detectives assigned to conduct preliminary criminal investigations shall include the following actions as part of their investigation:

   a. Establish whether a crime has been committed, determine the type of crime committed and take appropriate enforcement action;

   b. Arrange for the provision of emergency medical treatment as appropriate;

   c. Maintain the crime scene and protect evidence;

   d. Develop information through the observation of all conditions, events, evidence, witnesses, remarks and sources available to assist in the investigation;

   e. Conduct preliminary investigations and search for missing persons to include runaway juveniles, persons who violate court orders, persons who are absent without leave from the military or any other missing person call for service;

   f. In eyewitness cases, secure a description of the suspect, any vehicle involved, and direction of flight. Relay the information to all other units by radio or Mobile Data Terminal. If possible, identify the suspect and take appropriate enforcement action;

   g. Locate and interview the victim and witnesses, record their statements as to what occurred and record their identity, addresses or other necessary data for future reference;

   h. When appropriate, attempt to contact the occupants of any building providing a view of the crime scene, noting the address of each building and the result of the attempt;

   i. Interrogate suspects; and

   j. Effect the arrest of the criminal.

2. Protect the crime scene and request technical assistance, if necessary. Search for and collect objects and items that are evidence or likely to be evidence.

   a. Evidence is to be collected, marked and secured according to department procedures. In the case of a major crime, no evidence will be collected until photographs and/or video media have been taken.

b. At the scene of a major crime, Evidence Personnel and/or Detectives will be responsible for the collection and preservation of evidence. A major crime will be defined as a homicide, or any crime that requires collection methods, or time expenditure not available to patrol officers.

3. Determine how the crime was committed, the extent of injuries, and nature and value of property taken.

4. Collect data appropriate for a written report to include but not limited to the following:

   a. Accounts of participants, victims, and witnesses in the incident;

   b. Detailed description of the scene; and

   c. Details of the crime scene search, the nature, location and who seized evidence from the scene.

5. All child abuse and/or sexual abuse of a child, investigations will be done in accordance with SDCL 26-A8-3 and 26-A8-8.

B. PATROL FOLLOW-UP INVESTIGATION

1. When time and staffing allows, officers will follow-up the preliminary investigation to include:

   a. Initiate inquiries into investigative leads to identify the suspect and associates.

   b. Research and review of internal and external records and reports related to the incident, similar incidents or suspects.

   c. Use all information sources including employees from this jurisdiction and others, witnesses and informants.

   d. Disseminate criminal information to the law enforcement community.

   e. Conduct searches and collections of non-testimonial evidence through court ordered warrants or consent of persons involved.

   f. Identification, collection, preservation and use of evidence pertaining to the crime and suspect.

   g. Analyze the legal significance of information and evidence.

   h. Continue the search for witnesses, interview new witnesses and re-interview original witnesses when necessary.

   i. Submit appropriate evidence for physical analyses.

   j. Identify, locate and arrest the suspect and accomplices, using criminal histories, M.O's, and other information. Determine any involvement in other crimes.

   k. Conduct or initiate appropriate surveillance, interrogation and polygraph testing.

   l. Recommend suspension of the investigation if all leads are exhausted.

m. Submit the case for prosecution.

C. COMBINED INVESTIGATIONS

1. Occasionally, it may be advantageous to combine the investigative resources of the department with one or more law enforcement agencies to address a common crime problem.

2. The Department will participate in such joint investigative operations when appropriate, such as cases of major and/or equal importance. Coordination and supervision of Rapid City employees and equipment will be the responsibility of a Rapid City Supervisor. The supervisor in charge is responsible for apprising the Division Commander of the status of the investigation on a continuing basis. Joint investigations will be terminated upon resolution of the criminal problem, or when the department decides participation is no longer advantageous.

A. MAJOR TACTICAL OPERATIONS

Occasionally officers will be required to respond to a major emergency, e.g., barricaded gunman, hazardous material spill, natural disaster. The following are minimal guidelines to assist in handling such emergencies.

1. The first officer on scene will assume the role of **Incident Commander** until relieved by a supervisor or other person more qualified to assume the role of **Incident Commander.** As part of their responsibility, the first arriving officer will establish a perimeter by making appropriate assignments to other officers responding. For further information, refer to policy 532-07 – Incident Command System and if needed policy 532-04 – Mobilization Plan.

2. The Incident Commander should attempt to evaluate the need for other emergency services and request same, i.e., Fire Department, Emergency Medical Services, and Special Response Team.

3. If necessary and safe to do so, evacuation of civilians who may be in danger and first aid for victims should be initiated.

4. The Shift Supervisor or Shift Commander is to take charge of the operation as quickly as possible by a formal transfer of command. Depending on the type of emergency, another transfer of command may take place from the supervisor or commander to another person with legitimate authority and qualifications to assume the role of Incident Commander.

5. The Incident Commander must be mindful to establish traffic control points, outside perimeters, command post, aid stations and medical assistance.

6. In hostage or barricaded gunman situations, refer to policy 532-02, Response Plan for Hostage/Barricade Situations in the Rules and Procedures Manual.

B. EMERGENCY NOTIFICATION

1. Upon responding to an emergency requiring additional resources beyond the officer's capabilities, the officer shall notify the Shift Supervisor or Shift Commander.

2. The responsibility of the Shift Commander or Shift Supervisor is to make prompt notification to any other agency or private enterprise outside the Rapid City Police Department that may be required to provide service in an incident, to include, but not limited to:

   a. Pennington County Coroner;

   b. Public Utility Companies;

c. Street and Highway Departments;

d. Other Law Enforcement Agencies; and

e. News media, if appropriate.

3. Notification of the Chief of Police:

The on duty Commanding Officer shall be responsible for notifying the Chief of Police of any situation involving injury or death of an officer or any other major situation or situations of a sensitive nature. This notification shall be accomplished as soon as sufficient information has been obtained to give the Chief of Police an adequate briefing. For further information, refer to policy 341-09 – Liability Protection Program.

4. Notification of Field Services Commander:

a. The on duty supervisor is responsible for notifying the Field Services Commander, as notification is required.

b. Examples of instances where notification should be made;

(1) Injury or death of an officer.

(2) Homicides or vehicular homicides.

(3) Natural disasters or other situations of a sensitive nature.

c. If other divisions of the Department require assistance from the Field Services Division, they shall make their request through the Commander of the Field Services Division.

5. Notification of the Investigation Division:

The ranking supervisor on shift will, as soon as possible and practical, contact the Commanding Officer or a designee of the Investigation Section whenever assistance is needed or in the event of an incident, which the supervisor feels the Criminal Investigation Division should be made aware of immediately. At the time of this contact, the Patrol supervisor will make the Investigation Division supervisor aware of the facts and circumstances surrounding the incident. Based upon this information, the Investigation Division supervisor will make a determination regarding the Division's response to the event and the appropriate level of involvement.

6. Notification of Crash Investigation Team:

In the event of a critical or fatal crash, the on duty supervisor will immediately notify the Commanding Officer of the Patrol Shift handling the investigation. For further information, refer to policy 523-06 – Activation of the Critical Accident Reconstruction (CAR) Team.

7. Notification of Special Response Team (SRT):

The ranking supervisor on duty shall contact the Commanding Officer of the Special Response Team (SRT) and advise them of the situation, which they feel warrants the SRT. The Commanding Officer of the SRT shall then contact the Chief of Police and/or the Sheriff for authorization to mobilize the unit.

PURPOSE: Contacts in the field by patrol officers and the use of field interview cards may deprive actual and potential offenders of some of their initiative in selecting the time, place, and circumstances for the commission of crimes.

A. FIELD INTERVIEWS

1. Contacts and field interviews should be documented by use of the Field Interview Card. A case report number may be used on the card if the contacted interview directly relates to the incident number selected.

2. Care should be used by investigators and officers to guard against misuse of field interviews or the misuse of the field interview card. Officers and Investigators shall have a valid reason for completing a field interview card on a subject or vehicle. The following are examples, but not totally inclusive, of when a field interview card may be used:

   a. Suspicious persons;

   b. Potential or actual witnesses;

   c. Traffic violators;

   d. Crime victims or complainants;

   e. Detention of intoxicated individuals at the Pennington County Detoxification Center.

   f. Known or suspected gang members.

3. An officer often conducts field interviews of persons, who for one reason or another, appear suspicious. Although an officer may contact anyone and ask their name and business in the area, a person may not be seized (stopped) unless the officer has "reasonable suspicion" to believe the suspect is about to commit or has committed a crime.

4. Police Department Field Interview Cards (FI's) are completed in the RMS Field Identification module. Once completed, the FI's are archived and available for use in the Department's RMS.

B. STURGIS MOTORCYCLE RALLY FIELD INTERVIEW (FI) CARDS

1. All Sturgis Motorcycle Rally FI cards are the property of the State of South Dakota and are used in a uniform effort to identify outlaw or suspected outlaw motorcycle gang members. During the annual Sturgis Motorcycle Rally, members of the Rapid City Police Department are assigned

to the Rapid City Police Department / Sturgis Rally Task Force. This task force will use the State-issued rally FI cards when stopping and collecting data from known or suspected outlaw biker gangs. After these cards are completed, they will be forwarded to the Task Force member, or their designee.

2. The purpose of these procedures is to ensure our actions during these stops are documented and can be retrieved for future needs.

PURPOSE: Establish guidelines for the law enforcement response to allegations of Domestic Abuse. **SDCL 23-3-39.8** – *Each law enforcement agency shall adopt and implement written policies on its response to Domestic Abuse situations. The policies shall include standards of a felony and misdemeanor arrest; verification and enforcement of protection orders and no contact orders; emergency assistance to victims including medical care, transportation to shelter, and police standbys for removing personal property; assistance to victims in pursuing criminal prosecution; notification of victims of their rights; and incident report writing.*

SCOPE: This policy applies to Domestic Abuse situations as defined by SDCL Chapter 25-10.

> ***Comment:*** *For the purposes of this policy, Domestic Abuse is defined pursuant to SDCL 25-10-1.* ***"Domestic Abuse"*** *means physical harm, bodily injury or attempts to cause physical harm or bodily injury, or the infliction of fear of imminent physical harm or bodily injury between family or household members. "****Family or household members****" means spouses, former spouses or persons related by consanguinity, adoption or law, persons living in the same household, persons who have lived together, or persons who have had a child together.*

POLICY: The Pennington County Sheriff's Office and the Rapid City Police Department will reduce the incidence and severity of Domestic Abuse through aggressive enforcement of applicable state law. The combined goals are to protect victims of Domestic Abuse, change offender behavior, provide them with support through a combination of law enforcement and community services, and promote officer safety by ensuring officers are fully prepared to effectively deal with Domestic Abuse calls for service.

Domestic Abuse investigations shall be actively pursued by law enforcement and an arrest shall be the preferred response in situations in which probable cause exists. High priority shall be assigned to ensuring victim safety and referral to appropriate services. Consistent with this, the following procedural components are adopted.

A. INITIAL RESPONSE AND ENTRY

1. When responding to Domestic Abuse calls, officers shall act in accordance with Departmental policy for responding to high hazard calls. Officers must not assume there are no weapons present.

2. Entry:

   a. If refused entry, the officers should be persistent about seeing and speaking alone with the victim. If access to this person is refused, the officers should request the dispatcher attempt contact with the victim by phone.

   b. If access is still refused and the officers have reason to believe someone may be in imminent danger, the officers may enter the residence/area, when they believe persons are in danger of death or physical harm.

B. ON-SCENE INVESTIGATION

1. The initial actions of the responding officer(s) should be to ensure the safety of all persons at the scene. This should include:

   a. Separating the victim and offender physically, verbally, and, if possible, visually (if circumstances permit, move them into separate rooms);

   b. Taking possession of all involved weapons and securing any other weapons which pose an immediate threat;

   c. Assessing the severity of injuries to parties and applying or calling for the appropriate level of aid for any injured parties; and

   d. Locating and checking the welfare of any children and others at the scene.

2. Steps of the on-scene investigation should include the following:

   a. Interview all parties and potential witnesses including children (recognizing the unique sensitivities of children in Domestic Abuse situations) and neighbors, as appropriate. These persons should be interviewed separately and out of visual/hearing range of each other, if possible.

   b. Determine if the relationship is "domestic" (as defined by **SDCL 25-10-3.1**) and what crime(s) occurred.

   c. Document the nature and extent of all injuries, including defensive wounds (e.g., on the inside of the arms or palms of the hands).

   d. Ascertain whether a female victim is pregnant, and whether and how the suspect is aware of her condition. Obtain the name of the health care provider, if possible.

   e. Determine who is the predominant physical aggressor using the following factors and the officer's judgment:

      - Extent of any injuries inflicted,
      - Fear of physical injury because of past or present threats,
      - Actions taken in self-defense or to protect oneself,
      - History of Domestic Abuse perpetrated by one party against the other, and
      - Existence or previous existence of orders for protection.

f. Record:

(1) Any statements of the victim, suspect, and/or witnesses which may be categorized as exceptions to the hearsay rule (including excited utterances and spontaneous statements). Note the exact words used, using quotation marks; indicate the approximate time frame when the statements were made; and record the emotional indicators of the speaker.

(2) Any relevant statements, including self-serving ones, made by the suspect.

g. Collect and record physical evidence and, where appropriate, take color photographs (date and initial photos, if possible) and/or videos of injuries and property damage. Request a crime scene technician, if needed. Seize plain view evidence.

h. If possible, record statements from the victim and any witnesses, including children, as appropriate. The officer should attempt to obtain a taped statement from the suspect, as well. These statements should be submitted in accordance with agency procedure.

C. ARRESTS

1. Arrest is the preferred response to Domestic Abuse when probable cause exists. That is, when probable cause has been established that an act of Domestic Abuse has occurred, an arrest shall be made pursuant to **SDCL 25-10-36**.

2. Warrantless Arrest:

   Officers shall make physical arrests in situations involving Domestic Abuse whenever circumstances justify a probable cause arrest.

   a. The passage of time does not preclude making a warrantless arrest. However, **Probable Cause** arrests are **required** by SDCL 25-10-36 if the suspect is 18 years of age and the officer has probable cause to believe an assault has occurred within the last 48 hours. These mandatory arrests shall be made as soon as opportunity presents itself. If opportunity for arrest presents itself after the 48-hour window, discretion is advised whether officers should make a warrantless arrest. A supervisor should be contacted to assist with the decision.

   b. Persons under the age of 18 are subject to arrest and placement in Juvenile Detention when circumstances permitting warrantless arrest described in SDCL 25-10-36 are met, and the officer determines that not arresting the subject may pose a danger to the juvenile or others.

   c. **Citizen Arrests** for acts of Domestic Abuse will be accepted by officers **unless** there are articulable reasons invalidating the arrest. Examples may include intoxication of the arresting individual, obvious mental defect, or no factual underlying basis for the arrest. Officers shall take reasonable steps to ensure they make the correct decisions based on the information available to them.

   d. **Citations in Lieu of Arrest** will **not** be used in place of physical custody in situations of Domestic Abuse.

   e. Persons arrested under this policy will be held in accordance with SDCL 25-10-40 and 25-10-41.

   f. All arrest for incidents of Domestic Abuse must be accurately documented by the arresting officer and submitted in accordance with SDCL 25-10-38.

3. The following factors should not prevent an arrest from being made:

   - Marital status; sexual orientation; race; religion; profession; age; disability; cultural, social or political position; or socioeconomic status of either party;
   - Ownership, tenancy rights of either party, or the fact the incident occurred in a private place;
   - Victim's request that an arrest not be made;
   - Belief that the victim will not cooperate with criminal prosecution or that the arrest may not lead to a conviction;
   - Verbal assurances that the abuse will stop;
   - The fact that the suspect has left the scene;
   - Disposition of previous police calls involving the same victim or suspect;
   - Denial by either party that the abuse occurred when there is evidence of Domestic Abuse;
   - Lack of a court order restraining or restricting the suspect;
   - Concern about reprisals against the victim;
   - Adverse financial consequences that might result from the arrest;
   - Chemical dependency or intoxication of the parties;
   - Assumptions as to the tolerance of violence by cultural, ethnic, religious, racial or occupational groups;
   - Absence of visible injury or complaints of injury; and
   - Presence of children or the immediate dependency of children on the suspect.

4. Officers making an arrest should inform the arrestee that Domestic Abuse is a crime and the State of South Dakota, not the victim, is responsible for the prosecution. The responding officers should not initiate discussion of or accept a complaint withdrawal, or have the victim sign a waiver of prosecution form.

5. If the officers determine a crime has been committed and the suspect has left the scene, the officers will make every attempt to:

   a. Conduct a search of the immediate area;

   b. Obtain information from the victim and witnesses as to where the suspect might be located; and

   c. Complete other appropriate paperwork for referral to the Pennington County State's Attorney's Office or in accordance with agency policy (e.g., routing to the Investigations Division for follow-up), if the offender cannot be located.

6. Dual Arrests:

   a. The agency shall discourage dual arrests in order to avoid arresting the victim. Where there are allegations that each party assaulted the other, the officer shall determine whether there is sufficient evidence to conclude that one of the parties is the predominant physical aggressor.

   b. If the predominant physical aggressor alleges they are also the victim of Domestic Abuse, then it is imperative the officer thoroughly investigate the allegation to determine whether it was an act of self-defense or an act of aggression. If it was a separate act of aggression, then the officer shall make an arrest or file a warrant request for the aggressor. If the officer concludes it was an act of self-defense, no arrest shall be made of the secondary aggressor. If dual arrests are made, the facts supporting each arrest must be clearly documented.

7. Law enforcement officers shall not threaten, suggest or otherwise indicate the possible arrest of all parties or the removal of the children from the home, with the intent of discouraging requests for intervention by law enforcement by any party.

8. If no arrest is made, the victim shall be so informed and be notified they can request to have the case reviewed by the Pennington County State's Attorney's Office. (Investigations Division)

D. VICTIM SUPPORT

1. The officer shall make a reasonable attempt to identify and utilize resources to assist in his/her interactions with non-English speaking citizens (e.g., victims, witnesses, suspects) or citizens with communication disabilities. However, the officer should avoid the use of friends, family or neighbors serving as the primary interpreter for the investigation.

2. The officer shall attempt to gain the victim's trust and confidence by showing understanding, patience, and respect for personal dignity, and using language appropriate to the age, educational level and emotional condition of the victim.

3. The law enforcement officer must:

   a. Assist the victim in obtaining any needed medical treatment;

   b. Provide the victim with the **Victim Information Packet**.

4. Officers should:

   a. Convey to the victim concern for his/her safety;

   b. Inform the victim about how to get a protection order in the fastest possible manner;

   c. Advise the victim of what to expect in the near future with regard to the processing of the case by the system, including an assessment of the probability the accused may be in custody for only a short period of time;

   d. Tell the victim Domestic Abuse is a crime and that the sole responsibility for decisions regarding whether charges are filed is with the state and not the victim;

   e. If an arrest is not made, inform the victim of the reasons and of his/her options independent of law enforcement, and

   f. Advise the victim to notify the agency of any additional incidents or new information.

5. The officer should not leave the scene of the incident until the situation is under control and the likelihood of further violence has been eliminated. If the victim is leaving, the officer should remain at the scene for a reasonable period of time while the victim gathers necessities for a short-term absence from home. The officer should ask a victim who is leaving the home for his/her temporary address and phone number out of hearing of the perpetrator.

6. If the victim requests to go to a shelter, they shall be referred to the WAVI shelter. The officer shall arrange for, or provide transportation to the shelter if the victim is approved for shelter intake, or arrange for or provide transportation for the victim to an alternative location of the victim's choice in the local area.

7. Care of Children: Officers shall see to the appropriate care of children as victims or dependents.

   a. In child abuse situations, the officer shall contact the on-duty DSS (Department of Social Services) caseworker.

b. If, as a result of arrests and/or hospitalizations, there is no parent, legal guardian, or relative to either care for the children or direct the officer as to the appropriate temporary placement of the children, the officer should contact DSS (Department of Social Services) for purposes of determining placement. The officer should indicate in the report the identity and address of the person taking custody of the children.

8. Care of Dependent Adults: When an elderly or disabled adult is either a victim of the violence or reliant on the victim or suspect who can no longer provide care, the officer should make appropriate arrangements for the person's care. In the case of abuse, the officer shall call DSS (Department of Social Services).

9. If indicators for future violence exist, the officer should arrange for increased patrol in the area.

E. INITIAL RESPONSE: REPORT WRITING

1. The officer shall prepare a written police report in accordance with **SDCL 25-10-36**, if there is probable cause, regardless of whether an arrest has been made. If no arrest is made the report shall include a description of any observed injuries and the reason(s) no arrest was made.

2. The report form prepared by the officer should include the letters "DV" in the Crime Classification block behind the specific offense.

   A Domestic Abuse report should include, but need not be limited to:

   a. Information provided by communications personnel (the officer should consider the evidentiary value of the 9-1-1 call);

   b. Descriptive information regarding the victim and suspect, including demeanor of each. Do not include opinions or conclusions, be objective. Report only the facts.

   c. Written and oral statements obtained from the victim and suspect (including excited utterances and their approximate time frame) and an explanation if written statements were not obtained;

   d. A list of witnesses and their statements (including excited utterances and their approximate time frame) and the identities of all officers on the scene;

   e. A description and location of observed injuries, description of medical treatment rendered and statement about whether an offer of medical treatment was refused;

   f. The name of the medical treatment provider and the names of any other health care providers, including EMS personnel;

   g. The name of the Victim's Advocate contacted;

   h. A description of all other physical evidence including photographs taken and of what;

   i. A description of steps taken to locate the suspect if she/he was not at the scene;

   j. A list of indicators of threats to future victim and child safety (e.g., threats made, including history of abuse, killing of pets, use of substances, other unusual behavior);

   k. Information regarding whether children were present and how they were cared for;

l. Information regarding whether a protection order is in effect and, if it is, reference to this order and a copy if possible;

m. A statement regarding any special needs (including language barriers, disabilities) of the parties involved;

n. An indication that the victim received the "Victim Information Packet."

o. If no arrest was made, an indication that the officer advised the victim of the reasons why an arrest was not made;

p. Any information that may be relevant to the assessment of bond; and

q. The name and phone number of a person (e.g., family member, employer) who can contact the victim.

3. The officer should, when appropriate, request the victim sign a release of medical records (related to any Domestic Abuse incidents) form. The report should have the Domestic Violence Supplement sheet and Triple I (of offender) attached.

F. FOLLOW-UP INVESTIGATION, REFERRAL AND REPORT WRITING

1. A follow-up investigation may be required and could include:

   a. Interviewing victims who were physically or emotionally unable to be properly interviewed or to provide a statement. The victim should be re-contacted for this purpose or to obtain additional details relevant to the investigation.

   b. Taking photographs of victim injuries, which may not have been apparent and/or visible at the time of the initial response.

   c. Interviewing neighbors or other potential witnesses.

   d. Ascertaining if the suspect is on parole, probation and/or pretrial release and obtaining the name and phone number of the appropriate probation/parole/pretrial officer.

2. In the supplemental follow-up report, the investigating officer shall document the steps of the investigation. This will include documenting interviews and any other tasks performed pertinent to the investigation.

3. In cases in which a physical arrest was not made, the related police report and warrant request required by the Pennington County State's Attorney's Office should be forwarded within two business days after the investigation is completed, or as soon as possible. If a warrant is issued, the Pennington County Sheriff's Office or any officer with knowledge of the suspect's location should attempt to serve or to effect service of the warrant as soon as possible.

G. SPECIALTY UNITS/PERSONNEL

1. The Pennington County Sheriff's Office and the Rapid City Police Department shall assign investigators to a unit specializing in the investigation of cases involving Domestic Abuse, Sexual Assault and Child Abuse. At a minimum, one investigator will focus his/her efforts to the investigation of cases of Domestic Abuse.

2. The Domestic Abuse officer shall:

   a. Monitor the agency's compliance with the Domestic Abuse policy and procedure;

   b. Assimilate information on the resources available in Pennington County and the procedures necessary to utilize them;

   c. Educate other officers of both departments with regard to the information obtained above;

   d. In cooperation with the Training Administrators of both departments, provide for and/or coordinate the training of other officers;

   e. Coordinate with WAVI (Working Against Violence, Inc.) and other local resources to educate the community with regard to Domestic Abuse;

   f. Coordinate with the Pennington County State's Attorney's Office, Victim's Assistance and sector officers in the investigation and enforcement of violations of protection orders.

H. COURT ORDERS

1. This section applies to the following orders, hereafter referred to as court orders:

   a. Temporary and Permanent Protective Orders,

   b. Temporary and Permanent Stalking Orders, and

   c. No Contact Orders.

2. Upon determination of probable cause, an officer shall make a physical arrest of the respondent if they willfully and knowingly violate any term of the court order. Generally the order includes, but not limited to:

   a. Refusing to vacate the shared premises within the time limits stated on the court order;

   b. Going to the petitioner's residence, school, place of employment, or a specified place frequented regularly by the petitioner and any named family member or household member;

   c. Committing an act of Domestic Abuse against the petitioner;

   d. Committing any other violation of the court order through an intentional unlawful threat, word, or act to do violence to the petitioner; or

   e. Telephoning, contacting or otherwise communicating with the petitioner directly or indirectly unless the court order specifically allows indirect contact through a third party.

3. An officer should make an arrest for a **criminal** violation of the term of a court order pursuant to SDCL 23A-3-2.1 (Domestic Abuse protection orders).

4. An officer should not base their decision to arrest on their perception of the prosecutor's ability to prosecute the case, as this is a court order and not subject to the officer's interpretation.

5. After proper service of a court order upon a respondent, the court order is valid and enforceable in all counties of the State of South Dakota. It is important to verify that a respondent has been properly served the court order prior to arresting him/her for violating the provisions of the order.

6. Warrantless Arrest:

   Violations of active court orders shall be pursued by Probable Cause arrest or Warrant Request if the arrest cannot be made within a reasonable time after the offense. SDCL 25-10-13 and 22-19A-2 will determine the class of crime charged.

   a. Officers shall attempt to verify the existence of active court orders.

   b. The absence of a court order entry in the registry should not automatically support the presumption one does not exist. Officers are expected to take all reasonable actions to confirm or deny the existence of an active court order.

   c. Persons arrested for violation of active court orders will be held as provided in SDCL 25-10-40 and 25-10-41.

   d. Citations, in Lieu of Arrest, will **not** be used in place of physical custody for violations of court orders.

   e. All arrests for violation of court orders will be accurately documented by the arresting officer and submitted in accordance with SDCL 25-10-38.

7. Out-of-state court orders: The agency should enforce foreign (i.e., out-of-state and tribal) court orders pursuant to applicable state and federal laws. If respondent is found in possession of a firearm, officers shall complete a case report, and secure the weapon in evidence.

I. KEEP THE PEACE STANDBY

Refer to Policy 513-10 Civil Action

J. TRAINING

Training Curriculum

1. All sworn personnel shall receive competency-based training in Domestic Abuse as per SDCL 23-3-39.4.

   The above named persons shall be competent with regard to the following:

   - Use and application of current South Dakota and federal statutes as they relate to Domestic Abuse;
   - Dynamics of Domestic Abuse;
   - Verification, enforcement and service of protection orders;
   - Duties and responsibilities of law enforcement in response to Domestic Abuse calls, as set forth in departmental policy; and
   - Assisting victim populations with special needs.
   - Techniques for handling incidents of Domestic Abuse that minimize the likelihood of injury to the officer and that promote safety of the victim;

- Nature and extent of Domestic Abuse;
- Legal rights of, and remedies available to, victims of Domestic Abuse;
- Documentation, report writing, and evidence collection (including recognition and recording of excited utterances);
- Tenancy issues and Domestic Abuse;
- Impact of law enforcement intervention in preventing future violence;
- Special needs of children at the scene of Domestic Abuse and the subsequent impact on their lives;
- Policies and procedures of the Pennington County State's Attorney's Office;
- Services, facilities and/or interventions available to victims;
- Emergency assistance to victims and how to assist victims in pursuing criminal justice options;
- Working with reluctant victims;
- Departmental and officer liability issues;
- Indicators of abuser lethality;
- Indicators of future violence;
- Means of identifying a predominant physical aggressor; and

2. All sworn personnel should receive timely legal/legislative updates pertaining to Domestic Abuse.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
513-05	Patrol Operations	1 OF 9
ORDER NO.: 06-01	**SUBJECT:** Law Enforcement Officer Involved Domestic Abuse Cases	
SUPERSEDES:	**EFFECTIVE:** 01-06-06	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 22.2.6		

PURPOSE: Establish procedures for handling acts of domestic violence committed by law enforcement and for implementing prevention strategies.

SCOPE: This policy applies to Domestic Abuse situations as defined by SDCL Chapter 25-10.

POLICY: The Pennington County Sheriff's Office and the Rapid City Police Department views this policy as a comprehensive, pro-active approach to domestic violence by law enforcement employees with an emphasis on victim safety. It is imperative to the integrity of the profession of policing and the sense of trust communities have in their local law enforcement agencies that is contingent upon adopting a clear policy, making a definitive statement that domestic violence will not be tolerated.

PROCEDURES: While prioritizing the safety of victims, this policy is designed to address prevention through hiring and training practices, provide direction to supervisors for intervention when warning signs of domestic violence are evident, institutionalize a structured response to reported incidents of domestic violence involving officers, and offer direction for conducting the subsequent administrative and criminal investigations.

A. PREVENTION AND TRAINING

The Department has recognized the seriousness of this problem as it relates to law enforcement domestic violence and will not tolerate violations of the policy. The Department will provide on-going training to every officer on domestic violence throughout all phases of the law officer's career.

All officers shall receive mandatory instruction covering the following topics:

1. Understanding domestic violence.
2. Departmental response/protocol.
3. Warning signs of domestic violence by officers.
4. Victim safety.
5. Federal and State domestic violence laws.

B. EARLY WARNING AND INTERVENTION

A critical concern is how to screen candidates to minimize the risk of hiring officers who may engage in domestic violence. The Department must establish a system for detecting indicators of abusive tendencies and train supervisors to intervene. It is ultimately the responsibility of the officer to refrain from domestic violence.

1. Pre-Hire Screening and Investigation. As part of the background investigation, the Department will seek to determine whether a candidate has any history that indicates a pattern of violence.

2. Post-Conditional Offer of Employment. If the candidate's background investigation does not indicate a history of perpetrating violence, the Department should proceed with a psychological examination, which should address indicators of abusive tendencies.

3. Post-Hire Intervention. The Department will clearly explain the Officer Involved Domestic Violence Policy to all officers and create opportunities to share this information with their families. The purpose of providing this information to families is to underscore the Department's stance and to provide victims with avenues to address potentially problematic behavior or report acts of domestic violence.

4. Department Responsibilities

   a. The Department shall, either in response to observed warning signs or at the request of an officer, intimate partner, or other family member, provide non-punitive avenues of assistance before an act of domestic violence occurs.

   b. The Department shall inform officers of the procedure for seeking confidential referrals to confidential counseling services provided through the City's Employee Assistance Program.

   c. A disclosure on the part of any officer, intimate partner or family member to any employee of the Department that an officer has personally engaged in domestic violence will be treated as a report of a crime and shall be investigated both administratively and criminally.

5. Supervisor Responsibilities

   a. Supervisors shall be cognizant of, and document any pattern of abusive behaviors potentially indicative of domestic violence including but not limited to the following:

      (1) Aggressiveness

         (a) Excessive and/or increased use of force on the job.

         (b) Stalking and inappropriate surveillance activities.

         (c) Unusually high incidence of physical altercations and verbal disputes.

         (d) Citizen and fellow officer complaints of unwarranted aggression and verbal abuse.

         (e) Inappropriate treatment of animals.

         (f) On-or off-duty officer injuries.

      (2) Domestic violence-related issues.

         (a) Monitoring and controlling any family member or intimate partner through such means as excessive phone calling.

         (b) Stalking any intimate partner or family member.

         (c) Discrediting and/or disparaging (to speak of in a slighting or disrespectful way, belittle) an intimate partner.

(3) Deteriorating work performance.

(a) Tardiness

(b) Excessive absences.

(c) Alcohol and drug abuse.

b. When the supervisor notes a pattern of problematic behavior (as detailed above) the supervisor shall:

(1) Address the behaviors through a review or other contact with the officer, and document all contacts.

(2) Forward written reports capturing the behaviors, to the Chief, through the chain of command in a timely manner.

(3) Prepare and submit, to the chief, a written request for a psychological exam/counseling by a psychologist/psychiatrist who is knowledgeable about domestic violence.

(4) When warranted, request the chief to order an officer to seek assistance from a certified program for batterers, and if such a program is not available, a counselor knowledgeable about domestic violence.

6. Police Officer Responsibilities

a. Officers are encouraged to take personal responsibility in seeking confidential referrals and assistance from the Department to prevent a problem from escalating to the level of criminal conduct against an intimate partner.

b. Officers who engage in the following actions will be subject to discipline up to and including dismissal:

(1) Failure to report knowledge of abuse or violence involving a fellow officer.

(2) Failure to cooperate with the investigation of a law enforcement officer domestic violence case (except in the case where that officer is the victim).

(3) Interference with cases involving themselves or fellow officers.

(4) Intimidation/coercion of witnesses or victims (i.e., surveillance, harassment, stalking, threatening, or falsely reporting)

c. Officers who learn they are the subject of a criminal investigation, regardless of jurisdiction, are required to make a report to their supervisors and provide notice of the court dates, times, appearances, and proceedings. Failure to do so may result in discipline up to and including dismissal.

d. Officers who learn they are the subject of any protective order proceeding, whether or not the order is issued and regardless of jurisdiction, shall immediately notify their supervisor and provide a copy of the order, if issued. If subject to a qualifying protection order, the officer shall surrender all firearms. Failure to do so may result in discipline up to and including dismissal.

C. INCIDENT RESPONSE PROTOCOLS

1. Department-Wide Response

   a. The Department shall accept, document, and preserve all calls or reports, including those made anonymously, regarding domestic violence as on-the-record information.

   b. All reports of possible criminal activity implicating law enforcement officers in domestic violence shall be documented in accordance with the policies governing the handling of reports of domestic violence involving civilians.

   c. The on-scene supervisor shall forward a copy of the report alleging domestic violence by the officer, to the Chief of Police, through the chain of command.

   d. All such incident reports shall be made available by the Department to the victim.

2. Communication Response

   a. Communications dispatchers shall be instructed to assign a high priority to all domestic violence calls, including those that involve or appear to involve a law enforcement officer of any department.

   b. Communications dispatchers shall immediately notify the on-duty supervisor and the dispatch supervisor of any domestic violence call received involving, or appearing to involve, a law enforcement officer, regardless of the involved officer's jurisdiction.

   c. Communications dispatchers shall prepare and preserve documentation of the facts and circumstances of the call, including the 911 recording, for use in potential administrative or criminal investigations.

   d. Communications dispatchers shall have available current contact information of local domestic violence victim advocacy organizations, for on-scene supervisors to provide to victims.

3. Patrol Response

   a. Upon arrival on the scene of a domestic violence call or incident involving a law enforcement officer, the primary patrol unit shall immediately notify dispatch and request a supervisor, preferably of higher rank than the involved officer, report to the scene regardless of the involved officer's jurisdiction.

   b. The responding officers shall perform the following actions:

      (1) Obtain needed medical assistance.

      (2) Address the immediate safety of all parties involved.

      (3) Secure the scene and preserve evidence.

      (4) Note all excited utterances, admissions and/or incriminating statements.

      (5) Make an arrest if probable cause exists.

4. On-Scene Supervisor Response

   a. A supervisor, preferably of higher rank, shall report to the scene of all law enforcement officer domestic violence incidents including a police officer, regardless of the involved officer's jurisdiction.

   b. The on-scene supervisor shall assume command and ensure the crime scene is secured and all evidence is collected. Photographic and/or video documentation of the parties involved and scene shall be recorded where such resources are available.

   c. The supervisor shall inquire as to the safety of all children present at the time of the incident, and all children in the household. As appropriate and necessary, the children should be interviewed separately from other parties.

   d. In cases where probable cause exists, the on-scene supervisor shall ensure an arrest is made.

   e. If the alleged offender has left the scene and probable cause exists, the supervisor shall perform the following actions:

      (1) Exhaust all reasonable means to locate the alleged offender

      (2) Ensure an arrest warrant is sought, if unable to locate the alleged offender.

      (3) Document all subsequent actions in a timely manner.

   f. In the event the victim has left the scene, the supervisor shall make every effort to follow through on the investigation and attempt to locate the victim.

   g. Arrest of both parties involved in a domestic violence incident should be avoided. The supervisor shall ensure a thorough investigation is conducted and an arrest of the dominant aggressor is made in accordance with State law.

   h. Whenever an officer is arrested, the supervisor shall relieve the accused officer of all service weapons regardless of whether the officer is a member of the responding department.

   i. The supervisor shall inquire whether the victim wants any firearms removed from the home for safekeeping by the Department, and make arrangements as necessary.

   j. The on-scene supervisor shall ensure the victim is informed of the following:

      (1) The judicial process and victim rights.

      (2) The Department's policy on law enforcement officer domestic violence, procedures and cross-jurisdictional responsibilities as they apply.

      (3) The standard of probable cause for arrest.

      (4) Procedures for obtaining protective orders.

      (5) The availability of confidential transportation to a location that can provide improved victim safety.

      (6) Community resources and local domestic violence victim service.

k. Whenever a law enforcement officer involved domestic violence call does not result in an arrest or a warrant is not sought, the on-scene supervisor shall explain in a written report.

l. The on-scene supervisor shall notify the Chief and the accused officer's immediate supervisor as soon as possible. In the event that the officer is from another jurisdiction, the supervisor shall ensure the accused officer's chief is notified. All notifications, and attempts to notify, shall be fully documented.

5. Additional Critical Considerations

a. When responding to a domestic violence complaint involving a law enforcement officer from another jurisdiction, all responding officers, investigators, and supervisors shall follow the same procedures followed in responding to a domestic violence complaint involving an officer from their own department.

b. In the event the reported incident involves the Chief of Police, the supervisor shall immediately notify the State's Attorney and City Mayor having direct oversight for the Chief.

c. In responding to domestic violence incidents where the victim is a law enforcement officer, standard domestic violence response and investigation procedures should be followed.

d. In responding to domestic violence incidents where the parties involved are both law enforcement officers, standard domestic violence and investigation procedures should be followed. After probable cause and dominant aggressor are determined, an arrest should be made and all service weapons of the accused officer confiscated.

6. Department Follow-up

a. In a timely manner, the Chief of Police or designee shall ensure all officers who responded to a law enforcement officer domestic violence call are debriefed. The debriefing shall include the following:

(1) A direct order prohibiting discussion of the incident outside of the official inquiry.

(2) A clear delineation of assignments.

b. Follow-up investigators shall proactively seek out information on existing protective orders and, if found, shall enforce them and any applicable State and Federal firearms laws, and determine whether the officer violated Department policy by failing to report the protective order.

c. Arrest warrants charging law enforcement officers with domestic violence and protective orders issued at a later time shall be served by no fewer than two officers with at least one being of senior rank to the officer being served. In cases where firearms have not previously been seized, firearms shall be seized.

d. In the event the protection order expires or the victim asks it be discontinued, the Department shall still conduct a thorough administrative investigation.

e. Following the reported incident, the Department shall designate a member of the command staff to perform the following duties:

(1) Conduct a danger assessment of the accused officer to determine the potential for further violence and inform the victim of the possibility of danger regardless of the outcome of

the assessment.

(2) Act as a principal point of contact to keep the victim apprised of all developments.

(3) Ensure the safety planning and danger assessment is made available to the victim.

(4) Report the findings of the danger assessment to the Chief of Police or designee, who will make decisions concerning appropriate sanctions, administrative actions, and referral for the accused officer.

D. VICTIM SAFETY AND PROTECTION

1. The Department shall work with community resources and advocacy agencies to connect victims and their children with appropriate services.

2. The command staff member designated as principal contact for the victim, shall inform the victim of confidentiality policies and their limitations, and ensure confidentiality is maintained throughout the case.

3. All officers shall be aware of possible victim/witness intimidation or coercion, and the increased danger when the victim leaves an abusive partner. The designated principal contact shall assist the victim and children in safety planning and caution the victim to be alert to stalking activities.

4. If an officer suspects intimidation or coercion of the victim/witness is occurring, the officer shall prepare a written report to be delivered immediately to the investigator in charge of the case, through the chain of command.

   a. In order to determine whether the victim/witness is being intimidated or coerced, the investigator in charge shall seek out secondary sources of information.

   b. Given the possibility that a victim will recant or choose not to participate in court proceedings, supplemental evidence shall be sought out and preserved.

E. POST-INCIDENT ADMINISTRATIVE AND CRIMINAL DECISIONS

The Department shall conduct separate, parallel administrative and criminal investigations of alleged incidents of police officer domestic violence in a manner maintaining the integrity of both investigations. Regardless of the outcome of the criminal case, the Department shall uphold all administrative decisions. If the facts of the case indicate domestic violence has occurred or any Department policies have been violated, administrative action shall be taken independent of any criminal proceedings, as soon as practicable. (The Department will adhere to and observe all necessary protocols to ensure an accused officer's Department, union, and legal rights are upheld during the administrative and criminal investigations).

1. Administrative Investigations and Decisions

   The responsibility to complete the administrative investigation of a police officer domestic violence incident shall rest with the Chief of Police, who shall appoint an experienced investigator. The Chief may ask an outside law enforcement agency to the conduct the administrative investigation.

   a. Regardless of whether an arrest was made on scene, the investigating official shall conduct an independent, comprehensive administrative investigation using standard elements of

criminal investigations. Victims and witnesses shall be re-interviewed and their statements recorded; crime scene evidence, photographs, and medical records accessed; and 9-1-1 recordings requested.

b. Where sufficient information/evidence exists, the Department shall take immediate administrative action against the accused officer that may include removal of badge and service weapons, reassignment, sanctions, suspension, or termination.

c. When an investigation of an incident uncovers officers who had knowledge of violence on the part of another officer, but failed to notify the Department, or engaged in actions intended to interfere with the investigations, the Department shall investigate those officers and take disciplinary action and criminally charge as warranted.

d. The Chief of Police shall determine whether and when the accused officer should be issued an administrative order of protection.

e. If administrative policies and/or administrative orders of protection are violated, or sufficient concern exits regarding a violation, the Department shall initiate an independent administrative investigation, seize firearms as allowed under Department policy as soon as practicable, and take disciplinary action up to and including dismissal.

f. In determining the proper course of administrative action, the Department shall consider factors including the level of danger an officer poses, as indicated by the outcome of the danger assessment of the officer, the officer's history of compliance with Department rules, prior written or verbal threats, history of aggressive behaviors, and existence of an alcohol or substance abuse problem.

g. If the Department determines through an administrative investigation that the officer violated Department policy, regardless of whether the officer plead nolo contendere in response to criminal charges, the Department may employ the full range of administrative sanctions. Any officer determined through an administrative investigation to have committed domestic violence shall be terminated from the Department.

2. Criminal Investigations and Decisions

The responsibility to complete a criminal investigation of police officer domestic violence shall rest with the domestic violence unit of the Department. The Chief may ask an outside law enforcement agency to conduct the criminal investigation.

a. The investigating official shall conduct criminal investigations as would be the case for any other criminal violation.

b. In accordance with the officer's and victim's privacy rights, the investigating official or agency shall conduct sufficient interviews (recorded) of family members, friends, neighbors, colleagues, and others who may have information regarding criminal charges.

c. Even though an initial report may already exist concerning a police officer, reports of a subsequent or additional criminal or non-criminal incidents, which may include fellow officers engaging in surveillance or intimidation of the victim, shall be documented in separate incident reports, assigned a case number, cross-referenced with the original case number and investigated thoroughly.

d. The Department shall completely investigate the charges, and where warranted seek prosecution, even in cases where the victim recants.

e. The Department shall establish a liaison to work with the prosecuting attorney for each case. This officer shall present all the information to the prosecuting attorney for action and ask that decisions about the adjudication of the case be made in a timely manner.

f. As with any other case for criminal prosecution, the investigating officer shall request filing of court papers/complaints.

g. Any officer convicted through criminal proceedings of a domestic violence crime shall be terminated from the Department.

3. Termination Procedure

a. Upon the decision to terminate an officer, the Chief of Police shall do the following in accordance with Department policy and State law:

(1) Notify the officer, in writing, of the effective date of termination.

(2) Inform the officer of available support services, to include counseling.

(3) Ensure the victim is notified in a timely manner and offered available assistance, to include safety planning.

(4) Notify the State licensing body within 30-days, and inform them of the reason for termination.

b. Federal law prohibits anyone convicted of a misdemeanor domestic violence crime from possessing firearms. The Department shall ensure compliance with federal law.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
513-06	Patrol Operations	1 OF 1
ORDER NO.: 05-02	**SUBJECT:** Juvenile Curfew Enforcement	
SUPERSEDES: 04-01	**EFFECTIVE:** 07-19-05	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 44.2.1, 44.2.2		

POLICY: The Rapid City Police Department will take appropriate action, where probable cause exists that a status offense has occurred of juvenile(s) suspected of violating the Juvenile Curfew Ordinance. The primary purpose of this procedure is to take appropriate action for the protection of juveniles. The authority to make an arrest in a curfew violation rests in City Ordinance 3024, Chapter 9.08.100.

A. JUVENILE CURFEW ENFORCEMENT

Officers are directed to follow the below procedure when enforcing the curfew ordinance:

1. The officer, upon finding a juvenile in a public place during prohibited hours, shall ascertain the name and address of the juvenile, warn the juvenile that he/she is in violation of the curfew ordinance, and direct the juvenile to proceed directly and at once to his/her home, or usual place of residence.

    a. The officer shall make a written report of such contact and warning and shall report this contact to the Juvenile Investigation Section of the Department. Officers may use a juvenile citation for this purpose.

    b. The Juvenile Section of the Criminal Investigation Division may have additional contact with the parent(s), guardian, or custodian of such juvenile by telephone or letter.

2. A juvenile may be taken into custody if:

    a. The juvenile refuses to comply with the direction of the officer, or

    b. If the juvenile refuses to give the officer their correct name and address, or

    c. If the juvenile has been warned on a previous occasion, or

    d. When circumstances suggest that a more serious action is appropriate.

3. The parent(s), guardian, or custodian of the juvenile shall be notified to come and take custody of the juvenile.

4. If the parent, guardian, or custodian cannot be located or fails or refuses to take custody of the juvenile, the juvenile shall be remanded to the juvenile authorities.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
513-07	Patrol Operations	1 OF 3
ORDER NO.: 17-02	**SUBJECT:** Graffiti Eradication Project	
SUPERSEDES: 09-02	**EFFECTIVE:** 09-05-17	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

PURPOSE: The Rapid City Police Department has developed a program designed to impact the problem of graffiti in our community. Part of the program involves utilizing community groups to assist in the eradication of graffiti, while another part of the program involves direct participation by members of the Rapid City Police Department. The Graffiti Strike Force Team concept embraces this philosophy, and provides for the eradication of this graffiti within a period of 48 hours of graffiti occurring, if possible. The expectation of this effort is to effectively reduce the number of incidents involving graffiti, as diligent eradication efforts have proven to be an effective deterrent to this offense.

A. GRAFFITI ERADICATION PROJECT

1. The following procedures will apply to graffiti vandalism on public property within the city limits of Rapid City:

   a. Once an officer locates graffiti, whether by routine patrol or by receiving a complaint, the officer will first check the Records Management System to ensure that a report has not already been generated for that physical location. After confirming it has not been reported, the officer will request an IR and select "Graffiti Report" from the drop down menu.

   b. The officer will complete the "Graffiti Report" with the basic information of: physical location of the graffiti, the type of graffiti (gang or tagger type), along with when the graffiti was first noticed by the RP. The officer will then photograph the graffiti and attach those photographs to the case.

   c. If the graffiti is racially offensive, the officer will be responsible for arranging for its immediate removal.

2. The following procedures will apply to graffiti vandalism on private property within the city limits of Rapid City:

   The documentation of graffiti located on private property will occur in the same manner as graffiti located on public property, with the one exception. The property owner must be contacted and given the option of either eradicating the graffiti themselves, or having the Graffiti Strike Force complete the eradication.

   a. If the property owner chooses to complete the eradication process themselves, the officer should explain and place an emphasis on the benefits of removing the graffiti immediately.

   b. If the private property owner would like the Graffiti Strike Force to complete the eradication process, the Department's permission form shall be explained to the property owner and a signature obtained.

B. GRAFFITI ERADICATION STRIKE FORCE TEAMS

1. If the site damaged involves private property, the officer must make a reasonable effort to locate the owner of the property and determine whether the owner wants to eradicate the graffiti themselves or employ the Graffiti Strike Force Team. If the owner is interested in utilizing the Graffiti Strike Force, the Department's Permission to Eradicate Graffiti form must be filled out and signed.

2. Upon determination for use of the Graffiti Strike Force, the officer should send the Graffiti Strike Force Coordinator a task in the Records Management System.

3. The Graffiti Strike Force Coordinator will contact one of several designated Graffiti Strike Force Team Leaders and supply that person the address(s) of the graffiti. The team leader will be responsible for planning the Graffiti Strike Force's response to the graffiti incident.

4. The Graffiti Strike Force Coordinator is responsible for ensuring the Graffiti Strike Force has the supplies needed to adequately eradicate the graffiti.

5. The Graffiti Strike Force Coordinator will be responsible for maintaining a record of the graffiti eradication efforts. This record will include the date and time of notification, the date and time the graffiti was eradicated, and the exact location of the eradication efforts.

C. GRAFFITI ERADICATION KITS

1. Graffiti eradication kits are supplied by the Department for use by officers during the initial investigation of graffiti incidents.

2. The kit materials are to be used on metal surfaces, such as electrical boxes and street signs. Training in the use of these kits will normally be accomplished during roll-call training on an as needed basis, and during initial basic recruit training.

3. The kit supplies will be maintained by the Graffiti Strike Force Coordinator and kept in a cabinet located in the PSB Sally Port.

4. The kits will contain the following supplies:

   a. Rubber cleaning gloves;

   b. Cleaning rags;

   c. Solvent;

      (1) Acetone

      (2) Goo-Off

D. GRAFFITI ERADICATION TRAILER

1. This trailer is utilized by the Graffiti Strike Force Team and Sector Policing Officers for the purpose of graffiti eradication projects within Rapid City.

2. Use of this trailer must be approved by the Graffiti Strike Force Coordinator.

3. The Graffiti Eradication Trailer may only be used by personnel trained in its use and operation.

4. Training will be accomplished by the Graffiti Strike Force Team Coordinator during a hands-on demonstration.

Note: For further information regarding the eradication trailer, refer to policy 512-03 – Special Purpose Vehicles.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.: 513-08	**SECTION:** Patrol Operations	**PAGE NO.:** 1 OF 1
ORDER NO.: 09-02	**SUBJECT:** Graffiti Eradication Strike Force Teams	
SUPERSEDES: 05-02	**EFFECTIVE:** 03-09-09	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 45.1.2, 45.2.1		

Deleted: 03-09-09

All information now included in policy 513-07

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
513-09	Patrol Operations	1 OF 3
ORDER NO.: 18-02	**SUBJECT:** Response to Suspected or Confirmed Deaths	
SUPERSEDES: 09-02	**EFFECTIVE:** 02-26-18	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

PURPOSE: To set forth guidelines to be followed by law enforcement personnel in response to suspected or confirmed deaths occurring within the Rapid City/Pennington County jurisdictional area. The purpose behind issuing joint procedural guidelines for these events is to assure that due consideration is given to the importance of preservation of life, and the maintenance of order at these event scenes, in order to assure optimum response, avoidance of duplicative efforts and minimization of evidence contamination. For purposes of this protocol, the term **"law enforcement officer"** shall apply to officers of the Rapid City Police Department and deputies of the Pennington County Sheriff's Office.

A. LAW ENFORCEMENT RESPONSE

When a law enforcement officer is dispatched to the scene of an event involving a known or suspected death, the following guidelines shall apply:

1. The first law enforcement officer upon the scene will enter the scene and immediately approach the victim to determine if life saving measures should be initiated. If there is any reason to believe the victim is in need of medical assistance, or if it is not absolutely established that death has occurred, medical units will be notified and allowed into the scene to conduct a medical assessment of the victim and/or provide care to the victim. The officer should also engage in any life saving measures the officer is capable of performing, until the arrival of emergency medical personnel.

2. The law enforcement officer should be aware of officer safety considerations and the necessity to make the scene safe for other officers and other responding emergency units, always considering the possibility that a criminal suspect may have remained at the scene.

3. If more than one law enforcement officer arrive on-scene at the same time, one officer should conduct a protective sweep of the structure, being careful to preserve evidence. Once the sweep is complete, all officers except the initial responding officer should exit the scene, in order to enhance evidence preservation.

4. If a protective sweep is not necessary, other responding law enforcement units should stage outside the scene and engage in crime scene protection, identification of witnesses and control of bystanders. In most events, only one officer should be needed to make the initial victim approach to determine if lifesaving measures are needed, or if the victim is deceased.

5. Upon the arrival of emergency medical personnel, the law enforcement officer should inform the senior paramedic, EMT or firefighter of the facts and circumstances known to this point. It will be the responsibility of the senior paramedic, EMT or firefighter to determine the number of additional personnel needed to render effective aid to the injured, without unnecessarily compromising the crime scene. Fire and Emergency Services personnel will not enter the crime scene when the law enforcement officer observes the following definitive signs of death:

-Decapitation
-Severe bloating/decomposition
-Incineration
-Massive dismemberment
-Cold and stiff in a warm environment

These definitive signs will be clearly communicated by the law enforcement officer to Fire and Emergency Services personnel on scene. If there is any debate over the observed definitive signs, a single Fire and Emergency Services person shall be asked to check the victim.

6. All law enforcement officers at the scene will engage in crime scene protection, assuring that only essential personnel enter the scene. Officers will also assure that the scene is not unnecessarily contaminated or otherwise altered.

7. Once an injured person has been removed, or if death is apparent, officers will continue to perform crime scene preservation functions until directed otherwise by a Police Department or Sheriff's Office Supervisor.

8. One officer or deputy will assume the responsibility of completing the death investigation checklist. **It is not necessary to complete one form for each agency.** In each event, officers and deputies should be aware of the importance of communication and cooperation with each other in gathering information. Additionally, each officer and deputy should avoid duplication, especially as it pertains to questioning witnesses or family member(s) on-scene.

9. One officer or deputy will be responsible for completing a case report at the scene. **It is not necessary to complete one form for each agency.** In each event, officers and deputies should be mindful of the importance of communication and cooperation with each other in gathering information. Additionally, each officer and deputy should avoid duplication of effort, especially as it pertains to questioning family member(s) on-scene.

10. In most events, a deputy coroner from the Sheriff's Office will respond to the scene. In some cases, a deputy coroner from the Police Department may respond. These individuals have the responsibility of pronouncing death and making notification of next of kin. **All law enforcement officers should be aware of these responsibilities, and assure that the deputy coroner is given all the information needed to complete their duties.**

11. Upon the arrival of a Police Department or Sheriff's Office Supervisor, a determination will be made as to whether the death in question appears to be of a suspicious nature, and whether or not further investigation is needed. **The ranking supervisor on scene, regardless of agency affiliation, will be responsible for supervision of the crime scene.**

12. If the supervisor determines that the death was by apparent natural causes, the supervisor will assign appropriate duties to designated law enforcement officers and will handle the scene accordingly.

13. If the supervisor feels the death is of a suspicious nature, the Criminal Investigation Division commander or supervisor of the agency having geographical jurisdiction will be notified, and the matter will proceed under the death investigation guidelines of that agency, with notification of designated investigating personnel occurring immediately. The responsibility of one agency notifying the other will lie with the commander of the investigative unit or his designee.

14. The supervisor will be responsible for determining which officers and/or deputies on-scene will need to file reports regarding their activities or observations. Reports are to be written in a timely manner.

15. In every event, crime scene control and evidence preservation must continue, and all unnecessary personnel must be restricted from the crime scene. Under no circumstances will any evidence within the crime scene be disturbed or handled in any manner by anyone other than those assigned to do so at the direction of an investigation supervisor or evidence personnel.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
513-10	Patrol Operations	1 OF 3
ORDER NO.: 06-01	**SUBJECT:** Civil Actions	
SUPERSEDES: 04-01	**EFFECTIVE:** 01-06-06	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

POLICY: The Rapid City Police Department will provide for the protection and safety of the citizens of Rapid City. To this extent, the Department will engage in enforcement of criminal laws, and from time to time will assist citizens in matters involving civil issues. This assistance, however, is provided only to the extent that assures public safety and order is maintained. The assistance provided in terms of civil actions is often referred to as a "Keep the Peace" situation. The Department's response to a request for assistance in any civil action will follow the same guidelines as a non-civil request to "Keep the Peace."

DEFINITIONS:

Keep the Peace: Any action where an officer is called upon by a party to stand by at a location to ensure the parties involved do not argue or fight while they conduct their business or resolve a dispute.

Civil Action: Any non-criminal business transactions between two or more parties. These transactions may involve a written contract or verbal contract.

PROCEDURAL GUIDELINES:

1. The Rapid City/Pennington County Emergency Services Communication Center, herein known as Dispatch, upon receiving a request to "Keep the Peace" in a civil matter, shall follow the existing guidelines as listed on their law enforcement guide cards.

   a. If received during the hours of 0700 and 1700 hours, Dispatch shall dispatch the area unit or closest available unit to respond.

   b. If received after 1700 hours and before 0700 hours, Dispatch shall refer the caller to a Shift Supervisor who will make the decision if a unit should respond.

2. The responding officer, upon arriving at the call, shall make contact with the party requesting law enforcement assistance. At that time, the officer shall do the following:

   a. Determine the nature of the complaint by speaking with the requesting party.

   b. Review any existing contracts or court orders which the requesting party has with them. It is important to remember a contract **does not** authorize an officer to enforce the contract. Examples of contracts or court orders which an officer may have occasion to see may include, but are not limited to:

      (1) Rental Agreements: This includes residential leases, vehicle leases, rent-to-own or any other rental agreement. Officers will contact the reporting person via telephone and inform them that we cannot become involved in any civil repossessions or evictions that have a contract involved. Officers will refer the reporting person to contact the Sheriff's Office, Civil Division, during business hours if law enforcement assistance is needed.

(2) Vehicle Repossessions: Officers will contact the reporting person via telephone and inform them that we cannot become involved in Vehicle Repossessions. Officers will refer the reporting person to contact the Sheriff's Office, Civil Division, during business hours if law enforcement assistance is needed.

(3) Restraining Orders: Restraining orders do not authorize law enforcement officers to enforce the provisions contained in the order. If a violation of a restraining order has obviously occurred, the officer shall document the violation in case either party wishes to present the violation for future legal action.

(4) Child Custody Orders: In the event an officer is presented with a child custody order, the officer shall first investigate that the order is a lawful document signed by a duly authorized officer of the court by verifying the information with the Clerk of Courts. Those court orders issued within the State of South Dakota may be considered lawful documents that carry the authority of the court, and the officer will monitor the event to assure that the order of the court is carried out. Those court orders issued by courts from a state other than South Dakota, or emanating from a Tribal Court, do not carry the same weight and authority as court orders issued by a State of South Dakota judge. When presented with these documents, the officer shall not assist in enforcing the order without first seeking and receiving authorization to do so from the Pennington County State's Attorney's Office, or from a judge duly appointed by the State of South Dakota. If it is impossible to contact the courts due to time of day, consideration may be given to take involved children into the temporary custody of the Department of Social Services if it is believed the children could be in immediate danger or in danger of improper removal from the 7th Judicial Circuit Court. If there is a question of the validity of a court order, Officers can direct the person involved to contact the Pennington County Sheriff's Office.

c. Explain to the requesting party that law enforcement is only present to ensure a disturbance does not ensue and that the law enforcement officer is not to assist in obtaining or retaining any property or goods.

3. The responding officer shall then make contact with the second party in the civil dispute, at which time the officer shall:

a. Obtain the second party's version as to the nature of the complaint.

b. Review any existing contracts or court orders which the second party has with them. It is important to remember the contract **does not** authorize an officer to enforce the contract. Examples of contracts or court orders which the officer may have occasion to see may include, but are not limited to:

(1) Rental Agreements: This includes residential leases, vehicle leases, rent-to-own or any other rental agreement. Officers will contact the reporting person via telephone and inform them that we cannot become involved in any civil repossessions or evictions that have a contract involved. Officers will refer the reporting person to contact the Sheriff's Office, Civil Division, during business hours if law enforcement assistance is needed.

(2) Vehicle Repossessions: Officers will contact the reporting person via telephone and inform them that we cannot become involved in Vehicle Repossessions. Officers will refer the reporting person to contact the Sheriff's Office, Civil Division, during business hours if law enforcement assistance is needed.

(3) Restraining Orders: Restraining orders do not authorize law enforcement officers to enforce the provisions contained in the order. If a violation of a restraining order has obviously occurred, the officer shall document the violation in case either party wishes to present the violation for future legal action.

(4) Child Custody Orders: In the event an officer is presented with a child custody order, the officer shall first investigate that the order is a lawful document signed by a duly authorized officer of the court by verifying the information with the Clerk of Courts. Those court orders issued within the State of South Dakota may be considered lawful documents that carry the authority of the court, and the officer will monitor the event to assure that the order of the court is carried out. Those court orders issued by courts from a state other than South Dakota, or emanating from a Tribal Court, do not carry the same weight and authority as court orders issued by a State of South Dakota judge. When presented with these documents, the officer shall not assist in enforcing the order without first seeking and receiving authorization to do so from the Pennington County State's Attorney's Office, or from a judge duly appointed by the State of South Dakota. If it is impossible to contact the courts due to time of day, consideration may be given to take involved children into the temporary custody of the Department of Social Services if it is believed the children could be in immediate danger or in danger of improper removal from the 7th Judicial Circuit Court. If there is a question of the validity of a court order, Officers can direct the person involved to contact the Pennington County Sheriff's Office.

c. Explain to the requesting party that law enforcement is only present to ensure a disturbance does not ensue and that the law enforcement officer is not to assist in obtaining or retaining any property or goods.

4. The responding officer shall remain at the call and monitor the situation as necessary. Ideally, control should be maintained in such a manner that no arrest is necessary. The officer may, however, have a situation in which an arrest is warranted for one or more of the parties.

5. A reasonable time limit shall be maintained on calls of this nature. Time limits may vary from case to case, depending on the circumstances. The responding officer should notify their supervisor if they expect to be on the scene of the call for an extended period of time.

6. Depending on the circumstances of the call, the officer may find it necessary and prudent to document the facts surrounding the event. This is a judgment decision that the officer or his supervisor will need to make, dependent on the situation presented.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
513-11	Patrol Operations	1 OF 3
ORDER NO.: 05-03	**SUBJECT:** "Gas Drive-Off" Offenses	
SUPERSEDES: 04-01	**EFFECTIVE:** 10-19-05	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

PURPOSE: Gasoline retailers are in the business of selling a commodity to the public, although the delivery of this commodity is different than the traditional retail format, in that the consumer is allowed to acquire the commodity without having to enter a structure to do so. The fact that a consumer is allowed to place gasoline into their vehicle without paying for it beforehand results in instances where the theft of gasoline will occur. These thefts are normally referred to as “gas drive-off” offenses, and are often clearly criminal events.

There are also instances where the consumer inadvertently does not pay for the gasoline and leaves the place of business without paying for the purchase. In these instances, since the formulation of intent is not established, the event may not be proven as a criminal offense.

Gasoline retailers have been encouraged to protect their assets by engaging in practices discouraging the theft of gasoline, including the installation of video surveillance equipment to discourage thefts.

Regardless of the measures put into effect, gasoline retailers will be required to adhere to the rules of criminal prosecution in terms of involving the criminal justice system generally, and law enforcement specifically, in dealing with “gas drive-off” offenses.

POLICY: The Rapid City Police Department will investigate criminal offenses and attempt to apprehend those individuals responsible for committing these offenses. This policy is not dependent on the dollar value of the property stolen, or the level of injury sustained to a victim. However, the successful resolution of a criminal offense is often dependent upon the information received from victims of crime. In regard to the issue of theft of gasoline from retail outlets the same policy applies. This Standard Operating Procedure is intended to communicate the policy of the Rapid City Police Department as it applies to the specific topic of “gas drive-off” offenses, and the following procedure will apply.

SUMMARY: The Rapid City Police Department understands and recognizes the importance of resolving gas drive-off offenses for gasoline retailers. However, it is also the Department’s position that gasoline retailers must take reasonable steps to protect themselves from this crime by engaging in preventative measures that discourage this offense from occurring in the first place. Through a cooperative effort, gasoline retailers and law enforcement may have a positive impact upon those who choose to engage in this criminal activity.

A. PROCEDURAL GUIDELINES:

1. When a law enforcement officer is called to a gas drive-off, the officer will make contact with the reporting party and any witnesses known to have observed the theft of gasoline.

2. Witnesses must be able to provide the responding officer with information that may reasonably lead to the identification and apprehension of the involved suspects:

a. The witness must be able to identify the person who pumped the gasoline into the vehicle.

b. The witness must be able to provide a description of the vehicle involved, including a license number for the vehicle, if at all possible.

c. If the witness is able to identify the suspect, but is unable to provide suspect vehicle license information, and the identity of the suspect is unknown, a log entry for the event will be made.

d. If the witness is able to identify the suspect vehicle and license number, but cannot identify the suspect who pumped the gas, a log entry for the event will be made. The retailer may seek civil recourse for the loss in this event, since the vehicle owner may be determined through a license plate check.

e. It is important to remember that any of the passengers in the vehicle may be involved in the theft. If it is apparent that this is the case, any or all of these persons may be considered to be principals to the offense. In such an event, the witness must be able to identify these individuals and articulate the specific actions they took to participate in or facilitate the theft. In all events, rules “a through d” will apply.

3. The witness must be able to provide an accurate loss amount related to the theft.

4. If the retailer has taken steps to protect their property, in the form of video surveillance equipment, for example, the Rapid City Police Department will take the theft report in each event, and use the video surveillance media as an investigatory tool to resolve the complaint.

   a. The video surveillance media must be of sufficient quality to reproduce a clear still photograph, allowing law enforcement the ability to clearly distinguish the features of a criminal suspect.

   b. The video media must have the date and time stamped upon it

   c. The officer may choose to view the video surveillance media at the scene of the event in an attempt to determine the identity of the suspect and/or suspect vehicle. Doing so may enhance the opportunity for immediate apprehension.

   d. The officer will ask for and receive the video surveillance media to be placed in evidence for later review and subsequent use in the criminal proceeding.

5. In every event, the retailer and/or their designee must be willing to testify in a court of law as to the victimization related to the event.

B. RETAILER COMPLETED GAS THEFT REPORT FORMS

1. Gas retailers are supplied with Gas Drive-Off Theft Report forms. Any retailer desiring to do so may complete the Gas Drive-Off Theft Report form and send it in to the Police Department without requesting an officer come to the scene for an investigation.

   When a Gas Drive-Off Theft Report form that has been completed by a gas retailer is received by the Police Department, the Criminal Investigation Division will obtain and assign a case report number to the report. CID will notify the gas retailer in writing of the case report number and investigative status of the report.

C. RETAILER REQUESTS FOR VEHICLE LICENSE PLATE INFORMATION

1. A gas retailer may have the license plate number of a vehicle involved in a gas drive off. In such a case the retailer may exercise the option, as provided in SDCL 22-30A-40, to provide the Police Department with the license plate number.

    a. This request must be made to the Police Department by use of the Request to Law Enforcement For Vehicle Information form that is provided by the Department of Public Safety. Upon receipt of this form the Police Department will provide the vehicle owner's information to the gas retailer.

    b. This will allow the gas retailer to begin civil proceedings against the owner of the vehicle involved in the gas drive-off. This does not stop the retailer from pursuing criminal charges in lieu of beginning this process however; if the vehicle owner pays the retailer then they cannot pursue criminal charges.

2. Retailers always have the option of requesting that a log entry be made for documentation purposes, as opposed to requesting that a criminal investigation occur.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
513-12	Patrol Operations	1 OF 1
ORDER NO.: 18-02	**SUBJECT:** Stolen Vehicle Information	
SUPERSEDES: 12-02	**EFFECTIVE:** 02-26-18	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

A. DAILY DISSEMINATION: STOLEN VEHICLE INFORMATION

1. The dispatcher receiving a call of an allegedly stolen vehicle shall initially ascertain the circumstances surrounding the theft, time it was last seen and full description of the vehicle. The dispatcher will check the Communication Center's tow sheets and repossession notices to ensure that the vehicle in question had not been lawfully towed or repossessed.

2. When satisfied that a theft has or may have occurred recently, the dispatcher should immediately broadcast (via radio, MDT or telephone) any known suspects, direction of travel, and vehicle information to all on-duty patrol officers/civilians and local law enforcement agencies. A patrol officer must then be dispatched to interview the reporting person and obtain a complete written report, as soon as possible.

3. The dispatcher shall run known registration/title information if applicable, to verify state motor vehicle information with that received by the investigating officer and complainant.

4. Once verified the information shall be entered into NCIC and forwarded to other agencies. In order to be entered into NCIC, information must meet the criteria as established by the FBI for the NCIC Stolen Vehicles File.

5. The responsibility of the Emergency Services Communications Center dispatcher is to log all reported stolen vehicles on the Computer Aided Dispatch system.

6. The responsibility of all Shift Commanders and Supervisors is to disseminate any stolen vehicle information at the daily briefings.

7. Stolen vehicle information teletypes that may be transmitted to the Communications Center from other jurisdictions or part of the NCIC information system will be placed on the Hot Sheet for dissemination to all patrol shifts daily.

8. Upon recovery of a stolen vehicle originating from this Department, ESCC personnel shall ensure that any/all NCIC entries are properly canceled following guidelines set forth in the NCIC operating manual located in the Communications Center.

RAPID CITY POLICE DEPARTMENT **RULES AND PROCEDURES**		
POLICY NO.: 513-13	**SECTION:** Patrol Operations	**PAGE NO.:** 1 OF 9
ORDER NO.: 08-02	**SUBJECT:** On-The-Job Injury/Exposure to Disease or Health Hazards	
SUPERSEDES: 05-02	**EFFECTIVE:** 01-23-08	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

PURPOSE: Police personnel and other public safety personnel routinely come into contact with members of the public. At some point it is predictable that police officers will come into contact with a person who has an **infectious disease.** As a result, contact with bodily fluids of persons suspected of carrying communicable diseases must be taken seriously and the appropriate protective measures taken. While most communicable diseases are not transmitted as easily as is commonly believed, and it is very unlikely that the employee would contract such a serious disease to which the employee were exposed, prevention will help assure continued health and proper follow-up will minimize effects of exposure.

As a result, police personnel should exercise extreme caution, and the following procedures should be utilized when dealing with blood, items stained with blood or other bodily fluids, and persons known or suspected to be infected with a communicable disease. It is the purpose of this procedure to protect personnel from communicable diseases during the performance of their duties.

A. SCOPE OF INFECTIOUS DISEASE PROCEDURES

This procedure applies to all employees during the performance of emergency medical care and other related duties.

B. MEDICAL CARE PROVIDED TO EMPLOYEES

The Rapid City Police Department will provide medical care to employees injured or exposed to health hazards or **disease** in the course of their duties, as provided by the **South Dakota Worker's Compensation Law.**

C. INFECTION CONTROL

1. Discretion should be used by officers to limit their exposure to contagious diseases. In an attempt to substantially reduce or eliminate significant exposure to infectious disease agents, all Rapid City Police Department employees should comply with the following guidelines.

2. Infection control measures will fall into two areas, the first being Body Substance Isolation (BSI) and Barrier Protection, and the second Hygiene.

   a. Body Substance Isolation (BSI) and Barrier Protection

      All personnel, while in the performance of emergency medical care and related duties, will adhere to current body substance isolation (BSI) practices. BSI practices dictate **all** bodily fluids are to be considered potentially infectious agents and personnel will make every attempt to refrain from becoming exposed to it. BSI will primarily be accomplished with barrier protection through the use of personal protective equipment (PPE). The following

items of personal protective equipment are available to Rapid City Police Department personnel and are to be used as described.

(1) Gloves:

(a) **Department-approved protective disposable gloves** should be worn by officers to prevent transmission of contagious diseases. Direct contact with blood and other bodily fluids should be avoided whenever possible. Officers are required to carry issued protective disposable gloves while on duty. Those persons with open cuts, rashes, or sores on their hands and arms should be careful to bandage or cover them completely in addition to wearing gloves.

(b) When officers are involved with activities involving contact with bodily fluids where contact with sharp or rough surfaces is likely, leather gloves shall be worn over the disposable gloves in order to avoid glove damage, cuts, and abrasions to the skin, which contribute to the possibility of infection.

(c) Disposable gloves shall be changed after contact with every suspect or patient to prevent accidental cross-contamination.

(2) To avoid inhalation of airborne droplets from the respiratory tract of persons employees contact, **Disposable Hepa-filter-type (surgical) masks** should be worn while confronting individuals suspected of carrying the agents for meningitis, tuberculosis, or other airborne infectious disease. Prior knowledge of a medical condition is sometimes difficult to determine. Officers, dispatchers and supervisors should be continually vigilant to persons encountered during their shift that may be infected with a contagious disease. If department provided masks are unavailable, personnel may obtain protective surgical style masks from the Fire Department and/or Emergency Medical Personnel if direct contact is necessary. A surgical–type mask should be worn and will suffice in situations in which no airborne infection threat is suspected and the patient's blood or bodily fluids are likely to be splashed into the officer's mouth and nose.

(3) Pocket masks or bag mask valve resuscitators with one-way valves should be used for ventilation during CPR. Mouth-to-mouth ventilation should be avoided and is considered a **significant exposure**.

(4) Goggles:

Goggles, surgical-type masks with eye shields or protective eyeglasses should be worn in those situations where blood or other bodily fluids are likely to be splashed into officer's eyes**.**

(5) Other precautions:

(a) Officers shall not eat, drink or smoke at crime scenes where bodily fluids are present or other contagious factors exist.

(b) Officers should be aware that certain prescribed medications, such as steroids and asthma medications suppress their immune systems and make them more susceptible to infectious disease. Officers should consult with their private physician if they are taking prescription drugs.

(c) **Pregnant officers** should be advised to report to their physician any direct contacts with bodily fluids in the line of duty. Infectious viruses can cause severe problems in newborns.

b. Hygiene:

(1) Hands should be washed as soon as possible after removing gloves following contact with **ANY** individual suspected of carrying an infectious disease (preferably, with a waterless hand cleaner before leaving the scene), but no later than immediately after completing the incident. Remove jewelry, use a non-abrasive soap, and wash thoroughly.

(2) Face, mouth, and/or nose should be washed when they are exposed to an individual's bodily fluids. If eyes were exposed, flush them with water or saline as soon as possible. **This is a significant exposure!**

(3) Treat and cover all cuts and abrasions promptly.

(4) Uniforms should be changed and the person should shower if their arms, legs, or trunk of their body are exposed to an individual's bodily fluids. Launder uniform or other clothing immediately. Rapid City Fire Department showers at **Station 3**, 1402 West Rapid St., **Station 4**, 700 East Fairmont Blvd., and **Station 6**, 1930 Promise Road, are available for use to assist in post-exposure decontamination.

(5) Never re-use disposable items (protective gloves, surgical masks, etc.) Dispose of all bodily fluid contaminated trash in sealed red bio-hazard bags. Red bio-hazard bags containing trash and equipment will **only** be disposed of in a larger, red, plastic bio-hazard container. These containers may be found at the **Evidence Building, Fire Station 1, and Rapid City Regional Hospital**. Red bio-hazard bags may be sent with the ambulance to the hospital, but the crew must be notified of their presence so they can be disposed of properly. Disposable items not contaminated with bodily fluids may be disposed of with other common trash.

(6) Clean re-usable exposed equipment (firearm, handcuffs, etc.) with a virucide disinfectant (Quat ®) or a solution of: 1 part bleach and 10 parts water. Spray the item, let it stand 15 minutes, then wipe it dry. Appropriate protective equipment (disposable gloves at least, and possibly a mask and/or eye protection) should be worn while cleaning equipment.

(7) Uniform items and gear that become contaminated with bodily fluids must be taken out of service as soon as possible. Clothing items lightly contaminated should be sprayed with a virucide disinfectant (Quat ®) and laundered in a Fire Department washing machine with detergent and hot water. Fire Department washing machines are available at **Station 3**, 1402 West Rapid St., **Station 4**, 700 East Fairmont Blvd., and **Station 6**, 1930 Promise Road. A commercial washer, found at a public Laundromat, may be used if water temperatures are over 140 degrees. Items heavily contaminated should be placed in a sealed red bio-hazard bag and delivered to the Evidence Section for disposal. These items will be placed in the red plastic bio-hazard barrels. The officer will inform Evidence Section personnel possible infectious disease - contaminated items are transferred to their custody. This will be accomplished either verbally or via department e-mail. Officers will fill out the "Caution - Contaminated Materials" form in all cases. Officers will leave the property with the Evidence personnel for disposal and direct a letter through the chain of command to the Chief for replacement. Where it is determined there is no health hazard present in the items, or the items have been processed and the health hazard removed, the officer will be responsible for the return of the item to serviceable condition (cleaning, etc.).

(8) The correspondence to the Chief should include:

(a) The circumstances by which the property became contaminated;

(b) The name of the supervisor who confirmed that disinfecting procedures were not practical, and why; and

(c) Whether any person was charged with destruction of the public or private property, due to the circumstances by which it became contaminated.

(d) The Evidence Section will have **disposable coveralls** available when uniforms become contaminated and officers require a change of clothing.

3. **Post-Exposure**

a. **After a "significant exposure" to a person's blood or bodily fluids, the employee must follow certain steps.**

Definition: Significant Exposure includes:

(1) Direct mouth-to-mouth contact

(2) Direct exposure to bodily fluids. This means that:

- blood or blood products
- emesis (vomitus)
- saliva (including airborne droplets from a cough or sneeze)
- urine
- feces
- or **any** other bodily fluid comes into contact with the employee's; mouth, eyes, nose (or other mucosal surface), open sore, cut, or rash (including a human bite).

(3) Needle stick (by contaminated needle) or any laceration or puncture by an exposed sharp instrument or object contaminated with bodily fluids.

(4) The handling of bloody or wet items, where scratches, cuts or open sores are noticed in the area of contact.

(5) Other significant exposure.

(a) The steps to be followed include:

1) The exposed individual shall report the incident to their supervisor immediately, or as soon as is reasonably possible.

2) If the exposed individual is actively engaged in an incident, whenever possible, the incident should be deferred to another officer so treatment can begin immediately. It is recognized this will not always be possible.

3) In the case of needle stick exposures, or exposures that are the result of a laceration from an exposed sharp instrument or object contaminated with bodily fluids, the exposed individual should clean the affected area immediately with a germicide, antiseptic cleaner (alcohol preps will suffice for a needle stick) and then wash thoroughly with soap and water. The affected area should then be covered with a band-aid or appropriate dressing. In the case of larger lacerations that may require suturing, field treatment should be restricted to washing of gross contamination with sterile water and then covering or dressing the wound.

4) In **all** cases of significant exposure, the exposed individual shall respond to the Rapid City Regional Hospital Emergency Department **without delay.** This should be facilitated by the exposed individual's immediate supervisor. In no case should this be delayed any longer than is absolutely necessary to facilitate transport to the hospital. If this situation creates a temporary manpower shortage, the shift commander shall shift personnel or hire-back as necessary to resolve the shortage.

5) When the exposed individual checks into the Rapid City Regional Hospital Emergency Department, the employee will register, a chart will be started and they will get a patient ID#. The on-duty Emergency Department (ED) physician will determine if a significant exposure has in fact occurred, and if it has, what is the potential threat. In most cases, baseline laboratory test samples will be drawn from the exposed individual. If the on-duty ED physician determines that significant risk for exposure exists, and the source person is known and available to have blood drawn, the ED will arrange to have laboratory test samples drawn for Single Use Diagnostic System (SUDS) testing on the source person.

6) When information about source person's communicable disease status becomes available to the Emergency Department and the ED physician, they will communicate that information to the exposed individual. The exposed individual will in turn communicate that information to the shift commander.

7) At all times, information about the source person's identity and the exposed individual's communicable disease status will be kept strictly confidential. This information is protected by law.

8) If the exposed individual was determined to have had a significant exposure to a confirmed communicable disease, he/she shall undergo whatever treatment and Post-Exposure Prophylaxis (PEP) is deemed advisable by the ED physician and/or the Department physician.

9) As soon as possible after the exposed individual's initial treatment, the "Blood/Body Fluid Exposure Notice" form (see attachment) shall be filled out by the exposed individual. The exposure form will be forwarded to the Division Commander **within 48 hours.** The exposure form (with outcome) shall become a permanent part of the employee's file. If incapable, his/her supervisor will prepare the reports.

10) The forms "South Dakota Employers First Report of Injury" and "Supervisors Incident Report" as well as all appropriate Case Reports and Addendums shall also be completed by the end of the shift and forwarded to the Division Commander. While regulations allow this form to be filled out as much as three days after the incident, every effort should be made to complete this form by the end of the shift and forward it to the Division Captain **within a 48-hour time frame.**

11) All forms pertinent to a significant exposure case, the "Blood/Body Fluid Exposure Notice," the "South Dakota Employers First Report of Injury," and the Supervisors Incident Report," as well as appropriate Case Reports and Addendums are the shared responsibility of both the exposed individual and his/her immediate supervisor to assure they are filled out and forwarded to the Division Captain in a timely manner. Neither party should depend on the other

solely to make sure the proper paperwork is processed.

12) When a Case Report and Addendum is completed pertinent to the incident during which the significant exposure occurred, the narrative should include, in detail, a description of the events relating to the exposure. A copy of this narrative should be included with the rest of the exposure paperwork in the employee's file.

13) The supervisor will make appropriate notification of the incident through the **chain of command.**

14) The Division Commander, upon receipt of the incident report involving possible communicable disease exposure i.e. Hepatitis, AIDS, will notify the **Department of Health Division of Public Health, Communicable Disease Regional Supervisor.** (394-2290/2370). In addition, the Division Commander will ensure that the **City Physician** has been notified of all the exposure facts of the incident and await his/her recommendations.

    a) The Department of Health will make all contacts, of all persons involved or who are at possible risk to their exposure to the hepatitis, AIDS virus and arrange for testing.

    b) The Rapid City Police Department will at the direction of the Chief of Police arrange for on-duty counseling of exposed and high-risk individuals and do risk assessments if requested.

15) If the employee is incapacitated, it is the responsibility of the Division Commander or his designee to notify the **City Human Resources Department** of the injuries and/or exposure and initiate the required forms.

16) Upon review of the questionnaire for Worker's Compensation and the Supervisor's Incident Report, the Division Commander will sign the form and forward the original to the City Human Resources Department.

4. Supplies:

    a. Commanding officers should ensure **adequate supplies** are available for infectious disease control within their respective units.

    b. Commanding officers will be responsible for the **inventory** and dissemination of supplies for infectious disease control. They will also initiate reordering procedures before supplies become depleted.

    c. Officers using supplies stored in **police vehicles** are responsible for replacing them in accordance with the Department's policies and procedures. Protective gloves, other first aid supplies and disinfecting materials will be made readily available at all times. In the case of medical related calls, items may be replaced through the Fire Department.

    d. **Supplies** will include:

        (1) One pair of Tyvek coveralls and boots;

        (2) Protective disposable gloves, latex and non-latex;

        (3) Plastic bio-hazard bags (large and small) and sealing ties;

(4) Safety Glasses;

(5) CPR Mask (Seal Easy Kit ®);

(6) Waterless hand cleaner (Vionex ® 4 oz.):

(7) Hepa masks;

(8) Cloth tape;

(9) 4x4 gauze pads;

(10) 5x9 gauze pads;

(11) Kling wrap;

(12) 1 pair Shears;

(13) Barrier Tape;

(14) Disposable non-permeable seat cover.

e. Additional **supplies** in the **supervisor's vehicle** will include:

(1) Plastic bio-hazard bags (large and small) and sealing ties;

(2) Protective disposable gloves, latex and non-latex;

(3) "Isolation Area -- Do Not Enter" signs;

(4) Barrier Tape;

(5) Waterless hand cleaner (Vionex ® 4 oz.);

(6) Extra Hepa;

(7) Safety Glasses;

(8) Disposable non-permeable seat covers.

5. Custodial Procedures:

a. Persons of **high-risk groups,** including homosexuals, intravenous drug users, prostitutes and others should be treated with caution. Where violence or an altercation is likely, protective disposable gloves should be worn. Extreme caution should be used during the search of suspected drug users or dealers to prevent accidental skin punctures by needles. Extreme caution must also be used when reaching into areas, such as under car seats that are not visible.

b. After completion of the task or search where protective disposable gloves were utilized, they should be removed with caution, and disposed of in accordance with policy.

c. Subjects with blood or bodily fluids present on their persons should be transported separately from other subjects whenever possible. Officers will inform Communications when a subject should be transported alone. Communications personnel will notify the responding car, or ambulance when solo transportation is required.

d. Officers have an obligation to inform other support personnel (fire fighters, paramedics, Sheriff Deputies, Detox personnel, Corrections Staff, etc.) whenever change or transfer of custody occurs and the subject has blood or bodily fluids present on his person, or if the subject has made a voluntary statement that he has a contagious disease.

e. Officers should indicate on the appropriate arrest forms when a subject taken into custody makes a voluntary statement that he has an infectious disease; verbatim narratives also will be included when preparing offense reports. Additionally, a notation should be made when a subject has blood or bodily fluids present on his person or clothing (i.e. "Bodily Fluids Present").

f. Officers responding to a call where a complainant is alleging that he has been intentionally infected with an infectious disease shall summon a supervisor to respond to the scene. Departmental correspondence to the Investigative Division outlining the details of the alleged occurrence shall be initiated.

6. Vehicle Maintenance:

a. **Disinfecting procedures** shall be effected when a police vehicle is contaminated with blood or other bodily fluid discharges.

b. A supervisor shall be notified and the vehicle taken (driven or towed) to the service center **or** Fire Station 1 as soon as possible utilizing a disposable seat cover and disposable gloves, to reduce contamination of the police vehicle.

c. Service personnel will effect disinfecting procedures, when available. Officers are responsible for the disinfecting of the vehicle.

d. Recommended **disinfecting procedures** are as follows:

(1) Protective disposable gloves will be worn during all phases of disinfecting.

Officers and maintenance personnel should be aware that rings, jewelry or long fingernails may compromise the structural integrity of the gloves. Gloves should be checked for tears before attempting any phase of the disinfecting process.

(2) Any excess of blood or bodily fluids should first be wiped up with approved absorbent materials.

(a) Afterwards, the absorbent materials should be immediately placed in a plastic bag and placed in a designated **"Contaminated Item Receptacle."**

(b) Bags will be available at the Service Center or Fire Station 1 and all items will be transported to the contaminated item receptacle, located in the Evidence Building.

(c) All items used in disinfecting are to be placed in the bag and the bag is to be securely fastened. Dispose of all bodily fluid contaminated trash and all items used in disinfecting, in a sealed red bio-hazard bag. Red bio-hazard bags containing trash and equipment will **only** be disposed of in a larger, red, plastic bio-hazard container. These containers may be found at the Evidence Building, Fire Station 1, and Rapid City Regional Hospital.

(3) The affected area shall be cleansed with the virucidal-germicidal solution (Quat ®) and allowed to air dry for ten minutes.

(4) **Maintenance personnel** and officers shall be careful not to contaminate themselves during this cleaning regimen or when taking off their disposable gloves.

e. The morning shift supervisor is responsible for inspecting all cleaning and disinfectant materials at the City/County service facility and the Service Center on a monthly basis and re-stocking supplies as necessary. This task may be accomplished as part of the monthly vehicle inspection process.

f. Items to be kept in the cleaning cabinet are:

(1) Bio-Hazard bags

(2) Protective disposable gloves, latex and non-latex

(3) Virucide disinfectant (Quat) and/or

(4) A solution of: 1 part bleach and 10 parts water (not for use on fabrics)

(5) Hepa masks

(6) Safety Glasses

(7) Disposable Shop Towels

(8) Tyvek coveralls and boots

D. BILLING FOR MEDICAL TREATMENT

Upon completion of a medical examination and/or treatment, the resulting bill and subsequent bills will be forwarded through the **chain-of-command** to the Accounting Clerk, who will make copies of the reports and bills and forward the originals to the **City Human Resources Department.** In the case of possible exposure to communicable disease; e.g. Hepatitis or AIDS, the Department of Public Health, Communicable Disease Division will, upon request, accomplish the required testing and/or counseling at no expense to the employee.

A. PRIVATE ALARM RESPONSE

1. The Emergency Services Communications Center monitors a variety of alarm types, including, but not limited to: bank hold up or panic alarms, and school and public building fire alarms

2. All alarms shall require immediate police/sheriff or fire dispatch/response. Alarm notifications received from private central monitoring systems shall be dispatched following the same procedures as alarms received in the Communications Center.

3. The source of the alarm shall be checked by appropriate personnel regardless of its nature.

4. When requested and approved by a Shift Supervisor, a Rapid City Police back-up unit may be dispatched to the agency alarm from outside the City.

5. Only sworn officers shall be dispatched to alarms.

6. Once on a scene of any alarm, the officer shall make an initial assessment of the situation, and advise dispatch personnel of the situation.

   a. The dispatcher shall be advised to contact the respective owner or responsible person to contact the officer on scene.

   b. An interior check shall be accomplished in addition to the exterior check.

   c. Unless the cause is known, an attempt shall be made to determine the cause of the alarm. Specific information is required for the officer's report or log entry, including; cause of the alarm, person responsible for alarm activation (if applicable), name of person contacted at the scene, action recommended to resolve false activation problems, company servicing alarm, status of the alarm upon police clearing the scene etc.

      (1) Information relative to false/unknown cause alarms shall be recorded on the log.

      (2) In cases of alarm activation's caused by criminal activity, crime reports specific to the offense shall be generated.

   d. The owner shall be advised to have the alarm checked by their alarm company if the cause is unknown or if line trouble is indicated.

   e. The assigned officer shall resume patrol once the owner/employee assumes responsibility and the alarm is secured unless an offense has occurred, in which case an appropriate investigation will be conducted.

B. FALSE ALARM ORDINANCE ENFORCEMENT

POLICY: Rapid City Ordinance #3416, Chapter 5.24, regulates alarms and alarm businesses in the City and provides penalties for excessive false alarms. The purpose of this ordinance is to reduce false alarms by encouraging proper installation and maintenance of alarms as well as proper training of alarm users. This procedure will assure uniform monitoring and enforcement of this ordinance.

PROCEDURAL GUIDELINES:

1. RECEIPT/DISPATCH/RESPONSE

   Alarms will be received from monitoring companies and dispatched according to existing Emergency Services Communication Center protocol. Response by law enforcement will also continue according to existing protocol. The provisions of the ordinance will be effective once the alarm has been dispatched.

2. INVESTIGATION/REPORTING

   a. Upon completion of the alarm response, the primary officer will investigate the cause of the alarm and classify it according to the following categories:

      (1) VA: Valid - The alarm was sounded as a result of a real or perceived emergency.

      (2) FM: False Alarm - Equipment malfunction. The alarm sounded due to improperly installed or maintained equipment.

      (3) FE: False Alarm - Employee error. The alarm sounded due to human error.

      (4) EX: False Alarm - Excused. The alarm was not caused by a real or apparent emergency but by circumstances entirely beyond the control of the alarm owner or alarm company. In order to be an excused alarm, the investigator must determine a specific "Act of God" which resulted in the false alarm.

   b. The primary investigating officer will report his/her findings to the Emergency Services Communication Center. Emergency Services Communication Center personnel will note the appropriate disposition into the Computer Aided Dispatch system according to their protocol.

3. BOOKKEEPING/BILLING

   a. The Support Services Commander will designate an employee to maintain a listing of alarm responses for at least the previous year. The designee will retrieve a report of alarm responses from the Computer Aided Dispatch (CAD) system. Upon determining that a business or facility has caused two false alarms within 12 months, an attempt will be made to contact management of that business or facility to notify them that subsequent false alarms could result in a monetary penalty.

Note: Notification is not required to implement the penalty phase of the ordinance.

   b. Notifications can be in person, by mail or by telephone, and will be documented.

c. When a third or subsequent false alarm is documented, a billing as outlined in the ordinance will be sent to the offending business.

4. PAYMENT/DELINQUENCY

All payments will be due in 30 days. All payments received will be forwarded to the City Finance Office on a weekly basis. The Field Services Commander will be provided with a monthly summary of all outstanding billings.

5. RESPONSIBILITY

The Support Services Captain will be responsible for overall monitoring of alarm ordinance enforcement and will initiate disconnect proceedings and other enforcement provisions with the approval of the Chief of Police.

C. 9-1-1 OPEN LINES, DISCONNECTS AND HANG-UPS

1. To ensure citizen safety, a 9-1-1 hang up, open line, or disconnected call requires a response by police officers, even if no emergency is indicated. Reasonable and prudent steps should always be taken to ensure a prompt and thorough investigation is made at these types of calls.

2. The following procedures apply:

a. A minimum of one officer will respond.

b. Officers should observe any vehicles or persons leaving the scene, as they may be the subjects of the call.

c. The first officer on the scene should use caution before approaching the location. When making the approach, officers should be aware of any noises that might reveal what is happening inside.

d. The first officer on the scene may cancel assisting units if contact is made with the occupant or if the communications reports contact was made with a caller and no emergency appears to exist.

e. If the communications advises contact has been made with a caller, one officer will continue to the scene to verify citizen safety.

f. If the communications cannot make contact, officer(s) will make every effort to reasonably assure the safety and well-being of citizens within the residence, business or other structure. Steps to be taken when investigating this type of event include:

1) Ask communications to make a call-back, including asking a telephone operator to interrupt a busy line to listen for any conversation,

2) Knock on doors, observing and listening for activity inside the structure, checking for any unlocked doors or windows,

3) Check with neighbors or nearby businesses to determine the identity of residents/occupants and any known medical history or previous law enforcement service needs,

4) Check CAD to determine any prior responses to the location,

5) Conduct a registration check on any vehicle on the premises to determine the identity and date of birth of its owner,

6) Search the South Dakota Driver and Vehicle Information Database for owner information, and,

7) Access other on-line records to identify the owner of the residence.

Note: At every 9-1-1 open line, disconnect or hang-up call when contact is not immediately made with an occupant, a supervisor will be notified to consider expanding the investigation.

3. If contact is made with an occupant, determine why the call occurred. If an officer believes a person within the structure is in need of emergency assistance, the officer may enter the premises to protect the safety of persons under imminent threat. If forced entry is made conduct a search covering all areas capable of concealing a child or adult. A supervisor will be notified as soon as possible.

4. If there is a 9-1-1 hang-up at a business, communications should call the business back, identify themselves and relate the problem. Ask the operator to have a member of management pick up immediately and make a priority check of the phones or area. If no emergency is confirmed with management, officers may use discretion in deciding to respond.

Note: If there is reasonable suspicion to believe persons inside the structure require emergency assistance, officers will notify their supervisor and consider making a forced entry.

A. RESPONSE: CRASH OR POSSIBLE CRASH

1. **Alert One** (Potential problem only)

   a. One unit, cold response, to terminal to provide security.

   b. Fire Department will be on alert.

   c. Other responses to be determined by the Supervisor.

   d. No closure of roads, gates, terminals, etc.

2. **Alert Two** (Increased threat of a crash)

   a. Three units to respond.

   b. Primary unit responds hot to the airport Fire Department station.

   c. Second unit responds cold to the security office at the terminal.

   d. Third unit responds cold to the traffic light on Airport Rd. for standby.

   e. Other responses to be determined by the Supervisor. Supervisor responds to the command post.

   f. The Supervisor may have a unit respond to E. Highway 44 and Airport Rd.

3. **Alert Three** (Actual crash)

   a. Hot response by two to three units. Use caution, as Fire Department and other emergency services will be en route.

   b. Primary unit responds to the Command Post until arrival of the Incident Commander from the Fire Department.

   c. Police Department Supervisor responds to the Command Post.

   d. Second unit responds to the terminal for security. Be prepared to control relatives and friends awaiting the plane's arrival. Stop attempts to go on the runway.

   e. Third unit respond to the traffic light on Airport Rd. Control traffic as directed by the supervisor. The airport may or may not be closed.

f. The fourth unit will respond to E. Highway 44 and Airport Rd. Screen traffic as directed by the supervisor.

g. After arrival, officers will relay pertinent information to the Supervisor and await instructions.

B. RESPONSES TO OTHER TYPES OF SITUATIONS

1. Upon notification of an emergency or life-threatening situation, officers will respond hot to the location of the emergency.

2. Minimum standard response time is 15 minutes.

3. For non-screening point related incidents; response will be cold but without delay.

C. RESPONSE TO CRIMINAL AIRLINE INCIDENTS

In the event of an actual airline incident of a criminal nature, the FBI will be notified. The FBI will be in charge of the incident.

1. In the event of a crash resulting from criminal acts, the first FBI agent on the scene will normally respond to the Fire Crash/Rescue building.

2. FBI responses to criminal incidents not crash related will be to locations recommended by officers on scene.

3. Officers who have arrived on scene will await instructions from the Special Agent in Charge (SAC) or their designee.

D. RESPONSES TO BOMB OR HIJACKING INCIDENTS

1. Respond as directed by the Supervisor.

2. Secure the area and collect information.

3. The Federal Aviation Administration (FAA) has jurisdiction involving aircraft incidents, and agency representatives will assume command as appropriate and within their realm of responsibility. The Federal Bureau of Investigation will have jurisdiction should the event be criminal in nature.

4. When an aircraft is loaded with passengers and the Captain is aboard, the Captain is in command, and the safety of the passengers is their first and foremost interest. Any individual action by law enforcement personnel may endanger the lives of the passengers and airline or airport personnel.

5. Bomb threats in the terminal:

   a. The airport manager will determine whether to evacuate the building.

   b. A bomb threat at the terminal will be handled consistent with the procedures outlined for bomb threat incidents.

E. NECESSARY REPORTS

In the event weapons, dangerous articles, explosives, or incendiary objects are detected during the screening of passengers or their luggage:

1. The passenger will be turned over to the responding officer.

2. The object will be confiscated and held as evidence.

3. A full written report will be made and submitted to the Transportation Security Administration (TSA) Office at Rapid City Regional Airport, in addition to the normal reports submitted to the Rapid City Police Department.

4. Any other reports will be submitted as required or directed by the Supervisor.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.: 513-16 / 752-06	**SECTION:** Patrol Operations/Communications Operations		**PAGE NO.:** 1 OF 1
ORDER NO.: 08-01	**SUBJECT:** Mutual Aid Channel		
SUPERSEDES: 05-01	**EFFECTIVE:** 01-04-08	**APPROVED BY:** Chief of Police Karl Jegeris	
CALEA STANDARDS: 2.1.3, 81.2.4			

POLICY: The Rapid City Police Department will utilize the mutual aid channel during incidents, which may involve or do involve other law enforcement entities or would enable those entities to provide assistance to that incident.

These incidents may include, but are not limited to; armed robberies, response to suspected homicides, searches for felony or serious misdemeanor suspects, weapons calls, pursuits or other types of critical response.

PROCEDURE:

A. The utilization of the mutual aid channel will be at the direction of the shift commander or shift supervisor who has initial oversight responsibility for the incident.

B. Information provided by the Emergency Services Communication Center (ESCC) will be instrumental in the decision to utilize the channel.

C. In the event the shift commander or supervisor is unable to make the decision to switch to mutual aid because of involvement in other duties; the decision to use the mutual aid channel may be made by the ESCC supervisor. In such cases, the ESCC supervisor will immediately notify the shift commander or supervisor of the fact that the mutual aid channel is being used.

D. Once the decision has been made to switch to the mutual aid channel, all involved units will go to that channel and will broadcast and monitor radio traffic regarding the critical incident from that channel until directed to return to normal channels.

E. In the event there are problems with broadcasting or receiving information over the mutual aid channel because of technical difficulties, the shift commander or supervisor may decide to have all units switch back to normal operating channels and have the ESCC relay pertinent information to other agency units involved in the event.

PURPOSE: To establish and describe Department policies and procedures for handling situations involving individuals suffering from mental illness.

DEFINITIONS:

A. Mental Illness: A disorder in which individuals experience periodic problems with feeling, thinking, or judgment to such an extent that the person afflicted requires care, treatment, and rehabilitation. Mental illness may be acute and time limited or chronic and lifelong. Mental illness may occur in anyone.

B. Voluntary Referral: Any person requesting admission, care, and treatment for themselves.

POLICY: The Rapid City Police Department will:

A. Deal with persons during contacts on the street as well as during interviews and interrogations with understanding of, and attention to, the problems of persons experiencing mental or emotional difficulties and who may require police assistance and community mental health resources.

B. Use judgment based on training, experience and discretion when exercising their powers of involuntary emergency commitment under the South Dakota State Mental Health Law.

C. Share information surrounding the individual's conduct and/or involuntary emergency commitment with hospital personnel involved in the evaluation of the person when making arrests or returning individuals to a mental health facility.

PROCEDURES:

A. RECOGNITION OF MENTAL ILLNESS

1. There are three types of indicators that a person may be suffering from mental illness.

   a. **Verbal Cues** – these may include:

      (1) Illogical thoughts

         (a) Expressing a combination of unrelated or abstract topics.

         (b) Expressing thoughts of greatness, e.g., person believes he is God.

         (c) Expressing ideas of being harassed or threatened, e.g., CIA monitoring thoughts through TV set.

         (d) Preoccupation with death, germs, guilt, etc.

(2) Unusual speech patterns

(a) Nonsensical speech or chatter

(b) Word repetition – frequently stating the same or rhyming words or phrases.

(c) Pressured speech – expressing urgency in manner of speaking.

(d) Extremely slow speech.

(3) Verbal hostility or excitement

(a) Talking excitedly or loudly.

(b) Argumentative, belligerent, unreasonably hostile.

(c) Threatening harm to self or others.

b. **Behavioral Cues** – these may include:

(1) Physical appearance

(a) Inappropriate to environment – e.g., shorts in winter, heavy coats in summer.

(b) Bizarre clothing or makeup, taking into account current trends

(2) Bodily movements

(a) Strange postures or mannerisms

(b) Lethargic, sluggish movements.

(c) Repetitious, ritualistic movements.

(3) Seeing or hearing things that aren't able to be confirmed.

(4) Confusion about or unawareness of surroundings

(5) Lack of emotional response

(6) Causing injury to self

(7) Nonverbal expressions of sadness or grief

(8) Inappropriate emotional reactions

(a) Overreacting to situations in an overly angry or frightening way.

(b) Reacting with opposite of expected emotion – e.g., laughing at auto crash.

c. Environmental Cues – Surroundings are inappropriate, such as:

(1) Decorations

Strange trimmings, inappropriate use of household items, e.g., aluminum foil covering windows.

(2) Waste matter/trash

(a) "Pack ratting" – accumulation of trash, e.g., hording string, newspapers, paper bags, clutter, etc.

(b) Presence of feces or urine on the floor or walls.

(3) Childish objects

2. When making observations, personnel should note as many cues as possible, put the cues into the context of the situation, and be mindful of environmental and cultural factors.

B. INTERACTING WITH THE MENTALLY ILL

1. The mentally ill person in a crisis situation is generally afraid. When interacting with a mentally ill person personnel should:

   a. Continually assess the situation for danger;

   b. Maintain adequate space between the officer and subject;

   c. Remain calm;

   d. Give firm clear directions. If possible, only one officer should talk to the subject;

   e. Respond to apparent feelings, rather than content;

   f. Respond to delusions and hallucinations by talking about the person's feelings rather than what he/she is saying; and/or

   g. Be helpful, or offer assistance to make the person feel safer/calmer, etc.

2. When interacting with a mentally ill person personnel should not:

   a. Join into the behavior related to the person's mental illness, e.g., agreeing/disagreeing with delusions or hallucinations;

   b. Stare at the subject. This action may be interpreted as a threat;

   c. Confuse the subject. One officer should interact with the subject;

   d. Give multiple choices. Giving multiple choices increases the subject's confusion;

   e. Whisper, laugh or joke about the situation, this will increase the subject's suspiciousness increasing the potential for violence;

   f. Deceive the subject, being dishonest increases fear and suspicion; and/or

   g. Avoid unnecessary contact. Although touching can be helpful to some people who are upset, for the disturbed mentally ill person, it may cause more fear in the person and lead to violence.

3. Community Resources

   Personnel should contact the Communications Center if a specific community resource (e.g., crisis intervention, victim services, family services, etc.) is needed during interaction with mentally ill subjects.

C. SOUTH DAKOTA MENTAL HEALTH LAW

1. Section 27A-10-3 of the SDCL allows a police officer to take into custody any individual for evaluation if:

   a. The individual displays a substantial risk of physical harm to other persons as manifested by homicidal or other violent behavior by which others are placed in reasonable fear of serious physical harm; or

   b. The individual displays a substantial risk of physical harm to himself as manifested by threats of, or attempts at, suicide or serious bodily harm; or shows other conduct demonstrating that he is dangerous to himself, such as, the person's refusal or inability to meet his or her essential need for food, shelter, clothing, or health care, provided that such refusal or inability is likely to result in serious harm if there is not immediate hospitalization.

2. Individuals placed for involuntary emergency commitment under SDCL 27A-10-3 will be searched and handcuffed in accordance with procedures set forth in R&P 512-05 – *Prisoner Transportation*, unless circumstances (severe physical disabilities, etc.) prevent the individual from being handcuffed.

   Voluntary referrals that are to be transported by patrol vehicle should be searched prior to being transported. The use of handcuffs on a voluntary referral will be based on the officer's assessment of the individual, and situation as a whole.

3. Transporting subjects

   a. The Emergency Room at Rapid City Regional Hospital is the designated intake facility for all emergency commitment for mental illness holds and/or voluntary referrals within Rapid City.

   b. Personnel will evaluate the condition of the subject prior to determining the best method of transportation. Cooperative subjects may be transported in patrol vehicles. Combative subjects, or subjects with severe physical disabilities, may be transported by ambulance.

   c. Personnel should consult with a supervisor prior to transporting the subject if questions exist regarding the safest method of transportation.

4. Police Petition for Involuntary Emergency Commitment of Mentally Ill Form

   Personnel making an involuntary emergency commitment hold will complete a Petition for Emergency Commitment.

   a. The original copy of the Involuntary Emergency Commitment form will be provided to the Records Section for processing.

      Records Section personnel will ensure that the original copy of the Involuntary Emergency Commitment form is forwarded to the State's Attorney's Office to the appropriate personnel.

b. A copy is to be provided to the Rapid City Regional Hospital Department of Mental Health. If the person is left with personnel from the Rapid City Regional Hospital Emergency Department the copy will be provided to them.

5. Other involuntary emergency commitment documentation

a. Personnel will complete a Supplemental Addendum Report documenting the circumstances surrounding the emergency commitment arrest. If needed, due to criminal involvement in the case, a Case Report may be required.

b. Involuntary emergency commitment holds will be entered into the Records database as a mental hold. If the subject is arrested on additional charges, those charges will be entered into the Records database as well.

c. Any property taken from the subject will be submitted into Evidence following current Department procedures.

6. The officer will complete the Supplemental Addendum Report and the Involuntary Emergency Commitment form within the same work day. The supervisor will approve the report and send a copy of it on email to the designated State's Attorney's Office representative and the designated Qualified Mental Health Professional.

7. If the incident is resolved with a voluntary referral, personnel may complete a Case Report and/or Information Item detailing the facts of the incident.

D. HOSPITAL PROCEDURES

1. Under SDCL 27A-10-3, Rapid City Regional Hospital is authorized to accept an individual who is under an involuntary emergency commitment by a police officer.

2. The detaining officer will relate all information concerning the individual to the hospital's emergency room physician, or other appropriate attending medical personnel.

3. The subject is the responsibility of the detaining officer, and at no time is the patient to be left unattended, unless hospital security personnel properly relieve the officer. RCPD personnel are not required to remain in the hospital once properly relieved.

4. The detaining officer will document the name of the hospital security personnel assuming control of the subject, and the time the officer was relieved, in the narrative portion of their report.

5. When criminal charges are pending

a. If a subject is also to be charged criminally, information must be noted on the Referral Form. The attending physician and hospital security personnel must also be verbally advised that other charges are pending.

b. If appropriate, a Personal Recognizance Bond or Citation may be issued to the subject. See R&P 112-03 – *Criminal Process and Alternatives to Arrest*.

c. If a Personal Recognizance Bond or Citation cannot be issued, but the patient must remain guarded, the procedures concerning guarding a prisoner set forth in the *MEMORANDUM OF UNDERSTANDING BETWEEN THE RAPID CITY POLICE DEPARTMENT AND RAPID CITY REGIONAL HOSPITAL, INC.* will be followed.

E. TRAINING

1. Newly hired personnel, sworn and civilian who interact with the public will receive documented training in Department procedures set forth in this order as part of the sworn officer's field training program or the civilian employee training program.

2. All Department personnel who interact with the public will receive documented refresher training in Department policies and procedures and other mental health issues at least every three years.

RAPID CITY POLICE DEPARTMENT **RULES AND PROCEDURES**		
POLICY NO.: 513-18	**SECTION:** Patrol Operations	**PAGE NO.:** 1 OF 7
ORDER NO.: 18-02	**SUBJECT:** Police Service Dogs	
SUPERSEDES: 17-02	**EFFECTIVE:** 02-26-18	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 41.1.4, 84.1.4		

POLICY: The Rapid City Police Department will deploy canine teams trained in drug detection, patrol functions, tactical, tracking and item searches to increase the level of positive community service and to enhance the level of criminal enforcement efforts. The Department recognizes a canine team increases the level of public service to the community served.

PROCEDURES:

A. DEFINITIONS

1. Police Service Dog (PSD) – Canines used by the Rapid City Police Department. This term is interchangeable with canine or police canine.

2. Canine Handler – Refers to certified police officers of the Rapid City Police Department who are assigned to work with the Department's canines.

3. Canine Team – Refers to a working unit of one police service dog and one canine handler who are assigned to work together.

4. Canine Vehicle – A vehicle specifically prepared to provide safety and transportation of the canine team.

5. Accidental or Unintentional Bite – When the PSD bites a subject or individual contrary to their training, as a result of human error during training, or the PSD bites an unintended individual.

6. Intentional Bite – When the PSD bites an individual at the direction of its handler during the course of its duties in apprehending an individual, or while protecting its handler, or at the direction of its handler during training.

7. Canine Supervisors – Sergeant and Lieutenant assigned to the Canine Unit and responsible for direct oversight of handlers and the functions of the unit.

B. ORGANIZATION

1. Canine handlers and their PSD are assigned to a patrol shift. A member of command staff will be designated by the Chief as the administrator for the canine program as Canine Commander. The canine program will be under the Field Services Division of the Rapid City Police Department. Canine officers are under the direct supervision of the on-duty supervisor.

2. The canine teams will be subject to call out to assist Rapid City Police Department members and other agencies in drug, patrol, tactical, tracking and evidence search operations.

3. Due to the unique nature of their assignment and the need to be available to respond to all areas of the community the canine team will generally be assigned as a rover unit.

C. CANINE HANDLER SELECTION CRITERIA

1. Sworn non-probationary officer of the Rapid City Police Department.

2. Resume and letter of interest submitted through the chain-of-command.

3. Interview by a selection board.

4. Review of officer's productivity.

5. Review of officer's fitness tests.

6. Agreement by the applying officer to abide by a four-year commitment to the program as well as to abide by the canine provisions to the FOP contract.

D. CERTIFICATION

1. A PSD and handler will meet the certification standards in their respective discipline(s) as set forth by the State Law Enforcement and Standards Training Commission.

2. The certification is for the team that is tested only. If the PSD or the Canine Handler fails their portion of the exam the team is not certified. If the PSD changes handlers the PSD and the new handler must be certified together.

E. DEPLOYMENT

Canine units should not be assigned calls involving extensive out of service time unless their specific services are required or other units are unavailable. Canine units should respond to alarms, crimes in progress and perform routine patrol functions. Canines may be used in the following situations; however, the final decision concerning their use is the responsibility of the handler or supervisor:

1. Building searches. If a canine team is to be used, officers should secure the perimeter of the building without entering until the search is completed. Prior to conducting the search of a building by the canine team, the handler shall issue a verbal warning to any possible occupants in the building.

2. Tracking. When a canine is needed for tracking, it should be summoned as soon as possible to increase the chances for a successful track. Information on the last known location and direction of travel should be given to the canine handler. All persons, including officers, should stay away from the immediate location.

3. Item searches. Canines may be used to locate lost items, discarded items, evidence and hidden or concealed drugs. In this case, the officers need not remain away from the scene.

4. Riot or crowd control. Canines will not be used at the scene of orderly gatherings or peaceful demonstrations. They may be used for crowd control in riots, imminent riots, or unruly demonstrations when it appears their deployment is necessary to prevent death or serious injury to persons.

5. Suspect apprehensions. Canines may be used to apprehend suspects. When reasonable the canine handler is to issue a verbal warning prior to releasing the canine. The verbal warning applies to apprehensions both inside and outside of buildings. The warning will consist of giving notice of what the officer would like the suspect to do, and what will happen if the suspect does not comply.

F. USE OF CANINES OUTSIDE THE CITY LIMITS

1. Pennington County Sheriff's Office. Requests by the PCSO will come from the on duty SO supervisor and be directed to the on duty PD shift supervisor. The PCSO will be notified of the approval or disapproval of the request along with an estimated time of arrival.

2. Other law enforcement agencies. Requests by other law enforcement agencies will be directed to the canine commander or designee. The requesting agency will be notified of the approval or disapproval along with an estimated time of arrival.

3. Factors to be considered for approval or disapproval of requests for a canine team by outside law enforcement agencies includes but is not limited to: whether the need for the request justifies the use, whether the approval of the request inordinately jeopardizes Department staffing, whether deployment would enhance the officer safety of the requesting agency and whether the use results in some benefit to the community.

G. BITES

1. Intentional bites. All intentional bites will be documented in a report. If the subject bitten is successfully taken into custody the subject will receive medical treatment. Photographs of the injuries will be taken prior to (if possible) and after medical treatment. If possible, a medical release will be obtained from the subject.

2. When a member of the public or an officer is accidentally bitten, an informational report will be written. Medical treatment will be offered to the bitten individual. If possible, photographs will be taken both before and after medical treatment. If possible, a medical release will be obtained from the bitten individual.

3. When a bite that breaks the skin is received by a training agitator or by a canine handler during training the bite will be documented on the training record and a worker's compensation form will be completed. It will be at the discretion of the bitten handler or agitator as to whether medical treatment is necessary.

H. TRAINING

1. Handlers and their PSD will conduct training at least twice a month.

2. Training for the PSD will be in the discipline(s) in which each PSD is trained and certified.

3. Training aids (drugs) will be handled in the following manner:

    a. Training aids will be prepared by the Evidence Section upon request and with direction from the Canine Unit. A court order will be obtained from Circuit Court for the release of drugs for use as training aids from cases where prosecution is concluded. The court order will be prepared by the Evidence Section.

b. All training aids will be treated as evidence and their chain of custody will be tracked in the Records Management System. When not in the possession of the Canine Unit, the training aids will be stored in the drug room within the Evidence Building.

c. Upon request, training aids will be checked out to individual canine officers who are responsible for them while they are in their possession. It is the responsibility of the officer to document any actions that could alter the amount or content of the aid (e.g. the dog damages the canine aid and material is lost). Documentation should be prepared in memo form and submitted to the Canine Commander. Such memos will be used to explain any discrepancies encountered in amount or composition.

d. "Four in One Toys" for training purposes must be made from different drug evidence and not from the existing drug training aids held by the canine handlers. Drugs used for the preparation of "Four in One Toys" will be requested in advance by canine personnel.

e. When not in the Evidence Building, all training aids will be stored in individual containers within designated safes provided by the Police Department. Only canine handlers and canine supervisors, as defined in Section A. Definitions, will possess the combination or have keys to the safes.

f. The Canine Unit can submit the training aids back into Evidence at any time. It is the responsibility of the Canine Handler to place the training aids in a temporary locker and document the transfer of the aids in the Records Management System. The Canine Handler must send a task to the forensic chemist if they are requesting work be done on the training aids. Such work could include:

(1) Training aid was damaged – please recertify

(2) Training aid is no longer needed and can be destroyed

(3) Requesting a check on weights or composition – please recertify

g. Evidence Staff will transfer the training aids from the temporary locker back into the Evidence Warehouse. When necessary, Evidence Staff will perform testing to confirm the quantity and identity of the drug. If unexplainable discrepancies are encountered in the quantity or identity of the drug, the Evidence Section will immediately notify the Commander of Support Services and Captain of CID. An investigation will be initiated (see Evidence Section SOP 731). The results of the investigation will be reported to the Command of Support Services and Captain of CID.

h. Quarterly Audits: Audits of training aids will be conducted on a quarterly basis on all training aids. It is the responsibility of the Evidence Section to conduct audits on those aids being stored as Evidence at the Evidence Building. It is the responsibility of the Canine Commander to conduct audits on those aids in the possession of the canine officers. This field audit must be conducted randomly. Audits will be documented in memo form. The Evidence Section memo will be submitted to the Captain of CID, Commander of Special Operations and the RCPD Accreditation Manager. The memo for the random in-field audit conducted by the Canine Supervisor will be submitted to the same individuals, and also the Evidence Section Laboratory Director. If any significant discrepancies are encountered during the audit(s), they should be reported immediately to the Captain of CID and Command of Special Operations. If necessary, an investigation will be conducted. At a minimum, the auditor will check the following items:

(1) Is the canine aid in the correct location and accounted for (i.e. is it in the correct location in the Evidence Building; is it with the listed canine officer shown in the Records Management System).

(2) Is the canine aid damaged in any way that could lead to loss of the drug. If so, the canine aid should immediately be taken out of service and submitted back into Evidence.

(3) Does the content, net weight and gross weight displayed on the label match what is listed in the Records Management System.

(4) For those training aids checked out to the Canine Unit, the gross weight must be checked and recorded. These weight checks should be included in the memo, along with the expected gross weight (the value listed in the Records Management System and printed on the label). Significant discrepancies should be reported immediately.

4. A .38 caliber revolver used as a training aid for apprehension training will be stored with the Canine Supervisor.

I. CANINE HANDLER DUTIES

1. Canine handlers are responsible for carrying out all regular duties of their rank as well as the following responsibilities:

   a. Respond to calls for service to search buildings, track or locate suspects, locate evidence, and conduct searches for illegal drugs.

   b. Care of the canine including:

      (1) Feeding the PSD a well-balanced food to keep the PSD at its appropriate weight.

      (2) Grooming to keep their PSD cleaned and well groomed.

      (3) Exercising the PSD to ensure the PSD gets adequate exercise to maintain a healthy state of readiness for service.

      (4) Veterinary care to ensure the PSD receives timely and proper medical care to include annual examinations and vaccinations. Handlers will notify the canine commander should illness or injury prevent the PSD from working.

   c. The canine handler will maintain knowledge of current statutes, case law and policy regarding the appropriate use of their canine.

   d. Coordinate the use of other officers to assist the canine team.

   e. Ensure the PSD meets the standards for annual recertification.

   f. Participate in public relations demonstrations.

J. CONDUCT OF DEPARTMENT PERSONNEL

1. Unless otherwise authorized by the PSD's canine handler, other officers shall not attempt to pet, feed, or give commands to a PSD without the approval of the handler. Officers are prohibited from teasing or harassing the PSD.

2. Officers should not run in front of, or away from a handler and his PSD under working conditions. If a PSD mistakenly pursues an officer, the officer should stop and remain motionless until the handler recalls the PSD.

3. Respect the handler's wishes in regards to the PSD.

K. EMERGENCY PROCEDURES – HANDLER DISABLED

1. The reaction of a PSD to a situation where the handler is disabled is unpredictable. The PSD may become passive or aggressive.

2. If a handler is disabled and unable to control the PSD, officers should:

   a. attempt to place the PSD in the back of the canine vehicle using the command "kennel";

   b. attempt to place the canine in any vehicle;

   c. summon another handler to the area; or

   d. as a last resort, the animal may have to be destroyed

L. RECORDS

1. The canine handler will maintain a monthly Call Log of all calls and the outcome of the calls handled where the PSD was utilized. The Call Log will be turned into the canine commander at the beginning of each month. The canine commander will be responsible for maintaining a file of the completed Call Logs.

2. The canine handler will maintain a monthly Training Log of training given to the PSD. In addition to documenting the training given to the canine, the Training Log will document any corrective action taken with the PSD. The Training Log will be submitted to the canine commander at the beginning of each month. The canine commander will be responsible for maintaining a file of the completed Training Logs.

3. The canine unit supervisor will maintain a file on each PSD that contains the veterinary records of the PSD.

4. The canine unit supervisor will maintain a file on each PSD and canine handler with proof of successful completion of certification standards.

5. If a canine bite occurs, the on-duty supervisor will complete a bite review of the incident.

M. PUBLIC PRESENTATIONS

All presentations to public groups must be approved by and scheduled by the canine commander or designee. Presentations by PSD's and canine handlers may call for an adjustment of their duty hours. Notification of presentations and adjustments of their duty hours should be given to the canine handler in a timely manner to accommodate this adjustment.

N. PURSUITS

Any canine unit becoming involved in a vehicle pursuit will evaluate the need to relinquish control of the pursuit when another marked patrol unit is in position to assume control of the pursuit. This does not prohibit the use of canine units in pursuits for the purpose of suspect apprehension or Tactical Vehicle Intervention (TVI).

O. APPREHENSION DEPLOYMENT OF PSD's

The Rapid City Police Department recognizes use of force in Policy 113-01 – Use of Force. The deployment of a PSD in the apprehension of a suspect is a less-lethal use of force.

In making the decision on whether to deploy a PSD to apprehend a suspect the criteria to use is not whether the offense is a misdemeanor or a felony. The decision on whether to deploy the PSD to apprehend a suspect, the handler should consider the following factors set forth in the US Supreme Court decision, Graham v- Conner.

1. The severity of the crime at issue;

2. Whether the suspect poses an immediate threat to the safety of law enforcement officer or others;

3. Whether the suspect is actively resisting arrest or attempting to evade arrest.

P. CANINE PATROL UNITS

1. Patrol cars assigned to a canine team will be specially modified to accommodate for the transport needs and comfort of the PSD.

2. In addition to the equipment contained in all patrol vehicles, the canine patrol vehicles will contain the following equipment: long leash, short leash, K-9 ballistic vest if issued, and muzzle.

3. Additional equipment issued to canine officers are: Electronic Collar System, choke collar, pinch collar, agitation collar, patrol harness, tactical drag line, agitation muzzle, kennel, travel kennel, kennel pad, assorted dog dishes.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
513-19	Patrol Operations	1 OF 3
ORDER NO.: 13-02	**SUBJECT:** Part-Time Officer Program	
SUPERSEDES: 12-04	**EFFECTIVE:** 03-21-13	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

POLICY: The Rapid City Police Department maintains a force of Part-time Police Officers comprised of sworn officers, trained in police work and possessing State of South Dakota Law Enforcement Officers Standards and Training Certification. Officers in this program are intended to aid and assist, not replace, regular officers in normal police duty, in cases of emergencies, and for staffing the Rapid City Regional Airport.

A. PART-TIME OFFICER PROGRAM

1. Part-time police officers will be certified law enforcement officers by the State of South Dakota in accordance with provisions found in SDCL, Chapter 23 and Chapter 2:01:01 through 2:01:06 of the Law Enforcement Standards and Training Commission.

2. The Rules and Procedures established by this manual for regular full-time sworn employees of the Rapid City Police Department shall also apply to part-time police officers.

3. Because of the unique position of the part-time police officers and in order to effectively manage the part-time police officers, additional policies may be adopted subject to the approval of the Chief of Police.

B. PART-TIME OFFICER ASSIGNMENTS

Part-time police officers of the Rapid City Police Department will be assigned to assist full-time personnel both in the day-to-day delivery of law enforcement services and for any emergency. Part-time police officers work independently under the supervision of a full-time sworn command officer in the Field Services Division.

C. PART-TIME OFFICER ORGANIZATIONAL STRUCTURE

1. The Field Services Captain commands the Part-Time Police Officer Program for Patrol. The Field Services Captain is responsible for the overall agency program for these part-time officers. The Field Services Captain may appoint a Field Services Lieutenant to assist or manage part-time employees.

2. The Special Operations Lieutenant is responsible for supervision of the part-time officers assigned to Airport functions. The lieutenant coordinates the recruiting and hiring of part-time officers for the Airport police work group. The lieutenant will coordinate initial airport Security Identification Display Area (SIDA) training, appoints and works directly with an airport coordinator to develop airport scheduling and ensure coverage throughout the designated service times.

3. The Airport Coordinator is responsible for the development of the monthly schedule. In addition, the coordinator is responsible for scheduling airport officers to attend required training.

4. Part-time police officers perform the duties of a police officer in accordance with the certification as outlined in section A above and all policies outlined in the Rapid City Police Department Rules & Procedures Manual

D. PART-TIME OFFICER SELECTION CRITERIA

The selection procedures established for regular police officers shall apply to the selection of part-time police officers. Generally, these officers were full-time sworn personnel choosing to leave the full-time work, and continue as part-time employees. These officers will be considered for the part-time positions, depending on the availability of the positions. The only exceptions to these selection requirements are hiring deputies from the Pennington County Sheriff's Office or troopers from the State Highway Patrol. The Department accepts the hiring requirements of these agencies and will allow deputies and troopers to work in a part-time sworn employee status at the airport. The selection of part-time police officers will be determined by the Field Services Captain, which is subject to final approval by the Chief of Police.

E. PART-TIME OFFICER BASIC AIRPORT TRAINING

Part-time officers specifically working at Rapid City Regional Airport are required to attend The Department of Homeland Security, Transportation Security Administration (TSA) training program. The specific training is, Security Identification Display Area (SIDA) training, which is provided through the Rapid City Regional Airport Director in compliance with TSA guidelines. After completion of the qualified training program, Part-time Police Officers will be placed in the airport schedule rotation. This training will be coordinated by the assigned Field Services Lieutenant and documentation forwarded to the Department Training Administrator.

Supporting Documentation: Chapter 2:01:02 Law Enforcement Officer Certification; SDCL Chapter 23 through 2:01:06

F. AIRPORT OFFICER RESPONSIBILITIES

Rapid City Police Officers are to provide armed uniformed police presence at the passenger screening area during commercial airline departures and the Air Operations Area (AOA) adjacent to the departure gates when necessary.

Officer's primary duties will be at the passenger-screening checkpoint to provide a highly visible armed deterrence, to respond to situations where an individual is interfering with the activities of the security screeners, to detain persons who attempt to carry unauthorized items through the checkpoint and to take appropriate enforcement action should a violation of the law occur.

Officers on duty at the airport may handle minor enforcement activity in close proximity to the terminal, i.e. parking violations in front of the concourse. Airport officers should not become involved in situations taking them away from their primary duties at the terminal. In the event of an Alert 1, 2, or 3, officers providing security in the airport terminal are not to leave their posts. Alert calls for service at the airport are to be handled by on duty personnel of the Rapid City Police Department.

G. PART-TIME OFFICER IN-SERVICE TRAINING

The Rapid City Police Department requires and provides its part-time police officers in-service training equivalent to full-time officers performing like functions. Scheduling of training will be administered by the Training Administrator.

H. PART-TIME OFFICER UNIFORMS

The Rapid City Police Department issues all uniform items identical to those used by full-time officers. The only exception to this is the uniform patch for airport officers. The patch is slightly modified with an airplane theme in the background and titling to reflect Airport Police.

I. PART-TIME OFFICER EQUIPMENT

Part-time police officers of the Rapid City Police Department will be equipped the same as full-time officers performing like functions.

J. PART-TIME OFFICER BONDING

The Rapid City Police Department part-time officers are bonded with the same coverage provided to full-time officers performing like functions.

K. PART-TIME OFFICER LIABILITY PROTECTION

The Rapid City Police Department part-time officers are provided public liability protection equal to full-time officers.

L. PART-TIME OFFICER PERFORMANCE EVALUATION

Part-time police officers of the Rapid City Police Department will be evaluated at least annually, the same as full-time officers performing like functions as delineated under Section 451-01 and 451-02 of the Department's Rules & Procedures Manual.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
513-20	Patrol Operations	1 OF 2
ORDER NO.: 16-04	**SUBJECT:** Responses To Animal Calls	
SUPERSEDES: 09-06	**EFFECTIVE:** 12-21-16	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

PURPOSE: To provide guidance and direction in the steps that may be necessary in conducting investigations concerning domestic animal or wildlife situations, i.e., mountain lions and coyotes.

Cross Reference
113-01 – Use of Force
113-02 – Use of Force Reporting
113-03 – Weapon Use/Maintenance Section I. DESTROYING ANIMAL WITH A FIREARM
523-05 – Road Killed Big Game

PROCEDURE: The foremost goal of the responding officer(s) is the protection of human life.

A. DEAD WILDLIFE

Move the animal to a location where it is inoffensive, and does not present a hazard. Advise dispatch of the animal's species, sex, and exact location to coordinate for removal. The South Dakota Department of Game, Fish & Parks (GF&P) should be notified of a dead coyote or mountain lion. Citizens are not allowed to take possession of a dead coyote or mountain lion without permission and a permit from GF&P. Dispatch notification for dead deer within the City should be made to coordinate removal with City contracted services.

B. INJURED WILD OR DOMESTIC ANIMALS

1. The destruction of an injured animal is justified to prevent substantial harm to the officer or another person, or when the animal is so badly injured that humanity requires its relief from further suffering. For injured wild animals refer to policy 113-03 section I, Destroying Animal with A Firearm.

2. Loose, large domestic animals (cattle, horses, buffalo, etc.) pose a threat to life and property. Every effort shall be made to locate the owner of the animals. When the owner has been located and has arranged to remove the animals, Department members will try to ensure public safety while the animals are removed. If it becomes necessary to destroy the animals, the owner should be consulted. If possible, an officer should obtain assistance from the Humane Society or Department of Game, Fish & Parks rather than using a Department firearm to destroy the animal.

C. VICIOUS ANIMALS

The destruction of a vicious animal should be guided by the same rules set forth for self-defense,

and the defense and safety of others.

Dangerous or Aggressive Wildlife: The Rapid City Police Department is the primary Law Enforcement service provider in the City for addressing dangerous or aggressive wildlife situations. GF&P is available to advise and assist with unique situations with wildlife. Mountain lions pose a public safety risk, and **if safe to do so**, police officers should euthanize mountain lions found within the City limits.

1. A Patrol rifle should be used to ensure an accurate shot. The shot should be taken as safe as possible to avoid collateral damage or injury to others. Be aware of the possibility of ricochet and/or consider your backstop.

2. If it is not safe to destroy the animal, then the following steps should be followed:

   a. Protect human life and property.

   b. Provide an escape route for the animal.

   c. Monitor the animal's activity.

D. SMALL ANIMAL CONTROL (Skunks, Squirrels, Raccoons, Rabbits, Ducks, etc.)

Although not a police matter, officers are occasionally dispatched on this subject as a courtesy. If necessary for public safety, as in the case of a rabid animal, a police officer may handle this problem. Otherwise, these calls should be referred to the Humane Society. As a reminder, there are several private pest control services available, and listed in the telephone directory.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
513-21	Patrol Operations	1 OF 4
ORDER NO.: 17-02	**SUBJECT:** Automated External Defibrillators (AED's)	
SUPERSEDES: 17-01	**EFFECTIVE:** 09-05-17	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

POLICY: The Rapid City Police Department provides personnel with guidelines and training in the use of Automated External Defibrillators (AED's). Personnel shall follow the guidelines set forth in this policy when operating the devices in the field and during training.

PURPOSE: The Rapid City Police Department (RCPD) has authorized the use of automated external defibrillators (AED's) by its employees. These devices are intended to aid members who are providing CPR for victims of cardiac arrest. This policy contains procedures for using the Philips HeartStart FRx Defibrillator utilized by the RCPD.

DEFINITIONS:

1. Automated External Defibrillator (AED): Portable electronic device capable of automatically detecting potentially life-threatening pulseless cardiac arrhythmia and treats them through the use of electrical shock.

2. Cardiopulmonary Resuscitation (CPR): Emergency medical procedure for a victim of cardiac arrest and in certain circumstances respiratory arrest.

3. Cardiac Arrhythmia: Abnormal electrical activity in the heart affecting the heartbeat. Some arrhythmias are not considered harmful, while others can be life threatening.

4. Defibrillator: Device capable of delivering a therapeutic dose of electricity to the heart, which can reverse pulseless ventricular tachycardia or ventricular fibrillation.

PROCEDURES:

The AED unit will allow an operator to deliver a measured electric shock to a pulseless patient. The software present in the AED will analyze the rhythm present in the patient and direct the operator to deliver a shock if necessary. The care provided by the AED operator shall not supersede the care given by trained Emergency Medical Service (EMS) personnel, but will enable the operator to deliver early defibrillation to patients who require it.

A. TRAINING

1. All Sworn Rapid City Police Department personnel will attend an initial training course for certification in the use of AED equipment.

2. The Training Administrator shall be responsible for the maintenance of cardiopulmonary resuscitation (CPR) and AED certifications for all personnel.

B. STORAGE

1. An AED is assigned to each vehicle in Field Services. Each AED will be marked to identify the assigned vehicle. Officers will note AED presence and inspections on the daily vehicle report.

   a. The inspection will be for Operational Readiness and will check the following:

      (1) Check the unit for cleanliness, damage, or excessive wear.

      (2) Verify electrode pads are attached, and supply bag is present with pad.

      (3) Verify the "green Ready light is blinking" indicating the unit is ready to use.

      (4) Check for two sets of adult pads, one pediatric key, and spare battery.

      (5) Check expiration on all pads, and request replacement pads if expiration is within 90 days.

   b. If a unit fails any part(s) of the inspection the unit shall be taken out of service, and the Shift Supervisor contacted to make necessary repairs, corrections, or parts replacement.

   c. The AED will also do its own internal self-check on a daily basis.

      (1) If the Ready light is solid The FRx is in use or running a self-test.

      (2) If the Ready light is off, the FRx will emit a "chirping," and the "i-button" is flashing, a self-test error has occurred, there is a problem with the pads, the Infant/Child Key has been left installed, or the battery power is low. Press the "i-button" for instructs.

      (3) If the Ready light is off by the FRx is not chirping and the "i-button" is not flashing, there is no battery inserted, the battery is depleted, or the defibrillator needs repair. Insert/replace the battery and run the self-test. As long as the FRx passes the self-test, you can be assured it is ready for use.

2. One AED will be stored on the second floor of the Public Safety Building. Personnel assigned to this section will check it daily for status.

3. Any officer who deadlines a vehicle will remove the HeartStart FRx AED and transfer it to the Patrol Division storage area. An AED will never be left in a unit that is not in service.

Note: AED units that are being carried in Field Services vehicles may be carried in the trunk as long as they are in the provided case. It is recommended that if the outside temperature is going to fall below 32 degrees F or above 90 degrees F for the majority of the assigned shift, the unit should be carried in the passenger compartment.

C. EVENT RESPONSE

Each employee shall follow procedures in the use of AED equipment:

1. Once the AED is put into operation, personnel utilizing the AED will continue the operation until complete, or when EMS or a higher medical authority acknowledges responsibility for further treatment of the patient.

2. In the event an AED is used to administer treatment it is likely Emergency Services personnel and/or the Fire Department, once on scene will utilize our AED pads by simply unplugging them from our unit and plugging the pad into their own unit. If a unit is ever used to administer treatment (i.e.-unit turned "on" and pads attached, even if shocks are not delivered) the unit shall be taken out of service until a self-test is run on the AED to ensure operational readiness.

3. Officers may honor an original or notarized DNR (do not resuscitate order) when they are first on the scene. When EMS or other higher medical authority is on the scene, medical decisions including treatment of DNR cases should be made by EMS personnel.

4. If an AED is used to administer treatment to a person who is in custody, or if it is used on an individual who has been the subject of a use of force incident, and the subject dies, then the AED and all associated equipment shall be placed into property and evidence pending the outcome of any associated investigation. All established protocol for evidence storage will be observed in any such case.

D. REPORTING

1. A summary report regarding the incident along with any other required documentation will be completed each time an AED is attached to a patient, even if no shock is delivered.

2. AED deployment reports will be forwarded through normal channels to the Support Services section for filing.

E. MAINTENANCE

1. AED electrodes are a one-use only item. Personnel using an AED will contact the Rapid City Fire Department to get replacement electrodes. Personnel using an AED are responsible for replenishing the unit with the supplemental equipment prior to returning it to service. The Rapid City Fire Department has agreed to replace used, damaged or expired supplies for the AED.

2. The outside of the HeartStart FRx can preferably be cleaned with a soft cloth dampened in soapy water. Additional cleaning may be accomplished with any of the following; chlorine bleach (2 tablespoons per quart), ammonia-based cleaners, or 70% isopropyl alcohol.

3. Do not use strong solvents. Do not immerse the FRx in fluids.

F. SUPPLEMENTAL EQUIPMENT

1. A Ziploc® style bag will accompany the AED. The Fast Response Kit will contain:

   a. air mask;
   b. rubber gloves;
   c. disposable razor;
   d. scissors; and,
   e. paper towels.

2. A pair of scissors placed inside the carrying case are present should an article of clothing be blocking correct placement of the electrodes.

G. PHYSICAL/FITNESS TRAINING

1. Any fitness/physical training conducted by Department personnel will have an AED ready and on hand.

2. The lead instructor or highest ranking personnel conducting any physical/fitness training is **required** to coordinate the appropriation of an AED. If an AED is not readily available at the training location, a machine can be checked out from the Training or Special Operations Sergeant.

NOTICE: This General Order is for departmental use only and does not apply in any criminal or civil proceeding. The department policy should not be construed as a creation of higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this directive will only form the basis for departmental administrative sanctions.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
513-22	Patrol Operations	1 OF 2
ORDER NO.: 11-03	**SUBJECT:** Crisis Intervention Team	
SUPERSEDES:	**EFFECTIVE:** 05-05-11	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 41.2.7		

PURPOSE: The purpose of this policy is to provide guidelines to enhance the capabilities of the Rapid City Police Department and Pennington County Sheriff's Office to effectively intervene and de-escalate crisis situations involving mentally ill or developmentally disabled individuals.

POLICY: This policy will provide guidelines related to the training, response, and resolution of crisis situations related to individuals with possible mental illness**.**

DEFINITION:

CRISIS INTERVENTION TEAM/DEPUTY/OFFICER: Those law enforcement officers who have successfully completed a comprehensive 40-hour Crisis Intervention Course. The Crisis Intervention Team concept is a joint effort between the Pennington County Sheriff's Office and the Rapid City Police Department. This team concept will provide law enforcement officers with the essential tactical and processing skills necessary to effectively deal with person suffering from a possible mental health related crisis situation.

A. TRAINING

1. On an on-going basis, the Training Administrators from the Rapid City Police Department and Pennington County Sheriff's Office will coordinate a comprehensive 40-hour Crisis Intervention Course.

2. Curriculum will include the following:

   a. Mental Illness Overview

   b. Identification and overview of local service providers, to include site visits.

   c. De-escalation scenario based training sessions.

   d. Other related topics.

B. RESPONSE PROCEDURE

1. If available, Crisis Intervention Team (CIT) trained officers will respond to calls for service that indicate a person may be experiencing a crisis possibly related to a mental illness.

2. CIT officers shall handle these calls for service in the manner prescribed in the Field Control Tactics portion of this policy. When investigating mental health-related calls for service, CIT

trained officers shall use their specialized training and tactics in order to attempt to de-escalate the crisis.

3. CIT officers should be dispatched to a call if information received by dispatch indicates mental illness may be a factor.

4. CIT officers may be requested by other field officers or supervisors when it is determined mental illness may be an underlying problem.

5. CIT officers are encouraged to self-initiate their response to calls when there may be a need for their CIT skills.

6. Once engaged with a person in crisis that is possibly related to mental illness, the CIT officer is in charge of the intervention portion of the event until relieved by a supervisor or Special Response Team negotiator. The primary officer assigned to the call remains in charge of the scene and perimeter. Supervisors should allow and encourage the CIT officer to use the time necessary to de-escalate the individual in crisis successfully.

7. When not acting in their CIT capacity, officers will perform normal duty functions. CIT officers will not be placed "on-call" beyond normal duty hours. However, it is the patrol supervisor's discretion to call in an off-duty CIT officer if needed.

8. If the situation becomes a hostage situation, an armed barricaded subject, or any other situation the Patrol Supervisor determines would necessitate the response of the Special Response Team, notifications will be made as outlined in Policy 531-02 – Major Tactical Operations. If safe to do so, the CIT officer will continue negotiations until relieved by the SRT negotiator.

9. While CIT is a community partnership between various service providers, each provider operates under their own set of rules and procedures. In the event an issue of conflicting operating procedures arises, the CIT officer should discuss it with the patrol supervisor. The patrol supervisor will assess whether or not they can resolve the issue, or forward it to the appropriate command officer to resolve.

C. REFERAL TO CRISIS CARE CENTER

The Crisis Care Center was established through a community collaborative effort to provide immediate services to persons in crisis that is possibly related to mental illness. The Crisis Care Center should be considered as a placement option in addition to traditional options.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
513-23	Patrol Operations	1 OF 3
ORDER NO.: 15-02	**SUBJECT:** Foot Pursuits	
SUPERSEDES:	**EFFECTIVE:** 08-19-15	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

INTRODUCTION: Foot pursuits are inherently dangerous and require good judgment, sound tactics and heightened officer safety awareness. This policy sets forth guidelines to assist officers in making the decision to initiate or continue the pursuit of suspects on foot by balancing the objective of apprehending the suspect with the risk of potential injury to the officer or the public.

PURPOSE: To provide for the safety of law enforcement personnel while at the same time facilitating safe apprehension of suspects.

DEFINITION: ***"Foot Pursuit"*** **-** a situation in which an officer, on foot, chases a suspect in an effort to detain or arrest that individual who he has a reasonable suspicion to believe is about to commit, is committing, or has committed a crime and who is resisting apprehension by fleeing from the officer.

PROCEDURES:

A. ALTERNATIVES TO FOOT PURSUIT

To the extent that resources are available, officers should consider the following alternatives to a foot pursuit:

1. Area containment
2. Additional officers
3. Surveillance until additional resources become available.

B. FACTORS TO CONSIDER IN CONDUCTING THE RISK ASSESSMENT

1. Whether the suspect is armed;
2. How serious is the suspect's offense, i.e. does he or she pose a serious threat to the community if allowed to escape;
3. Nature of the call and facts known;
4. Officer acting alone;
5. Backup is not available in a timely manner;
6. Officer pursuing more than one suspect;

7. Officer not in physical condition to pursue a subject on foot.

8. Officer has a break in visual contact;

    a. Slow down and tactically reassess to avoid ambush.

9. Location:

    a. Nature of area (i.e. residential, commercial, highway) which impacts the safety of all those who may be affected by the foot pursuit.

    b. Conditions of structures: abandoned and condemned;

    c. Environmental factors: weather conditions or darkness;

    d. Area of pursuit is hostile to law enforcement personnel.

10. Ability to apprehend the subject at a later time, i.e. identity is known.

11. Communication Issues:

    a. Officer familiarity with location - able to identify subject's location with reasonable accuracy during pursuit;

    b. Radio frequency and coverage - is officer in area where radio coverage may fail.

C. PURSUING OFFICER RESPONSIBILITIES

1. The decision to initiate or continue a foot pursuit requires weighing the need to apprehend the suspect against the degree of risk to which the officer and others are exposed to as a result of the pursuit.

2. Mere flight by a person who is not suspected of criminal activity shall not serve as the sole justification for engaging in a foot pursuit.

3. Once an officer decides to engage in a foot pursuit, as soon as practical, the officer should relay the following information to communications:

    a. Officer identifier (officer number);

    b. Location (continuing responsibility);

    c. Direction of travel;

    d. Description of suspect;

    e. Whether suspect is armed;

    f. Reason for foot pursuit;

    g. Coordinating with other officers to establish perimeter for containment

4. An officer should not enter a building, structure, or area of limited or no cover without a backup officer present.

5. An officer should not continue a foot pursuit if the officer has lost their firearm.

D. SUPERVISOR'S RESPONSIBILITY

The supervisor shall:

1. Monitor the pursuit and direct available resources to provide for the swift and safe apprehension of the suspect.

2. Terminate any foot pursuit where the risk to the officer, the public, or the suspect outweighs the need for the foot pursuit.

3. Consider the use of specialized units/personnel to aid in the apprehension, i.e. canine, SRT following containment, etc.

E. COMMUNICATIONS RESPONSIBILITY

1. Maintain open communications with involved officer.

2. Establish emergency traffic on the primary channel until the foot pursuit has terminated and/or is advised to do so by an officer.

3. Track the progress of the foot pursuit in order to be able to pass on such information to assisting officers or supervisors.

F. TERMINATION OF FOOT PURSUITS

Officers shall terminate a foot pursuit:

1. If ordered by a supervisor or another officer.

2. If the officer believes the danger to the pursuing officers or the public outweighs the necessity for the immediate apprehension of the suspect.

3. After termination of a foot pursuit, the involved officers will notify communications of the last known location of the suspect, or in cases of apprehension, the location of apprehension.

PURPOSE: The purpose of this policy is to provide guidelines for utilization of non-sworn personnel in the delivery of police service to the community, when such services do not require the attention of a sworn police officer.

DEFINITION:

The Community Service Officer (CSO) and Crash Investigator (CI) positions are a limited commission, non-sworn civilian position designed to deliver efficient service to the community. A large percentage of police calls are service-oriented rather than enforcement-related. Many of these calls do not require a sworn officer and can be competently handled by CSO and CI. CSOs and CIs respond to and report certain types of Signal 1 crashes are emergency calls for service (not in progress, no viable suspect information etc.), either via telephone or in a specially marked department vehicle.

A. DUTIES, AUTHORITY & LIMITATIONS

1. CSO's/CI's are not sworn officers and do not have the same arrest authority. CSO's/CI's will not carry a firearm. Under exigent circumstances that threaten public safety, CSO's/CI's have limited discretionary authority to stop, write citations for traffic law violations, detain or hinder a person from moving about freely. CSO's/CI's have the authority to redirect traffic, direct traffic and block roadways as needed. If a call for service that was dispatched to a CSO/CI exceeds their capabilities and authority, they will request the assistance of sworn personnel.

2. CSO's/CI's are typically assigned to the Field Services Division, but may be utilized in other duty capacities within the limits of their authority.

3. The types of crime calls a CSO/CI may handle are often referred to as "cold reports". A cold report is typically one which involves an incident that occurred more than 15 minutes prior to the call, or one where rapid response by an officer would not aid in the apprehension of a suspect or in securing evidence at the scene. The CSO/CI personnel should never respond to a crime in progress.

4. CSO's/CI's are authorized to investigate traffic crashes, with the following conditions:

   a. Shall respond to incidents in an appropriate manner based on severity.

   b. May investigate a crash involving a driver under the influence of alcohol or drugs. However, the CSO/CI shall limit his/her investigation to the crash, and the impaired/intoxicated driver shall be processed/transitioned by a police officer.

c. In the event that an incident necessitates a physical arrest, the CSO/CI shall request assistance from a police officer, and shall not attempt the arrest on his/her own.

d. Crash Investigators operate as the Lead Reconstructionist for crashes unless specified to do otherwise. However, the CI must receive the appropriate training before they can be designated as the Lead Reconstructionist of a scene.

5. Community Service Officers are specifically prohibited from:

a. Transporting prisoners;

b. Making motor vehicle stops;

c. Carrying firearms; and

d. Making arrests, except that a CSO/CI, like any private citizen, is authorized by SDCL §23A-3-3 to assist a sworn police officer who is in the act of making an arrest.

6. Crash Investigators are specifically prohibited from:

a. Transporting prisoners;

b. Carrying firearms;

c. Making routine motor vehicle stops; and

d. Making arrests, except that a CSO/CI, like any private citizen, is authorized by SDCL §23A-3-3 to assist a sworn police officer who is in the act of making an arrest.

7. CSO's/CI's are not authorized to use force in the performance of his or her duties to gain compliance or prevent escape, except for exigent circumstances that threaten public safety, that is in accordance with SDCL §22-18-2 – Justifiable force used by public officer in performance of duty – Assistance or direction of officer. To use or attempt to use or offer to use force or violence upon or toward the person of another is not unlawful if necessarily committed by a public officer in the performance of any legal duty or by any other person assisting the public officer or acting by the public officer's direction.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
514-01	Patrol Equipment	1 OF 1
ORDER NO.: 06-03	**SUBJECT:** Patrol Officer Equipment	
SUPERSEDES: 05-03	**EFFECTIVE:** 03-29-06	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

A. OFFICER EQUIPMENT AND APPAREL

All Patrol Officers shall wear the official police uniform of this department, which includes items currently authorized for issue or wear.

B. AGENCY FURNISHES EQUIPMENT AND UNIFORMS

The Rapid City Police Department will supply all patrol officers with uniforms and personal equipment in order to maintain a harmonious appearance.

Union Contract (Fraternal Order of Police) -- Article 13

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
514-02	Patrol Equipment	1 OF 2
ORDER NO.: 11-04	**SUBJECT:** Protective Ballistic Vests	
SUPERSEDES: 05-03	**EFFECTIVE:** 07-20-11	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 22.2.5, 41.3.5, 41.3.6		

A. BODY ARMOR AVAILABILITY

1. The Rapid City Police Department will make a ballistic vest or jacket available to all officers assigned to field duty. Field Duty includes routine patrol operations, special task force operations, surveillance operations, and other duties, which by their nature involve a risk to officer safety.

2. Officers, regardless of rank, assigned to field duty shall wear the ballistic vest as an official part of the uniform.

3. Officers whose primary duty involves investigative follow-up, school liaison, or training are not required to wear a ballistic vest unless they are assigned to a field duty operation.

4. Officers whose primary duty involves administrative functions are not required to wear a ballistic vest, unless they are assigned to a field duty operation.

5. The Chief of Police or a Division Commander may waive this requirement for officers based on medical reasons, duty assignment, or weather-related factors.

B. OFFICERS TO USE PROTECTIVE VESTS IN HIGH-RISK SITUATIONS

1. The Rapid City Police Department requires the wearing of protective vests by all personnel engaged in the operational phase of pre-planned high-risk situations.

   Members of the Sniper Team Element must have a ballistic vest available during any high-risk incident. Wearing of the vest will be mission specific and at the discretion of the SRT Commander or his designee.

2. High-risk incidents include, but are not limited to:

   a. Barricaded, armed FELONY suspect(s).

   b. Hostage incident where suspect(s) is armed.

   c. Sniper.

   d. Serving of Arrest/Search Warrants on FELONY suspect(s) when suspect(s) may be armed.

   e. At the request of other Law Enforcement Agencies experiencing any of the above situations.

   f. Technical and VIP security, consistent with policy 532-05.

g. Civil disturbances, consistent with policy 532-01.

h. Special events, consistent with policy 532-06.

POLICY: Rapid City Police Department officers should handcuff and search all subjects placed under arrest prior to transport. It may also become necessary to apply the Department approved leg restraint device~~s~~ to control the aggressive actions of combative subjects in order to prevent officers or others from being kicked or to prevent damage to property.

The leg restraint device also called "The Wrap" may be applied after other reasonable efforts to control the subject's combative behavior have failed. The application of the leg restraint devices will be done in accordance with Department training and in a manner to assure the safety of everyone involved.

A. PROCEDURAL GUIDELINES

1. When the need to apply a leg restraint is present, it should be applied only after the subject is secured by handcuffs. Subjects secured with a leg restraint device should not be left seated on hard surfaces for extended periods of time. If it is necessary to leave a subject in the device for any length of time, the subject shall be checked periodically to ensure no complications have arisen. The subject placed in the leg restraint device should not be left unmonitored. If the prisoner complains of injury due to the device, normal protocol should be followed, in that the subject should be immediately examined by medical personnel.

2. Upon application of a leg restraint, the subject should be removed and transported to a secure detention facility as soon as possible.

3. Once the officer arrives at a detention facility, the officer should be assisted in transporting the subject into a holding cell. If the subject is able to walk they should be escorted to prevent them from falling.

4. Once in the holding cell, the subject's personal property should be removed prior to removing the leg restraint. The leg restraint device should then be removed and taken out of the holding cell prior to the removal of handcuffs.

5. As with other actions involving the exceptional physical restraint of prisoners, officers must thoroughly document the justification for the use of this device, and any other information relevant to its use.

6. Subjects should be placed in an upright sitting position or on their side as soon as possible to allow for respiratory recovery. If a restrained subject complains of, or exhibits any medical concerns, seek immediate medical attention. Some examples are: Respiratory Distress (i.e. coughing, gasping, gagging, shortness of breath), sudden quiet or inactivity (especially after a violent struggle), chest pains, shooting pains down the arm, change in facial color, elevated body temperature, vomiting, suspected drug behavior, sweating profusely.

7. Officers shall notify their supervisor upon application of a leg restraint device.

B. DESCRIPTION AND APPLICATION OF THE WRAP ®

1. The Wrap ®, manufactured by Safe Restraints, Inc., was designed as a temporary restraining device. Used properly it can increase officer safety and reduce risk of liability due to injuries and in-custody deaths. The Wrap immobilizes the body and restricts a subject's ability to kick or do harm to oneself and others. The Wrap minimizes the time required to secure a person safely, restrains the subject in an upright position, and has the subject prepared for transport or movement.

2. Prior to application of the Wrap, both the upper and lower body of the subject must be controlled. In most cases the subject will be prone, faced down with the hands cuffed behind the subject's back. **Officers will minimize the time subject is restrained face down to reduce the risks associated with respiratory fatigue.**

3. Apply the ankle strap firmly around the crossed ankles. While maintaining control of the subject's upper and lower body, slide the Wrap under the subject's legs, placing the knees on the markings labeled "KNEES HERE". While maintaining control of the subject, secure the bands tightly starting with the band closest to the feet, moving upwards towards the subject's waist until all three bands are secure. Securing the band closest to the feet first helps prevent the person from kicking.

Upper Body Control Option:

1. The upper body harness can only be used after the legs are secured (using steps 1 and 2 above).

2. Maintain control of the subject and place the harness on subject's back. Attach the carabineer on the harness to the handcuffs and lock the carabineer. Drape the harness over the subject's head. While supporting the head of the subject, roll the subject up to a seated position.

3. Feed the straps through the arms and attach to the locking buckles. Secure the straps firmly. While maintaining control of the subject, attach the tether lead of the harness to the carabineer on the body of the Wrap (located below the first band**).** Lock the carabineer. The tether strap should be pulled back towards the person's body until the subject is held fully upright. Do not over-tighten: the shoulder harness should never be tightened to the point that it interferes with the subject's ability to breathe.

4. Masks will be stored inside of the Wrap container for offenders attempting to spit on officers.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.: 514-04	**SECTION:** Patrol Equipment	**PAGE NO.:** 1 OF 1
ORDER NO.: 12-05	**SUBJECT:** Night Vision Goggles	
SUPERSEDES: 09-02	**EFFECTIVE:** 10-19-12	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 43.1.4		

Deleted**: October 19, 2012**

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
514-05	Patrol Equipment	1 OF 2
ORDER NO.: 05-02	**SUBJECT:** Mobile Computer Terminals	
SUPERSEDES: 04-01	**EFFECTIVE:** 07-19-05	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

PURPOSE: This section provides specific procedural guidelines for the operation of Mobile Data Computers (MDC). The guidelines are necessary to safeguard integrity of the system.

PROCEDURES:

A. GENERAL GUIDELINES AND LIMITATIONS

1. Transmission of data via the Mobile Data Computer is limited to data described as "official" in nature. Official is defined as any act which is pertinent to a legitimate police function.

2. Access to police department computer databases from the MDC's will be limited to queries, which are official in nature. There must be a right to know and a need to know.

B. MESSAGE RESTRICTIONS/INSPECTIONS

1. Prohibited Transmissions:

   a. Instructions regarding procedural operation of MDC's such as how to log on, how to run inquiries or commands for operating the MDC must not be broadcast by voice radio. This prevents unauthorized persons monitoring voice frequencies from gaining a working knowledge of our digital system. This policy does not prohibit giving voice instruction on the appropriateness of using the MDC to communicate with Dispatch or supervisors in a particular situation.

   b. The content of transmission on the MDC shall comply with the same requirements as radio transmissions: All employees operating communication equipment, including computers, shall observe departmental procedures and Federal Communications Commission regulations. No employee shall broadcast questionable or obscene statements.

2. Inspections:

   a. MDC messages are recorded and may be retained as official records of the Department.

   b. Inappropriate use of the MDC is prohibited. Periodic random audits of MDC messages may be conducted by our Department to ensure compliance with this directive.

   c. All transmissions are considered to be work products and are the property of the Rapid City Police Department.

C. USE AND SAFETY ISSUES

1. An officer's first priority is the safe operation of the police vehicle. For this reason, officers are required to stop at a secure parking location when the MDC is utilized for lengthy messages.

2. Officers are discouraged from typing on the MDC while driving a police vehicle.

3. Once an officer logs onto the MDC, no other officer shall use that MDC without the first officer's knowledge.

4. MDC's must be left on during the officer's tour of duty.

D. DISPATCHING EXCEPTIONAL CALLS FOR SERVICE

1. From time to time, the Emergency Services Communications Center, (ESCC), may use the MDC to dispatch a call for service because broadcasting the information might be hazardous, may lessen the likelihood of apprehending the suspect(s), or might release information to the public in an untimely manner.

2. Officers will be advised by ESCC to monitor their computer when an exceptional call for service will be assigned to them.

E. WARRANT CONFIRMATIONS FROM MCT HITS

1. MDC's allow the individual patrol officers to make computer inquiries for wanted persons or objects. When an outstanding warrant is indicated, the following procedure shall be used.

2. The officer shall advise the dispatcher they have a possible want or warrant.

3. The dispatcher should confirm the warrant and notify the officer via radio or MDC.

4. The officer may make an arrest for the warrant or act upon the warrant according to existing procedures.

F. REFERENCE MATERIALS FOR GENERAL USE INFORMATION

All sworn Department personnel will attend a training program on the use of the MDC, which will be documented by the Training Administrator.

RAPID CITY POLICE DEPARTMENT RULES AND PROCEDURES		
POLICY NO.: 514-06	**SECTION:** Patrol Equipment	**PAGE NO.:** 1 OF 5
ORDER NO.: 19-03	**SUBJECT:** In-Car Camera Recording Technology	
SUPERSEDES: 19-02	**EFFECTIVE:** 07-29-19	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 41.3.8		

POLICY: This Rapid City Department Policy is intended to identify the procedures and practices applied to the lawful use of in-car cameras.

A. PROCEDURES FOR IN-CAR CAMERA USE

1. In-car camera equipment is installed in patrol vehicles to be used by sworn personnel working in a first responder capacity as authorized by this agency.

2. Police personnel shall use only in-car cameras issued by this Department.

3. All officers shall be trained in the use of the technology and this policy.

4. In-car camera equipment is the sole property of the agency, but is the responsibility of the individual officers, and will be used with reasonable care to ensure proper functioning. Officers shall inspect and test the in-car camera prior to each shift in order to verify proper functioning. Equipment malfunctions shall be brought to the attention of the officer's supervisor as soon as possible.

5. Officers are not required to notify the public they are being recorded.

6. Officers shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner in-car camera recordings without prior written authorization and approval of the Chief of Police or his or her designee.

7. Officers shall note the incident, arrest, and related reports when recordings were made during the incident in question and tag the video by case number. However, in-car camera recordings are not a replacement for written reports.

8. Officers shall ensure and confirm that the in-car camera data transfer has been initiated before the end of their shift, or at the end of an assigned duty/event.

B. ACTIVATION AND DEACTIVATION REQUIREMENTS

1. The front in-car camera shall be activated in the following situations:

   a. Traffic stops;

   b. Pursuits;

   c. Driving while intoxicated/impaired investigations;

d. Response to emergency calls when emergency lights are in operation;

e. At the discretion of the officer.

2. The rear in-car camera, if installed, shall be activated when a civilian is placed in the back seat.

3. The in-car camera should not be deactivated until the encounter has fully concluded.

4. Recording may be stopped during traffic control situations, such as funeral escorts, or other circumstances when the patrol unit's emergency lights may be in operation for an extended period of time.

5. When appropriate, officers should narrate important facts and observations as they occur.

6. If an officer fails to activate the in-car camera, fails to record the entire contact, or interrupts the recording, the officer shall document in a written report or verbally why a recording was not made, was interrupted, or was terminated.

7. The in-car camera system shall not be muted.

8. If the officer deems it to be in the best interest of justice, the officer has the option to deactivate the in-car camera during interview situations when a member of the community requests the recording be discontinued. Requests by a member of the community to discontinue recording should be recorded prior to deactivation of the in-car camera.

C. DATA REVIEW

1. Recordings may be reviewed in any of the following situations:

   a. For use when preparing reports, statements, or for court room testimony, unless it is determined to have "Restricted Access" by the Chief of Police or authorized designee:

   b. By a supervisor investigating a specific act of officer conduct;

   c. By a supervisor to assess officer performance;

   d. By a supervisor following a critical incident;

   e. By an investigator who is participating in an official investigation;

   f. To assess proper functioning recording technology;

   g. For official training purposes;

   h. Designated personnel from the State's Attorney's Office and City Attorney's Office will be authorized to view and request exported copies of recordings for legal proceedings;

   i. By authorized court personnel through proper process or with permission of the Chief of Police or authorized designee;

   j. Upon authorization of the Chief of Police or authorized designee.

2. Officers only have direct access to view their video.

3. An audit trail exists to track all access to recordings by the data system.

4. No Rapid City Police Department employee will access or obtain data for personal use.

5. Only the Chief of Police, Records Custodian, or designee, may authorize release of data to the public, unless court ordered.

D. DATA STORAGE AND RETENTION

1. The Rapid City Police Department Records Section will manage the storage, duplication, and dissemination of recordings. The software will maintain a chain of custody for each recording.

2. All in-car camera data is the property of the Police Department and the City, which shall be preserved and retained in accordance with state law and department evidence protocols. The in-car camera data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of this agency.

3. Designated personnel from the State's Attorney's Office will be authorized to view and request copies of recordings for legal proceedings.

4. Recordings captured by the in-car cameras will be maintained according to the following retention schedule, based on disposition codes from the Records Management System:

Code	Description	Retention
ADV	ADVICE GIVEN	90 days
AR	ARREST REPORT	10 years
ARISE	ARISE	10 years
ARPT	ACCIDENT REPORT	3 years
ATL	ATL TO UNITS	90 days
CINF	CONFIDENTIAL INFO ITEM	5 years
CIT	CITATION ISSUED	1 years
CNRP	CANCELLED BY RP	90 days
DUP	DUPLICATE CALL FOR SERVICE	90 days
EX	EXCUSED ALARM ACT OF GOD	90 days
FAU	FALSE ALARM UNKNOWN	90 days
FE	FALSE ALARM EMPLOYEE ERROR	90 days
FI	FIELD INVESTIGATION CARD	1 years
FIN	FINISHED (Not used)	5 years
FM	FALSE ALARM MALFUNCTION	90 days
GPA	GONE PRIOR TO ARRIVAL	1 years
LEO	LOG ENTRY ONLY	1 years
LL	HANDLED BY LANDLINE	1 years
MDT	SENT TO UNITS VIA MDT	90 days

NN	CALL NOT NEEDED	90 days
RESV	RESOLVED	1 years
RPT	REPORT WRITTEN	10 years
RR	TRANSPORTED TO DETOX	1 years
RT	RED TAGS ISSUED	3 years
SEP	SEPARATION	1 years
SRV	CIVIL PAPERS SERVED	1 years
TAG	TAGGED ABANDONED VEHICLE	90 days
	TRAINING / TEST	30 days
TOT	TURNED OVER TO ANOTHER AGENCY	5 years
TOW	TOWED VEHICLE	1 years
UNF	UNFOUNDED	1 years
VA	VALID ALARM	10 years
VER	VEHICLE EXAM REPORT	90 days
VWAR	VERBAL WARNING	1 years
WWAR	WRITTEN WARNING	1 years

5. Recordings will be stored indefinitely for the following situations:

   a. Homicide investigations;

   b. Officer involved shootings;

   c. Police canine bites;

   d. Vehicle pursuits resulting in obvious serious injury crashes;

   e. Fatality crashes;

   f. Significant incidents at the direction of a supervisor.

6. Accidental or inadvertent recordings may be manually deleted by the system administrator with appropriate supervisory approval.

E. DATA RELEASE

1. South Dakota State Law SDCL 1-27-1.5 addresses law enforcement records. Records developed or received by law enforcement agencies are not subject to inspection and copying; however, records can be released if the agency or a court determines that the public interest in disclosure outweighs the interest in nondisclosure.

2. The Records Section reserves the right to prevent disclosure of information or records that could be used to locate or harass the victim or the victim's family, or which could disclose confidential or privileged information about the victim, and to be notified of any request for such information or records.

3. The Records Section is responsible for the distribution of police records. A formal request to review or obtain documented video footage of an officer incident must be filed with the

Department and contain the day and approximate time of the stop along with the name of the officer, if available.

4. The Records Custodian shall have 10 days from the date of the in-car camera video request to make a determination and may notify the applicant in writing. If additional time is needed to consider the request, the Records Custodian may notify the applicant in writing.

5. With permission from patrol shift commanders, supervisors may allow the public to view in-car camera footage in an authorized setting.

F. DOCUMENTED REVIEW OF DATA

1. In accordance with Body Camera Policy 514-06, patrol supervisors shall review one BCW video per officer, per month, selected at random and assigned by the Police Evidence Video Technician. However, supervisors shall review associated in-car recording technology linked to the CFS if the BWC video did not capture the totality of the incident.

RAPID CITY POLICE DEPARTMENT **RULES AND PROCEDURES**		
POLICY NO.: 514-07	**SECTION:** Patrol Equipment	**PAGE NO.:** 1 OF 5
ORDER NO.: 19-02	**SUBJECT:** Body Worn Camera Recording Technology	
SUPERSEDES: 18-03	**EFFECTIVE:** 05-09-19	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 41.3.8		

POLICY: This Rapid City Department Policy is intended to identify the procedures and practices applied to the lawful use of Body-Worn Cameras, hereafter referred to as BWC.

A. PROCEDURES FOR BWC USE

1. BWC equipment is issued to sworn uniformed personnel who are working in a first responder capacity as authorized by this agency. Officers who are assigned BWC equipment must use the equipment while on duty, unless otherwise authorized by supervisory personnel.

2. Police personnel shall use only BWC issued by this Department.

3. Prior to issuance, all officers assigned BWCs shall be trained in the use of the technology and this policy.

4. BWC equipment is the sole property of the agency, but is the responsibility of individual officers and will be used with reasonable care to ensure proper functioning. Officers shall inspect and test the BWC prior to each shift in order to verify proper functioning. Equipment malfunctions shall be brought to the attention of the officer's supervisor as soon as possible so that a replacement unit may be procured.

5. Officers are not required to notify the public they are being recorded.

6. Officers shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner BWC recordings without prior written authorization and approval of the Chief of Police or his or her designee.

7. Officers shall note the incident, arrest, and related reports when recordings were made during the incident in question and tag the video by case number. However, BWC recordings are not a replacement for written reports.

8. Officers shall ensure and confirm that BWC data transfer has been initiated before the end of their shift, or at the end of an assigned duty/event.

9. BWC equipment will be positioned on the officer based on the manufacturer's recommendations.

B. ACTIVATION AND DEACTIVATION REQUIREMENTS

1. The BWC should be activated whenever a law enforcement officer is responding to a call for service or at the initiation of any other law enforcement encounter with a member of the public.

2. If an officer is facing an immediate threat to his or her safety that makes activating the camera impossible or dangerous, the officer should activate the camera at the first reasonable opportunity to do so.

3. The BWC should not be deactivated until the encounter has fully concluded and the law enforcement officer leaves the scene.

4. When appropriate, officers should narrate important facts and observations as they occur.

5. Prior to deactivating the recording, the officer should record a short verbal reason for the deactivation as documentation it is over.

6. If an officer fails to activate the BWC, fails to record the entire contact, or interrupts the recording, the officer shall document in a written report or verbally why a recording was not made, was interrupted, or was terminated.

7. Communications should not be muted between officers and the public; i.e. witnesses, victims, etc. Conversations may be muted between officers and other LE entities; i.e. State's Attorney's Office, supervisors, and other officers.

8. If the officer deems it to be in the best interest of justice, the officer has the option to deactivate the BWC audio and video during interview situations when a member of the community requests the recording be discontinued. Requests by a member of the community to discontinue recording should be recorded prior to deactivation of the BWC.

C. RESTRICTIONS ON USING THE BWC

1. BWCs shall be used only in conjunction with official law enforcement duties. The BWC should not be used to record:

   a. Casual or non-call related conversation between Department employees;

   b. Encounters with undercover officers or confidential informants;

   c. When on break or otherwise engaged in personal activities; or

   d. In any location where individuals have a reasonable expectation of privacy, such as a restroom or locker room; unless the activation is for the purpose of official law enforcement activity;

   e. Any search which includes partial or complete nudity, for example, urinalysis collection;

   f. Officers will only use the BWC in patient care areas of a healthcare facility when the recording is for law enforcement purposes and caution should be used to record only the parties involved in the event being investigated.

D. DATA REVIEW

1. Recordings may be reviewed in any of the following situations:

   a. For use when preparing reports, statements, or for court room testimony, unless it is determined to have "Restricted Access" by the Chief of Police or authorized designee:

b. By a supervisor investigating a specific act of officer conduct;

c. By a supervisor to assess officer performance;

d. By a supervisor following a critical incident;

e. By an investigator who is participating in an official investigation;

f. To assess proper functioning recording technology;

g. For official training purposes;

h. Designated personnel from the State's Attorney's Office and City Attorney's Office will be authorized to view and request exported copies of recordings for legal proceedings;

i. By authorized court personnel through proper process or with permission of the Chief of Police or authorized designee;

j. Upon authorization of the Chief of Police or authorized designee.

2. Officers only have direct access to view their video.

3. An audit trail exists to track all access to recordings by the data system.

4. No Rapid City Police Department employee will access or obtain data for personal use.

5. Only the Chief of Police, Records Custodian, or designee, may authorize release of data to the public, unless court ordered.

E. DATA STORAGE AND RETENTION

1. The Rapid City Police Department Records Section will manage the storage, duplication, and dissemination of recordings. The software will maintain a chain of custody for each recording.

2. All BWC data is the property of the Police Department and the City, which shall be preserved and retained in accordance with state law and department evidence protocols. The BWC data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of this agency.

3. Designated personnel from the State's Attorney's Office will be authorized to view and request copies of recordings for legal proceedings.

4. Recordings captured by body-worn cameras will be maintained according to the following retention schedule, based on disposition codes from the Records Management System:

Code	Description	Retention
ADV	ADVICE GIVEN	90 days
AR	ARREST REPORT	10 years
ARISE	ARISE	10 years
ARPT	ACCIDENT REPORT	3 years

ATL	ATL TO UNITS	90 days
CINF	CONFIDENTIAL INFO ITEM	5 years
CIT	CITATION ISSUED	1 years
CNRP	CANCELLED BY RP	90 days
DUP	DUPLICATE CALL FOR SERVICE	90 days
EX	EXCUSED ALARM ACT OF GOD	90 days
FAU	FALSE ALARM UNKNOWN	90 days
FE	FALSE ALARM EMPLOYEE ERROR	90 days
FI	FIELD INVESTIGATION CARD	1 years
FIN	FINISHED (Not used)	5 years
FM	FALSE ALARM MALFUNCTION	90 days
GPA	GONE PRIOR TO ARRIVAL	1 years
LEO	LOG ENTRY ONLY	1 years
LL	HANDLED BY LANDLINE	1 years
MDT	SENT TO UNITS VIA MDT	90 days
NN	CALL NOT NEEDED	90 days
RESV	RESOLVED	1 years
RPT	REPORT WRITTEN	10 years
RR	TRANSPORTED TO DETOX	1 years
RT	RED TAGS ISSUED	3 years
SEP	SEPARATION	1 years
SRV	CIVIL PAPERS SERVED	1 years
TAG	TAGGED ABANDONED VEHICLE	90 days
	TRAINING / TEST	30 days
TOT	TURNED OVER TO ANOTHER AGENCY	5 years
TOW	TOWED VEHICLE	1 years
UNF	UNFOUNDED	1 years
VA	VALID ALARM	10 years
VER	VEHICLE EXAM REPORT	90 days
VWAR	VERBAL WARNING	1 years
WWAR	WRITTEN WARNING	1 years

5. Recordings will be stored indefinitely for the following situations:

   a. Homicide investigations;

   b. Officer involved shootings;

   c. Police canine bites;

   d. Vehicle pursuits resulting in obvious serious injury crashes;

   e. Fatality crashes;

f. Significant incidents at the direction of a supervisor.

6. Accidental or inadvertent recordings may be manually deleted by the system administrator with appropriate supervisory approval.

F. DATA RELEASE

1. South Dakota State Law SDCL 1-27-1.5 addresses law enforcement records. Records developed or received by law enforcement agencies are not subject to inspection and copying; however, records can be released if the agency or a court determines that the public interest in disclosure outweighs the interest in nondisclosure.

2. The Records Section reserves the right to prevent disclosure of information or records that could be used to locate or harass the victim or the victim's family, or which could disclose confidential or privileged information about the victim, and to be notified of any request for such information or records.

3. The Records Section is responsible for the distribution of police records. A formal request to review or obtain documented video footage of an officer incident must be filed with the Department and contain the day and approximate time of the stop along with the name of the officer, if available.

4. The Records Custodian shall have 10 days from the date of the BWC video request to make a determination and may notify the applicant in writing. If additional time is needed to consider the request, the Records Custodian may notify the applicant in writing.

5. With permission from patrol shift commanders, supervisors may allow the public to view BWC footage in an authorized setting.

G. POLICY COMPLIANCE

1. Patrol supervisors shall review one video per officer, per month, selected at random and assigned by the Police Evidence Video Technician.

PURPOSE: The intent of this section is to establish the functions, activities, responsibilities, and objectives of Traffic Enforcement within the Rapid City Police Department. This section also establishes responsibilities for collection, maintenance, and compilation and review of traffic records and information.

A. TRAFFIC ENFORCEMENT RESPONSIBILITY SHARED

The responsibility of all Department personnel is to assist in the enforcement of traffic laws and regulations. The specific responsibility for traffic law enforcement is shared by all uniformed personnel. Department personnel work to enhance public safety through education, investigation, assistance, and enforcement in traffic related matters.

B. TRAFFIC ENFORCEMENT FUNCTIONS

1. The enforcement of traffic laws and ordinances is a basic responsibility of the Department. The primary objective of this function is to achieve voluntary compliance with the law by all motorists and pedestrians. The basic role of the police and traffic law enforcement is to observe, detect and prevent violations of the traffic laws and to take appropriate action when violations are observed.

2. Field Services Division will be responsible for all areas related to traffic enforcement within the City. In addition to sworn personnel, non-sworn traffic enforcement personnel will be utilized. The non-sworn personnel will consist of public service officers assigned to crash investigation and reconstruction.

3. The Field Services Division's efforts relating to traffic enforcement within the City will include:

   a. Crash Investigation;

   b. Traffic Enforcement:

      (1) General, and

      (2) Selected;

   c. Speed Enforcement;

   d. Driving While Intoxicated apprehension;

   e. Traffic Direction;

f. Case Filings;

g. Training;

h. Hit and Run Crashes;

j. Towed and abandon vehicles; and

k. Reports of Stolen Vehicles.

4. Although initial reports for Hit and Run Crashes and Stolen Vehicles are handled by Field Services, follow-up investigations are routed to an investigator in the Criminal Investigation Division.

C. FIELD SERVICES DIVISION TRAFFIC-RELATED RESPONSIBILITES

The responsibility of the Field Services Commander, or designee, is to:

1. Conduct or coordinate the functions and activities of all police traffic enforcement activities;

2. Review traffic records, information, and reports generated;

3. Ensure the Records Section receives accurate and complete traffic records information;

4. Conduct a documented compilation and review of traffic collision data, along with enforcement activities. The comparison should include a comparison of collision data and enforcement activities data;

5. Purchase and maintain all speed measuring devices;

6. Act as liaison with other governmental and private agencies having an interest in the motoring public.

D. FIELD SERVICES DIVISION TRAFFIC-RELATED MAINTENANCE FUNCTIONS

The Field Services Division Commander will assign qualified personnel to perform regularly scheduled maintenance on the Department's traffic enforcement equipment, which includes the following, and any other equipment the Department may acquire in the future. Records Maintenance will include:

1. Speed measuring device maintenance,

2. Speed measuring device certification,

3. Tuning fork maintenance,

4. Tuning fork certification,

5. Portable Breath Test maintenance, and

6. Portable Breath Test certification.

E. TRAFFIC PERFORMANCE OBJECTIVES

1. The Rapid City Police Department promotes the safe and expeditious flow of vehicular and pedestrian traffic through effective and efficient traffic law enforcement, and delivery of police-related services. Consistent with this goal, the Rapid City Police Department shall endeavor, through its Field Services Division, to achieve the following:

    a. Traffic law enforcement and the delivery of traffic services will be applied in a consistent and courteous manner to foster a positive public attitude as is necessary to achieve the Department's goal.

    b. Foster an on-going dialogue with other agencies involved in Traffic Safety and Transportation Management Systems to ensure channels of communication remain open and problems are resolved as quickly and efficiently as possible.

    c. The Field Services Division will maintain an active advisory **liaison** with all other governmental and private agencies having an interest in the motoring public.

    d. Participate in the drafting and/or review of proposed legislation to determine impact, and the need for additional work force or equipment. The Department will promote programs to inform and educate the public as to conditions adversely affecting the safe movement of traffic and the counter measures used to combat unsafe conditions.

2. The performance objectives of the Field Services Division are:

    a. To reduce traffic crashes through the use of directed patrol, aggressive law enforcement and public education programs;

    b. Investigate and report crashes as prescribed by law;

    c. To reduce the incidence of driving under the influence (DUI) by concentrated law enforcement efforts and increasing public awareness;

    d. Respond to public assist calls;

    e. Maintain the orderly and expeditious flow of vehicular and pedestrian traffic; and

    f. Perform other duties as assigned.

Supporting Documentation: City Ordinance 10.08.010

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
521-02	Traffic Administration	1 OF 1
ORDER NO.: 13-03	**SUBJECT:** Traffic Records	
SUPERSEDES: 10-02	**EFFECTIVE:** 08-27-13	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 82.3.3		

A. TRAFFIC RECORDS SYSTEM CONTENTS

1. The Information Technology (IT) Technician Supervisor for Applications coordinates and maintains the Traffic Records system contained in the Department's Records Management System (RMS) as the system relates to the analysis and dispersal of data regarding traffic information. The Traffic Records System contains the following components:

   a. Traffic enforcement activity (or directed traffic patrol) reports; and

   b. Traffic enforcement data (citations/arrests/dispositions/locations).

2. The City Traffic Engineering Department and the State Department of Public Safety produce, upon request, the following:

   a. Traffic crash data (reports/investigations/locations);

   b. Traffic volume data and traffic distribution reports; and

   c. Roadway hazard reports.

B. TRAFFIC RECORDS SYSTEM ELEMENTS

All traffic records shall be maintained in the Support Services Division Records Section. Review, processing, maintenance, distribution, release, and purging of records relating to traffic shall be conducted in accordance with the procedures established for all Department records.

C. TRAFFIC REPORT REVIEW

The Rapid City Police Department's Shift Supervisors review all traffic reports submitted by employees. The review of traffic reports ensures the completeness of the reports.

D. TRAFFIC ANALYSIS FACTORS

The City Traffic Engineering Department makes the appropriate entries from the records of the crash report data in addition to the data recorded in the Department RMS, which includes dates, times, locations, and where known, causation factors of all crashes.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
522-01	Traffic Enforcement	1 OF 2
ORDER NO.: 11-04	**SUBJECT:** Selective Traffic Enforcement Program (STEP)	
SUPERSEDES: 10-02	**EFFECTIVE:** 07-20-11	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 61.1.1		

PURPOSE: The Department will conduct selective traffic enforcement based on review of crash locations, crash trends, and/or citizen complaints to address traffic problems.

A. DISTRIBUTION OF TRAFFIC CRASH REVIEWS

Upon request of a Field Services Commander or Supervisor, the City Traffic Engineering Department, State Crash Records, or the Records Section of the Rapid City Police Department will provide the needed data on crashes for requested locations.

B. SELECTIVE ENFORCEMENT PROCEDURES

1. Documented review of Traffic Collisions: The review of traffic collisions shall include geographic, temporal, and causative factors.

   a. These and other possible factors shall be examined by the Sector Lieutenants or a designee to determine patterns or trends that may direct police resources towards identified problems.

   b. The Sector Lieutenants shall continually monitor and evaluate traffic field reports and administrative printouts for that purpose.

2. Documented review of Traffic Enforcement Activities: Traffic enforcement shall be reviewed to identify the types of violations being given by Department personnel, as well as their location and time of day they are being given.

3. Implementation of Selective Enforcement: Along with a comparison of collision data and enforcement activities, data the Sector Lieutenants or a designee shall review and document the traffic collision and traffic enforcement reports and community complaints to implement the appropriate selective enforcement response. That response may take the form of:

   a. A directed patrol specifically assigning personnel to conduct enforcement activities at a specific place and time, based on an analysis of traffic crash experience, an analysis of traffic related reports or community complaints.

   b. Specifically assign one or more Department members to conduct enforcement activities exclusively for a particular type of violation.

   c. Distribute information to personnel that directs their attention or increases emphasis upon a specific type of violation and/or to a particular place and time range.

4. Use of Equipment: The Sector Lieutenants or Supervisor, or Field Services Division Commander, may specify the use of certain types of equipment during selective enforcement activities. Such equipment may include the use of speed measuring devices, unmarked vehicles, or other equipment.

C. PATROL PERSONNEL DEPLOYMENT

1. Patrol personnel will be deployed to areas having the greatest concentration of crashes and calls for traffic services, and during the timeframe, experience has shown these to occur.

2. The purpose of the assignments is to take enforcement action against those violations determined to cause crashes and should involve countermeasures ascertained to be the most effective for the specific enforcement problems involved.

D. TRAFFIC ANALYSIS RESPONSIBILITY

The responsibility of the City Traffic Engineering Department is to conduct all traffic surveys to determine any locations requiring new or additional traffic control devices. If, in the opinion of the Traffic Engineering Department, periodic point control of traffic is required, that requirement will be coordinated with the Traffic Section Commander.

E. ANNUAL EVALUATION OF SELECTIVE ENFORCEMENT

The Field Services Division Commander, or a designee, will conduct a documented annual evaluation of the selective enforcement programs to ascertain the effectiveness of selective traffic enforcement efforts.

PURPOSE: The enforcement of traffic laws and ordinances is a basic responsibility of the Department. The primary objective of this function is to achieve voluntary compliance with the law by all motorists and pedestrians. The basic role of the police and traffic laws enforcement is to observe, detect and prevent violations of the traffic laws and to take appropriate action when violations are observed.

A. UNIFORM PROCEDURES FOR TRAFFIC LAW ENFORCEMENT ACTIONS

1. Department employees shall take appropriate enforcement action for violations of the law witnessed by them. Such action shall be accomplished in a businesslike, fair, impartial and courteous manner.

2. Employees are to use individual discretion, based upon professional judgment, as to what form of enforcement action is to be taken. The Department is most concerned with the quality of the enforcement action and whether or not it meets the needs of the community. Employees are encouraged not to take enforcement action for purely individual productivity purposes.

3. Officers may arrest any violators who indicate a high probability that they will fail to appear to answer the charges.

4. There may be other incidents where a violator should be physically arrested. The decision to make a physical arrest should be based upon sound legal principles and arrest standards as opposed to peripheral issues, such as a violator's attitude. Incarceration should always be a matter of last resort for minor traffic offenses.

5. In considering what enforcement actions should be taken against any violator, the officer must consider the totality of the circumstances. These circumstances include, but are not limited to;

   a. The severity of the violation;

   b. The state of mind and intent of the motorist;

   c. The conditions in the area (i.e.: weather, traffic volume, road surface);

   d. Whether a crash resulted;

   e. The threat the violator poses to the public;

   f. The prior record of violations or warnings;

   g. Whether the violation merits court action;

   h. Whether the violation resulted from a recently enacted and possibly unfamiliar law;

i. The number of violations committed by the offender; and

j. The credibility of mitigating circumstances offered by the violator.

6. The officer must use good judgment in selecting the appropriate action to be taken so the incident does not repeat itself and the public safety is maintained.

7. A physical arrest will normally be made when the offender has committed the following:

   a. A motor vehicle felony or serious misdemeanor offense;

   b. A violation of SDCL 32-24-1 Reckless Driving;

   c. A violation of SDCL 32-23-1 Driving or Control of Vehicle Prohibited with Alcohol in Blood or While Under Influence of Alcohol or Drug. Exceptions may be made when the violator is hospitalized after a crash.

   d. When the violator refuses to accept the citation, or when the officer has a strong and articulated belief that the violator's identity is in doubt.

8. Citations and/or warnings may be issued for any motor vehicle violation, except as provided above, and the motorist shall be advised whether or not he must appear in court.

9. Warnings may be issued for any motor vehicle violation when circumstances warrant. In making the decision between enforcement action and a warning, the officer must consider the factors listed above in this section.

10. Enforcement action does not provide the employee a privilege to scold, belittle, berate or otherwise verbally abuse a traffic violator. The employee's action should demonstrate a courteous professional attitude and serve to improve the relationship between the motoring public and law enforcement personnel.

Supporting Documentation: SDCL 32-23-1, 32-33-1, 32.33.2, Rapid City Ord. 10.08.020, 10.08.070, 10.08.110

B. UNIFORM TRAFFIC LAW ENFORCEMENT POLICIES

1. The intent of this standard is to provide guidelines for consistent traffic law enforcement actions under routine conditions.

2. A citation or warning will be issued for a violation of SDCL 32-25 or City Ordinance 10.12.310 Speeding (in excess of the prima facie lawful speed or at a speed greater than was reasonable or prudent).

   a. Normally, a warning is appropriate if the violation is 9 miles per hour or less over the speed limit, although in some cases such speed may not be reasonable or prudent, as in the case of a motorist traveling on icy roads.

   b. Normally, a citation is appropriate if the violator is traveling 10 miles per hour or more over the posted limit.

   c. At the officer’s discretion a citation or warning may be issued, contrary to the above guidelines, based upon consideration of the circumstances or when otherwise directed.

3. Enforcement of equipment violations, covered under SDCL 32-15, 32-17, 32-18 and 32-19 of the Motor Vehicle Law may be taken as follows:

   a. A warning is normally appropriate for non-hazardous and minor equipment violations.

   b. If a warning for the same violation was previously issued, a citation may then be appropriate.

   c. When a vehicle is found to be in violation of several equipment requirements, a citation may be issued for the most serious and a warning given on the remainder.

4. Enforcement action on the owner or operator of a public carrier/commercial vehicle, when that vehicle is in violation of the motor vehicle laws, shall be consistent with the requirements for hazardous and non-hazardous violations.

5. Violations of other non-hazardous laws will be cited or warned taking into consideration all the circumstances listed in section A above.

6. Multiple Violations:

   a. The policy of the Rapid City Police Department is not to "stack on" multiple charges and the bringing of multiple charges is discouraged.

   b. A combination of hazardous and non-hazardous violations should generally result in a citation for the most serious violation and warnings for the remainder.

   c. Enforcement action will normally be taken for hazardous violations. In the case of multiple hazardous violations, one or two citations for the most serious violations should be issued with warnings given for the remaining violations.

7. The Rapid City Police Department may issue warnings for violations of newly enacted laws and regulations for a reasonable time period so as to ensure the public has an opportunity to learn about or adjust to the change.

C. TRAFFIC ENFORCEMENT PRACTICES

1. Under normal circumstances, marked patrol vehicles shall be used for patrol purposes. Specific circumstances may warrant the use of unmarked/unconventional vehicles and concealed observation. These unmarked units shall be equipped with emergency lights and siren. The Shift Commander or Supervisor must approve the use of unmarked/ unconventional vehicles for traffic enforcement.

2. Overt enforcement tactics:

   a. Visible traffic patrol is appropriate in the following circumstances:

      (1) Patrol of areas where analysis indicates motor vehicle violations, and crashes most frequently occur;

      (2) Patrol of high traffic volume areas;

      (3) Patrol of areas where pedestrians frequent;

      (4) Patrol of areas where dangerous traffic patterns exist; and

(5) Patrol of areas that receive citizen complaints.

b. Visible traffic patrol can be conducted in the course of the officer's normal tour of duty in a given patrol area, or it can be a directed patrol as the officer's main responsibility.

c. Directed visible patrol can be in a general area or it can be on a specific route between two points where the officer can be moving or remain stationary.

3. Covert enforcement tactics:

a. Unmarked patrol cars are the most appropriate for covert patrol:

(1) The officer remains less visible to the violator; and

(2) The intent is to take practical enforcement actions when visible patrol has not had the desired impact.

b. Caution must be taken when using unmarked cars for this purpose:

(1) Stationary observation shall be conducted at a location that allows the officer to safely position the vehicle;

(2) Violators may not immediately identify the unmarked as a police vehicle when the stop is attempted and may question the officer's authenticity. Officers not in uniform shall be prepared to immediately identify themselves as law enforcement officials.

(3) After the stop is made, other motorists may not recognize the unmarked car as an emergency vehicle, even with emergency lights activated. Officers should attempt to get as far off the roadway as possible.

D. ROADSIDE CHECKPOINTS

Roadside checkpoints are a police function where motorists are temporarily stopped to determine if the driver, occupants, or vehicle are in violation of criminal statutes. Stopping is based on a prepared plan but without specific probable cause or reasonable suspicion.

1. Roadside checkpoints are permitted only as part of an organized systematic plan.

a. The plan must include an analysis of the problem the checkpoint will address.

b. The plan must specify the location of the checkpoint.

(1) The location must correlate to the identified problem.

(2) The location must consider the safety of stopping vehicles on or near the roadway, and provide appropriate notification and equipment as specified in SDCL 32-33-12:

(a) The temporary roadblock must be established at a point on the highway clearly visible at a distance of not less than one hundred yards, in either direction.

(b) At a distance of not less than one hundred yards from the point of the temporary roadblock, at least one flashing amber light shall be placed at the side of the roadway so as to be clearly visible to oncoming traffic.

(c) At the same point of the temporary roadblock, a flashing red light must be displayed. Said flashing red light may be one which is attached to a vehicle but in any event shall be clearly visible to the oncoming traffic, at a distance of not less than one hundred yards.

c. The plan must limit the time of the stop and intrusion into the vehicle to whatever is necessary to accomplish the goal.

d. The checkpoint must utilize uniformed officers and marked vehicles.

e. All checkpoints must be approved by a Division Commander.

2. Roadside checkpoints must be designed to discourage discretion and discrimination in the stopping of vehicles.

   a. All vehicles may be stopped if conditions warrant.

   b. If not all vehicles are stopped, stopping must be based on a specified system to assure randomness.

   c. If reasonable suspicion or probable cause is developed, a vehicle may be stopped out of the prearrange sequence.

3. The supervising officer is responsible for appropriate evaluation and documentation of all checkpoints.

Supporting Documentation: SDCL 32-33-10 through 32-33-14

A. TRAFFIC STOP PROCEDURES

1. The following procedures for stopping and approaching a traffic violator are intended to provide maximum safety for the officer, the violator, and other users of the roadway.

   a. When the officer has positioned the police vehicle behind the violator to begin the stopping procedure, the officer should notify the Emergency Services Communications Center of the license number and intended location of the traffic stop.

   b. The officer should be thoroughly familiar with the area, and anticipate the appropriate location to stop the violator. Consideration should be given to a location with ample space, appropriate lighting, and every effort should be made to avoid stops on hills, curves, intersections, private driveways, and business locations, which have limited parking.

   c. The officer should signal the violator to stop. This signal should be done by activation of emergency signaling equipment (red/blue lights and siren). These signals alert other drivers of the intent of the officer, and will usually facilitate securing the right-of-way for the stopping maneuver. Officers should position their patrol cars offset to the left of the rear of the violator's vehicle. This technique will give the officer a safety zone in which to operate.

   d. The violator should be signaled and directed to the right side of the roadway close to the curb, or on the shoulder if roadway design permits.

   e. The officer shall exit from the patrol vehicle and be continuously alert for any suspicious movement or actions on the part of the violator or other occupants in the violator's vehicle.

   f. The officer will approach from the rear of the violator's vehicle, looking into the rear seat area, and stop at a point to the rear of the trailing edge of the left front door. This position should be maintained if there are only occupants in the front seat of the vehicle.

      (1) From this position, the officer can communicate with the violator, keeping them in a slightly awkward position, and at the same time keep all occupants of the vehicle in view.

      (2) A right-hand approach is an acceptable option in those cases where passing traffic is so close to constitute a danger to the officer.

   g. Rapid City Police Department officers are to be familiar with other vehicle stopping tactics such as:

      (1) Stopping an approaching violator;

      (2) Stopping a following violator;

(3) Stopping oversize/overweight vehicles.

2. Varying conditions regarding the engineering of a particular traffic artery, the urgency to stop the violator (drinking driver), and the existing volume of traffic may dictate adjusting or altering this procedure.

3. Officers should turn off the red and blue emergency lights after successfully stopping and pulling the violator to the side of the roadway. The officer will then turn on the flashing amber lights indicating caution to other drivers.

B. HIGH RISK TRAFFIC STOPS

Special procedures should be used in vehicle stops when the occupants of a vehicle are known to be armed and dangerous. When a police officer locates a vehicle driven by a known or suspected felon, the officer will notify the dispatcher immediately of the location, and give a thorough description of the vehicle, and of the occupants. The officer will keep the suspect vehicle in view and request sufficient assistance in making the stop. The officer will keep secondary units informed of location and direction of travel to facilitate their approach with minimal use of emergency equipment. The suspect vehicle will not be stopped, unless absolutely necessary, until adequate support is available and in position. The following procedures should be used in effecting the stop:

1. The officer will plan to stop the suspect vehicle in a location that presents minimal danger to other citizens.

2. When conditions are appropriate, and secondary units are available, the primary unit will move into position to the rear of the suspect vehicle.

3. The primary unit will signal the violator to stop, utilizing all emergency equipment to warn other traffic.

4. The officer should attempt to stop the violator on the extreme right side of the road.

5. The officer should position the patrol vehicle so it provides maximum protection and cover for the officers.

6. At night, all lights should be focused on the interior of the suspect vehicle, including spotlights, to the disadvantage of the violator.

7. The officer should exit the police vehicle quickly, but remain behind cover and the officer will have the service weapon, and/or patrol rifle ready for immediate use. In some instances, the less-lethal shotgun may be appropriate depending on the situation.

8. Generally, the officer making the stop is the primary officer and in command. The primary officer should direct each occupant out of vehicle individually according to specific directions and into the appropriate position.

9. The officer will give voice commands. If the officer cannot be heard, the public address system may be utilized. If this fails, the secondary officer(s) will utilize voice commands or their public-address system. It should be noted that the use of the public address system is not encouraged.

10. The primary officer will also give instructions to secondary officers, even if not needed, to assure the suspects that additional support is available.

11. Secondary officer(s) will cover arresting officer(s) and remain on curbside of the vehicle until all occupants have exited and are in search position.

12. Secondary officer(s) will not give additional commands given by the primary officer as this would tend to confuse the suspect(s), but will make their presence known by responding to commands.

13. Extreme caution will be exercised by officers not to get within each other's line of fire.

14. Each occupant shall be handcuffed, while secondary officer(s) are covering the arrest officer(s) and the suspect vehicle. Handcuffed occupant(s) will be escorted behind the police vehicles prior to the next occupant being advised to exit the vehicle.

15. Arrestees will be searched prior to being placed in the patrol vehicle.

16. When it appears there are no longer occupants in the suspect vehicle, a minimum of two officers will conduct a final search of the suspect vehicle for any additional occupants. If canine is on scene and/or available, the canine may be utilized for the final search of the suspect vehicle.

C. OFFICER CONDUCT WITH TRAFFIC VIOLATORS

1. The policy of the Rapid City Police Department is that once an officer has stopped a violator and is about to communicate with the person, officer/violator relations are paramount.

2. The officer (and any back-up officer) should, to the best of their ability:

   a. Project a professional image through:

      (1) Dress,

      (2) Grooming,

      (3) Language,

      (4) Bearing, and

      (5) Emotional stability;

   b. Be certain of the alleged violations;

   c. Be prepared, having necessary equipment and forms available;

   d. Greet the violator with appropriate title in a courteous manner;

   e. Request the driver's license and vehicle registration or other identification;

   f. Discuss the violation and required actions;

   g. Complete required forms correctly;

   h. Check for signs of physical impairment, emotional distress, and alcohol and/or drug abuse; and;

   i. Assist the violator to re-enter the traffic flow safely.

D. INFORMATION PROVIDED TO TRAFFIC VIOLATORS

The Rapid City Police Department provides information relative to the specific charge at the time a motorist is charged with a violation, to include:

1. Court appearance schedule;

2. Whether court appearance by the motorist is mandatory;

3. Whether the motorist may be allowed to enter a plea and/or pay the fine by mail or at the Clerk of Courts; and

4. Any other pertinent information that must be provided to the motorist prior to release.

A. SPECIAL TRAFFIC VIOLATION PROCESSING

Specific procedures shall be followed when a motor vehicle violation has been committed by the following individuals:

1. Juveniles: Juveniles are treated as adults for the purpose of taking enforcement action on a violation of any City traffic ordinance or misdemeanor traffic offense included in Chapter 32 of the South Dakota Codified Laws. However, with the exception of felony DUI, the following procedures should be utilized for juveniles cited or arrested for felony traffic offenses included in Chapter 32 of the South Dakota Codified Laws.

   a. Such offenders will be handled as a juvenile delinquent offender.

   b. In the event of multiple offenses being charged, with at least one being of the felony classification, that specific offense and all associated offenses will be directed to the Juvenile Court.

   c. As with citations issued for other juvenile offenses, the officer should include the juvenile's parents or guardian's name and address either on the citation or include such information in a traffic arrest report.

   d. No court date is issued for any offense(s) being referred to juvenile court. In those cases, the term "To Be Set" should be written on the court date block.

   e. Should incarceration or the posting of a cash bond be necessary, those procedures should take place at the Pennington County Juvenile Services Center.

2. Military Personnel: Military personnel while on active duty status will be treated as follows:

   a. When responding to an alert or other emergency, a violator should not be detained for an unreasonable period.

   b. If an emergency does not exist, the violator will be treated as any other violator.

3. Legislative Privilege from Arrest: Senators and representatives shall, in all cases except treason, felony or breach of the peace, be privileged from arrest during the session of the Legislature, and in going to and returning from the same.

   Supporting Documentation: *§ Article III, Legislative Department, Section 11*

4. Diplomatic and Consular Officials: Diplomats and consular officials are considered guests by the government and as such, are afforded immunity from prosecution under the general provisions of Title 22 of the United States Code, Chapter 6, Section 254. Persons with diplomatic immunity cannot be arrested. If an officer stops such a person for a traffic violation, they should identify the person, release them, and then follow-up at a later date and time with the appropriate charge, if any.

5. Non-residents:

   a. The State of South Dakota, as well as other states within the United States of America, are members of the Non-Resident Violator Compact (1977) as authorized by SDCL 32-12-56.1. Members of this compact agree to reciprocally suspend the licenses of any of their residents who fail to honor citations issued by other member states.

   b. When an officer decides to charge a violator that resides in or holds a license from a state that is a member of the compact, he may issue a citation and may not require the posting of bond unless:

      (1) The issuance of a citation in lieu of bond is prohibited by law.

      (2) Conviction of the offense will result in suspension or revocation of the violator's right to operate.

      (3) The violator requests to post such bond.

   c. Non-Resident violators that are not licensed or from a state that is a member of the compact, shall be treated the same as violators from compact states, except that an officer may require the violator to post bail bond and Power of Attorney if the officer has a strong and articulated belief that the motorist will not appear in court otherwise.

Supporting Documentation: *SDCL 32-12-12, 32-12-23, 32-12-28, 32-12-45.1, 32-12-56.1*

B. HANDLING OF SUSPENSIONS/REVOCATIONS

The Rapid City Police Department policy is to take enforcement action against any motorist who may be operating a vehicle in violation of SDCL 32-12-65, driving while license is canceled, suspended, or revoked. Officers taking enforcement action may consider any circumstance warranting a physical arrest of the violator, or appropriate alternatives to physical arrest when the actual status of the motorist's driving privilege cannot be determined.

Supporting Documentation: *SDCL 32-12-65*

C. REFERRAL OF DRIVERS FOR RE-EXAMINATION

1. In the course of an officer's related activities, the officer may identify certain individuals having physical, mental or other condition, which prevents or limits that individual from exercising adequate care and/or operation of a motor vehicle. In cases where the officer feels it is necessary to request administrative action from the Department of Motor Vehicles, the following procedure shall apply.

2. The officer should prepare a letter to the Department of Commerce and Regulation using the appropriate form (Recommendation for Re-Examination). The completed form will be mailed to the Department of Commerce and Regulation in Pierre, South Dakota.

Supporting Documentation: *SDCL 32-12-46*

D. PEDESTRIAN AND BICYCLE PROGRAM

1. Enforcement action relative to pedestrian and bicycle situations shall be conducted as contained in Rapid City Code Chapter 10.36 Pedestrians and Chapter 10.64 Bicycles.

2. Laws pertaining to the proper operation of bicycles and pedestrian traffic shall be strictly enforced in high congestion and high crash locations.

3. In those areas where traffic flow is minimal, visibility is unobstructed and traffic crash experience low, officers should exercise discretion in application of those laws regarding the safe operation of bicycles and pedestrian activity.

4. Officers should be tolerant with young offenders who may be unaware of the hazards of unsafe bicycle operation.

Supporting Documentation: *Rapid City Ord. Chapter 10.36, Chapter 10.64*

E. OFF-ROAD VEHICLE ENFORCEMENT

1. The policy of the Rapid City Police Department is to enforce laws and regulations relative to the operation of off-road vehicle operation.

2. For the purpose of this directive, off-road vehicle shall be defined as the following:

   a. Snowmobiles;

   b. Motorcycles;

   c. Mini-bikes;

   d. Automobile;

   e. Trucks and Pickups;

   f. All-terrain vehicle; and

   g. Any motorized vehicle driven off the roadway.

3. According to City Ordinance 10.12.360, "No person shall operate any vehicle upon any public land, other than dedicated streets, highways, and alleys, or established parking lots, without obtaining prior written permission from the governmental agency or unit which has control over such land."

4. Officers are encouraged to use sound discretion when dealing with juveniles and/or the removal of unlicensed vehicles from private property. The towing of off-road vehicles from private property must be accomplished with the approval and knowledge of the property owner if practical.

Supporting Documentation: *SDCL 32-20-12, Rapid City Ord. 10.12.360*

PURPOSE: The intent of this directive is to establish procedures and requirements relating to the use, proper testing, calibration, care, upkeep and program maintenance of Department owned speed-measuring devices.

A. SPEED MEASURING DEVICES

1. Annually, during the preparation of the Department Budget, the Field Services Division Commander or a designee shall evaluate the need for additional Police traffic speed measuring devices and other speed enforcement items.

2. Only those speed measuring units approved by and capable of being maintained by certified factory maintenance facilities are purchased for Department use.

3. All officers must be certified by a Department certified RADAR instructor. After initial certification, officers must be re-certified every three years. Patrol officers shall be certified on the use of LIDAR devices. Officers operating speed-measuring units shall operate those units in accordance with recognized practices designed to ensure the safe operation of the devices.

4. Officers shall test and ready for operation the traffic speed-measuring device assigned to their patrol vehicles at the beginning of each shift or prior to use.

5. Officers shall account for speed measuring units assigned to their patrol vehicles, to include:

   a. Condition of all equipment;

   b. Proper functioning of the unit;

   c. Accounting for all auxiliary equipment (i.e. tuning forks, remote control).

6. Moving RADAR units, assigned to the patrol vehicles shall be set up in operating position while in the vehicle.

7. At no time will the speed-measuring unit be placed in the trunk or back seat.

8. If the speed-measuring unit is not operating properly, it shall be turned into a patrol shift supervisor to arrange repairs by a qualified outside vendor. A written repair request memo must accompany the speed-measuring unit detailing the malfunction of the unit.

   a. The responsibility of the patrol shift supervisor is to ensure arrangements are made to have the speed measuring equipment properly repaired and serviced.

   b. Maintenance of speed measuring units and tuning forks will be scheduled and completed by

an officer designated by the Field Services Division Commander or a designee.

9. Only those officers trained in the operation of the moving RADAR or LIDAR units will be permitted to operate the moving RADAR or LIDAR.

10. Hand-held RADAR units assigned to the Field Services Division shall be set up in operating position while in the vehicle. The hand-held RADAR units shall be stored in their metal holsters on the dash of the patrol vehicle. Patrol officers are accountable for overseeing the upkeep and maintenance procedures as outlined above.

11. Speed measuring instruments will not be moved from patrol car to patrol car.

12. The Field Services Commander will assign a person to maintain the maintenance records for each speed-measuring unit.

B. SPEED MEASURING OPERATION

1. Officers operating stationary speed measuring units shall park their patrol vehicle in accordance with all City parking ordinances, unless otherwise directed by a supervisor.

2. If parking is restricted on the street on which the speed-measuring device is being operated, officers shall park on an intersecting street.

3. Unless specifically directed, officers should avoid parking in private driveways or private parking lots.

PURPOSE: To reduce the incidence of driving under the influence of alcohol or drugs by concentrated law enforcement efforts and increasing public awareness.

A. DRIVING UNDER THE INFLUENCE ENFORCEMENT PROGRAM

1. Every officer shall be trained in the detection of impaired drivers.

   a. Officers shall be trained in Standardized Field Sobriety Test (SFST), which consist of the standardized one-leg stand test, walk-and-turn test, and Horizontal Gaze Nystagmus (HGN).

   b. Officers should use the Standardized Administrative Procedures, Clues, and Criteria set forth by the National Highway Traffic Safety Administration, when having a motorist suspected of being impaired perform field sobriety tests.

   c. The viewing of Department video media, training briefs and demonstrative practice in giving field sobriety tests is mandatory before any officer is released from Field Training status.

2. Portable breath testing instruments (PBT's) will be provided for use in all marked vehicles assigned to the Field Services Division.

   Maintenance of PBT's will be scheduled and completed as designated by the Field Services Division Commander.

3. PBT's will remain with the assigned patrol car and not moved from patrol car to patrol car.

4. The use of a PBT is authorized and encouraged as part of the DUI testing procedures.

5. Public education regarding alcohol enforcement shall be accomplished through public appearances by Department personnel or through the media as authorized by the Chief of Police.

B. DRIVING UNDER THE INFLUENCE ARRESTEE HANDLING

1. Upon stopping a motorist and determining they may be impaired by alcohol or drugs, the officer should, have the operator perform Standardized Field Sobriety Tests in order to form an opinion about the driver's level of impairment due to alcohol or drugs.

2. Officers should use the Standardized Field Sobriety Tests, which consist of the **Horizontal Gaze Nystagmus** test, and two divided attention tests, which are the walk-and-turn and the one-leg stand test. Other exercises may also be used if physical, educational impairments or environmental conditions prevent any of the standardized tests.

3. Other exercises may include, but are not limited to, reciting the alphabet in full or part, counting (forward or backwards), Finger Dexterity, Finger–to-Nose, or any other exercise an individual not under the influence of drugs or alcohol would be able to perform. Exercises are not pass or fail, but can give an indication as to a person's level of impairment.

   If the officer feels there is probable cause to believe an arrest should be made, the subject should be placed under arrest. The officer must ask for consent to draw blood, which a person has the right to refuse. Upon receiving a refusal to consent to **a** blood draw, the arresting officer has the option to seek a **search** warrant for drawing blood.

4. In cases where the operator of a vehicle is arrested for Driving Under the Influence, and the officer perceives the suspect is under the influence of any controlled drug, or combination of controlled drugs and alcohol, the officer should consider:

   a. Notifying the Shift Commander or Shift Supervisor of the facts of the case.

   b. The Shift Commander/Supervisor shall make the decision as to the notification of the Criminal Investigation Commander or a Unified Narcotics Enforcement Team Supervisor.

      (1) Custody, booking, processing and release of the prisoner shall remain the responsibility of the arresting officer.

      (2) The arresting officer shall complete the standard series of reports, which shall be supplemented by a complete and detailed (confidential) report by the Unified Narcotics Enforcement Team Officer.

5. If a motorist is arrested for Driving Under the Influence, they shall be transported in a safe manner as provided for in policy 512-05 – Prisoner Transportation.

6. The officer may release the motorist's vehicle to a sober, responsible party with the permission of the arrestee.

   a. If no responsible person is available, the officer may tow the vehicle. The vehicle should be disposed of consistent with policy 525-02 – Towing/Holding of Vehicles.

   b. If the vehicle is properly parked in a designated parking area, the motorist may sign a release to leave the vehicle parked.

   c. Under no circumstances will intoxicated individuals be allowed control of the vehicle.

   d. Officers shall make appropriate arrangements to ensure the safety of all passengers within the vehicle at the time of the stop.

C. MIRANDA RIGHTS

1. Before acquiring any samples, the officer shall ask the arrested person if they will submit to a sample of their blood or other bodily fluid.

2. In cases where the arrestee refuses to consent to a blood draw, the arresting officer will obtain a search warrant for the required blood sample and the blood may be taken pursuant to the warrant. In the case of a forced (combative subject) blood draw with a warrant, officers shall;

   a. Utilize verbal skills to explain what will occur and attempt to convince the subject into

compliance prior to completing a forced blood draw.

b. Utilize floor mats provided by the Pennington County Jail and ensure video is being recorded on the Jail video surveillance system.

c. Employ sufficient personnel to ensure minimal risk of injury to all parties involved.

d. Use only force that is reasonable and necessary to execute the search warrant for blood evidence. The use of handcuffs during a forced blood draw should be considered to minimize the suspect's resistance.

e. Officers shall not use electronic control devices, hard impact weapons, chemical irritants, or any other weapon to subdue the suspect for the sole purpose of obtaining blood.

f. In the event the floor mat is utilized, the officer shall talk to the Booking Area Supervisor to request a copy of the video. The Supervisor will ensure the video is saved and/or copied for the officer.

g. The arresting officer will later place the video into evidence.

3. When a crash results in death or serious bodily injury to any person, all drivers and pedestrians involved should be tested for blood alcohol content. In the case of death or serious bodily injury to any driver, vehicle occupant, or pedestrian, a police officer shall request a licensed physician, registered nurse, certified physician's assistant or qualified laboratory technician to draw blood from the body of the driver, deceased occupant or deceased pedestrian with the purpose of testing blood alcohol content; provided that in the case of a living driver the officer has probable cause to believe the driver was under the influence of alcohol or a controlled drug when driving the vehicle or has given consent for the test.

4. Officers need only inform the defendant of their Miranda Rights when the officer plans on questioning the defendant on items concerning the offense in the suspect interview and Arrest Report (Driving While Intoxicated – Interview of Driver form). If the offender is a juvenile, parent/guardian consent guidelines should be followed when Miranda is advised.

5. The release of the arrestee will be handled as explained in policy 112-03 – Criminal Process. Additional information relative to the handling of intoxicated persons is contained in policy 512-05 – Prisoner Transportation.

Supporting Documentation: SDCL 32-23-10: Operation of vehicle as consent to withdrawal of bodily substances and chemical analysis--Submission to withdrawal or analysis following arrest. Any person who operates any vehicle in this state is considered to have given consent to the withdrawal of blood or other bodily substance and chemical analysis of the person's blood, breath, or other bodily substance to determine the amount of alcohol in the person's blood and to determine the presence of marijuana or any controlled drug or substance or any substance ingested, inhaled, or otherwise taken into the body as prohibited by § 22-42-15 or any other substance that may render a person incapable of safely driving. The arresting law enforcement officer may, subsequent to the arrest of any operator for a violation of § 32-23-1, require the operator to submit to the withdrawal of blood or other bodily substances as evidence.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
522-07	Traffic Enforcement	1 OF 1
ORDER NO.: 18-02	**SUBJECT:** Parking Enforcement	
SUPERSEDES: 11-04	**EFFECTIVE:** 02-26-18	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 61.1.13		

A. PARKING ENFORCEMENT

1. The Rapid City Police Department will enforce all parking ordinances uniformly.

   a. Sworn personnel and non-sworn crash investigators will be familiar with all current parking regulations and take appropriate action as required.

   b. Due to high traffic volume, non-sworn parking enforcement personnel will be utilized to augment enforcement activities in the "Downtown" core area.

   c. All Field Services personnel, sworn and non-sworn, at the discretion of a supervisor are subject to special assignment. Special assignment may include: scheduled parades and concerts, peak traffic hours, weather emergencies, traffic crashes and special events.

2. Special Enforcement:

   a. Wheel lock devices will be attached to any vehicle found parked on any City street, or parking lot open to the public, when that vehicle is found to have five or more outstanding parking violations, and/or has accrued over $100 in fines. Parking Enforcement personnel will be provided with a list of all vehicles having the prescribed number of violations and the City Attorney's Office will be contacted for verification prior to attaching the device.

   b. Upon verification from the City Attorney's Office of payment of the outstanding fines, parking enforcement will remove the wheel lock device.

   c. In order for the wheel lock device to be removed after normal business hours, on duty RCPD personnel will ensure the violator pays all their fines. After all fines are paid, RCPD personnel will then remove the wheel lock device from the violator's vehicle.

   d. Towing of vehicles in snow removal zones is authorized by ordinance. A supervisor will approve this operation in advance.

3. Handicap Parking Enforcement:

   a. Sworn and Non-Sworn personnel will enforce City ordinance and State law relative to parking in designated handicap parking areas, as well as the proper use of handicap parking permits.

b. When a violation is observed or a complaint is received regarding a violation of the handicap-parking ordinance, sworn or non-sworn personnel will be assigned the call for investigation. When a violation is observed, appropriate enforcement action should occur.

A. CRASH CLASSIFICATION SYSTEM

The Rapid City Police Department's crash reporting system shall comply with the State of South Dakota crash reporting system, as mandated by law.

Supporting Documentation: Instructional Manual for Use with South Dakota's Motor Vehicle Traffic Crash Report.

B. CRASH INVESTIGATION AND REPORTING POLICIES

1. The Department will conduct an on scene investigation of all reported crashes.

   Hit and run crashes will be recorded on the TraCS and Case Report regardless of solvability factors when the crash occurs on a public roadway and with a cumulative damage over State Law requirements as a result of the crash, or where any injury is reported.

   When the crash does not meet the criteria above, it is not a State reportable hit and run crash. In non-reportable accidents, the following guidelines should be followed:

   a. If there are no solvability factors, a log entry is sufficient. For details, see section D below.

   b. If there is solvability, complete a case report and attach a diagram. In these cases, include insurance information in the narrative of the report.

Note: If there is solvability for *any* hit and run (state reportable or not), a case report must be filled out. Personnel must use good judgment when documenting debris left at the scene and/or paint transfer. If such evidence can improve solvability, it should be collected and photographed and a case report completed.

2. In any serious crash involving a City vehicle, the driver is to immediately notify the on-duty supervisor and local law enforcement agency (if outside City limits). The Shift Supervisor will immediately notify the on-duty Shift Commander.

   a. Any serious injury crash involving City vehicles the Shift Commander or Supervisor must contact the City Risk Manager.

   b. A full crash investigation will be conducted on all crashes involving City vehicles, regardless of dollar damage, injury, or whether on or off roadway. Photographs will be taken on all crashes involving Rapid City owned vehicles.

3. A complete and thorough traffic crash investigation shall include, at a minimum, one of the following options.

a. The completion of the State of South Dakota Traffic Crash Report, a diagram of the crash, which includes measurements and other significant information, statements of operator and witnesses (in appropriate sections of the report), a description of injuries and the completion of other Department records. More serious crashes may require the use of the specially trained Critical Crash Reconstruction investigators.

b. If the traffic crash does not meet the standards as required by the State Traffic Report, it should be documented utilizing the Department information item and necessary diagram.

4. The Field Services Captain or designee, or Rapid City Police Department CAR-Team Supervisor will be notified to direct specific employees to respond for investigative purposes when fatal, serious injury, or vehicle battery crashes occur as described in policy 523-06 – Activation of the Critical Accident Reconstruction (CAR) Team. The initial officer arriving at the scene will:

   a. Administer appropriate life saving measures for injured parties;

   b. Secure and preserve the crash scene until the arrival of the crash investigation team; and

   c. Assist the investigators until relieved by a supervisor.

5. Alcohol and/or drug related crashes:

   Investigating employees are to be aware of the possibility of alcohol and/or drugs being contributing factors in traffic crashes and conduct their investigations accordingly.

C. CRASH TYPES REQUIRING DEPARTMENT RESPONSE

Patrol and non-sworn patrol employees dispatched by the ESCC shall be the only units authorized to proceed to the scene of a crash, unless the Shift Commander/Supervisor orders otherwise. Response to an un-cleared crash scene is mandatory in the following situations:

1. When damage has occurred to public vehicles or public or private property; or

2. Disturbances between principals:

   a. Due to the high levels of stress and anxiety often experienced by individuals involved in vehicle crashes, an altercation between the parties involved is a possibility.

   b. Department personnel will make every effort to encourage and maintain appropriate behavior among all parties involved in a crash. If necessary, the parties involved should be separated. Legal action should be taken only as a last resort; however, any disturbances should be documented in the report.

   c. Non-sworn personnel will request assistance from an officer at the first indication there is a problem developing between the parties.

3. A vehicle is disabled in the roadway or major traffic congestion because of the crash is reported.

D. GENERAL GUIDELINES FOR NON-REPORTABLE CRASHES

Respond to the accident and verify the drivers are licensed and insured. Identify any violations of law and issue citations, when appropriate.

1. In all cases facilitate the exchange of information between the drivers.

2. Attach both driver's names and license plate numbers to the call and clear it as a log entry. (Officers can attach these names themselves or have dispatch do it, but this is important so it is easy to search for in the event we need to release this report at a later date.)

Note: As of August 1, 2013, the short form accident form will no longer be required. Responding personnel should use good judgment on the estimate of damage. If a crash is logged and it is later determined there is significantly more damage than the State requirements, it would be very difficult to recreate the report. The investigating employee has the option of completing an information item in lieu of a log entry when the dynamics of the crash are complex and cannot be clearly articulated in a log entry

E. CRASHES OFF ROADWAY

1. All crashes, with cumulative damage over State Law requirements for damage to a single vehicle or property, occurring within the City and reported to the Department will be investigated. A State crash report in TraCS will be completed, along with a case report, and turned in for review at the end of shift on the day the report is taken. Additional information obtained after the initial report has been turned in will be documented in the case report. A **Red Tag** will be affixed to all motor vehicles involved in a state reportable crash.

   Employees will respond to off roadway crashes when requested and complete a log entry or information item as described in Section D.

2. In cases of off roadway crashes or roadway crashes otherwise non-reportable to the state, where the operator of a vehicle is summoned for a violation, officers shall ensure their report reflects all information relative to the charges filed. Officers have the option of conducting a full investigation as necessary to support charges filed because of the crash. On any crash non-reportable to the state, enforcement action may be taken against the driver.

3. In cases of off roadway traffic crashes, the investigating employee with complete a log entry or an information item.

F. HAZARDOUS MATERIALS ON HIGHWAYS

1. A variety of hazardous materials are transported, stored, and used within Rapid City and Pennington County on a daily basis. The potential for accidental spillage of hazardous materials is an ever-present danger to all citizens and employees. When released, hazardous materials may pose a serious threat to life, property, and the environment. A fast, efficient, and safe response is required to effectively manage and mitigate any resulting damage.

2. All transportation routes within Rapid City are potential routes for transporting hazardous materials.

3. The Rapid City Police Department's policy is to follow the guidelines set down by the Rapid City - Pennington County Emergency Management Coordinator. The Department will comply with the Hazardous Materials Incident Response Plan.

Supporting Documentation: Rapid City - Pennington County Multi-Hazard Emergency Operations Plan.

G. RESPONSE TO NON-INJURY CRASHES DURING INCLEMENT WEATHER

1. At the discretion of the Patrol Shift Commander or designee, response to the scene of a non-injury crash may be suspended due to severe weather conditions. The purpose for such suspension shall be when weather conditions have resulted in so many minor crashes that available resources are taxed beyond the Department's ability to respond to each scene safely, and in a timely manner of service. The criteria for suspension of an on-scene response shall be:

   a. There are no injuries;

   b. The vehicles can be driven; and

   c. The driver or drivers, except as noted, must come to the Police Department to initiate a report.

> ***Note****: Crashes that are not reportable under SDCL (i.e. Do not meet State Law requirements for damage totals) may be reported at the Department, or at their discretion, the crash participants may exchange insurance information and be on their way.*

2. Dispatch will log all reported crashes called in, including those not meeting dollar damage amounts, and which the participants have elected to handle themselves.

H. CRASH REPORT FORMS

1. In cases of state reportable crashes, the Rapid City Police Department will report all traffic crashes electronically, utilizing the State of South Dakota Motor Vehicle Crash Report in the TraCS Reporting System.

   a. Each employee shall be provided access to a copy of the Instruction Manual.

   b. Each employee will be required to complete the report forms in compliance with the Instruction Manual guidelines.

2. All off roadway crashes will be recorded either utilizing a log entry or an information item depending on the severity of the circumstances. If circumstances dictate a report, a diagram of the crash shall be included with the information item.

3. Vehicle inventories for towed vehicles are not normally required at vehicle crashes. There are numerous exceptions to this guideline, such as but not limited to; hit and run crashes, arrest of the driver or occupants, and other criminal acts. If special circumstances exist, contact the shift supervisor. In these cases, a vehicle inventory should be completed and in certain circumstances the "Verified Release" could be utilized. For example, if two cars crash in an intersection and the driver of one of the vehicles runs away on foot, the suspect vehicle should be towed and a tow sheet completed indicating Verified Release.

A. CRASH SCENE RESPONSIBILITIES

1. The first employee arriving at the scene of a crash shall assess the situation and request assistance if any is required. To prevent further crashes or damage, the marked vehicle should be parked in such a manner that it provides protection to the vehicles involved in the crash scene if possible.

2. After taking immediate precautionary measures to ensure the crash will not involve other vehicles, the employee's primary duty is to give attention to the need of any injured persons. The employee's first responsibility at the scene of an injury crash is protection and preservation of life.

   a. Injuries shall be treated by the administration of first aid by the employee.

   b. If there is serious bodily injury, or if the victim requests treatment, notify the dispatcher immediately for the services of an ambulance.

      (1) Avoid moving injured persons unless necessary to prevent further injury.

      (2) Injured persons shall be transported in an ambulance if one is readily available.

   c. If there are persons trapped in a crashed vehicle, or if oil and gas has been spilled, the services of the Fire Department shall be requested.

   d. If the services of a tow truck are needed, request for such assistance should be made to the dispatcher.

   e. Call for any other assistance as may be required.

3. If an airbag system in a vehicle deployed, special care should be taken to avoid inhalation of fumes or dust.

   a. Gloves and eye protection should be worn before attempting passenger rescue.

   b. If the vehicle must be entered, use a blanket to cover the deployed airbag to limit exposure.

   c. If possible, avoid entering the passenger compartment of the vehicle until rescue personnel arrive with appropriate breathing apparatus.

B. CRASH SCENE OFFICER-IN-CHARGE

1. The first officer/civilian crash investigator arriving at the scene will be in charge of the scene and will take all necessary steps to provide aid to injured, protect the scene, and protect evidence. The first officer/civilian crash investigator will remain in charge of the crash scene until arrival of the Shift Commander or other supervisory personnel.

2. When no supervisory officers are available at the crash scene, the officer assigned to the crash shall assume scene responsibility.

3. Crash investigations will be conducted by personnel in the following priority:

   a. Civilian crash investigators; and

   b. Patrol officers.

4. Serious crashes require the first officer on scene to advise the Emergency Services Communication Center of the need for additional equipment or additional personnel, e.g., Fire Department, ambulance, and render first aid as necessary. The first officer on the scene will be responsible for the scene until relieved by the employee assigned the crash or a supervisor.

C. CRASH SCENE INFORMATION COLLECTION

1. As soon as reasonably possible under the circumstances, preliminary investigations shall be conducted and the following information recorded:

   a. Time, date, and place of crash;

   b. Name, address, and drivers license numbers of the operators;

   c. Make, model, vehicle identification number (VIN), and registration numbers of the vehicles involved;

   d. Name and address of vehicle owners and insurance companies;

   e. Name and address of injured persons, description of visible injuries and whether transported to hospital, and the name of attending physician; and

   f. Name and address of witnesses. Relevant statements made by witness and operators. Witnesses and operators shall be interviewed separately and privately except in exigent circumstances.

2. In investigating property or bodily injury crashes, a record shall be made of any significant physical evidence, including, but not necessarily limited to:

   a. Type of roadway and width of the roadway;

   b. Road conditions (e.g. holes, ruts, curbs, low shoulders, pavement markings, whether wet, dry, or icy), construction, etc.;

   c. Weather and lighting conditions;

   d. Traffic control signs or signals, if in good working order;

e. Identification of marks on the roadway;

f. Direction of travel of involved vehicles;

g. Point of impact;

h. Position of vehicles after impact and whether moved;

i. Damage to the vehicles and condition of key equipment such as tires or suspension; and

j. Key measurements of point of impact, roadway features, potential evidence, and other critical aspects of the crash, as appropriate to document the scene properly.

3. Photographs, when needed, will be taken with Department cameras. It shall be the responsibility of the investigating officer or a supervisor to determine the need for photographs. Photos may include any or all of the following:

   a. Vehicle damage--four (4) sides;

   b. Final resting positions;

   c. Damage to vehicles, exterior and interior;

   d. Debris or marks on roadway;

   e. Paths of vehicles before and after collision; and

   f. View of driver approaching crash scene.

   Officers will note in the crash report if photographs were taken. Supervisor or Officers taking photos will place the storage media into the appropriate receptacle in the Patrol office or Evidence Section.

D. CRASH SCENE DIRECTION AND CONTROL

1. The employee's first responsibility at the scene of an injury crash is protection and preservation of life.

   a. An ambulance will be dispatched to all injury crashes.

   b. The Fire Department will be requested to respond in cases requiring extrication.

   c. The employee on the scene of a crash, where the victim(s) cannot ensure their property is secure from theft, will take the property into custody and place it in evidence for safekeeping.

   d. The police car should be parked at a safe distance away from the scene so if struck, it will not be pushed into the crashed vehicles.

   e. The emergency light bar, headlights, directional lights and emergency flashers will be activated.

   f. Additional officers shall direct traffic as required.

   g. Block off street or roadway, if necessary, until the crash scene is cleared.

2. First officer at the scene should communicate with other officers designating positions if required.

3. Reflectors or flares, when used, should be placed to the front and rear of the vehicles for a distance sufficient to give adequate warning to all motorists approaching the scene. The employee shall wear a traffic vest or belt or other equipment available to him that is of reflective material. This shall be done as soon as possible. Once the officer begins traffic direction and control, the reflective vest must be worn.

4. Procedures for traffic direction using uniform hand signals are described in policy 524-02 – Manual Traffic Direction and Control.

E. TRAFFIC CRASH ENFORCEMENT ACTIONS

Enforcement action for violations resulting in a traffic crash and not occurring in an officer's presence:

1. Obtain evidence of violations and record the information in such a manner that a complaint may be issued against the violator and obtain traffic crash data that can be applied to selective traffic law enforcement officers.

2. At those traffic crashes, which an officer has probable cause to believe a violation of traffic law or ordinance has occurred, and when evidence exists to satisfy all of the elements of the particular violation, appropriate enforcement action is to be taken.

Supporting Documentation: SDCL 32-33-1.1

F. CRASH SCENE SPECIAL PROCEDURES

1. For crashes received with no details and crashes with reported injuries, the dispatcher shall notify the area car and the Fire Department for the appropriate response. The responding officer, upon arrival at the crash scene, will:

   a. Advise the Emergency Services Communications Center of the existing situation.

   b. The responding officer will determine whether an ambulance or fire unit is required and notify the Emergency Services Communications Center.

   c. The responding officer will administer first aid to injured persons until the ambulance or fire units arrive.

      (1) An ambulance will be dispatched to all injury crashes.

      (2) The Fire Department will be requested to respond in cases requiring extrication or fire suppression.

2. Whenever a traffic crash occurs where there is the potential for any type of fire, the Rapid City Fire Department will be requested to respond.

   a. Any officer arriving at a fire scene prior to the Fire Department will be responsible for initial fire suppression efforts. The initial efforts will be limited to fire suppression, which is readily available for the officer, i.e. fire extinguisher, blankets, or other extinguishing devices.

b. If the officer should succeed in extinguishing the fire, the Fire Department will continue to the scene to evaluate the situation.

c. The first officer on the scene will request the Fire Department, if needed, and will direct other responding units to appropriate locations for evacuation or traffic control.

d. The primary concern of police officers will be the protection of life and the removal of injured or other persons from the area of danger.

3. When a traffic crash occurs involving hazardous materials the following procedures will be implemented:

a. Involved employees will use the utmost caution.

b. Supervisors will be advised of the hazardous material and all safety precautions will be followed.

c. The first employee on the scene will obtain as much information as possible about the hazardous material and will request the Fire Department to respond.

d. The supervisor or a designee will be responsible for ensuring notifications are made for the safe containment and removal of the material.

e. Traffic crashes involving hazardous material spills will be investigated in the same manner as any other traffic crash.

f. The Emergency Services Communications Center will notify the Shift Commander along with the Rapid City Fire Department.

g. Responding officers should approach the scene from an upwind direction.

h. On arriving at the scene, the situation will be assessed and the following action taken:

(1) Isolate the hazard area and evacuate non-essential personnel.

(2) Provide first aid until relieved by medical personnel.

(3) Coordinate traffic control and traffic re-routing, crowd control, and request additional officers as needed. As large, an area as necessary should be isolated until the hazard danger is known.

i. The investigating officer should attempt to identify the hazardous material by questioning the driver, checking the bill of lading, checking placard identification on the vehicle, or placard identification on the material.

j. Officers should not enter the evacuated area to obtain any information. If the area has to be entered, officers shall wait for properly trained and equipped personnel to respond.

G. CRASH VICTIM PROPERTY HANDLING

The officer on the scene of a crash where the victim(s) cannot ensure their property is secure from theft will take the property into custody and place it in evidence for safekeeping.

A. CRASH INVESTIGATION FOLLOW-UP

1. The collection of off-scene data shall be the responsibility of the investigating officer or Investigator assigned to the crash, as necessary on a case-by-case basis. Off-scene data shall, at a minimum, include:

   a. Medical records;

   b. Physicians reports;

   c. Blood tests;

   d. Vehicle mechanical inspections; and

   e. Laboratory reports.

2. When possible, employees should obtain written or recorded witness statements at crash scenes as soon as possible after the crash. Witness statement reports shall be obtained on standard witness statement forms or recorded.

3. The decision to employ reconstruction analysis will be made by the Patrol Shift Commander or Shift Sergeant on a case-by-case basis, and will generally be conducted by a Crash Investigator, or the Critical Accident Reconstruction team.

4. An employee responding to and handling traffic crashes shall submit a crash report, to include all documentation which may be needed in any possible charge to be brought or pending court proceeding.

B. USE OF CRASH INVESTIGATION EXPERTS

1. In certain instances, a detailed and lengthy investigation may be necessary. To assist investigating officers in such cases, the Critical Accident Reconstruction (CAR) Team may be utilized.

2. The Critical Accident Reconstruction (CAR) Team is comprised of personnel from the Rapid City Police Department who have specialized training and demonstrative aptitude. Members are usually, but not always regularly assigned as officers, detectives, evidence and audio/visual technicians.

3. Team members are assigned by their respective divisions. Members participate in applicable investigations under the supervision of the CAR Team Supervisor on an as needed basis. Team membership is in addition to the employee's regular assignment.

4. Team members engaged in Critical Accident Reconstruction investigations do so under the auspices of the entity with primary jurisdictional responsibility and have the same authority as if working within their own agency.

5. Critical Accident Reconstruction Team investigations, full or partial assistance, are available to other government entities upon request.

6. The Critical Accident Reconstruction Team will be activated whenever a motor vehicle crash occurs involving a fatality or anticipated fatality. The on duty supervisor will initiate the call up by contacting the CAR Team Supervisor and providing a brief summary of the incident. The CAR Team supervisor will then notify the appropriate members of the team according the CAR-Team call-out protocol.

   Activation of the CAR-Team in other than fatal or near fatal motor vehicle crashes is at the discretion of the Field Services Division Commander, the Shift Commander, or the CAR Team Supervisor.

   For further information on the call-out, refer to policy 523-06 - Activation of the Critical Accident Reconstruction (CAR) Team

7. Once on scene, members of the Critical Accident Reconstruction Team will be responsible for conducting a comprehensive and detailed investigation, under the supervision of the CAR Team Supervisor. The officer originally assigned to the investigation shall remain with the investigation for as long a time as practical. Nothing in this section is intended to relieve the originally assigned employee and/or Shift Commander from the responsibility to conduct a thorough investigation.

8. Once completed, the Critical Accident Reconstruction Team shall forward its report to the Field Services Division Commander, or designee, for review and approval.

C. PATROL VEHICLE CRASH INVESTIGATION EQUIPMENT

All patrol vehicles carry basic first aid supplies and fire extinguishers. Crash investigation vehicles carry all other equipment necessary to complete the investigation.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
523-04	Traffic Crash Investigation	1 OF 1
ORDER NO.: 10-02	**SUBJECT:** Crashes Involving Department Vehicles	
SUPERSEDES: 05-03	**EFFECTIVE:** 03-31-10	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

POLICY: The Rapid City Police Department will conduct a formal review of all crashes involving City of Rapid City police vehicles.

A. SUPERVISOR RESPONSIBILITY AT CRASHES

The Shift Supervisor will assemble all appropriate documents and forward these to the Shift Commander along with the Supervisor's Report. This report contains the classification of the incident, a recommendation of whether disciplinary action is required, and a short explanation of the incident by the supervisor.

B. SHIFT COMMANDER RESPONSIBILITY AT CRASHES

1. The Shift Commander will thoroughly review the material provided by the Shift Supervisor and will submit to the Division Commander a Crash Review Form identifying the classification of the crash along with the type of disciplinary action taken, including but not limited to:

   a. Administrative Action; or

   b. No Fault/No Action.

2. Damage estimates from all divisions will be submitted to the Traffic Division Commander.

3. The employee retains the right to either accept the disciplinary action or request a hearing.

C. DIVISION COMMANDER RESPONSIBILITIES FOR CRASHES

1. The Division Commander will review the course of action taken by the Shift Commander.

2. The Crash Review Form and accompanying documentation will be placed in the employee's personnel file. A notation regarding the crash will be placed into Guardian Tracking as identified in policy 452-01 – Early Identification System.

3. The employee retains the right to either accept the disciplinary action or request a hearing.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
523-05	Traffic Crash Investigation	1 OF 2
ORDER NO.: 18-02	**SUBJECT:** Road Killed Big Game	
SUPERSEDES: 10-02	**EFFECTIVE:** 02-26-18	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

PURPOSE: In conformation with SDCL 41-1-5.7, 41-15-3, and 41-15-14, the Rapid City Regional Office of the State Department of Game, Fish and Parks has provided the Rapid Police Department authorization to offer road killed deer, antelope, or other big game to any person who desires to possess the animal.

A. DISPOSITION OF ROAD KILLED BIG GAME

When large game is killed by a motor vehicle on a public highway or City street, it is the policy of the Rapid City Police Department to offer the deceased animal, if it is salvageable for human consumption purposes, to any person that desires to possess the animal. First priority is offered to the person who actually hit the animal on the roadway. If the animal is not claimed, the officer will notify the Pennington County Dispatch Center of the location of the animal so that it may be picked up and disposed of properly. Rapid City Police Department employees will not be eligible to take possession of any salvageable large game animal for personal use.

If the animal is claimed;

1. A "South Dakota Deer/Antelope Road Kill Tag", issued by the Game, Fish and Parks and dispensed by Rapid City Police Officers, will be provided to the person to whom the animal is given. This receipt will serve as written authorization to allow the person to possess the animal. The tag will be completely filled out by the responding officer.

2. The recipient of the animal is to be advised that the receipt is to remain with the animal while in possession or storage.

3. Information to be recorded on the Game, Fish and Parks receipt should include:

   a. The full name, address, and phone number of the person to whom the animal was given.

   b. The Case or Incident number, the date, the species and sex of the animal

4. The tag will be signed by the officer and the tag number will be recorded in the call for service.

5. If the animal has to be destroyed by a Rapid City Police Officer, a Use of Force report will be written.

   a. Notification to the Pennington County Dispatch Center will be made, so that proper arrangements can be made to have the animal picked up.

6. If an officer finds any large game animal that has apparently been shot with any device, the officer is to contact the Rapid City Regional Office of Game, Fish and Parks directly, and is not to relinquish the animal to any person without Game, Fish and Parks authorization.

7. In every event, if the officer believes the animal possesses exceptional antlers or horns such as antlers in the velvet stage or antlers appearing to meet the scoring criteria for rating under Pope and Young or Boone and Crockett classifications, the officer is to contact the Rapid City Regional Office of Game, Fish and Parks.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
523-06	Traffic Accident Investigation	1 OF 1
ORDER NO.: 11-03	**SUBJECT:** Activation of the Critical Accident Reconstruction (CAR) Team	
SUPERSEDES: 10-03	**EFFECTIVE:** 05-05-11	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 2.1.2		

POLICY: The Rapid City Police Department will enter into mutual aid agreements with other jurisdictions. These agreements benefit all involved agencies and our citizens, through reduction or elimination of duplicate services and resources. One of the areas of cooperation is in the use of Critical Accident Reconstruction Team (CAR-Team). These guidelines are established to facilitate fluid activation of the CAR-Team.

PROCEDURAL GUIDELINES:

1. The Rapid City Police Department CAR-Team will be activated and assume primary responsibility for the investigation of all fatal and near fatal motor vehicle accidents occurring within the City of Rapid City.

2. Similar accidents occurring outside the City limits, but within Pennington County, will generally be reconstructed by the South Dakota Highway Patrol. However, should the Highway Patrol need assistance with the reconstruction, the Rapid City Police Department CAR-Team will be available to respond.

3. If the Highway Patrol cannot respond, and the Pennington County Sheriff's Office requires assistance, the Rapid City Police Department CAR-Team will be activated. The CAR-Team will assume responsibility for the reconstruction, under the direction of the Rapid City Police Department CAR-Team Supervisor, who will report to the Sheriff. In this event, the Pennington County Sheriff's Office will assume and maintain responsibility for accident scene security, traffic control, preservation of evidence, and interviews of witnesses and suspects.

4. Investigators and Evidence Specialists from the Rapid City Police Department may be called upon to assist in those areas of the investigation requiring their expertise.

5. When activation of the Rapid City Police Department CAR-Team is required, the assistance request will be directed to the Rapid City Police Department CAR-Team Supervisor. If the CAR-Team Supervisor is unavailable, a designee Sergeant will be contacted.

6. In the event a Rapid City Police Department CAR-Team supervisor cannot be contacted, the on-duty supervisor for either Rapid City Police Department or Pennington County Sheriff's will be responsible for team deployment. A current CAR-Team roster will be available through the Emergency Services Communication Center.

7. When a call-out occurs, at least one Accident Reconstructionist will be called out on every fatal or near fatal motor vehicle accident. The Reconstructionist will coordinate with the responsible supervisors for both the Rapid City Police Department and Pennington County Sheriff's Office. The supervisors should consider recommendations of the Reconstructionist concerning the need for additional assistance to investigate the crash effectively.

A. TRAFFIC ENGINEERING COMPLAINTS

1. When members of the public call the Department in reference to a deficiency or problem relating to the engineering of the roadway, signals, or signs, the assigned officer shall ensure the following is accomplished:

   a. The complainant shall be contacted by an employee who shall prepare a report on the complaint.

   b. Investigate the area and circumstances surrounding the complaint.

   c. Notify the complainant of the findings and the recommendation they will be making.

   d. The report shall be forwarded to the Field Services Division Commander. If additional study is required, the Field Services Commander may instruct the appropriate Sector Lieutenant or other agency personnel to survey the area in question.

2. If the employee investigating the problem recommends changes in the engineering of the roadway, to include painting lines or erecting signs, and the Field Services Commander concurs with the recommendation, the following procedures shall apply:

   a. Recommended actions relating to requests for warning signs or other signs not requiring supporting legislation shall be forwarded to the Director of the Department of Public Works on an inter-department memo.

   b. Recommended actions requiring legislation or substantial expense shall be forwarded to the Chief of Police.

3. Traffic engineering complaints, depending on the severity, may be forwarded directly to the City Traffic Engineer.

Supporting Documentation: Rapid City Ord. 10.08.010

B. CRASH DATA SHARING

1. Crash and enforcement data shall be transferred to the appropriate State and local engineering authorities by the Field Services Commander, or designee as prescribed in this Section.

2. The Department will advise either the State or local engineering officials, as appropriate, regarding any crash where it appears roadway-engineering issues constitute a contributing factor or otherwise present a potential problem.

3. The Department will provide statistical information to state or local traffic engineering authorities upon their request.

C. TRANSPORTATION SYSTEM PLANNING

1. The Rapid City Police Department participates in local and regional transportation system planning through its participation on the Technical Coordinating Committee, which considers transportation system problems and may propose or consider solutions.

2. The Department representative to the Technical Coordinating Committee may:

   a. Request traffic surveys for that group;

   b. Provide the committee with crash/enforcement data; and

   c. Provide the group with input relative to the Police Department's position on proposals to change the transportation system.

D. TRAFFIC SAFETY LIAISON

1. The Rapid City Police Department maintains a liaison with those agencies or groups who are actively involved in traffic safety.

2. The Field Services Commander, or a designee will maintain liaison with traffic safety groups at the city, county, state and national levels.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
524-02	Traffic Direction and Control	1 OF 5
ORDER NO.: 10-02	**SUBJECT:** Manual Traffic Direction and Control	
SUPERSEDES: 08-02	**EFFECTIVE:** 03-31-10	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 61.3.2		

PURPOSE: The Rapid City Police Department provides direction as necessary to ensure the safe flow of pedestrian and vehicular traffic within the community.

A. TRAFFIC DIRECTION AND CONTROL FUNCTION

1. Traffic Direction and Control services are provided through the use of the following specifically trained personnel:

   a. Sworn Police Officers;

   b. Crash Investigators;

   c. Police Cadets;

   d. Parking Enforcement Personnel;

   e. Police Auxiliary

   f. School Crossing Guards; and

2. The City will maintain traffic direction and control within the City and shall be accomplished by the use of mechanical traffic control devices. The City Traffic Engineering department shall be responsible for the planning, surveying, installation and maintenance of all traffic control devices.

Supporting Documentation: Rapid City Ord. 10.08.020, 10.08.030

B. MANUAL TRAFFIC CONTROL DIRECTION

1. Although the highways and intersections of the City of Rapid City are engineered to provide for the efficient and effective movement of traffic under normal conditions without the intervention of police personnel, employees are encouraged to manually take charge of any situation where circumstances have resulted in traffic problems.

2. Department personnel will manually direct traffic only in the event of a mechanical/electrical malfunction, motorcades, parades, special events, traffic crashes, scenes of emergencies, and to alleviate congestion resulting from the use of automatic controls, or at the direction of a supervisor.

C. MANUAL TRAFFIC DIRECTION PROCEDURES

1. These situations are dynamic. A traffic plan that makes sense one moment may need adjusting the next as circumstances change. Sometimes you need to expand the traffic plan; sometimes you can cut back. Be flexible and adaptable.

2. All personnel assigned or authorized to direct traffic should utilize uniform signals and gestures to enhance driver and pedestrian recognition of, and response to their directions.

3. Personnel directing traffic, or in the roadway controlling traffic shall wear reflective vests or clothing at all times.

4. When manually managing traffic consider the following:

   a. Consider life safety issues first. Protect not only victims and passing motorists, but also fire, law enforcement and utility or public works officials who will be arriving at the scene.

   b. Consider the best route for traffic in order to allow rapid ingress and egress of emergency equipment. This also means traffic must be routed such as to maintain adequate distances between passing motorists and the scene to allow emergency officials to work without having to be too concerned about passing traffic. This will be important not only during the response and medical phases of those responding, but also during the investigation and recovery phases as well. Such considerations may allow the use of some traffic lanes near the incident or there may be a need to shut the entire area down and only allow official traffic into and out of the area.

   c. Assess the need for additional resources. Additional personnel may be needed to allow for a proper traffic management plan. Consider using, or requesting the use of, portable electronic warning signs, cones, and other devices. There may be a need for other control devices for scenes where traffic control will be needed on a longer-term basis. The shift supervisor can help obtain additional resources as needed.

   d. Notify dispatch of your location and that you will be directing traffic. This is necessary for officer safety. If the supervisor is on scene as the incident commander, then he/she must also know of your activities.

   e. Remember that you may not be very visible to approaching traffic. A crash or other catastrophe will be very distracting to drivers who, despite your strategically placed and illuminated marked patrol car, may not notice **you**. Statistically you are much more likely to be hit and killed by a motorist while directing traffic than being killed by an assailant while on duty. Wear the required reflective safety vest supplied in each vehicle.

5. Traffic Hand Signals

   When directing traffic, it is important to use hand signals easily understood by motorists. Ambiguous and confusing hand signals can frustrate and confuse drivers. This increases the risk of a crash and increases the risk to the officer directing traffic. The following are descriptions and illustrations of standard traffic control hand signals.

   Remember, you will normally have traffic flow from your left and/or your right sides. Act as though the front and rear of your torso is a stop sign.

   a. Stopping Traffic

(1) The officer should extend their arm and index finger toward and look directly at the driver of the vehicle to be stopped until the driver is aware or it can reasonably be assumed that the person is aware of the officer's gesture;

(2) The officer should raise their hand at the wrists so that the palm is toward the person to be stopped, and the palm is held in this position until the person is observed to stop;

(3) To stop traffic from both directions on a two-way street the procedure is then repeated for traffic coming from the other direction while continuing to maintain the raised arm and palm toward the traffic previously stopped.

b. To Allow Traffic on Left or Right to Proceed Straight Ahead

(1) The officer should stand with shoulder and side toward the traffic to be started, extend their arm and index finger and look directly at the driver of the vehicle to be started until it can be reasonably assumed they are aware of the officer's gesture;

(2) With palm up, the pointing arm is moved from the elbow only, through a vertical semi-circle until the hand is adjacent to the chin. If necessary, this gesture is repeated until traffic begins to move. To start traffic from both directions on a two-way street, the procedure is then repeated for traffic coming from the other direction.

c. Directing Traffic, Right Turning Vehicles

Right turning drivers usually effect their turns without the necessity of being directed by the officer. When directing a right turn becomes necessary, the officer should proceed as follows:

(1) If the driver is approaching from the officer's right side, the extended right arm, index finger, and gaze are first directed toward the driver, followed by swinging the extended arm and index finger in the direction of the driver's intended turn.

(2) If the driver is approaching from the officer's left side, the same procedure may be followed utilizing the left arm.

d. Directing Traffic, Left Turning Vehicles

(1) Left turning drivers should not be directed to do so while the officer is also directing on-coming traffic to proceed. The officer should direct opposing vehicles to start while avoiding left turn gestures, which will lead the driver to complete their turn only when there is a gap in the oncoming traffic. The officer could also stop or hold oncoming drivers, after which the left turning driver can be directed into the turn.

(2) Generally, officers will stop oncoming traffic by using the proper right arm and hand. The arm and hand gesture should remain in the halt signal, then the extended arm and index finger and officer's gaze is directed toward the driver who intends to effect a left turn. When the left turning driver's attention has been gained, the extended arm and index finger are pointed in the direction the officer intends the driver to go.

(3) If the officer must clear the lane occupied by a driver who intends to make a left turn, but cannot because of oncoming traffic, the driver can be directed into the intersection and stopped adjacent to the officer's positions until the left turn can be safely completed. The driver may be directed to move forward and stop closer to the officer with one arm and hand gesture to allow traffic behind the turning vehicle to continue through the intersection. After the driver is positioned within the intersection, the officer may either halt oncoming traffic and direct the completion of the turn or permit the driver to effect the turn during a natural break in the oncoming traffic.

6. Use of the Whistle

The whistle can be a tremendous tool for traffic direction. The whistle when used properly can gain the attention of motorists and focus them on the directions you are giving. The standard whistle signals are as follows:

a. **STOP** - One long whistle.

b. **GO** – Two short whistles.

c. **ATTENTION** – four or more short, sharp whistles.

7. Nighttime Traffic Control

During periods of low light, it can be difficult for motorists to see your hands while you are directing traffic. It is recommended that you utilize an illuminated traffic direction wand such as those that attach to flashlights. When using a traffic direction wand, you should typically hold the wand in a horizontal position, parallel to the ground, and towards the traffic to indicate that they need to stop. When you want the traffic to proceed or turn, move the wand and point with it to indicate the direction you want the traffic to proceed. If you do not have a traffic wand, you can use the beam of your flashlight. Point the beam on the ground in front of the approaching vehicle and sweep it back and forth to indicate they need to stop. It will look like an elongated

spot of light on the ground sweeping back and forth across their path.

Supporting Rapid City Ord.

Documentation: 10.08.020

D. MANUAL OPERATION OF TRAFFIC CONTROL SIGNALS

1. Manual control of traffic signals shall be conducted only by personnel trained in the use of such devices and only to facilitate the movement of traffic in situations described above.

2. Manual traffic direction should not be performed by employees when use of a traffic control signal will alleviate the problem.

3. Mechanical traffic control devices should not be continuously operated by Department personnel. It is permissible for an employee to change the sequence or status of a traffic control device (for example, change a traffic light from normal sequence to "flash").

A. SPECIAL EVENT TRAFFIC CONTROL PLAN

1. Special Events: A variety of public events may require special accommodations to be made for parking and traffic flow. These events include such things as festivals, parades, rallies, sporting events, and other events attracting an abnormally high number of people into a given area. When notified by the Civic Center that expected attendance at an event would exceed 5000 patrons, a traffic plan will generally be implemented.

   a. Although the nature and extent of the traffic direction and control required by the Department will vary depending on the type of event, the supervisor or officer preparing for these events shall consider the following as is appropriate:

      (1) Ingress and egress of vehicles and pedestrians;

      (2) Provisions for parking;

      (3) Spectator control;

      (4) Public transportation;

      (5) Provisions for relief of employees assigned to fixed points for extended periods of time;

      (6) Provisions for the News Media;

      (7) Alternate routes for through traffic;

      (8) Temporary traffic controls and parking prohibitions; and

      (9) Emergency vehicle access.

   b. The Special Operations Section shall, when advised of an upcoming special event, review the details of the event, and determine if any special traffic enforcement or control functions will be required. If any are deemed appropriate, it will be the Section's responsibility to plan and coordinate the requirements to ensure the appropriate police coverage.

2. Highway Construction: Manual traffic direction and control is not necessary in every instance of highway construction. The use of employees to direct traffic in these situations is dependent upon the nature and scope of the work being conducted on the roadway as well as the nature of the roadway itself.

3. Fire Scenes: Department personnel will respond at the request of the Fire Department to assist at the scene of fires. In these instances, department personnel will be responsible to assist in controlling traffic flow into and out of the area. Any employee assigned to control duties at a fire scene will coordinate with the on-scene fire department supervisor to determine the Fire Department's requirements.

B. ADVERSE WEATHER/ROAD CONDITION TRAFFIC CONTROL

1. When adverse road and/or weather conditions are present, the on-duty supervisor shall determine if any additional manual traffic directing or controls shall be used. It is the on-duty supervisor's responsibility to assign personnel as needed to accomplish these functions.

2. In the case of fog, rain, snow, ice, smoke or other conditions, concerns over the safety of the employee and other highway users is greatly heightened.

   a. Employees shall make themselves as visible as possible using reflective clothing, reflective vest and/or rain gear.

   b. Warning must be provided to motorists that an impending hazard or obstruction is ahead. This may be done using flares or other warning and traffic control devices.

   c. Employees may make use of other resources as is necessary. These resources may include such things as requesting assistance from the Department of Public Works or the Fire Department.

   d. The employee may use an emergency police vehicle to provide additional lighting or to make use of the emergency lights to warn on-coming traffic.

C. TEMPORARY TRAFFIC CONTROL DEVICES

1. The Department shall use temporary or emergency traffic control devices only in those instances where traffic control is needed at a given location, and the normal mechanical devices are unable to be repaired in a reasonable time. It will be the responsibility of the on-duty supervisor to approve the use of any devices.

2. When any such action is taken, every reasonable effort shall be made to notify the public of the action taken, and the Chief of Police or a designee may notify the Mayor.

3. The provisions of this directive are generally used for special events where unusual traffic patterns or parking restrictions must be implemented.

4. The responsibility of the on-duty Shift Commander and/or Shift Supervisor, or other person designated as the Officer-in-Charge of any applicable special event is to ensure any special restrictions on traffic flow or parking are clear to motorists and pedestrians.

5. Sufficient signs and traffic control devices should be posted at intersections or other key areas to minimize confusion to any users of the roadway.

D. ESCORT SERVICES

The Department will not automatically provide police escort services. Any requests for escort services will be coordinated through the Field Services Commander or the on-duty supervisor. Any such requests shall consider the time of the escort, nature of the escort, and whether or not any non-police resources are available to provide the escort.

E. FUNERAL ESCORTS

The Rapid City Police Department conducts funeral escorts as a courtesy to the citizens of Rapid City. This service is provided in the interest of public safety and to ensure escorts are accomplished in a manner posing the least possible risk to the participants. Funeral escorts conducted within the City limits will be provided upon request based upon available personnel, and the following guidelines:

1. There must be a minimum of 10 vehicles for the Department to provide an escort. If there are less than 10 vehicles, not counting the funeral home vehicles, the Department will not conduct the escort.

2. All vehicles involved in the escort must be clearly designated as a procession vehicle by having a 10” x 12” (minimum size) purple flag affixed to the vehicle. These flags, which are provided by the funeral homes, will clearly indicate which vehicles are participating in the procession and which are not.

Supporting Documentation: Rapid City Ord. 10.12.290

A. SCHOOL CROSSING GUARDS AUTHORITY

1. School Crossing Guards are employees of the Rapid City Police Department. School crossing guards provide traffic direction and control at fixed and specific points at such times as directed by the Traffic Division Commander, for the purpose of ensuring the safety of school children traveling to and from schools in the City of Rapid City.

2. The authority and responsibility of school crossing guards shall be specifically limited to traffic direction and control. School crossing guards have no law enforcement powers, duties or responsibilities.

Supporting Documentation: Rapid City Ord. 10.08.020, 10.08.030

B. LOCATION CRITERIA

When making a determination to employ a crossing guard at a specific intersection, the following criteria shall be considered:

1. The street should be a four-lane facility; however, the Department also recognizes there may be factors requiring a crossing guard placement for a two-lane street.

2. Traffic counts must exceed 250 vehicles per hour during the hours of school operation.

3. The children crossing the street must be of elementary school age.

4. At signalized intersections, no school crossing guard will be provided unless traffic counts exceed 10,000 vehicles per day on either street intersecting the intersection.

5. A crossing guard will be provided at any crossing not meeting the above criteria but having special traffic engineering considerations as defined by the Traffic Engineer; and, approval for additional crossing guards that do not meet the aforementioned criteria must be granted by the Rapid City Common Council.

6. The City Traffic Engineer will be consulted for recommendations for the placement of School Crossing Guards, based upon traffic studies conducted by the Traffic Engineering Office and based on an annual documented review of crossing guard locations.

The Traffic Division of the Rapid City Police Department shall have authority to institute guards at crossings meeting the aforementioned criteria; and, all existing crossing guard positions no longer meeting the above criteria may be moved to locations as deemed appropriated.

C. SCHOOL CROSSING GUARDS SELECTION

1. The selection of school crossing guards shall be made on the basis of an interview and a computer background examination that shall consider all of the following:

   a. Past criminal history, with specific attention to any crimes involving children;

   b. A motor vehicle record check in this and any other state in which the applicant has lived;

   c. An assessment of any prior law enforcement background or experience;

   d. An assessment of the candidate's general fitness, to include consideration of the need to be able to stand for extended periods of time; and

   e. Consideration of the candidate's ability to work the required schedule.

2. The selection of adult school crossing guards will be based on the knowledge, skills, and abilities required in performing the function of a school crossing guard. All standards as mentioned in Section 420 of the Rules and Procedures shall be followed when selecting school crossing guards.

D. SCHOOL CROSSING GUARD UNIFORMS

The Department issues highly visible reflective vests and hand held STOP signs to Crossing Guards for the performance of their regular duties. No additional uniform equipment or apparel is required.

POLICY: When any officer discovers or is dispatched to investigate a report of a hazardous condition in or immediately adjacent to a roadway, the officer shall take corrective action they deem appropriate for the condition. Should the condition be of a severe nature, which could cause a traffic crash or damage to the vehicles, the officer shall remain on scene until the problem is corrected or necessary repair personnel have arrived with sufficient equipment or barricades to reduce the hazard.

A. CORRECTION OF HIGHWAY HAZARDS

1. The following guidelines are established for identifying, reporting and correcting hazardous highway and roadside conditions. Roadway and roadside hazards are contributing factors in many crashes.

2. Hazardous highway and/or environmental conditions shall include, but not be limited to:

   a. Defects in the roadway itself (holes, ruts, or dangerous shoulders);

   b. Lack of, or defects in, highway safety features (striping, reflectors, guardrails);

   c. Lack of, improper, damaged, destroyed, or visually obstructed traffic control and information signs;

   d. Lack of, improperly located, or malfunctioning mechanical traffic control devices;

   e. Lack of, or defective roadway lighting systems;

   f. Natural or manmade obstructions (fallen trees, litter, parts of vehicles);

   g. Debris in roadway;

   h. Ice or heavy snow accumulations on roadway surfaces;

   i. Fire and its attendant, smoke, in areas adjacent to the highway; and

   j. Vehicles parked or abandoned on or near the roadway.

3. The term "roadside hazard" shall refer to all physical features of the roadside environment which are such that a vehicle leaving the road surface for any reason, even momentarily, can impact with them resulting in unnecessary injury to people or damage to property. Roadside hazards include, but are not limited to:

   a. Guardrails, which may spear a vehicle;

b. Unshielded bridge railings that may not be able to retain an impacting vehicle; or

c. Trees, ditches, inappropriately steep banks, rock formations, and other fixed objects, and features of the roadside environment into which a vehicle might crash instead of being able to come to a stop in a clear distance.

4. The following procedure will be used in identifying, reporting, and correcting hazardous highway or environmental conditions:

a. When a hazard is identified and in the employee's opinion, such hazard requires immediate correction they shall immediately inform the dispatcher of the situation, identifying assistance or special equipment required. The employee will protect the scene and bystanders, and direct traffic or take any other action deemed necessary to control the situation.

b. When a hazard is detected that represents a potential crash situation, but the threat of such is not imminent, the employee shall document the incident and notify the appropriate Sector Lieutenant (i.e. via email, memo, or telephonically) and the employee’s immediate supervisor.

(1) This report shall contain a full description of the hazardous conditions and any recommendations for correcting the condition.

(2) The responsibility of the Sector Lieutenant is to ensure the proper authority is contacted regarding the hazardous condition, without delay.

POLICY: The Department will provide courteous assistance to any motorist who becomes lost or disabled within the city. Any officer who discovers or is dispatched to a report of a motorist needing assistance shall render as much assistance as possible, with due regard to other emergency calls for service within his area of responsibility.

A. ASSISTANCE TO HIGHWAY USERS

1. Officers shall be constantly alert for highway users who appear to need assistance. Whenever possible, consistent with the prevailing necessity to affect apprehensions of actual or suspected violators and to answer calls for service or fulfill assignments, officers shall stop and offer their services to highway users who appear to be in need of assistance.

2. Employees who assist stranded motorists shall remain alert to the following possibilities:

   a. The vehicle in the possession of the motorist has not been authorized for their use;

   b. The vehicle is in unsafe operating condition;

   c. The motorist is unlicensed to drive;

   d. The motorist is incapable of safely operating a vehicle; or

   e. The vehicle's occupants have engaged in criminal activity.

3. Employees shall not use city vehicles to:

   a. Push or pull any vehicle for the purpose of starting it unless the city vehicle is equipped with push bumpers;

   b. Jump-start another vehicle (City vehicles excluded). Supervisors may approve jump starting vehicles under special circumstances; or

   c. Tow another vehicle.

B. PROTECTION FOR STRANDED MOTORISTS

When an officer is with a disabled vehicle, the officer is responsible for providing protection to both the disabled vehicle and its occupants. The officer shall also take appropriate action to facilitate a smooth traffic flow around the disabled vehicle.

C. EMERGENCY ASSISTANCE TO MOTORISTS

1. When an officer is with an emergency situation involving a motorist, the officer shall provide all necessary emergency assistance, e.g., first aid and use of fire extinguisher, etc., to the motorist or motorist's vehicle that is within the capabilities of the officer, or until relieved by other personnel, such as paramedics or the Fire Department**.**

2. Employees may transport stranded motorists to the nearest convenient location where assistance may be obtained, however, employees should be certain assistance is available.

3. Employees shall provide information and directions upon request, and shall become familiar with the streets and highways in their assigned area. Employees should be familiar with various services, facilities, and tourist attractions available not only within the jurisdiction, but also in those places within a reasonable distance to which many persons can be expected to travel. If information is unknown to the employee, they shall make every effort to obtain it for the person.

POLICY: The Rapid City Police Department will remove vehicles from the streets when they are; abandoned, are evidence, or the owner is incapable of properly securing them. Vehicles from which the driver is arrested or where the continued operation of the vehicle would constitute a violation, may be towed in the interest of public safety.

A. REMOVING AND TOWING OF VEHICLES

1. The Department recognizes that towing vehicles is costly and time consuming, however towing expenses will generally be the responsibility of the vehicle owner.

2. Officers must consider the relative safety of the location and any valuables that may be in the vehicle when leaving the vehicle legally parked.

3. A vehicle may be towed under the following conditions:

   a. Whenever the driver of a vehicle is arrested or cited and continued operation of the vehicle would constitute a violation. Officers should tow vehicles in these instances unless extenuating circumstances are present which would lead the officer to determine otherwise.

   b. The vehicle is left unattended and in such a manner constituting an obstruction or a hazard to other traffic.

   c. The vehicle has been abandoned upon a public street pursuant to Ordinance Section 10.56 of the Rapid City Code for a period of 24 hours or more.

   d. When removal is necessary in the interest of public safety, e.g., fire, flood, snow removal, or other emergency reasons.

4. Where to Tow a Vehicle:

   a. The requesting officer shall direct the towing company to remove vehicles required for evidence to the towing company's impound lot or to the lot or secure facility designated for such storage. Officers must contact the Evidence Supervisor before placement of the vehicle at the Evidence Facility.

   b. All other vehicles shall be taken to the towing company lot, except when an emergency has been declared within the city and vehicles may be removed to a centrally located spot to be reclaimed by their owners.

   c. Drivers of vehicles involved in private tows may direct the towing company as they desire.

d. The officer who requests a tow is responsible for directing the removal and impoundment of all non-private tows.

5. How to Request a Tow:

a. An officer who determines that a vehicle must be towed shall request that a Dispatcher notify a towing company from the rotation list. The officer must briefly relate to the Dispatcher:

(1) The location of the subject vehicle;

(2) The type of vehicle, e.g., motorcycle, passenger car, 5-ton truck;

(3) License number and description of the vehicle; and

(4) Any special circumstances that may be related to the towing company e.g., winching required, dollies necessary, vehicle in the lake, etc.

b. The officer may upon the request of the vehicle's owner or driver, designate a specific towing company. In such cases, the Dispatcher shall notify the specified company.

6. Tows Under Declared Emergency Condition:

a. When an emergency condition has been declared by the City of Rapid City, the Department may direct the towing company to move a vehicle in the interest of public safety. The towing company will tow the vehicle to a designated public parking lot, nearby street or other close location where the vehicle will not hinder street maintenance or emergency preparedness.

b. The officer shall record the vehicle make, model, license number, location abandoned, and location where the vehicle was moved. This information will be noted on the log sheet in the Dispatch Center.

c. The towing company shall be paid in accordance with the City Rules and Regulations regarding the towing of vehicles during a declared emergency.

B. OBTAINING REPAIR/TOWING SERVICES

1. Whenever a vehicle is towed by the Department, only an approved towing company (from a list maintained by the Communications Center) will be contacted unless specified differently by the vehicle owner. The towing companies will be assigned on a rotating basis.

a. Vehicles will be stored by the towing company and not at the Department unless needed as evidence and approved by a supervisor. An attempt should be made to contact the owner whenever an unoccupied vehicle is towed.

b. Any vehicle located on City right of way and constituting an imminent threat to the public safety may be towed without prior notice.

2. When an officer is required to assist a motorist whose vehicle is disabled, the officer shall attempt to lessen, as much as possible, any negative impact the disabled vehicle may have on surrounding traffic flow. In those cases deemed appropriate, the officer shall have the Dispatcher contact a tow company to respond to remove vehicle.

3. Whenever a highway user requires a wrecker, roadside service or repair, the employee shall first request that the person desiring such service state the name of the wrecker company he wishes to provide that service.

    a. Where the person has no preference, the employee shall request that the dispatcher contact the next wrecker on the rotation list that is able to provide the appropriate type of service needed.

    b. In some cases, the motorist may have no preference other than requesting that the wrecker be associated with a motorist association such as AAA. In these cases, the employee shall request the next wrecker on the list that is associated with the particular organization or a wrecker service that is not on the rotation list.

4. Employees shall report to their immediate supervisors the name of any service agency or individual who either renders poor service or is incapable of providing the appropriate service requested because of inadequate equipment or personnel. Employees shall also report to their immediate supervisor any wrecker service that is unable to respond in a reasonable amount of time.

5. The Chief of Police may refuse to authorize the use of any wrecker service identified as being a source of problems in the service they provide.

C. RECORD OF REMOVED/TOWED VEHICLES

1. The Impounded/Recovered Vehicle Report shall be completed for all vehicles towed, except for private tows and vehicles towed from crash scenes by the owner's request. The officer completing this report shall state in the narrative section:

    a. The reason the vehicle was towed, e.g., abandoned, stolen, etc.; and

    b. If the vehicle is being held as evidence, an evidence tag must be completed and attached to the vehicle with copies forwarded to the Evidence Section. If the vehicle is to be processed, an evidence work request must be completed with details of the request.

2. The driver of the tow truck responding to tow the vehicle must sign the original copy of the impound sheet.

D. INVENTORY OF TOWED VEHICLES

1. With the exception of vehicles towed from crash scenes, all vehicles towed will be inventoried prior to release of the vehicle to the towing agency. This inventory shall be conducted to safeguard property contained in the vehicle, prevent unfounded claims of lost property against the Department and the towing agency, and provide for the safety of officers and the towing agency.

2. Officers are to conduct a thorough inventory of vehicles and their contents, including compartments and containers. Items found should be listed on the Impound Report. Currency and items of considerable value should be secured in Evidence or Property lockers, or noted for the towing agency to secure.

E. ORDERING A VEHICLE HELD

1. Vehicles may be held if they are evidence in a crime or if there are grounds to believe that they contain evidence of a crime. Officers should be aware of current court rulings concerning search and seizure laws.

2. Vehicles held as evidence must be processed thoroughly but quickly in order to decrease the time of impoundment.

3. Officers must ensure that only vehicles actually required as evidence are held. Processing as evidence, especially the taking of photographs, should be accomplished on location whenever possible.

4. To order a vehicle held as evidence, the officer must complete the Impound/Recovery Report and Evidence Information Form indicating "Police Hold" on the report. Vehicles held for evidence or for a police hold should be placed at the Department's impound lot to avoid excessive impound fees by tow companies. The police impound lot located at 5431 South Highway 79 is for long-term storage. Notification of all Police Holds will be forwarded to the Evidence Section and the respective investigative section (CID or Traffic). When vehicles are placed at a Department Impound lot the employee shall place the hard copy of the Evidence Information Form in an evidence locker, with the vehicle keys if seized, along with the tow company receipt. The report must indicate:

   a. A brief reason for the hold, e.g., vehicle contains burglary evidence--awaiting a search warrant, etc.

   b. Whether or not charges against the owner or driver are pending or vehicular homicide Driving while Under the Influence charges pending.

   c. The conditions of release for the vehicle.

   d. The employee completing the report shall sign in the Officer Signature box.

   e. The employee's supervisor reviewing the report shall initial and date it in the appropriate box as approving the report.

5. A vehicle, which has been held for evidence, must be released by one of the following; the employee ordering the impoundment, the investigator, or the prosecuting attorney assigned to the investigation.

6. Upon receipt of proof of ownership and identification, the investigator or evidence personnel shall:

   a. Inform the person of the location of the vehicle.

   b. Inform the person that towing charges will be paid directly to the towing company if the vehicle is stored by them.

   c. Assist the person to recover the vehicle by providing the person with the towing company address and telephone number and advising him/her to telephone the company to arrange retrieval.

   d. If the vehicle is held by the Evidence Section, then evidence personnel shall assist the person in retrieving their vehicle from police impound once its release has been authorized.

F. CLAIMS BY PERSONS FOR DAMAGES TO THEIR VEHICLES WHILE IMPOUNDED

1. Impoundment at the towing company lot:

   a. The Department shall not assume liability for damage or theft after custody of the vehicle has been assumed by the towing company.

   b. If the vehicle owner believes an employee of the towing company may be involved in a theft or damage to the vehicle, the incident shall be reported (in writing) to the appropriate Division Commander.

2. Impoundment at the Police Impound Lot:

   a. A person claiming damage to or theft from a vehicle held at the Police Impound Lot shall present to the department, in writing, the damages claimed, including an itemized list of damages or missing items and an approximate cost of replacement or repair.

   b. The itemized list and copies of all related reports shall be forwarded to the Investigative Division for preparation of an insurance claim against the City.

G. REPORTS TO BE FILED ON WRECKER SERVICES

1. It is the policy of the Rapid City Police Department that under circumstances where a wrecker is required, a report must be written if the following factors apply to the services rendered from the wrecker service:

   a. The wrecker does not respond within the required 30-minute response time and there is no legitimate reason for the delay.

   b. Although no set fee has been negotiated with all wrecker services on the rotation list, a report will be written if an officer or employee is aware that the person receiving the services is being charged more than what seems reasonable, under the circumstances.

   c. If an officer is dissatisfied with the service received by the wrecker service a report will be written.

   EXAMPLE: sweeping up debris at crash scenes.

   d. Any complaint regarding ill treatment by any citizen will be investigated and reported.

2. The report must be filed at the end of shift and will be routed through the chain-of-command. All reports will be kept on file with the Director of Emergency Services.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
525-03	Ancillary Traffic Services	1 OF 1
ORDER NO.: 10-02	**SUBJECT:** Abandoned Vehicles	
SUPERSEDES: 05-02	**EFFECTIVE:** 03-31-10	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

A. ABANDONED VEHICLES

1. Abandoned means a vehicle which reasonably appears to be inoperative and does not bear significant indication that the owner is conducting timely repairs or a vehicle which does not bear current license plates or has been parked on the public streets without moving for 24 hours.

2. Anytime an employee discovers a vehicle along the roadway that has been apparently abandoned due to mechanical breakdown or other reason, they shall determine if the vehicle location presents a hazard to other persons or motorists.

3. When the vehicle is legally parked and poses no hazard, if the owner cannot be contacted to respond for the vehicle, it will be tagged as an **abandoned vehicle.** No further action is necessary provided the employee is satisfied that the vehicle is not stolen and the owner is aware of its presence.

4. When the vehicle is illegally parked or presents a safety hazard, then the officer shall:

   a. Take immediate, temporary steps to insure the safety of other roadway users.

   b. Attempt to have the owner of the vehicle contacted to arrange to move the vehicle.

   c. Check the status of the vehicle to ensure it is not stolen.

5. If the owner of the vehicle or other person responsible for it cannot be located, or will not take steps to eliminate the traffic hazard satisfactorily, the vehicle may be towed by a wrecker approved by the owner of the vehicle or the next wrecker available through the towing service when no preference is indicated.

6. When a vehicle is abandoned or stored for more than 24 hours on a City street it may be towed. Employees must attach a "Tag for Tow" notice on the vehicle in a conspicuous place. A perforated section of the notice is completed and turned in with the normal paperwork. The Crash Investigator assigned to patrol will receive the copy of the notice and take enforcement action after the 24-hour time limit for the notice has expired.

   Supporting Documentation: Rapid City Ord. 10.56.040

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
531-01	Unusual Occurrences & Special Operations Administration	1 OF 4
ORDER NO.: 11-04	**SUBJECT:** Unusual Occurrences Administration	
SUPERSEDES: 08-02	**EFFECTIVE:** 07-20-11	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 46.1.1, 46.1.3, 46.1.8		

DISCUSSION: "Unusual occurrences" connote situations, generally of an emergency nature, which result from disasters--both natural and manmade--and civil disturbances. The category of disasters includes floods, blizzards, earthquakes, explosions, tornadoes, pandemics, and other circumstances, which could result in mass casualties.

When the City is threatened by circumstances likely to escalate into civil unrest or a riot, the Department is responsible for maintaining civil order. Ideally, the Department will proactively commit and deploy sufficient police resources to protect against the occurrence of illegal civil unrest and riotous conditions. In those instances where civil unrest unpredictably occurs, the Department's objective will be to respond as soon as possible with sufficient police resources for the purpose of reestablishing and maintaining civil order.

The many variables affecting the response to unusual occurrences preclude developing standards on specific situations. Therefore, the policies and procedures of this section address the administrative and operational measures this department should take in developing plans and preparing operationally to respond effectively to an unusual occurrence.

The types of situations that place special demands on Law Enforcement are rising. Violent criminal behavior, drug related crimes and an increased public demand for enhanced non-crime related services all contribute to the need for specialized police services, which are beyond the scope of normal operations. The Rapid City Police Department and Pennington County Sheriff's Office recognize this trend, and strive to provide well-trained, disciplined personnel to provide these services to the community.

In recognition of the many special events, and/or unusual occurrences faced by law enforcement today, the Rapid City Police Department created the Special Operations Section to help facilitate police resources where they are needed. The Special Operations Section is composed of one Lieutenant and one Sergeant, whose general responsibilities are outlined in policy 211-01.

A. UNUSUAL OCCURRENCES RESPONSIBILITY

1. The Special Operations Lieutenant shall be responsible for planning Department response to unusual occurrences, in addition to developing policy and procedures relating to general response situations. The Special Operations Lieutenant will act as liaison to **Rapid City/Pennington County Emergency Management and Pennington County Local Emergency Planning Committee,** and will be the principal advisor to the Chief of Police on unusual occurrences.

2. The Special Operations Lieutenant will be assigned to the Local Emergency Planning Committee (LEPC) which encompasses members from:

   a. Emergency Management;

b. Emergency Medical Services;

c. Fire Emergency Service; and

d. Industry and Education.

B. UNUSUAL OCCURRENCE COMMAND AUTHORITY

1. The Chief of Police is responsible for designating the Police Incident Commander (IC). During any stage of an unusual occurrence incident, the IC initiates and supervises police activities falling within our jurisdictional responsibility.

2. The Police Incident Commander will exercise command and control over all civil law enforcement resources committed to any unusual occurrence operation within the jurisdiction of the Rapid City Police Department.

C. UNUSUAL OCCURRENCE AID TO OTHER AGENCIES

The Rapid City Police Department follows Title 1 of the South Dakota Codified Laws and authorized agreements in requesting and providing assistance regarding mutual aid.

D. OPERATIONAL READINESS OF EQUIPMENT

1. The Special Operations Lieutenant or designee will be responsible for a documented check of equipment on a quarterly basis. Equipment shall be maintained in a state of operational readiness at all times. This equipment shall include; the Mobile Command Post, emergency radio equipment, and other equipment designated for special response operations.

2. The Inspection Log will be completed and forwarded to the Support Services Division Commander.

3. The Support Services Division Commander or designee will ensure any deficiencies are corrected and items utilized are replenished or repaired so operational readiness is maintained.

E. DISASTER PLANS/MULTI-AGENCY INCIDENT RESPONSE PLAN

1. The Rapid City Police Department has written plans for responding to natural and manmade disasters. The **Rapid City/Pennington County Multi-Hazard Emergency Operations Plan** will meet this requirement.

2. The Rapid City/Pennington County Multi-Hazard Emergency Operations Plan will contain step-by-step instructions on how to implement an emergency plan. The hazard plan includes annexes containing emergency operational procedures, personnel and equipment resources, external resources, command post needs, available communications, security measures, media relations, and on-site operations.

Note: The Emergency Operations Plan and included manuals are available in electronic format on all Command Staff Computers.

F. REVIEW OF EMERGENCY OPERATION PLANS

1. The responsibility of the Special Operations Lieutenant is to ensure the **Rapid City/Pennington County Multi-Hazard Emergency Operations Plan** is in operational readiness at all times. The Special Operations Section shall plan for the Department's response should an unusual occurrence incident occur.

2. Once each year, the Special Operations Lieutenant will ensure the **Rapid City/Pennington County Multi-Hazard Emergency Operations Plan** is reviewed and updated if required.

3. At least once each year, the **Rapid City/Pennington County Multi-Hazard Emergency Operations Plan** will be exercised in conjunction with Pennington County Emergency Management and other City and County authorities.

4. Developing and updating the manual:

   a. The responsibility for development and maintenance of the manual rests with the Pennington County Emergency Services Director.

   b. Annually, the manual will be reviewed and updated as needed at the direction of the Pennington County Emergency Services Director.

5. Distribution of the Manual:

   The Rapid City – Pennington County Multi-Hazard Emergency Operations Plan will be distributed to:

   a. Mayor’s Office (via- Emergency Management);

   b. Chief of Police (via- Emergency Management);

   c. Special Operations Section;

   d. Professional Standards Section;

   e. Division Commanders;

   f. Shift Commanders' Office;

   g. Shift Sergeants' Office;

   h. Mobile Command Post; and

   i. Director of Emergency Services Communications (via Emergency Management).

Note: The Emergency Operations Plan and included manuals are available in electronic format on all Command Staff Computers.

G. CIVIL DISTURBANCE PLANS

1. The Rapid City Police Department expends whatever resources are necessary to protect the rights of any person or group to conduct a peaceful and lawful demonstration at any location within the City. However, any unlawful activity, whatever the guise, requires prompt and effective action by the Department. The Department will take appropriate legal steps to discourage unlawful acts.

2. The purpose of this plan is to establish procedures for responding to civil disturbance, and emergencies at correctional facilities. For the purposes of this plan, civil disturbances are a large-scale disorder or other ongoing law violations committed by a large group of people at the same time.

3. The Rapid City Police Department will be responsible for maintaining order and providing general law enforcement services as may be required.

4. The plan for responding to any civil disturbance or emergency situation at the Pennington County Jail is located in 532-01

PURPOSE: The Rapid City Police Department and Pennington County Sheriff's Office have combined resources to form the Special Response Team (SRT). Additional procedures are located in the joint Rapid City/Pennington County Special Response Team Standard Operating Procedures.

A. SPECIAL OPERATIONS PROCEDURES SRT

1. The Special Response Team may be utilized whenever any of the following situations occur anywhere within the borders of Pennington County:

   a. Barricaded, armed FELONY suspect(s). Consistent with 532-02;

   b. Hostage incident where suspect(s) is armed. Consistent with 532-02;

   c. Sniper, or active shooter. Consistent with 113-08 & 532-02;

   d. Serving of Arrest/Search Warrants on FELONY suspect(s) when suspect(s) may be armed;

   e. At the request of other Law Enforcement Agencies experiencing any of the above situations;

   f. Technical and VIP Security, consistent with 532-05;

   g. Civil Disturbances. Consistent with 532-01.

   h. Emergency Management/Natural Disasters, consistent with the Multi-Hazard Emergency Operations Plan.

   i. Special Events, consistent with 532-06; or

   j. Other situations requiring tactical resolutions as determined by the Chief of Police or Pennington County Sheriff.

2. Special Response Team (SRT): This function is performed by those individual members who have received special tactical training in the following areas: hostage negotiations, sniper/observer, room/building entry, and hostage rescue in order to resolve incidents demanding tactical resolutions.

B. SPECIAL OPERATIONS DEPLOYMENT SRT

Deployment of the Special Response Team is intended to assist both Patrol and Criminal Investigation Divisions, of **BOTH DEPARTMENTS,** in any of the situations listed in section A above. Should a situation occur, the following procedure for deployment shall be followed:

1. Shift Commander or supervisor notifies SRT Commander.

2. SRT Commander will notify Police Chief/Sheriff.

3. SRT Commander determines resources to be utilized and initiates the call-up procedure (SRT Call-Out Roster). Dispatch will not notify SRT members unless requested to do so by SRT Commander.

4. Shift Commander or supervisor notifies Division Commander.

5. The use of SRT members in any type of SRT function requires the full callout process, including notification of SRT command and direction from the Sheriff or Chief of Police. Use of on-duty SRT members is acceptable provided proper notification and supervision is provided.

6. All SRT responses will be under the direct command of a SRT supervisor. The only exception will be Drug Unit supervisors, with appropriate training, may be permitted to supervise high-risk entries utilizing SRT components.

C. COORDINATION OF SPECIAL OPERATIONS

1. The following field coordination procedures shall apply to deployment of the Special Response Team.

   a. Whenever possible, the Division Commander requesting assistance should notify the SRT Commander or his designee as far in advance of the following:

      (1) Special events;

      (2) VIP visits; or

      (3) Other events that may allow advanced notice and/or planning.

   b. Normally, a meeting will be held between the Division Commander requesting the assistance and the SRT Commander. The meeting should include a discussion of the layout of the building/area to be searched, target areas or suspects, and relevant background information concerning the case.

   c. A **threat assessment,** to include personnel recommendations, should be formulated and forwarded to the Chief of Police/Sheriff or their designee for authorization concerning the use of the team in it's specialized capacity.

   d. When the specialized capacity is authorized, the SRT Commander or their designee will be responsible to activate the appropriate team members and brief them on the assignment prior to actual deployment.

   e. There shall be a debriefing between the Division Commander of the unit requesting the assistance and the SRT Commander or their designee, after the incident to discuss and critique the team's performance during the incident.

2. The following procedure shall be adhered to whenever the Special Response Team is being considered for deployment to other tactical situations not listed in section A or C.

   a. The requesting Division Commander should notify the SRT Commander of the request for assistance.

   b. Activation of the SRT requires notification and must be authorized by the Chief of Police and the Pennington County Sheriff or their designee.

   c. There should be an immediate briefing between the SRT Commander and the Division Commander concerning type of incident, the area of occurrence, and any other relevant information.

   d. The SRT Commander or their designee shall make the determination concerning the use of specialized team members (sniper/observer, hostage negotiators, entry team etc.), as well as other personnel needs, and be responsible for the proper notifications and deployment of the team.

   e. Once the SRT has arrived on scene, the responsibility for planning and resolution of the incident will rest with the SRT Commander, in concert with the Incident Commander, the Chief of Police and/or the Sheriff.

D. SPECIAL RESPONSE TEAM EQUIPMENT

1. Those members of the Special Response Team who are assigned as sniper/ observers, entry team, negotiation members shall be equipped with or have access to the following items, in addition to their regular police equipment.

   a. Portable radio.

   b. Chemical agent mask.

   c. Protective vest, which will be worn during the operational phase of any high-risk incident, as defined in Section A above. The only exception will be for the Sniper/Observer members whose protective vest requirement will be at the discretion of the SRT Commander or their designee.

   d. Complete sets of BDU clothing.

   e. Black tactical belts and holster.

   f. Extra ammunition and magazines for their service weapon.

   g. Oleoresin capsicum (10%) chemical agent.

   h. Spare handcuffs or other comparable restraining devices.

   i. Additionally, SRT Sniper/Observers shall be issued or have access to scope sighted rifles, proper ammunition, gun cases, binoculars and other items as needed for proper training and equipment maintenance.

   j. Other specialized equipment such as breaching devices, protective shields and the hostage telephone shall be maintained by the SRT team.

k. Specialized sniper rifles and ammunition may be maintained and secured by the assigned SRT member having custodial control over the weapon.

2. Command and Control personnel will be assigned to the designated Command Post.

E. SRT TEAM TRAINING

The Special Response Team (SRT) policy requires all assigned personnel engage in training and readiness exercises coordinated by the Special Response Team Training Officer. All training will be documented and the records will be retained by the Training Administrator.

F. SELECTION CRITERIA: SRT OPERATIONS

1. Assignment to the Special Response Team is generally voluntary.

2. Officers requesting assignment to the Special Response Team shall submit a memo to the Chief of Police or Sheriff, through their chain of command. This memo shall detail their qualification and the reason for the assignment request. The requesting officer must also solicit and receive a written recommendation for assignment to the team from their respective supervisor.

   a. Before submitting such a request, officers should be mindful of personal and family considerations such as interrupted plans, time for training, long hours, short notice, and the possibility of having to function under stress in hazardous working conditions.

   b. Appointment to the Special Response Team must be approved by the Chief of Police and Sheriff, who have collaborated with the SRT Commander. Appointments to the SRT are considered collateral duty.

3. The following shall be considered when reviewing the background of prospective applicants:

   a. Whether or not the applicant has satisfactorily completed probation with three years of patrol experience.

   b. The applicant’s use of sick leave.

   c. The number, content and adjudication of any citizens' complaints, and disciplinary actions the applicant may have been involved in.

   d. Firearms proficiency records.

   e. All available current or past evaluations.

4. Team members are chosen for their physical ability, discipline, willingness to do extra training, and ability to function as a team in a combat operation.

5. All applications should be reviewed by the Chief of Police/Sheriff and the SRT Commander.

6. Interview of Applicants:

   a. All applicants will be entitled to an interview.

b. All applicants will be notified of their interview as far in advance as possible prior to the interview. Notification will specify the date, time, and locations and anticipated length of the interview.

7. Interview Board at a minimum will include:

   a. SRT Commander

   b. Tactical Commander

   c. Chief of Police and/or Sheriff or their designee.

8. Interview:

   a. Use of a standardized set of questions.

   b. Follow Department guideline on Selection for Oral/Interview Boards:

      (1) Comments are required.

      (2) Rating is required.

      (3) Follow up questions must be documented.

      (4) Meet requirements to achieve a fair and non-discriminatory evaluation of applicants.

9. Evaluation Criteria:

   a. Personnel files

   b. Training files

   c. Past evaluations

   d. Interview

   e. Command Staff input

   f. Psychological evaluation

   g. Any applicant for the position of Sniper/Observer must submit to a specific psychological exam for the position.

10. Appointment to the Special Response Team will be made by the Chief of Police using a Personnel Order.

G. HOSTAGE NEGOTIATOR SELECTION

1. Due to the types of incidents and persons the negotiators may be called upon to deal with, hostage negotiators must meet the following criteria:

   a. Applicants must have a good speaking voice, verbal skills and problem solving abilities.

   b. Applicant has satisfactorily completed probation with two years of patrol experience.

c. The applicant's use of sick leave is minimal.

d. The number, content and adjudication of any citizens' complaints, and disciplinary actions the applicant may have been involved is minimal.

2. Openings shall be advertised throughout the Department.

3. Interested personnel shall request appointment as a hostage negotiator in the appropriate Department procedure. It is required that applicants submit a resume outlining the reason for requesting the appointment. Education, special skills, and special training should be included. A written letter of recommendation from the applicant's immediate supervisor is also required.

4. All applications should be directed to the office of the Chief of Police or Sheriff through the Chain of Command.

5. Review and Selection Procedures:

a. All applications shall be reviewed by the Chief of Police and the SRT Commander.

b. Interview of Applicants:

(1) All applicants will be entitled to an interview.

(2) All applicants will be notified of their interview as far in advance as possible prior to the interview. Notification will specify the date, time, and location and anticipated length of the interview.

c. Interview Board at a minimum

(1) SRT Commander

(2) SRT negotiator team leader

(3) Minimum of one SRT Squad Leader

(4) Minimum of one person, as designated by the Chief of Police or Sheriff, with preference to those with backgrounds in Sociology or Psychology.

d. Interview:

(1) Use of a standardized set of questions.

(2) Follow Department guidelines on Selection for Oral/Interview Boards:

(a) Comments are required

(b) Rating is required

(c) Follow up questions must be documented

(d) Meet requirements to achieve a fair and non-discriminatory evaluation of applicants.

e. Evaluation Criteria:

(1) Personnel files

(2) Training files

(3) Past evaluations

(4) Interview

(5) Psychological examination for the position.

f. Appointment:

Appointment will be made by the Chief of Police using a Personnel Order.

PURPOSE: The purpose of this standard is to establish policy and procedure for handling water search and rescue operations conducted by the Rapid City/Pennington County Water Rescue Team.

POLICY: The Rapid City Police Department in a joint effort with the Rapid City Fire Department and Pennington County Sheriff's Office will maintain a water search and rescue dive team. This unit shall handle water related rescue operations, water related search operations. The Water Rescue Team may be called upon to search other bodies of water within the boundaries of Pennington County, or outside the county when requested and approved by proper authority. The Special Operations Lieutenant has command oversight over Department members of the Rapid City/Pennington County Water Rescue Team and will work closely with the Team Leader of the entire team from the Water Rescue Team.

A. SPECIAL OPERATIONS DEPLOYMENT WATER RESCUE TEAM

1. Whenever an officer responds to a water related call, be it a reported drowning, boating accident, etc., the officer shall have the Emergency Services Communications Center dispatcher notify all Water Rescue Team members through the paging protocol provided.

2. Once the Water Rescue Team member arrives, the officer should provide what assistance is needed after turning control of the incident over to the On-Scene Water Rescue Team Leader.

3. The Rapid City/Pennington County Water Rescue Team may be utilized for recovery of evidence or other items deemed significant by Patrol, Criminal Investigation or the Sheriff's Office. When deployed for evidence recovery the criteria below will be followed.

    a. A written or verbal request for assistance is given to the Water Rescue Team Leader or Department Representative.

    b. A time and date for deployment of the Water Rescue Team is determined.

    c. A briefing is held between the requesting component and all responding Water Rescue Team members; a strategy is agreed upon and implemented.

    d. After completion of the water operation, a debriefing and critique will be held between the Water Rescue Team and the requesting organization.

4. All Police Department members of the Rapid City/Pennington County Water Rescue Team must maintain their individual diving proficiency standards as directed by Dive Rescue International and National Fire Protection Agency (NFPA) Standard 1006.

5. Police Department officers who are members of the Rapid City/Pennington County Water Rescue Team may be reimbursed for use of their personally owned dive equipment, if used for a call out situation. (Union Contract)

Supporting Documentation: Union Contract (Fraternal Order of Police) -- Sec. 13.09

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
531-04	Unusual Occurrences and Special Operations Administration	1 OF 3
ORDER NO.: 18-02	**SUBJECT:** After-Action Reports	
SUPERSEDES: 12-01	**EFFECTIVE:** 02-26-18	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 46.1.3		

PURPOSE: To evaluate the response to special events or unusual occurrences, and identify areas for potential improvement in future responses.

DEFINITIONS

1. A Special Event is a planned or unplanned occurrence such as a concert, parade, festival, dignitary visit, sporting event, political demonstration or other event, which by its nature may attract a large number of people and may affect pedestrian or traffic flow, or may cause disorder. Not all Special Events require Post-Orders detailing personnel assignments, traffic control, crowd control and other pre-planning requirements. However, a Special Event, which requires Post-Orders will require an After-Action Report.

2. An Unusual Occurrence is an occurrence for which we train and pre-plan, but we hope never occurs. Such events include natural disasters, active-shooter incidents, hostage situations, terrorist attacks, or other occurrences, which place citizens and public safety personnel at extreme risk of injury or death. All Unusual Occurrences require an After-Action Report.

A. AFTER-ACTION REPORTS

1. The Special Operations Lieutenant, or the Operational Commander of the event, will submit after-action reports within 15 working days of the incident. These reports will be directed to the Chief of Police through the Chain-of-Command. After the Chief's review, the reports will be sent to the Support Services Division Commander for filing.

2. The Suggested format for the after-action report is as follows:

   a. **Introduction:** The supervisor completing the report will identify themselves, their regular assignment, when they became involved in the incident, and their assignment during the incident. The question, "What happened?" should be answered in this section.

   b. **Description of the Initial Situation**: Describe briefly the nature and scope of the emergency up to the point of the arrival of your personnel.

   c. **Identification of Problems**: Problems caused by the nature of the situation. The nature of some emergencies in and of themselves causes some restrictions to response, i.e., the mobility and response of units could be impaired by flooding conditions. While the resolution of some of these problems may be time consuming, they still may be resolved through initiative and perseverance. This section provides the reporting person with the opportunity to explain how the inherent characteristics of a problem or manmade phenomenon impaired their operation. The question "What was our response?" should be answered in this section.

d. **Agency problem areas**:

(1) **Personnel**: What personnel restrictions or problems were encountered during the incident? An example might be that responding personnel were unfamiliar with some aspect(s) of emergency operations plans.

(2) **Procedures**: This section provides a commander with the opportunity to address what operational restrictions were caused by normal or emergency operational procedures.

(3) **Equipment**: Equipment failure or lack of certain types of equipment is a possible restriction, which should be addressed.

(4) **External Problem Areas**: Emergency operations require some degree of coordination with other agencies within the Incident Command System structure. As the seriousness and scope of an incident increases, the number of outside agencies involved will also increase. Commanders should identify the problems they faced in the coordination of their agency's (or Division's) response with that of other agencies (or Divisions).

e. **Recommendations**: During emergency operations, commanders have the unique opportunity of experiencing the conflicts caused by unusual situations. Because those specific situations cannot be predicted and each one will require different responses, the reporting person should list the recommendations he/she feels would effect:

(1) The training of Department personnel;

(2) Planning for future operations;

(3) The coordination of planning with other agencies or divisions; and

(4) Evaluation of equipment.

The question "What would we do differently next time?" should be answered in this section.

B. SRT AFTER-ACTION REPORTS:

1. **The Special Response Team will utilize an After-Action Report where each of the Team Leaders submits a letter to the SRT Commander outlining what role their Team played in the resolution of the critical incident. This After-Action report should include:**

   a. Description of the situation for which the team was activated.

   b. Complete list of all personnel activated for the incident.

   c. Appropriate planning for crisis resolution.

   d. Overall outcome of the SRT call out.

2. SRT after-action reports will be kept on file by the SRT Commander, and will be utilized to detect training issues, determine equipment needs, and identify any other critical area needing addressed.

3. The SRT Commander, after receiving all the Team Leader reports will submit an overall report to the Chief of Police and Sheriff. This overall report will detail and issues needing addressing.

DISCUSSION: The tactics employed by dissidents or incarcerated individuals engaged in disruptive activities frequently include efforts to draw the police and other public officials into responses likely to produce violence and injury to participants and thus garner support for their cause. It is therefore incumbent upon the Department to cope with disruptive situations in a professional manner that will minimize the potential for violent confrontations.

When the City is confronted with a situation which may escalate into a serious confrontation, the Department must establish control of the situation by reacting quickly and committing sufficient resources to control the situation. Control must be established in all parts of the involved area so that there are no areas into which the Department cannot go. Law violators must be arrested and their prosecution sought. Finally, the Department must remain in the effected area with adequate personnel and equipment for a sufficient period of time after order is restored to convince all concerned that additional outbreaks will not be tolerated.

1. This plan provides pertinent information to all department personnel who must make decisions as to proper action in order to prevent, contain, or neutralize civil disorders. Shift Supervisors/Commanders are encouraged to make decisions on any police action which they believe is necessary without waiting for higher authority to arrive on the scene.

2. Department personnel will be responsible for the following general functions during such events.

A. COMMUNICATIONS:

1. The on-scene commander (Incident Commander) will make the necessary decisions relating to communications. At his direction call for "**Emergency Traffic Channel 1**" and designate the main police frequency as the primary channel for dealing with the disturbance, or he may designate a separate channel for that purpose.

2. The Command Vehicle may respond to the disturbance scene to coordinate communications among agencies at the scene.

3. The Emergency Services Communications Center (ESCC) shall coordinate operations with the Command Vehicle and make notifications or carry out assignments by Command personnel.

4. Radio call signs for the duration of the operation will be identified and assigned by the Incident Commander.

5. A complete listing of all assigned radio call signs will be provided to Section Chiefs and other concerned personnel by the Communications Unit Leader.

B. MOBILIZATION:

The Shift Supervisor/Commander may (after informing higher Command personnel) initiate a mobilization of off-duty personnel. This mobilization of personnel will be implemented according to 532-04.

C. SITUATION MAPS:

1. The Rapid City Police Department will ensure situation maps will be available for use in plotting operational commitments during disasters and/or civil disturbances.

2. Situation Maps shall be maintained in the Emergency Services Communication Center - Situation Room and the Command Vehicle.

3. Situation Maps are available from:

   a. Public Works Director (City of Rapid City).

   b. Emergency Services Communication Center Incident Room (Aerial/Rural Addressing).

   c. Rapid City/Pennington County Emergency Operations Center (EOC).

   d. The Emergency Services Communications Center and Mobile Command Vehicle shall have up-to-date situation maps available to all command personnel.

D. FIELD COMMAND POSTS:

1. The operation command post (EOC) will be located in the Emergency Services Communications Center (ESCC- Situation Room) at the Public Safety Building or other areas designated by incident command.

2. The Incident Commander may designate a field command post at an appropriate location away from the scene of the disorder. The command post will serve as a central point for dissemination of information and communications.

3. Command personnel shall establish a permanent site for Command Post activities upon their arrival. Factors in selecting location for the Command Post should include:

   a. Close proximity to a convenient, safe, staging area;

   b. Adequate parking;

   c. Telephone availability;

   d. Reasonable proximity to the incident site; and

   e. Relief facilities.

4. A log shall be kept by the Planning Section Chief or Situation Unit Leader if designated at the Command Post and shall include:

   a. Chronological listing of major events or decisions at the scene;

b. Hours worked by on-scene personnel;

c. Tracking location duties/assignments of personnel; and

d. Any other pertinent information.

E. CHAIN OF COMMAND:

1. In the event that an officer determines that a disorder is occurring or is imminent, the on-duty Shift Commander shall be notified, and it shall be his responsibility to ensure that the Field Services Division Commander and the Chief of Police are likewise notified.

2. The Shift Commander shall respond to the scene and make immediate personnel assignments as necessary to protect the safety of residents, bystanders and other persons not involved in the disturbance.

3. The Shift Commander shall be the Incident Commander until relieved by a superior officer, consistent with Procedure 531-01 B, **UNUSUAL OCCURRENCE COMMAND AUTHORITY,** establishing command protocol.

4. All Department personnel scheduled to be directly or peripherally involved will be assigned duties as shown below:

   a. Overall direction of Department activities.

   b. Incident Commander - responsible for overall planning and for field command and coordination of all activities related to operations. Assigned by the Chief of Police.

   c. Command of patrol officers not specifically assigned to location of event.

   d. Command of Communication Unit; responsible for all Department communications requirements.

   e. Command of Planning Section; responsible for direction and coordination of all intelligence gathering, analysis, and dissemination. The intelligence function may involve the following tasks:

      (1) Collate, analyze and disseminate all information pertinent to police operations.

      (2) Provide specialized equipment for covert/covert recording of activities, to include video.

      (3) Provide covert operations for the purpose of mingling with the demonstrators to gather intelligence.

F. COMMUNITY RELATIONS - PUBLIC INFORMATION:

The responsibility for community relations and public information (Media) shall be the responsibility of the Department Public Information Officer (PIO). The on-duty Shift Commander shall follow those procedures for release of information to the media as directed by section 730 of the Rules and Procedures Manual.

G. LIAISON WITH THE COURT:

1. Enabling legislation exists that permits responsive and preventive actions by the Rapid City Police Department during emergency situations.

2. The City Attorney for Rapid City and/or the Pennington County State's Attorney may respond to any civil disturbance or disorder at a correctional facility within Pennington County and give legal advice as needed on all matters pertaining to the Department's response to such disturbances.

H. OTHER LAW ENFORCEMENT SUPPORT:

The Incident Commander or their designee (Liaison Officer) shall be responsible for liaison with Law Enforcement support agencies.

1. Non-Law Enforcement agencies may include fire, medical, and ambulance support.

2. Law Enforcement Officers from other jurisdictions shall be used in a supporting role such as traffic control, transportation, or detention of prisoners rather than in a direct enforcement role, whenever possible.

I. MILITARY SUPPORT:

Request for assistance from the South Dakota National Guard shall be made consistent with Procedure 121-02 F, **REQUEST FOR NATIONAL GUARD ASSISTANCE.**

J. PUBLIC FACILITY SECURITY:

The Incident Commander shall ensure that adequate steps are taken to protect the security of vital public facilities that may be threatened by the disorder (City Hall, Public Safety Building, Civic Center, Water Treatment Plant, Communication Sites, etc.)

K. TRAFFIC CONTROL:

1. Traffic Control shall be implemented immediately to secure a perimeter around the emergency scene. Officers shall direct traffic away from the area and shall inform residents of the affected area where to respond for assistance and information.

2. The Incident Commander shall take immediate steps to isolate the scene of the disorder and protect innocent bystanders and residents through evacuation procedures if necessary and appropriate vehicular and pedestrian traffic control.

L. EQUIPMENT REQUIREMENTS:

1. All personnel designated or assigned to any activity related to the department's response to a disorder shall be in uniform or wear a badge or other identification conspicuously so as to clearly designate themselves as police personnel. Non-sworn personnel shall wear attire suited to their assignment.

2. Weapons and Ammunition:

   a. Unless otherwise specified by written instruction, only Department issued weapons and ammunition will be authorized.

   b. Specialized weapons will be issued only if authorized by the Chief of Police/Sheriff or their designee.

3. Special Equipment or Supplies:

   a. Special equipment and supply requirements/requests shall be transmitted directly to the Logistics Section Chief at the command post.

   b. Section Chiefs shall be responsible for maintaining control of all special equipment issued. They shall submit a list of items expended during the operation to the Incident Commander.

4. If the operation becomes lengthy or develops into a mass arrest situation, arrangements will be made by the Logistics Section Chief to insure the maintenance facilities of Department vendors and the City Shops are staffed to provide emergency maintenance services.

M. POST-OCCURRENCE DUTIES:

1. The Incident Commander may authorize the de-escalation of the police response to the disturbance when:

   a. It appears that the disorder has discontinued and the public safety is no longer in jeopardy, and

   b. The effects of the disturbance (i.e. vandalism, assaults, injuries, etc.) no longer present a danger to the community.

2. The de-escalation procedures may involve the reassignment of personnel from the field to:

   a. Detention areas to facilitate the processing of prisoners.

   b. Completion of all reports.

   c. Maintenance and return of specialized equipment with the Logistics Section Chief or Supply Unit Leader if designated.

3. All Department personnel involved in the response to the disorder shall complete a report consistent with department procedures. This report shall detail all actions taken by that member during the course of the disturbance.

4. The Chief of Police may assign a supervisory officer(s) to review the department's response to the disturbance and the effectiveness of actions, procedures, and planning. A report of the findings will be made, including any recommended changes in procedures.

N. AFTER-ACTION REPORTS:

After-action reports are reports prepared by incident supervisors and submitted, through the chain of command, to the Incident Commander. The purpose of such reports is to provide the Department with an overview of the activities and problems encountered during the incident and what actions were taken to adjust to the situations. After-action reports can be very valuable in examining the problems associated with managing an emergency operation. The procedures for submitting After-action reports are covered under Rules and Procedures section 531-04.

O. TRANSPORTATION:

1. Transportation may be provided to the scene by appropriate vehicles per the situation.

2. Prisoner Transportation:

   a. Persons taken into custody will be processed and transported according to Department procedure.

   b. If a large number of persons are taken into custody, they will be taken to a field processing center and processed according to the existing mass arrest procedures (section R below).

P. RESPONSE TO PENNINGTON COUNTY JAIL:

1. By virtue of its proximity to the Pennington County Jail, the Rapid City Police Department may be notified or requested to assist in cases of emergency or unusual situations which may arise at the facility. The policy of the Rapid City Police Department will be to respond to such notification or request and to assist during unusual occurrences or emergency situation not only to the Pennington County Jail but also to:

   a. Pennington County Juvenile Services Center;

   b. South Dakota State Penitentiary Alternative Facility (So. Hwy. 79);

   c. Pennington County Receiving and Referral Facility.

2. Those occurrences include, but are not limited to riots, disturbances, escapes by prisoners, and other unusual occurrences that may occur at the facility.

3. The Rapid City/Pennington County Multi-Agency Incident Response Plan may be used as a resource for response and enforcement action during an unusual occurrence at correctional facilities.

4. The release of any information to the media concerning a disorder at the Pennington County Jail will be the responsibility of the Pennington County Sheriff.

Q. CIVIL DISTURBANCE: MASS ARREST

1. The Rapid City Police Department includes within this civil disturbance plan provisions for carrying out mass arrests.

2. A mass arrest situation exists when, in the judgment of the Field Services Division Commander, the number of persons to be arrested out of a single incident exceeds the Department's ability to perform normal arrest, booking, and reporting procedures.

R. MASS ARREST PROCEDURE

In the event that it becomes necessary to make a large number of arrests so that the normal capacity of the Department to transport, process, or detain the arrestee is exceeded, the following procedures shall apply.

1. A mass arrest situation exists when, in the judgment of the patrol commander, the number of persons to be arrested out of a single incident exceeds the Department's ability to perform normal arrest, booking and reporting procedures.

2. Sufficient police manpower will be gathered before any enforcement action is taken at the scene of the mass arrests.

3. The Investigations Division will be notified for deployment of field identification teams.

4. The City Finance Office may be contacted for any required supplies or equipment beyond normal inventories.

5. Frequent and extensive security checks will be made to all city facilities and parking areas by patrol units following mass arrest situations. Groups gathering in the lobby of the Public Safety Building will be kept under close surveillance.

6. The on call Deputy States Attorney and the on call Magistrate Court Judge will be contacted as needed by the patrol shift commander.

7. At the arrest scene, police vehicles will be parked and secured at one location, with at least one officer remaining with the vehicles for security purposes.

8. Each officer will be equipped with a helmet and a 26" baton. Officers should also be equipped with flex cuffs and identification bracelets.

9. Police personnel at the scene will remain together as much as possible. No officer will leave the group to pursue a subject into or through a crowd.

10. Arrestees will be immediately removed from the arrest scene and taken to a field processing center. Arresting officers will return to crowd control duties as quickly as possible.

11. Arrestees will be transported directly to an appropriate place of confinement or release as soon as possible after processing. The standard procedures for transporting prisoners apply to mass arrests. In the event that buses or other mass transportation vehicles are used, care should be taken to ensure that arrestees are properly secured with handcuffs or flex cuff, and a sufficient number of officers are on hand to maintain maximum security.

12. Persons not to be taken into custody are left an escape route by which to peacefully leave the area, either on foot or by vehicle. Police vehicles will not be parked so as to block streets unnecessarily.

13. Only one officer or supervisor shall give instructions to the crowd. The instructions given and the name of the person giving them shall be documented in written reports.

14. The Incident Commander shall account for all police personnel and equipment before leaving the arrest site.

15. Transportation immediately after an arrest may be accomplished by requesting mutual aid assistance from other departments, or by the use of additional department personnel in unmarked vehicles.

S. FIELD PROCESSING OF PRISONERS

1. The processing of prisoners shall be consistent with established procedures for completing booking, arrest reports, and fingerprinting, except that in all cases a photograph shall be taken. The normal booking may be substituted for a Polaroid photo of the arrested taken with the arresting officer. Booking may be delayed temporarily until additional personnel are available for this purpose.

2. Officers will be assigned as needed to maintain order in the field processing area.

3. Arresting officers will complete the subject, charges (except C.R. numbers), and the narrative sections of the arrest report for each arrest.

4. The arrest report will be sent with the transporting officer to the prisoner's place of confinement or release.

5. The officers assigned the disposition of the prisoner will annotate the disposition in the narrative section of the arrest report as necessary. The officers assigned the disposition of the prisoner will also complete any required summons if the prisoner is to be jailed.

6. Arresting officers will remove each prisoner's property and place it in a paper evidence bag. The bag will be stapled shut and the officer's initials, identification number, and the prisoner's name and field booking number will be written on the bag. Officers will also note any large sums of money or items of exceptional value on the outside of the bag. The prisoner's property will be sent to the prisoner's place of confinement or release.

7. Any evidence seized as the result of a mass arrest incident will be turned over by the arresting officer to a designated officer at the field processing area, and the bag initialed by the officer receiving the evidence.

8. The designated officer will complete a property report noting the time, date, and the officer from whom the evidence was received. The evidence will be sealed in an appropriate container and is identified as evidence, initialed by the officer and the arrestee's field booking number will be placed on it.

9. All evidence will be placed in a secure location by the officer and transported by that officer to the Evidence Section at an appropriate time.

10. Field prisoner booking will be completed by a field booking team, consisting of a minimum of two officers who have kits containing all necessary items to provide a positive field identification, photographs, fingerprints, etc.

11. One booking team will be assigned to a designated location. Remaining field booking teams will be assigned to mobile crime units or be placed on call.

12. The field booking teams will display the case report number for the incident, the reporting district, and any code numbers used, along with the charges they represent, for officers to use as a reference.

13. A field booking number will be assigned to each arrestee. This number will be separate and distinct from any type of numbering system now in use. This number will not replace the ID number, case number, or jail booking number and will be used only when mass arrest procedures are in effect. This number will be placed on the back of the 8" by 8" field booking card and will be large enough to be seen in a Polaroid photograph. The first arrestee will receive booking number 1 and the following arrestees will be sequentially numbered.

14. One Polaroid photograph will be taken of the arrestee and the arresting officer(s), while the field booking number is held by the arresting officer in a visible manner.

15. The arrestee's name, date of birth, field booking number and code letter of charges will be entered into the field booking log by a field booking team officer.

16. The field booking team officer will place the following information on the reverse side of the 8" by 8" field booking number card.

    a. Arrestee’s name

    b. Date and time of arrest

    c. Officer’s name and number

    d. Initials of field booking team officer

    e. Statute or Ordinance number of arrest charge

    f. The arrestee's four right fingers printed simultaneously.

17. The Polaroid photograph will be stapled to the field booking number card. The photograph and the booking card will be taken to the department at an appropriate time for inclusion in the case file.

18. The field booking team officer will write the field arrest booking number on the right forearm of the prisoner with a permanent black felt tip pen.

19. Upon completion of field processing, arrestees will be taken a place of release or place of confinement.

20. Arrestees who are not incarcerated are normally released at headquarters. If headquarters is in close proximity to the disturbance area, increasing the likelihood that released prisoners will again become involved in the disturbance; an alternate release location may be arranged by a supervisor.

21. As soon as the approximate number of persons to be incarcerated is known, the appropriate confinement facilities will be contacted by the Communications Unit Leader.

22. A liaison officer will be assigned to coordinate interaction with any defense counsel that may respond to a mass arrest situation.

23. Area hospitals will be notified and an ambulance will be summoned to respond to stand by.

24. Food, water, and sanitation needs will be met whenever possible.

25. Juvenile arrestees shall be handled, processed, and released in accordance with established departmental procedures and shall remain segregated from adult arrestees.

26. Defense counsel visitations will be permitted only if the manpower level permits the adequate supervision of the visitation and the safety and security of all persons.

T. REPORTING PROCEDURES IN MASS ARRESTS SITUATIONS

1. One case report number will be used for an entire incident, and will appear on each custody report.

2. Only one narrative will be written for the entire incident. It will be prepared by one officer and will begin with a chronological listing of all persons arrested in the incident. The narrative need not describe each arrestee's part in the disturbance, as this is noted briefly on each arrest report.

3. The narrative will follow standard Departmental format and will include information on

   a. The source and number of complaints received by the police.

   b. The verbatim instructions given to the crowd and the name of the person giving them.

   c. All officers making arrests listed as witnesses.

   d. Any injuries sustained by Department personnel.

   e. Whether or not the arrestee(s) had been drinking, and if so, where.

U. COMMUNITY RELATIONS/PUBLIC INFORMATION

In the absence of the Public Information Officer, the Incident Commander will identify one person as Information Officer, who shall be responsible for the community relations/public information function in relationship to the disturbance. In the situation of a disturbance at the county jail or other correctional facility, the agency having control over that facility shall be responsible for the community relations/public information function. That person may be responsible for:

1. Media briefings at a designated location.

2. Dissemination of public information and public advisories as necessary to ensure:

   a. Citizen cooperation with Law Enforcement efforts.

   b. The safety of citizens in the community.

   c. Control rumors and the associated public hysteria.

3. Dissemination of accurate arrest and casualty information.

A. RESPONSIBILITY OF FIRST OFFICER ON SCENE OF A HOSTAGE/BARRICADE SITUATION

1. The first officer(s) on the scene shall verify whether a barricade and/or hostage situation exists and take steps to calm the situation, slow the action, and save human life.

2. Officer(s) on the scene shall notify Communications that a hostage or barricade situation exists and will request a supervisor / commander respond to the scene.

3. Officer should attempt to avoid confrontation in favor of controlling and containing the situation, unless an 'active shooter' situation exists.

4. Officer(s) on the scene shall request sufficient back-up units to ensure containment of subjects, secure the scene, and establish traffic and crowd control. This should begin as soon as the officer(s) determines what type of confrontation is being faced.

5. Officer(s) should identify and isolate the critical zone to the smallest possible area by creating an inner perimeter. If possible, bystanders and injured persons should be evacuated from the inner perimeter.

6. Police vehicles should be parked in such a manner to block access into the inner perimeter. Officers shall take positions which provide protective cover and concealment.

7. Officer(s) on the scene shall relay any additional available information to Communications as soon as possible, including;

   a. The location of incident and the exact location of suspect(s);

   b. Suggested access routes to be used by responding personnel;

   c. The need for immediate response of other emergency units / equipment such as ambulance, rescue / fire apparatus;

   d. The description / identity of suspect(s) and weapon(s), if available;

   e. The description and location of any hostages; and

   f. The presence of any injured citizen(s) or police officer(s).

   g. Request a radio channel be assigned for the barricade / hostage situation and all officers not assigned to the scene operate on another channel;

8. If further need exists to evacuate bystanders or injured persons, efforts must be carried out with all due consideration for the safety of all officers and citizens involved. Upon their arrival, SRT personnel should be used to assist in removing injured persons from the inner perimeter area.

   Witnesses to initial stages of the incident should be located and detained in a secure area in order that they may give relevant information to the on-scene commander.

9. Any officers not in uniform responding to the scene to assist shall describe themselves, their clothing, and display their Agency identification.

10. Officers shall not initiate tactical actions other than those necessary to protect the lives and safety of themselves or others, consistent with the Department's use of force policies, in favor of utilizing trained hostage negotiators from the Special Response Team.

B. SUPERVISOR RESPONSIBILITY

The patrol supervisor, upon arrival on the scene and verification of a hostage / barricade situation, shall assume command pending the arrival of a command officer and shall:

1. Ensures bystanders and injured persons have been evacuated form the area directly around the suspect's location.

2. Request any needed additional equipment and units and deploy as necessary to contain the suspect(s) and secure the area. The inner perimeter should be reinforced, if necessary, and a secondary perimeter should be established based on the nature of the incident. Additionally, the supervisor should direct units to stop any inbound foot or vehicle traffic as required and ensure firearms discipline is maintained.

3. Evaluate the need for SRT and negotiator response for the incident, and notify the SRT Commander if needed.

4. Designate a place for evacuated citizens to gather that is safe, has conveniences and access to phones. Facilities such as schools and shopping centers should be considered.

5. Designate a secure location as a Command Post and mobilization area and advise Communications of its location. The established Command Post should;

   a. Be out of sight of the suspect.

   b. Have an area for responding units to stage.

   c. Have access to a phone and unobstructed radio communications.

   d. Be operated using an Incident Command Structure.

6. Requests fire and medical support to the Command Post, or staging area as appropriate.

7. Assign one officer to function as Recorder, to maintain a chronological log of events to update the responding command supervisor and be prepared to brief command officers who respond to scene.

8. Assist the Commander with handling of the outer perimeter and any other logistical needs as presented.

C. ON-SCENE COMMANDER RESPONSIBILITIES

1. The shift commander or other command officer(s) shall be notified of the situation by the on-scene supervisor and will respond to the scene of the verified barricade / hostage situation as soon as possible. Other supervisory and staff personnel at the scene will serve in an advisory capacity to the on-scene commander and shall provide such assistance as deemed necessary.

2. The Commander, upon arrival, will assume operational command of the scene. Command of the scene may be delegated upward. In the case of any higher ranking Agency official taking command of the scene, the official will formally instruct the Commander, of the command change.

3. The on-scene commander should ensure the following steps have been taken:

   a. Establishment a command post and notification to Communications of its location;

   b. The designation of an officer to maintain a log of the operation, including a chronological listing of all significant events;

   c. Ensure the establishment of both an inner and outer perimeter;

      (1) The inner perimeter, whenever possible, shall be staffed with SRT personnel once they have arrived on scene,

      (2) The outer perimeter, whenever possible, shall be staffed with uniformed officers,

   d. Cause a roll-call to be taken of all personnel on the scene and ensure each person and position is recorded and that fixed assignments are established.

4. The on-scene commander shall have responsibility for providing crowd and traffic control and ensuring evacuations not previously completed yet still advisable, are accomplished safely.

5. If needed, personnel from other areas and/or agencies will be instructed to report to the command post for assignment.

6. The on-scene commander may request any additional available resources and specialized equipment as needed, such as Criminal Investigators, K-9 Unit, surveillance equipment, and/or fire/ambulance emergency services.

7. Function as media liaison or appoint one, unless the Public Information Officer (PIO) is present.

8. Plans for the availability and / or use of additional units to be used if a pursuit occurs. Additional plans may be needed for the use of surveillance vehicles and the control of travel routes out of the area, if appropriate.

D. SPECIAL RESPONSE TEAM (SRT) RESPONSIBILITY

1. The SRT Commander, or a designee, will notify the Chief of Police and the Sheriff of the situation and receive permission from them to activate the Special Response Team.

2. Notification of each necessary team element will begin as outlined in the Special Response Team's Standard Operational Procedures (SOP).

   a. Entry/Perimeter

   b. Sniper

   c. Negotiations

   d. Communications

   e. Paramedic

3. Negotiators should respond to the command post and report to the incident commander. A suitable location for the negotiators should be established. Negotiations normally should not be initiated until two team members are present. There should only be one contact person with the suspect once formal negotiations begin.

4. Should the suspect attempt to leave or flee the scene without surrendering:

   a. Inner perimeter SRT members will be used to apprehend the suspect if the suspect attempts to flee on foot.

   b. Marked patrol vehicles will be staged in the outer perimeter if the suspect flees in a vehicle. Allowing the suspect to leave in a vehicle with hostages is discouraged. If a mobile situation develops, travel routes shall be controlled to the extent possible.

E. SPECIAL RESPONSE TEAM COMMANDER RESPONSIBILITY

1. The responsibility of the Special Response Team Commander is to insure the availability of specially trained personnel to be utilized during barricaded suspect, hostage or appropriate situations.

2. Responsibilities to include the following;

   a. Setting all rules of engagement.

   b. Designation of team assignments and the chain-of-command.

   c. Deployment of and staffing for the command post.

   d. Ensuring Public Information Officer or media contact person has been assigned, and if they have not been designated, to make that assignment.

   e. Approve plans, tactics, and strategies to be utilized.

   f. Insure availability of resources, equipment, and personnel to successfully resolve the incident.

   g. Ensure a critical incident debriefing occurs and designates the person(s) responsible for after-action reports.

   h. Completion of the final after-action report of the incident, including all details and actions of the SRT and other responding units.

Note: Unless exigent circumstances dictate otherwise, offensive action shall only be undertaken after a meeting between the SRT commander, Hostage Negotiator, Tactical Commander and other critical personnel involved in the situation. Each situation is unique and must be evaluated on a case-by-case basis.

F. INVESTIGATOR RESPONSIBILITY

1. When an investigator is advised to respond to the command post they will contact the SRT Commander. This assignment will be at the discretion of the SRT Commander.

2. The SRT Commander may require the assigned investigator(s) to;

   a. Gather intelligence information,

   b. Locate and interview witnesses, assemble and evaluate useful intelligence from any source, and control and transport civilians for investigative action necessary for the success of the operation.

   c. Debrief witnesses, hostages, and suspects, and providing the SRT Commander with analysis of intelligence.

   d. Prepare search warrants if required, and perform other investigative tasks as needed,

A. BOMB DISPOSAL OPERATION

1. The Rapid City Police Department will ensure the safety of the public and its personnel in situations involving the use or potential use of explosives and/or destructive devices

2. Bomb Threat means any communication reported to anyone warning of an explosive or destructive device placed where it may cause injury to persons or damage to property.

   a. “Explosive," is any substance, or combination of substances, that is used for the purpose of detonation and which, upon exposure to any external or internal force or condition, is capable of a relatively instantaneous release of gas or heat.

   b. “Destructive Device":

      (1) Any bomb, grenade, explosive missile, or similar device or any launching device therefore; or;

      (2) Any breakable container which contains a flammable liquid with a flash-point of one hundred and fifty degrees Fahrenheit or less and has a wick or similar device capable of being ignited. (SDCL 22-1-2)

3. Bomb Technician means persons trained to handle, deactivate or detonate explosives and destructive devices. Only those persons recognized as certified Bomb Technicians are authorized to act in this capacity.

4. When an unexploded incendiary or explosive device or bomb has been located within the confines of this city, the Shift Commander/Supervisor will immediately notify:

   a. Chief of Police.

   b. Commander of Field Services Division.

   c. Commander of Criminal Investigations Division.

   d. Rapid City Fire Department.

   (As part of the Communications Centers Protocol system, primary notification of other support agencies, i.e. Fire Department, etc. may have already been accomplished)

5. Authorized Bomb Technicians available for use by the Rapid City Police Department may be contacted utilizing the following agencies:

   a. State of South Dakota DCI Bomb Squad (contact information listed below).

(1) ESCC Dispatch (605) 394-4131

(2) State Radio (605) 394-2221

(3) Division of Criminal Investigation Office, Rapid City (605) 394-2258

6. The assistance of outside agencies denoted in the following secondary notifications section shall only be called when authorized by the Chief of Police or a Division Commander.

   a. Federal Bureau of Investigation (343-9632)

   b. Bureau of Alcohol, Tobacco and Firearms contact person (343-3346, ATF Agent).

B. BOMB THREAT PLAN

1. Emergency Services Communication Center (ESCC) will handle these incidents according to the Law Enforcement Call Guide Cards and ESCC policies and procedures. ESCC will attempt to get as much information as possible regarding the incident.

2. Due to the nature of the call, after an initial unit is assigned, ESCC will ensure the availability of a backup unit and alert the shift supervisor.

3. If officers are within a 400-foot radius of the bomb threat site radio activation should be avoided to reduce the likelihood of accidental detonation.

4. While on scene, units shall communicate with the Emergency Services Communication Center only by telephone (Do not use the Cellular Telephone).

5. Bomb Threats:

   a. In cases of bomb threats, where no specific evidence exists of an explosive or destructive device, the officer or Shift Commander/Supervisor shall use discretion in searching the premises.

   b. The evacuation of the premises is at the discretion of the adult person responsible for the property.

      Exception: The officer may order evacuation when information or evidence is compelling that a bomb is there, (i.e., very high probability).

   c. Ellsworth Air Force Base Law Enforcement may be called to assist in the search by utilizing a bomb dog (385-4001).

   d. When no explosives or destructive device is found, the officer shall notify the Dispatcher and complete the appropriate department report.

6. Suspicious Packages, Un-detonated Explosives or Destructive Devices

   a. When an employee or officer discovers any suspicious package, un-detonated explosive or destructive device they shall notify the Communication Center by telephone. The Dispatcher receiving the call shall notify the area unit and the Shift Supervisor, who shall notify the other proper persons needed for the specific incident.

b. More than one device may be deployed, thus the evacuation will be conducted with extreme caution and security posts will be thoroughly searched.

c. When a device is found in a building and an evacuation is deemed necessary, doors should remain open and lights shall remain on if on. Likewise, lights shall remain off if off.

d. A Shift Supervisor shall respond to the scene and take command of security operations, and contact the State DCI bomb squad.

e. The Incident Command System should be implemented at this time, and a Command Post with telephone and radio communications established.

(1) It should be near the scene, but not closer than 600 feet from the device and should be protected from the effects of any potential explosion.

(2) Radio silence is to be observed.

(3) Minimum scene security consists of a safe area beyond a 1000 foot radius from the explosives or destructive device. Bomb Technicians may expand or contract the security perimeter and may select the appropriate command post location.

Exception: Discretion may be used in the above distance depending upon area construction, etc. No one other than explosive ordnance specialists and investigators are authorized to enter danger zones except to prevent injury or death to a person or to remove an injured person.

f. The Shift Commander/Supervisor is responsible to notify responding bomb technicians of the location, telephone numbers, or other location information of the on-scene Command Post facility.

g. The Shift Supervisor shall maintain command of the scene and will brief bomb technicians and investigators when they arrive on the scene. The Shift Supervisor shall coordinate the security operations.

h. No person shall touch, examine or otherwise tamper with any explosive or destructive device except bomb technicians, or as authorized by the Shift Supervisor or higher authority.

i. If an escort is requested by the bomb squad, the Shift Supervisor shall provide two marked police cars. All emergency lights and headlights shall be turned on, but the siren and radio shall not be used.

7. Explosions:

a. In cases where an explosion has occurred, the procedures for notification, scene security and responsibility for follow-up investigations are the same as in un-detonated explosive or destructive device with the following exception:

(1) If an explosion has occurred, the State DCI Bomb Squad shall be contacted directly, or through ESCC or State Radio.

b. When the scene is secured, the Shift Supervisor shall coordinate the preservation of evidence and allow no one into the danger zone except for the rescue personnel, bomb technicians and investigators.

c. The bomb technicians and Department investigators shall notify the Shift Supervisor or

Incident Commander when examination of the scene is complete.

d. Explosions may cause structural damage and other un-detonated explosives may still be present. People on the scene should use caution and no person should enter the danger zone except to prevent injury or death to another person. This does not apply to bomb technicians and investigators examining the scene.

PURPOSE: To define operational procedures for the mobilization of off-duty personnel in the event of disaster, civil disturbance, or other emergency requiring more personnel than normally available on duty.

DISCUSSION: In the event of a disaster or other incident requiring large numbers of personnel, it will be necessary to mobilize off-duty personnel to augment on-duty personnel. It is impractical and inefficient to burden the Emergency Services Communications Center (ESCC) with this task. The most effective means of calling back large numbers of people is through the utilization of a mobilization list. Communications personnel should only have to call each division commander and each section head to affect a 100% call back.

A. EMERGENCY MOBILIZATION PLAN

1. The purpose of this policy is to establish a procedure to be used in the event off-duty police and City personnel are required to assist in the handling of an incident. This policy establishes a means for maintaining a notification system by the Emergency Services Communication Center and a means for controlling the manpower available for an emergency.

2. The Special Operations Lieutenant assigned to Emergency Management shall be responsible to coordinate the Department's participation in rehearsals or drills to test emergency response in compliance with Department procedure and the Rapid City/Pennington County Emergency Operations Plan.

B. NOTIFICATION BY COMMUNICATIONS

The Emergency Services Communications Section will notify the following individuals in the event of any mobilization activation:

1. Chief of Police
2. Support Services Commander
3. Field Services Commander
4. Investigations Commander
5. Pennington County Sheriff

C. COMMAND AND CONTROL

1. In any major event, the Patrol Shift Commander will have the authority to institute a partial or full mobilization.

   a. When mobilization is implemented, the Shift Commander will advise the Communications Supervisor the following information to be relayed to the call back personnel.

      (1) Nature of the emergency;

      (2) Reporting location;

      (3) Reporting time; and

      (4) Whether or not to report in uniform.

   b. Specific units to be mobilized will also be identified.

2. Upon receiving instructions to begin the mobilization, the Communications Supervisor will ensure the notifications are made as listed in section B.

3. In the event any of the Division Commanders cannot be contacted, the next in command must be contacted.

4. Each Division Commander is responsible for the members of their command being contacted and is responsible for knowing how many were successfully contacted.

5. Emergencies create excessive demands on communications personnel from on duty units as well as calls from citizens. Commanders must be mindful of this fact when requesting additional services from the Communications Center.

D. PROCEDURES

1. Mobilization alerts:

   a. **Alert Level One –** utilizes on-duty personnel from available resources.

   b. **Alert Level Two** – partial mobilization of uniform personnel, usually accomplished by holding over a shift ready to be relieved and/or the early activation of the on-coming shift. It may also involve alerting off-duty personnel of other divisions to be on 24-hour on-call status for call- back, if required by the Shift Commander initiating the alert. During a level two alert, off-duty personnel on a 24-hour call status would be required to keep their immediate supervisor informed of their whereabouts at all times.

   c. **Alert Level Three –** full-scale mobilization of the Field Services Division and other essential personnel from other sections, requiring all off-duty personnel to report for duty.

2. All Field Services Commanders and Criminal Investigation Commanders will provide up to date succession of command (Mobilization) lists to the Communications Center at least semi-annually. The lists are due by the first of April, and October, or in conjunction with a shift realignment.

3. The Communications Center will notify the Division Commanders for mobilization as outlined in section B. The reason for the mobilization and the assembly area will be given at this time.

4. The Division Commanders (Captains) will notify the Shift Commanders (Lieutenants) who in turn will notify the Sergeants. If the Lieutenant or Sergeant cannot be contacted, then an officer from each work group will be designated by the Division Commander to contact the other officers of that particular group.

5. The Sergeants will notify those officers assigned to their supervisory group.

   a. The contacted officers will be instructed as to:

      (1) The nature of the emergency;

      (2) The reporting location;

      (3) The time to report; and

      (4) Whether or not to report in uniform.

   b. The Sergeants will attempt to contact everyone and will make one repeat attempt to reach officers not contacted.

   c. After completing the calls to their group, the Sergeant will notify the Lieutenant or, if unavailable, the Division Commander and report who was not contacted, as well as, the number of officers responding.

   d. When the Sergeant is unable to contact the Shift Commander successfully, this status call will be made to the Communications Center. The Communications Supervisor will then notify the Shift Commanders of the callback results.

   e. The Division Commanders will provide a list, by telephone, to the Communications Center of those personnel not contacted and the number of personnel responding.

   f. The Communications Center will continue to attempt to make contact with officers not reached until they are notified or the emergency is over.

   g. Mobilization of the Special Response Team and Special Response Team Negotiators will be in accordance to Rules and Procedures 531-02. Mobilization of the Special Operations Deployment Dive Team will be in accordance to Rules and Procedures 531-03.

E. ASSEMBLY AREAS

1. The primary assembly area – is the briefing room at the Public Safety Building.

2. Secondary assembly area – the Rushmore Plaza Civic Center (room to be designated prior to call up).

3. Alternate assembly areas may be designated, as necessary, to facilitate resources prior to mobilization.

4. Movement from the assembly area to the incident site will be by the use of Department or City-owned vehicles.

   a. Numerous officers can be transported in Department vans or City owned buses.

b. Four officers can be transported in each Department automobile.

F. DE-MOBILIZATION

1. When the emergency is over personnel will be demobilized as soon as possible to return to the assembly area for debriefing and completion of reports.

2. On-duty personnel will return to their normal assignments after the debriefing.

3. Mobilized off-duty personnel will be allowed to resume their off-duty status after the debriefing.

4. Consideration must be given to ensure there is sufficient transition to allow for adequate rest.

5. All overtime will be submitted in accordance to policy 243-01.

G. REHEARSAL

1. The Rapid City Police Department shall conduct a mobilization drill at least annually. This mobilization drill must be a full-scale mobilization drill.

2. A report detailing the time required to complete the drill and the percent of successful contacts by divisions will be submitted to the Chief of Police by the Division Commanders.

3. The mobilization drills will be unannounced and made at random hours to measure accurately the effectiveness of the callback system. The dates and time chosen will be at the discretion of the Chief of Police, or designee.

4. All deficiencies, such as inaccurate telephone numbers will be reported for corrective action.

POLICY: The Rapid City Police Department will provide police protection for dignitaries, visiting officials of other major governmental entities, VIP's, or other persons against whom a significant threat is perceived, or to assist other agencies in their assigned security missions while the visiting persons are in the city.

A. VIP SECURITY PLAN

1. A dignitary will be defined as any person who, because of a social, political, religious or other position, may be a target of threats or physical harm.

2. Responsibilities:

   a. The Special Operations Lieutenant is responsible for the planning, procuring, budgeting and the initial coordination necessary for the successful implementation of the provisions of this chapter.

   b. Both the Criminal Investigation Division and Field Services Division Commander are responsible for the implementation of the tactical field provisions of this chapter.

   c. Criminal Investigation Division personnel will normally be used as plain clothes/undercover operatives and for the development of intelligence information. The Field Services Division will provide the necessary uniformed personnel to control crowds, traffic and lead escorts, but may be augmented by sworn members of the Criminal Investigations Division or the Support Services Division.

3. Equipment:

   a. The Criminal Investigation Division is responsible for providing a sufficient number of unmarked vehicles for use during any VIP security mission. The Field Services Division is responsible for the provision of any marked police vehicles needed.

   b. The Special Response Team Commander or designee will be responsible for providing any specialized weapons or tactics.

   c. The Special Operations Lieutenant will be responsible for the designation and procurement of any distinctive apparel or insignia to be worn by security personnel and for the security of these items and their designs.

4. General provisions for dignitary protection:

   a. The Special Operations Lieutenant or designee will be responsible for initial route reconnaissance, to include alternate routes and for recommending a preferred route of travel.

   b. The Special Operations Lieutenant or designee will be responsible for the inspection of any sites or facilities to be used by the dignitary. When necessary, outside expertise will be used to assist in this regard, e.g., electronic sweeps, bomb searches, etc.

   c. The Criminal Investigation Division is responsible for the gathering of intelligence concerning any visiting dignitary, their families or companions, to include any person or groups believed to be a threat to the dignitary.

   d. Upon notification of a pending dignitary visit, the Special Operations Lieutenant will be responsible for all coordination, both within the Department and with other affected outside agencies and once the security mission itself has begun, the Special Operations Lieutenant will be responsible for all coordination activities including, but not limited to: communications, identification of emergency first-aid, ambulance, and medical facilities.

   e. Designation of the command post location and any other command and control procedures or responsibilities will be the responsibility of the Special Operations Lieutenant or the Commander of the SRT.

   f. Anytime a visiting dignitary is a political or foreign governmental official, prior notification will be made to the U.S. Secret Service and, when applicable, the Federal Bureau of Investigation.

5. The Special Operations Lieutenant will be responsible for conducting a debriefing of the event and providing an after-action report. Refer to policy 531-04 regarding after-action reports.

A. SPECIAL EVENT

1. A permit is required to hold special events in Rapid City. Special events are defined as activities involving 25 or more persons, animals or vehicles, or a combination thereof, open to the general public and taking place on public space that involves a temporary and exclusive use of public space. For the purpose of special events, participant is defined as persons participating in the event as well as spectators. Events may include, but not be limited to:

   a. Amusements or carnivals
   b. Entertainment • Music by way of sound amplification
   c. Dancing
   d. Dramatic or theatrical productions
   e. Festivals
   f. Parades
   g. Any activity taking place on public space that may require for its successful execution city services to a degree significantly over and above that routinely provided under ordinary circumstances as determined by the special events committee
   h. Peaceful demonstrations
   i. Runs, walks, triathlons and bicycle races or rides that will not comply with the normal or usual traffic regulations or controls or are likely to impede, obstruct impair or interfere with free flow of traffic.
   j. Any activity involving the sale of merchandise, food or alcohol
   k. Any activity making use of structures not already present on the public space such as stages, booths, canopies, awnings, risers, bleachers, fences, partitions, stands or similar constructions.

B. APPROVAL PROCESS

1. The approval process is coordinated and led by the Rapid City Parks Department. However, events requiring police involvement for public safety considerations will require conditional approval and coordination through the Rapid City Police Department.

C. SPECIAL EVENT PLAN COORDINATION

1. The responsibility for coordinating and supervising special events shall be assigned to a single person, normally the Special Operations Lieutenant. The Special Operations Lieutenant shall determine the type of police assistance necessary to handle the event. If the assistance required is minimal, the lieutenant may designate or relinquish coordination of the event to the Special Operations Sergeant, or a Sector Lieutenant in the Field Services Division.

2. As soon as possible after notification that a specific event is planned, the Special Operations Lieutenant, or designee shall contact the organizers of the event and determine:

   a. The nature of the event;

   b. The date, time and expected duration of the event;

   c. The location, including and specific routes involved;

   d. The number of participants;

   e. Anticipated problems; and

   f. Special permits required, if any.

3. For larger events or demonstrations where there is a potential for violence, there may be a need for special considerations such as:

   a. The need to block of traffic, streets, sidewalks to ensure the safety of the participants;

   b. The number of personnel needed to handle the event;

   c. The need for specialized personnel;

   d. Notification of other affected agencies and personnel including the Rapid City Fire Department, Rapid City Public Works, other police agencies, and those residences, and businesses in the area affected;

   e. The need for additional radio channels, communication equipment and coordination with Communications personnel;

   f. The need to gather intelligence for various sources on groups planning activities, which may involve violence.

4. The Special Operations Lieutenant, or designee shall provide a written plan and after action report for special events that require significant police management such as:

   a. Personnel needs, scheduling and assignments (to include a commanding officer);

   b. Crowd control requirements;

   c. Traffic rerouting and control requirements shall be conducted as per policy 524-03, and

   d. Other pertinent information.

5. A copy of the plan shall be forwarded to the Chief of Police, all Division Commanders, the Director of Communications, and any other unit affected by the operation. The commanding officer of the event shall be responsible for ensuring coordination with other units and divisions within the Department and with outside assisting agencies.

6. The Special Operations Lieutenant, or designee will be responsible for conducting a debriefing of the event and providing an after-action report. Refer to policy 531-04 regarding after-action reports.

A. INCIDENT COMMAND

The Rapid City Police Department utilizes the Incident Command System when it is recognized that a situation will require an organized and coordinated response. Activation of the Incident Command System will be based on the declaration of the person in charge of the incident or pre-designated operations order of a planned event. The Incident Command System is a management design used to manage emergency incidents or non-emergency events. The system has considerable internal flexibility, enabling it to grow and shrink to meet differing needs, and accommodating the use for both small and large situations. Listed are examples of the kinds of incidents and events for which the Incident Command System can be used:

- Fires, HAZMAT, and multi-casualty incidents
- Multi-jurisdictional and multi-agency disasters
- Search and rescue missions
- Single and multi-agency law enforcement incidents
- Transportation accidents
- Planned events; e.g., celebrations, parades, concerts, dignitary protection
- Major natural hazards management

B. INCIDENT COMMAND ORGANIZATION STRUCTURE

Every incident or event has certain major management activities or actions that must be performed; even if the event is very small these activities will still apply to some degree.

The organization of the Incident Command System is built around five major management activities.

- Command
- Operations
- Planning
- Logistics
- Finance and Administration

These are the foundations upon which the Incident Command System develops. They apply whether handling a routine emergency, organizing for a major event, or managing a major response to a disaster.

One person may manage these major activities during small incidents, but during larger incidents the organization may require that separate sections be designated.

Each of the Incident Command System Sections may be sub-divided in order to meet the needs of the incident.

C. MAJOR FUNCTIONAL ENTITIES

1. Incident Commander and Command Staff

   a. Incident Commander:

   The Incident Commander is the person in charge at the incident, and that person must be fully qualified to manage the incident. As incidents grow in size or become more complex, a more highly qualified Incident Commander may be assigned by the responsible jurisdiction or agency. The Incident Commander may have one or more deputies (ICS terminology for IC support position) from the same agency or from other agencies or jurisdictions. Those assigned to the Incident Command support position must always be as qualified as the person for whom they work.

   The Incident Commander may assign personnel for both a Command Staff and a General Staff. The Command Staff provides Information, Safety, and Liaison services for the entire organization. The General Staff are assigned major functional authority for Operations, Planning, Logistics, and Finance/Administration.

   Assigning tactical resources and overseeing operations will, initially, be under the direct supervision of the Incident Commander. As incidents grow in size and complexity, the Incident Commander may delegate authority for performance of certain activities to others as required.

   Transferring of command at an incident always requires a full briefing for the incoming Incident Commander, and notification that a change in command is taking place to all affected personnel and organizations.

   b. Command Staff:

   In addition to the primary incident response activities, the Incident Commander has responsibility for several other important services, and depending upon the size and type of event, it may be necessary to designate personnel to fulfill these additional tasks. Persons filling these positions are designated as the Command Staff and are called Officers (ICS position titles). There is only one position for each of the functions; however, each of the positions may have one or more assistants if necessary. Position titles are:

   - Information Officer – This person is the point of contact for the media or other organizations seeking information directly from the incident or event. The dissemination of information will, additionally, dispel rumors and reduce public hysteria.
   - Safety Officer – This person monitors safety conditions and develops measures for assuring the safely of all assigned personnel.
   - Liaison Officer - The person assigned to this duty is the primary contact for representatives from other agencies who are assigned to help coordinate the involvement of their resources.

2. The General Staff

   The General Staff are people who perform the four major activities of Operations, Logistics, Planning and Finance/Administration. Incident Command position titles for these functions are:

   - Operations Section Chief
   - Planning Section Chief

- Logistics Section Chief
- Finance/Administration Chief

Each position may have a deputy (ICS title terminology), or more than one when necessary. The role is flexible, performing various functions as assigned to assist, or to work in the primary position when necessary. Those who fill these positions must be as qualified as the person for whom they work. The use of deputies from other agencies during large events can increase interagency coordination.

Each of the major Sections has the ability to expand internally to meet the needs of the situation.

a. **Operations Section**

The Incident Commander will determine the necessity for a separate Operations Section. Until the time that the separate Section is established, the Incident Commander will have direct command, control, and responsibility of tactical resources.

The Incident Commander will assign an individual as the Operations Section Chief upon activating the Operations Section. The Operations Section Chief is responsible for developing and managing the Operations Section to accomplish the incident tactical objectives that include the following responsibilities:

- Establishing perimeters, both inner and outer as required by the event;
- Conducting evacuations;
- Maintaining command post and scene security;
- Making provisions for detainee transportation, processing, and confinement;
- Controlling and directing traffic; and
- Conducting post-incident investigations.

Only one Operations Section Chief will be assigned per operational period.

Within the Operations Section there are two additional levels of organization that can be used as necessary, Divisions and/or Groups, and Branches. The Operations Section usually develops from the bottom up, due to the need to expand supervision as more and more resources are applied to an event. As more resources are added, another layer of organization may be needed with the Operations Section to maintain proper span of control. This will be done, normally, at the Division or Group level. The goal is to keep the organization as simple and streamlined as possible, and not to overextend the span of control.

(1) **Division:**

A Division is established to divide an incident **geographically**. The requirements of the event will determine how this is done, however, it is important to remember that Incident Command System Divisions describe some geographical area related to the incident.

(2) **Group:**

Groups are established to describe **functional** areas of operation. Once again, the requirements of the event will determine the kind of group to be formed.

Division and Groups can be used together during an incident, both being equal to one another on the organizational level. One does not supervise the other. When a functional Group is working within a division as a special assignment, division and group supervisors will closely coordinate activities.

During some occurrences, it may be necessary to establish another level of organization within the Operations Section called Branches.

(3) **Branches**:

Branches can be aligned geographically and functionally. There are generally three reasons to set up Branches within the organization.

(a) Span of Control – Should the number of Divisions and Groups exceed the recommended Span of Control, another level of management is necessary.

(b) A need for a Functional Branch Structure – When multiple disciplines are involved during an occurrence, a need may be created to establish incident operations around a functional branch structure.

(c) Multi-jurisdictional Incidents – Some incident responses may best be organized around jurisdictional lines. Branches may be set up to reflect differences in the agencies involved.

Each branch that is activated will have a supervisory position called a Branch Director, and Deputies (ICS title terminology) may be used to provide assistance.

There are two additional parts of the Operations Section that will be activated at the Branch level that need to be mentioned for understanding.

(d) Air Operations

Air Operations will be activated at the Branch level within the Operations Section, and is done, usually, when incidents have complex requirements for the use of aircraft in both tactical and logistical operations.

(e) Staging Areas

Staging Areas are established wherever it is necessary to temporarily locate resources awaiting assignment. Staging areas and the resources within them will be under the control and responsibility of the Operations Section Chief.

b. **Planning Section**

Four functional units can be established within the Planning Section, but not all of the Units may be required and will be activated based on incident or event requirements. The Planning Sections Units are designated as:

- Resources Unit
- Situation Unit
- Documentation Unit
- Demobilization Unit

The Planning Section is also the initial check-in location for Technical Specialists assigned to the incident. Depending on their assignment, Technical Specialists may work within the Planning Section, or be reassigned to other incident areas.

The major activities of the Planning Section are to:

- Collect, evaluate, display and disseminate intelligence and/or other information about the

incident or event.
- Develop Incident Action Plans for each operational period, conduct long-range planning, and develop plans for demobilization at the end of the incident.
- Maintain resource status information on all equipment and personnel assigned to the incident.
- Maintain incident documentation.

c. **Logistics Section**

The Logistics Section is responsible for all of the services and support requirements for an incident or event, including obtaining and maintaining essential personnel, facilities, equipment, and supplies.

The Incident Commander will determine the need to establish a Logistics Section, considering the size of the incident, complexity of support, and the anticipated duration of the incident. Once the Logistic Section is activated, a person will be assigned as the Logistic Section Chief.

Six functional units can be established within the Logistic Section, and if necessary, a two-branch structure can be used to facilitate span of control. The titles of the units are self-descriptive, and not all units may be required during an event. Branches and Units in the Logistics Section are as follows:

- Service Branch
  - Communications Unit
  - Medical Unit
  - Food Unit
- Support Branch
  - Supply Unit
    (includes providing equipment needs for any specialized teams)
  - Facilities Unit
  - Ground Support Unit
    (provides transportation in addition to maintenance)

d. **Finance/Administration Section**

The Finance/Administration Section is set up for any incident that may require on-site financial management. These are generally larger incidents, but some smaller events may also require certain Finance/Administration functions in order to procure special equipment, contract with a vendor, or estimate cost for alternate strategies.

The Finance/Administration Section may establish four Units as necessary, but not all of the units may be required and will be established based upon need. The four units are:

- Time Unit
- Procurement Unit
- Compensation/Claims Unit *(documents injuries and liability issues as a designated responsibility of the incident command system)*
- Cost Unit

3. Organizational Terminology

At each level of the Incident Command System organization, individuals with primary responsibility positions have distinctive titles. See following table.

Primary Position	Title	Support Position
Incident Commander	Incident Commander	Deputy
Command Staff	Officer	Assistant
Section	Chief	Deputy
Branch	Director	Deputy
Division/Group	Supervisor	N/A
Strike Team/Task Force	Leader	N/A
Unit	Leader	Manager
Single Resource	Standard Unit Designation	N/A

4. Incident Facilities

Facilities will be established depending upon the kind and complexity of the incident or event. It is important to understand the names and functions of the principal Incident Command facilities. Each of the facilities is listed with a brief description of function, and not all will need to be established during an event.

- Incident Command Post (ICP) – The location from where the Incident Commander oversees all incident operations.
- Staging Areas – Locations where resources are kept while awaiting incident assignment. Some incidents may have more than one staging area, and a Staging Area Manager will be assigned to manage each location.
- Base – The location at an incident or event where primary service and support activities are performed.
- Camps – Locations where resources may be kept to support incident operations. Camps differ from Staging Areas in that essential support operations are done at Camps, and resources there are not always immediately available for use.
- Helibase – A location in and around an incident area where helicopters may be parked, maintained, fueled, and equipped for operations. More than one location may need to be designated on large incidents.
- Helispots – Temporary locations where helicopters can land as well as load and off-load personnel, equipment, and supplies. Depending on the size of the incident, several locations may need to be designated.

5. Incident Action Plan

Every incident or event **must** have a written action plan in order to provide all incident supervisory personnel with direction for future actions. Plans that include the measurable tactical operations to be achieved are prepared to coincide with a time frame call and Operational Period.

Operation Periods can be of various lengths, but should be no longer than twenty-four hours. Twelve-hour Operational Periods are common on many large incidents. The length of an Operational Period will be based on the requirements of the incident or event, and can change over the course of the operation.

Planning for an Operational Period must be done far enough in advance to ensure necessary resources are available when the Operational Period begins.

Large incidents should have written Incident Action Plans, and incidents that extend beyond a single Operational Period should also have a written Incident Action Plan to ensure continuity

due to personnel changes. The decision to have a written action plan is the responsibility of the Incident Commander.

In order to prepare an Incident Action Plan, the following essential elements shall be considered.

- Statement of Objectives – Appropriate to the overall incident or event.
- Organizations – Describes what elements of the Incident Command System organization will be in place for each Operational Period.
- Assignments to Accomplish the Objectives – These are normally prepared for each Division or Group and include the strategy, tactics, and resources to be used.
- Supporting Material – Examples can include a map of the incident, Communications Plan, Medical Plan, Traffic Plan, or other related documents.

All incident or event supervisory personnel must have knowledge of the contents of the Incident Action Plan. The intelligence and/or information will be provided through briefings and distribution of the written plan prior to the start of the Operational Period.

6. Span of Control

This term describes the number of organizational elements that may be directly managed by one person. It is imperative to maintain adequate span of control throughout the Incident Command System Organization. The standard effective span of control may vary from three to seven, but a ratio of one to five reporting elements is recommended. If the number of reporting elements falls outside of the recommended range, expansion or consolidation of the organization may be necessary.

7. Common Responsibilities

There are certain common responsibilities or instructions associated with incident or events assignments that everyone should follow. Compliance with these simple guidelines will make the assignment easier and facilitate a more effective operation.

a. The incident or event assignment should include, at a minimum, a reporting location and time, likely duration of assignment, a brief description of the assignment, route intelligence and/or other information, and designated communications link.

b. Bring any specialized supplies or equipment required for the job, and ensure the availability of adequate personal supplies to last for the length of assignment.

c. Upon arrival, adhere to the “Check-in” procedure for the incident. Depending upon the instructions, the location for the “Check-in” may be located at:

   - The Incident Command Post (at the Resources Unit)
   - Staging Areas
   - Base or Camps
   - Helibases
   - Division or Group Supervisors (for direct assignments)

d. Radio communications during an incident should include the use of clear speech, no radio codes. When referring to incident facilities and personnel use Incident Command System titles.

e. Obtain a briefing from the immediate supervisor and be sure requirements of the assignment are understood.

f. Acquire necessary work materials, locate and organize the workstation.

g. Organize and brief any assigned subordinates.

h. Provide a briefing at the end of each Operational Period and, as necessary, to relief personnel at the time of demobilization from the incident.

i. Complete required documentation and give the report(s) to the designated supervisor or to the Documentation Unit before leaving the assignment.

j. Demobilize according to plan.

D. SUMMARY

There is no one "best" way to organize an incident or event. The organization should develop to meet the functions required. The characteristics of the incident and the management requirements of the Incident Commander will determine what organizational elements should be established, and the organization may change over time to reflect the various phases of the incident.

Upon conclusion of an incident or event, the Incident Commander(s) will submit a comprehensive After Action Report to the Chief of Police. That report will include all of the components of the Incident Action Plan, notations of successful and unsuccessful strategies as applied to the specific event at the time, and recommendations for future actions and resource requirements.

E. INCIDENT COMMAND TRAINING

Rapid City Police Officers will receive Incident Command System and All Hazard instruction during the recruit training process, and documented refresher training annually.

The Rapid City Police Department will participate in the annual emergency response exercises conducted by the Rapid City – Pennington County Office of Emergency Management and will test the capabilities of those responding to work within the Incident Command System organization.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
532-08	Unusual Occurrences and Special Operations Plans	1 OF 3
ORDER NO.: 09-04	**SUBJECT:** Terrorism Homeland Security	
SUPERSEDES: 07-06	**EFFECTIVE:** 06-18-09	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 42.1.6, 46.3.1, 46.3.2, 46.3.3		

POLICY: The Rapid City Police Department recognizes the need to quickly assess terrorism-related intelligence and direct that information to one or more organizations best suited to analyze and evaluate such information. This policy establishes procedures for reporting and relaying terrorism intelligence and information to the appropriate task force, law enforcement agency or other entity with a need and right to know.

PROCEDURE:

A. LIAISON WITH OTHER AGENCIES

1. The Rapid City Police Department participates in the regional Joint Terrorism Task Force (JTTF) of the Federal Bureau of Investigation (FBI)

2. The JTTF serves as liaison with other organizations for the exchange of terrorism-related information.

B. SUSPECTED TERRORISM CONTACTS

1. Officers making contact with a subject who is suspected of terrorism-related activities will contact a CID supervisor before releasing the individual.

2. The CID supervisor will determine if an investigator or member JTTF Unit should respond to the scene.

3. JTTF members will determine if subjects detained for terrorism-related activities should be fingerprinted and photographed.

4. A thorough vehicle search and inventory is desirable on any vehicle suspected of being involved in terrorism-related activity. Rapid City Police Department policies regarding vehicle search and seizure apply and if necessary, consent, or a search warrant will be obtained. Any search or inspection will include photographing and forensic processing as appropriate under the circumstances.

C. REPORTING

1. Officers will use an Intelligence Report to document terrorism-related information. The Intelligence Report will be reviewed by a supervisor and forwarded to the JTTF for follow up.

2. If the information was developed from a crime occurring in the jurisdiction of the Department, the crime will be documented on a case report and addendum. The case will be assigned to the Intelligence Officers or JTTF members for follow up.

D. RELAYING INTELLIGENCE TO OTHER AGENCIES

1. After receiving terrorism-related information, the Intelligence Officers will determine if the information should remain in-house or be forwarded to a task force, other law enforcement agency or entity with a need and right to know.

2. If the Intelligence Officers determine information contained in the Case Report and/or Addendum is of a terrorist nature the information will be forwarded to the appropriate task force, law enforcement agency or other entity as necessary based on a need and right to know.

   a. If it is determined that the information should be forwarded, the Intelligence Officers will notify the CID lieutenant or CID Captain for approval.

   b. Emergency forwarding - In cases where the JTTF member is not immediately available, or the information is extremely critical and time-sensitive, a Rapid City Police Department command officer should call State Radio (605) 393-8121, and ask the FBI Duty Agent for assistance. State radio has a daily update list of duty agents. If the duty agent is unavailable, the command officer can directly forward the information to the FBI via a 24-hour telephone number at (612) 376-3200.

3. The JTTF will also take appropriate action to inform Department officers as well as other local agencies and entities with a need and right to know of intelligence that identifies an immediate terrorist threat. That action may be in the form of a bulletin, telephone notification, roll-call briefings or other available means depending on the nature of the information and type of threat.

4. When an exchange of terrorism related information occurs, the JTTF member will provide an Intelligence Report to the CID Lieutenant or Criminal Investigation Division (CID) Captain.

E. TERRORISM AWARENESS INFORMATION

1. The role of the public in observing and reporting terrorism-related activity is essential to homeland security effectiveness.

2. The Rapid City Police Department is committed to providing terrorism awareness information to enable the public to identify and report terrorism-related information. The Public Information Officer, Administrative Services, and Field Services, with input and assistance from the CID, Criminal Intelligence Unit, will:

   a. Prepare Public Service Announcements (PSA's) for local radio and television stations containing information determined by the Chief of Police, Division Captains, JTTF or Intelligence Officers.

   b. Maintain a citizen-reporting link on the Department website to enable citizen reporting via the Internet.

   c. Prepare and distribute terrorism awareness brochures distributed during town hall and community meetings. Brochures will be updated periodically to reflect changes in threats, preparedness or citizen reporting procedures.

3. Terrorism-related Information reported by the public will be forwarded to the JTTF Intelligence Officers for analysis and follow up without delay.

F. TRAINING OF PERSONNEL

1. Designated Intelligence Officers will attend advanced training, as available, related to Domestic and International Terrorism and other Homeland Security related topics.

2. Designated Intelligence Officers will provide training to Department staff on an as needed basis related to Domestic and International Terrorism and other Homeland Security related topics including gathering of criminal intelligence. This training may be in the form of roll-call training, training briefs, or as a segment of in-service training.

G. ANNUAL REPORTING REQUIREMENTS

The designated Lead Intelligence Officer will compile an annual report to the Chief of Police. The report will include a review of the activity the Intelligence Officers have engaged in during the year and provide a review of procedures and processes relating to Department criminal intelligence and homeland security.

PURPOSE: The mission of the Rapid City/Pennington County Mobile Response Team (MRT) is to protect lives and property by maintaining order during incidents of civil unrest through a contingency that utilizes specially trained and equipped personnel. The MRT can respond to civil disorders or any catastrophic event, which can overwhelm the resources of the on-duty officers. Enforce any South Dakota Laws or City and County Ordinances to any incident in which the team is assigned and the situation is appropriate when dealing with civil disorder. Some examples will be, but not limited to, Disorderly Conduct, Damage to Private Property, Unlawful or Disorderly Assembly and Riot statutes.

POLICY: It is the policy of Mobile Response Team (MRT) to preserve the public peace, prevent crime, arrest offenders when necessary, and protect the rights of persons and property in Rapid City, Pennington County, any community with a Memorandum of Understanding, or when requested through the mutual aid statute, during civil disorder. It is also the policy of the MRT to respect a citizen's right to peaceably assemble and exercise free speech as provided by law. In addition, it is the responsibility of the MRT to train, equip, and supervise the appropriate number of officers/deputies in order to respond effectively.

A. DEFINITIONS:

1. Affected Area: The area within which a riot or other civil disorder is occurring.

2. Anticipated/Planned Incident: An event that is predicted or planned to occur, which is likely to cause or be accompanied by civil disorder, and for which there is adequate time for the department to prepare and respond; e.g., controversial court decisions, planned demonstrations, sporting events, and celebrations.

3. Civil Disorder: Widespread random violence and destruction occurring during a riot.

4. Command Post (CP): The center from which the Department's/Office's response to civil disorder will be managed. The CP will be responsible for making policy-type decisions.

5. Mobile Field Force: A unit of officers/deputies assembled to provide a rapid, organized, and disciplined response to civil disorder, crowd control, or other tactical situation.

6. Team Leader/Squad Leader: The Team Leader will have control of whole team movement during any incident, which is under the direct supervision of team commanders. Squad Leaders will directly control officers/deputies, which are divided into squads.

7. Team Commander: The MRT will have members of the RCPD and PCSO command staff assigned to lead the team. They will have ultimate command and control of the team and authority. Team commanders will be responsible and report to agency command staff.

8. Perimeter: Traffic control checkpoints consisting of officers/deputies, barriers, signs, etc., defining the civil disorder boundaries, which must be closed off to the public. All calls for service in the affected area will be dispatched through the Command Post.

9. State of Emergency: A proclamation issued by a local, state, tribal or federal entity that an emergency exists.

10. Spontaneous/Unplanned Event: A civil disorder incident which is not anticipated, and for which the department/office does not have adequate time to develop an action plan or otherwise prepare for the event.

B. PROCEDURE

1. Mobile Response Team Organization

   a. The MRT is comprised of Mobile Field Force (MFF) & Technical Support Units (TSU).

      1) A Mobile Field Force is comprised of three command staff officers/deputies, four sergeants as Team/Squad Leaders, police officers and sheriff's deputies.

      2) Device Team: Responsible for dismantling demonstrator made obstacles and devices.

      3) Grenadiers: Responsible for deploying riot control agents and less than lethal munitions.

      4) Training, Logistics and Intelligence Unit: Responsible for liaison between the MRT. This unit will also develop training and provide logistical support. This team will consist of crime analysts and detectives/investigators from the RCPD and PCSO.

2. MRT Training

   b. The MRT members will train monthly.

   c. Upon notification of a planned event or when deemed appropriate, the unit will conduct additional training as necessary.

3. MRT Equipment

   a. The MRT members will be equipped with personal protection gear and tools in order to complete a variety of assignments.

   b. All MRT members, while on duty, shall have all issued MRT equipment immediately accessible and shall report to incident locations and training with all issued equipment. Unit members shall properly maintain all issued equipment and ensure that it is kept in working order.

   c. Issued equipment must be inspected and documented quarterly. The Supervisor assigned to equipment will coordinate this inspection with other MRT Supervisors.

   d. Mobile Field Force equipment will be stored in trailers and will consist of mass arrest equipment, riot control shields, public address equipment, and all related RCPD and PCSO

forms and information. The Sergeant assigned to the training unit will also inspect this equipment quarterly.

4. Anticipated/Planned Event

   a. Although many civil unrest situations occur in a spontaneous fashion, there are also anticipated events that lead to the same consequences. MRT members assigned to the Criminal Investigation Division (CID) and the MRT crime analyst will analyze the event to determine potential problems. MRT members assigned to CID will report their findings to MRT commanders, who will determine what department/office resources should be utilized.

   b. Once the decision is made to activate the MRT, the MRT commanders will have ultimate responsibility for developing an Incident Action Plan after consulting with all affected Divisions.

   c. The Department policies for unusual occurrences (refer to RCPD & PCSO R&P 532-01) and the Incident Command System (ICS) will be applied to anticipated/planned events.

5. Spontaneous/Unplanned Events or Incidents

   a. Law enforcement must quickly isolate the incident, protect citizens and property, and restore order. Department/Office policies and the Incident Command System (ICS) will be followed in responding to spontaneous events.

6. Activation and Mobilization

   a. A member of Team Command may activate the MRT.

   b. All divisions within the corresponding agencies will be responsible for maintaining current lineups that reflect the MRT officers within their departments. This will enable a rapid analysis of available MRT resources.

   c. MRT officers/deputies will respond as directed upon notification of an incident.

7. Mobile Field Force Response

   a. At the discretion of the MFF Team Leader, units may be divided into squads to address several problems simultaneously. Due to officer/deputy safety concerns, at no time should the MFF be reduced to anything under squad-sized units. Squad Leaders will be directed by and responsible to the Team Leader.

   b. Crowd Control/Dispersal

      1) When the On-Scene Team Commander determines the need for a positive law enforcement response, the Team Leader will issue warnings to the crowd to disperse, if time and circumstances permit.

2) A crowd will be dispersed pursuant to RCPD/PCSO policies, which state that a law enforcement officer may issue a command to disperse if he or she reasonably believes that a riot, or disorderly conduct by an assemblage of three or more persons, is occurring or it is imminent that a riot or disorderly conduct will occur. The command to disperse shall be given in a manner reasonably calculated to be communicated to the crowd.

MFF Team Leaders will use the following procedures when issuing crowd dispersal orders:

1. Warnings will be issued with significant amplification and repetition as necessary to be heard by the entire crowd. When possible the warning and the order to disperse will be recorded by a video device.

2. The warning will consist of an announcement that the assembly (or other offense) is unlawful and will include an order that the crowd disperse.

3. The crowd will be given a safe route of withdrawal from the area.

The following guidelines will be followed in the use of Riot Control Agents (RCA) or Less Lethal Munitions (LLM):

1. Deployment

   a) Unless it is an emergency situation or deemed immediately necessary, deployment of RCAs or LLMs shall be authorized by a Team Commander and carried out by a Team Leader.

   b) These devices shall be deployed subsequent to a lawful order to disperse and following Departmental Directives.

   c) Only authorized or trained personnel shall deploy these devices.

   d) Use of individually issued O.C. is not prohibited by this policy.

2. MRT members will use only that amount of force necessary to restore order to an area.

   a) Should MRT members use RCAs or LLMs the MRT member will complete the proper forms for use of force reporting.

   b) Approved weapons, weapon systems and ammunition approved for use by the MRT is listed under Attachment A.

8. Joint Operations with the Fire Department

   a. Law Enforcement support may include staging area security, escort, fire scene security, and protection of Fire Department personnel.

1) Scene Security: Team members may be called upon to secure an area before fire responds to the scene and may remain in place to protect fire personnel during their deployment.

2) Escort: Officers/Deputies may provide escorts for fire personnel and apparatus into and out of the hazard zones.

3) When deployed together, law enforcement and fire units may work on the same radio frequency established by the Command Post.

b. All responding unit assignments will be coordinated through the MRT Scene Commander assigned to the Command Post.

9. Mass Arrest Procedures (refer to RCPD/PCSO R&P 532-01)

10. Field Detention/Prisoner Processing (refer to RCPD/PCSO R&P 532-01)

11. Community Contacts (refer to RCPD/PCSO R&P 532-01)

12. Mutual Aid Procedures

a. Command Staff will maintain procedures and documents for requesting mutual aid assistance from other jurisdictions.

b. These procedures will include contact persons and telephone numbers for the South Dakota Highway Patrol (SDHP), the South Dakota Division of Criminal Investigation (SD DCI), as well as other local jurisdictions.

13. Complaints

a. Citizen complaints of law enforcement misconduct during a civil disturbance will be recorded and investigated in accordance with existing procedures as soon as practicable, after law enforcement operations concerning the demonstration have ended.

b. Law enforcement personnel and MRT members who observe misconduct by other law enforcement personnel will bring it to their supervisor's attention as soon as possible.

14. Termination of Civil Disorder Activities

When the situation has subsided, the Command Post or On-Scene Commander will conclude the operation by ensuring the following procedures are followed:

a. Accountability of Equipment

3) Supervisors will be responsible for ensuring that all equipment issued to their subordinates for use during the demonstration is returned or accounted for before they are relieved from duty.

b. After Action Report

1) The MRT Commander will prepare an after action report which will be submitted, along with a copy of the Command Post log, to the Sheriff and Chief.

2) The after action report will contain a complete and detailed report of problem areas encountered to include casualty information, highlights of significant events, unsatisfactory conditions, and any recommendations for improvement during future demonstrations.

3) Recording of time and attendance.

4) Each supervisor will keep a record of all personnel assigned to their unit.

5) This record will contain names, assignments, employee ID numbers, dates, times, and hours worked.

c. Scene Clean Up

1) Government services will be brought into the area to clean the site as rapidly as possible. This will include garbage, graffiti, and damage to City/County property.

2) Local business that have sustained damaged will be contacted and encouraged to begin repairs as soon as possible.

3) Scene Security: Law enforcement on scene will maintain an adequate presence of officers in the area to deter any future re-escalation of unlawful behavior.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
611-01	Criminal Investigations Administration	1 OF 3
ORDER NO.: 18-02	**SUBJECT:** Criminal Investigations Function	
SUPERSEDES: 11-01	**EFFECTIVE:** 02-26-18	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 42.1.1, 83.1.1		

PURPOSE: The primary objective of the police investigation is the resolution of the criminal complaint, whether through identification, apprehension and prosecution of the criminal offenders, or by other means serving the interests of the victim and the community.

POLICY: The Rapid City Police Department conducts complete criminal investigations while taking into consideration the most effective use of the physical, financial, and employee resources.

A. CRIMINAL INVESTIGATION FUNCTION

1. The Criminal Investigation Division shall be organized to accommodate specific as well as general investigative needs.

   a. Crimes Against Persons Section

      (1) Violent crime investigation

      (2) Rapid City-Pennington County Domestic Violence / Sexual Assault Response Team

      (3) Sex Offender / Sex Offender Location Verification (SOLV)

      (4) Polygraph Services

   b. Crimes Against Property Section

      (1) Burglaries

      (2) Checks and forgeries

      (3) Embezzlement

      (4) General property investigation

      (5) License compliance and fingerprinting services.

   c. Juvenile Section

      (1) Juvenile investigation

   d. Unified Narcotics Enforcement Team (UNET)

   e. Internet Crimes Against Children (ICAC)

(1) Internet child pornography investigation

f. Evidence Section

(1) Crime scene and latent fingerprints

(2) Forensic chemistry

(3) Forensic audio and video

(4) Property intake and storage

2. The assignment of employees to specific areas of investigation will be based on demonstrated ability; overall experience; personal desire and/or administrative selection process.

B. TEMPORARY INVESTIGATIVE ASSIGNMENTS

Patrol officers will be assigned to the Investigations Division for a period of either three months or two years with two-year extensions by mutual agreement, acting in the capacity of an investigator. The purpose of this assignment is to:

1. Strengthen the investigative process;
2. Enhance career development;
3. Improve crime investigation reporting;
4. Improve preliminary investigations by patrol officers; and
5. Create a pool of patrol officers with investigative experience.

C. 24-HOUR INVESTIGATIVE COVERAGE

1. The division commander of the Criminal Investigation Division shall ensure a sufficient number of detectives are on duty to receive assignments.
2. The Criminal Investigation Division supervisors will be responsible for sending personnel to crime scenes during evening hours, weekends and holidays. The persons called must be able to respond to the scene of any crime in a timely manner.
3. A detective may be assigned to work evening hours. Detectives should notify the patrol shift supervisor that they are working.
4. During working hours, any available detective will respond to crime scenes when called, and may have the assistance of the supervisor or commander.
5. Detectives and evidence personnel will be available to respond to crime scenes or other scenes requiring evidence collection or investigation. Prior to calling for assistance, the on-duty patrol supervisor shall evaluate the need for a detective or evidence personnel to respond, basing the decision upon the following criteria:

a. Magnitude or sensitivity of the crime or situation; and

b. Evidence collection, investigative requirements, or other services needed exceed available personnel and/or skills of officers on duty.

6. The detective responding to the scene shall respond as expeditiously as possible and in appropriate attire. Upon arrival at the scene, the detective will immediately notify the on-duty supervisor and become responsible for:

   a. Assuming control and coordination of the investigation after being briefed by on-scene officers;

   b. Evidence processing, collection and preservation;

   c. Determining necessary interviews of witnesses, victims, suspects, and the priority in conducting the interviews;

   d. Notification of the Coroner, State's Attorney and other agency personnel required;

   e. Identifying and prioritizing investigative leads to be followed and the expediency needed;

   f. Preparation of necessary supplemental reports, photographs and evidence analysis; and

   g. If necessary and appropriate, provide for media releases at the scene following procedures from policy 731-01 – Public Information Function and 731-02 – Release of Information and Access.

7. If at any time conflict arises concerning the manner in which the scene is being handled, the patrol supervisor and detective supervisor will work together in resolving the problem. In the event the two are of equal rank and are unable to remedy the problem and the case is one that will be assigned to the Criminal Investigation Division, the detective supervisor will note the other's objection, but will prevail.

D. VEHICLE CRASH IN WHICH A PERSON IS KILLED OR SERIOUSLY INJURED

1. The investigation of fatality or serious injury crashes shall be the primary responsibility of the Patrol Section CAR-Team.

2. Detectives may assist with traffic crash investigations in which a person is killed or seriously injured and when requested by the CAR-Team supervisor. For further information regarding CAR-Team procedures refer to policy 523-06 – Activation of the Critical Accident Reconstruction (CAR) Team

POLICY: The Rapid City Police Department will use a system of case management allowing for a balanced caseload, timely reporting and expedient resolution of criminal investigations.

A. FOLLOW-UP INVESTIGATION ASSIGNMENT CRITERIA

1. Supervisors in charge of crimes against persons and crimes against property will assign cases to Detectives in their respective sections.

2. The supervisor will read and separate all cases, determining the priority. The priority of cases is based upon the gravity of the offense, probability of solution, and urgency of action. All open cases should be progressed with documentation detailing the actions taken within 180 days.

3. A Criminal Investigation Division supervisor may assign follow-up investigations back to the Patrol Division when requested to do so.

4. Once assigned, detectives will use the following criteria to prioritize the order in which they progress their cases.

   a. Gravity of Offense:

      (1) Felony;

      (2) Misdemeanor;

      (3) Victimless crime; or

      (4) Status offense violations.

   b. Probability of Solution:

      (1) Suspects names;

      (2) Suspects known;

      (3) Suspects described;

      (4) Vehicle can be identified by license;

      (5) Vehicle can be identified by description;

      (6) Witnesses ability to assist in solution of the case;

(7) Eye witnesses;

(8) Physical evidence; and

(9) Traceable property.

c. Urgency of Action:

(1) Danger to others;

(2) Immediate action required; and

(3) Pattern frequency of crime.

d. Case Review – No investigation required unless additional pertinent information is developed.

e. Cases assigned an information designation shall be maintained by the detective for six months. If at any point the detective develops additional information enabling them to work the case, the case can be opened and the detective supervisor shall be notified.

B. FOLLOW-UP INVESTIGATIONS AND RESOURCES

Detectives will:

1. Actively investigate and initiate inquiries into investigative leads to identify the suspect and associates:

   a. Research and review of internal and external records and reports related to the incident, similar incidents or suspects.

   b. Use all information sources from witnesses, informants and others.

   c. Disseminate information to the law enforcement community.

   d. Conduct searches and collect non-testimonial evidence.

2. Analyze the legal significance of information and evidence.

3. Continue the search for witnesses, interview new witnesses and re-interview original witnesses when necessary.

4. Submit appropriate evidence for physical analyses.

5. Conduct appropriate surveillance, interrogation and polygraph testing.

6. Identify, locate and arrest suspects based on probable cause. Determine any involvement in other crimes.

7. Recommend suspension of the investigation if all leads are exhausted.

8. Submit the case for prosecution and confer with the prosecution when the suspect has been identified.

C. DESIGNATION OF CASE RESPONSIBILITY

1. The Supervisor will read and route all cases to detectives assigned to the division. It will be the supervisor's responsibility to ensure cases are investigated and the detective's progress is reported within the time limits assigned to the case. Upon being assigned a case for follow-up investigation as lead investigator, that detective is responsible for overall coordination of investigative actions to ensure all possible leads are thoroughly investigated. On particularly complex or heinous crimes, an investigative supervisor may be designated by the division commander to coordinate the case.

2. If the case cannot be closed within a reasonable amount of time, the supervisor will make the division commander aware of the circumstances surrounding the case.

D. CASE FILE MAINTENANCE

1. Upon receipt of a case assigned for follow-up investigation, the detective is responsible for initiation and maintenance of a case file. Case files may contain working notes and copies of any portion of the investigation to include, but not limited to records of statements, results of examinations of physical evidence, case status reports, and other reports and records needed for investigative purposes.

2. Detectives shall not maintain original reports in their files.

E. INVESTIGATIVE CASE STATUS CONTROL

1. When a case is assigned, a notation will be made on the case, identifying the status. The assignment will be recorded in the Records Management System by a Division supervisor.

2. On a quarterly basis, Division supervisors will:

   a. Review the disposition of cases using available information. On cases where dismissal or rejection of filing is identifiable, the supervisor of the detective responsible will review the case for the purpose of identifying and correcting existing deficiencies.

   b. Review the open cases of the detectives and verify proper case prioritization and time management is occurring.

3. The detective supervisor team will review all cases declined for prosecution or dismissed by the State’s Attorney's Office. In the event the original case is from the Field Services Division, the case will be referred to the Field Services Commander for review and remedial action.

4. The investigative Follow-up Report shall be used to:

   a. Report additional phases of investigation, which have developed;

   b. Reflect a progress report, which will include all contacts and information the detective has obtained. This report will be made within the time limits assigned to cases; and

   c. Report final dispositions.

F. PRELIMINARY INVESTIGATIONS BY PATROL OFFICERS

1. An employee assigned to investigate a call for service shall be responsible for the completion of a preliminary investigation.

2. An employee assigned to a follow-up investigation is responsible for the completion of the investigation.

3. Responsibility of the patrol officers for either a preliminary or follow-up investigation ends when:

   a. All investigative leads have been exhausted;

   b. Another employee is directed to assume control of the investigation:

      (1) When a transfer of responsibility takes place, it is incumbent, all employees involved are aware of the transfer of responsibility.

      (2) The arrival of a detective or supervisor does not transfer responsibility unless they elect to assume control of the investigation; or

   c. Another employee is directed to assume control of the investigation:

4. A detective involved in an investigation may request the assistance of patrol officers and deploy them as needed, with the permission of the patrol supervisor.

G. CASE STATUS DESIGNATIONS

For administrative or tracking purposes, only the following terminology shall be used to describe the status of cases:

1. OPEN
2. CLOSED - Adult Arrest or Juvenile Arrest
3. CLOSED - Citation Requested
4. CLOSED - Exceptional Clearance
5. CLOSED – Victim Declines Prosecution
6. CLOSED – Prosecutor Declines Prosecution
7. CLOSED – Juvenile Citation
8. CLOSED – Lack of Leads or Suspects
9. CLOSED – Warrant Request
10. CLOSED - Restitution
11. CLOSED - Juvenile Petition
12. CLOSED – Previous Arrest
13. CLOSED – Unfounded
14. Unassigned cases are to be considered CLOSED – Information Case Review

H. CASE CLOSING PROCEDURES

The policy of the Rapid City Police Department is that each "assigned case" should be closed in one of the following ways as explained below:

10 - Arrest - Adult
30 - Arrest - Juvenile
20 - Exceptional Clearance - Adult
21 - Victim Declines Prosecution - Adult
22 - Prosecutor Declines Pros. - Adult
40 - Exceptional Clearance - Juvenile
41 - Victim Declines Pros. - Juvenile
42 - Prosecutor Declines Prosecution - Juvenile
60 - Information Only
61 - Closed, Lack of Leads or Suspects
62 - Closed Warrant Request
63 - Closed Restitution
64 - Closed, Juvenile Petition
70 - Unfounded

PURPOSE: To outline general steps and precautions to be used in criminal investigations.

A. CRIMINAL INVESTIGATION PROCEDURES

1. Detectives shall be careful during inquiries not to needlessly harm the reputation of any person who may be the subject of investigation. At all times, investigators shall be courteous and considerate in speech and manner.

2. Continued assignment to the Investigation Division depends on the employee maintaining a satisfactory rating on their annual performance review.

3. A member of the Investigation Division shall follow up on all complaints assigned to them based on these guidelines.

4. Intelligence information is to be considered confidential and released only to law enforcement or regulatory agencies. Information no longer of use or inaccurate shall be destroyed.

B. INITIATION OF BACKGROUND INVESTIGATIONS

Background investigations will be undertaken for purposes of background information, criminal investigations and licensing of an individual or business. Information will be obtained only through legally accepted means. Information collected is to be used in conjunction with criminal investigations, or license compliance investigations for the purpose of presentation to controlling authorities for substantiation of decisions pertaining to the issuance or denial of a regulated license.

C. CID PRELIMINARY INVESTIGATIONS

Detectives assigned to conduct preliminary/criminal investigations shall include the following actions as part of their investigation:

1. Observation of all conditions, events and remarks;

2. Locating and identifying witnesses;

3. Maintaining and protecting the crime scene and arranging for the collection of evidence; and

4. Interviewing the complainant, witnesses, and suspects.

D. INVESTIGATION OF MAJOR CRIMES

1. The first detective to arrive at the scene shall assume command of the investigation until relieved by the assigned detective or detective supervisor.

    a. The detective supervisor will be responsible for obtaining additional assistance as called for by the circumstances. The supervisor will be responsible for the overall coordination of the investigation.

    b. The supervisor will designate one detective as the investigator in charge of the case who will be responsible for the investigation, assignment of duties, collection of evidence and filing of the case. The evidence specialist may be assigned the duties of crime scene processing. Upon assignment, the evidence specialist will be responsible to the supervisor on scene and be responsible for control of the crime scene, documentation, preservation and collection of all evidence taken from the scene. Other officers and detectives may be assigned to assist.

2. The detective in charge shall immediately ensure the scene is secured.

3. The detective in charge of the scene of a death investigation shall ensure the Pennington County Sheriff's Office has been notified. It is that detective's responsibility to inform the coroner of the circumstances of death and the approximate time the body will be available for removal by the coroner's officer.

4. If the victim is alive at the time the first officer arrives at the scene, all appropriate first aid shall be given. Nothing in this procedural outline shall be interpreted to preclude any action necessary to save or prolong the life of the victim. The following procedures shall be observed:

    a. Only those personnel who are actually aiding the victim should be in the immediate area. All others will remain away, thus avoiding unnecessary contamination of the scene.

    b. The victim will not be moved unnecessarily.

    c. Nothing in the area shall be touched or disturbed in any way unless required to aid the victim. If the items must be moved, a report of this will be given to the detective in charge.

    d. Once death has been established, all personnel shall immediately adhere to the guidelines outlined in 513-09 – Response to Suspected or Confirmed Deaths. All steps shall be taken to ensure cooperation between all agencies to facilitate a complete investigation.

5. Joint major case investigations may be conducted with the cooperation and assistance of the Pennington County Sheriff's Office or other law enforcement agency as appropriate.

E. FOLLOW-UP INVESTIGATION STEPS

1. During the preliminary phase of any follow-up investigation, detectives will review and analyze all previous reports, Department records, results from laboratory examination and other relevant information.

2. Detectives will conduct additional interviews and interrogations as necessary.

3. Detectives will contact all victims and witnesses (to include uniformed officers) as appropriate. Additionally, the detective should contact the victim anytime there is a change in the status of the case, including a case closure due to prosecution, lack of leads, or any other reason.

4. The identification and prosecution of persons fitting the definition of habitual offender is a high priority. Employees conducting criminal investigations are to examine the criminal histories of suspects, and upon identifying persons appearing to be habitual offenders, are to gather the evidence necessary to support a charge of habitual offender. At the time of the case filing, the State's Attorney's Office is to be apprised of any potential charge of habitual offender and request the charge be explored for possible inclusion during filing.

F. INVESTIGATION CHECKLISTS

1. The Rapid City Police Department provides a system of checklists to aid in the criminal investigation process.

2. The following is an inventory of checklists available to investigators and patrol officers for ensuring that critical areas of investigation are not overlooked.

   a. Rapid City Police Department Case Report;

   b. Death Investigation Checklist;

   c. Domestic Violence Checklist; and

   d. Additional checklists as developed by Department personnel.

G. INVESTIGATORS ASSISTANCE

1. Detectives and supervisors assigned to the Investigation Division are periodically required to attend patrol shift briefings to enhance relationships and communication.

2. Whenever a special operation, surveillance, stakeout or other covert operation is planned, the supervisor in charge of the operation will be responsible for coordinating and briefing patrol personnel prior to the operation, if it could have an impact on patrol. At a minimum, briefings should include:

   a. The nature of the operation;

   b. The general location; and

   c. Whether patrol patterns should be altered.

3. If the detective supervisor feels the integrity of the operation would be compromised by the disclosure of detailed information, the detective supervisor may restrict the dissemination of the information. The final decision for release of information rests with the commander of the division responsible for supervision of the operation.

4. A detective may assist other members of the Department by:

   a. Assisting in the actual apprehension;

   b. Providing covert investigative services, gathering and disseminating intelligence information or any other available service needed;

   c. Conducting interviews of witnesses or victims; and

d. Conducting interrogations of suspects.

5. When a detective makes an arrest and the prisoner confesses to any additional crime committed within the City, the detective shall prepare a supplemental report. If the crime occurred in another jurisdiction, the detective shall promptly notify and write a report for the appropriate law enforcement agency.

6. If the person arrested is known by an alias or nickname, it shall be indicated on the Case Report Supplement. Special attention shall be given to obtain and record any aliases or names of associates of persons arrested.

H. CONSTITUTIONAL REQUIREMENTS OBSERVED

While conducting investigations, employees shall diligently observe the Constitutional Rights of all persons with whom they come into contact, specifically those rights concerning self-incrimination, counsel, search and seizure, and due process. R&P 112-02 – Constitutional Requirements Observed.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
612-01	Criminal Investigations Operations	1 OF 6
ORDER NO.: 11-01	**SUBJECT:** Polygraph and Criminal Investigations	
SUPERSEDES: 09-06	**EFFECTIVE:** 02-15-11	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 42.2.6		

PURPOSE: The relative success of any polygraph examination is largely the result of proper casework by the investigating officer. The procedures outlined in this procedure are designed to instruct personnel regarding departmental guidelines on the use of the polygraph as a tool in the detection of deception in criminal cases.

POLICY: The Rapid City Police Department's policy is to provide polygraph services in order to enhance the criminal investigation process. All personnel of the Rapid City Police Department, and any other agency requesting polygraph services from this department, must closely adhere to the provisions of this procedure to assure the validity and integrity of polygraph testing.

PROCEDURAL GUIDELINES:

A. POLYGRAPH EXAMINER QUALIFICATIONS

1. Polygraph examiners utilized by the Rapid City Police Department shall be specifically trained in the use of the polygraph, and shall have graduated from an institution providing specialized training in polygraph operation.

   The polygraph operator will maintain a log of all tests that they have run and if the results have been validated.

2. Records will also be kept that detail any schools or training the examiner has attended. The Polygraph Examiner shall maintain proficiency in the field of polygraph by conducting examinations and attending polygraph refresher training. The examiner should attend a polygraph-training seminar at least once every three years.

3. Polygraph examinations conducted for the Rapid City Police Department shall be performed by a Rapid City Police Polygraph Examiner. When no such examiner is available, or a conflict exists, another polygraph examiner may be used.

4. Under no circumstances will officers schedule polygraph examinations without approval from the polygraph examiner.

5. Authorization for Background Investigation polygraph tests shall be obtained from the Division Commander of the Division conducting the investigation.

6. Authorization for all polygraphs requested by outside agencies and for polygraphs resulting from internal investigations/citizen complaints shall be obtained from the Chief of Police or a designee.

B. POLYGRAPH CONDITIONS

1. In criminal investigations, polygraph examinations may be conducted upon witnesses, suspects, and in some cases, victims.

2. Intensive interrogation of a test subject immediately prior to the polygraph examination may result in an inaccurate determination of truth or deception during the polygraph examination. Typically, subjects shall not be tested until 12 to 24 hours or longer after an interrogation. An interview with the test subject just prior to the examination may be acceptable, as long as it does not result in an exhausted or antagonistic test subject.

3. All polygraph test subjects should have had a normal amount of food and sleep during the 24-hour period immediately preceding the examination. Examinations shall be scheduled to assure that these conditions are met, whenever possible.

4. Polygraph test subjects must be made aware, by the investigator and examiner, that the examination will be administered only with the specific consent of the test subject. The test subject shall also be informed that they may refuse to submit to the examination if they so choose.

5. Certain situations and circumstances prohibit effective and accurate use of the polygraph. Further, certain cases and conditions may not meet the criteria for successful examinations. The evaluation of test subjects and case viability will be the responsibility of the polygraph examiner. In order to assure the polygraph is not being used inappropriately, and Polygrapher ethics are maintained, the polygraph examiner shall have the discretion to decide whether or not the examination shall occur.

C. FACTORS THAT MAY PRECLUDE POLYGRAPH TESTING

1. A polygraph examination will not be conducted of any subject if the examiner feels the subject to be physically or mentally unfit, or if the examiner feels that the test may be a detriment to the subject's health.

2. In cases involving employer/employee criminal investigations, strict adherence to the Employee Polygraph Protection Act shall occur.

3. Juvenile subjects under the age of fifteen are generally considered to be poor test subjects due to lack of physical and mental maturity. The examiner shall evaluate the circumstances surrounding the requested examination of the subject under the age of fifteen, and any extenuating circumstances shall be taken into account. As a general rule, however, subjects under the age of fifteen shall not be tested.

4. Consent forms for juveniles must be signed by a parent or legal guardian prior to the examination occurring. In the absence of a parent or legal guardian, authorization must come from a juvenile court authority.

5. Females who are more than 100 days into known pregnancy shall not be tested, due to the potential for accusations of harm caused to themselves or the fetus. Tests of pregnant females may be conducted with a written release from their physician.

6. Subjects with full or partial paralysis shall not be tested, due to potentially limited physiological responses.

7. Subjects with amputations, which affect placement of instrument attachments shall not be tested.

8. Subjects who have experienced major surgery within six months of the test date shall be evaluated on an individual basis.

9. Subjects who have heart problems, or who are taking heart medication, shall be evaluated by the examiner on a case-by-case basis to determine the suitability of the subject for a polygraph examination.

10. Subjects who suffer from respiratory disorders shall not be tested without written consent from their physician.

11. Subjects who are addicted to narcotics shall be evaluated by the examiner on a case-by-case basis to determine the suitability of the subject for a polygraph examination.

12. Subjects who are insane or mentally deranged shall not be tested.

D. INVESTIGATOR AND EXAMINER RESPONSIBILITIES

Certain responsibilities rest with the investigator and examiner before and after the polygraph examination occurs. These responsibilities include the following:

1. The examiner shall evaluate the information provided and indicate whether or not a test shall be conducted.

2. As soon as possible after scheduling, the investigator shall provide the examiner with full and complete details of the investigation, including reports, statements and other relevant information. Complete disclosure of case information shall be provided to the examiner.

3. In cases involving incarcerated subjects, the State's Attorney must be involved in the preparation process, and approve the examination. If the State's Attorney does not agree to the conductance of the test, and a pending prosecution is involved, the test will not be administered.

4. If the test subject does not speak English, or is deaf or mute, necessary arrangements will have to be made by the investigator and examiner for interpretive or similar assistance.

5. The examiner will review all involved investigative reports and contact the investigator, prior to the examination, for a brief conference regarding case facts and issues to be resolved through testing.

6. As soon as practically possible after the examination has been completed, the examiner shall provide a written report to the investigator, outlining the relevant questions posed, and the results of the examination.

7. The investigator will honor the confidentiality of the test results, and will not share the results of the test with anyone not authorized to receive this information.

8. The examiner shall retain all relevant polygraph material in a secure area, in order to safeguard its confidentiality. Access to these records will be limited to authorized personnel.

9. Polygraph records will be kept for a period of five years, after which time the records may be destroyed.

E. INFORMATION PROVIDED TO EXAMINER/EXAMINEE

All pertinent information should be provided to the examiner, and may or may not be given to the examinee, prior to the polygraph test occurring. This information includes the following:

1. When the investigator discusses the polygraph with the potential examinee, the examinee should be told that the test may take two to three hours to conduct.

2. The investigator should also admonish the examinee regarding issues concerning proper sleep and nutrition before the test.

3. The investigator should be aware that testimony in court as to the conducting of a polygraph examination may result in a mistrial or other legal jeopardy.

F. INVESTIGATOR CONSIDERATIONS

The polygraph is an important tool in the investigation of criminal offenses. Because of this, the investigator should be aware of the following:

1. The investigator should remember that the polygraph is not a substitute for a thorough investigation, and the more thorough the investigation, the better the chances are for a conclusive opinion from the examiner. As a rule, when there is a general or vague investigation, the results of the polygraph will probably also be general and vague.

2. The investigator should never use the polygraph as a bluffing technique. If the subject agrees to the test, this does not automatically mean he or she is innocent. The subject should not be asked to submit to an examination unless it is intended to be given.

3. The investigator should remember that the final decision regarding whether or not the examination will be conducted rests with the examiner. This decision will be based on a variety of factors, including adequacy of case information, the intensity of the case issue, and the distinctiveness of the case issue.

AUTHORIZATION AND AGREEMENT FOR POLYGRAPH EXAMINATION

Date _____

I, _____, do voluntarily consent to be examined by the polygraph detection of deception technique (lie detector). I have been advised that I have the right to refuse to submit to this test, and the polygraph technique has been explained to my satisfaction.

I hereby release polygraph examiner _____, the City of Rapid City, and any of its officers, agents and employees from all claims resulting from or arising out of this examination.

I further state that this consent is given of my own free will and accord without duress, coercion or promise of reward of immunity.

_____ (*Signature of Test Subject*)

_____ (*Signature of Examiner*)

CONSENT OF PARENT OR GUARDIAN

I, _____, certify that I am the _____ of _____. I hereby grant permission for the above named examiner to examine said minor on the polygraph. I have read and understand the above conditions and agree to same for said minor and myself.

_____ (*Signature of Parent or Guardian*)

The examination now being completed, I certify that I took same voluntarily, was well treated and remained of my own free will, having been advised that I could leave at any time.

_____ (*Signature of Test Subject*)

_____ (*Signature of Parent or Guardian*)

Place _____
Date _____
Time _____

YOUR RIGHTS

1. You have the continuing right to remain silent and to stop questioning at any time;

2. Anything you say can be used as evidence against you;

   [For Juveniles, read:]

   2. a. Including possible proceedings to transfer your case to adult court and subsequent prosecution as an adult.

3. You have the continuing right to consult with and have the presence of an attorney; and

4. If you cannot afford an attorney, an attorney will be appointed for you.

5. Do you understand these rights?

6. Do you wish to waive these rights and talk to us at this time?

WAIVER OF RIGHTS

I have read this statement of my rights and I understand what my rights are. I am willing to make a statement and answer questions. I do not want a lawyer at this time. I understand and know what I am doing. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

SIGNED _____

_____
(Time) (Date)

WITNESSED BY _____
TITLE _____

WITNESSED BY _____
TITLE _____

RAPID CITY POLICE DEPARTMENT **RULES AND PROCEDURES**		
POLICY NO.: 612-02	**SECTION:** Criminal Investigations Operations	**PAGE NO.:** 1 OF 2
ORDER NO.: 18-02	**SUBJECT:** Surveillance Operations	
SUPERSEDES: 12-02	**EFFECTIVE:** 02-26-18	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

POLICY: The Rapid City Police Department will employ surveillance measures upon individuals or locations in the course of active criminal investigations or to detect criminal activity. The Rapid City Police Department's designated surveillance vehicle or infrared equipment may be utilized to assist in this task.

A. GENERAL SURVEILLANCE OPERATIONS

PROCEDURE GUIDELINES:

1. Surveillance targets will be determined through information provided by active criminal investigations, crime analysis data, and informant information.

2. Prior to employing surveillance measures, a physical reconnaissance of the target location(s) will be conducted to identify vantage points suitable for the operation.

3. Surveillance personnel will be provided with as much information concerning the premises, suspects, victims, vehicles, and suspected criminal activity as is available.

4. Times of surveillance will be determined by the appropriate supervisor using all information available and in consultation with case investigators, patrol personnel, and crime analysis.

5. When conducting surveillance, there shall be no infringement on a subject's reasonable expectation of privacy.

6. When appropriate, the on-duty patrol shift commander should be thoroughly briefed about the surveillance operation as outlined in 611-03 – General Criminal Investigations Procedures.

7. Extended surveillance operations shall be accompanied by post orders that include:

   a. Situation

   b. Execution

   c. Coordinating Instructions

   d. Administration and Logistics

   e. Command and Communications

8. Search and search warrant procedures will be coordinated prior to implementation of surveillance measures in accordance with current CID procedures.

9. When appropriate, all surveillance operations will be concluded with a debriefing of all appropriate personnel.

10. The supervising officer will ensure an after-action report of the operation is completed as outlined in 531-04 – After-Action Reports.

11. Deconfliction procedures will be followed as outlined in R&P 612-06 – Event Deconfliction Systems.

RAPID CITY POLICE DEPARTMENT **RULES AND PROCEDURES**		
POLICY NO.: 612-03	**SECTION:** Criminal Investigations Operations	**PAGE NO.:** 1 OF 2
ORDER NO.: 19-02	**SUBJECT:** Interview Room Recording Technology	
SUPERSEDES: 18-02	**EFFECTIVE:** 05-09-19	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 83.2.2		

POLICY: This Rapid City Police Department Policy is intended to identify the procedures and practices applied to the lawful use of Interview Room Recording Technology.

A. PROCEDURES FOR INTERVIEW ROOM CAMERA USE

1. Investigators shall utilize both the audio and video recording capabilities when conducting interviews in the interview room.

2. In serious cases that require evidence processing of suspects, the interview room camera will continue recording through this process. If this involves nudity, access to the video will be restricted as appropriate.

3. Investigators should place the interviewee in a location in the room where they would be best observed by the recording equipment.

4. When an in-custody suspect is left alone in the interview room, a guard shall be posted outside the door. The audio and video equipment shall be activated to record.

5. Investigators are not required to notify the public they are being recorded.

6. Investigators shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any interview room recordings without prior written authorization and approval of the Chief of Police or authorized designee.

7. Investigators shall note the case report number, interviewee name, and a brief description before beginning the interview.

8. If an investigator fails to activate the interview room camera, fails to record the entire contact, or interrupts the recording, the investigator shall document in a written report why a recording was not made, was interrupted or was terminated.

9. If the investigator deems it to be in the best interest of justice, the investigator has the option to deactivate the interview room camera during interview situations when a member of the community requests the recording be discontinued. Requests by a member of the community to discontinue recording should be documented.

B. DATA REVIEW

1. Recordings may be reviewed in any of the following situations:

a. For use when preparing reports, statements, or for courtroom testimony, unless it is determined to have "Restricted Access" by the Chief of Police or authorized designee;

b. By a supervisor investigating a specific act of officer conduct;

c. By a supervisor to access investigator performance;

d. By a supervisor following a critical incident;

e. By an investigator who is participating in an official investigation;

f. To access proper functioning recording technology;

g. For official training purposes;

h. Designated personnel from the State's Attorney's Office and City Attorney's Office will be authorized to view and request exported copies of recordings for legal proceedings;

i. By authorized court personnel through proper process or with permission of the Chief of Police or authorized designee;

j. Upon authorization of the Chief of Police or authorized designee.

2. An audit trail exists to track all access to recordings by the data system.

3. No Rapid City Police Department employee will access or obtain data for personal use.

4. Only the Chief of Police, Records Custodian, or designee may authorize release of data to the public.

C. DATA STORAGE AND RETENTION

1. The Rapid City Police Department Records Section will manage the storage, duplication and dissemination of recordings. The software will maintain a chain of custody for each recording.

2. All interview room camera data is the property of the Police Department and the City, which shall be preserved and retained in accordance with state law and department protocols. The interview room camera data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of this agency.

3. Recordings will be stored indefinitely for the following situations:

   a. Homicide investigations;

   b. Significant incidents at the direction of a supervisor.

4. Accidental, inadvertent or internal investigation recordings may be manually deleted by the system administrator with appropriate supervisory approval.

POLICY: The Rapid City Police Department will compose photographic, show-ups, and physical lineups in such a manner ensuring the suspect does not unduly stand out. Generally, physical line-ups are not used.

DEFINITIONS:

1. **Show-up:** An identification procedure in which an eyewitness is presented with a single suspect within a short time following the commission of a crime for the purpose of determining whether the eyewitness identifies this individual as the perpetrator.

2. **Photo Lineup:** An identification procedure, in which an array of photographs, including a photograph of the suspect of an offense and additional photographs of other persons not suspected of the offense, is displayed to an eyewitness either in hard copy form or via computer for the purpose of determining whether the eyewitness identifies the suspect as the perpetrator.

3. **Physical Lineup:** An identification procedure, in which a group of persons, including the suspect of an offense and other persons not suspected of the offense, is displayed to an eyewitness for the purpose of determining whether the eyewitness identifies the suspect as the perpetrator.

4. **Filler:** Either a person or a photograph of a person who is NOT suspected of an offense and is included in an identification procedure.

A. COMPOSING LINEUPS

In composing a lineup, the investigator should:

1. Include only one suspect in each identification procedure.

2. Select fillers who generally fit the witness' description of the perpetrator. When there is limited or inadequate description of the perpetrator provided by the witness, or when the description of the perpetrator differs significantly from the appearance of the suspect, fillers should resemble the suspect in significant features.

3. If multiple photos of the suspect are reasonably available to the investigator, select a photo resembling the suspect description or appearance at the time of the incident.

4. In photo lineups, include a *minimum* of five fillers (non-suspects) per identification procedure. In physical lineups, five fillers may not be readily available, but there should always be at least two alternate choices for the victim/witness to view.

5. Consider that complete uniformity of features is not required. Avoid using fillers who so closely

resemble the suspect that a person familiar with the suspect might find it difficult to distinguish the suspect from the fillers.

6. Consider placing suspects in different positions in each lineup, both across cases and with multiple witnesses in the same case. Position the suspect randomly in the lineup.

7. When showing a new suspect, avoid reusing fillers in lineups shown to the same witness.

8. With a photo lineup ensure no writings or information concerning previous arrest(s) is visible to the witness.

9. View the lineup, once completed, to ensure the suspect does not unduly stand out.

10. Preserve the presentation order of the photo lineup. In a photo lineup, the photos themselves should be preserved in their original condition. It is recommended, but not required, that physical lineups be preserved through the use of video and audio recording. If a recording device is not available however, still photographs of the lineup will suffice.

11. Once legal proceedings have begun and an attorney appointed, the attorney must agree to and be present at a physical lineup. This is not a requirement when using a photo lineup.

Summary: The above procedure will result in a lineup in which the suspect does not unduly stand out. Identification obtained through a lineup composed in this manner may have stronger evidentiary value than one obtained without these procedures.

B. INSTRUCTING THE WITNESS PRIOR TO VIEWING A LINEUP

POLICY: *Prior to presenting a lineup, the investigator shall provide instructions to the witness to ensure the witness understands the purpose of the identification process is to exonerate the innocent as well as to identify the actual perpetrator.*

PROCEDURAL GUIDELINES

Prior to presenting a lineup, the investigator should:

1. Instruct the witness that he/she will be asked to view a set of photographs, or people.

2. Instruct the witness that it is just as important to clear the innocent person from suspicion as to identify the guilty parties.

3. Instruct the witness that individuals in the lineup may not appear exactly as they did on the date of the incident because features such as head and facial hair are subject to change.

4. Instruct the witness that the person who committed the crime may or may not be in the lineup being presented.

5. Assure the witness that regardless of whether or not identification is made, the Department will continue to investigate the incident.

6. Instruct the witness that the procedure requires the investigator to ask the witness to state, in his/her own words, how certain he/she is of any identification.

7. In cases with multiple witnesses or victims, the viewing of each lineup should be completed privately by each witness or victim to avoid cross contamination of identification or information.

Summary: Instructions provided to the witness prior to presentation of a lineup will likely improve the accuracy and reliability of any identification obtained from the witness and can facilitate the elimination of innocent parties from the investigation.

C. CONDUCTING THE IDENTIFICATION PROCEDURE

POLICY: The investigator shall conduct the lineup in a manner conducive to obtaining accurate identification or non-identification decisions.

PROCEDURAL GUIDELINES

When presenting a lineup, the investigator should:

1. Provide viewing instructions to the witness as outlined in subsection B, "Instructing the Witness Prior to Viewing a Lineup.

2. Confirm the witness understands the nature of the lineup procedure.

3. Avoid saying anything to the witness that may influence the witness' selection.

4. In the rare instance a physical lineup is performed, it is recommended that the suspect and filler individuals are placed in one of the three interview rooms in CID. The witness should be brought to the monitoring room where viewing of the individuals may be accomplished privately. If this procedure is used, the victim/witness should be moved to another are prior to bringing the individuals in the lineup out of the viewing area. This will prevent a face-to-face meeting.

5. If identification is made, avoid reporting to the witness any information regarding the individual he/she has selected prior to obtaining the witness' statement of certainty.

6. Record any results and witness' statement of certainty as outlined in subsection D, "Recording Identification Results."

7. Document in writing the lineup procedures, including:

   a. Identification information.

   b. If a photo lineup is used, delineate the sources of all photos used.

   c. Names of all persons present at the lineup.

   d. Date and time of the identification procedure.

8. Instruct the witness not to discuss the identification procedure or its results with other witnesses involved in the case and discourage contact with the media.

9. If audio or video is used during the lineup, the media used is to be treated as evidence and should be handled consistent with Department policy and procedure.

Summary: The manner in which an identification procedure is conducted can affect the reliability, fairness and objectivity of the identification. Use of the above procedures can minimize the effect of external influences on a witness' memory.

D. RECORDING IDENTIFCATION RESULTS

POLICY: When conducting an identification procedure, the investigator shall preserve the outcome of the procedure by documenting any identification or non-identification results obtained by the witness.

PROCEDURAL GUIDELINES

When conducting an identification procedure, the investigator should:

1. Record both identification and non-identification results in writing, including the witness' own words regarding how sure he/she is about the identification. Ensure the results are signed and dated by the witness. This is best accomplished by utilizing the Department's Lineup Identification Form.

2. Ensure no materials indicating previous identification results are visible to the witness.

3. Ensure the witness does not write on or mark any materials that will be used in other identification procedures.

Summary: Preparing a complete and accurate record of the outcome of the identification procedure improves the strength and credibility of the identification or non-identification results obtained from the witness. This record can be a critical document in the investigation and any subsequent court proceedings.

E. SHOW-UPS

PURPOSE: Victim and/or witness memories are best immediately following the crime giving on-scene officers and investigators a better opportunity to identify the person responsible. In limited situations officers and/or investigators must rely on a field investigative procedure such as a field show-up to identify a suspect when a formal line-up is not feasible. The most common situations are when a serious crime is still fresh and the suspect is believed to still be in the vicinity. Other factors include the time of day, number of witness and/or victims and the availability of victims and/or witnesses. Benefits of a field show-up include quick verification of a subject's identity. If the detainee is not the suspect, officers and/or investigators can continue searching for the person responsible.

1. Show-ups are a highly scrutinized law enforcement action because of the inherent suggestiveness of the practice. Show-ups should only be used in situations when photo lineup identification is not practical. An officer may arrange a "show-up" between a witness and a suspect whenever a potential suspect is located and detained within a reasonable length of time, in proximity to the location of the crime, and fits the specific description of the perpetrator given by the witness.

2. If an officer has reasonable suspicion to detain a suspect under the above circumstances, the officer may use such force as is reasonably necessary to stop the suspect from leaving, or to cause the suspect to remain in the officers' presence. If probable cause to arrest develops during

the detention, an arrest should occur.

3. The Department acknowledges a show-up may provide sufficient probable cause early in an investigation to help avoid the escape of a prime suspect or facilitate the release of an innocent person, which would redirect the investigation to potentially more productive areas. For this reason, show-ups may be reasonable and appropriate in some situations. **Show-ups should not be used when independent probable cause exists to arrest a suspect**.

F. CONDUCTING THE SHOW-UP

A suspect cannot be detained for longer than a reasonable period-of-time to confirm or refute whether the suspect is the perpetrator. When conducting a show-up, officers will use the following guidelines:

1. **Description:** Officers at the crime scene and in contact with the witness will obtain a detailed description of the perpetrator before the suspect is shown to the witness. The witness must advise the officers that they may be able to recognize the person who committed the crime prior to the show-up.

2. **Location:** A suspect should not be taken to the police station for a show-up. The suspect should be detained at the place he/she was located in the least restrictive manner possible ensuring the suspect remains with the officer. The witness should be transported to the suspect's location for the show-up. Suspects should not be transported to the witness's location unless exigent circumstances exist.

3. **Minimize Suggestiveness:** If possible, do not show the suspect handcuffed, or in the back seat of a patrol car. If the suspect is handcuffed, take measures to conceal this fact from the witness when possible. Suspects may not be required to put on clothing worn by the perpetrator. However, they may be asked, but not required to speak words uttered by the perpetrator, or perform other actions of the perpetrator. The witness should be advised the person detained may be or may not be the perpetrator. The witness should not feel compelled to make identification. If the witness makes identification, the officer should not confirm or corroborate the identification.

4. **Multiple Witnesses:** Show-ups should not be conducted with more than one witness present at a time. If there is more than one witness, the show-up must be conducted separately for each witness, and witnesses should not be permitted to communicate before or after any show-up regarding the identification of the suspect. The same suspect should not be presented to the same witness more than once.

5. **Witness Confidence:** The officer must assess witness confidence immediately following the show-up identification. Additionally, the officer must make note of witness confidence remarks for report documentation.

   Officers should not praise or congratulate the witness for picking out the suspect. This may serve to convince a witness they have picked out the actual perpetrator when they actually have doubt. This increases the chances of a miscarriage of justice and could lead to suppression of later in-court identification of the suspect.

6. **Documenting Show-Up and the Results:** The show-up shall be thoroughly documented including all persons present, the location, lighting and weather conditions and approximate distance that the viewing took place.

a. Officers will document both identification and non-identification using the witnesses' own words.

b. Witness statements will also be taken from those involved in the field show-up.

c. Officers will also document the suspect(s) clothing, demeanor and injuries, if any.

7. **Multiple Suspects:** If there are multiple suspects, the suspects must be separated and subjected to separate show-up procedures.

8. **Photographing Suspects:** Consideration should be given to photographing the suspect(s) in the field as documentation.

9. **Emergency / Exigent Circumstances:** In emergency circumstances, such as when a witness is in danger of imminent death or blindness, or when a suspect is in danger of imminent death, an immediate show-up may be arranged if medical authorities permit. In these situations, time and location limitations contained in the preceding guidelines can be disregarded. If there is any doubt about an emergency show-up, officers should contact a supervisor immediately for guidance.

10. **Cruising Area of Offense:** Nothing in these guidelines prohibits the common procedure of transporting a witness in a patrol car to cruise the general area in which a crime has occurred in hopes of spotting the perpetrator and arranging a show-up identification procedure.

11. **Right to a Lawyer:** No person has a right to have a lawyer present at any show-up procedure.

12. **Release After Show-Up:** If the detained suspect is not identified by a witness as the perpetrator, and officers lack any other probable cause for an arrest, the suspect should be released after obtaining basic information.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
612-05	Criminal Investigations Operations	1 OF 3
ORDER NO.: 18-02	**SUBJECT:** Interview Rooms	
SUPERSEDES: 09-02	**EFFECTIVE:** 02-26-18	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 42.2.10		

POLICY: The Rapid City Police Department has designated interview rooms at the Public Safety Building (PSB). Uniformed and non-uniformed personnel will use designated rooms for all interrogations and interviews where it is likely that the interview could turn into an interrogation. This policy is intended to provide clear direction for the use of the interview rooms to ensure the safety of Rapid City Police Department personnel and the admissibility of statements made therein.

DEFINITIONS:

Interview - An interview is a non-accusatory, structured conversation during which specific, behavior-provoking questions are asked with the purpose of eliciting interpretable behavior symptoms considered typical of truth or deception. Additional factual information concerning the case and/or suspects may also be developed during this non-accusatory exchange.

Interrogation - An interrogation is a conversation between the interrogator and the suspect, during which the suspect is accused of involvement in a particular incident or group of incidents. The accusatory tone of the exchange is what distinguishes the interrogation from the interview.

Note: For further information regarding interview / interrogation limitations refer to policy 112-02.

A. ROOMS DESIGNATED AS INTERVIEW/INTERROGATION ROOMS.

1. **Interview/Interrogation Rooms (IR)** located in the Criminal Investigation Division (CID) on the 3rd floor within the Department.

    a. **IR 1** (room 305),

    b. **IR 2** (room 306), and

    c. **IR 3** (room 307)

B. WEAPONS CONTROL

It will be the sole discretion of the officer/investigator, and in certain cases a Section/Division Commander, whether or not to maintain the authorized Department weapon on officer's person while in the interview room. Should the officer/investigator elect to remove the weapon, it shall be properly secured.

The responsibility for the safety and security of persons brought into the interview/interrogation rooms remains with the original officer's, unless an investigator or supervisor relieves them.

Except in interviews conducted in the designated interview/interrogation rooms in the Rapid City Police Department and in Division polygraph room, it will be the sole discretion of the officer/investigator, and in certain cases a Section/Division Commander, whether or not to maintain the authorized Department weapon on the officer's person while in offices in CID. Should the officer/investigator elect to remove the weapon, it shall be properly secured.

C. SECURITY

All arrestees/prisoners will be handcuffed prior to entry of the interview room. Handcuffs may be removed at the discretion of the officer/investigator conducting the interview. Officers should be alert to the contents of the rooms prior to utilizing it.

1. The **3rd Floor PSB Interview/Interrogation Rooms** within CID are the most secure area of the Department to conduct interviews and interrogations.

    a. Officers will inspect the rooms before and after conducting an interview/interrogation. Officers should be alert to the contents of the room prior to utilizing it.

    b. All suspects and potential suspects will be pat searched prior to entering the room. Pat searches of the opposite sex will be conducted in accordance with Department policy.

2. **The 2nd Floor PSB Polygraph Room** is within in a secure area of the Department.

    a. The Polygraph Room is locked when not in use. Only the Department Polygraph Examiners have keys to this room.

    b. Only authorized personnel may conduct interviews in the polygraph room.

    c. Authorized personnel are those who are certified to operate the polygraph equipment. Non-authorized personnel may use the polygraph room in limited circumstances, but only when a polygraph operator is present.

    d. All suspects and potential suspects will be pat searched prior to entering the room. Pat searches of the opposite sex will be conducted in accordance with Department policy.

3. Once the interview has been completed, the officer/investigator will again search the room used prior to exiting.

4. All 3rd Floor PSB Interview/Interrogation rooms are equipped with audio/video recording equipment and may be monitored from the Criminal Investigation Division (CID).

5. Requests for a copy recording from non-CID personnel should be directed to a CID supervisor. Upon receipt of the disc, the requesting Officer will review the video to ensure it was recorded properly.

6. The original media will be handled, labeled and stored in accordance with the Department's evidence handling and processing procedures.

7. During an Interview/Interrogation, the door to the room should remain shut.

Note: The interview room is not a holding cell. If an arrestee or prisoner (adult or juvenile) is left alone in an interview room, there must be constant monitoring of the subject at all times. The utilization of audio/visual equipment must be on and working prior to the officer exiting the room.

An officer must be in close proximity to the room and be readily available to provide assistance, should they be summoned.

D. NUMBER OF PERSONNEL IN ROOM

The number of people present while conducting an interview/interrogation should be kept to a minimum. Typically, this should be no more than two officers/investigators and the person being interviewed. Only one arrestee/prisoner at a time will be in the interview room. Special circumstances may require a parent, a guardian, or legal representation. Ultimately, it will be up to the primary officer/investigator on a case-by-case basis, to make the decision as to who may be present.

E. SUMMONING ASSISTANCE

Uniformed personnel may request assistance by way of their portable radio. Non-uniformed personnel may request assistance by way of their portable radio or cell phone. If the interview/interrogation rooms are utilized by an outside police agency a sworn Division member will facilitate access and be readily available to assist.

F. EQUIPMENT/ITEMS IN THE ROOM

Items in the interview/interrogation rooms should be limited to a table and enough chairs to accommodate the individuals in the room. Any other items brought into the room shall be at the discretion of the officer/investigator conducting the interview.

1. Interrogation Room 1, 2, and 3 are equipped with a desk and chairs.

2. The Polygraph Room is equipped with a desk, two chairs, two file cabinets, bookcase with polygraph material, and a polygraph instrument.

3. Only those officers/investigators who have received training in the use of the audio/visual equipment shall be allowed to utilize the recording equipment. Criminal Investigation Division investigators have been trained in the use of audio/visual equipment and may be called upon to assist with its operation.

G. ACCESS TO WATER, RESTROOMS, OR COMFORT BREAKS

1. Restrooms for Interrogation Rooms 1, 2 & 3 are located within the lobby area of CID.

2. Restrooms for the Polygraph Room are located within the 2nd floor lobby, or outside the ICAC secured area.

3. Suspects will be provided access to the restroom, drinking water and other needs, as needed.

4. Comfort breaks are permissible when practical. Officers will maintain observation of the suspect during this time to ensure the suspect's safety.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
612-06	Criminal Investigations Operations	1 OF 2
ORDER NO.: 15-03	**SUBJECT:** Event Deconfliction Systems	
SUPERSEDES:	**EFFECTIVE:** 10-19-15	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 46.2.8		

PURPOSE: Event Deconfliction is an essential component in officer safety during investigative operations. Investigative efforts, such as covert operations, can create the potential for conflict between agencies or officers who are unknowingly working in close proximity to each other. In other cases, agencies or officers may be coordinating an event focusing on the same suspect at the same time. In either case, agencies or officers may interfere with each other's cases, causing investigative efforts to be disrupted, or place the welfare of the officers in jeopardy. The use of an event deconfliction system provides for controlled and secure monitoring of these operations and the immediate notification of affected parties when conflicts arise. The Rapid City Police Department utilizes RISSafe to deconflict investigative events.

RISSafe stores and maintains data on planned law enforcement events, such as raids, controlled buys and surveillances, with the goal of identifying and alerting affected agencies and officers of potential conflicts impacting law enforcement efforts. RISSafe is used in conjunction with mapping software to verify data on event locations when an event is entered into the system. RISS staff members supporting this initiative are assigned to a RISSafe Watch Center and are responsible for assisting officers, entering and monitoring events, responding to conflicts and notifying affected parties.

A. QUALIFYING EVENTS AND CONTACT RESOURCES

The Rapid City Police Department will utilize the RISSafe Event Deconfliction network for events to include, but not limited to, raids, controlled buys, sting operations and surveillances.

B. AUTHORIZED USERS

Users of the event deconfliction system will be authorized to do so by supervisors or commanders of the Criminal Investigation Division.

Events may be entered into RISSafe directly by authorized remote users. When a remote officer enters data into RISSafe, he or she is advised that the event is accepted with or without a conflict. In the event of a conflict, RISSafe Watch Center staff will receive an alarm and notify involved parties of the pending conflict. Remote users also receive immediate notification if an event they entered results in a conflict.

C. INFORMATION AUTHORIZED FOR RELEASE TO THE SYSTEM PROVIDER

Authorized users will be responsible for reporting such events to the RISSafe Watch Center before the operation begins, and will include all information authorized to be released to the system provider.

Specific information for release should include: Agency name, primary contact information, secondary contact information, operation name, case number, operation type, primary event location (date and time parameters), staging event location (date and time parameters), and crime category.

D. SYSTEM CONTACTS AND INTERNAL DISTRIBUTION REQUIREMENTS

System contacts and internal distribution of information will be between the system watch center and the CID Commander or their designee. All internal distribution of information will be handled by the CID Commander or his designee and will be determined upon a need to know/right to know basis.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
613-01	Crimes Against Persons	1 OF 2
ORDER NO.: 09-05	**SUBJECT:** Assault Investigations	
SUPERSEDES: 05-03	**EFFECTIVE:** 08-20-09	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

POLICY: The Rapid City Police Department will fully investigate crimes of assault as described under SDCL 22-18-1 (or 1.1)

PROCEDURAL GUIDELINES:

1. After receiving an assault investigation, the investigator will review the reports in order to become aware of the circumstances involved and will re-interview the victim and witnesses to obtain more specific details and to check the accuracy of the report.

2. In cases when an investigator is called to respond to the scene of an assault, the investigator will assess the situation and determine if forensic examiners and/or evidence specialists or additional personnel are needed for evidence collection, photographs, or to assist with interviews. The request for additional personnel will be made through the investigator's immediate supervisor.

3. When applicable, the investigator should assemble a Hot Sheet and/or broadcast describing the incident and the person(s) being sought.

4. The investigator will document any injuries received during the assault and determine if photographs of the victim are needed.

5. The investigator will organize and conduct interviews with the victim(s) and witnesses. These interviews should be completed as soon after the offense occurs as possible, and recorded when possible and/or practical. The purpose of the recording is to allow for transcription at a later date, if necessary.

6. If the victim can name a suspect, the investigator should attempt to locate this person and conduct an interview with them in order to obtain further information. This should also be attempted if the suspect has already been arrested.

7. If a suspect has been arrested, and the assault is severe in nature, the investigator should photograph the suspect and if appropriate process them for other evidence.

8. In cases where the suspect cannot be named, but can be identified, the investigator should utilize one of the lineup procedures for either photo or show-up. A show-up lineup is acceptable as long as the suspect is located within a short time period of the offense. In almost all instances the victim/witness should be brought to the suspect's location. For complete procedures for a show-up lineup see policy 612-04 – Photo, Show-up & Physical Lineups.

9. The investigator will ensure a hospital release form for medical records has been signed by the victim if treated by a physician as a result of the assault. The medical reports should be collected and submitted with the investigation.

10. If applicable, refer Domestic Violence (DV) victims to Working Against Violence and Victims Assistance.

11. Assault investigations may be closed by arrest, warrant request, juvenile petition, unfounded, or in cases where the investigator has exhausted all leads, the case may be inactivated.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
613-02	Crimes Against Persons	1 OF 3
ORDER NO.: 10-04	**SUBJECT:** Child Abuse Investigations	
SUPERSEDES: 09-02	**EFFECTIVE:** 08-12-10	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

POLICY: The Rapid City Police Department will conform to the provisions of SDCL 26-10-1 regarding the investigation of abuse of minors.

The Rapid City Police Department investigates all allegations of child abuse falling under the following codified laws:

1. Rape as defined by SDCL 22-22-1
2. Sexual penetration as defined by SDCL 22-22-2
3. Sexual contact with child under sixteen as defined by SDCL 22-22-7
4. Sexual contact as defined by SDCL 22-22-7.1
5. Incest as defined by SDCL 22-22-19.1
6. Possessing, manufacturing, or distributing child pornography--as defined by SDCL 22-24A-3.
7. Neglected child as defined by SDCL 26-8A-2
8. Aggravated assault as defined by SDCL 22-18-1.1

For purposes of this policy, a child is defined by SDCL 26-7A-1.

PROCEDURAL GUIDELINES:

1. Once the initial report is received, it is necessary to ensure the Department of Social Services has been notified. In the event notification was not done, the Department of Social Services must be notified as soon as possible so a caseworker can be contacted to assist.

2. The investigator and/or Department of Social Services caseworker should read and review the initial report for completeness and to familiarize themselves with the case. The Department of Social Services may already have a case pending on the family, or have additional information about the family pertinent to the case.

3. The welfare of the child is of the utmost concern. If the child appears to be in danger, consideration should be made to take the child into temporary custody. The Department of Social Services can help evaluate the situation. The final decision as to custody of the child is always with the law enforcement officer. These situations should be examined to determine the "Danger Factor," to which the child may be exposed.

   a. If the abuser is in the immediate family, the officer:

      (1) May remove the abuser from the family.

      (2) May remove the child(ren) from the family, making sure to complete the State's, "NOTIFICATION THAT CHILD(REN) HAVE BEEN TAKEN INTO TEMPORARY CUSTODY" form, unless the Department of Social Services removes the child(ren) themselves as per a court order.

b. If the abuser is out of the family, consideration shall be given to special situations ensuring the suspect is not allowed to see the child.

4. Cooperation between law enforcement and the Department of Social Services is essential for a complete investigation. In addition to information for law enforcement's case, the Department of Social Services will need additional information for the follow-up of their case.

5. The investigator and/or Department of Social Services caseworker should re-interview the reporting party to obtain additional information, and/or to clarify any unclear information.

   a. If school is in session, it is generally easier and more comfortable for the child and for child witnesses to be interviewed in a familiar setting, such as the school.

   b. In order for police personnel to interview at a school, refer to the police liaison/school district policy for interviews at school and 615-04 – School Liaison Officer Program. It is beneficial to notify the Department's school liaison officer assigned to the respective school.

   c. The school liaison officer may coordinate the investigation by arranging meetings with students, making appropriate parent notification, securing an interview location, and coordinating with the school principal.

   d. If school is not in session, the interview should be conducted at a location away from the suspect and in a manner most comfortable to the victim or child witnesses. The Black Hills Child Advocacy Center at 2905 Fifth Street may be coordinated through a CID supervisor or team investigator.

6. Law enforcement personnel assigned to the case are primarily responsible for obtaining the necessary information from all parties involved. As previously mentioned however, the investigation should be considered a cooperative effort as both law enforcement and the Department of Social Services have obligations to fulfill.

   a. In cases where both parents, and/or caretakers are the suspects, it is NOT necessary to notify them of the investigation prior to speaking with the victim.

   b. In cases where only one parent or caretaker is believed to be involved, the non-abusive parent or caretaker should be notified to encourage their support.

7. The child should then be interviewed, if possible, and/or examined to determine the validity of the report and the circumstances surrounding the incident. Special material may be utilized, for clarification purposes, during interviews with young children. Items to be considered may be but are not limited to; dolls, anatomical drawings, and other appropriate props.

8. As the investigation progresses, photograph all marks or injuries as appropriate. If necessary, follow up photographs should be taken as the injuries progress through the healing stages. This can be arranged through the assigned Department of Social Services caseworker. When injuries are present:

   a. Obtain appropriate medical examinations and/or treatment as required. If necessary, an "AUTHORIZATION FOR RELEASE OF MEDICAL INFORMATION" should be completed.

   b. X-rays should be considered to examine the victim for undocumented prior injuries. (i.e. healed broken bones from prior cases of unreported abuse situations).

c. The Department of Social Services will arrange required medical formalities and treatment locations.

d. If a death has occurred, the County Coroner must also be notified. Refer to policy 613-03, Death Investigations.

9. The non-abusive parent should then be interviewed and advised of the situation. If the suspect is outside the family, both parents should be interviewed.

10. Other siblings in the family should be interviewed to determine the extent of the problem.

11. Interviews with any possible witnesses such as doctors, nurses, friends, and neighbors should be considered.

12. Interviews/interrogations of the suspect should normally be done at the Criminal Investigations Division. The situation will dictate the location. Interviews should ideally be accomplished by the investigator; however, situations may dictate assistance from the Department of Social Services caseworker.

13. Appropriate measures should be taken to review the status and living arrangements between the victim(s) and the suspect.

14. Final considerations are:

a. In any case, an investigative action report must be completed.

b. In all cases, copies of all reports will be sent to the Department of Social Services.

c. All information concerning child protection issues are confidential and should not be disclosed or discussed with anyone not involved with the investigation, prosecution, or treatment of the individuals involved.

d. In situations where the suspect and the juvenile victim have been separated, speak to the reporting party to obtain their information. In most cases, there is no need for a patrol level officer to conduct an interview with a juvenile victim who is under 12 years old. This process will be done at the Black Hills Children's Advocacy Center by a forensic interviewer. The best-case scenario is to have the child interviewed one time by the forensic interviewer.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
613-03	Crimes Against Persons	1 OF 5
ORDER NO.: 10-03	**SUBJECT:** Death Investigations	
SUPERSEDES: 09-01	**EFFECTIVE:** 04-23-10	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

POLICY: The Rapid City Police Department will fully investigate all deaths when the suspected cause is by violence in a homicide or crash, or for reasons other than an illness or other natural causes not being treated by a licensed physician.

A. PROCEDURAL GUIDELINES

1. The investigator should be familiar with the following statutes for legal definitions and terms associated with death investigation:

   a. 22-16-1 Homicide Defined

   b. 22-16-4 Murder in the 1st Degree

   c. 22-16-7 Murder in the 2nd Degree

   d. 22-16-15 Manslaughter in the 1st Degree

   e. 22-16-20 Manslaughter in the 2nd Degree

   f. 22-16-30 Excusable Homicide

   g. 22-16-32 Justifiable Homicide / Law Enforcement Officers

   h. 22-16-34 Resisting Attempted Murder

   i. 22-16-35 Defense of a Person

   j. 22-16-36 Suicide Defined

   k. 22-16-41 Vehicular Homicide

2. When the Criminal Investigation Division Commander or designee is notified of a suspicious death, such as a death due to other than natural causes or illness, they will assign an investigator to the investigation. In cases involving a suspected homicide, the Commander or designee will also contact the appropriate Pennington County Sheriff's Office investigation supervisor for appointment of a member of their Investigation Division to assist in a joint investigation. The Criminal Investigation Division Commander shall also assign a CID Sergeant and other detectives to assist the primary investigator, as necessary. The Evidence Section supervisor will be notified if Evidence personnel are required for scene processing and/or evidence collection. For major crime scenes, the CID Commander or designee may arrange for crime scene mapping personnel to respond and work in conjunction with Evidence personnel.

3. Upon being notified of a suspicious death, the investigating detective shall make note of the following:

   a. Date and time call received;

   b. Location of the crime;

   c. How notified; and

   d. Who made notification?

4. The primary investigators from the Rapid City Police Department and the Pennington County Sheriff's Office should view the scene, if possible. This allows investigators to have an accurate mental picture of the scene layout, as well as the location of on-scene evidence. This information will aid the investigator during interviews with witnesses and suspects.

5. Upon viewing the scene, the investigator should use a single pathway to enter and exit the scene. This initial viewing of the scene should be done prior to processing, mapping and/or evidence removal by evidence personnel.

6. When the investigator assigned to the case has arrived on scene, they shall assume control of the investigation. At all times the investigators assigned to the case shall keep the Criminal Investigation supervisor aware of the information being developed and the action being taken in the investigation.

7. Due to the gravity of a death investigation, it is of extreme importance that the scene is secured. Since immediate determination regarding the evidentiary value of an item or detail, is difficult, care must be taken to prevent its destruction or loss. It is better to secure a larger crime scene area than thought necessary rather than establish a small crime scene area and enlarge it later.

8. Patrol officers should be deployed to assist in the securing of the crime scene when and where necessary. The use of patrol officers should be coordinated with a shift supervisor. Personnel should be deployed in such a manner as to prevent the altering or destruction of evidence. Weather conditions should also be considered, as adjustments may need to be made to protect evidence, which might be destroyed.

9. Primary investigators should be briefed by the initial responding officers in cases where the initial officers have not had time to prepare their reports.

10. The crime scene will be turned over to evidence personnel for processing. Evidence personnel are responsible for, but not limited to, searching and gathering of evidence, photographing and sketching the scene, measuring the scene, and collection of latent evidence. Evidence personnel will determine the appropriate time for mapping of the scene; however, these determinations should be made with investigator involvement.

11. If the crime scene is private property, a search warrant shall be obtained. Even though the victim might be the owner of the property to be searched, other persons, possibly suspects, might have an interest in the property to be searched.

12. It may be necessary for patrol officers or detectives to be assigned to assist evidence personnel. Those assisting evidence personnel will assist as directed by Evidence.

13. Detectives who arrive to assist the primary investigators should contact the Criminal Investigation supervisor in charge, receive their assignments, complete them, and contact the supervisor for further assignments.

14. All detectives assigned to take part in the investigation shall complete follow-up reports regarding all involvement in the case. The assisting detectives shall ensure follow-up reports are given to the supervisor in charge of the investigation.

15. Interviews shall be conducted with all witnesses. Witnesses include, but are not limited to:

    a. Those who viewed the death, the scene, or parts of the death or the scene;

    b. Persons with pertinent background knowledge of the victim and/or the suspect(s);

    c. Ambulance and medical personnel who worked on the victim; or

    d. The acquaintances and relatives of the victim and/or suspect(s).

16. It is preferable in homicide investigations for witness interviews to be recorded. Witnesses should be segregated from fellow witnesses, the suspect and the public. This will aid in keeping individual statements based on observations alone and not based on observations and statements of others.

17. A neighborhood canvas should be conducted around the homicide scene. Witnesses who are unaware they are witnesses can be located in this manner. The amount of area to be canvassed is variable, depending upon the specifics of each individual case.

18. A dying declaration from the victim can be used against a suspect in court. For a dying declaration to be valid:

    a. The victim must believe at the time they are making the statement they are about to die; and

    b. The victim need not, in fact, die. For the declaration to be used in court however, the declarant must still be unavailable as a witness. Unavailability is defined as unable to be present or to testify at the hearing because of death or then existing physical or mental illness or infirmity, SDCL19-16-29.

19. An autopsy shall be requested in all cases of violent, and/or unattended death. The primary investigators shall attend the autopsy of the victim. This allows for a first-hand viewing of the body for signs of trauma. The viewing of the body will assist the investigator in understanding the injuries present and provide a better understanding of what may have caused the injuries. This may aid in any future interview with the suspect. The autopsy may also corroborate the suspect's statements or rebut the statement. When the autopsy report is received from the pathologist, it will be added to the investigative reports.

20. If a suspect has been identified, and is not at the scene of the crime or already in custody, obtain the necessary information to broadcast an Attempt-To-Locate (ATL) for the suspect.

21. If a suspect is located at the scene, the suspect should be transported to the Department for interrogation. Prior to interrogation:

    a. Advise the suspect of their rights under Miranda; and

    b. Obtain a knowing waiver of Miranda prior to interrogating.

22. The investigator shall make note of any injuries observed on the suspect. These injuries can corroborate or disprove the suspect's story. Prior to being incarcerated, the suspect will be processed by evidence personnel and photographs taken of all injuries.

22. The investigator shall make note of any injuries observed on the suspect. These injuries can corroborate or disprove the suspect's story. Prior to being incarcerated, the suspect will be processed by evidence personnel and photographs taken of all injuries.

23. The interrogation of the suspect should be recorded. Recording of the interrogation provides an accurate record of the words spoken, as well as the way in which the words were spoken. If the suspect confesses, obtain as many specific details as possible of the offense. Details given to investigators as to facts not known to the public will add to the validity of the confession should the suspect later wish to retract the confession. Check out all alibis and statements represented as facts by the suspects. False alibis and misrepresented facts given by the suspect will go against the suspect when being defended in court. A statement with proven lies by a suspect can be as good as a confession.

24. The investigator assigned to the case should ensure evidence personnel obtain a blood sample from the suspect for blood/alcohol content examinations, as well as drug exams.

25. If enough probable cause exists to arrest a suspect, an arrest can be made at the time, or a warrant can be requested. In most homicide cases, it is appropriate to arrest based on probable cause as opposed to waiting for a warrant.

26. If there is a suspect and not enough probable cause to arrest, attempt to have the suspect voluntarily submit to processing and photographs by evidence personnel. Regardless of the voluntary nature of processing and evidence collection, the suspect may be compelled to submit. If not voluntarily provided, seek a search warrant.

27. Obtain prior criminal history on both the suspect and the victim in a homicide.

28. Periodic meetings shall be held by the CID supervisor and all investigators involved in the investigation. This ensures all investigators are aware of all information developed, and allows for a sharing of ideas in solving of the case.

29. Apparent suicides and accidental deaths shall be investigated as thoroughly as homicides. This is to ensure the death is, in fact, a suicide or accidental death and not a homicide. If there is any question as to whether or not the death is suicide or accidental as opposed to homicide, the investigation shall be conducted as a homicide investigation.

30. Suicide notes shall be gathered as evidence when they exist. The lack of a note does not indicate the death was not by suicidal means. Friends, relatives, co-workers, and acquaintances of suicide victims shall be interviewed for an accurate history of the victim, and interviews shall be conducted to determine the victim's mental state prior to the suicide, previous suicide attempts, and records of mental hospitalization.

31. It is important to realize the families of suicide victims sometimes have a hard time accepting the suicide. It may be useful to have the family view the suicide note and discuss the facts of the suicide with the family.

B. DEATH INVESTIGATIONS/NOTIFICATION OF CORONER

1. Investigations and reports of deaths shall initially be classified as a death investigation regardless of the presence of an apparent cause, i.e., homicide, suicide, crash, etc.

2. In all death investigations, with the exception of traffic crash fatalities, the Investigative Division will be notified and depending upon the circumstances, a Detective shall normally respond.

3. The Coroner will be notified to respond to all homicides, suicides, questionable deaths and deaths where the body is still at the scene, regardless of the cause of death.

4. Notification of the Coroner is the responsibility of the Detective unless a Detective does not respond, in which case, the patrol supervisor will be responsible for ensuring the coroner is notified.

5. Deaths resulting from traffic crashes, Coroner notification and the investigation are the responsibility of the Critical Accident Reconstruction Team supervisor. The Critical Accident Reconstruction Team will verify notification of the Coroner has been made, and will make notification if it has not previously been done.

POLICY: The Rapid City Police Department will investigate all reports of missing persons regardless of whether the person is an adult or a child. Particular care will be exercised in cases of persons who may be in danger, mentally or physically impaired, unidentified, under a doctor's care, or on life-sustaining medication. Additionally, this department holds that every person reported as missing will be considered "at risk" until significant information to the contrary is confirmed. There is no waiting period for reporting a missing person, either adult or child. The Department will assist citizens in locating missing persons and attempt to determine the facts and circumstances surrounding a reported disappearance.

A. MISSING PERSONS REPORTING GUIDELINES

1. Jurisdictional conflicts are to be avoided. If a missing person either resides in, or was last seen in this jurisdiction, this department will initiate the required reporting process. If a person resides in this jurisdiction and was last seen in another jurisdiction, but the law enforcement agency covering that jurisdiction chooses not to take a missing person report, this agency will assume reporting and investigative responsibility.

2. Questions concerning parental custody occasionally arise in relation to missing child reports. It shall be this department's policy to accept the report of a missing child even if custody has not been formally established. Reporting parties shall be encouraged to obtain legal custody as appropriate; however, since the safety of the missing child is paramount, members of this agency will open a case when it can be shown the child has been removed, without explanation, from their usual place of residence.

3. Missing child reports should be taken only from a parent or legal guardian. However, exceptions can be made in certain circumstances where a responsible adult has temporary responsibility for the child, i.e. a relative taking care of a juvenile from out of town. Reports from group homes or shelter care facilities can be taken only if the juvenile was placed at that group home or shelter facility by the court or the Department of Social Services. In cases where the child was voluntarily placed in the group home or shelter facility by the parents, the runaway report has to be made by the parents at the jurisdiction where they reside.

4. In cases where unusual circumstances exist, immediate notification of the shift supervisor should be completed.

5. National Crime Information Center (NCIC) entry should be made immediately. Personnel may encounter several types of missing adult or child cases, each with their own unique response requirements. NCIC classifies missing persons into six categories: Disabled, Endangered, Involuntary, Catastrophe Victim, Juvenile, and Other. The circumstances of the disappearance should govern category selection and subsequent computer entry. For the purpose of national crime information databases, the National Child Search Assistance Act (1990) define the age of a missing child to be up to age 21 years old ("Suzanne's Law" Public Law 108-21, Title II, Sec. 204. This law amends Section 3701 (a) of the Crime Control Act of 1990 (42 U.S.C. 5779 (a)) so there is no waiting period before law enforcement agencies initiate an investigation of a missing person under the age of 21 and report the missing person to the National Crime Information Center of the Department of Justice.

6. Closure of Missing Person and Runaway Cases:

   The case should be closed when the missing adult or child is located, the reporting party informs the department the person has returned, or when NCIC teletype indicates contact by another law enforcement agency.

   A supplemental report will be completed when the missing person has been located or returned. This report should include the following specific information:

   a. Date the missing person returned home;

   b. Identity of person reporting the missing person's return;

   c. How this information was confirmed;

   d. Date and location the missing person was located;

   e. Information on what other agencies assisted in locating the missing person, if applicable.

B. MISSING PERSON DEFINITIONS

1. **Missing adult** refers to a person who is:

   a. 18 years of age or older and,

   b. Whose absence is contrary to his or her normal patterns of behaviors and may be due to one or more of the unusual circumstances listed in part C. of this section.

   c. A missing person is not an adult who simply leaves of his or her own free will, absent any of the risk factors.

2. **Missing child** refers to a person who is:

   a. Younger than 18 years of age and,

   b. Whose whereabouts are unknown to his or her parent, guardian, or responsible party.

   c. The following terms apply to missing children:

      (1) Non-family abduction—a child is taken by an unknown individual, through force or persuasion, usually in furtherance of additional victimization.

(2) Family abduction—a non-custodial family member flees with a child, usually in direct violation of a court ordered arrangement.

(3) Runaway child—most often a teenager, who leaves home voluntarily for a variety of reasons.

(4) Lost, injured, or otherwise missing involuntary—a child, who becomes separated from parents or caretakers under circumstances not indicating the likelihood of abduction or voluntary absence, or, whose whereabouts are unknown to the caretaker.

(5) Abandoned/Thrown-Away/Unidentified child whose caretaker makes no effort to recover the child who has runaway or who has been abandoned or deserted. Though not necessarily reported as missing, children in this category come to the attention of law enforcement and other authorities.

3. **Unusual circumstances** refers to either:

a. A missing adult or child will be considered **"at-risk"** when one or more of the following factors exist:

(1) A missing child 13 years of age or younger (National Child Search Assistance Act);

(2) Out of the safety zone for his/her age, developmental stage, or mental and physical condition;

(3) Diminished mental capacity or suicidal tendencies;

(4) Drug dependent—requires life or health sustaining medications;

(5) A potential victim of foul play or sexual exploitation;

(6) In a life-threatening situation;

(7) Absent from home for more than 24 hours before being reported to law enforcement as missing;

(8) Believed to be with others who could endanger his or her welfare;

(9) Is absent under circumstances inconsistent with established patterns of behavior.

b. Whose disappearance involves circumstances that would cause a reasonable person to conclude the adult or child should be considered "**at-risk.**"

C. GENERAL PROCEDURES FOR HANDLING MISSING ADULT COMPLAINTS

The purpose for taking a missing person report is to assist in locating any adult where foul play may exist, or in situations where the missing adult may be endangered, suicidal, or at risk.

1. Communications personnel receiving a complaint of a missing adult shall:

a. Determine if the circumstances of the incident meet the definition of a missing adult;

b. In a prompt manner, enter the call for service;

c. Obtain sufficient information from the reporting party to broadcast a BOLO alerting other officers about the circumstances of the adult's disappearance.

2. The initial report should contain the following information:

   a. Reporting party's name, date of birth, home and business address/telephone numbers, driver's license number, social security number, and relationship to the missing adult.

   b. Missing adult's name, date of birth, home and business address/telephone numbers, driver's license number, social security number, occupation, place of birth, complete physical description (to include scars, marks, and tattoos). Pictures of the missing adult should be obtained and forwarded to the assigned investigator.

   c. Description of any vehicle the missing adult may be driving, and ensure this is included in the NCIC entry.

   d. Name of missing adult's physician and dentist (include address/telephone number of each).

   e. Names of other people living with the missing adult.

   f. Names of person(s) with whom missing adult may be, including other vehicle descriptions, if applicable.

   g. Any problems the missing adult may have been experiencing in including: psychiatric problems, suicide threats, marital problems, drug or alcohol problems, business/work problems or physical illness.

   h. Whether the missing adult was active on the Internet using chat room sites or other electronic communications.

   i. Whether the missing adult is in possession of a firearm or other weapon.

   j. Whether the missing adult took or left any of their personal property, and a description of what was taken or left.

   k. Any explanation the reporting party can give as to why the missing adult may have left.

   l. Any locations (whether they be exact addresses or not) where the reporting party feels the missing adult may be.

   m. Whether foul play is suspected and if so, why.

3. The reporting party should be encouraged to contact the police department with any subsequent information on the missing adult. The reporting party should be instructed to contact all family and friends of the missing adult, and to document these contacts.

4. The information obtained from the initial report shall be forwarded to the Communications Center who will enter it into NCIC. Include the NCIC entry in the original report.

5. The responding officer will prepare a Hot Sheet with pertinent information.

6. If a missing adult is reported to be in possession of a weapon, this and any other applicable information should be disseminated to all agencies that could have contact with said adult.

7. Reports of missing adults will be forwarded to the Criminal Investigation Division for assignment. The detective will re-contact the reporting party as soon as practical and perform follow-up investigation.

8. To the extent possible, a person's desire to remain hidden shall be honored. If the located person is a competent adult, the officer shall determine the person's willingness for law enforcement to reveal his or her whereabouts. The reporting party will be notified of the individual's well being. If permissible, the reporting party will be given the contact information of the person who has been located.

9. When it is confirmed that a missing adult has returned or is located, Dispatch should be notified so the missing adult can be cancelled from NCIC.

D. GENERAL PROCEDURES FOR HANDLING MISSING CHILD COMPLAINTS

1. Child Custody Issues

   a. Care should be made to determine if the missing child is the subject of a child custody dispute.

   b. If no custody order exists, the officer should attempt to maintain the status quo, as both parents (if they were married) have equal rights to their children. In cases where the child was born out of wedlock, and no court order exists establishing custody, the mother is entitled to the custody of the child. The officer may advise the parties to petition for a custody order through the court system.

   c. If a child leaves the home of the parent with legal custody and freely goes to the home of the other parent (without custody), a runaway report shall still be taken.

   d. If there is a possibility the child is the victim of abduction, parental or otherwise, the case shall be handled as a kidnapping and the appropriate police response shall be initiated.

2. The primary officer's initial report should contain the following information:

   a. Reporting party's name, date of birth, home and business address/telephone numbers, driver's license number, social security number and relationship to the missing child.

   b. Missing child's name, date of birth, home and school address/telephone numbers, social security number, occupation, place of birth, complete physical description (to include scars, marks or tattoos, and clothing last seen worn). Pictures of the missing child should be obtained and forwarded to the assigned investigator.

   c. Description of any vehicle in which the missing child may be occupying and ensure this is included in the NCIC/Hot Sheet entry.

   d. Name of missing child's physician and dentist including address and phone numbers.

   e. Names of other people living with the missing child.

   f. Names of person(s) with whom the missing child may be with and any known risks they pose with the child. If applicable, any vehicles associated with them.

g. Any problems the missing child may have been experiencing, to include; psychiatric problems, suicide threats, relationship problems, drug or alcohol problems, school/work problems or physical illness.

h. Whether the missing child was active on the Internet using social media, chat rooms sites, or other electronic communications. Determine the location of the computers typically used by the child and if the child has a cellular phone or other electronic device with internet capabilities. The phone number and service provider information should be obtained, and the parents instructed not to turn off the service.

i. Whether the missing child is in possession of a firearm or other weapon.

j. Whether the missing child took or left any of their personal property and a description of the property, including any money, credit or debit cards. The parents should be encouraged not to lock the child out of credit or debit accounts. Instead, a daily limit could be put in place on the accounts.

k. Any explanation the reporting party can give as to why the missing child may have left.

l. Any locations (whether they be exact addresses or not) where the reporting party feels the missing child may be.

m. Whether foul play is suspected and if so, why.

3. In cases where unusual circumstances do not exist, the reporting party should be encouraged to contact the police department with any additional information on the missing child. The reporting party should be instructed to contact all family and friends of the missing child, and to document these contacts.

4. After taking the initial report, the patrol officer will contact Dispatch who will enter the missing child and any associated vehicles into NCIC.

5. If a missing child is reported to be in possession of a weapon, this, and any other applicable information will be disseminated to all agencies that could have contact with said missing child.

6. Reports of missing children will be forwarded to the Criminal Investigation Division for assignment. The assigned detective will re-contact the reporting party as soon as practical and perform follow-up investigation.

E. GENERAL PROCEDURES FOR HANDLING RUNAWAY CHILD COMPLAINTS

1. Runaway child reports will follow the procedures for handling missing child complaints as outlined in this chapter.

   a. Reporting of a runaway child:

      (1) The reporting party will normally be directed to make a runaway report in person.

      (2) Under certain circumstances when a reporting party cannot respond in person, a report may be taken over the phone.

2. Child Custody Issues

If a juvenile leaves the home of the parent with legal custody and freely goes to the home of the other parent (without custody), a runaway report shall still be taken.

3. Reporting Format

   a. In addition to the information outlined in this chapter, the initial runaway report shall include:

      (1) Any known history of the runaway, including delinquency records, school problems, psychiatric and health history, prior runaway history, drug or alcohol abuse, gang related activity, and any availability to firearms or other weapons.

      (2) Any friends or associates the runaway may be with, any possible locations the runaway may frequent and any vehicle to which the runaway may have access.

      (3) Any insight the reporting party may be able to provide concerning the reason for running away or other unusual incidents in the runaway's life that might be of concern.

4. Follow-up Investigations

   a. Runaway reports will be forwarded to the Criminal Investigation Division for assignment. The assigned detective or School Resource Officer will re-contact the reporting party as soon as practical and perform follow-up investigation.

   b. Confirmation from the original reporting party is required when a runaway returns home.

   c. The officer confirming the return of the runaway will notify Dispatch to ensure the cancellation of the NCIC entry and complete a supplemental report using the original runaway complaint case number.

5. Apprehension of Runaways

   a. A juvenile that has been taken into custody as a runaway is considered a "status offender" and therefore CANNOT be held in any locked facility unless there are related criminal charges.

   b. The responsible officer shall secure the release of the runaway as soon as possible, to the responsible reporting party/parent/guardian, or to the Reception Center at Juvenile Services Center. Officers are encouraged to use the Reception Center option when possible, as this provides an intermediate means to evaluate the juvenile's risk, situation, and possible referral to outside community agencies.

   c. An officer apprehending a runaway from another jurisdiction shall arrange with the originating agency for a disposition, and the child placed at Juvenile Services Center pending that disposition.

   d. In all cases when a runaway juvenile is apprehended by an officer, the officer shall complete a Custody Authorization Form (Arrest Report). The officer shall use the original case number for the initial runaway report on the Custody Authorization Form. If the juvenile is taken into custody for a new offense(s), in addition to the runaway offense, the officer shall document two case numbers on the Custody Authorization Form: The original runaway complaint case number; and the case number for the new offense(s).

6. Runaways not located by their 18th birthday shall remain in NCIC until their 21st birthday. At that time, after confirming with the reporting party the individual has not been located, the runaway entry should be canceled and the person re-entered as an endangered missing adult.

7. In cases of **abandoned/throwaway/unidentified child,** the responsible officer shall take the child into protective custody and place them at the Reception Center at Juvenile Services Center.

F. RESPONSE TO UNUSUAL CIRCUMSTANCES

While all missing person incidents will be investigated, those involving unusual circumstances indicate a heightened likelihood of risk to the adult or child and, therefore, require an intensive response. In all cases, the welfare of the adult and child should be the foremost concern.

1. Cases Involving a Missing Child

   When the report of a missing child determines that unusual circumstances exist an expanded investigation, including the use of all appropriate resources, will immediately commence. The following guidelines may apply:

   a. Officers responding to a reported missing child should gather initial information as quickly as possible, and assure the child is immediately entered into NCIC.

   b. Verify that the child is in fact missing. If the child went missing from the area of their residence, even if told the child's room has been searched, it should be searched again.

   c. Confirm custody status and whether a dispute over the child's custody might have played a role in the disappearance. Assess the circumstances and determine if a family abduction has occurred.

      (1) The welfare of the child should be the foremost concern. Even if the child is with a non-custodial parent the child may still be at risk.

      (2) Determine that child custody orders are valid and supported by certified original copies court orders.

      (3) Out of state custody orders, if determined to be valid, should be treated as if it is a South Dakota custody order.

   d. Identify the circumstances of the disappearance. If "unusual circumstances" exist, the decision to employ additional response methods will be clear. In other situations where the circumstances are not clear, officers should keep the missing child's safety in mind and act accordingly.

   e. If appropriate, based on the totality of the circumstances, immediate notification should be made to surrounding or selected jurisdictions via radio, teletype, or telephone. Existing interagency response protocols, community notification methods, and activation of the Amber Alert (if elements are met) R&P 615-09, should be considered.

2. Investigations Involving Unusual Circumstances

   In all cases with unusual circumstances, both missing adult or child, officers should remain alert to:

   a. Potential crime scenes and the need to secure an area.

b. Existence of potential physical evidence for collection or preservation.

c. Securing, secluding potential witnesses to be interviewed.

3. The field supervisor shall confirm the preliminary investigation complied with this policy. If circumstances indicate the need, i.e. kidnapping an incident command system may be initiated to establish control of the investigation. The shift supervisor will assume the role of incident commander until relieved by a higher-ranking officer.

4. Organize and coordinate search efforts. A supervisor may appoint a search operation coordinator who can oversee the search effort while the supervisor remains available to manage other aspects of the investigation.

5. If additional personnel and resources are needed to assist in the investigation, it is the supervisor's responsibility to ensure the appropriate internal and external notifications are made. They should confirm any specialized unit is responding to the correct location.

G. SUZANNE'S LAW

Modifications to the Missing Person File for the entry of Juveniles. On April 7, 2003, the United States Congress enacted Suzanne's Law, which modified Title 42, United States Code (U.S.C.), Section 5779(a). This law requires agencies to immediately enter records into the NCIC Missing Persons File for missing individuals **under the age of 21**. Previously, immediate entry was required for individuals under the age of 18.

1. A case involving a missing individual under the age of 21 will be investigated under similar situations as those of a missing juvenile.

2. There will not be a waiting period.

3. Appropriate categories for recording missing person:

   a. Disability

   b. Endangered

   c. Involuntary

   d. Juvenile

   e. Catastrophe Victim

   f. Other

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
613-05	Crimes Against Persons	1 OF 2
ORDER NO.: 10-04	**SUBJECT:** Rape Investigations	
SUPERSEDES: 06-04	**EFFECTIVE:** 08-12-10	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

POLICY: The Rapid City Police Department will investigate the crimes of Rape and Sexual Contact in a manner that a successful prosecution may be obtained against the offender.

PROCEDURAL GUIDELINES:

1. Investigators should be familiar with the following statutes for legal definitions of the following terms:

   a. 22-22-1 - Rape defined.

   b. 22-22-2 - Sexual penetration defined and acts constituting sodomy.

   c. 22-22-7 - Sexual contact with a child under sixteen. (Felony or Misdemeanor)

   d. 22-22-7.1 - Sexual contact defined.

   e. 22-22-7.2 - Sexual contact with person incapable of consenting.

   f. 22-22-7.3 - Sexual contact with child under sixteen years of age. (Misdemeanor)

   g. 22-22-7.4 - Sexual contact without consent with person capable of consenting as a Misdemeanor.

2. When assigned to investigate a rape report the investigator should:

   a. Go to the scene, when possible, to observe and familiarize yourself with the area.

   b. If you go to the crime scene, determine if evidence technicians are needed and summon if necessary. (Coordinate sending evidence to the State Lab for additional processing.)

   c. Ensure a signed medical release form is obtained from the victim.

   d. Take recorded statements from the victim and witnesses.

   e. Refer rape victim to “Working Against Violence, Inc.” for support.

   f. If possible, take recorded statement from suspect(s), and if applicable, obtain an admission through interrogation.

   g. If a suspect has been arrested, have the suspect processed by evidence.

   h. If a suspect has been arrested, obtain either a blood and/or saliva sample for submission to the

DNA Bank. (As required by South Dakota State Law)

i. If a suspect is available, but not immediately being arrested, the suspect may be requested to voluntarily submit to processing for evidence, and to allow collection of a sample of blood or saliva for possible DNA testing. If the suspect refuses to submit to processing, a search warrant must be obtained unless exigent circumstances exist.

j. If the suspect's residence or vehicle is the rape scene, obtain a search warrant and search the premises for evidence.

k. Show a lineup (photo or physical) when applicable to identify the suspect. If soon after the occurrence, show the suspect to the victim one-to-one. Bring the victim to the suspect on a one-to-one lineup. For guidelines refer to policy 612-04 – Photo, Show-up & Physical Lineups.

l. If the victim does not wish to prosecute, attempt to obtain a signed declination form, and suggest they consider some form of counseling.

m. If elements of a crime are met, determine the appropriate charge, arrest suspect, or request an arrest warrant from the State's Attorney's Office.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
613-06	Crimes Against Persons	1 OF 2
ORDER NO.: 10-04	**SUBJECT:** Robbery Investigations	
SUPERSEDES: 09-03	**EFFECTIVE:** 08-12-10	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

POLICY STATEMENT: The Rapid City Police Department fully investigates crimes of robbery as described under SDCL 22-30-1.

PROCEDURAL GUIDELINES:

1. After receiving a robbery investigation, the detective will review the details in order to become aware of the circumstances involved and will re-interview the victim and witnesses to obtain specific details and to check the accuracy of the report.

2. In cases when a detective is called to respond to a robbery that has just occurred, the detective will assess the situation and organize interviews of the victim(s) and witnesses. These interviews should be completed as soon after the offense as possible and audio recorded so they may be transcribed later.

3. Additional personnel may be required to respond for collection of evidence or to assist the detective at the scene. Any request for additional personnel is at the discretion of the detective and should be made through the immediate supervisor.

4. Other investigative practices may include grid searches, neighborhood canvassing, and the viewing of video media.

5. The suspect, suspect vehicle, and items taken should be described in as much detail as possible and distributed to the patrol units in the form of a Hot Sheet and radio broadcast, if the situation warrants.

6. The detective will be responsible for making necessary requests for entries into the National Crime Information Center (NCIC) database and Regional Information Sharing Systems (RISS) Leads posting, through the Mid-States Organized Crime Information Center (MOCIC). Additionally, if a specific Method of Operation (MO) exists, include this information in a regional teletype and RISS Leads posting to assist other agencies and to glean assistance from agencies, which may have similar occurrences. In the event a State Case is not made, due to the lack of information needed, a regional teletype and a RISS Leads posting describing the event and suspect description may be sent to alert other agencies and request information about similar incidents they may be investigating.

7. Information, which may be found relating to any suspect, should be followed up through available resources, i.e. police records, credit bureau, MOCIC, field contact cards, the pawn program, other detectives, patrol personnel, informants, and other law enforcement agencies. Additional suspects may be developed through the utilization of photo lineups and interviews with additional witnesses and suspects.

8. In the case of an unsolved robbery, careful examination of previously unsolved robberies should occur. The examination should focus on method of operation, description of suspect(s) and vehicles, as well as victims. Coordination between the detective, crime analysis, and MOCIC will be helpful.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
613-07	Crimes Against Persons	1 OF 4
ORDER NO.: 18-02	**SUBJECT:** Unlawful Use of Phone/Electronic Communication Investigations	
SUPERSEDES: 11-03	**EFFECTIVE:** 02-26-18	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

POLICY: The Rapid City Police Department's policy is to investigate reported unlawful use of the telephone or other electronic communication device cases. Investigative procedure includes, but is not limited to identifying the offending caller, interviewing the caller, and when possible, completing a warrant request for offending individuals.

PROCEDURAL GUIDELINES:

A. LANDLINE TELEPHONES

1. Victims of unlawful use of the phone can activate an immediate trace of the last incoming call to their phone. This function will trace the origin of the last incoming call to a number, regardless of how much time elapses before the trace is activated, as long as no additional incoming calls are received. Outgoing calls do not affect the trace. The procedure is as follows:

   a. Press *(star) 57 on touch tone phones. This is a nation-wide phone function and applies to all service providers. There may be a small service fee assessed by the provider. An automated recording will advise if the trace was successful or not.

   b. Citizens may need to be reminded to utilize this service.

   c. The traced number (suspect number) is automatically held in the service provider computers for at least 60 days. The service providers will not release traced numbers to their customers. This information is available to law enforcement only.

   d. Service providers would like to have three successful traces listed to a common number, but exceptions may apply if life is threatened, i.e. bomb threats, runaways calling home, witness tampering, and death threats, which will allow an investigator access to the traced number and person(s) listed. When responding to complaints, patrol officers may use discretion in deciding whether to complete a crime report even if the three-traced calls rule is not met depending upon the circumstances. Investigators who are assigned such crime reports for follow-up shall then have to decide if the situation warrants requesting service providers for an exception to the three-traced calls requirement. Both patrol officers and investigators shall use discretion weighing the circumstances of the situation, such as threats of bodily harm, death or other actions, and the level of concern or fear expressed by the victim.

      (1) Up to date contact information for service providers can be found at: http://www.search.org/resources/isp-list/

2. If a citizen calls the Department and has one or two successful traces, officers should advise them of the service provider's policy. Officers should instruct the citizen to continue logging unlawful calls and to continue activating the automated trace service, until three calls are traced.

3. A log entry at the Department may be utilized to document one or two traced calls. Advise the citizen to re-contact the Department if a third call is traced. Officers may call the citizen to determine if three calls have been traced before responding to a call for service. If three calls have been traced, complete a crime report if the citizen wishes to pursue criminal charges.

4. Instruct the victim to begin logging unlawful traced calls immediately. Ask them to keep a pen and paper at all phones. Immediately after a call is received, instruct the victim to write a brief, accurate description of the conversation, if any, and to note the date and time of hang-up calls. This description should be as close to an actual transcription as possible. Encourage the victim to record the call if they have the capability.

5. The Rapid City Police Department will not obtain and/or release traced number information to the public unless a criminal case is in progress, and only then to further the investigation.

6. If the offending number is not published and the service providers will not release the information, a Subpoena Duces Tecum can be used to obtain the name or address listed to the identified number. After completing the subpoena, you must present it to the Grand Jury on a date and time determined by the State's Attorney's Office. Once it is signed by the Grand Jury Foreman, the subpoena can be provided by the recipients required method of acceptance.

7. If the victim does not want to press charges and only wants the calls to stop, contact the person/persons listed to the offending number and advise them unlawful calls have been identified as having originated at their number. Inform them if these calls do not cease, a criminal investigation will take place that may result in prosecution against all involved parties.

8. If a criminal case is initiated, the investigator should contact the person(s) listed to the offending number, and schedule an interview with the person(s). If the interview results in an admission or other probable cause exists, prepare a warrant request and submit it to the Pennington County State's Attorney Office.

B. OTHER ELECTRONIC COMMUNICATION DEVICES

1. Victims of Unlawful Use of Electronic Communication Devices will often be able to eliminate the issue by reporting the problem directly to the service provider. Most service providers offer an online reporting system such as found on Facebook at: Help Center / Security / Reporting Abuse.

2. Victims are strongly encouraged to try a provider resolution prior to filing a criminal report. If this does not resolve the issue, or the matter is life threatening in nature, the following procedure may be used for initiating a case report and subsequent follow-up investigation:

   a. Most service providers only store electronic records, messages, and transactions for a few days, some for only hours.

   b. Because of the short life span of items retained by service providers, it is incumbent on the victim to save and document as much information as possible to support the elements of a crime.

   c. The documentation of electronic evidence is paramount to the successful prosecution of a case, and whenever possible it should be included with the Case Report.

      There are many ways evidence can be preserved for these purported violations.

(1) The simplest is for the victim to "Print" the suspect's communications and maintain the hard copy.

(2) Another way to capture this information when no printer is available is by the use of the "screen print" function. Citizens or officers viewing the suspect's communication can take a "picture" of what they are looking at on the screen by pressing and holding the "CTRL" key and the "ALT" key, and then pressing the "PRINT SCREEN" key. The picture will be held on the electronic device's "clipboard" to be pasted onto an email to be sent, or onto a word document to be saved to a CD or flash drive. This document or email can then be printed for inclusion with the report, and saved on the Department servers at evidence.

(3) Items can also be read, downloaded, and recorded from many electronic devices by submitting them to evidence with a work request for the electronic forensics section to download the information from the device.

(4) As an alternative, officers can use the Department issued digital camera to take pictures of items on the electronic device's screen or use the camera video setting to record a posted video. Officers are encouraged to be certain the camera has correctly focused on the screen and to utilize the macro setting when needed.

3. Once the Case Report is received and assigned to a detective in the Criminal Investigation Division, the detective will be responsible for determining any secondary names, screen names, email addresses, etc. do in fact belong to the listed suspect, if the person is known. Interviews, admissions, and confessions from the suspect often provide corroborating information for this purpose.

4. If the suspect is unknown or if the known suspect denies involvement, the use of investigative subpoenas to produce documents (Subpoena Duces Tecum), can often aid in obtaining further detailed information as to the identity of the suspect, and the IP addresses the suspect is using to access the internet.

5. Emailed messages are easier to trace. This can be done by subpoenaing the information from the Internet Service Provider (ISP), which provides the email server space, such as Hotmail / Live / Gmail / AOL, etc. The most up-to-date list of these providers and how to contact them can be found at: http://www.search.org/.

6. Identities of users associated with other electronic communication sites, such as social networking sites, can also be found by sending a subpoena to the appropriate ISP found on the list at the above website.

7. An appropriate investigative sequence to locate and identify a suspect and the location from which they are accessing the internet is outlined below. The information obtained may provide enough probable cause for a warrant or juvenile petition to be issued. As there is no way to give an example of every network available the example provided below is for Facebook, which is a commonly used social network. Gathering information from other networks would be very similar.

   a. By navigating to the suspect's Facebook page, one can obtain the user ID # from the website's address line. The address line will appear similar to the following example: http://www.facebook.com/#!/profile.php?id=12345#####12345

b. Once the information is obtained, a subpoena may be generated, presented to the Grand Jury, signed by the Grand Jury Foreman, and sent to Facebook. The information being sought with the subpoena is: the Subscriber Information for the Facebook profile ID # (listed after the equal sign above) AND the IP Log History for Facebook profile ID # for the date and time of the suspected offense, or range of offenses. The date and times must be converted from MST (Mountain Standard Time) or MDT (Mountain Daylight Time) to UTC (Coordinated Universal Time) / GMT (Greenwich Mean Time). The following website is designed to assist with this conversion: http://www.timeanddate.com/worldclock/city.html?n=1920.

c. The report received from Facebook will include the registration information, email address, and IP address used to sign up for the account. The report will also include the IP log history, containing when and where the suspect logged into the account during the specified period on the subpoena.

d. Using the IP addresses received, one can locate the owner of the IP address by navigating to the following website: https://www.arin.net. By inputting the IP address in the "WHOIS" block, the investigator will provided with information regarding which ISP provider owns the IP address. By referring to http://www.search.org/resources/isp-list/ again, the investigator will be provided with the contact information for the ISP.

e. A new subpoena will need to be produced, signed, and faxed or emailed to the ISP provider to get information regarding the subscriber and to discover the location for the login IP address. The information received will have the name and address of the account owner for the suspect's login location.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
613-08	Crimes Against Persons	1 OF 4
ORDER NO.: 18-02	**SUBJECT:** Sex Offender Registration & Verification Project	
SUPERSEDES: 10-04	**EFFECTIVE:** 02-26-18	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

POLICY: The Rapid City Police Department vigorously enforces the laws pertaining to the registration of convicted sex offenders, and the investigation and prosecution of those convicted sex offenders who fail to comply with the provisions of the law pertaining to their registration status, in accordance with SDCL 22-24B-2. This will be accomplished through a cooperative effort with the Pennington County State's Attorney's Office (PCSAO).

Personnel Assignments and Duties

PROJECT MANAGERS: Captain of Criminal Investigation Division
Pennington County State's Attorney

Duties: Management oversight of the registration, investigation, enforcement and prosecution aspects of the project, including personnel assignments.

PROJECT SUPERVISORS: Sergeant – Property Crimes, CID

Duties: Supervision of the personnel assigned to the project, as well as technical and physical support of the registration, investigation, and enforcement aspect of the project. Submission of warrant requests for confirmed violations.

SEX OFFENDER REGISTRATION (SOR) PROJECT COORDINATOR:
Compliance Officer, CID

Duties: Coordination of the registration of convicted sex offenders in Pennington County, SD, and coordination of DCI verification documents.

SEX OFFENDER LOCATION VERIFIER (SOLV) PROJECT COORDINATOR:
Compliance Officer, CID

Duties: Coordination of address verification assignments, reports, documents, and prepare warrant request documents for confirmed violations. Support of the project by maintaining master files on registered sex offenders.

CID DIVISION SUPPORT:

Compliance Officer:

Duties: The Compliance Officer is the Support of Project Coordinator in terms of registering sex offenders, construction and maintenance of the sex offender database, filing information, and any other assistance needed by the Project Coordinators.

PATROL DIVISION SUPPORT: Captain and Lieutenants of RCPD Patrol Division
Captain of PCSO Patrol Division
Designated Officers and Deputies

Duties: SOLV (Sex Offender Location Verifier) officers support this project by conducting field checks of convicted sex offenders to verify their addresses, and by providing written documentation of findings pertaining to address verification.

STATE'S ATTORNEY SUPPORT: Pennington County State's Attorney, a designated prosecutor and support personnel

Duties: Support of the project by assuming all prosecutorial responsibilities, communicating with the Project Coordinator and handling any other prosecution aspect of the project.

A. INITIAL REGISTRATION PROCEDURES

1. The convicted adult or adjudicated juvenile sexual offender will be advised, either by the court or by the involved correctional institution, of the offender's obligation under SDCL 22-24B-2 to register as a convicted sexual offender within the jurisdiction the offender intends to reside. The offender will be provided with the form entitled "State of South Dakota Sex Offender Duty to Register," and will be required to complete, date and sign this form. This form should be delivered to the registering agency, in this case, the Rapid City Police Department, by mail or scanned and sent by e-mail. This form requires the convicted sex offender to report to the registering law enforcement agency within three days of moving into the agency's jurisdiction. Upon receipt of this form the Compliance Officer or designee will review it and determine if the listed address falls within the jurisdiction of the Rapid City Police Department.

2. Upon the sex offender's presentation for initial registration, the Compliance Officer will complete the "State of South Dakota Sex Offender Registration" form in its entirety. As part of this process, the community safety zone restrictions will be verified as stated in SDCL 22-24B-8(17). Furthermore, the Compliance Officer or designee will collect a DNA sample and submit the sample to the South Dakota State Forensic Laboratory in accordance with procedures established by the South Dakota State Forensic Laboratory. The DNA sample will not be needed if the registering agent can assure the DNA sample has already been submitted. In addition, the offender will submit to having their fingerprints and photograph taken, per the requirements of state law. The Compliance Officer or designee is responsible for assuring this is done. Major case fingerprints will be taken using the sex offender setting on the AFIS fingerprint scanner. All original paperwork, mug shot, and fingerprint cards will be forwarded to the Division of Criminal Investigation in Pierre, SD

3. Any adult, who has been convicted for commission of a sex crime, as defined in 22-24B-1, shall register as a sex offender. The term, convicted, includes a verdict or plea of guilty, a plea of nolo contendere, and a suspended imposition of sentence, which has not been discharged pursuant to 23A-27-14 prior to July 1, 1995. Any juvenile fourteen years or older shall register as a sex offender if that juvenile has been adjudicated of rape as defined in subdivision SDCL 22-24B-1(1). Registration is required if the juvenile was adjudicated of an out-of-state or federal offense comparable to the elements of these crimes of rape or any crime committed in another state if the state also requires a juvenile adjudicated of that crime to register as a sex offender in that state. The sex offender shall register within three days of coming into any county to reside, temporarily domicile, attend school, attend postsecondary education classes, or work. Registration shall be with the chief of police of the municipality in which the sex offender resides, domiciles, attends school, attends classes, or works, or, if no chief of police exists, then with the sheriff of the county. A violation of this section is a class 6 felony.

4. If the offender fails to register within the allocated three-business day period of moving into the jurisdiction, the Compliance Officer will conduct further investigation and take enforcement action.

5. Per SDCL 22-24-B7, any person who is subject to the provisions of 22-24B-2 shall re-register every six months in the same manner as may be provided by law for initial registration. Such person shall re-register during the calendar month during which the registrant was born and six months following the person's birth month. A violation of this section is a class 6 felony.

6. After completion of the aforementioned activity, the registering offender will receive a copy of the appropriate paperwork. The applicable forms will also be distributed in accordance with the Standard Operating Procedures Manual.

7. The Compliance Officer or their designee will then enter all pertinent data in the Records Management System, in compliance with Department guidelines. After all data is entered, the fingerprints will be forwarded to the Rapid City Police Department Evidence Section.

B. FOLLOW-UP REGISTRATION PROCEDURES

1. If the offender subsequently changes their address, and notifies the Rapid City Police Department of this as required, the Compliance Officer will assure the appropriate section of the "State of South Dakota Sex Offender Registration" on-line form is completed and distributed in accordance with the Standard Operating Procedure Manual.

2. Additionally, each time the offender re-registers, the offender will be required to complete the on-line form entitled **"**State of South Dakota Sex Offender Registration.**"**

3. If the offender fails to notify the Police Department, within three days, of a change of address, or fails to re-register, the Compliance Officer will conduct further investigation and take enforcement action.

4. All updated or changed sex offender forms will be forwarded to the Compliance Officer or their designee for inclusion in the law enforcement database.

C. SEX OFFENDER LOCATION VERIFIER (SOLV)

1. Per SDCL 22-24B the Rapid City Police Department shall annually confirm the address listed on the sex offender registry matches the residence of each registered sex offender. Such confirmation shall be submitted to the Division of Criminal Investigation.

2. Periodically, as deemed appropriate by the Compliance Officer or their supervisor, the Compliance Officer will select Registered Sex Offender records of addresses to be verified. The Rapid City Police Department, Pennington County Sheriff's Office, and other area law enforcement agencies assigned as SOLV (Sex Offender Location Verifier) officers will conduct field checks on these assigned sex offender addresses to verify compliance of their address. The SOLV officers will then provide written documentation of their findings of address verification to the Compliance Officer through the completion of the "SOLV Form Document**."** This record will become part of the sex offender's official record. Each SOLV officer will be expected to engage in the following verification activity

   a. Each SOLV officer will be assigned a reasonable amount of Registered Sex Offender (RSO) files for follow-up. Assignments will be made by the officer's Lieutenant.

b. Once the RSO address verification information has been provided to the SOLV officer, the officer will be expected to conduct address verification efforts, during their assigned duty time, as the officer is able.

c. In engaging in address verification activity, the SOLV officer is to go to the address provided by the RSO, between the hours of 0600 – 2300.

d. Each SOLV officer must remember the verification efforts engaged in and the report filed will be the basis for a prosecution action against the RSO, so thoroughness is of significant importance.

D. PROJECT COORDINATOR

1. After each round of SOLV compliance checks, the Compliance Officer will provide the Criminal Investigation Division Commander with an evaluation of the results of the SOLV Program.

2. The Compliance Officer or their designee will update the law enforcement database after the SOLV forms have been completed.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
613-09	Crimes Against Persons	1 OF 4
ORDER NO.: 18-02	**SUBJECT:** **A C**hild **I**s **M**issing (ACIM) **P**rogram	
SUPERSEDES: 07-01	**EFFECTIVE:** 02-26-18	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 41.2.6		

PURPOSE: The Rapid City Police Department is committed to undertaking all efforts possible to quickly and safely locate missing persons. The Rapid City Police Department recognizes **ACIM** as a valuable resource to assist in this commitment, and voluntarily participates in the **ACIM** program.

1. The **A C**hild **I**s **M**issing (**ACIM**) program enlists the assistance of the community by sending a personalized recorded message to area homes and businesses, via telephone (1,000 calls in 60 seconds), asking for help in searching for a missing person.

2. Although this program targets missing children, it can be initiated for adults as well, especially when the adult is elderly, suffers some degree of dementia, or any other disability or situation that may place them at risk. **ACIM** can also assist when an employee finds a child prior to someone reporting the child missing.

Note: This policy supplements R&P 613-04 – Missing Persons, and 615-07 – Amber Alert.

PROCEDURE:

A. INITIAL RESPONSES

1. Initial Responding Employee: Employee(s) investigating missing person incidents will contact the duty supervisor as soon as possible (ASAP) to determine if the **ACIM** program could help locate the missing person.

2. Supervisor: The supervisor will review the information and determine if the situation warrants activation of the **ACIM** program.

   a. Sergeants, including Acting Supervisors have authority to initiate the **ACIM** program.

   b. If **ACIM** is to be initiated, the Sergeant will notify CID to accept incoming phone responses, including callout after regular duty hours as the situation dictates.

   c. Upon activation of **ACIM**, the duty supervisor will notify ESCC.

3. Criminal Investigation Division – CID will assume responsibility for the follow-up missing person investigation.

B. NOTIFYING ACIM

1. Upon approval, the supervisor will immediately call **ACIM** at (888) 875-2246 and relay the missing person information.

a. If there is no answer, call the **ACIM** pager at (954) 492-4778.

b. This information may also be faxed to **ACIM** at (954) 763-4569. Fax submissions must be confirmed by telephone.

2. **ACIM** is available **24/7**. Upon approval:

a. Activation of **ACIM** may be made by the supervisor between the hours of **0600 and 2200**.

b. Activation between the hours of **2200 and 0600** requires prior command approval.

C. INFORMATION TO BE INCLUDED IN THE ACIM ACTIVATION REQUEST

1. Crime Report (case) Number.
2. Name and age of missing person.
3. Physical Descriptors (race, sex, height, weight, hair color, and eye color).
4. Scars, marks, tattoos, or other identifiable characteristics.
5. Description of clothing worn when last seen.
6. Address last seen, with zip code. It is important to give the proper spelling of the street name.
7. Time and date last seen.
8. Telephone number for the public to report information (605-394-4131).
9. Name and contact number of the on-duty employee in charge of the investigation.

D. MISSING ELDERLY, DISABLED, VULNERABLE PERSONS

1. In the case of an elderly, vulnerable, or disabled person, the investigating employee should report whether or not the missing person has dementia, takes any medication, or drives a car.
2. The investigating employee should also provide information regarding the missing person's previous home addresses with zip codes.

E. OTHER PERTINENT INFORMATION

The investigating employee should also consider providing other pertinent information such as:

1. Water sources or wooded areas near the location last seen.
2. Addresses with zip codes of the missing person's favorite places to go.
3. Whether or not there is suspected foul play, and may include suspect information, as deemed appropriate.
4. Medications the missing person is taking.

5. Substance abuse problems the missing person may have.

6. Sexual predators residing in the area the missing child was last seen.

7. Vehicle information (if applicable).

8. If there was a confrontation before the person's disappearance.

9. If the missing child is a habitual missing.

10. If there has been notification of family and friends.

F. ACIM PROCEDURE

1. **ACIM** will prepare a recorded message that is automatically sent to the community asking citizens to help in the search by checking their premises.

2. Assisted by satellite mapping, a target calling area is chosen based on where the person was last seen and a call database is selected from a data bank.

3. The **ACIM** Technician remains in contact with the assigned employee until the case is resolved.

   a. The on-duty supervisor is responsible for notifying the on-coming supervisor of the **ACIM** activation until relieved by CID.

   b. The on-coming supervisor assumes responsibility to maintain liaison with the **ACIM** until relieved by CID.

G. INFORMATION RECEIVED

1. CID assigned officers will staff phones for incoming calls related to the **ACIM** activation, including responding after hours as needed. Pertinent information will be obtained and all calls received will be logged.

2. Information received from the public concerning the missing person or a possible sighting will be relayed to the duty supervisor or assigned CID employee. The information will be evaluated for appropriate action.

3. ESCC will relay any information they receive regarding the missing person to the assigned on-duty supervisor for follow-up.

4. If a sighting of the missing person is confirmed, the assigned officer/investigator may want to consider using **ACIM** again using the most recent known location in the notification of residents. This is particularly important if the sighting is in a different zip code than the original report.

5. If no information is received, the supervisor can contact ACIM so additional messages can be sent.

H. CANCELLATION

1. It is the responsibility of the supervisor to ensure **ACIM** is timely notified when/if the missing person is located.

2. CID assumes this responsibility once they respond and assume the investigation.

3. **ACIM** will then send out a cancellation call.

I. REPORTING

1. Activation and cancellation of the **ACIM** will be reported in either the original missing persons report or supplementary report.

2. An after-action summary will be completed, detailing when **ACIM** was activated and cancelled, and the results of the activation. Recommendations and/or suggestions for improvement of the process will be included, and forwarded to the Chief of Police or a designee via the chain-of-command.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
613-10	Crimes Against Persons	1 OF 6
ORDER NO.: 18-02	**SUBJECT:** Internet Crimes Against Children (ICAC) Unit	
SUPERSEDES: 12-01	**EFFECTIVE:** 02-26-18	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 42.2.5		

PURPOSE: To designate the duties and responsibilities incumbent upon the Internet Crimes Against Children (ICAC) Unit. The ICAC Unit is partially funded by a federal grant from the Office of Juvenile Justice and Delinquency Prevention (OJJDP). The Rapid City Police Department is a partner agency with the Pennington County Sheriff's Office and the SD Division of Criminal Investigation for the Internet Crimes Against Children Task Force.

DEFINITIONS:

Child Pornography/Digital Contraband: "Sexually Exploitative materials" as defined in SDCL 22-24A-2(2) "any image or visual depiction of a minor engaged in prohibited sexual acts."

Computer: "Any electronic, magnetic, optical, electrochemical, or other high-speed data processing device performing logical, arithmetic, or storage functions and includes any data storage facility or communications facility directly related to or operating in conjunction with such device, including wireless communication devices such as cellular phones. The term also includes any on-line service, internet service, or internet bulletin board."

Corrupted or Unreadable Files: A file so damaged that a computer can no longer read it.

Digitally Altered Image: An image that has been changed through the use of any of a variety of computer programs (i.e. a sexually explicit image of adults that is altered to look as if a child is involved in the sexual activity).

Encrypted: A file in code requiring specialized software to decode it for viewing.

Forward: Uploading a message or image received from another to a third party.

ICAC Collaboration Portal: An environment where law enforcement professionals can share information with each other to further their efforts in protecting children. This environment provides resources including Internet deconfliction tools, legal issues, research, and educational materials.

Approved and Secured ICAC/Government Owned Computer: Means a ICAC/Department owned computer assigned to the ICAC Unit that is specifically designated for use in conducting forensic computer analysis, or on-line investigations, and is either physically secured in a locked facility, digitally secured by password or encryption, or both.

Log Files: The record produced by software of actions taking place while on-line.

On-Line: Connected to the Internet. Also see definition for computer.

On-Line Dialogue: Communicating through digital means with another individual while on-line.

Prohibited Sexual Act: As defined in SDCL 22-24A-2(16), "…actual or simulated sexual intercourse,

sadism, masochism, sexual bestiality, incest, masturbation, or sadomasochistic abuse; actual or simulated exhibition of the genitals, the pubic or rectal area, or the bare feminine breasts, in a lewd or lascivious manner; actual physical contact with a person's clothed or unclothed genitals, pubic area, buttocks, or, if such person is a female, breast with the intent to arouse or gratify the sexual desire of either party; defecation or urination for the purpose of creating sexual excitement in the viewer; or any act or conduct which constitutes sexual battery or simulates that sexual battery is being or will be committed. The term includes encouraging, aiding, abetting or enticing any person to commit any such acts as provided in this subdivision."

Optical Media: A storage medium from which data is read and to which it is written by lasers.

Solicitors: One that actively requests sexual contact or sexually exploitative materials via the Internet.

Storage Media: "Digital media," "…any electronic storage device, including a floppy disk or other magnetic storage device, any compact disk or hard disk that has memory and the capacity to store audio, video, or written materials."

Traders of Images: Individuals trading sexually exploitative images via the Internet.

Transmit: Can be used interchangeably with "upload."

Upload: To transfer (information) from a microcomputer to a remote computer usually with a modem.

Visual Depiction: "…any developed and undeveloped film, photograph, slide and videotape, and any photocopy, drawing, printed or written material, and any data stored on computer disk, digital media, or by electronic means that are capable of conversion into a visual image." as defined in SDCL 22-24A-2(20).

PROCEDURES:

A. ADMINISTRATIVE

All investigative guidelines and priorities will be developed in conjunction with the South Dakota Internet Crimes Against Children Task Force and will follow the guidelines established by the Office of Juvenile Justice and Delinquency Prevention (OJJDP), ICAC Standard Operating Procedures manual.

All South Dakota residents identified, investigated, and arrested may be prosecuted by the State Attorney's Office within the jurisdiction of the criminal act, unless the prosecutor and the agency that ultimately assumes the prosecution agree upon other arrangements. Criminal investigations may be referred to the United States Attorney's Office when appropriate. Interstate and international subjects will ordinarily be prosecuted federally, unless the prosecutor and the agency ultimately assuming the prosecution agree upon other arrangements.

B. UNDERCOVER ACTIVITIES

Undercover on-line activities will be conducted only by sworn law enforcement officers and/or detectives that have received ICAC training. ICAC computers and software are reserved for the exclusive use by ICAC personnel. No personally owned equipment shall be used in ICAC investigations and all software shall be properly acquired and licensed.

Absent unforeseen exigent circumstances, all on-line activity will take place on equipment and in workspace owned and operated by the Department. To facilitate flexibility in undercover activities,

this includes all substations and department – owned vehicles.
Exceptions must be approved by the ICAC unit supervisor.

Undercover activities may focus on the following types of offenders, in the following order of priority:

1. A child is at immediate risk of victimization.

2. A child is vulnerable to victimization by a known offender.

3. Known suspect is aggressively soliciting a child(ren).

4. Traders of images that appear to be home photography with domiciled children.

5. Aggressive, high-volume child pornography traders who are either commercial distributors, repeat offenders, or specialize in sadistic images.

6. Traders and solicitors involved in high-volume trafficking or belong to an organized child pornography ring that operates as a criminal conspiracy.

7. Traders in previously known images.

8. Traders in digitally altered images.

Preference will be given to investigating individuals with a link to the Rapid City/Pennington County area, either engaging in illegal conduct in South Dakota, or expressing a willingness to travel to South Dakota to engage in illegal activity with a child. Individuals discovered, but not showing such a connection to South Dakota should be referred to the appropriate task force if their geographic location can be determined.

The following minimum standards apply to ICAC investigations:

1. Only sworn on-duty ICAC personnel shall conduct ICAC investigations in an undercover capacity. The ICAC investigator's schedule and work location is flexible in order to facilitate such investigations. The investigator will need to be prepared to adjust his/her schedule with little or no notice to facilitate new or on-going investigations. The ICAC unit supervisor or the Criminal Investigations Section lieutenant should be notified in advance for any schedule adjustments.

2. Private citizens shall not be asked to seek out investigative targets nor shall they be authorized to act as police agents in an on-line undercover capacity.

3. Undercover investigators will not upload, transmit, or forward any sexually explicit or pornographic images.

4. Visual depictions of any identifiable person used to represent an investigative persona or any identifiable minor, shall be only those of an Employee who has given his or her written consent and only if that Employee was at least 18 years old at the time of consent. Further, the depictions themselves may be of that Employee under the age of 18.

5. Other than authorized above, images considered for uploading shall be approved by the ICAC supervisor.

6. During on-line dialogue, the ICAC investigator should allow the investigative target to set the tone, pace, and subject matter of the on-line conversation. Image uploading shall be initiated by the target.

Sexually Exploitative Materials: The ICAC investigator is in an unusual position in that part of the assignment involves routinely being exposed to and maintaining possession of sexually exploitative materials. Such materials must be maintained in a secure fashion while maintaining on-going investigations.

Sexually exploitative materials obtained during the on-line communications will, by necessity, be maintained with the log files of on-line communications. Currently, those logs are maintained on the hard drive of the undercover computer and backed-up periodically to permanent storage media for preservation. These items should be removed upon being archived to permanent storage media unless notice has been received of a court order to preserve files in any particular case. When not in use, the computer containing these logs will be secured, either by password protection while the investigator is away from the computer, but it is still on line, or by storage in a locked office, Department vehicle or other lockable container. The archive media will be placed into evidence using the appropriate case number.

C. EVIDENCE

1. All on-line activities shall be recorded utilizing licensed software. All log files will be archived and maintained, preferably by writing them periodically to a permanent storage media such as recordable digital media. Any departures from this policy due to unusual circumstances shall be documented in the relevant case file and reviewed by an ICAC Unit supervisor. Access to on-going case files shall be limited to those within the ICAC Unit or its chain-of-command.

2. The content of recorded log files will not be altered in any way from what is recorded. Exceptions due to unforeseen circumstances (i.e. computer failure resulting in lost files, computer system hacked, etc.) will be documented and maintained in the file for the communications that were affected. In other words, should part of an on-line communication be lost, notes may be added to the file for that chat explaining what was lost and the reason it was lost, if known. The content of on-line communications that are preserved shall not be altered in any way. Only explanatory notes may be added.

3. When assembling files for an individual case, they will be preserved in a long-term storage medium. All logs and files received or sent on the dates of any contacts with the target of an investigation will be included in the files assembled for the particular case. Once the case investigation has been completed and it is determined that the files for that particular case no longer need to be readily available to the Investigator for investigative or filing purposes, they will be placed into evidence under that particular case.

4. As sexually exploitative materials are considered contraband and are generally illegal to possess, these materials will not be duplicated with the case file for distribution to the Prosecuting Attorney's Office and Defense Attorney (discovery). These materials will be made available to the State's Attorney at the time of filing and upon request after filing.

5. The Department will provide equipment, an area away from the public for viewing and the specific digital contraband, digital media or forensic results media for the defense to review digital contraband in a controlled and secure environment. If so ordered by the court, the Department will provide for defense experts to examine the digital contraband on equipment provided by the defense, or on specifically designated Computer Forensics Unit equipment in a controlled and secure environment.

6. Digital contraband may be released to an officer of the court (or their designee), by a court order. Digital contraband shall be entered into evidence under the appropriate case number and the court officer shall be notified that the evidence may be retrieved from the ICAC Unit or Evidence Section as appropriate. The court officer (or their designee), shall provide a copy of the court order prior to being authorized to retrieve the digital contraband from the ICAC Unit or Evidence Section. Digital contraband shall not be released without a court order.

7. Any computer system containing such materials shall be forfeited and/or destroyed and not returned to its owner at the conclusion of a case. If an owner is granted a court order requiring certain files be maintained, a computer examiner may perform that task, which will be billed to the owner at an hourly rate to be determined. Delivery of the files will take place upon payment of the bill.

D. INFORMATION SHARING

Once the investigator has a reasonable suspicion that an individual is committing or is willing to commit an illegal act against a child (i.e. transmitting sexually exploitative materials or willing to travel for the purpose of committing an illegal act against a child), information regarding the investigation will be forwarded to the appropriate ICAC Task Force affiliate or law enforcement agency using approved ICAC transmission protocols. This procedure can assist in coordinating investigations if a subject is under the scrutiny of multiple law enforcement agencies.

1. **Supervision:** Per the ICAC Task Force Standards, the supervisor will periodically conduct the following:

   a. Review ICAC Unit investigative reports.

   b. Periodic review of undercover session recordings.

   c. Directly participate in formulating ICAC Task Force investigative plans and establishing investigative priorities.

   d. Development of work schedules including approval of specific overtime expenditures.

   e. Assessment of equipment and training needs.

2. **Psychological Screening**

   Due to the sensitive nature of ICAC investigations, investigators will be evaluated by the Department psychologist prior to selection for the unit, and, shall be evaluated on annual intervals while assigned to the unit in a full or part-time capacity.

3. **Prevention and Education Activities**

   Prevention and education activities are an integral part of the ICAC program. The ICAC investigator may be available to conduct presentations upon request to foster awareness of the problem of predatory behavior against children on the Internet. These presentations should provide practical, relevant guidance to children, parents, educators, librarians and other individuals concerned about child safety issues. With the exception of on-line demonstrations, these presentations shall not depict identifiable victims nor shall they use pornographic or sexually explicit images. Investigative techniques will not be discussed. In the case of live, on-line demonstrations, the audience will be limited to adults, and the audience will be cautioned about the possibility of exposure to sexually explicit images.

E. POSSESSION BY EMPLOYEES

Employees shall not possess Digital Contraband or other Child Pornography except as narrowly required in the course of conducting a criminal investigation. Upon receipt of such material, members will place such item(s) into a secure evidence locker maintained by the ICAC Unit or Evidence Section as soon as practicable. Investigators assigned to the Internet Crimes Against Children Unit, or the Computer Forensics Unit who is assigned to conduct follow-up investigations involving Digital Contraband or other Child Pornography may need to check out such contraband from the ICAC Unit for investigative purposes. In these circumstances, Investigators will keep such evidence with the case file and appropriately secured at all times.

Department members will not have DC/CP evidence in their possession except for approved investigative purposes. It is not appropriate to have such evidence at their personal residence even if they have an active case where the evidence is required to complete the investigation.

Once investigative need for such evidence has been met, the investigator will return the item(s) to the ICAC Unit without delay.

Exception – Investigators who are officially assigned to conduct on-line investigations may be granted authorization by the Supervisor of the ICAC Section to maintain certain digital contraband in his/her possession on an approved and secured ICAC computer during the course of conducting undercover online investigations. As soon as the investigation is complete, the digital evidence files shall be replicated and transferred to appropriate digital media and turned into the ICAC Unit. Files containing digital contraband shall then be removed from the ICAC computer.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
614-01	Crimes Against Property	1 OF 2
ORDER NO.: 10-04	**SUBJECT:** Burglary, Theft, and Receiving Stolen Property	
SUPERSEDES: 09-01	**EFFECTIVE:** 08-12-10	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

POLICY: The Rapid City Police Department Criminal Investigation Division will establish a standardized procedure for the investigation of the crimes of burglary, theft and receiving stolen property occurring within the city limits of Rapid City.

Burglary Classified:

22-32-1 – First Degree Burglary
22-32-3 – Second Degree Burglary
22-32-8 – Third Degree Burglary
22-32-19 – Aggravated Criminal Entry of a Motor Vehicle
22-32-20 – Criminal Entry of a Motor Vehicle

Theft Classified:

22-30A-17 – Petty or Grand Theft
22-30A-7 – Receiving Stolen Property

PROCEDURAL GUIDELINES:

1. The investigator will thoroughly read the initial case report and contact the victims of cases assigned for follow-up investigation. The investigator will confirm the accuracy of the report as to date, time, and property taken. The investigator will ascertain whether additional property has been discovered missing since the time of report and will determine and document the make, model, serial number, or other distinguishing features of the missing property.

2. The investigator will determine if the officer conducting the initial investigation made a NCIC entry or state case of the missing property. When necessary, the investigator will make a state case based on any additional information acquired from the victim. All serial numbered stolen property is to be entered into NCIC when appropriate. If a method of operation can be established or a pattern of activity appears obvious, note this information when making a state case.

3. After interviewing the victims and witnesses associated with the case, the investigator will determine if reliable suspect information can be developed. Interviews will be conducted with those persons when appropriate.

4. Investigation of a potential suspect should begin by first checking a local and state criminal history of the person of interest. The investigator will conduct a Criminal Records History inquiry to determine if that person has a record of criminal arrests in other states. The investigator should also access all criminal intelligence networks for more data relating to the suspect and conduct a check of any pawn records involving the suspect to determine if any matches involving stolen property exist.

5. The investigator should develop suspects from information provided by reliable informants, intelligence data, the pawn records, other agency resources, Department records, other accessible records, and from the interaction with co-investigators. Additional suspects can be developed by the use of photo lineups, examination of physical evidence, witness statements and identification, and by questioning the suspect or suspects believed to be involved in the crime. Investigators will be mindful of Constitutional protections when interviewing or interrogating potential suspects.

6. When property is located or recovered the investigator in charge of the case will ensure the State Case made reference the stolen property is cancelled. When stolen property is located in a pawnshop or secondhand store, the investigator will require the proprietor to hold the property by completing the Police Hold Order, or the investigator may seize the property, issue a receipt to the proprietor, and place the property at the evidence storage facility. The victim may be requested to view and identify the property, if necessary.

7. The investigator will complete a warrant request or juvenile petition when the essential elements of the offense are met and sufficient probable cause exists to support an arrest or adjudication.

8. All relevant documents and statement recordings of the investigation are to be retained. Investigators will keep copies of completed cases as reference for court or comparison to future cases involving similar Modus Operandi.

9. When all investigative leads have been exhausted and the elements of the crime have not been met, the investigator will close the case to an inactive status due to the "lack of leads or suspects." Cases are to be closed when a victim declines to prosecute or restitution is made to the victim.

Note: The investigation of burglaries, thefts, and receiving stolen property cases involves a variety of different methods of investigation, and not every case can be investigated in the same way. Varieties of tools are available to the investigator, and the investigation should routinely be conducted methodically and one-step at a time. Once a case has been closed by warrant request or physical arrest and the investigator has determined the suspect is factually involved, the investigator should submit the information in appropriate format to the intelligence data networks to facilitate the dissemination of information regarding certain persons and their activities.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
614-02	Crimes Against Property	1 OF 3
ORDER NO.: 10-04	**SUBJECT:** Stolen Vehicles	
SUPERSEDES: 09-05	**EFFECTIVE:** 08-12-10	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

POLICY: The Rapid City Police Department will establish a standardized procedure for the investigation of stolen vehicles and the recovery of stolen vehicles. The contents of this policy are to be used as guidelines to aid in the investigative process.

PROCEDURAL GUIDELINES:

1. Upon receipt of a stolen vehicle case report, a Criminal Investigation Division supervisor will assign the report to an investigator.

   Note: Cases, which might meet other theft statute (SDCL 22-30A) elements such as unauthorized operation of a motor vehicle, should be assigned in a similar manner.

2. Upon receipt of the case, the investigator should review the contents of the report to ensure the following has been included:

   a. A state case number indicating the vehicle's information has been entered into NCIC (If a state case has not been made, the investigator will enter the vehicle into NCIC); and

   b. Any other information necessary for the particular investigation.

3. The investigator should contact the owner/victim/reporting party and determine if any new information has developed and/or if any suspects have been developed. The investigator should keep in mind the vehicle might have been removed through legal or other means, such as: private property tow, civil repossession, impounded by police, taken by a family member, loaned by the victim, misplaced in parking or reported stolen to conceal its use in another crime.

4. The investigator should attempt to confirm or reject any information known to this point. Normal investigative procedures should be used such as:

   a. Witness/suspect statements;

   b. Checking Dispatch tow log;

   c. Strange circumstances in the reporting of the stolen vehicle to police (i.e. theft report completed after abandoned vehicle found involved in a traffic crash);

   d. The possibility the theft could be connected with a larger organized theft ring; and

   e. Comparing the circumstances of the theft to other known motor vehicle thefts.

5. Upon recovery of the vehicle the investigator should:

   a. Confirm the recovery with the appropriate agency;

b. Cancel or ensure the state case (NCIC entry) has been cancelled;

c. Determine the circumstances of the recovery and document those findings;

d. If necessary, ensure vehicle has been secured by police to aid in prosecution/apprehension of suspects; and

e. If necessary, complete a recovery report.

6. Available options when placing a vehicle on a police hold.

a. For immediate processing or protection of perishable evidence place the vehicle into evidence bay garage. Refer to policy 621-04 – Processing Recovered Stolen Vehicles.

b. For long-term storage following processing of the vehicle, the vehicle may be placed at the Rapid City Landfill Storage Yard.

c. Local tow yards, in general, should not be utilized for storage on police holds as this may incur Department expense. Local tow yards may be used after all evidence has been collected and/or seized. Once this process is completed and the vehicle is ready for release, but the owner is unavailable or unwilling to reclaim the vehicle a local tow company may be contacted. In this case, **HOLD FOR OWNER** should be indicated on the tow.

d. Refer to policy 525-02 – Towing/Holding of Vehicles for details on holds.

7. Ascertain the following when investigating the recovery:

a. Was the vehicle abandoned and where was it located?

b. Were suspects arrested and/or identified? If so, were statements taken?

c. Is the vehicle operable?

d. Has the vehicle been obviously damaged and/or stripped of parts?

e. Determine if the vehicle had been used in another crime (known at the time).

8. Contact the owner/victim of the stolen vehicle to advise of the recovery and determine:

a. If the recovery location enlightens the victim to a possible suspect;

b. If the vehicle was actually found damaged and/or stripped of parts; and

c. If anything was left in or stolen from the vehicle, determine if item(s) left behind can aid in the apprehension/prosecution of suspects.

9. Procedure for release of stolen vehicle:

a. If suspects are known or have been arrested, or there is a good possibility they could be identified and criminal charges are pending, or vehicle was involved in another crime (i.e. bank robbery):

(1) Court order or signed authorization from the investigating officer or prosecuting attorney needed;

(2) Vehicle should be processed by evidence personnel, the field services officer or the assigned investigator.

(3) Keep in mind search and seizure guidelines.

b. There are no suspects and no criminal charges are pending:

Release the vehicle (could be done at exact time of recovery if appropriate).

10. If possible, the investigator should attempt to initiate criminal charges against the suspect(s). The investigator needs to determine what crime has been committed (i.e. theft [intent to deprive], unauthorized use of motor vehicle or possession of stolen property).

11. If the vehicle was recovered by another jurisdiction and the elements of theft cannot be established, the recovering agency should initiate possession of stolen property charges. If the elements of theft can be established, the Rapid City Police Department investigator should initiate the charges.

12. At some point, the investigator will exhaust all investigative leads and the vehicle's location will still be unknown. In those cases, the investigator should keep a personal log listing all un-recovered vehicles.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
614-03	Crimes Against Property	1 OF 2
ORDER NO.: 10-04	**SUBJECT:** Theft of Rental Property	
SUPERSEDES: 06-06	**EFFECTIVE:** 08-12-10	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

POLICY: The Rapid City Police Department will investigate thefts of rental property, a violation of SDCL 22-30A-13 and/or SDCL 22-30A-3, Theft by Deception. Exceptions to this policy are those cases where the rental agreement is usually a credit sales agreement commonly referred to as "Rent-to-Own." Credit sales agreements do not involve "pure" rental property and are not covered by or protected by criminal statutes of the State of South Dakota.

PROCEDURAL GUIDELINES:

1. The investigator will thoroughly read the initial case report and contact the victim rental business of the case assigned for follow-up investigation. The investigator will confirm the accuracy of the report as to date, time, and property taken. The investigator will ascertain whether additional property has been discovered missing since the time of report and will determine and document the make, model, serial number, or other distinguishing features of the missing property. The investigator will determine if the officer conducting the initial investigation made a NCIC entry or State Case of the missing property. When necessary, the investigator will make a State Case based on any additional information acquired from the victim. All serial numbered stolen property is to be entered into NCIC when appropriate. If a method of operation can be established or a pattern of activity appears obvious, note this information when making a State Case.

2. As part of the elements of the law, the rental company is required to send a certified or registered letter to the person renting the property, demanding return. A copy of the letter should be attached to the initial report. The investigator will contact the manager of the rental business when a copy of the letter is not included with the case report to determine if a letter was sent in accordance with SDCL 22-30A-13. The investigator will arrange with management to obtain a copy of the letter and return card. If a letter has not been sent, the investigator will instruct management to do so and allow fifteen working days for management to provide a copy of the letter and return card.

   Note: Any original documents will be placed in evidence referenced to the original case report number. Copies will be attached to the original case report and working copy.

3. The investigator will interview the employee who conducted the rental transaction to determine the method used to identify the renter and whether the process was documented on the rental contract. It is important whether there was a positive drivers' license or identification card photo-match or other means of positive identification for prosecution purposes. After interviewing the victim and witnesses associated with the case, the investigator will determine whether reliable suspect information is developed. When appropriate, the investigator will conduct interviews with those persons.

4. Investigation of a potential suspect should begin by checking local and State criminal history for of the person of interest. The investigator will conduct a Criminal Records History inquiry to

determine if the person has a record of criminal arrests in other states. The investigator should also access all criminal intelligence networks for more data relating to the suspect and conduct a check of pawn records involving the suspect to determine if any matches involving the stolen property exist.

5. The investigator should develop suspects from information provided by reliable informants, intelligence data, pawn records, other agency resources, Department records, other accessible records, and from the interaction with co-investigators. Additional suspects can be developed by the use of photo lineups, examination of physical evidence, witness statements and identification, and by questioning the suspect(s) believed involved in the crime. Investigators will be mindful of Constitutional protections when interviewing or interrogating potential suspects.

6. When property is located or recovered the investigator in charge of the case will ensure the State Case made reference the stolen property is cancelled. When stolen property is located in a pawnshop or secondhand store, the investigator will require the proprietor to hold the property by completing the Police Hold Order, or the investigator may seize the property, issue a receipt, to the proprietor, and place the property at the evidence storage facility. If necessary, the victim may be requested to view and identify the property.

7. The investigator will complete a warrant request when the essential elements of the offense are met and sufficient probable cause exists to support an arrest.

8. When all investigative leads have been exhausted and the elements of the crime have not been met, the investigator will close the case to an inactive status due to the "lack of leads or suspects." Cases are to be closed when a victim declines to prosecute or restitution is made to the victim.

9. All relevant documents and statement recordings of the investigation are to be retained. Investigators will keep copies of completed cases as reference for court or comparison to future cases involving similar Modus Operandi.

   Note: The investigation of theft cases involves a variety of different methods of investigation, and not every case can be investigated in the same way. There is a variety of tools available to the investigator, and the investigation should routinely be conducted one-step at a time. The assigned investigator will utilize all necessary investigative techniques and technological tools to progress the investigation. Once a case has been closed by warrant request or physical arrest and the investigator has determined the suspect is factually involved, the investigator should submit that information in an appropriate format to the intelligence data networks to facilitate the dissemination of information regarding certain persons and their activities.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
614-04	Crimes Against Property	1 OF 4
ORDER NO.: 11-05	**SUBJECT:** Check Offense Investigations	
SUPERSEDES: 11-01	**EFFECTIVE:** 10-20-11	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

POLICY: The Rapid City Police Department investigates Theft by Insufficient Funds Checks, Theft by No Account Check, and all Forgeries in accordance with SDCL 22-30A-24, SDCL 22-30A25 and SDCL 22-39-36. The contents of this policy will serve as general guidelines for the investigation and prosecution of check cases and forgeries.

A. PROCEDURAL GUIDELINES

A CID Police Support Technician (PST) will review incoming Theft by Insufficient Funds Check cases and Theft by No Account Check cases. The PST will determine if the case meets prosecution guidelines as outlined by the criteria established by the Rapid City Police Department and the Pennington County State's Attorney's Office. If an Insufficient Funds or No Account check is prosecutable, the PST will prepare case reports and warrant requests. This will include the assignment of case report numbers and verification of identification of the suspect by performing a driver's license check and comparing it to the driver's license number recorded on the check by the witness who accepted it and verified the suspect's identity. If the information matches, a warrant request and case report will be completed. The PST will forward the warrant request to the detective assigned to check investigations. The detective will review the warrant request and attached paperwork making any necessary corrections before signing the warrant request. The detective will then submit the warrant request, affidavit, and case report to the supervisor. The supervisor will review the submitted documents and notarize the affidavit. The approved documents are then returned to the PST in order to be forwarded to the State's Attorney's Office through the normal routing procedure. In addition to preparing check cases, the Police Support Technician will accept telephone calls and inquiries from the public regarding check prosecutions and the guidelines. This task includes the disbursement of check prosecution packets to the public.

B. THEFT BY INSUFFICIENT FUNDS CHECK CASES

1. Upon receiving a check or checks from a victim or through a case report initiated by Patrol, the Police Support Technician must verify the check is an Insufficient Funds Draft. This is accomplished by looking at the original or a copy of the check to see if the words "Insufficient Funds" or "NSF" are stamped on the back of the check by the bank.

2. The PST will determine if the check or checks (checks written within a 30-day period may be prosecuted together as one case) are in fact prosecutable, as outlined in the identification procedure and prosecution guidelines described in the Pennington County State's Attorney's Check Prosecution Policies (March 15, 1997).

3. If all guidelines are met, it is important to ensure the check can be prosecuted within the six-month time allocation mandated by law. No Theft by Insufficient Funds check or No Account check can be prosecuted more than six months from the time it was written. (Standard Guideline: Insufficient Funds and No Account check cases should arrive in an investigator's office within four months of the date on the check in order to allow sufficient time for the case to be investigated and forwarded to the State's Attorney's Office for prosecution by the fifth month).

4. The PST, officer, or investigator will instruct the victim to mail a "Notice of Dishonor" to the person who issued the check. The notice may be sent certified mail, but an Affidavit of Mailing is also acceptable. Copies of all checks involved and the Notice of Dishonor and certified receipt or Affidavit of Mailing shall be obtained for inclusion in the case file.

5. The reporting party will be instructed to obtain a witness statement form from the person accepting the check.

6. Once the necessary paperwork for the case has been obtained, it is to be submitted to the Rapid City Police Department's Criminal Investigation Division for investigation and processing.

7. When it is determined all paperwork is in order, a case report will be prepared to include all pertinent information.

8. One case report number (CR number) will be assigned to all Insufficient Funds checks per Suspect to be investigated. This report should list each business as a victim.

9. A form and computer template has been constructed to facilitate warrant requests for Insufficient Funds and No Account checks. It is suited for both single and multiple checks, and it will be used to expedite the warrant request process.

10. After completing the warrant request, an affidavit will be attached to that document along with a completed case report and addendum. All other paperwork is to be added, and the case file forwarded to the Detective assigned to Insufficient Funds and No Account check cases. The Detective will review the paperwork and forward it to the supervisor.

11. The supervisor will review the case file and will return it to the Police Support Technician after approval and notarization of the affidavit. Appropriate copies of the case report will be made and forwarded with the original warrant request and affidavit to the State's Attorney's Office for prosecution. Copies of the warrant request and original case file reports will then be forwarded to the Records Section.

C. NO ACCOUNT CHECK CASES

1. After receiving a case from a victim or via a case report initiated by Patrol on a Closed Account case, confirm the words "No Account "or "Closed Account" are stamped on the check by the bank. Checks written on No Accounts are prosecutable under the same guidelines as Insufficient Funds checks.

2. In order to verify the account was closed and to determine the date and method by which the account was closed, a subpoena to produce documents is generated and forwarded to the State Attorney's Office to be signed. The subpoena is then served on the financial institution from which the check is drawn.

3. The account must have been closed 30 days or more, prior to the suspect passing the check, in order for it to be classified as a No Account case. If determined the account has been closed less than 30 days, the check will be processed as an Insufficient Funds case.

4. The Police Support Technician will determine if the check or checks are in fact prosecutable as outlined in the identification procedure and prosecution guidelines described in the Pennington County State Attorney's Check Prosecution Policies (March 15, 1997).

5. If all guidelines are met, ensure the check can be prosecuted within the six-month time period mandated by law. No Insufficient Funds or No Account check can be prosecuted more than six months from the time it was written. (Standard Guideline: Insufficient Funds and No Account check cases should arrive in an investigator's office within four months of the date on the check in order to allow sufficient time for the case to be investigated and forwarded to the State's Attorneys Office for prosecution by the fifth month).

6. The PST, officer, or investigator will instruct the victim to mail a "Notice of Dishonor" to the person who issued the check. The notice may be sent certified mail, but an Affidavit of Mailing is also acceptable. Copies of all checks involved and the Notice of Dishonor and certified receipt or Affidavit of Mailing shall be obtained for inclusion in the case file.

7. The reporting party will be instructed to obtain a witness statement form from the person accepting the check.

8. Once the necessary paperwork for the case is obtained, it is to be submitted to the Rapid City Police Department's Criminal Investigation Division for investigation and processing.

9. When it is determined all paperwork is in order, a case report will be prepared to include all pertinent information.

10. One case report number (CR number) will be assigned to all No Account checks per Suspect to be investigated. This report should list each business as a victim.

11. A form and computer template has been constructed to facilitate warrant requests for Insufficient Funds and No Account checks. It is suited for both single and multiple checks, and it will be used to expedite the warrant request process.

12. After completing the warrant request, an affidavit will be attached to that document along with a completed case report and addendum. All other paperwork is to be added, and the case file forwarded to the Detective assigned to Insufficient Funds and No Account check cases. The Detective will review the paperwork and forward it to the supervisor.

13. The supervisor will review the case file and will return it to the Police Support Technician after approval and notarization of the affidavit. Appropriate copies of the case report will be made and forwarded with the original warrant request and affidavit to the State's Attorney's Office for prosecution. Copies of the warrant request and original case file reports will then be forwarded to the Records Section.

D. FORGERY CASES

1. Forgery cases will be assigned to a Detective. If an Insufficient Funds or No Account check is later determined to be a forgery, it will be assigned to a Detective for investigation.

2. The Detective shall attempt to determine the identity of the suspect and to obtain a statement or admission of guilt. The basic principles of criminal investigation as outlined in the Crimes Against Property section of the Department Rules and Procedure Manual shall apply to forgery cases.

3. It is the responsibility of the assigned investigator to ensure the victim of the forged item obtains an affidavit of forgery from the institution where the document originated.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
614-05	Crimes Against Property	1 OF 2
ORDER NO.: 11-01	**SUBJECT:** Tracking Pawnbrokers' and Secondhand Dealers' Transactions	
SUPERSEDES: 06-06	**EFFECTIVE:** 02-15-11	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

POLICY: The Rapid City Police Department will conform to the provisions of SDCL 37-16 and Rapid City Ordinance 5.36.010 through 5.36.210 regarding seizure and clerical procedures of Pawnbrokers and Secondhand dealers. It will also standardize procedures in keeping track of various individuals utilizing pawnbrokers and secondhand dealers for pawn purposes. It will be applicable whenever property is recovered from a business covered under the pawnbrokers' and secondhand dealers' ordinance. Each licensed pawnshop/secondhand store is required to e-mail the previous day's transactions directly to Leads Online.

PROCEDURAL GUIDELINES:

Whenever stolen property is located at a pawnbroker's or secondhand dealer's establishment, one of the following procedures will be used.

1. <u>40-Day Hold</u>

   a. If further investigation is required or a positive identification is required, a 40-day hold will be placed on the property.

   b. A copy of the hold order will be left with the dealer and the original will be filed with the report.

   c. Prior to the 40-day hold expiring, the officer should complete the investigation and either seize the involved property, or release the 40-day hold. A report explaining how the 40-day hold is terminated should be accomplished.

2. <u>Seizure or Confiscation</u>

   a. Under normal circumstances, no property will be seized unless prosecution will occur or a report exists prior to the date of discovery.

   b. If the property is seized, a receipt of property form will be completed using the original case report number. Information to be included on the property form is: facts stating why the property was seized, what the property is, and the dollar value the pawnbroker or secondhand dealer has invested.

   c. Under normal circumstances, property seized will be placed in evidence and a notation will be made indicating the property came from a pawnshop or secondhand store.

   d. Upon receipt of documentation showing a stolen item has been located at a pawnbroker's or secondhand dealer's establishment and has either been returned to the owner or seized, the investigating officer and/or detective will remove the item from the stolen property file.

   e. If an arrest or warrant is processed, pertaining to the property seized from a pawnshop or

secondhand store, a notation of this shall be made in the investigative report so restitution for involved pawnshops is requested as part of the prosecution action.

f. If property is located at a pawnshop or secondhand store for an outside law enforcement agency, Rapid City Police Department personnel will place a 40-day hold on the property, if requested by the outside agency. This will allow the outside law enforcement agency sufficient time to identify and seize the property.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
614-06	Investigations	1 OF 4
ORDER NO.: 10-04	**SUBJECT:** Identity Theft Investigation	
SUPERSEDES: 07-02	**EFFECTIVE:** 08-12-10	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 42.2.8		

PURPOSE: The purpose of this policy is to provide employees with protocols for accepting, recording, and investigating the crime of identity theft.

POLICY: Identity theft is one of the fastest growing and most serious economic crimes in the United States for both financial institutions and persons whose identifying information has been illegally used. In addition, it is a tool terrorists and those who are attempting to evade the law can use to their advantage. Therefore, the Rapid City Police Department shall take those measures necessary to record criminal complaints, assist victims in contacting other relevant investigative and consumer protection agencies, and work with other federal, state and local law enforcement and reporting agencies to identify perpetrators.

DEFINITION:
Identity Theft: Identity theft is the wrongful use of another person's identifying information-such as credit card, social security or driver's license numbers-to commit financial or other crimes. Identity theft is generally a means for committing other offenses such as fraudulently obtaining financial credit or loans, among other crimes.

PROCEDURES:

A. LEGAL PROHIBITIONS

1. Identity theft is punishable under federal law "when any person knowingly transfers or uses, without lawful authority, a means of identification of another person with the intent to commit, or to aid or abet, any unlawful activity that constitutes a felony under any applicable state or local law and state law. [18 U.S.C. § 1028(a)(7)]

2. Identity theft is punishable under South Dakota State law 22-40-8, which makes it a crime without the authorization or permission of another person and with the intent to deceive or defraud:

   a. obtain, possess, transfer, use, attempt to obtain, or record identifying information not lawfully issued for that person's use; or

   b. accesses or attempts to access the financial resources of that person using identifying information.

B. TAKING CRIME REPORTS

All sworn personnel are authorized to take crime reports on identity theft. Recording all relevant information and data in such reports is essential to further investigation. Therefore, officers and/or supervisors should:

1. Record all information concerning criminal acts that may have been committed by illegally using another's personal identity as covered by state and federal law.

2. Classify as identity theft fraudulent acts committed against an individual when there is evidence that the following types of unauthorized activities have taken place in the victim's name.

   a. Credit card charges, debit cards, ATM cards.

   b. Credit card checks written against their account.

   c. Credit card accounts opened or account addressed changed.

   d. Establishment of a line of credit at a store or obtaining a loan at a financial institution.

   e. Goods or services purchased in their name.

   f. Gaining access to secure areas.

   g. Used as computer fraud.

3. Obtain or verify as appropriate identifying information of the victim to include date of birth, social security number, driver's license number, other photo identification, current and most recent prior addresses, and telephone numbers.

4. Document the nature of the fraud or other crime committed in the victim's name.

5. Determine what types of personal identifying information may have been used to commit these crimes (i.e., social security number, driver's license number, birth certificate, credit card numbers and state of issuance, etc.) and whether any of these have been lost, stolen or potentially misappropriated.

6. Document any information concerning where the crime took place, the financial institutions or related companies involved, and the residence or whereabouts of the victim at the time of these events.

7. Determine whether the victim authorized anyone to use his or her name or personal information.

8. Determine whether the victim has knowledge or belief that specific person or persons have used his or her identity to commit fraud or other crimes.

9. Determine whether the victim is willing to assist in the prosecution of suspects identified in the crime.

10. Determine if the victim has filed a report of the crime with other law enforcement agencies and whether such agency provided the complainant with a report number.

11. If not otherwise provided, document/describe the crime, the documents or information used, and the manner in which the victim's identifying information was obtained.

12. Forward the report through the chain of command to appropriate investigative officers and immediately to intelligence agencies and federal agencies, if it appears to have national security implications.

C. ASSISTING VICTIMS

Officers taking reports of identity theft should take those steps reasonably possible to help victims resolve their problem. This includes providing victims with the following suggestions where appropriate.

1. Contact the Federal Trade Commission (FTC) (1-877-IDTHEFT)-which acts as the nation's clearinghouse for information related to identity theft crimes-for assistance from trained counselors in resolving credit related problems. Victims may also be referred to the FTC website link: http://www.ftc.gov/bcp/edu/microsites/idtheft/ for more information.

2. Cancel each credit and charge card and request new cards with new account numbers.

3. Contact the fraud departments of the three major credit reporting agencies [Equifax (1-800-525-6285), Experian (1-888-397-3742), TransUnion (1-800-680-7289)], and ask them to put a fraud alert on the account and add a victim's statement requesting creditors to contact the victim before opening new accounts in his or her name. In addition, request copies of your credit report.

4. If bank accounts are involved, report the loss to each financial institution, cancel existing accounts and open new ones with new account numbers. If deemed necessary, place stop payments on outstanding checks and contact creditors to explain.

5. If a driver's license is involved, contact the state motor vehicle department. If the driver's license uses the social security number, request a new driver's license number. In such cases, also check with the Social Security Administration to determine the accuracy and integrity of your account.

6. Change the locks on your house and cars if there is any indication that these have been copied or otherwise compromised.

D. INVESTIGATIONS

Investigation of identity theft shall include but not be limited to the following actions where appropriate.

1. Review the crime report and conduct any follow-up inquiries of victims or others as appropriate for clarification/expansion of information.

2. Contact the FTC Consumer Sentinel law enforcement network and search the database for investigative leads.

3. Contact other involved or potentially involved law enforcement agencies for collaboration and avoidance of duplication. These agencies include, but are not limited to:

    a. Federal law enforcement agencies such as the U.S. Secret Service, the Federal Bureau of Investigation, and the U.S. Postal Inspection Service as appropriate whether or not the victim has filed a crime report with them.

    b. Any state and/or local enforcement agency with which the victim has filed a crime report or where there is an indication that the identity theft took place.

E. COMMUNITY AWARENESS AND PREVENTION

Where reasonable and appropriate, officers engaged in public education/information forums, community crime prevention and awareness presentations or similar speaking or information dissemination efforts shall provide the public with information on the nature and prevention of identity theft.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
614-07	Investigations	1 OF 2
ORDER NO.: 10-04	**SUBJECT:** Cold Case Investigation	
SUPERSEDES: 07-02	**EFFECTIVE:** 08-12-10	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 42.2.9		

PURPOSE: To establish policy and procedure regarding the investigation of major cold cases.

POLICY: All major cases involving death, sexual assault, arson and other crimes carrying no statute of limitations will be investigated until solved. Upon receiving a major case, investigators will investigate all available leads until the case is solved.

A. DESIGNATION OF COLD CASE

1. A major criminal investigation that has not been solved for a period of at least one year and has been closed to ***active*** follow-up will be designated as a cold case.

2. A cold case may be held for reasons such as current technology is not present to analyze evidence to form a conclusion, uncooperative witnesses, or lack of leads.

3. Upon receiving a major case, the assigned investigator will explore all available leads until the case is solved.

   a. If no new information is received after a period of one year, the case will be classified as a cold case and remain 'open' but closed to ***active*** (daily) follow-up until new information is developed.

   b. If a new case becomes 'cold' while assigned to an investigator, the assigned investigator will remain on the case during their tenure in CID.

   c. Upon the original investigators transfer from CID, the case will be reassigned for continued follow-up.

4. All original reports will be processed according to Rapid City Police Department policy. A copy of the cold case files will remain in the Criminal Investigation Division.

   a. Cold case file copies will be held in a secure lockable cabinet when not in use. Access to these files will be limited to Rapid City Police Department/Pennington County Sheriff's Office investigation team.

   b. Any request for access to the cold case files by any individual or agency outside Rapid City Police Department/Pennington County Sheriff's Office Investigation Team will only occur after the approval of the CID Commander.

B. EVALUATION CRITERIA

1. The CID lieutenant will review cold cases on an annual basis. This reassessment should be based on, but not limited to:

    a. Legal considerations, such as changes to the statutes of limitation;

    b. Technological considerations, such as the nature and condition of the evidence and the advancement of new technology techniques in solving a crime;

    c. Practical considerations, such as the availability of witnesses in the event DNA profile testing would identify a suspect and lead to an arrest and trial;

    d. Resource considerations, such as time, money, and personnel available for investigation and forensic analysis.

2. The lieutenant will assign cold cases and maintain a log on each cold case in which new activity is generated by investigators. Investigators should be assigned case follow-up using the following criteria:

    a. Experience of the investigator

    b. Investigator's area of expertise and training

    c. Investigator's current caseload

    d. New information and technology available

    e. Existing evidence and its quality

    f. Availability of witnesses, suspect(s), and original investigators

    g. Age of the case

C. RECORDING INVESTIGATIVE ACTIONS AND ACTIVITIES

1. Investigators assigned to a cold case will review the original case files and determine the availability of any new information or technology that may provide new leads.

2. Investigators will enter any new actions in the case management notes and document such actions in the required Rapid City Police Department reports, if warranted.

3. If a case is too old to have received a CR number, one will be assigned to cross-reference new reports to the original case.

PURPOSE: To outline the functions of the Juvenile Services Section.

A. JUVENILE OPERATIONAL FUNCTIONS

There shall exist within the Criminal Investigation Division a Juvenile Services Section. This section will be responsible for:

1. Developing, implementing and maintaining programs to prevent and control juvenile crime.
2. Reviewing policies and procedures to assure compliance with legal and accreditation standards.
3. Reviewing juvenile arrests for diversion or prosecution recommendations.
4. Coordinating law enforcement juvenile services.
5. Assisting detectives and field officers in juvenile cases and maintaining liaison with other agencies and organizations interested in juvenile matters.

B. JUVENILE OPERATIONAL RESPONSIBILITIES

1. When the totality of circumstances surrounding a juvenile-related incident indicates a good chance for informal resolution of the situation, a detective handling the case will attempt to divert the child from formal court proceedings and adjudication as a delinquent. The detective however, will make every legal effort to remove the violent or dangerous juvenile offender from the community and secure lawful placement in a secure setting.
2. The Juvenile Services Section will take a proactive approach to juvenile delinquency. This preventive approach is furthered by all officers' participation in public education efforts in the areas of child abuse and delinquency prevention.
3. The Juvenile Services Section will work collaboratively with the Pennington County State's Attorney's Office, the juvenile court, and the Pennington County office of the South Dakota State Department of Social Services to ensure the continuing welfare and protection of juvenile victims and offenders.

C. JUVENILE DELINQUENCY PROGRAM COMMITMENT

1. Because of the special needs of the juvenile offender, this section sets forth policies and procedures relative to handling of youthful offenders, and further establishes the Rapid City

Police Department's commitment to the development and perpetuation of programs designed to prevent and control juvenile delinquency. Although the Department maintains specially trained officers to work with juvenile matters, the responsibility for participating in and supporting the agency's juvenile operations function is shared by all Department components and personnel.

2. The Rapid City Police Department is committed to preventing and controlling juvenile crime through programs designed to deter juveniles' involvement in crimes. This is best accomplished by establishing rapport with them through educational methods; diverting them, if possible, from the criminal justice process at the initial demonstration of criminal proclivity; and utilizing a graduated sanctions approach when dealing with juvenile offenders.

3. The support and enhancement of juvenile operations is the responsibility of all personnel. Employees are required to adhere to procedures for handling juvenile offenders and are encouraged to participate in educational and preventative programs.

D. INPUT FROM JUVENILE AGENCIES

As a part of the liaison process, agency interaction serves to allow professional discussion and observation of various policies, practices and procedures utilized in the handling of juvenile issues. The Juvenile Section shall be constantly open to new ideas and methods successful in dealing with juvenile offenders, and shall recommend policy changes and revisions, as appropriate, based upon the interaction between and among other agencies. School Resource Officers can also be a resource for these activities.

E. ANNUAL EVALUATION OF JUVENILE ENFORCEMENT AND PREVENTION PROGRAMS

An annual internal review of all juvenile procedures and programs will be conducted for needed modification or deletion. The documented review should consider both the quantitative and qualitative elements of each program.

POLICY: Generally, officers have four primary alternatives available to them when dealing with juvenile offenders: the release of the offender with no action being taken; diverting the offender to any of the social service or counseling agencies; issuing a warning themselves; or referring the offender to the States Attorney's Office for prosecutorial action. With regard to the handling of juvenile matters, the Rapid City Police Department will utilize the least restrictive alternative consistent with the preservation of public safety, order, and individual liberty.

A. HANDLING OF JUVENILES

When a juvenile is contacted regarding a violation or crime, the officer will use discretion as to the disposition of the youthful offender with the best interest of the juvenile and public safety in mind. In all cases, the offense will be reported to the Juvenile Services Section. The viable options available to the officer are:

1. The officers may counsel and release juveniles to their parents or a legal guardian if the alleged offense is minor in nature, and circumstances indicate it will be beneficial for the juvenile, and the juvenile understood the wrongdoing.

2. When an officer encounters a juvenile who is under the age of ten, or is over the age of ten and is suspected of committing a minor offense, the officer may elect to issue a juvenile citation in place of either a verbal reprimand or arrest. This essentially results in the juvenile receiving a written warning for their actions. The officer will give the juvenile the back (hard) copy of the juvenile citation.

3. When the offense is one that results in a monetary loss, the victim may agree that the parents of the offender supervise a program for restitution. This can be accomplished either by payment for damages or providing an appropriate type of labor. This agreement is between the victim and the juvenile's parents only. Law enforcement will not monitor the success of any such agreements.

4. When the juvenile appears to have problems at home or school, the officer may make a referral to one of the social service agencies or other non-profit organizations listed in policy 742-04 – Officer Referral Listing.

5. When the circumstances of the offense dictate other options are not practical or feasible, or if the offense is one when committed by an adult would be a felony, involves a weapon, or if the juvenile is presently on parole or probation, and/or the juvenile has a history of criminal acts, the case will be referred to the State’s Attorney's Office for disposition.

B. DIVERSION OF JUVENILES

Officers will consider the following prior to determining what action shall be taken:

1. The nature of the offense;
2. The age and other circumstances surrounding the home life of the juvenile;
3. Criminal record; and
4. Availability of community-based programs and resources.

C. CITATIONS AND SUMMONSES FOR JUVENILES

1. A child cannot be issued a uniform citation for a non-traffic offense except in cases of alcohol, trespassing, disturbing the peace, and other class II misdemeanor offenses NOT involving a victim (such as theft or vandalism). A child under the age of 15 issued a summons should be released to a parent or guardian if possible.
2. All "first time" juveniles who reside in Pennington County charged with shoplifting or petty theft shall be released to a parent if they can be located. This procedure is for juveniles only and each of the criteria listed below must be met in order to implement this policy.
   a. Crimes: The only crimes affected by this order are shoplifting and petty theft.
   b. The value of the property is $100.00 or less.
   c. The property is returnable to the owner, eliminating the need for restitution.
   d. Juveniles under the age of 15 years of age must be released to a parent, guardian, or responsible party.
3. Juveniles whose sole violation is a misdemeanor traffic offense shall be referred to Magistrate Court as if they were an adult, with a court date being set by the officer. No parental contact is required. However, the juvenile must be advised that a parent must accompany them to court if they are required or choose to go to court.
4. In the event a juvenile receives a uniform traffic citation or is arrested for a **combination** of Magistrate and Juvenile Court offenses, the Magistrate Court offenses shall be assigned a court date for Magistrate Court. The juvenile offenses will not have a court date set, but will contain the verbiage "**TO BE SET**" in the court block. Paperwork and citations associated with the charges must contain parental information on the citations or written in the associated report narrative.

D. RELEASE PROCEDURES FOR JUVENILES

Any officer of the Department taking a minor child into custody for any reason shall use the least restrictive alternative available when considering the disposition of said minor. The following is a list of dispositions available to the officer.

1. Any officer of this Department who takes a child into custody for any non-serious offense, may release the minor to a parent, guardian, responsible party, or if issued a summons as outlined in section C above, to their personal recognizance. In any release, an arrest report shall be generated along with all other reports. When a uniform traffic summons is issued, a narrative outlining the details of the offense shall be completed.

2. Any officer of this Department who takes a juvenile minor into custody may recommend that the minor be diverted from the Juvenile Court system.

3. This Department may recommend to the State's Attorney's Office that a juvenile offender be referred to the Juvenile Court when considering the seriousness of the crime committed, whether the juvenile has been diverted on other occasions, and whether the juvenile has been counseled and released on a juvenile offense prior to his most recent arrest. Generally, referrals to the Juvenile Court will be recommended when other alternatives have failed, the juvenile is a recidivist or the crime is of a serious nature.

4. All decisions regarding the disposition of juvenile cases shall be made with the best interest of the juvenile in mind with due consideration being given to public safety. It will be the responsibility of all officers of this Department to follow certain criteria established to decide which juvenile offenders will be referred to the Juvenile Court.

5. In all cases when a juvenile is taken into temporary or protective custody, the officer will, in accordance with SDCL 26-7A-15, notify a parent or guardian of the circumstances of the custody. In the event a parent or guardian is not available, the officer will notify the States Attorney's Office via report that an attempt was made to do so.

E. REFERRAL OF JUVENILE OFFENDERS TO INTAKE

Certain juvenile arrests will generally be referred to the State's Attorney's Office for prosecution. These same offenders will generally be taken to the Juvenile Services Center for processing. Among these offenders are:

1. Any juvenile who has been arrested for a crime which would be considered a felony if committed by an adult.

2. Any juvenile offender arrested by a member of this Department, for any offense involving any dangerous weapons. (i.e. knives, nunchakus, handguns, throwing stars, slingshots, etc.)

3. Any juvenile offender arrested by any member of this Department for any offense involving a **gang-related** delinquent offense.

4. Any juvenile offender arrested by any member of this Department for a crime of violence resulting in injury to the victim.

5. Any juvenile offender previously placed on probation or parole, for any delinquent offense, or has a juvenile case pending at the Juvenile Court.

6. Any juvenile offender arrested for a second delinquent offense within the past 12 months.

7. Any juvenile offender previously charged with a violation on the Department's Juvenile Citation system may be referred to the State's Attorney's Office for prosecution.

F. PROCESSING OF JUVENILES IN CUSTODY

1. When a juvenile is taken into custody, the juvenile shall be taken to the Juvenile Services Center without unnecessary delay unless medical attention is required, at which time appropriate action will be taken. A parent or guardian shall be notified as soon as possible at the time of arrest. If a parent or guardian cannot be notified the Juvenile Services Personnel will be advised no contact was made with the parents.

2. Be certain to obtain all information available on the parents of juvenile suspects when they are arrested or mentioned as suspects in reports. Such information as the work phone numbers and addresses of both parents is necessary for follow-up investigations relating to juveniles. This information should be documented on the arrest report or included in a narrative. When the child does not know the information and the hour is such that you can contact the parent for the information, do so.

G. CUSTODIAL INTERROGATION OF JUVENILES

1. When conducting an interview, it is best to limit the number of police officers to one if possible, limit the duration of interview, and if appropriate, explain the agency and Juvenile Justice System procedures to the juvenile.

2. If questioning is necessary, it is most helpful to solicit the support of the parents. This can be accomplished by first advising the parents, not in the presence of the juvenile, of the Department and Juvenile Justice procedures, of the details of the case, or in some cases, having the parents read the actual report.

3. When a juvenile in custody is to be questioned regarding a crime in which he is a suspect, the child must be advised of their rights pursuant to Miranda. A reasonable attempt must be made to locate a parent or guardian to advise them of those rights either in person or by telephone. ***Furthermore, those rights must be waived by both child and parent/guardian before questioning if the statements/admissions obtained are to be admissible in court.*** **No Miranda** is necessary for non-custodial situations, but parental consent should still be sought.

PURPOSE: To outline the conditions and procedures for taking temporary custody of juveniles.

A. TAKING CUSTODY OF JUVENILES

1. Protective Custody: When a juvenile is being taken into protective custody for any reason, e.g., victim of abuse, neglect, or outside placement by Social Services, the officer will complete a Custody Report.

2. Child Abuse: A fine line often exists between proper parental discipline and physical abuse. The distinction may be made further unclear by cultural practices, personal opinion, medical technicalities and other issues.

3. The Police Department is responsible to conduct the investigation of alleged criminal offenses, gather and maintain evidence, present cases for criminal filing, and assist in the protection of all victims of child abuse.

   a. Notification:

      (1) The Department shall notify Social Services immediately of any case of alleged child abuse.

      (2) The State's Attorney's Office will be notified in child death cases resulting from non-accidental trauma or severe neglect.

      (3) The State's Attorney's Office is available for consultation in the following cases:

         (a) Child abuse cases involving bodily injury; and

         (b) Complex cases involving sexual assaults on children or physical abuse.

      (4) The medical facility should be notified prior to transporting the victim.

   b. Response:

      (1) Upon receipt of a report alleging child abuse, the Department will dispatch a patrol officer to make an initial assessment.

      (2) The first priority of the officer is the child's protection. Therefore, the officer will make every effort to view and interview the child involved. Officer will use whatever legal means are available to them when denied access to the child.

(3) Gather evidence.

c. Protective custody:

(1) Law enforcement officers and the courts are the only parties who can place a protective hold on a child.

(a) If circumstances allow, it is strongly encouraged that the officer make contact with a Social Services caseworker prior to placing a hold.

(b) Once a hold is placed, the caseworker must contact a Juvenile Court Judge for placement of the child in a temporary facility.

(c) If the officer decides not to place a hold on the child and the Social Services worker decides to request a court-ordered hold, the officer shall remain and assist in enforcing the court order.

(2) Guidelines for consideration in placing a protective hold:

(a) The maltreatment in the home, whether present or potential, is such that a child could suffer permanent damage to body or mind if left there.

(b) Although a child is in immediate need of medical or psychiatric care, the parents refuse to obtain it.

(c) A child's physical and/or emotional damage is such that the child needs an extremely-supportive environment in which to recuperate.

(d) A child's sex, age, physical or mental condition renders the child incapable of self-protection or for some reason constitutes a characteristic the parents find completely intolerable.

(e) Evidence suggests the parents are torturing the child, or systematically resorting to physical force, which bears no relation to reasonable discipline.

(f) The physical environment of the home poses an immediate threat to the child.

(g) Evidence suggests parental anger and concern with the investigation will be directed toward the child in the form of retaliation against the child.

(h) Evidence suggests the parent or parents are so out of touch with reality they cannot provide for the basic needs of the child.

(i) Evidence suggests the parent or parents' physical condition poses a threat to the child.

(j) The family has a history of hiding the child from outsiders.

(k) The family has a history of prior incidents or allegations of abuse or neglect.

(l) The parents are completely unwilling to cooperate in the investigation or to maintain a contact with any social service agency and may flee the jurisdiction.

(m) If a parent is a suspect in an alleged abuse and the spouse is unable and/or unwilling to protect the child from the suspect.

(n) Parent or parents abandon the child.

(o) Parent/guardian's explanation of injuries is inconsistent with the findings of the investigation.

(p) Any other circumstances, which the officer believes would demonstrate the child(ren) would be in jeopardy if left in the environment.

(3) Strong consideration should be given to placing a protective hold on other children in the environment in cases of child death, serious physical abuse, or sexual abuse. The officer should discuss the necessity for a protective hold on other children with the Social Services caseworker.

(4) When circumstances exist in which an agreement cannot be reached by the officer and the Social Services caseworker concerning placing the hold, the State's Attorney or a designee, or the Juvenile Court Judge shall be consulted.

d. Documentation:

All child abuse calls, founded or unfounded, will be thoroughly documented. A copy of the report will then be sent to the Department of Social Services and the Criminal Investigation Division.

POLICY: The Rapid City Police Department, in cooperation with the Pennington County Sheriff's Department and the Rapid City School District, will provide specially trained School Liaison Officers to various schools within the respective jurisdictions for the purpose of providing assistance to the school's administrators and parents, instruction to students, investigation of criminal activity, and dealing with other police matters concerning the schools or students.

The Rapid City Police Department and the Pennington County Sheriff's Office currently provide School Liaison Officers to all area Middle and High Schools.

PROCEDURAL GUIDELINES:

A. ADMINISTRATION AND ORGANIZATION

1. The School Liaison Officer program is administered jointly between the Pennington County Sheriff's Office and the Rapid City Police Department. Police officers assigned to the School Liaison Program are assigned to the Field Services Division under the direction of the Division Commander. Officers shall be commissioned as Deputy Sheriffs for the Pennington County Sheriff's Office. Police Officers are answerable to the Rapid City Police Department chain of command:

    a. School Liaison Sergeant, Rapid City Police Department

    b. Field Services Lieutenant, Rapid City Police Department

    c. Field Services Captain, Rapid City Police Department

    d. Chief of Police, Rapid City Police Department

B. PURPOSE - PHILOSOPHY STATEMENT

1. Within our society, the school holds a central place among agencies, which affect the ideas and activities of children. Beyond the family, they are the first institution, which has the opportunity to perceive and analyze the problems of children. It is logical therefore, if outward symptoms of anti-social behavior (juvenile delinquency) are discernible at the school level, then it is appropriate to implement a program aimed primarily at prevention of this behavior through education, communication, and understanding between the school, the youth, the police and the community.

2. The concept of the Police School Liaison Officer Program may be defined within several areas. The Officer is visualized as a law enforcement officer, who by definition has an obligation to serve, protect, and uphold the law, in addition to being a counselor, resource person, and educational aid. Police, students, and educators alike feel the Liaison Officer should fulfill an important task as a resident contact person, counselor, and listener of youth with personal problems, which they could bring to them. This role is not carried on in competition with the authorized school guidance counselors, but focuses primarily on those issues involving activities, which are beyond the scope of the school counselor's traditional areas of expertise, i.e., those of a criminal justice nature. Close cooperation with the school counselors is imperative to develop a broad understanding of a youth's particular situation.

3. The School Liaison Officer fulfills the role of a Law Enforcement Officer by the investigation of crimes perpetrated by juveniles, against juveniles, and against schools. The School Liaison Officer also investigates Child Protective issues such as, but not limited to physical and/or sexual abuse, and child neglect.

4. The School Liaison Officer also acts as a resource person to/for the student, their family, the school, and the community.

5. A third role is as a referral agent. The School Liaison Officer should be intimately acquainted with the resources available on the local level to young people and their families. A major part of this function would be to get people in contact with various outside agencies with the ability to aid them in matters, which are beyond the School Liaison Officer's scope to resolve.

6. The School Liaison Officer serves an educational function by assisting in the presentation of classes and courses designed to acquaint students and faculty with the law, local jurisprudence, and other areas of interest.

C. RESPONSIBILITIES

The Rapid City Police Department School Liaison Officer:

1. Is under the direct supervision of the School Liaison Sergeant under the Field Services Division Commander.

2. Investigates criminal matters involving the schools or students as directed during school year, with emphasis on prevention rather than detention.

3. Investigates criminal cases as assigned by the Criminal Investigation Division during periods when school is in recess.

4. Takes appropriate law enforcement actions for violations of laws and ordinances, as well as violations of school rules, which are also violations of State law or local ordinances. The actions may include referral to school administrators for school action.

5. Works with the Juvenile Court, police agencies, Department of Social Services, and other agencies concerned with juvenile crime prevention.

6. Works with the Patrol Division of the Police Department concerning traffic control around the school buildings where safety of students is involved.

7. Assists school administrators in the quasi-police tasks such as break-ins, thefts, etc.

8. Assists school personnel in supervising after school and evening activities involving students.

9. Identifies out-of-school youths and adults who loiter around school buildings, and removes them if necessary.

10. Communicates with parents when they observe situations or gain information that will assist the parent in promoting the health, safety and general welfare of children.

11. Serves as a member of the guidance team with administrators, counselors, parents, welfare, delinquency prevention agencies, and others.

12. Serves as a resource person to school personnel in preventing juvenile delinquency.

13. Works with the staff at the schools in maintaining maximum school safety and security.

14. Presents numerous programs in the areas of Laws, Search and Seizure, Police-Community Relations, etc., to students and faculty.

15. Has the responsibility to work with the elementary "feeder" schools. School Liaison Officers will also work closely with each other, regardless of their school affiliation.

D. GOALS AND OBJECTIVES

1. To decrease the amount of future crime, by a concentrated crime prevention effort aimed at the senior high, middle school, and elementary level students.

    a. To give students an opportunity to be acquainted with a Police Officer or Deputy in an informal, non-authoritarian setting by placing a School Liaison Officer within the school or the feeder system.

    b. To allow any students, who so desires, to privately converse with a School Liaison Officer conveniently at school. Many students have personal questions relative to the law, the school, and the community, which they may not care to air in a school setting.

    c. To allow students the opportunity to discuss, with the Liaison Officer, conditions in the community they feel affects them negatively.

    d. To provide classroom presentations and discussion periods with students in areas of mutual concern.

    e. To provide for parent/student conferences, in a school setting rather than the Public Safety Building, which is in some cases may be more comfortable for the student and the parents.

    f. Provide the opportunity to appropriately divert students from the Juvenile Justice System and to assure adequate follow-up to diversion by the School Liaison Officer, if needed.

    g. To provide an opportunity for other police officers to better understand the actions and problems of the youths in the community.

    h. To provide teachers, administrators, and other school officials information concerning the law and to answer other questions they may have about the Juvenile Justice System, where deemed appropriate.

    i. To conduct in-service and roll-call training to other police officers concerning problems and perspectives of youth.

j. To identify serious habitual offenders and formulate comprehensive dispositions in concert with Court Services, school officials, social services, parents, and appropriate interested parties.

2. To increase the reporting of crimes committed against youth and their property; and to increase the reporting of physical and sexual child abuse and/or neglect.

   a. To provide a convenient and confidential setting wherein a student or school staff member may feel at ease in reporting crimes against themselves or property.

   b. The School Liaison Officer will help youth deal with concerns brought to their attention in cooperation with other agencies as needed.

   c. The School Liaison Officer will help educators become aware of reportable crimes against students and will make or assist other educators in presentations pertaining to the reporting of these crimes.

   d. The School Liaison Officer will provide appropriate feedback information on referrals received as to disposition of cases where this does not violate any confidentiality provisions.

3. To decrease the number of crimes committed in schools or near school property.

   a. To provide preventative patrol in the school area in order to reduce loitering on the school premises, drug and alcohol traffic, assaults, and other actions of delinquent behavior. The School Liaison Officer will not be used as an arm of school discipline, except they may become directly involved in instances where violations of school rules and or policies are also violations of State law or local ordinances.

   b. To provide personal preventative patrol for special school functions such as athletic events, school dances, band concerts, etc.

   c. To contact or assist any persons living in, or businesses operating in, school areas and having difficulty with students from a particular school.

4. To help youth and adults view the police department as an agency serving all citizens by an emphasis on community policing activities.

   a. To provide the students, parents, faculty, and other concerned community members input to aid the police in establishing certain written guidelines relative to handling of juvenile matters, especially in the area of student/police contacts within the school.

   b. To enable the School Liaison Officer to maintain regular contacts with representatives of youth serving agencies to coordinate prevention efforts.

   c. To make presentations before community groups and service clubs, parent groups, etc.

E. POLICE/SCHOOL GUIDELINES

1. Police Conduct in Schools:

a. The School Liaison Officer is a sworn law enforcement position. Liaisons may be attired in plain clothes or in uniform, as the situation dictates. Officers shall carry duty firearms as required by policy. Care should be exercised to conceal the firearm when an officer is in plain clothes and is out of the school building.

b. There should be no effort to have parents, students, or others believe the School Liaison Officer is not a law enforcement officer.

c. School Liaison Officers have a professional responsibility to conduct themselves in a courteous, purposeful, and cooperative manner.

d. Disagreements between a School Liaison Officer and school officials should be arbitrated privately between involved police and school staff. Failures to reach a mutually satisfactory course of action should be resolved by referral to appropriate supervisors.

e. The School Liaison Officer should request the permission of appropriate school administrators prior to removing a student from class for interviewing. The School Liaison Officer should notify the school principal prior to taking a student into custody. If this is not practical, notification, within the scope of juvenile confidentiality, should take place at the first appropriate time.

2. In School Interviewing:

a. Interviews will be conducted in accordance with Department Policy 615-02 G.

b. The School Liaison Officer should contact the designated school official prior to contacting a student or staff person for the purpose of conducting an interview/interrogation.

c. The School Liaison Officer should have arrangements with the school whereas the student is not called directly to their office over a public address system. This is to forestall any potential embarrassment as the result of the police contact.

d. The interview/interrogation setting should be one ensuring privacy and confidentiality.

e. Information about the School Liaison Officer contact may be shared with appropriate school officials if and when relevant, and when there is no violation of those provisions of South Dakota codified law relating to confidentiality privileges.

f. Under normal circumstances, parents will be notified prior to interviewing a child about their involvement in an offense. It is recommended, but not required, that parents be notified if their child is to be interviewed as a witness, victim, or reporting party to an offense.

g. In instances where a child is a witness or victim, and parental cooperation is less than adequate, guidelines for interviewing witnesses or victims will apply.

h. Interviews/interrogations may be conducted with school staff present, if circumstances indicate such a necessity.

i. Situations may occur, which make it more appropriate to conduct an interview/interrogation away from the school setting. An appropriate interview area should be available at the Public Safety Building for those situations.

j. The child's rights of confidentiality and privacy must be respected.

k. During interviews of school staff members, either as victims or suspects, Department policy on interviews/interrogations shall apply.

3. Disposition of Cases:

a. The School Liaison Officer has a variety of options in determining the appropriate resolution of cases. The School Liaison Officer shall consider the facts of the particular offense, the juvenile's past record and past dispositions, the attitude of child, parents, as well as other pertinent information, when determining an appropriate disposition.

b. Disposition of juvenile cases may be:

(1) Counsel and Release:

In a minor offense, specifically with younger children where it appears there is no need for additional corrective measures, the officer may dispose of the complaint by warning and releasing the juvenile. Juvenile citations will be issued at the officer's discretion.

(2) Referral to School Counselor, Community Agency, Outside Agency:

Offenders, for misdemeanor or status offenses, may be referred to community agencies (example: Runaway Diversion). In situations where a juvenile has a caseworker and it is felt a new court referral is not necessary, the complaint may be referred to the juvenile's caseworker. A wide variety of situations may be referred to the school administration for appropriate resolution, as well.

(3) Citations:

In all cases where a citation is determined to be appropriate, Department policy shall be followed.

(4) Taking into Custody:

Juveniles may be taken into custody in accordance with Department policy and appropriate state law.

(5) Juvenile Petitions may be requested for juveniles through the appropriate channels.

(6) Referral to Protective Service Units (Department of Social Services):

In all complaints concerning abuse, neglect, or dependency, referrals shall be made to the Department of Social Services immediately. Even after such referral is made, law enforcement may still be obligated to investigate such complaints.

(7) Referral to other Police Agencies:

Offenses involving runaways and minor offenders from other jurisdictions, where referral to court would not normally be used may be appropriately referred to the law enforcement agency where the child lives.

(8) Referral to other Counties:

Incidents involving juveniles residing in other counties, and where no local charges will be filed, may be referred to the appropriate law enforcement agencies in the county in which they reside. When a juvenile has been taken into custody, the State's Attorney has the discretion to refer the charge to the resident county for action.

(9) Dismissal:

Complaints proved unfounded or in which the suspected juvenile is found to be not involved, shall be closed as "Unfounded," or a recommendation shall be made to have the complaint dismissed.

4. Taking into Custody:

a. There will be times when it is appropriate and necessary for the School Liaison Officer to take a student into custody from the school setting. Any taking into custody will be in accordance with appropriate state law and Department policy.

b. The School Liaison Officer may use appropriate force when taking a person into custody.

c. Students or others taken into custody will normally be transported by a uniformed officer from the Field Services Division. Transport of persons taken into custody will be governed by the pertinent Department policy.

d. If the School Liaison Officer is unable to accompany the transporting officer, they will contact Juvenile Services personnel as soon as practical with pertinent information regarding the circumstances of the arrest and of the suspect's behavior, attitude, and other information needed by the Juvenile Services Center personnel for proper processing and intake.

5. Child Abuse and Neglect

a. The School Liaison Officer may become involved in child abuse/neglect cases because of their close association with the child's school environment. SDCL 26-10-10 specifies certain persons, including school nurses, counselors, teachers, administrators, and school social workers must report incidents of abuse if they have reasonable cause to believe a child has been a victim.

b. Complaints may be received from a variety of sources, including the victim, friends, relatives, doctors, counselors, or they may be initiated by the School Liaison Officer.

c. Complaints should be investigated as soon as possible, not only to protect the child, but as a practical procedure for obtaining necessary evidence.

d. Investigations of child abuse/neglect will be in accordance with Department policy.

e. Photographs, when appropriate, will be taken by the investigating School Liaison Officer, using the camera provided for such instances.

f. If legal requirements are met, the child will be placed into Protective Custody by the School Liaison Officer. The School Liaison Officer should also be aware there may be other siblings in the residence in similar need, and appropriate measures should be taken to insure their safety.

g. The Department of Social Services shall be notified immediately.

6. Truancy:

   a. Truancy complaints will normally be referred to the School District's Truancy Officer for handling.

   b. In unusual situations involving truancy, which may include suspected instances of child abuse/neglect, it is appropriate for the School Liaison Officer to become involved in investigating the incident.

   c. The School Liaison Officer may provide the Truancy Officer with assistance when requested.

   d. In certain instances, the School Liaison Officer may be requested to take a truant into custody. This cannot be done, as it is not allowed by state law, without an associated violation of court order being filed.

7. Juvenile Records:

   a. Juvenile records will be handled in accordance with Department policy and applicable State law.

   b. South Dakota Codified Law, 26-7A-27, governs the confidentiality of juvenile records, specifically:

      The records of law enforcement officers and agencies concerning all children taken into temporary custody or issued a summons or citation under this chapter or chapters 26-8A, 26-8B, or 26-8C shall be maintained separately from the records of arrest and any other records regarding detention of adult persons. The records concerning children, including their names, may not be inspected by or disclosed to the public except:

      (1) By order of the court;

      (2) When the court orders the child to be held for criminal proceedings, as provided in 26-11;

      (3) If there has been a criminal conviction and a pre-sentence investigation is being made on an application for probation; or

      (4) Any child or the child's parent or guardian may authorize the release of records to representatives of the United States military for the purposes of enlistment into the military service.

   c. The confidential exchange of information between the police (School Liaison Officer), other law enforcement agencies and social service agencies is otherwise not prohibited.

   d. The Chief of Police, Sheriff, or their designee, in conjunction with the school administration, shall designate persons who are entitled to receive information, which is not prohibited from disclosure.

8. School Searches:

   a. The School Liaison Officer, like any law enforcement officer, can conduct searches within the parameters as defined by law and Department policy.

   b. Searches and Seizures are authorized:

(1) Incidental to a lawful arrest;

(2) With consent;

(3) Pursuant to a valid search warrant;

(4) With the authority and within the scope of a right of lawful inspection; or

(5) As otherwise authorized by law.

c. The School Liaison Officer may assist school officials in conducting searches of school property at the request of the appropriate school official.

F. SPECIFIC REQUIREMENTS OF THE SCHOOL LIAISON PROGRAM

1. The School Liaison Officer will have an office located at the respective high school or middle school. This office should provide for the confidentiality of any person in the office, and for the confidentiality and privacy during any interviews or interrogations taking place.

2. This office shall be equipped with normal office amenities, to include a telephone and computer. The telephone line should preferably not be a shared line because of the amount of time a School Liaison Officer may need to spend on the telephone.

3. The School Liaison Officer will be assigned an individual unmarked vehicle, equipped with appropriate emergency equipment.

4. The School Liaison Officer will be assigned an individual handheld radio. Schools utilizing a portable radio system for administration and security purposes will provide the Liaison Officer with a radio.

G. QUALIFICATIONS OF SCHOOL LIAISON OFFICER

1. An officer will have qualifications acceptable to both the Department and the School District.

2. A School Liaison Officer candidate will display an above average ability to deal with juveniles, parents, and others.

3. A School Liaison Officer candidate will have demonstrated experience in law enforcement from either a patrol or investigative standpoint.

4. Prior training in juvenile investigations and related areas pertaining to criminal investigations is important, but not a prerequisite.

5. A School Liaison Officer candidate will have a minimum of three years law enforcement experience with the Department, or a combination of three years of experience with an agency of similar size, population, and other areas similar to this jurisdiction AND have successfully completed their probationary period.

6. A School Liaison Officer candidate will have a demonstrated capability to work effectively with a variety of agencies within the scope of the duties of the Liaison program.

7. A School Liaison Officer candidate will have a demonstrated ability to be a "team player," i.e., the ability to fulfill the multiple roles associated with the School Liaison Officer program.

8. A School Liaison Officer candidate must recognize an arrest is considered a last resort, and previously demonstrated, during their law enforcement experience, they have experience in utilizing discretionary powers. An officer seen by their peers as making arrests "at all costs" should be viewed with great scrutiny.

H. SELECTION PROCEDURE

1. Candidate must submit a detailed resumé outlining previous law enforcement experience, training, positions held, supervisory duties, if any, and any other pertinent information.

2. Candidate must submit a detailed letter explaining their interest and expectations of the School Liaison program.

3. Candidates must have the recommendation of their immediate supervisor and commander.

4. Candidates will undergo an Oral Interview Board to answer specific questions about their interest, experience, understanding of the position, and any other pertinent information.

   a. The Oral Interview Board will consist of at least three members, one of whom will be a school principal.

   b. Oral Interview scoring will be consistent with established Department guidelines.

5. The candidate's resumé, letter of intent, oral interview ranking, peer/supervisor review, disciplinary records, and such other information as may be pertinent, will be reviewed by respective Division Commanders, and a recommendation made to the Chief of Police.

6. Candidates may be subject to additional interviews by members of the School District, including Principals at various schools or other officials.

7. The final determination will be made by the Chief of Police.

I. LIAISON RECORDS

1. Each School Liaison Officer will keep records of contacts with students, parents, faculty, and others. These records will be maintained as an activity log, listing date, time, names, incident, disposition, and such other information as may be needed to document the officer's activities.

2. These records will be maintained in accordance with Department policy and applicable State law regarding Juvenile Records.

3. These records shall be maintained for a length of time as determined by State law, Department policy, or at the discretion of the Records Manager.

4. Each School Liaison Officer will keep a classroom log, indicating classroom presentations, programs, and other activities they have made during the school year. This log will include the date, grade level, teacher or group, and the topic of the presentation or program.

5. Lesson plans for classes, as well as appropriate classroom materials (handouts, videos, etc.) shall be maintained at a central location accessible by all Liaison Officers.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.: 615-05	**SECTION:** Juvenile Operations	**PAGE NO.:** 1 OF 1
ORDER NO.: 13-03	**SUBJECT:** Operation Inform	
SUPERSEDES: 08-01	**EFFECTIVE:** 08-27-13	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

Deleted: 08-27-13

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
615-06	Juvenile Operations	1 OF 6
ORDER NO.: 10-04	**SUBJECT:** School Threat Assessment Response (S.T.A.R.) Protocol	
SUPERSEDES: 08-01	**EFFECTIVE:** 08-12-10	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

MISSION STATEMENT: This protocol is designed to provide for **a mechanism to assure threats of violence in a school environment are addressed**, whenever possible, before they occur. The process necessarily involves a variety of elements, ranging from student, parent, teacher, staff member and administration involvement to law enforcement and other criminal justice component participation. The protocol is designed specifically for those violence issues affecting schools and the students who attend those schools. It is intended to identify **credible threats of violence** and address those threats, and the individual making the threat before the threat is carried out.

NOTE: This protocol is applicable during any school sponsored event or function, whether the event or function is on school property or not.

DEFINITIONS: For purposes of this protocol, the following definitions apply:

1. **Threatened Act of Violence**: Any threat or action suggesting the possibility a **serious physical injury or death may be caused to another.**

2. Rapid City Area School **Staff Member**: **Any employee** of the Rapid City School District.

3. Rapid City Area School **Administrator**: Any Rapid City School District **Principal or their designee.**

4. **STAR Team Members**: STAR Team **officers and deputies**, responsible for first response and threat assessment, shall include all Rapid City Police Department and Pennington County Sheriff's Office School Liaison Officers. These personnel shall be referred to generally as STAR Team Officers. Additionally, the STAR Team shall consist of three **designated prosecutors** from the Pennington County State's Attorney's Office, who shall be referred to as STAR Team prosecutors.

5. **STAR Team Coordinators**: The coordinators of the STAR Team, responsible for oversight of this protocol, shall include the Pennington County State's Attorney, or designee, the Rapid City Police Department Chief of Police or designee, and the Pennington County Sheriff or designee.

PROCEDURE: The following procedure is separated into several sections in order to reflect those instances where a threatened act of violence may be received by specific individuals.

1. Any Rapid City Area school **student,** upon receiving information that a person is threatening to commit an act of violence, shall:

   a. **Assume the threat is serious**;

   b. Immediately **report the threat** to a parent or guardian, school staff member, school administrator or law enforcement officer;

c. Be available and cooperative in **providing a statement of information,** with the understanding the information source (the student) will remain anonymous to the greatest extent possible.

2. Any Rapid City Area school **parent or guardian,** upon receiving information that a person is threatening to commit an act of violence, are encouraged to:

   a. **Assume the threat is serious**;

   b. Immediately **report the threat** to a school staff member, school administrator or law enforcement officer;

   c. Be available and cooperative in **providing a statement of information,** with the understanding the information source (the parent or guardian) will remain anonymous to the greatest extent possible.

3. Any Rapid City Area School **Staff Member,** upon receiving information a person is threatening to commit an act of violence, shall:

   a. **Assume the threat is serious**;

   b. Immediately **report the threat** to the school administrator or their designee;

   c. Be available and cooperative in **providing a statement of information,** with the understanding the information source (the staff member) will remain anonymous to the greatest extent possible.

4. Any Rapid City Area School **Administrator,** upon receiving information a person is threatening to commit an act of violence, shall:

   a. **Assume the threat is serious**;

   b. **Cause the student making the threat,** if said student is on campus, **to be immediately removed from the classroom and segregated into a secured area** pending further investigation;

   c. **Immediately notify the STAR Team Officer assigned to the school** and provide the team member with complete information regarding the threat received;

   d. **Secure a written statement** from the school staff member, regarding the information received.

5. The STAR Team **Officer,** upon being notified that a threat to commit an act of violence has occurred, shall:

   a. **Assume the threat is serious**;

   b. Immediately **conduct an assessment interview** of the subject making the threat. This **assessment interview will include** at least one STAR Team **Officer and the administrator** or designee.

   Note: The primary **purpose of the interview** is to engage in an **assessment of the available information**, in an attempt to determine the **veracity of the threat,** in order to decide what level of **follow-up action** is needed and appropriate.

6. Once the assessment is complete, the STAR Team **Officer and administrator** shall convene privately to **discuss the threat and consider options for follow-up action:**

a. If it is agreed **the threat is credible,** the STAR Team Officer shall immediately **contact a STAR Team Prosecutor** to discuss possible options for the subject making the threat. These **options** may include, but are not necessarily limited to:

(1) Contacting the subject's parent(s) or guardian for input and assistance, including potential **voluntary committal** of the subject making the threat, or **voluntary placement** in a juvenile diversion program through the State's Attorney's Office;

(2) Application of the Child in Need of Supervision **(C.H.I.N.S.)** process through parental or guardian assistance, or through the State's Attorney's Office.

(3) Communication between the STAR Team Prosecutor and the school administrator regarding **school sanctions.**

(4) Arrest and incarceration of the subject for Disturbance of School;

(5) **Arrest** and incarceration of the subject for **Disorderly Conduct;**

(6) **Arrest** and incarceration of the subject for **simple or aggravated assault;**

(7) **Arrest** and incarceration of the subject for **probation violation,** if the student is a court ordered probationer;

(8) **Placement** of the subject at the psychiatric unit on an **involuntary mental hold.**

b. If agreed **the threat is not credible,** or does not require application of the options listed in section "A," the **school administrator shall assume responsibility to institute any further action deemed necessary.**

7. Once an option is chosen and initiated, the STAR Team Members involved in the process shall engage in fulfilling the **reporting requirements** associated with the action taken:

a. The STAR Team Member, upon exercising any of the aforementioned options, shall immediately complete reports relevant to the event and the action taken and assure that copies of these documents are provided to:

(1) The State's Attorney's Office;

(2) The involved School Administrator;

(3) The STAR Team coordinators.

b. Original reports are to be routed through the law enforcement records management system per usual procedure.

8. After-Action Considerations:

a. Periodically, as deemed necessary by the STAR Team Coordinators, **a meeting will be held to discuss recent STAR cases, in order to determine the effectiveness of this protocol.** Meeting attendees should include:

(1) The Pennington County State's Attorney or designee;

(2) The Rapid City Police Department Chief of Police or designee:

(3) The Rapid City Area School District Superintendent or designee;

(4) The Chief Court Services Officer or designee;

(5) The Pennington County Sheriff or designee;

(6) Designated STAR Officers.

ANNEX A
SCHOOL THREAT ASSESSMENT RESPONSE (S.T.A.R.)

A. RESPONSE TO BOMB THREATS OR THREATS OF MULTIPLE VICTIM VIOLENCE

Procedure: When events occur involving **threats to detonate explosive devices in schools, or cause mass casualties through the use of weapons or explosive devices,** the following action will be taken:

1. **The person who becomes aware of the threat will immediately contact the school principal** or their designee and make them aware of the substance and content of the threat.

2. **The school principal or their designee will immediately activate the Threat Assessment Response Team** by contacting the school superintendent's office or one of the team members. The first team member notified is responsible for notification of other team members. Threat Assessment Team Members include:

   a. The commander of the Rapid City Police Department Criminal Investigation Division, or his designee.

   b. The Pennington County Sheriff's Office Chief Deputy, or his designee.

   c. The Assistant Superintendent of Schools, or his/her designee.

   d. Department Clinical Psychologist.

3. Once the Response Team has been activated, **Response Team members will meet with the principal at the involved school, or other designated location, and assess the threat** to determine subsequent response.

   a. The Response Team will **review all pertinent and available information,** including:

      (1) The nature and specificity of the threat;

      (2) The method through which the threat was delivered or communicated;

      (3) Students attending the school who are known or suspected to be potentially dangerous;

      (4) Any history of prior threats made at the school;

      (5) Recent activities, incidents or events at the school that may be connected to the threat;

      (6) The potential for disruption of school and school related activities;

      (7) The level of anxiety among staff, students and parents, as a direct result of the threat;

      (8) The probability of prompt identification of the person making the threat;

      (9) Existing school contingency plans for dealing with threat events.

   b. The Response Team will **recommend a course of action** that attempts to ensure a reasonable level of safety for students and staff, while at the same time providing for a minimal disruption of the education process.

4. This course of action may include one or more of the following **options:**

a. Immediate **evacuation or dismissal of school** at a specific time;

b. **Deployment of uniformed law enforcement personnel into the school** to assist with evacuation of students, search of the school for explosive devices, or other functions, as determined by the Response Team;

c. Mobilization of **canine units** to assist in the search of the school for explosive devices;

d. **Deployment of officers for additional security** while school remains in session;

e. **Assigning of criminal investigators** to assist the school's liaison officer in the investigation of the threat.

(1) The investigation will focus on determining those responsible for making the threat, the motivation behind the threat, and the threat potential.

(2) All information gained will immediately be forwarded to the Response Team for evaluation and assessment.

5. Upon completion of the assessment by the Response Team, a report will be completed by the school's assigned liaison officer, or other person designated by the Response Team, this report to include details concerning the response and the action taken. **This report will be processed as a S.T.A.R. event.**

6. **Media release information** will be the responsibility of either the Rapid City Police Department's Public Information Officer or the Rapid City School District Administration. This determination will be made by response team members based upon the incident or event.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:		PAGE NO.:
615-07	Juvenile Operations		1 OF 3
ORDER NO.:	**SUBJECT:**		
10-04	Amber Alert		
SUPERSEDES:	**EFFECTIVE:**	**APPROVED BY:**	
08-01	08-12-10	Chief of Police Karl Jegeris	
CALEA STANDARDS:			
41.2.6			

PURPOSE: To provide rapid response to any reported child abduction incident utilizing a partnership between law enforcement and local broadcasters. This is accomplished by sending an emergency alert to the public seeking their help in safely recovering the abducted child.

POLICY: The Rapid City Police Department's policy is to provide for the immediate recovery of abducted children and the apprehension of the person or persons responsible for such abduction utilizing the Amber Alert system.

A. ACTIVATION OF THE AMBER ALERT SYSTEM

1. In any missing or abducted juvenile case, ensure the child's information is immediately entered into NCIC as missing/abducted/endangered or other applicable designation. For further information regarding this process, refer to policy 613-04 – Missing Persons.

2. Once the Rapid City Police Department is notified about an abducted child, it must be determined if the case meets the AMBER Plan's criteria for triggering an alert. There are three critical factors that must be met before we can make the alert:

   a. A Law Enforcement Officer confirms a child has been abducted, and a report taken.

   b. A Law Enforcement Officer believes the circumstances surrounding the abduction indicate the child is in danger of serious bodily harm or death.

   c. There is enough descriptive information about the child, abductor and/or suspect's vehicle to believe an immediate broadcast alert will help find the child.

3. If these criteria are met, alert information must be put together for public distribution. This information can include descriptions and pictures of the missing child, the suspected abductor, a suspected vehicle, and any other information available and valuable to identifying the child and suspect.

4. Once the decision is made to make the Amber Alert, the on-duty Supervisor will request a statewide South Dakota Child Abduction Amber Alert by calling State Radio and talking directly to a designated 24-hour on-call Division of Criminal Investigation (DCI) person (605-773-3536). The DCI person will contact the DCI Director or DCI Assistant Director to evaluate the request. DCI is also South Dakota's point of contact for missing children notifications from the National Center for Missing and Exploited Children. During the initial contact with DCI, the supervisor will be asked if there is a need to activate the DCI "Call Center." The Call Center is a bank of phone and computer terminals to handle incoming information and tips related to the Amber Alert. The supervisor will need to determine whether ESCC is staffed well enough to handle the influx of associated calls responding to the Alert. DCI will then contact the South Dakota Public Radio/Television System in Vermillion, SD where the information will be encoded and sent through their system to the appropriate regions in South Dakota. The Emergency Alert Tone will automatically be sent on the State System monitored by local broadcasters, and their software will recognize the alert and automatically decode the message and place it on their system for immediate broadcast.

5. There may be a need to contact the major broadcasters in our area by landline during this emergency for direct connection with the Station Program Managers or designee, 24-hours a day. These numbers are to be located in the Emergency Services Communication Center (ESCC) should they be needed. The Rapid City Police Department contact person will be the Juvenile Section Supervisor or CID Supervisor. The supervisor will contact the CID Commander to evaluate Rapid City Police Department personnel requirements to handle both the calls coming into ESCC or the previously described DCI Call Center from the public expediently and to concentrate on lead follow-ups.

6. The Media will make this a priority and will be an active partner in this process. The Rushmore Mall has offered the use of their freestanding marquee located on the south side of the parking lot. The Amber Alert information can be displayed on the marquee for traffic on I-90 and adjacent streets. The 24-hour Mall Security number is available through ESCC and the on-duty security personnel will be able to make necessary arrangements to get the Alert information on to the marquee.

7. The ESCC plays a critical part in this situation since all calls made regarding the Amber Alert will be made to them, and they will need to be informed of all aspects of this incident until the Alert is canceled. The Amber Alert will be considered a major event and teletypes will be sent to all areas affected by the Alert, which will inform other agencies regarding the nature of the incident. Because the public will typically use 9-1-1 to report possible sightings, by using 9-1-1, outlying law enforcement agencies will get information appropriate for their respective location.

8. If the criterion for an Amber Alert is not met, consider the use of Endangered Person Advisories. The Endangered Person Advisories can also be used for endangered adult victims who meet criteria, such as an elderly person suffering from Alzheimer disease. This system is also activated through DCI the same as an Amber Alert, but there is a reduced burden of proof to activate. The criteria for the Advisory are:

   a. The person is missing under unexplained, involuntary, or suspicious circumstances;

   b. The person is believed to be in danger because of age, health, mental or physical disability, environment or weather conditions, in the company of a potentially dangerous person(s), or some other factor putting the person at risk for serious bodily injury or death;

   c. There is enough descriptive information for the public to assist law enforcement in the safe recovery of the endangered person.

9. Another consideration is the use of A Child Is Missing Program (ACIM). ACIM may be used in conjunction with AMBER Alert, and/or Endangered Person Advisories. For more information concerning A Child Is Missing, refer to policy 613-09 – A Child Is Missing.

B. CANCELATION OF THE AMBER ALERT

1. When the search is no longer necessary, DCI will need to be re-contacted so the notice of cancellation can be made to all the broadcasters receiving the initial alert. This is accomplished by the Emergency Alert System (EAS), notifying the public to stop looking for the child and/or suspect.

2. Once cancelled, a press release will be made detailing information consistent with Rapid City Police Department policies, 731-01 and 731-02.

PURPOSE: As used in this standard "vice" related crimes are those offenses primarily dealing with illegal services sought by some elements of the community and considered to be in violation of public morals or decency. Examples of vice-type crimes include prostitution, pornography, illegal drugs and gambling. Organized crime is criminal activity conducted on a large scale and normally networked or organized throughout multiple jurisdictions, and may frequently operate across state lines.

A. ORGANIZED CRIME COMPONENT

1. The Commander of the Criminal Investigation Division is responsible for the supervision of organized crime control.

2. The general goals and objectives of the Rapid City Police Department's organized crime and vice functions are as follows:

   a. Establish an effective information-gathering network using informants, employees, other agencies, and public contacts, to detect organized crime and vice activity within the community.

   b. Investigate and successfully prosecute vice offenses taking place in the City of Rapid City.

   c. Investigate and prosecute any instances of organized crime occurring in the City of Rapid City.

   d. Purchase or maintain access to advanced or sophisticated investigative electronic equipment that will support organized crime and vice investigations in the field.

   e. Provide advanced training to investigative personnel in the investigation and prosecution or organized crime and vice offenses.

   f. Since the manufacture, transportation, and distribution of controlled substances is the most serious and pervasive of the organized crime and vice problems facing this community, the goal of the Rapid City Police Department is to emphasize the investigation of illegal drugs and related activity.

   g. Establish an attitude within the community that the Rapid City Police Department will aggressively pursue organized crime and vice activity.

   h. Create the perception within the criminal element, that the City of Rapid City is an unattractive and risky place to conduct criminal activity, through aggressive enforcement of organized crime and vice laws.

3. The organized crime control function of the Rapid City Police Department will address unlawful activities by members of organized groups or associations:

   a. Engaged in or promoting extortion, theft, fencing, loan sharking, labor racketeering, or any offense for profit.

   b. Engaged in supplying illegal goods and services such as gambling, pornography, prostitution, illegal trafficking in controlled substances, liquor or weapons, and other unlawful conduct that may include the illegal use of force, fraud, bribery, or corruption.

B. VICE CONTROL COMPONENT

1. Responsibility for organized crime and vice control is vested in the Criminal Investigation Division. A Criminal Investigation Division Supervisor shall be specifically responsible for conducting and managing organized crime and vice investigations.

2. The Rapid City/Pennington County Unified Narcotics Enforcement Team (UNET) is responsible for all drug related criminal activity investigations within the Department's jurisdiction.

3. Officers assigned to UNET will be responsible for the detection of organized criminal activity, intelligence gathering, and narcotics. Officers must be adaptable to conducting special investigations, working in an undercover capacity and maintaining a working knowledge of the above-described duties as necessary to complete an investigation.

4. The responsibilities of the Criminal Investigation Division vice control function include, but are not limited to:

   a. Investigation of all facets of the illegal sale and distribution of controlled substances.

   b. Investigation of illegal gambling, loan sharking, prostitution and pornography offenses, labor racketeering, theft/fencing rings, gang activities, illegal sale and distribution of liquor and tobacco.

   c. Investigation of firearms violations.

   d. Investigation of corruption, extortion, or bribery.

   e. Development and maintenance of intelligence information relating to organized crime and vice offenses.

   f. Act as a liaison to, and assist where necessary, other state, federal, and local investigative agencies as well as multi-jurisdictional task forces operating in the Rapid City area.

   g. Maintain and care for investigative equipment used in the investigation of organized crime and vice offenses.

   h. Provide training as necessary to other Department members relating to these crimes.

C. SUPPRESSION OF ORGANIZED CRIME AND VICE

1. The Rapid City Police Department in cooperation with the Unified Narcotics Enforcement Team (UNET), will conduct criminal investigation follow-up and undercover investigations involving vice, narcotics and organized crime.

2. The Rapid City Police Department is committed to using the resources necessary to ensure an aggressive and effective effort is made to suppress organized crime and vice activities in this community.

3. Officers and detectives assigned to the Unified Narcotics Enforcement Team (UNET) will be responsible for assigned activities in infiltrating the criminal community, identifying offenders, gathering evidence and recovering stolen property.

4. Assigned personnel will be responsible for the investigation of drug activity with the main objective being vertical investigations. The goal of this is to reduce the supply of illicit drugs in the community. The Unified Narcotics Enforcement Team shall also seek out and share information regarding drug activity in South Dakota. The Unified Narcotics Enforcement Team will be available to assist other agencies on drug related cases as needed.

5. The Department recognizes the value of investigative units concentrating on drug, organized crime and vice activities. The Department will provide information to other agencies upon request and exchange information through attendance at various law enforcement meetings. Further involvement will be on a case-by-case basis and may include physical assistance in surveillance, execution of warrants or assignment of officers to work fulltime with an investigative unit. Department personnel assigned to the Unified Narcotics Enforcement Team will be under the supervision of the Criminal Investigation Division Commander.

6. The Unified Narcotics Enforcement Team will be capable of initiating and maintaining surveillance activity on a 24-hour basis.

A. INVESTIGATIVE TASK FORCES

1. The Drug Investigations Unit (UNET) shall perform the following functions:

   a. General Investigations:

      Officers assigned will be responsible for the detection of organized criminal activity, intelligence gathering, and narcotics. Officers must be adaptable to conducting special investigations, working in an undercover capacity and maintaining a working knowledge of the previously described duties as necessary to complete an investigation.

   b. Special Operations:

      Officers will be responsible for assigned activities in infiltrating the criminal community, identifying offenders, gathering evidence and recovering stolen property.

   c. Unified Narcotics Enforcement Team (UNET):

      The officer assigned will be responsible for the investigation of narcotics with the main objective being to reach the higher sources or suppliers and confiscate illicit drugs. The officer shall receive assignments, as well as coordinate information on narcotic activity in South Dakota. The officer will be available to assist other agencies on narcotic cases as needed.

   d. Special Investigations:

      The Department recognizes the value of investigative units concentrating on drug, organized crime and vice activities. The Department will provide information to other agencies upon request and exchange information through attendance at the various law enforcement meetings. Further involvement will be on a case-by-case basis and may include physical assistance in surveillance, execution of warrants or assignment of officers to work full time with an investigative unit. Personnel will be under the direct supervision of the Division Supervisor.

2. Procedures:

   a. As vice and organized crime complaints are received, they will be assigned to an investigator. Investigators will evaluate the initial information and determine its accuracy and reliability. After determining this, the investigator will decide what action needs to be taken to investigate the complaint sufficiently. The investigator shall consider:

      (1) What is the magnitude of the problem?

(2) What investigative techniques need to be used and are the proper resources available?

(3) How much time is going to be used in following up on the complaint?

b. Investigative findings will be documented on an intelligence report or complaint report, subject to supervisory review.

c. Intelligence information will be gathered on organized or individual criminal activity on the local, state and national levels. Random surveillance or random intelligence gathering on individuals or groups is prohibited. Intelligence gathering on political, religious or special interest groups, not suspected of criminal activity, is prohibited. The supervisor will review all active intelligence operations to ensure the group or individual are likely involved in criminal activities.

d. Information may be gathered through any lawful means including informants, court ordered wiretap or electronic surveillance, physical surveillance and record searches. Information sources are critical to effective intelligence and are not to be divulged without prior approval of the intelligence supervisor. Informants are to be documented and verified pursuant to Rules and Procedures regarding informants. Intelligence gathering on political, religious or special interest groups, not suspected of criminal activity is prohibited.

e. The Department Intelligence Coordinator will be responsible for the identification of intelligence targets, collection and dissemination of information. The designated Department Police Support Technician will be responsible for records maintenance to include purging of records inactive for a period of five years.

f. Vice will include illegal activities designated by law. The Unified Narcotics Enforcement Team, working in conjunction with the Criminal Investigation Division, will investigate vice activities in an attempt to regulate or control offenders participating in prostitution, bookmaking, gambling, liquor violations and all other illegal acts.

g. Narcotics enforcement activity will include the identification of suppliers and sources and the seizure of narcotics through undercover activity or other investigative methods. The Unified Narcotics Enforcement Team will enforce all laws and statutes, which relate to controlled substances or prescription offenses.

h. Background investigations will be undertaken for purposes of background information, criminal investigations, and licensing of an individual or business. Information will be obtained only through legally accepted means, which includes public records, surveillance, search warrants, informants and other law enforcement agencies. Information collected is to be used in conjunction with criminal investigations or presentation to controlling authorities for substantiation of decisions pertaining to the issuance or denial of a regulated license.

i. Intelligence information is to be considered confidential and released only to law enforcement or regulatory agencies. Information no longer of use or inaccurate shall be destroyed.

B. SETTING PRIORITIES FOR VICE AND ORGANIZED CRIME CASES

1. Once a Vice or Organized Crime complaint/report has been received by the Commander of the Criminal Investigation Division or designee, the report shall be assigned for active investigation on a priority basis. Organized Crime and Vice complaints shall be evaluated for police action based upon the following criteria:

a. The magnitude of the violation being committed by the suspect under investigation.

b. Is the individual abusing controlled substances?

c. Is the individual a user or participant in the activity?

d. Is the individual a distributor or coordinator of the activity?

e. Is the individual part of a larger organization?

2. The Criminal Investigation Commander should be appropriately notified of any follow-up investigations involving organized crime.

C. VICE AND ORGANIZED CRIME INVESTIGATIONS

1. When involved in a drug, vice or organized crime investigation, the investigator will complete a background check of the individual(s) under investigation. This shall include complete identity of subject, known locations of frequency, vehicles driven, known associates, and any other pertinent information. This type of information can be found by checking existing files, criminal histories, and surveillance of individuals, information obtained from confidential informants and information gained from a police undercover operation.

2. When an officer is working undercover and involved in a drug, vice, decoy, or organized crime investigation, the officer may be issued false identity and other necessary credentials, with the knowledge and approval of the commander of the Criminal Investigation Division or his designee. Contacts with suspects will be made using confidential informants, unwitting informants or by self-introduction.

D. ADVISING THE CHIEF OF POLICE

The Commander of the Criminal Investigation Division and/or the Supervisor of the Unified Narcotics Enforcement Team are responsible to inform the Chief of Police of any vice, drug, and organized crime activities within the Rapid City area. This may be accomplished through a variety of methods, including but not limited to meetings, memo, and e-mail. In extraordinary circumstances, the Chief should be notified immediately by the on-duty supervisor.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
616-03	Vice, Drugs, and Organized Crime	1 OF 3
ORDER NO.: 10-02	**SUBJECT:** Vice, Drugs, and Organized Crime Records	
SUPERSEDES: 05-02	**EFFECTIVE:** 08-12-10	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 43.1.1, 43.1.2		

A. VICE AND ORGANIZED CRIME COMPLAINT RECORDS

1. The Rapid City Police Department will maintain records relating to vice and gang intelligence secured separately from the central records system. All completed case records relating to vice, drugs, and other organized crime will be placed in and become the responsibility of the Records Section.

2. All records and reports relating to Unified Narcotics Enforcement Team investigations will be maintained according to Unified Narcotics Enforcement Team procedures. Once the investigation has been completed, the file will be maintained in the South Dakota Division of Criminal Investigation (DCI) database. All reports relating to Confidential Informant Files and submissions to the South Dakota Law Enforcement Intelligence Network (LEIN) will also be maintained in the DCI database.

3. All reports and files are confidential and the release of information will be on a need-to-know basis. Information will be disseminated by a member of the Criminal Investigation Division only.

B. VICE AND ORGANIZED CRIME INFORMATION/OUTSIDE AGENCIES

1. The Criminal Investigation Division will maintain and exchange information with the South Dakota Law Enforcement Intelligence Network (LEIN), Mid-States Organized Crime Information Center (MOCIC) and all other appropriate federal, state and local law enforcement agencies.

2. The CID Commander or designee investigator will be responsible for answering all intelligence information requests from other agency components. When receiving requests, the commander or designee will research the request and contact the requesting individual directly, reporting their findings.

3. The Rapid City Police Department Intelligence Information form or the Addendum form will be used when other agency components have information to give to the CID commander or designated investigator.

4. Information received or requested by other law enforcement agencies regarding vice or organized crime shall be handled by the CID commander or designated investigator, who shall file a LEIN report containing the date, the name of the external law enforcement agency, individual officer name, and a brief summary of the information exchanged.

C. COORDINATED CONTROL EFFORTS

1. The designated investigator or police support technician, through authorization of the Commander of the Criminal Investigation Division, will be responsible for dissemination of data possessed within the Criminal Investigation Division. For gang intelligence files, the individual granted access to those files ensuring the intelligence control log is maintained reflecting removal and replacement of all intelligence data. All other intelligence files will be stored in the LEIN database. Intelligence dissemination will be based on a "need-to-know" and "right-to-know" basis.

2. The gang intelligence files control log will reflect:

   a. The name of the person whose record is being accessed;

   b. The date of data review or removal;

   c. The person reviewing the data;

   d. The reason for data review or removal; and

   e. The date the file is returned.

3. The police support technician or designated investigator will ensure the intelligence collected meets all applicable federal, state and local laws and agency regulations.

4. Intelligence information may originate from the following sources:

   a. Criminal Investigation Division personnel;

   b. Other officers within the Department;

   c. Officers from other law enforcement agencies;

   d. Law Enforcement Intelligence Network (LEIN);

   e. Mid-States Organized Crime Information Center (MOCIC);

   f. Public and official records, including, but not limited to:

      (1) Pennington County monthly inmate status reports;

      (2) Probation and parole records;

      (3) FI cards;

      (4) Law enforcement arrest reports;

      (5) Law enforcement crime reports;

      (6) Law enforcement information reports;

      (7) Other related law enforcement sources, such as criminal histories;

      (8) Newspapers or other periodicals; or

(9) Other appropriate documents and/or sources.

g. Informants; and

h. Covert collection means such as physical surveillance, electronic surveillance, and use of undercover officers.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
616-04	Vice, Drugs, and Organized Crime	1 OF 3
ORDER NO.: 17-01	**SUBJECT:** Confidential Investigations Funds	
SUPERSEDES: 10-04	**EFFECTIVE:** 06-28-17	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 17.4.2, 42.2.7, 43.1.3		

POLICY: The Rapid City Police Department maintains an investigative fund to provide funding for undercover operations, informants, and investigations of a confidential nature. This procedure is designed to maintain the integrity of these funds and properly account for expenditures.

A. CONFIDENTIAL FUNDS

1. A confidential investigations fund shall be maintained by the Rapid City Police Department for the purpose of purchasing contraband, information and for expenditures otherwise supporting intelligence gathering, vice and organized crime investigations.

2. Funds for support of covert operations will be maintained in the Criminal Investigation Division and supervised by the command officer of the division.

3. Documentation of all expenditures is required. This is accomplished using appropriate ledgers with the date, amount, and reason for the expenditure. Expenditures from the investigations fund must be supported by canceled check, receipt, crime report, or informant documentation.

B. FUND ACCOUNTING

1. Funds will be maintained in a checking account and petty cash account. The funds will be utilized as follows:

   a. For payment of monthly or recurring expenses in maintaining a covert investigative operation.

   b. For purchasing narcotics and/or contraband, paying informants, reimbursing operating expenses for undercover officers, and other necessary expenditure that may arise.

2. Criteria for paying an informant is as follows:

   a. The informant must be documented according to Rapid City Police Department Rules and Procedures.

   b. The division commander or designee must give approval for payment.

3. The decision for payment will be based on the following:

   a. Reliability of the informant;

   b. Magnitude of the crime;

c. Probability the information will be reliable, pertinent and is not obtainable through other means.

4. The Sergeant Supervisors assigned to the Unified Narcotics Enforcement Team, Property Crimes, and People Crimes will be issued funds to be used for daily expenses in performing investigative functions. Each Sergeant will be responsible for maintaining his/her own separate informant account, keeping a ledger of all money received or expended through operations. These accounts will be available for inspection at all times. The funds held in these accounts will be utilized as follows:

   a. Paying informants who provide information in a criminal matter.

   b. Informants will be paid for information when it is the only method of obtaining information, which is instrumental in the solution of a major crime, or the circumstances of an investigation require a rapid collection of information.

5. All payments must be approved by the division commander or a designee.

C. PROCEDURAL GUIDELINES

1. The following procedure applies to Rapid City police officers assigned to the Unified Narcotics Enforcement Team and the Criminal Investigation Division:

   a. The UNET, People Crimes, and Property Crimes Sergeant Supervisors are overall team fund managers, and will issue funds to subordinates.

   b. A formal ledger will be kept showing all receipts and expenditures and the current balance.

   c. All payments made will be recorded, as to the expenditure in the ledger, with the informant's identification number for audit purposes.

   d. All receipts for expenditures will be kept by each individual agent and turned in to a bookkeeper designated by the Criminal Investigation Division commander.

   e. **ABSOLUTELY NO TRANSFERS SHALL BE MADE BETWEEN AGENTS' EITHER INVESTIGATIVE FUNDS OR DRUG BUY FUNDS**.

   Note: Drug buy funds are provided from the statewide drug buy fund, which is managed by the local supervisor of the Division of Criminal Investigation.

   f. Funds shall be audited at least once per month. The regularly scheduled audits shall be conducted on the first working day of each month. No exceptions will be allowed, except due to a scheduled day off. These exceptions must be prearranged and an alternative audit date scheduled with the bookkeeper.

   g. Total funds allocated to each Supervisor is the following:

      1) UNET - $1,000
      2) Property Crimes - $800
      3) People Crimes - $500

   Note: Supervisors must receive authorization from the Chief or designee to exceed the allocated fund limit of each supervisor for disbursement listed above.

h. Funds may be audited at times other than the regularly scheduled audit. These unscheduled audits will ensure each agent is keeping up-to-date records and each fund balances (cash + receipts = Fund total) on any given day.

i. At the first of every month, funds will be replenished to the supervisor's authorized level. Additional funds may be requested during the month, if necessary. Approval from the supervisor and the division commander, along with an audit, is necessary prior to allocation of additional funds.

j. The bookkeeper responsible for the investigative fund will be audited by City Finance on a semi-annual basis.

A. USE OF INFORMANTS

1. All informant files will be maintained and controlled by the supervisor of the Unified Narcotics Enforcement Team. Release of informant information is prohibited except on court order or with the express permission of the Criminal Investigation Division Supervisor. When using informants, it is essential to establish their reliability before using information, whenever possible. Officers must be aware that informants may not be loyal to police operations and the potential for misinforming or compromising investigative efforts, always exists and must be guarded against.

2. Unless no other alternatives present themselves, juveniles will not be used as informants. In the event a juvenile is required as an informant, the procedures pertinent to informants will be strictly adhered to and the parents' permission and cooperation acquired.

B. VICE AND ORGANIZED CRIME INFORMANT FILES

1. Prior to any deal involving an informant all information regarding the informant will be fully documented. All informants will be completely identified. Documentation shall include photo, name, date of birth, fingerprints, code name or number, biography and background data and any other pertinent information, such as current address, criminal history, documentation and reliability, payments made and involvement in the operation. Records will be maintained on informants as long as the informant is active. Informant files will be maintained separately and shall be referred to by number in all reports.

2. Drug informant files will be maintained and controlled by the supervisor of the Unified Narcotics Enforcement Team. All other informant files will be maintained and controlled by the supervisor of the Criminal Investigation Division. Release of informant information is prohibited except on court order or with the express permission of the Criminal Investigation Division Commander.

3. When using informants, it is essential to establish their reliability before using information, whenever possible.

C. USE OF INFORMANTS BY PATROL OFFICERS

1. The use of informants by patrol officers can be an important aspect of their responsibility, particularly since they have certain responsibilities in conducting follow-up, as well as preliminary investigations.

2. Patrol officers are encouraged to develop contacts that may develop into informants for

specialized investigative components of the Department, or for patrol officers themselves.

3. Due care and responsibility must be taken when developing and using informants to ensure confidentiality.

4. The use of informants must be cleared through the officer's supervisor.

5. A file must be kept on each informant as previously outlined in section B.

A. SPECIAL OPERATIONS PROCEDURES

When involved in a drug, vice, or organized crime investigation, the investigator will complete a background check of the individual(s) under investigation. This should include complete identity of the subject, known locations of frequency, vehicles driven, known associates and any other pertinent information. This type of information can be found by checking existing files, criminal histories, surveillance of various individuals, information obtained from confidential informants, and information gained from a police undercover operation.

B. COVERT OPERATIONS

1. No deals will be made without prior planning.
2. There will be no deviation from the plan without notice, and/or approval by a supervisor or the case agent, and all participants being fully advised.
3. When possible, two undercover people will be used on buys.
4. Money will not be fronted without approval from a supervisor.
5. The supervisor will be informed of the progress of all investigations, including any problems arising during the investigation.
6. A supervisor will be notified of all deals.
7. Undercover investigators will carry a weapon unless given prior authorization not to carry the weapon, by their supervisor.
8. Information reports, where a case will not be continued are to be completed as soon as possible.
9. Update reports for active cases are to be completed as soon as possible, but no later than every 60 days.

C. DECOY OPERATIONS

1. When an officer works undercover in a drug, vice, decoy, or organized crime investigation, the officer may be issued false identity and other necessary credentials, with the knowledge and approval of the commander of the Criminal Investigation Division, or the supervisory special agent of the Division of Criminal Investigation (DCI).

2. Contacts with suspects will be made using confidential informants, unwitting informants, or by self-introduction.

D. SURVEILLANCE

When performing surveillance, the case investigator and/or the supervisor shall determine how many investigators will be needed to ensure ample vehicle and foot surveillance can be maintained. All members in the surveillance team will be issued vehicles and radios.

E. RAIDS

1. Ample surveillance will be placed on all undercover operatives to ensure their safety.

2. The undercover officer will, whenever possible, use a concealed voice transmitter so the surveillance can maintain communications to ensure added safety.

3. Before going undercover with a subject, the undercover operative will establish, with the surveillance team, routine and emergency verbal and visible communication signals.

4. The case investigator or undercover officer will determine when an arrest will be made after ensuring all probable cause for the arrest has been met.

5. A supervisor or designee will be present on all undercover operations.

6. If search and/or arrest warrants are obtained, the supervisor will designate a person to coordinate the execution of the warrants. The coordinator will develop strategies and tactics for approaching, entering, securing, and leaving the targeted area.

7. The search and seizure of evidence and/or contraband will be executed according to department procedures and will be supervised by the coordinator.

8. Crime raids (arrests) shall be conducted in accordance with the procedures outlined in R&P Section 112.

   a. Entry of a building or residence shall be consistent with state law and Rapid City Police Department Rules and Procedures.

      Exceptions to the "knock and announce" requirements shall be by authority of the Circuit Court unless clear exigent circumstances exist.

   b. A building or residence, which has been lawfully entered shall be secured by:

      (1) Locating and identifying all persons present;

      (2) Controlling access into the building or residence;

      (3) All occupants shall be placed in one area; and

      (4) One officer shall be assigned to watch the occupants while the search is being conducted.

   c. Searches shall be conducted in an organized manner, expeditiously and with minimal disruption to the property.

d. Evidence and contraband shall be secured and submitted consistent with R&P Section 621.

9. Prior to the initiation of any crime raid, the commander/supervisor of the unit conducting the raid shall conduct a threat assessment. The threat assessment itself shall be documented in writing.

   a. The threat assessment shall be included with the case file. The assessment will be reviewed by the Criminal Investigation Division commander or a designee prior to any raid being conducted.

   b. In those cases where exigent circumstances exist and the assessment can not immediately be produced in writing, the commander/supervisor of the unit conducting the threat assessment shall forward the report within 24 hours of the incident.

F. EQUIPMENT, AUTHORIZATION AND CONTROL

1. Equipment to be used, e.g., Department issued weapons and radios, will be determined by the supervisor in charge of the special operation. Uniformed Special Response Team members (SRT) may be utilized in the execution of search warrants and/or arrest warrants if the supervisor or a senior member of the Unified Narcotics Enforcement Team (UNET) believes the use of the SRT is warranted. In such a case, the UNET supervisor or a senior team member will gain approval of the use of the SRT from the SRT commander or a designee.

2. Any specialized surveillance equipment used for covert operations, interviews, or undercover purposes may be obtained from the Criminal Investigation Division (CID), or the Unified Narcotics Enforcement Team upon request.

3. Any specialized surveillance equipment checked out for use will be logged on the respective CID or UNET Equipment Sign-out. This will be accomplished through a CID or UNET supervisor or their designee.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
617-01	Compliance	1 OF 3
ORDER NO.: 18-02	**SUBJECT:** Processing and Routing of City License and Background Applications	
SUPERSEDES: 09-03	**EFFECTIVE:** 02-26-18	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

POLICY: The Rapid City Police Department will standardize the procedure for processing City license applications and background investigations. This procedure has the force of orders and is obligatory. It is applicable to all applications for City licenses and permits as well as background checks that are routed through the Police Department. This includes, but is not limited to, applications for liquor, taxi, pawn, security, adult oriented businesses, second hand dealers and ice cream vendors.

PROCEDURAL GUIDELINES:

A. BACKGROUND PROCESS:

1. The License Compliance Inspector or a designee will record all licensing and background applications as they are received.

2. The License Compliance Inspector or a designee will ensure proper payment has been made to the City Finance Office or the Rapid City Police Department.

3. The License Compliance Inspector or a designee will collect applicant information and assess the data obtained after the completion of a criminal history check.

4. The application will list areas in which information may be collected; however, the License Compliance Inspector is not limited to just those areas.

5. Upon completion of the background investigation, the License Compliance Inspector or a designee will either affix the appropriate stamp on the application or attach a memo reporting their findings for suitability for licensing. They will forward the application and report to the Commander of the Criminal Investigation Division or a designee for review. Depending on the type of license, the Criminal Investigation Division Captain may need to forward the license to the Chief of Police for final approval/denial.

6. All licensing will be completed within fourteen working days. Any anticipated delays in processing an application will be brought to the attention of the Captain of the Criminal Investigation Division or a designee.

7. Criminal history checks will be conducted as follows:

   CITY LICENSING APPLICATIONS: Security, Taxi, Pawn, Second hand Sealers, Adult Oriented Businesses, Ice Cream Vendors.

a. Applications can be obtained from the City Finance Office. The applications must be filled out completely, signed by the applicant and notarized by City Finance personnel. Upon completion, a fee set by City Ordinance and available through City Finance, will be collected from the applicant for either a new license or a renewal license and a receipt will be issued to the applicant. This will be conducted by City Finance Personnel. The applicant will bring the original application and receipt to the Compliance Inspector at the Criminal Investigation Division in order to be fingerprinted. The fingerprint fee and criminal records fee is included in the amount paid at City Finance. The fingerprint card will be electronically submitted with the application and DCI criminal records waiver to the South Dakota Division of Criminal Investigation in order to process a criminal history check. The applications along with the findings of the investigation from the License Compliance Inspector are forwarded to the Captain of the Criminal Investigation Division for review. When the background investigation reveals negative information that would result with the applicant being unsuitable for licensing, an explanation must be presented to the Chief in memo form. Should the Chief or a designee deny the license, the Chief will send the applicant a letter indicating the reason for the rejection. A copy of this letter will be placed in the applicant's file in the Criminal Investigation Division.

b. Liquor and Malt Beverage License Applications – Applications to obtain a license to transact the sale of alcoholic beverages as a business may be acquired from the City Finance Office. All portions of the application must be completed, signed by the applicant, and notarized by City Finance personnel. A fee set by City Ordinance will be collected from the applicant for the license and a receipt will be provided as proof of payment to the applicant. City Finance will forward the application to the License Compliance Inspector to conduct a local background check on all corporate officers of the business as well as the licensee. A South Dakota criminal records check will not be conducted unless there are indications of possible felony convictions. The applications along with the findings of the investigation from the License Compliance Inspector are then forwarded to the Captain of the Criminal Investigation Division for review. If the applicant is not recommended for licensing by the License Compliance Inspector, an explanation must be presented to the Chief in memo form. The Chief of Police will make a recommendation based on the information provided by the License Compliance Inspector, and will submit the information to City Council for the final approval or denial of the license.

B. ROUTING AND DATA ENTRY

1. The Captain of the Criminal Investigation Division, or a designee, shall review the license and background applications and will approve all completed applications as previously noted in this policy.

2. The Captain or a designee will then forward the approved application to the License Compliance Inspector. The License Compliance Inspector, or a designee, will enter the application into a Microsoft Access program for tracking purposes.

3. Once the final approval has been made, the original applications will be distributed by the License Compliance Inspector as follows:

   a. Family (Home) Daycare Licenses – The original application will be filed in the Department's Criminal Investigation Division. A license certificate will be mailed to applicants successfully passing the background investigation upon approval by the Chief of Police.

   b. Pawn, Second Hand, Liquor, Security, Adult Oriented Business, and Ice Cream Vendor Licenses – The original will be sent to City Finance. A copy will be filed in the Department's Criminal Investigation Division.

4. For City employees and volunteer backgrounds refer to Rapid City Police Department policy 421-04 – Pre-employment Background Investigations excluding Library and Fire original applications are to be returned to the City Human Resources Department. Library original applications are returned directly to the Library. The Fire Department applications are returned to the Fire Department. The Police Department will not maintain copies of these applications.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
621-01	Collection and Preservation of Evidence	1 OF 3
ORDER NO.: 14-04	**SUBJECT:** Crime Scene Responsibilities	
SUPERSEDES: 12-02	**EFFECTIVE:** 12-29-14	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 83.1.1, 83.2.6		

PURPOSE: The effective exercise of a law enforcement agency in the investigation of crime and in the prosecution of offenders frequently requires information to be obtained through the application of scientific knowledge and methods. Physical evidence must be identified, collected, safeguarded and properly transported if laboratory services are to prove useful to the investigative effort.

A. 24-HOUR ACCESS TO CRIME/CRASH PROCESSING

Evidence personnel are available 24-hours a day. During other-than-normal duty hours, Evidence personnel can be reached through the Criminal Investigation Division Commander or Evidence Section Director.

B. CRIME SCENE SPECIALIST AVAILABILITY

1. In cases where Evidence personnel are requested at the scene, that part of the scene shall be secured so the Evidence personnel can direct investigative procedures in the area.

2. Requests for the crime scene Evidence personnel shall be made within one hour of the scene being secured to assure proper processing and recovery of evidentiary items.

3. The crime scene Evidence Section personnel may provide instructions for additional protection of the scene as necessary and appropriate to the investigation.

C. CRIME SCENE EVIDENCE RESPONSIBILITY

1. The Rapid City Police Department maintains security over property and evidence seized by employees until a disposition through the criminal justice system has been reached.

2. The responsibility of the first responding officer is to perform the following duties as appropriate and necessary for each individual crime scene:

   a. Protect the scene from destruction, contamination, and alteration.

      (1) Initially consider everything within the crime scene as evidence.

      (2) Ensure the perimeter of the crime scene is clearly and correctly identified and marked.

      (3) Limit access to the crime scene to only those persons who have a legitimate purpose for being at the scene.

      (4) Quickly identify evidence which may be lost due to the environmental conditions or by

the lapse of time as in the case of a shoe impression in the snow. For any such evidence, if possible, protect this evidence from loss. If it cannot be protected, document the evidence (including a proper evidence photograph if there is no way to collect it), its location, and if possible, collect the evidence.

(5) Note the date and time of the initial arrival, along with the condition of the scene at that time.

b. Provide a written narrative describing the scene:

(1) Date and time of arrival.

(2) Location of the scene.

(3) Weather and lighting conditions.

(4) Identify persons at the scene upon arrival, to include:

(a) Victims.

(b) Suspects.

(c) Witnesses.

(5) Note the arrival of other officers and their purpose for being at the scene.

3. Prior to seizing any evidence, employees are to record the exact location of evidence, the time and date of seizure, and who took custody of the evidence. This information is to be included in the offense report.

4. All evidence shall be either turned over to an Evidence Specialist or secured in a property locker. In cases involving the ICAC Unit pertaining to electronic evidence, refer to policy 621-10 for guidelines.

D. CRIME SCENE SPECIALIST AND INVESTIGATORS

1. The first responding officer shall assume command and control of an investigation until or unless one of the following occurs:

a. An officer of higher rank arrives to take control; or

b. The investigation is reassigned by:

(1) A Division Commander, or

(2) The Chief of Police.

2. When an investigator is called to the scene, the original responding/investigating officer shall assist the investigator until reassigned. The assigned investigator shall assume responsibility for the coordination of the investigation.

3. The Shift Commander/Supervisor shall have overall responsibility of the crime scene unless the offense is reassigned, by proper authority, to the Criminal Investigation Division. When this occurs, the Commander of the Criminal Investigation Division shall assume all responsibilities

for the scene. If Evidence Section Personnel respond to the crime scene they will assume control of the portion of the scene in which they are working, and they will determine who may have access to that area until the scene is released.

4. In each case, the officers and investigators involved in the investigation shall perform their duties in conjunction and cooperation with other officers and investigators assigned to the case.

5. Employees involved in an investigation and requiring technical assistance may request the services of the Evidence Section.

6. Technical assistance is recommended for all major incidents.

7. When there is question as to whether assistance is needed, a supervisor shall make the determination of need.

E. CRIME SCENE REPORTING

1. Employees of the Rapid City Police Department, who process a crime scene or a crash scene, will write a report documenting their involvement in the work.

2. All written reports shall be filed at the completion of the initial investigation and shall include all applicable information.

PURPOSE: To be useful in subsequent criminal prosecutions, certain precautions and procedural steps must be followed to ensure the integrity of evidence.

A. CRIME SCENE PROCESSING PROCEDURES

1. Whenever possible, latent fingerprint evidence will be obtained at the scene by the investigating officer or processing specialist. When this is not possible, as much of the evidence should be brought to the Evidence Section for processing as practical.

2. Whenever available, materials and substance from a known source shall be collected for comparison to physical evidence already collected or evidence that may become available in the future. Examples of known evidence that may be appropriate to collect include:

   a. Paint samples from the victim's car in a hit and run crash.

   b. Glass samples from the pane of a broken window at a burglary scene.

   c. Sample of soil taken from a muddy area that it is known a suspect walked.

   d. Blood left at the scene of a burglary.

3. Chain of Custody:

   Once evidence is seized, handling should be kept to a minimum unless otherwise directed. The officer seizing the evidence shall maintain complete physical control over the evidence until the evidence is properly logged, tagged and secured in the Department property locker.

4. Protection of Evidence:

   Employees are to take all precautions to prevent contamination, alteration or destruction of evidence.

B. EVIDENCE GATHERING

1. An officer, when working individually or in cooperation with others, shall be responsible to preserve and protect the scene of a crime and the evidence contained therein.

2. An officer, when locating evidence, shall follow proper procedures in recording pertinent information, as to the type of evidence located, where located, by whom, etc. This information will be included in such reports as may later follow the investigation.

3. An officer may resort to such assistance as may be necessary to make a proper crime scene search. The officer shall confer with the supervisor, who will determine the proper utilization of personnel needed for a search of a crime scene.

4. Evidence, which may bear latent fingerprints or other evidentiary particles, shall be properly handled in such a way to prevent destruction or contamination of evidence. Items, which may contain evidence such as hairs, fibers, gunshot residue, paint chips, glass fragments or any other trace evidence, will be packaged separately to prevent cross contamination.

5. Evidence collected or taken by an employee shall be transported to the Evidence Section as soon as practical. The evidence shall be packaged and inventoried prior to the end of the employee's tour of duty.

6. The chain of evidence is critical in the prosecution of a case. Care must be taken so as not to break the chain of those who take custody of evidence. Evidence must be accounted for at all times if it is to be introduced in court. It is important to keep the chain of evidence as short as possible and the handling of evidence at a minimum.

C. EVIDENCE PACKAGING AND PRESERVATION

The employee seizing evidence shall package and preserve the evidence as follows in order to make later identification:

1. The Evidence Section provides a variety of bags, envelopes, brown wrapping paper, and other containers to package evidence of any size. The employee must ensure that the package they use includes; the case number, a bar code from the RCPD Records Management System, and the employee making the seizure. After packaging the evidence, the employee shall seal the opening of the package with red evidence tape and initial the tape to verify the integrity of the evidence.

2. A full description is required in the RCPD Records Management System, including the proper date and time of recovery, location of recovery, the offense being investigated, the description of the item(s) contained in the packages, the time placed and the identification of the temporary location to which the evidence is being placed.

3. The employee shall seal the container opening with red evidence tape. The red tape alone may not be sufficient to properly seal evidence containers, in which case other types of tape (masking tape or packaging tape, for example) must be employed to ensure that the package will not open during handling or storage. In such incidences, the red evidence tape will be placed on top of the other tape such that the bag cannot be opened without breaking the evidence tape. The employee shall initial the red evidence tape to verify the integrity of the evidence. If the evidence item is too large for packaging, the employee shall complete a pre-printed evidence label with a wire tie and affix it to the evidence.

D. CRIME SCENE PROCESSING EQUIPMENT

1. The following items shall be available in the patrol supervisors' vehicle for the processing of crime scenes:

   a. Latent fingerprint recovery kit, to include:

      (1) Brushes,

      (2) Powder (white and black), and

(3) Lifting tape or hinged lifters;

b. Camera kit, to include:

(1) Digital camera,

(2) Attachable flash,

(3) Memory cards

(4) Crime scene rulers

(5) Spare batteries.

c. Materials for packaging of evidence, to include:

(1) Envelopes and/or paper bags,

(2) Evidence tags/labels,

(3) Evidence tape,

(4) Disposable coveralls, and

(5) Rubber gloves.

2. Patrol officers are required to maintain the supply of collection materials in their fingerprint kits, camera kits, and keep a variety of evidence bags, envelopes, and rubber gloves in their vehicles. Evidence Section personnel will assist them with restocking whatever supplies are needed.

3. The Evidence Section will maintain a fully equipped evidence van for deployment to crime scenes.

E. EVIDENCE PHOTOGRAPHY

The scene of a major crime will be photographed and or recorded as video. These photographs and/or video recordings will show scene locale, all aspects of the scene, and items of evidence. Close-up photographs will be taken with and without a scale as necessary to indicate size. Video recordings will be made at the discretion of the crime scene investigator(s).

F. PROCESSING FOR LATENT FINGERPRINTS

Latent Prints – the following procedure is a reference guide that may be used when processing for latent print evidence on scene or in the Fingerprint Laboratory: FBI Processing Guide for Developing Latent Prints.

1. Fingerprints may be recovered from a variety of surfaces including non-porous and porous surfaces.

2. Where the possibility of latent prints exists, the investigating officer or Forensic Examiner will process the scene for the prints using current accepted practices.

3. If it is believed a print exists on an item and cannot be lifted at the scene, the item will be collected in an evidence bag **OR** other suitable container, and submitted to the Department's Evidence Section Fingerprint Lab for processing.

4. On scene, when a print becomes visible after dusting, at the discretion of the investigating officer or Forensic Examiner, the print should be photographed with scale on the original object. The print(s) should then attempt to be retained via appropriate lifting or recording technique.

5. The lifted print will be transferred to a lift card and the investigating officer or Forensic Examiner will note on the card the print location, incident/case number (CR#) and the name of the employee. The latent fingerprint lifts will then be packaged, placed, and stored in the Evidence Warehouse.

6. When requesting further processing, analysis or comparison of latent lifts the requesting employee will complete an ***Evidence Section Work Request Submission Form***.

7. Elimination prints should be obtained from all known individuals and the exemplars retained in the Department Evidence Section for further evaluation. Any inked ten-print cards will then be stored in the Rapid City Police Department Evidence Section when not being used for comparison.

8. Latent prints determined to be of an Automated Fingerprint Identification System (AFIS) quality will be submitted for an AFIS search by the Latent Fingerprint Examiner who performed the analysis of the latent.

G. CRIME SCENE SKETCHES

Crime scene sketches, or total station scene maps, will be made on major crime scenes. The sketch, or map, will include overall dimensions of the scene, location in reference to permanent points or address, location of articles of evidence collected and location of victim. The sketch, or map, will also include date, time, case number, preparer's name and ID number, and direction of north.

It will be the responsibility of the Evidence Section supervisor, or designee to contact the Field Services supervisor for assistance to map the scene with the Total Station.

PURPOSE: Procedures used in the preservation of evidence are extremely important to both the police department and the individual police employee. The collection, documentation, marking, and retention of evidence are critical to an investigation and its ultimate successful prosecution. It is imperative that all personnel follow the procedures set forth in this procedure when dealing with all types of evidence and property, which comes into the custody of the officer. The process of collecting and storing evidence is an extremely important link in the Criminal Justice process. Therefore, it is very important that all employees involved with evidence, at any stage, follow department guidelines and use professional standards.

A. ESTABLISHING AND MAINTAINING EVIDENCE CHAIN OF CUSTODY

1. When dealing with evidence, employees will keep the evidence secure and in good condition, and will take all necessary steps to maintain the chain of custody. Evidence should be handled by the least number of people as possible. Generally, whichever officer or employee that takes initial control of the property should place the property in evidence. IF this is not possible, it must be documented in the RCPDs Data Management system who collected the evidence and who placed it (see Section B, number 4). It is important to know that the officer packaging and placing the evidence is solely responsible for the integrity of the evidence, until such time that the evidence is accepted into the Evidence Building. All transfers, viewings, releases, etc. of evidence, regardless of the reason, will be documented in either the officer's narrative (prior to being entered into the data management system) or in the data management system (once officially placed into the system).

B. PACKAGING AND PLACING EVIDENCE

1. The officer shall place such property in evidence before going off duty. Under no circumstance shall the officer place the property in any personal locker, desk, etc. In situations where it is necessary for evidence to be maintained by an investigator, it shall be done with the knowledge and approval of his commanding officer.

2. In general, gloves should be worn at all times when handling and packaging evidence. This is to prevent the accidental contamination of the evidence with the submitting persons DNA, finger prints, or the accidental removal or addition of other trace evidence. Using gloves is *essential* for the safety of the person placing the evidence.

3. Evidence items are placed in one of three locations depending on type and size of the evidence items. The majority of items, including weapons, drugs, and currency are placed at the Evidence Building. Items that are too large to fit in the evidence lockers available at the Evidence Building should be submitted at the PETT storage area. Vehicles can be temporarily stored in the secured garage locations at the Evidence Building while they are being processed for evidence. As soon as possible, they should be moved to the vehicle storage lot located at the City Landfill.

4. All evidence must be entered under the correct case number in the RCPD's Records Management System (RMS). All required RMS fields must be filled out. It is important to list the owner of the evidence which will expedite the return process *(Note: This is not a required field in RMS, but please include this whenever possible).* Care should be taken to ensure the correct dates and times are entered in the date/time collected and submitted fields. Also, if an officer is placing evidence for a second officer, the officer submitting the evidence must make sure to enter the correct name for the person who collected the evidence. A note should be added under the comments section saying the evidence was collected by Officer A, but placed by Officer B.

5. All evidence (except for specific exceptions discussed in other sections of this policy and items too large to physically be packaged) must be packaged in materials approved and/or provided by the Evidence Section. A detailed packaging instruction book for all types of evidence is located in the Evidence Locker Room. The following must be completed for all packaged evidence:

   a. Evidence must be sealed with tamper-proof red evidence tape, and the tape must be signed (or initialed) and dated.

   b. All evidence (except for vehicles) must have affixed to it in some manner, a Records Management System bar code label. Because bar code labels have been known to fall off evidence packages, the officer must physically write the case number on the packaged evidence.

6. Prior to packaging, all items will be photographed. In almost all cases, these pictures will be taken with cameras that are set up in the Evidence Locker Room and that are linked to the Records Management System. When photos are taken in the field of evidence or crime scenes, they must be uploaded to the Records Management System (except for photo's containing nudity-see number seven below) under the appropriate case number. On rare occasions, it is acceptable to use photos of evidence taken in the field in place of those taken in the Evidence Locker Room. HOWEVER, in such cases, the submitting law enforcement official must have permission from their Supervisor. In addition, they must provide documentation in their narrative that links an uploaded picture to a specific piece of evidence (e.g. item 034 is a picture of evidence item 010).

7. Any pictures that contain nudity of any kind, including pictures of deceased individuals, must be submitted to the Evidence Section on the actual SD card. The card should NOT be entered into the Records Management System. It should be placed in a small brown evidence envelope, labeled with the case number and deposited in the "SD Card" receptacle located in the Evidence Locker Room. The submitting officer should then send a task to one of the Forensic Examiners indicating they have submitted photos containing nudity. Evidence staff will create a working copy of the photos, which will be placed as an item of evidence under the specified case, and download the photos to a secure server where they will be stored in a manner that is clearly identifiable to the case number. It is NOT necessary to submit tasks when placing "SD cards" associated with SART kits obtained from the hospital, but the case number must be written on the envelope. *Any unauthorized production or viewing of such material for non-work reasons is grounds for immediate dismissal.*

8. In general, all evidence items should be packaged separately, unless the submitting officer is relatively certain that forensic testing of any kind will NOT be necessary. Items that could be packaged together include those submitted as "Found" or "For Safekeeping", but only if they belong to the same person. If they belong to different people, they MUST be packaged separately. Packaging items together can result in cross contamination of Evidentiary items, which can substantially impact testing results. Some items also require special packaging procedures for security or safety reasons. Those are discussed in the following sections.

9. When packaging drug evidence, all items should be packaged separately, unless the submitting officer is certain drug testing will not be required. If multiple items of the same type are seized (i.e. several packages of the same commercial hash oil, or several small baggies of what appears to be the same substance), it is acceptable to package these items together in one package. However, it is key to understand that packaging items together can lead to cross contamination which can void the results of future tests. Needles/syringes must be packaged in evidence approved containers.

10. All firearms placed into the Evidence Section either as evidence or for safekeeping shall be unloaded with the action open (unless doing so would compromise important physical evidence-see below). Plastic ties are provided to insert through the barrel, or the magazine well and the breech. To allow Evidence Staff to visually confirm the firearm is unloaded and in safe condition, firearms shall not be packaged. Firearms shall always be tagged with a wire-tie evidence tag with an affixed evidence barcode label. In a case where the firearm must be preserved for fingerprints, the officer shall place a handwritten note in the locker to warn evidence personnel to handle the firearm carefully. If unloading a firearm, or otherwise rendering it safe would destroy valuable physical evidence, the firearm may be placed into evidence under the following conditions:

    a. All safety devices must be engaged.

    b. A warning sticker or other warning label indicating "Loaded Firearm" shall be placed by the officer on the inside door of the evidence locker when putting a loaded firearm into evidence. The Evidence tag must also be conspicuously labeled, in bold print, that the firearm is loaded and is evidence.

11. To avoid mold growth during storage, any evidence items that are wet for any reason must be dried prior to packaging the items. The items must still be entered into the data management system. Two drying lockers are available in the evidence locker room, and two larger drying rooms are available in the Secured Area for large amounts of wet evidence. Items placed in the drying lockers will be packaged at a later date by the Evidence Specialist. Arrangements must be made with Evidence Staff if the larger drying rooms are needed. Any evidence items containing blood, bodily fluids or any other biological substance that represent a biohazard must be clearly labeled for safety purposes (an orange biohazard sticker must be placed on the evidence). Please see section F for procedures on how to deal with biohazards. *Items that are being placed as found or for safe keeping that require drying can be placed in one of the standard large lockers. In such cases, the evidence should be spread out on brown paper as much as possible and the bar code label must be included but not affixed.*

12. Folding knives must be taped shut to prevent accidental opening. They can the be packaged in an envelope or approved box. Open blade knives or folding knives that must remain open, or any knife that may require analysis for blood, hair, fibers, or other trace evidence must be packaged in an Evidence approved knife box or other approved container.

13. All currency and coins, regardless of the amount, must be placed in the manila colored "Currency Envelope." Two employees are required to count, place, and seal currency totaling $500.00 or more and both employees must sign or initial the evidence seal. The placing officer and their supervisor are preferred; however, the supervisor may designate a second officer, *or an Evidence Specialist*. The placing officer should list the number of like denominations as one item (i.e. Item #1 – 5 twenty-dollar bills, Item #2 – 3 ten-dollar bills). Currency must be packaged and itemized separately from all other property or evidence placed under the same case number.

14. When placing jewelry into evidence, the officer will describe the item for future identification and refer to stones by color rather than a diamond, emerald, etc. Metals should be described as yellow, white, etc., rather than as platinum, gold, etc. Such descriptions are to avoid an officer identifying the item incorrectly.

15. All suspected DNA evidence must be protected from possible cross contamination. Gloves should be worn at all times. Never lay such evidence directly upon any surface without first putting down clean disposable paper. This will help prevent the transfer of DNA on the surface to the piece of evidence. Never package items together in the same package if DNA testing may be required.

16. "Vape" pens and E-Cigarettes represent a potential fire hazard if packaged incorrectly. Such devices must be rendered safe by either removing the batteries, or by removing the cartridges. Detailed instructions for the correct packaging of such devices are provided in the Evidence Locker Room.

17. In cases where the officer packages or places the evidence incorrectly, the evidence will be left in the temporary locker. Evidence staff will notify the officer of the error. This notification will identify the problem, identify the urgency, and ask the officer to arrange to correct the problem. If the issue with the evidence is not corrected within two working days, the officer and the officer's supervisor will be contacted to ensure the issue is corrected.

C. FOUND PROPERTY AND PROPERTY FOR SAFEKEEPING

1. Items that have been placed as "Found" or as "For Safekeeping" can be released at any time to the owner, which the exception of firearms, which must be held for 48-hours.

2. By placing property as "Found" or for "Safekeeping" the officer is giving permission to return the property to the owner immediately and with no further authorizations (except for firearms). As such, officers MUST be certain the items can be released and should not place any property as "Found" or for "Safekeeping" if it is not eligible for return to the owner by its nature (such as drug paraphernalia or illegal weapons), or there are indicators that the property might be of evidentiary value in a current or future criminal case.

3. When placing items for "Safekeeping", it is absolutely necessary the officer provide the name of the owner.

4. If property is removed from an impounded vehicle, a notation shall be made in the report and upon the impound sheet.

D. PLACING BULK QUANTITIES OF CONTRABAND DRUGS

The intent of this procedure is to prevent the stockpiling of large quantities of contraband drugs in the Evidence Section and to store only what is needed for testing and prosecution. Warehousing large quantities of contraband drugs, not only presents a security and storage dilemma, but it is also hazardous to workplace health and is unnecessary for criminal prosecution.

Definition of terms:

Bulk Quantity: An amount of marijuana greater than fifteen (15) pounds, or a controlled substance greater than one (1) pound, seized as evidence in a single case. Bulk quantity may refer to a single packaged item or multiple packages containing marijuana or a controlled substance.

Court Sample: The amount of marijuana or controlled substance needed to exceed the statutory threshold for court proceedings and testing. The court-sample will be fifteen (15) pounds for marijuana and one and one tenth (1.1) pound for controlled substances depending on the original packaging seized by law enforcement. Whenever possible, the court sample must be representative of the entire seizure (i.e. bulk quantity).

Analytical Sample: An amount of contraband taken from the Bulk Quantity for laboratory analysis. This sample will be a minimal amount required for analysis only and will only be collected under special circumstances

Bulk Excess: The amount of marijuana or controlled substance left over after the Court Sample and Analytical Samples have been removed. The bulk excess will be destroyed as soon as practicable pursuant to Evidence Section procedures.

Typically, multiple boxes/containers of a given suspected drug are submitted that contain multiple packages of the suspected drug. If the amount of Marijuana or controlled substance exceeds fifteen (15) pounds or one and one tenth (1.1) pounds respectively, the Evidence Section reserves the right to create a court sample and destroy the remaining bulk excess. When determined necessary, the guidelines below will be followed by Evidence personnel once Bulk Quantities of Marijuana or controlled substances have been placed in evidence:

1. A signed court order from the correct judicial circuit will be obtained by the Evidence Section granting permission to complete the reduction. If the court order is denied, the RCPD reserves the right to refuse the continued storage of the drugs and transfer the drugs back to the submitting agency who will then make other arrangements for the storage of the drugs.

2. Prior to creating the court sample, photos will be taken of the entire bulk quantity of contraband, documenting the original condition and packaging of the seizure. The identifying case number will be included in the photos. These photos will be uploaded to Zuercher.

3. A total *gross* weight of the bulk quantity will be obtained and documented on an Evidence Drug Lab Testing form.

4. A court sample of at least 15 pounds for Marijuana and one and one tenth (1.1) pound for other controlled substances shall be created from the bulk quantity. In most cases, there will be multiple boxes/containers of the suspected drug, each containing several individual packages of the suspected drug. The court sample that is prepared must have packages from all of the boxes/containers, with the total gross weight meeting the requirements previously mentioned. Care must be taken to ensure enough drug is collected that the total *net weight* will exceed the statuary thresholds. A *gross* weight will be recorded for the court sample at the time of preparation and an initial analysis will be conducted to confirm the presence of the suspected drug. The court sample will be packaged separately from the bulk excess and shall be entered as a separate piece of evidence in Zuercher. Upon request, Evidence staff will further test the court sample; all packages in the court sample will be tested and weighed (*net weight*) at this time (or as directed by the requestor).

5. In most cases, a court sample as described in number four above will be prepared. However, upon approval from the Evidence Section Director, one of the boxes/containers that exceeds the weight limits previously mentioned can be saved as the court sample. In such cases, analytical samples must then be collected from the remaining boxes/containers, packaged, and submitted as separate evidence items. The court sample in these cases must be initially tested (weight and analytical analysis) as described in number four above.

6. Marijuana or controlled substances not identified as a court sample or analytical sample will be considered bulk excess. Evidence staff will destroy the bulk excess amount as soon as practicable pursuant to Evidence Section procedures.

7. In the event fingerprint analysis is required, work requests will be submitted with the original placement of the seizure. Fingerprinting, when required, will be done prior to processing and consolidation. The Evidence Section will give notice of any found prints to the responsible law enforcement officer prior to destruction of the bulk excess. Packaging containing fingerprints or forensic evidence pertinent to the case will be retained in evidence.

E. CRIME SCENE EVIDENCE REPORTING

1. Every effort should be made to properly document crime scenes through evidence collection and photography. This is especially critical for cases that involve serious crimes against person or property. Serious crimes include murder, rape, robbery, aggravated assault, arson, burglary, hit and run with personal injury, and felony theft cases.

2. It is the responsibility of the Officer, Detective or Forensic Examiner to document in their report all information associated with evidence they collected at a crime scene. This will serve as the chain of custody of the item prior to being submitted to the Evidence Section.

3. In cases of willful concealment of merchandise when a retail employee has seized and secured items of evidence, the investigating officer may allow the business to maintain custody of the evidence providing they have the desire, means and ability to ensure proper chain of custody of the evidence.

    a. If in the officer's opinion it appears the evidence may be lost or mishandled, or if the retail employee indicates they do not want to retain custody of the evidence, then the investigating officer shall take custody of the evidence in a manner consistent with this policy.
    b. When the evidence is perishable, the investigating officer may photograph the item for presentation in court and immediately return the perishable item to its owner.

F. HANDLING AND STORAGE OF BIOHAZARDS

1. Evidence containing suspected blood or other body fluids should be handled with protective disposable gloves. All such evidence must be dried thoroughly prior to packaging. A biohazard label should be affixed to the outside of the package. If the evidence consists of a syringe and needle, they should be placed in a protective, approved container, and be affixed with a biohazard label. Liquid samples should be collected as a liquid and stored in a bottle or, if located on clothing or similar materials, should be air-dried and packaged as previously described.

2. If it is not possible to package a potential biohazard (e.g. a gun covered in blood), it should be clearly labeled with a biohazard label. When placing it into a locker, it must be placed on a piece of disposable paper to prevent transfer of biohazard material to the interior of the locker.

3. Suspected biohazards should NEVER be placed directly on top of any surface without first laying down a piece of disposable paper. The paper will help prevent the transfer of the biohazard to the surface, and also prevent the transfer of trace evidence from the surface to the evidence.

4. After placing suspected biohazard, the officer should discard gloves and other materials in the red biohazard waste can in the Evidence Locker Room. They MUST not be thrown in the regular trash. All surfaces that potentially came in contact with the biohazard must be cleaned by the officer with a disinfecting cleaner prior to leaving the Evidence Locker Room. Gloves should be worn during this process, and all items (gloves and soiled paper towels) should be disposed of in the red biohazard trash receptacle.

5. Always wash thoroughly with soap and water after handling any item suspected of being contaminated with blood or other body fluids. Wash even if you have worn protective disposable gloves.

6. Persons working in areas for extended periods of time where blood or other body fluids have been shed (i.e. crime scene personnel working for protracted periods at homicide scenes) should wear anti-contamination clothing such as suits, masks, boot covers and gloves.

7. The shower room at the Evidence Building is available to any personnel that may have been exposed to potential biohazards. Towels, shampoo and soap are available, as well as a basic change of clothing. All soiled items, including towels, should be placed into the red biohazard receptacle located in the shower room.

8. Property section personnel will adhere to a precise regimen when handling, processing and storing potentially infectious disease - contaminated evidence/ property.

9. Any clothing or evidence contaminated with suspected AIDS, Hepatitis B or other contagious diseases will be placed in a specified area and clearly labeled. Label the previous items in this manner, "Known AIDS," “Possible Hepatitis B," etc.

10. All bloody clothing will be treated as if it is contaminated.

11. All bloody clothing or evidence, and sacks containing the clothing or evidence, will be handled with protective disposable gloves.

12. Evidence section personnel will furnish protective disposable gloves to officers, detectives, States Attorney or others handling bloody clothing while in the property section

13. Any clothing known or suspected to be contaminated with any contagious disease, bloody or not, will be handled by property section personnel only after donning protective disposable gloves.

14. The Evidence Section personnel shall wash their hands thoroughly after handling any possible contaminated clothing or evidence.

15. All potential biohazard property for disposal shall be kept in the original container and placed in the infectious disease receptacle in the property section.

16. All personnel will follow the rules and procedures posted in the evidence locker area for the handling of contaminated items.

G. SART KITS

1. SART kits are typically collected by SART nurses at Rapid City Regional Hospital. Law enforcement officers are typically responsible for transporting the kits to the Evidence Building and submitting them as evidence.

a. When the kits are picked up by law enforcement, the SART nurses will have affixed to the bottom of the kit two copies of the SART paperwork, and if taken, a SD card that should be contained in a small brown envelope.

b. The kits should be sealed and initialed by the SART nurse.

2. Only SART kits associated with cases that originate in Pennington County should be placed at the RCPD's Evidence Building.

3. The procedure for submitting a SART kit at the RCPD Evidence Building (not including Jane Doe kits – see number four) is as follows:

   a. Prior to officially placing the SART kit as evidence, the officer should remove the SD card and ONE copy of the paperwork (the second copy of the paperwork must remain affixed to the bottom of the SART kit box).

   b. If the SD card was not already secured in the appropriate brown envelope, the officer must put it in one. The officer then must write the case number on the envelope and drop the card into the "SD Card" receptacle in the Evidence Locker Room. The SD card is NOT to be placed as evidence. Evidence staff will be responsible for obtaining the SD card from the receptacle and transferring any images to the appropriate location. *Note: Not all kits will have a SD card attached.*

   c. The second set of paperwork must be scanned to the case. The officer can do this themselves or make other arrangements to have it done.

   d. As the kit has already been sealed and signed by the SART nurses, no other packaging is necessary. HOWEVER, a bar code label must be affixed to the box, and the case number must be written on the box as well. The kit and affixed paperwork are placed as ONE piece of evidence. DO NOT submit the paperwork as a second piece of evidence. The kits should be placed in a refrigerated locker whenever possible. If none are available, the kit can be placed in a normal locker, but the officer should send an email or task to inform Evidence staff.

4. Occasionally it will be necessary to place "Jane Doe" SART kits. Due to State Laws associated with such evidence, no identifying information may be included with the placement of the kit. If the paperwork contains identifying information, it must NOT be scanned to the case. In such cases, both copies of the paperwork can be left attached to the box. It may be the SART nurses may not even affix the paperwork to the box. The kit will be placed under a name that consists of the SART kit number and the name Jane Doe. In most cases, the SD card will be in the SART kit. It is NOT to be removed and will be placed with the kit. Detailed instructions for placing such kits are available in the Evidence Packaging Manual located in the Evidence Locker Room. Such kits will be held for one year, at which time they will be disposed of. Prior to disposal, the SD card will be removed from the kit and all pictures deleted. Any identifying paperwork will be shredded.

A. PROCESSING RECOVERED STOLEN VEHICLES

1. An officer is dispatched and a vehicle recovery report is completed whenever a stolen vehicle is recovered within the City of Rapid City. This procedure shall be followed whether the recovered stolen vehicle is towed by the officer and removed to the evidence processing facility or is released to the owner at the scene.

2. The recovered stolen vehicle may be released to the owner at the recovery scene without being impounded if the vehicle has been processed, does not need to be processed, or otherwise held as evidence. If a suspect is apprehended, the vehicle cannot be released without the authorization of the Pennington County States Attorney (SDCL 23A-37-14).

3. The owner signs the release portion of the recovery report when taking custody of the vehicle at the scene.

4. Whenever possible, stolen vehicles recovered in Pennington County are processed. Vehicles reported stolen in Rapid City and subsequently recovered in other jurisdictions shall be processed in the following instances:

   a. When the recovering agency will do the processing based upon suspect information or other investigation details.

   b. When there is evidence that the vehicle was used in a serious crime committed in Rapid City or Pennington County. Rapid City crime scene investigators may respond to locations adjacent to Pennington County or as directed.

5. The Emergency Services Communications Center (ESCC) shall be notified immediately by the officer whenever a stolen vehicle is recovered. This notification is so the vehicle listing can be removed from NCIC, and/or for ESCC to advise the agency having jurisdiction of the auto theft by teletype regarding the vehicles recovery.

6. Communication Center personnel shall send a canceling teletype immediately upon notification regarding the recovery of any vehicle stolen in Rapid City. If the recovered vehicle was stolen from another jurisdiction, ESCC personnel will teletype the jurisdiction advising them of the recovery. A copy of any teletype message regarding an auto theft or recovery shall be forwarded by the Communications Center to the Auto Theft Investigator.

7. The date, time, and name of the ESCC employee notified, should be included on the vehicle impound/recovery report.

8. The recovering officer should attempt to contact the owner of the vehicle. If requested by the officer, ESCC personnel will attempt to notify the owner of the stolen vehicle regarding its recovery. If the owner of the vehicle cannot immediately respond and take control of the vehicle, the owner will be advised where the vehicle has been impounded and who to contact to secure its release.

9. If the owner cannot be contacted by telephone, the recovering officer will attempt to contact the victim at their residence. If no one can be contacted at the residence, the officer shall leave a message requesting the victim to contact the Police Department Criminal Investigation Division.

10. If after 24 hours the owner fails to make contact with the Criminal Investigation Division, the assigned investigator will send a letter to the vehicle owner requesting the owner to contact the Department.

11. Evidence processing of the recovered stolen vehicle shall be at the discretion of the investigator assigned to the case.

12. All evidence processing of stolen vehicles shall be conducted by the evidence personnel at a secured evidence recovery facility, or by a trained police supervisor, or officer at the scene of recovery, as appropriate.

13. In all cases where a vehicle stolen from within the City of Rapid City is recovered, every effort shall be made to notify the owner and this effort shall be documented.

Supporting Documentation: SDCL 23A-37-14

A. CHAIN-OF-CUSTODY MAINTAINED

1. A transfer of custody of physical evidence, found property, or property placed for safekeeping occurs under the following circumstances:

   a. Returned to owner,

   b. Released to a court for judicial proceedings,

   c. Released to another law enforcement agency for retention,

   d. Transferred to another crime laboratory for forensic analysis,

   e. Signed out of the property warehouse for internal laboratory analysis,

   f. Returned to the property warehouse after viewing, court use, or laboratory analysis,

   g. Destroyed,

   h. Court-ordered for Department use,

   i. Sold at auction.

2. Each time a transfer of custody of physical evidence takes place, the Records Management System file for that property will be appropriately updated, including a signature from the individual receiving and taking responsibility for that property when requested.

3. Any evidence checked out of the Evidence Section's property warehouse for internal laboratory examination will be signed out in a similar fashion by the appropriate evidence employee conducting the examination. Once the examination is complete, the evidence will be returned to the warehouse and the evidence employee will sign the evidence back in on the Records Management System database.

4. When submitting evidence to an outside Crime Laboratory, the Records Management System evidence file is to be updated and will include the signature of the person transporting the item to the outside laboratory when requested. Evidence may also be shipped to an outside laboratory by secure delivery service such as United States Mail, FedEx, or United Parcel Service. The evidence employee packaging the evidence for shipment will sign the chain-of-custody. A copy of the delivery service's air billing or shipping label will be maintained in Evidence so the item can be tracked if needed.

5. Persons wishing to view evidence, and/or property held by the Evidence Section will notify the Evidence staff to make an appointment for viewing. Persons viewing property will sign the chain-of-custody section of the Records Management System evidence file indicating which items were viewed.

B. REQUESTING INTERNAL LABORATORY EXAMINATIONS

1. Each officer requesting internal laboratory examinations on property can do so from the Records Management System.

2. Blood, biological materials, or other perishable evidence shall be submitted and maintained in refrigerated storage pending transport for analysis. Transport shall be accomplished expeditiously, generally on the next business day.

3. All requests for laboratory examination submitted will be assigned to the most appropriate Department Evidence personnel.

   a. When necessary, Evidence personnel will be responsible for proper packaging of evidence for transmittal to an outside laboratory.

   b. Employees seizing evidence are responsible for filling out the appropriate task request to initiate an evidence examination.

C. REQUESTS FOR EXTERNAL LABORATORY EXAMINATIONS

1. The collection of evidence for external laboratory analysis shall be the responsibility of the officer in charge of the crime scene, a crime scene investigator, a forensic examiner, or a designee.

2. Consideration shall be given to the types of materials and substances to be used for comparison analysis by the crime laboratory when identifying and collecting evidence from a crime scene or during any subsequent follow-up investigation. The list includes, but is not limited to paint, soil, fibers, fabrics, glass, wood, hair, and tool marks.

3. When known standards are collected for analysis and comparison, it is critical to record the location from which these standards are obtained. This is especially critical when fracture analysis is desirable, such as in paint, glass, and metal analysis.

4. When known standards are to be collected, these standards shall be obtained from as near to the damaged area as possible. For example, known glass standards should be obtained from the frame, which might hold pieces of broken glass.

5. Control samples necessary for comparative examinations will be collected in the manner outlined in the FBI Handbook of Forensic Science manual.

6. If an officer in charge of a crime scene determines it is beyond their capabilities to determine whether standards should be seized for comparison, or is unsure if comparison is possible, the officer shall contact their supervisor for advice and assistance.

7. The officer in charge of the case investigation will be responsible for submitting evidence for analysis to the appropriate laboratory. This will involve completing an appropriate task request, and any written correspondence required, such as laboratory forms and copies of case reports.

The correspondence will then be delivered to the Evidence Section and the Evidence Section will be responsible for mailing the evidence.

8. The reports generated by the Department Evidence Section will be uploaded to the appropriate case file, and notification will be sent to the requesting officer. Written reports of findings will be requested from analyzing laboratories, e.g., State Crime Lab, FBI Crime Lab and SDSM&T, which will be scanned and uploaded to the Records Management System and, again, the requesting officer will be notified.

9. Transmittal letters to any other laboratory agency shall include a copy of the written case report and/or case summary.

D. CUSTODY INFORMATION ON LABORATORY SUBMISSIONS

The written record of physical evidence sent to a laboratory for examination shall include at a minimum:

1. Name of the last officer having custody;

2. Date and time of submission, and method of transmission; and

3. The date and time of receipt and the name of the person receiving the evidence at the laboratory.

E. WRITTEN RESULTS OF LABORATORY ANALYSIS

A written report of analysis results will be requested in every case, to be scanned and uploaded to the appropriate Records Management System case file, and the primary investigating officer will be notified.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
621-06	Evidence Collection and Preservation	1 OF 1
ORDER NO.: 14-04	**SUBJECT:** Crime Scene Training	
SUPERSEDES: 11-01	**EFFECTIVE:** 12-29-14	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 83.2.2, 83.2.3		

A. CRIME AND CRASH SCENE TRAINING

1. Crime and Crash Scene Investigations training for recruits will be conducted as outlined in the Police Training Officers Guidelines. Specific training requirements are set forth in Section 433 of this Manual.

B. CRIME SCENE IN-SERVICE TRAINING

1. In cooperation with the Training Administrator, the Evidence Section provides refresher training for crime scene processing.

C. CRIME SCENE SPECIALIZED TRAINING

1. Due to the complexities of some crime scenes, certain Department employees are trained to process such scenes. The Evidence Personnel will perform evidence collection and preservation functions on all major crime scene cases when requested.

2. The Evidence Personnel shall be responsible for:

   a. Recovery of latent fingerprints and palm prints;

   b. Recovery of foot, tool, and tire impressions;

   c. Photographing crime and crash scenes;

   d. Collecting, preserving, and transmitting physical evidence, including biological materials.

   e. Detailed crime or crash scene maps will be prepared by a trained Crash Reconstructionist from the Patrol Section.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
621-07	Collection and Preservation of Evidence	1 OF 3
ORDER NO.: 18-02	**SUBJECT:** Photography/Digital Imaging	
SUPERSEDES: 11-05	**EFFECTIVE:** 02-26-18	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 83.2.2		

PURPOSE: The effective exercise of the law enforcement responsibility of an agency in the investigation of crime and in the prosecution of offenders frequently requires that information be obtained through the application of scientific knowledge and methods. Physical evidence must be identified, collected, safeguarded and properly transported if laboratory services are to prove useful to the investigative effort.

POLICY: The Department recognizes photographic images are an important component of criminal investigation and prosecution. Images may be captured and archived using various imaging technologies including, but not limited to conventional film and digital imaging. The Department utilizes digital imaging as the means to capture images. Regardless of the technology used, image integrity is maintained to ensure those images are admissible in court.

The following procedures are subject to change as needed to accommodate developing technology and computer systems. Notice of changes will be disseminated department-wide prior to implementation.

PROCEDURES:

A. Definitions

1. Archive Image: The original image stored on media intended for long-term storage.
2. Compression: The process of reducing the size of a data file.
3. Digital Image: An image that is stored in numerical form.
4. File Format: The structure by which data is organized in a file.
5. Hybrid Imaging: The method or process of creating a digital image file from an analog picture, negative, or slide.
6. Image Enhancement: Any process intended to improve the visual appearance of an image.
7. Image Processing: Any activity, which transforms an input image into an output image.
8. Original Image: For conventional film photography and analog video, the original image is the negative filmstrip, color slide, or video tape. For digital imaging, the original image is either the digital image recorded on the camera's removable storage media (i.e. flash card), or once downloaded, the archive image stored in the evidence digital server.
9. Removable Storage Media: Storage media capable of being removed (and replaced) from a camera or other digital device.
10. Working copy: A copy of the original image used for image enhancement.

B. Image Capture

1. Employees shall not take images with personally owned cameras or cell phones. All images, taken at a crime scene, crash scene, or to further the investigation of any police-related manner, are considered evidence. This evidence is considered the property of the Rapid City Police Department. Such images shall not be transferred outside of the Department, except for official business.

2. Photographs are taken when an employee believes visual documentation will assist the investigation or prosecution of criminal acts, incidents, or traffic crashes. The photographs should be of high-quality and accurately represent the scene as it appeared at the time it was photographed.

   Department digital cameras used to capture images will be set to the file format and compression ratio appropriate to ensure high visual quality when viewed or printed.

   a. After photographs are captured and stored as primary images on the removable storage media (i.e. flash card), the images may not be opened and/or viewed with a device or software that enables editing of digital images (except by authorized evidence section personnel). It is acceptable to review the photographs on the camera's internal viewing screen to ensure proper exposure and composition. However, **images shall not be deleted** from the removable storage media until all the images are transferred to archival storage in the Records Management System.

   b. Once the images are captured, the employee shall remove the storage media from the camera. The storage media shall be kept in the employee's direct control until transferred into Records Management System.

C. Image Storage

1. In the case of archived traditional 35 mm film, the negative strips are stored in the Evidence Section by case number, effective the year 2000. Prior to the year 2000, negative strips are stored by the date the photographs were taken. Access to 35 mm archives is limited to evidence section employees.

2. Digital images shall be transferred to the Records Management System and stored as digital property under the case number. Once digital images are transferred to the Records Management System and the transfer has been verified, the media card should be formatted and may be returned to service. Rapid City Police Department detectives and Pennington County Sheriff's Office investigators have viewing rights to these images for investigative purposes.

F. Photograph Requests

The following procedure will be used regarding requests for copies of photographs held in evidence, from traditional 35 mm film and/or digital images.

1. Requests for photograph reproduction, or digital image reproduction in criminal or civil cases will be made using the PHOTOGRAPH REQUEST FORM.

2. Due to processing time and logistical considerations, requests should be made in advance to allow adequate time to fulfill the needs of the recipient. Generally, four working days will be sufficient to process the request.

3. Any photograph reproduction, or digital image reproduction, requests made to investigators, patrol officers, or other Department employees by prosecuting attorneys shall be referred to the Records Division. All photograph reproduction, or digital image reproduction, requests from defense attorneys involved with criminal cases will be directed to the State's Attorney's Office. The State's Attorney's Office will approve the request and forward the Photograph Request Form to the Records Division. The Records Division will provide the requested material to the State Attorney's Office. Processing expenses under these circumstances will be billed directly to the State's Attorney's Office. There will be no additional fees assessed by the Rapid City Police Department Records Division to attorneys.

4. Other photograph reproduction, or digital image reproduction requests will be made directly to the Rapid City Police Department Records Division. These requests include, but are not limited to requests for photograph or digital image reproduction for civil cases, private investigators, and private citizens. The Records Division should be contacted for the current fee schedule for photograph or digital image reproduction.

5. Other government agencies may be exempt from these charges.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
621-08	Evidence Collection and Preservation	1 OF 1
ORDER NO.: 14-04	**SUBJECT:** Audio/Video Duplication	
SUPERSEDES: 06-06	**EFFECTIVE:** 12-29-14	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

REQUESTING AUDIO/VIDEO REPRODUCTION

The following procedure will be used regarding requests for duplication of audio or video recordings held as evidence by the Rapid City Police Department pursuant to R&P 514-06 and 612-03.

1. All requests for audio and video reproduction in criminal or civil cases will be made utilizing the Audio/Video Duplication task request from the appropriate case file in the Records Management System.

2. Due to processing variations required in the duplication of, and/or editing time requirements involved in the reproduction of audio and video recordings, requests for this reproduction should be made in advance of the need. Generally, four working days will be sufficient to process the request.

3. All audio/video duplication requests from defense attorneys involved with criminal cases will be directed to the State's Attorney's Office and will be processed through normal channels of discovery. The State's Attorney's Office will approve and forward the request(s) to the Media Specialist.

4. Redacting or editing of the original audio or video requires an edited transcript and/or an attorney, as directed by the State Attorney's Office

5. Duplication of copyrighted material requires written permission as required by law.

6. The Rapid City Police Department will duplicate one copy of the requested video recording, which will in turn, be provided to the State's Attorney's Office. The Rapid City Police Department will duplicate the requested amount of audio recording, which will in turn, be provided to the State's Attorney's Office. No fees will be assessed for this duplication.

7. The State's Attorney's Office will ensure discovery is provided as prescribed by statute or court order.

8. Other audio and video duplication requests will be made directly to the Rapid City Police Department Media Specialist. These requests include, but are not limited to, requests for duplication for civil cases, private investigators, and private citizens. The Police Department Media Specialist should be contacted for the current fee schedule for recording reproductions.

9. Other government agencies may be exempt from these charges.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
621-09	Collection and Preservation of Evidence	1 OF 2
ORDER NO.: 06-05	**SUBJECT:** Handling of Suspicious/Hazardous Substance Mail	
SUPERSEDES: 04-02	**EFFECTIVE:** 06-14-06	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 42.2.3		

POLICY: The Rapid City Police Department will engage in the handling of suspicious or hazardous material while ensuring the integrity of the evidence and safety of the personnel handling it.

PURPOSE: The purpose of this SOP is to establish guideline criteria for the safe and effective handling of hazardous materials that may be connected to a criminal investigation. Physical evidence must be identified, collected, safeguarded and properly transported if laboratory services are to prove useful to the investigative effort.

A. PROCEDURAL GUIDELINES FOR SCREENING, HANDLING, AND COLLECTION OF SUSPICIOUS / HAZARDOUS SUBSTANCE MAIL

1. If a call is received regarding a citizen who is suspicious about an unopened package or letter they will be instructed by Emergency Services Communication Center (ESCC) with the first option of double bagging the item in a zip-loc bag and instructed to discard it in their trash container. If the reporting party is not comfortable doing this, ESCC will send law enforcement to assess the mail according to the guidelines provided.

2. If the decision is made that further investigation is not necessary, the officer should explain there would be no further action. At this point, the package or letter should be double-bagged and thrown in the trash. A log entry is sufficient documentation of the incident. Items such as bulk mailing, etc., may be thrown away in the dumpster behind the Main Fire Station, 10 Main Street.

3. If the responding officer determines further investigation is necessary, the officer should request the ESCC contact the Hazardous Material (Haz-Mat) Team for immediate response and containment. Additionally, if the citizen indicates the letter or package has been opened and they suspect a foreign substance or residue, the Haz-Mat Team will be dispatched to the scene. The Haz-Mat Team will triple-bag the item and wash the outside of the bag with a solution to decontaminate the bag. The bagged item will then be placed inside a paint can, sealed, and decontaminated. An evidence seal will be placed on the paint can, then signed and dated by the team member in charge. Law enforcement will still need to respond to maintain public safety, complete necessary paperwork, and take control of the material once it is rendered safe by the Haz-Mat Team. The officer will take the evidence and place it according to proper evidence procedures.

4. Once the Evidence Section receives the evidence, it will be handled according to established guidelines.

B. ATTRIBUTES OF SUSPICIOUS / HAZARDOUS SUBSTANCE MAIL

Although there are no definitive guidelines to the attributes of Suspicious / Hazardous Substance Mail, for the purpose of screening techniques, we will utilize the description provided by the United States Postal Inspection Service. The following is a list of those guidelines:

1. Hand-written or type-written envelope.
2. First class stamped postage showing a denomination and a cancellation.
3. No return address or a return address that is not legible or not legitimate.
4. Addressed to prominent companies, organizations, individuals, or political figures.
5. Marked with restrictive endorsements, such as “Personal” or “Confidential.”
6. Shows a city or state in the postmark that is not geographically near the return address.
7. Poorly written English, maybe using unusual writing, poorly typed address, incorrect titles or titles with no name, or misspellings of common words.
8. Off-white, beige, yellow, or light brown fine powder present.
9. Excessive security material (i.e. tape).
10. Is the recipient expecting the letter?
11. Is the item addressed to someone no longer with the organization?

PURPOSE: To be useful in subsequent criminal prosecutions, certain precautions and procedural steps must be followed to ensure the integrity of digital evidence acquired when data or electronic devices are seized and secured for examination.

A. CRIME SCENE PROCESSING PROCEDURES

Internally attached computer hard drives, external drives, and other electronic devices at a crime scene may contain information useful as evidence in a criminal investigation or prosecution. The devices and the information contained may be complex and difficult. These procedures apply toward common stand-alone computers, (non-networked systems) and other digital devices. These devices may be, but are not limited to equipment for providing communications, digital photography, navigation systems, entertainment, data storage, and personal information management. If an investigating officer is not certain if these procedures cover the computer equipment in question, they must contact the Rapid City/Pennington County Internet Crimes Against Children (ICAC) Unit as needed.

1. **Recognizing Potential Digital Evidence**

First responders should be aware of and consider as potential evidence other elements of the crime scene relate to digital information, such as electronic devices, equipment, software, hardware, or other technology functioning independently, in conjunction with, or attached to computer systems. These items may be used to enhance the user's access of and expand the functionality of the computer system, the device itself, or other equipment.

Electronic devices may contain valuable information regarding the function they perform or the various uses of the device as potential evidence. Latent evidence such as DNA, fingerprints, and other forms of identification may be found and provide additional potential evidence.

Answers to the following questions will better determine the role of the digital device in the crime:

a. Is the electronic device contraband or fruits of a crime?
(For example, was the device itself or the software stolen?)

b. Is the electronic device a tool of the offense?
(For example, was the item used to commit the offense? Were fake Ids or other counterfeit documents prepared using the computer, scanner and color printer? Or in the example of a cellular phone, were digital photos taken or transmitted, or was it used for texting?)

c. Is the electronic device only incidental to the offense, i.e., being used to store evidence of the offense?
(For example, is a drug dealer maintaining trafficking records on the device?)

d. Is the electronic device an instrument of the offense or a storage device for evidence? *(For example, did the computer hacker use the computer to attack other systems and/or also use it to store stolen credit card information?)*

Once an electronic device's role is understood, the following essential questions should be answered:

a. Is there probable cause to seize equipment?

b. Is there probable cause to seize software?

c. Is there probable cause to seize data?

d. Where will this search be conducted?

For example:

- Is it practical to search the electronic device on site, or must the examination be conducted at a field office or lab?
- If law enforcement officers remove the electronic device from the premises to conduct the search, must they return the electronic device, or copies of the seized data, to its owner/user before trial?
- Considering the incredible storage capacities of all electronic devices, how will experts search this data in an efficient, timely manner?

2. **Preparing for the Search and/or Seizure**

Using evidence obtained in an electronic device in a legal proceeding requires:

a. Probable cause for issuance of a warrant or an exception to the warrant requirement.

b. Use of appropriate collection techniques so as not to alter or destroy evidence.

c. Forensic examination of the device completed by trained personnel in a speedy fashion, with expert testimony available at trial.

3. **Conducting The Search and/or Seizure**

Once the Electronic Device's Role is Understood and Legal Requirements are Fulfilled:

a. Secure The Scene

- Preserve Area for potential latent evidence.
- Immediately restrict access to computer(s) or other electronic device(s).
- Isolate from phone lines or any other wireless communication service. *(Data on the computer(s) or other electronic device can be accessed remotely through the use of any Wi-Fi or Bluetooth applications).*

b. Secure the Electronic Device as Evidence

(1) If the device is "OFF," and not simply in some form of a hibernation mode depending on the type of electronic device, **DO NOT TURN "ON."**

(2) If the device is "ON" follow these:

(a) Consult the ICAC Unit, or designee as needed to secure the device(s).

(b) If the ICAC Unit cannot be reached for securing the electronic device, contact the DCI Computer Forensic Laboratory in Pierre. If neither of these resources is available, follow these basic steps to protect the evidence as best as possible: **(Important! If the device or digital evidence is part of a business or business network, the investigating officer should defer the search and/or seizure until a specialist can be brought in to assist. Otherwise, the likelihood of the electronic evidence being altered or even destroyed is greatly increased.)**

1) Collection of Desktop Computers:

- Photograph the screen, then disconnect all power sources; unplug from the back of the computer(s) and from the wall.
- Photograph/diagram & label back of computer components showing existing connections. This includes, but not limited to the Wi-Fi access point, and networked drives such as Wi-Fi and other wired devices. This photographing and labeling allows for reassembly as needed.
- If transport is required, package components and transport/store components as fragile cargo. Keep in mind the floorboard in the passenger compartment of Department vehicles, in most cases, is an ideal location for transporting computer equipment.
- Keep away from magnets, high-powered radio transmitters and otherwise hostile environments to computer equipment.
- Obtain username(s) and passwords when applicable and feasible.
- Create an "Evidence – ICAC" task in the Records Management System for the item to be analyzed if applicable.

2) Collection of Laptop Computers:

- Document, photograph, and sketch all wires, cables, and devices connected to the laptop computer.
- Uniquely label all wires, cables, and devices connected to the laptop computer as well as the connection they occupied allowing reassembly as needed.
- Remove and secure the power supply and all batteries from the laptop computer.
- Disconnect and secure all cables, wires, and USB drives from the computer and document the equipment or device connected at the opposite end.
- Obtain username(s) and passwords when applicable and feasible.

- Create an "Evidence – ICAC" task in the Records Management System for the item to be analyzed if applicable.

3) Other portable electronic devices:

- Collect all power supplies and adaptors for the electronic devices.

- Leave cellular, mobile, smart phone(s), tablets, or any other portable electronic device in the power state (on or off) in which the device was found.

  If possible, place the cellular, mobile, smart phone(s), tablets or other portable electronic device into "Airplane" mode. This setting prevents the device from being accessed.

  If you are dealing with notebook computers containing a solid state drive (SSD), conduct a hard power shut down, which is where the power button is held for several seconds until the device powers down or off.

  Obtain username(s), passwords, pass codes and/or Apple Itunes backup passwords when applicable and feasible.

- Package mobile or smart phone(s) or any other portable electronic device in signal-blocking material such as faraday isolation bags, paint cans, radio frequency-shielding material, or aluminum foil to prevent data messages from being sent or received by the devices. (First responders should be aware if inappropriately packaged, or removed from shielded packaging, the device may be able to send and receive data messages if in range of a communication signal.)

  Create an "Evidence – ICAC" task in the Records Management System for the item to be analyzed if applicable.

B. GENERAL

Note: *Most of the procedures contained here are taken directly from the publication "Best Practices for Seizing Electronic Evidence" a joint project of the U.S. Secret Service, IACP and National Institute of Justice and Electronic Crime Scene Investigation: A Guide for First Responders, second edition.*

1. As a rule, all electronic devices or digital evidence should be searched and seized in accordance with the most current Department of Justice publication, *"Computer Crime and Intellectual Property Section (CCIPS) Searching and Seizing Computers and Obtaining Electronic Evidence in Criminal Investigations."* A copy of this publication can be accessed from the Internet at: http://www.usdoj.gov. This 267-page publication covers a variety of different concerns when collecting computer equipment as evidence, from what the officer needs in a search warrant to what should be done to protect the integrity of the evidence taken. Additionally, this publication includes what to be aware of in a networked environment. The computer specialist(s) should use this document as reference material when working to secure computer evidence.

2. An additional publication available for dealing with search and seizure of other electronic devices is available at: http://www.ojp.usdoj.gov. This 74-page publication covers a variety of different concerns when collecting electronic devices and digital media as evidence. This guide is intended for first responders for collecting and preserving evidence at crime scenes.

3. If there are still questionable areas of hardware, software and/or data that the investigating officer or computer specialist cannot understand all work to secure a computer evidence scene should stop immediately, and higher authorities at the FBI or Department of Justice should be contacted. Both the FBI and Department of Justice have personnel specialized in technology and are there to assist local agencies as needed.

   One resource of the DOJ is the SEARCH Consortium in Sacramento, California. SEARCH can be contacted by Internet or phone:

   http://www.search.org
   (916) 392-2550 (8AM - 5PM, M-F, PST)
   (916) 392-2555 + staff extension (Voicemail After hours, M-F, and weekends)
   (916) 392-8440 FAX
   Address:
   7311 Greenhaven Drive, Suite 145
   Sacramento, California 95831

C. TEMPORARY PLACEMENT OF ELECTRONICS AT COMPUTER CRIMES UNIT

Members of the ICAC Unit are authorized to place seized electronic devices in the secure ICAC labs restricted access storage area without first being placed at Evidence. This provision is to facilitate the need to immediately process these devices for investigations. The procedures below will be followed when the initial placement of electronic devices does not occur at Evidence:

1. Seized electronic devices shall be brought to the secure lab storage area located in the ICAC Unit in the Public Safety Building. If seizure occurs after-hours, the devices will be temporarily stored in the secured area of the lab provided for this purpose, and under the control of the ICAC Unit until Evidence staff is available to document intake.

2. All applicable Evidence forms shall be completed at this time and where practical, the devices should be packaged according to normal evidence procedures.

3. When ready for intake, members of the ICAC Unit shall notify property staff from Evidence. Intake staff will respond to the ICAC Unit for the purpose of accepting the property in as Evidence.

4. Once received into Evidence, the property staff will sign out the devices to the designated Computer Forensics Investigator and will document this exchange on the chain-of-custody form. The chain-of-custody form will be immediately returned to Evidence for generating bar code storage labels. The storage labels will not be affixed to packaging until final placement at Evidence.

5. Investigators of the ICAC Unit shall complete an Activity Log to track the activity of the items while in their possession. This form shall be submitted with the final paperwork to become part of the permanent Evidence record in the Departments Records Management System.

6. When forensic processing is complete, the electronics shall be placed back into the original packaging and sealed for final placement at Evidence. These items will be brought to Evidence by ICAC personnel. Final dispositions of the items should be clearly designated with the return of each item of property.

Long-term storage of seized electronic devices beyond these provisions is not authorized to occur at the ICAC Unit. Items not subject to the above provisions shall be handled under the existing Evidence placement guidelines.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.: 621-11	**SECTION:** Collection and Preservation of Evidence	**PAGE NO.:** 1 OF 1
ORDER NO.: 18-02	**SUBJECT:** Fingerprint Process and Comparison Procedures	
SUPERSEDES: 14-04	**EFFECTIVE:** 02-26-18	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

Deleted: 02-26-18

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
621-12	Collection and Preservation of Evidence	1 OF 5
ORDER NO.: 18-02	**SUBJECT:** DNA Evidence	
SUPERSEDES: 14-04	**EFFECTIVE:** 02-26-18	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 83.2.7, 83.3.1		

PURPOSE: To establish responsibilities for the officer/investigator processing crime scenes and to establish guidelines for the proper collection, packaging, documentation, and submission to forensic laboratories of physical DNA evidence.

POLICY: Physical evidence appears in many shapes, sizes and forms, thereby necessitating various recovery, preservation and submission techniques. Deoxyribonucleic Acid **(**DNA) is a form of physical evidence from the human body. DNA can be found in blood, seminal fluid, tissues, bone marrow, hair, saliva, urine, tooth pulp, and skin cells. Mitochondrial DNA (mtDNA) can be found in degraded samples of bone, and in hair shafts lacking the root.

Care must be taken to collect any of the above potential sources of evidence. The care extends to the collection of the evidence, storage of the evidence, analysis of the evidence, and integrity of the evidence.

Proper documentation, collection, preservation, and submission of physical evidence to forensic laboratories may provide the key ingredients of any police investigation. Through evidence located at the scene, suspects are developed, or eliminated, investigative leads are established and theories concerning the crime/incident are substantiated or disapproved. The officer or investigator must always be aware of the fact that physical evidence collected might someday have to be presented in a court of law; therefore, it is imperative that each police officer exercise care in the processing of a crime/incident scene so as not to overlook valuable evidence or contaminate or destroy collectable items. The officer or investigator processing crime/incident scenes should be properly equipped to collect, identify and package evidence so that it will not be changed in form and value when it reaches the laboratory.

PROCEDURES

A. CRIME SCENE PROCESSING AND COLLECTION OF DNA EVIDENCE

1. Every officer, from the first responding patrol officer to the experienced detective and the crime scene technician, should be aware of important issues involved in the identification, collection, transportation, and storage of DNA evidence. Because extremely small samples of DNA can be used as evidence, greater attention to contamination issues is necessary. Evidence can be contaminated when DNA from another source gets mixed with DNA relevant to the case. This can happen when someone sneezes or coughs over the evidence or touches his or her mouth, nose or other part of the face and then touches the area of the evidence containing the DNA.

2. Photograph the sample before collection, package correctly, and initial and date each sample.

3. Samples found on property that can be collected whole, such as clothing, a knife, or firearm may be left on that medium, and secured as evidence. Such items must be air dried before submitting for analysis. Care must be taken when air-drying to avoid contamination. This may be done by packaging the item in a container that will allow air circulation such as a paper sack, or envelope.

Wet clothing, bed sheets and other similar items should be hung to dry. Do not fold such items together since bloodstain analysis will be lost if transfer stains are made on the item.

4. If the sample cannot be brought in on the medium to which it is attached, it can be collected by a swab. Do not scrape dry samples. Sterile cotton swabs, clean containers, and clean instruments must be used. If the evidence sample (i.e. blood, semen, mucus, etc.) is dry, wet a swab with a distilled water solution (DW), ordinary tap water, or even bottled water as long as no one drank from it. Notify Rapid City Police Department Evidence personnel of all items needing to be air-dried. The Rapid City Police Department Evidence Section provides appropriate cotton swabs in sterile packaging. Swabs may be placed in appropriate containers after they are air-dried for a few minutes.

5. When taking a sample from a human body; alive or dead, follow legal requirements for collecting samples. A dead body becomes the property of the county coroner, and Rapid City Police Department officers may take custody of samples from a dead body. Usually this is done at the autopsy, and the forensic pathologist will take samples and pass them to an officer for custody and storage. From live bodies, one must have permission of the person, taken as the result of a search incident to arrest, a court order, or exigent circumstances to take any samples other than those that might be readily destroyed. Some examples of readily destroyed samples might be blood on hands, foreign tissue on a person's body, foreign hair on a body, or foreign substances on genitalia as a result of sexual intercourse.

6. Blood drawn for any reason should be held in vials meant for this purpose. Store all drawn blood in a refrigerator.

7. Semen and saliva samples should be collected in the same method as blood from an inanimate object. If collecting from a human source, semen can be swabbed from a body in the same procedure as one would swab blood. Saliva samples (buccal samples) should be collected by use of a sterile cotton Q-tip type swab. Simply rub each of the swabs, several seconds, on the inside of the mouth along the inner sides of both cheeks and the gum line. Either sterile swabs or sterile cotton swatches may be used to do penile wiping. The collecting officer must wear rubber gloves during the handling and collection of the samples. From a dead body, the coroner's physician, assistant, or investigating officer may collect samples. The officer must wear protective gloves during this procedure.

8. Hair must be collected to prevent contamination. If from a living subject have the subject pull 15-20 hairs and place on a clean paper container and or envelope. If a dead body, pull a like amount of hair, and place on a clean paper container and or envelope. If possible collect hair from five different spots from the head, and take care to see that some of the hairs have root balls. Hair should be stored in a cool environment to ensure best preservation. It is not necessary to refrigerate it.

9. Bone marrow, tooth pulp and body tissues may be present at a scene. If collected, follow collection and storage procedures relating to blood.

10. The Rapid City Police Department provides prepared sexual assault kits, and prepared suspect kits. These may be used in collecting evidence from sexual assault victims, and from suspects. Each kit contains marked containers and envelopes for each type of sample that might be collected, and should be used as needed for the investigation.

11. When transporting and storing DNA evidence, keep the evidence dry and at room temperature. Once the evidence has been secured in paper bags or paper envelopes, it must be sealed, labeled and transported in a way that ensures proper identification of where it was found and proper chain of custody. Place BIO-Hazard labels on packages. Never place DNA evidence in plastic bags because the moisture retained in the bags can be damaging to the DNA. Direct sunlight and hot

conditions also may be harmful to DNA. Avoid keeping evidence in places that may get hot, such as a room or police cruiser without air conditioning.

12. To avoid contamination of evidence that may contain DNA, always take the following precautions;

    a. Wear gloves. Change gloves frequently, and as necessary to avoid cross-contamination.

    b. Use disposable instruments or clean them thoroughly before and after handling each sample.

    c. Avoid touching the area of the evidence where you believe DNA may exist.

    d. Avoid talking, sneezing, scratching, and coughing over evidence.

    e. Avoid touching your face, nose and mouth when collecting and packaging evidence.

    f. Air-dry evidence thoroughly before packaging (not in direct sunlight).

    g. Put evidence into new paper bags or paper envelopes. **Do not use plastic bags, or staples**.

    h. Affix bio-hazard labels on bags and envelopes when appropriate.

    i. Proper order of collection:

        (1) The officer should collect perishable evidence first.

        (2) In order to prevent destruction of evidence the officer should work their way through the scene, collecting in a logical sequence, trying to avoid disruption of other items of evidence.

13. Ultra-violet lights (UV), oblique lights, amido black, and luminol are processes that may be used to locate substances. Consult with a supervisor or crime scene specialist before using any of the above techniques.

14. As with fingerprints, the effective use of DNA may require the collection and analysis of "elimination samples." These samples are necessary to determine whether the evidence came from the suspect or from someone else.

15. One investigative tool available to law enforcement is CODIS (Combined DNA Index System). CODIS, an electronic database of DNA profiles that can identify suspects, is similar to the IAFIS database. All states have implemented a DNA index of individuals convicted of certain crimes. Therefore, law enforcement officers have the ability to identify possible suspects when no prior suspect existed. The CODIS system is available through the FBI Laboratory.

B. PROCEDURES FOR SUBMISSION OF DNA EVIDENCE TO ACCREDITED LAB

1. Responsibility for requesting lab examinations.

   Under normal circumstances, the responsibility for submission and request for lab examination will lie with the investigator, or the evidence specialist who actually processed the scene and took custody of evidence.

2. Analysis of evidence for serological or DNA purposes must be done at an accredited laboratory. Location, collection, storage, transportation, and analysis requests are the responsibility of police personnel. Follow established South Dakota Division of Criminal Investigation (DCI) lab

procedures for transportation submittal, and analysis requests of evidence. Follow DNA laboratory procedures for transportation, submittal, and analysis requests as they apply to each laboratory.

3. When submitting evidence to an outside Crime Laboratory, the proper annotation will be made to the Records Management System database, which will also include the signature of the person transporting the item to the outside laboratory when requested. Evidence may also be shipped to an outside laboratory by secure delivery service such as United States Mail, FedEx, or United Parcel Service. The evidence employee packaging the evidence for shipment will sign the Records Management System form and the form will be annotated to reflect which delivery service is used. A copy of the delivery service's air billing or shipping label will be maintained and scanned into the Records Management System so the item can be tracked if needed.

4. All items to be analyzed for DNA will be sent to either the South Dakota Division of Criminal Investigation Laboratory, or the Federal Bureau of Investigation (FBI) lab. First choice, in all cases involving DNA, is the South Dakota Division of Criminal Investigation Laboratory.

5. Results of DNA analysis will be sent to the Rapid City Police Department by the respective agency. The results will be scanned into the appropriate Records Management System case file, and the investigating officer will be notified that the report has been received. Questions regarding identification, collection, storage, transportation, submittal and analysis of DNA samples should be referred to the Evidence Section for assistance.

C. TRAINING

1. Basic police recruit training, either as a part of police academy training or the Rapid City Police Department pre-service training, shall include training in crime and crash scene processing. Such training shall include:

   a. Potential results and limitations of the examination of physical evidence.

   b. The role and function of the Patrol Officer, the Investigator and Evidence Specialists.

   c. Collection methods and procedures regarding fingerprints, footprints, blood, fibers and fabrics, weapons, hairs, paint, glass, tool marks, and the requirements for collection of materials from a known source for comparison purposes.

   d. Preservation methods for various forms of evidence.

   e. Maintenance of the chain of evidence, marking, custody, and records.

   f. Crime and crash scene sketches.

   g. Crime and crash scene photographs.

   h. Crime and crash scene records.

2. Field Service Officers, Criminal Investigators, and Evidence Personnel that act as crime scene processors shall receive sufficient training to ensure development of skills in; Collecting, preserving, and transmitting physical evidence, including biological materials.

3. Field Service Officers, Criminal Investigators, and Evidence Personnel that act as crime scene processors shall receive refresher training every two years. Such training shall include, and should

be designed, to update the knowledge of crime scene processors concerning laboratory capabilities, new equipment, and examination techniques, as well as collection methods.

4. Members of the Evidence Section are trained in the collection of DNA evidence from an Institute that meets the national standards on DNA collection. At a minimum the training will meet the basic collecting and packaging of DNA for submission to an accredited laboratory.

PURPOSE: The property management system is designed to provide for the management and control of found, recovered, and evidentiary property in the custody of the Department. In order to maintain the credibility of the property management system, strict safeguards must be adhered to by personnel responsible for this function.

A. DESIGNATION OF EVIDENCE SPECIALIST

1. The Evidence Specialist is accountable for all property received or stored by the Evidence Section. This shall include found property, property considered to be evidence, and property held for safekeeping.

B. PHYSICAL SECURITY OF STORED PROPERTY

1. The Commander of the Criminal Investigation Division shall be responsible to ensure all property stored by the Department shall be maintained in designated, secure areas.

C. PROPERTY CONTROL REGULATED

1. All property held by the Department shall be listed in the appropriate case file in the Records Management System database, and each piece of property will be labeled with an approved Evidence Tag. This includes, but is not limited to, the following items:

   a. Found property;

   b. Property held for safekeeping; and

   c. Property held as evidence.

2. Property must be secured in an evidence locker or personally turned over to an Evidence Specialist.

3. The Evidence Specialist receiving the property is responsible for properly updating the Records Management System log.

D. TEMPORARY SECURE STORAGE

1. Evidence shall be placed in a designated secure storage locker. When evidence is packaged and marked by the submitting officer, and the evidence is placed in the appropriate locker, the locker

will be secured to prevent entry from unauthorized individuals.

E. RECEIVING IN-CUSTODY AND EVIDENTIARY PROPERTY

1. The policy of the Rapid City Police Department is that all property (i.e. evidence, found or property kept for safety reasons) obtained shall be documented by employees.

   a. All employees will properly complete a Records Management System log entry in the appropriate case file for every item of property coming into their possession as a result of their official duties and responsibilities as soon as practical.

   b. Every item of property obtained by an employee during a shift must be placed into Evidence prior to the end of their shift. In cases involving the ICAC Unit pertaining to electronic evidence, refer to policy 621-10 for guidelines. No other exceptions are authorized to this procedure.

2. A written report detailing the circumstances by which the property came into the department's possession and describing each item of property obtained will be filed as part of a report submitted by the investigating officer.

3. The responsibility of the Evidence Specialist is to make a reasonable attempt to locate the owners of found property which is in the custody of the Evidence Section. Any release of property shall be effected expeditiously and consistent with State Law.

F. PROPERTY STORAGE AREA ACCESS LIMITED

1. Access to the Property Room will be restricted to authorized personnel only. Authorization for access will be determined by the Chief of Police or designee. At no time will anyone, other than approved evidence personnel, be allowed to enter or remain in the Property Room without Evidence personnel present.

G. COURT DATE WITH EVIDENCE

1. An employee who is required to take evidence to court will notify the Evidence Section in advance of the day of court so arrangements can be made to have it ready for them. If possible, a minimum of four days notice is requested and highly recommended.

H. DISPOSAL OF PROPERTY

1. When authorized, and legal requirements have been satisfied for issuing final disposition of evidence, or destruction there of, the Evidence Section will promptly carryout such directives.

2. Action taken to destroy or release property will be appropriately logged in the proper file in the Records Management System database.

A. STORAGE OF SPECIAL PROPERTY

1. Items requiring additional protection, such as money, precious metals, jewelry, gemstones, weapons, narcotics, and dangerous drugs shall be stored in a separate, locked, secure area located within the Evidence Storage area.

2. Firearms Property and Evidence Precautions:

   a. All firearms brought into Property shall be unloaded and have the action open.

      Exceptions; When a firearm is loaded and unloading would destroy valuable physical evidence, the weapon may be placed into Property under the following conditions:

      (a) All safety devices must be engaged.

      (b) A warning sticker indicating "Loaded Firearm" will be placed by the officer on the inside door of the evidence locker when putting a loaded firearm into evidence. The Evidence tag must also be conspicuously labeled that the weapon is loaded and is evidence.

   b. When a weapon is to be test-fired and later released, advise the owner of this and that it may be released upon receipt of the State's Attorney's Office authorization.

3. Explosives, Property and Evidence Precautions:

   a. Explosives or suspected explosives shall never be stored within the confines of any Department vehicle or building.

   b. Ordinary fireworks are not considered explosives.

   c. Fireworks held as evidence in minor fireworks charges are to be destroyed, rather than being physically placed in the property vault.

   d. Explosives held as evidence are to be seized and stored or photographed by the direction of the Evidence personnel.

   e. Evidence personnel will follow the procedures for disposal of explosives as addressed in policy 532-03 - Bomb Threats and Bomb Emergencies.

4. Open Liquid Property and Evidence Precautions:

   a. Toxic or explosive liquids will not be stored in open containers.

b. These liquids will be stored in the OSHA approved flameproof cabinet located inside the East Centre Street Evidence building.

c. These items will be marked with an evidence tag, and logged on an Evidence Information Form with copies placed in evidence lockers.

5. The disposal of explosives and/or liquid incendiary devices shall be at the discretion of the Ellsworth Air Force Base Explosives Ordinance Disposal Unit (EOD). Prior to any disposal of such devices (evidence) the Evidence Section, Criminal Investigations and the States Attorney must jointly approve the method of process and disposal.

6. Bicycles are to be handled as any other found/recovered property. A report will be completed in The Records Management System, the bicycle tagged and placed in the inside of the East Centre Street Evidence building.

7. When placing items at the East Centre Street Evidence building, chains and locks are provided for the security of these items. Bicycles and/or any other item of value placed must be secured to the fence within the accessible area of the building. Any item that cannot be locked and secured will require the notification of the evidence supervisor for appropriate placement.

B. DRUG STORAGE PROCEDURES

1. Upon receipt, narcotics and dangerous drugs will be counted and weighed by Evidence Section personnel or Laboratory Chemist. Counting should take place in addition to, not in lieu of, weighing. Exceptions to weighing the substance are permissible when officially sealed in tamper-proof protective packages.

2. All containers of narcotics and dangerous drugs should be inspected for tampering as a safeguard against the substitution of materials having the same weight.

C. REFRIGERATED STORAGE IS AVAILABLE

1. The Rapid City Police Department maintains secure refrigerated storage for those items perishable in nature, taken and placed into evidence.

2. A secure, refrigerated storage area shall be maintained by the Evidence Specialist within the restricted access property storage area. This shall be utilized for the storage of those items requiring refrigeration.

3. Evidence to be stored in the temporary locker storage area and requiring refrigeration, will be placed in one of the lockable boxes in the locker room refrigerator and secured. These temporary refrigeration units will be treated and maintained the same as all other storage lockers within this area. Items placed must be properly marked, sealed, and documented on the Evidence Form in the Records Management System database.

INTRODUCTION: The Rapid City Police Department Evidence Section Forensic Examination Unit exists to enhance investigations of criminal law violations, through specialized training and experience, technology, and instrumentation. The Rapid City Police Department Evidence Section Property Unit exists to safely receive, process, analyze, and store evidence, and to restore the property to its rightful owner, or to otherwise safely and legally dispose of it.

DEFINITIONS:

Evidence personnel: Anyone who is assigned to the Evidence Section by the Criminal Investigation Division Commander and is employed full-time by the Rapid City Police Department.

Evidence volunteer: Any volunteer employee who has been assigned to the evidence section for specific and limited duties.

Police Support Technician: The Support Services Clerk who is permanently assigned to the Evidence Section.

Records Management System: The records management system database currently in use by the RCPD Records Section and includes a component utilized by the Evidence Section to track all property and maintain proper chain of custody on all property items.

Restricted Access Areas: The areas where evidence/property is stored, or is being processed by an examiner. The primary area where evidence is stored is at 625 First Street; the secondary area is at 760 E. Centre Street, which is normally utilized for the short-term storage of bicycles, large articles, flammable or explosive items and long-term storage of life sentence cases or homicide evidence. The final evidence storage area is the storage yard located at 5431 South Highway 79, the Rapid City Landfill. This storage yard is utilized for long-term storage of vehicles.

Zuercher: The current Records Management System database used by the RCPD.

A. PROPERTY INTAKE / ACCOUNTING

When property is removed from the temporary holding locker, the Evidence personnel will process it as follows:

1. The evidence/property will be sorted, and the proper entry in the Records Management System database will be appropriately updated.

2. Evidence/property will be placed into a temporary holding area, while the Police Support Technician (PST) updates the Records Management System database. The property will be assigned a storage location and secured in its designated bin. The storage location will be recorded in the appropriate file in the Records Management System database.

3. In cases where packages are used, red colored tamper-proof evidence tape will be used to seal the opening of the container. The officer will sign or initial and date the tamper-proof tape so they may testify the seal is the same seal originally placed on the package. The purpose is to provide greater security for the evidence. In the event the evidence seal is broken, the tape will tear in a way that will be obvious. In this case, the Records Management System database entry for the property will be updated such that the chain-of-custody will reflect the reason for the broken seal.

   All packages having the original red seal broken will be re-sealed with blue colored tamper-proof evidence tape. As with the original red evidence tape, the blue re-seal tape will be signed or initialed and dated by the person returning the package. Again, the Records Management System database will be updated so the chain-of-custody will reflect the reason for the re-seal.

   Property signed out by outside agencies may re-seal packages prior to returning the property to the Evidence Section. In that instance, the outside agency's seal will be accepted, regardless of color, but a signature/initials and date may still be requested.

4. If a request for analysis has been submitted, the Evidence Specialist will make the appropriate modifications to the file in the Records Management System database and have the person receiving or examining the property sign the electronic form. If the evidence/property is returned, the Evidence Specialists will again make the proper notations in the Records Management System database and have the person receiving the property sign for it.

5. When evidence is checked into the Evidence Section, evidence personnel will not break an evidence seal to verify the evidence/property. It is the officer's responsibility to correctly inventory the evidence, and place it into an approved evidence container complete with seal.

6. Evidence, which is improperly packaged, labeled, sealed or with errors in the Records Management System property form, will be rejected. This evidence will be left in the temporary holding locker and the evidence supervisor will be notified. The placing officer and respective supervisor will be notified in writing, indicating the nature of the problem, the urgency of the problem, and a request for the officer to make arrangements to correct the error. No property will be placed into the property room until it has met the acceptable packaging, labeling, sealing and logging requirements.

B. PROPERTY STORAGE

Property storage must be systematic, as it is crucial to the integrity of the evidence.

1. Drug evidence will be stored in the designated drug room. The exceptions will be drugs in the laboratory for analysis, and drugs stored in life-sentence cases. Life sentence case evidence, to include drugs, may be stored together as long as proper sealing and packaging procedures have been followed.

2. Firearms will be stored in the designated weapons room.

3. The property room freezer may be used for the following types of evidence: Body fluid stained or soaked articles where there is question as to whether there is a need for laboratory analysis; perishable items which are stored as evidence; case evidence involving human or animal remains, sexual assault evidence kits or body parts temporarily stored for analysis. The freezer should not be used for all blood stained articles, simply because they are blood stained. Properly dried blood stained or soaked items, which are not needed for analysis should be stored in the property room.

4. The property room refrigerators may be used for the following types of evidence: Blood samples; and urine samples. The refrigerator is not to be used for any evidence that can be damaged by microbes unless the evidence is in a sealed container that will not allow microbes to enter, such as a glass or plastic container.

5. Evidence must not be stored on the property room floor. An exception includes temporary storage of non-narcotic property approved to be destroyed and segregated from other property while awaiting destruction for that purpose.

6. The evidence storage locations must be kept neat and orderly.

C. BUILDING SECURITY

The Evidence Building must be secure to guarantee the integrity of the evidence held within.

1. Non-evidence personnel will not have access to the restricted areas of the Evidence Building, unless they are escorted. The exception to this is the open office area and the temporary evidence locker room. Evidence personnel must ensure laboratory doors are locked and there is not evidence in the area where the visitor might travel. Non-evidence personnel will not be allowed access to the property room without an escort. In this case, the visitor must sign the property room logbook and indicate date, time in, time out, and reason for the visit. This logbook entry must be initialed by the escorting evidence employee.

2. Keys to the Evidence Building are issued to evidence personnel only. Evidence Building keys are not to be loaned to anyone. The Evidence Director has control over these keys and will keep records of keys issued.

3. Security codes for access to various areas within the evidence building are issued by the Evidence Supervisor. Certain employees may be issued card keys to some doors, but not the others. This will be determined by the Evidence Supervisor, and will be for evidence security reasons. Evidence employees are not to give security codes to anyone. The Evidence Director will maintain a record of the codes.

4. Evidence Building alarm codes are issued to Evidence employees only. There are no exceptions. The Evidence Director will keep a record of employee alarm codes. These codes are not to be given to anyone.

5. A separate storage area located at 760 E. Centre Street is maintained by the Evidence Section of the Rapid City Police Department. This unit is to be used for storage of flammable materials, large objects, bicycles and life sentence cases. The fenced area and temporary holding area within the building are open to all employees in need of placing evidence. The remainder of the building is considered a restricted area and will be treated as an escort-only area.

6. A third storage yard located at 5431 South Highway 79, the Rapid City Landfill, is maintained by the Evidence Section of the Rapid City Police Department. This storage yard is utilized for the long-term storage of vehicles. Access to the storage yard is restricted to evidence employees. The placing or removal of property stored in the landfill storage yard must be facilitated through evidence employees.

7. Generally, the Evidence Section will be open from 0700-1600 hrs. Monday through Friday. The last Evidence employee leaving the building will check all interior and exterior doors, and check doors of any Evidence Section vehicles left out in the parking lot.

8. Any breach of building security will be reported to the Evidence Director and Commander of Criminal Investigations immediately.

D. PROPERTY DISPOSAL

Disposal of evidence/property is an important part of the property room function. In order to maintain the property room properly, evidence no longer needed must be purged regularly as new property is received.

1. Evidence personnel will determine if there was prosecution in a particular case, by checking the Records Management System database files regarding the case report number. Contact may also be necessary with the State's Attorney's Office, the investigator, or officer who was assigned to the case. The officer or prosecuting attorney in charge of the case will be the authority to authorize the release of evidence. An evidence release authorization should be sent from this authority to the Evidence Section delineating instructions on property disposal.

2. If there is a criminal case pending and the owners want their property back, a court order may be necessary before any property is released. Verification will be made through the prosecuting attorney, and if the prosecuting attorney indicates the property can be returned, this should be reflected in the proper Records Management System database file. Pursuant to SDCL 23A-37-14, the property may be photographed and released to the owner.

3. It is the responsibility of the prosecuting attorney to determine if there is an appeal pending pertaining to the evidence and if so, the prosecuting attorney must provide written notification to retain, destroy, or return the property.

4. When releasing evidence, if the evidence employee does not know the receiver personally, proper photo ID is required. If such an ID is unavailable, the Evidence Employees must make reasonable efforts to confirm the identity of persons without proper identification. It is not the intent of this procedure to permanently deprive the owner of their property simply because they do not have identification.

5. In some cases, it is unreasonable to require the person claiming to be the owner of the property to prove ownership by supplying the Evidence Section with a receipt or bill of sale. Even though this may be a stipulation on the release authorization, this request may be disregarded with approval of the Evidence Section Supervisor. In such cases, the claimant may be requested to sign a form indicating that they have been made aware of the consequences of making false claims on property.

6. If it has been determined the case is concluded and it is found there is no legal owner, the property should be held for another 30 days at such time it will be disposed of either by destroying it, turning it over to a governmental agency for their use, or by auction.

7. In the case of bicycles, pursuant to SDCL 23A-37-10, the Evidence Section is not required to hold all bicycles for auction. Bicycles will be held a minimum of thirty days prior to being placed into this program. Bicycles may then be donated to a charitable organization, veterans organization, or benevolent organization that is nonprofit and recognized as tax-exempt under section 501c(3), 501c(7), or 501c(19) of the United States Internal Revenue Code of 1986. This is pursuant to SDCL 43-41-11.

Groups and/or organizations wishing to participate in this program must submit a letter of interest and copies of their appropriate tax information as previously described. Upon receipt of this information the organization's request will be placed in a file maintained by the Evidence Section. The order requests that are received will be used as a guide as to eligibility to receive bicycles. As bicycles meeting the prescribed criteria become available, the requesting organizations will be contacted based upon the established eligibility rotation list and after a court order transfers ownership.

E. BIOHAZARD WASTE

Special procedures are to be used when disposing of biohazard waste.

1. Biohazard waste includes:

   a. Specimens of body fluids and their containers;

   b. Liquid human blood;

   c. Items dripping or saturated with human blood;

   d. Items that were saturated or dripping with human blood and are now caked with dried human blood;

   e. Hypodermic needles or syringes and needles, used or unused;

   f. Needles with attached tubing; or

   g. Animal carcasses or body parts known or suspected to be contaminated with disease.

2. Evidence known to contain a biohazard will be placed in a designated area within the evidence building, and will await transport to an approved biohazard waste disposal facility. Evidence employees will ensure the item(s) are packaged in compliance with the biohazard disposal facility's requirements.

3. Evidence containing biohazards will be properly labeled with a biohazard-warning label prior to allowing the evidence into the property room.

F. FIREARMS / EXPLOSIVES DISPOSAL

The disposal of firearms and explosives.

1. Pursuant to SDCL 23A-37-13, controlled weapons or firearms used in violation of SDCL chapter 22-14, and which have not been stolen from a rightful owner, shall be forfeited. If the weapon is illegal, it shall be destroyed pursuant to law; if it is not illegal, it shall be delivered to the arresting agency or, at the direction of the attorney general, to the South Dakota Forensic Laboratory for scientific examination purposes, for lawful use or disposal. The arresting agency may use, trade-in, or destroy the controlled weapon or firearm.

   Note: A conviction for a violation of chapter 22-14 is necessary.

2. The State's Attorney's Office can verify the conviction; however, if there was an acquittal or dismissal on the chapter 22-14 violation, and the weapon is not illegal, it must be returned to the owner.

3. Firearms, which are considered to be lost or abandoned, may be turned over to the Department for use providing a court order is issued and signed by a judge.

4. Firearms, which are not claimed by a rightful owner, and are not illegal, but which are not useful for any legitimate purpose, may be sent to the State Crime Laboratory for destruction, but may also be destroyed locally according to proper guidelines for destruction of firearms.

5. Firearms to be sent to the State Crime Lab will be inventoried prior to transport and upon delivery to State Crime Lab personnel.

6. In the case of a mental hold, or serious violent offense, the State's Attorney's Office may require a court order before releasing a firearm. Releasing of firearms will also be at the discretion of the Evidence Section personnel, who will take into consideration the circumstances at the time of the release, for example if the person requesting the firearm is intoxicated, threatening or known to be a convicted violent offender.

7. Disposal of explosive devices or destructive devices is covered specifically in 532-03.

G. DRUGS

Extraordinary procedures will be used to destroy drug evidence, and related contraband, due to the complexity of drug investigations.

1. The Division of Criminal Investigation (DCI) Supervisor will make the determination to destroy or retain drug evidence being stored for the combined drug investigation unit. An authorization for destruction form will be sent to the DCI Supervisor, complete with Case number, names, dates, items in question, and the name of the officer/drug agent who originally placed the evidence. At the discretion of the DCI Supervisor, releases may be referred to the State's Attorney's Office, or the State Attorney General's Office.

2. Disposal of such property will be by incineration or by burying at the City Landfill. All illegal drugs and prescription medications, scheduled for disposal, will be incinerated. This will include over-the-counter medications when they are part of a drug case. All unidentifiable drug items will be treated as contraband and included in the above disposal process.

Note: Exceptions to this are cases involving only non-prescription, otherwise known as over-the-counter medications, which are non-drug related cases. A court order will be required before destroying drug evidence. The court order will be scanned and uploaded to the appropriate case file in the Records Management System database.

3. A minimum of two Evidence employees are required to destroy drug evidence.

4. Prior to disposal, drug evidence will be cross-referenced with the Evidence Information Form by two evidence employees.

H. PRESCRIPTION DRUG DROP-OFF PROGRAM (PDDP)

Effective January 2010 the Rapid City Police Department in conjunction with the South Dakota Attorney General's Office and the Pennington County Sheriff's Office, implemented the Prescription Drug Drop-off Program (PDDP). The PDDP is a service provided to the public in an effort to aid in the safe disposal of unused prescription medication. The PDDP is a service to the individual citizens of our community and is not intended for use on the part of pharmacies or

prescriptions companies which deal in large quantities of unwanted or outdated medication.

1. The Evidence Section, located at 625 First Street, and the PSB Lobby located at 300 Kansas City St. have been designated as the locations for citizens to drop off unwanted prescription medication.

2. Medication drop off times are Monday through Friday between the hours of 7:00 a.m. and 4:00 p.m. Monday through Friday, except when closed for special events, at the Evidence Section and 24 hours a day at the PSB Lobby.

3. The public may deposit Prescription Medications into the designated safety drop boxes located at each specified location. Large amounts of medications, or disposals requiring additional care should be brought to the Evidence Section during normal business hours.

4. Evidence Personnel will be responsible for the collection of medications from the drop boxes at a minimum of once a week and for ensuring the medications are safe for disposal. Once received, medications will be stored in the secured drug facility at Evidence until the scheduled time in which they will be shipped to the DEA for destruction. Evidence personnel will submit an Evidence Information Form with the medications and will document the total weight received for statistical and tracking purposes prior to destruction. Evidence tape will be applied to each container or each package of multiple medications as the packages are received and marked in the same manner of any such property in the Evidence storage.

I. CURRENCY

Storage of currency:

1. Currency will be stored in one of the evidence section's safes, in the property room.

2. Currency, which is unclaimed or otherwise cannot be returned to the owner, will be court-ordered to the City of Rapid City, will be counted and verified by two evidence employees. A court order will be sought for transferring ownership of the currency to the City of Rapid City's general fund.

J. FOUND PROPERTY

The following procedure will be used regarding found and abandoned property:

1. Found property will be treated as evidence.

2. If the property is deemed to be of high value, a newspaper ad will be created, and run for one week, in an effort to return the property to the rightful owner.

3. If no owner can be located, the finder may reclaim the property, after a minimum of 30 days. In some circumstances, 30 days may not be a reasonable amount of time to investigate the origin of the found property. An extension of this period will be at the discretion of the investigating officer, or the Evidence Supervisor.

4. If the owner cannot be located, and the finder does not wish to claim the property, it may be disposed of in one of the following methods: Taken to the City landfill, court-ordered to a government agency, or sold at auction. In the case of bicycles meeting the requirements listed in Policy 622-03 D 7, bicycles may be donated to a charitable organization, Veterans organization, or benevolent organization, after a court order is issued which transfers ownership.

K. PROPERTY HELD FOR SAFEKEEPING

Property held for safekeeping will be released to the owner, on demand, after a period of 48-hours has passed since the property was seized. A court order will supersede the 48-hour rule.

1. This may include prisoner's property.

2. This will include valuable property taken to guarantee its safety or security.

3. This will include weapons, other than firearms and/or ammunition, when taken from a person to protect the person or another person.

4. This will include firearms and/or ammunition taken from a person to protect the person or another person unless it is determined prior to release that the owner is prohibited from possessing the firearm and/or ammunition due to the following conditions outlined in 18 United States Code §922, or South Dakota Codified Law 22-14-15:

   a. It is determined the firearm is stolen;

   b. It is determined the owner is awaiting trial on felony charges;

   c. It is determined the owner is a convicted felon who is prohibited from possessing firearms pursuant to SDCL 22-14-15;

   d. It is determined the owner is an unlawful drug user of or addicted to any controlled substance;

   e. It is determined the owner has been adjudicated as a mental defective or who has been committed to a mental institution;

   f. It is determined the owner, who is a non-U.S. citizen, is illegally in the United States;

   g. It is determined the owner has been discharged from the Armed Forces under dishonorable conditions;

   h. It is determined the owner, having been a citizen of the United States, has renounced citizenship;

   i. It is determined the firearm(s) were seized from the owner pursuant to a domestic protection or restraining order issued by any court in the United States;

   j. It is determined the owner has been convicted in any court of the United States for a misdemeanor crime of domestic violence.

5. Property held for safekeeping typically will not be held longer than 30 days, unless an unusual circumstance is present.

6. After property is held for 30 days, notification will be made to the owner, either by telephone or by letter, and if the owner does not respond, the property will be disposed of in the same manner as found property.

L. COURT ORDERS

The following procedure will be used regarding Court Orders:

1. Whenever the rightful owner is in dispute, regarding any evidence or property being held by the Evidence Section, the property shall not be released without a court order. In certain cases, the Evidence Section, through the State's Attorney's Office or City Attorney's Office, may initiate such a court order.

2. Property determined to be found or abandoned and of use to a government agency, may be released to the agency, only after a court order is issued by the court turning the property over to such agencies.

3. Money determined to be abandoned may be turned over to the City of Rapid City Finance Office after a court order is issued, transferring ownership of the money.

4. Junk property, such as old car batteries, metal, copper, etc., may be taken to a salvage business for recycling. Any payment received will go to the City of Rapid City Finance Office.

5. In the case of bicycles meeting the requirements listed in Policy 622-03 D 7, bicycles may be donated to a charitable organization, veteran's organization, or benevolent organization only after a court order is issued turning the bikes over to the organization.

M. EVIDENCE ANALYSIS

Forensic analysis of evidence is an important function of the Evidence Section, and plays a crucial part in the criminal justice system.

1. When evidence is gathered and the official in charge of the case feels the evidence will have information useful to the investigation, the official shall request the evidence be analyzed. A task request in Zuercher or Drug Data Collection Form will be completed, requesting the analysis needed.

2. With the approval of the Evidence Section Supervisor, evidence may be sent to other agencies such as the FBI Lab, DCI Lab, or SDSM&T Lab, etc.

3. The results of the analysis shall be in a written report by the Evidence personnel or agency doing the analysis either directly on the Records Management System database or scanned and uploaded to the appropriate case file. The requesting person and primary investigator are then notified that the report is complete.

4. When the analysis is complete, the evidence shall be returned to the Evidence Section, stored in its assigned storage location, and saved until there is a final disposition of the case.

N. LABORATORY PROCEDURES

Care must be taken to prevent loss of evidence, and cross-contamination of evidence samples.

1. Evidence Section laboratories are not to be used to store evidence that is not in the process of analysis. Once the evidence has been analyzed, it must be returned to the property room for storage.

2. Evidence Section laboratories should be cleaned regularly to prevent evidence from becoming contaminated.

O. PROCESSING OF PERSONS

Careful and complete processing of suspects, victims or witnesses can produce important evidence in criminal investigations. The Processing Room within the Evidence Section is available to process victims, cooperative suspects who are not in custody and witnesses to process for physical evidence of a crime, to photograph injuries, or lack of injuries, or to obtain fingerprints and major case prints. The processing of suspects in custody will be accomplished at the Pennington County Jail in one of the medical rooms provided by the jail. This will be accomplished in compliance with Pennington County Jail protocols. The processing of suspects may be done with the individual's consent, by search incident to arrest, by search warrant, or by court order. Other than for purposes of processing a person for physical evidence, the Processing Room or other facilities of the Evidence Section are not to be used for interviews, interrogations, or temporary detention.

1. The Evidence Section Processing Room must be cleaned and disinfected prior to subject processing taking place.

2. In either location, new, clean paper should be placed onto the floor for the subject to stand on. The subject should stay on the paper during the entire processing period. The evidence employee or law enforcement officer should not step on the paper if at all possible. When the processing is complete, the paper should be carefully folded to trap any debris which may have dropped from the subject. The paper should then be collected and packaged as evidence.

3. The following supplies will be stocked in the Processing Room and in a secure location in the Pennington County Jail: combs, fingernail clippers, blood tubes, cotton swabs, DNA collection kits, sexual assault collection kits, paper bags, envelopes, pens and markers, evidence forms, processing forms, and jail uniforms.

4. The processing of a suspect will be done by two employees, one of whom will be a law enforcement officer. Both of the two employees will be of the same sex as the suspect. A law enforcement officer will remain with the suspect at all times, while they are in the processing room to maintain security and to ensure no evidence is tampered with or destroyed.

5. When processing of a victim, witness, or suspect is taking place, other evidence employees should be made aware of the situation, in case assistance is needed.

6. A suspect may be processed by law enforcement personnel or evidence personnel who are trained to collect physical evidence from a person, or trained to obtain fingerprints or major case prints.

7. The employee processing a suspect, victim, or witness will document the items collected for evidentiary purposes.

P. DRYING ROOM PROCEDURES

Drying rooms are available for wet, body fluid stained or soaked items.

1. When evidence is placed into the drying room(s), the exhaust fan should be turned on, and the door locked. A proper entry in the Records Management System database corresponding case file is required prior to placement in any of the drying lockers.

2. Drying rooms are to be cleaned periodically, regardless of use, and after all evidence is removed from the room.

3. Evidence, which is wet or heavily stained or soaked with bodily fluids, will be placed into a drying room, if available.

4. In the case of items heavily stained or soaked with body fluids, it must be determined if the item will possibly be tested for genetic markers, such as blood type, or DNA. This determination should be made within 48-hours. If it is to be tested, the item(s) should be removed and placed into the Evidence Section freezer. It may then at a later date be sent to a laboratory for analysis. If it is not to be tested, the item(s) should stay in the drying room for an appropriate period of time. This period will be long enough to allow the fluids to dry completely, and ensure the death of any blood-borne pathogens. After this period, the item(s) are to be packaged and sealed in paper or cardboard, labeled with a biohazard-warning sticker if appropriate, and placed into the property room.

Q. VOLUNTEERS

Volunteers may be used to perform limited duties.

1. Volunteer duties may include, but are not limited to:

   a. Entering data into the Records Management System database.

   b. Greeting customers and receiving their requests, processing those requests, and relaying them to an evidence employee.

   c. Filing, sorting, or any other duties, which the Evidence Section supervisor deems appropriate.

2. No evidence property room keys will be signed out to the volunteers.

3. Evidence volunteers will not perform unsupervised duties in the property warehouse.

A. RECORDS, STATUS OF PROPERTY

The Rapid City Police Department, Evidence Section will record the status of all property held as either property or evidence in the Records Management System database. This records system will reflect the following:

1. The location of the property;
2. Date and time when the property was received, temporarily and/or permanently released;
3. Character, type, and amount of property on hand;
4. Chain of custody from the time the property was stored until its destruction or other final disposition.

B. PROPERTY INSPECTION FUNCTIONS

1. The Evidence Director or their designee shall be responsible to inspect all property storage areas at least semi-annually. This line inspection shall be conducted to determine that these areas are:
   a. Maintained in a clean and orderly fashion;
   b. That procedures are being followed;
   c. That property is being protected from damage or deterioration;
   d. That property having no further evidentiary value is promptly disposed; and
   e. That material eligible for return is being purged from the system.
2. The results of this inspection shall be documented in a Semi-Annual Report to the Commander of the Criminal Investigation Division with copies to the Accreditation Manager.

C. EVIDENCE AUDIT ON CHANGE OF EVIDENCE PERSONNEL

1. Whenever there is a change of Evidence Custodians or the Evidence Director, there shall be a joint audit of property conducted by the incoming Evidence Director and a designee of the Chief of Police. The audit shall be sufficient to ensure the continued integrity of the system and need not be an accounting of every item of property held, but should be appropriate in sample size for conducting audits of high-risk property as required by CALEA *Standard 84.1.6 (b) – Evidence Audits*. The table provided in Annex A of this policy only applies to high-risk property and only

for those circumstances when there is a change in evidence section supervisor. There shall be a documented accounting of high-risk items (e.g. cash, precious metals, jewelry, firearms, and drugs) and other evidence and non-agency property to establish that all property is accounted for and records can reasonably be assumed correct. For high-risk items this requires a two-tailed random sampling method be applied to achieve a 95% confidence level with a confidence interval of +/- 3 percent. If the sampling method reveals discrepancies in the records of the evidence/property that exceeds a 4% error rate, a complete inventory must be conducted on all high-risk items and additional sampling of items in general storage to the satisfaction of the CEO, to re-establish the accuracy of all records.

D. ANNUAL PROPERTY AUDIT

1. On an annual basis, the Chief of Police shall appoint a supervisory officer, not routinely or directly connected with the control of property to conduct an audit of the property held by the Police Department. The purpose of this audit is to inspect and ensure the integrity of the system, and does not require the examination of every item held by the Department. The audit should be a significant representative sampling of property including high-risk items as determined and directed by the Chief of Police. This audit may be completed at the same time as the annual unannounced inspection of property storage areas.

E. PROPERTY STORAGE AREA INSPECTIONS

1. In addition to section D above, the Chief of Police or a designee shall conduct an unannounced annual inspection of property storage areas. This inspection may be done in conjunction with the annual property audit or separately at the direction of the Chief.

2. The Field Services Division Commander, Support Services Division Commander, and the Criminal Investigation Division Commander shall be responsible to review problems and deficiencies identified during staff or line inspections and audits, and shall take corrective action as appropriate. Documentation of corrective action shall be forwarded to the appropriate administrative file.

ANNEX A
SAMPLE SIZE TABLE
EVIDENCE CUSTODIAN CHANGE AUDITS

The below table has been developed as a tool for use by agencies when determining the appropriate sample size for conducting audits of high risk property as required by *Standard 84.1.6 (b) – Evidence Audits*. This table only applies to high-risk property and only for those circumstances when there is a change in evidence custodian. The sample sizes in this table have been calculated based on a 95 percent confidence level and a confidence interval of +/- 3 percent.

When using this table, agencies should determine the total amount of high-risk property they currently possess and find that number under "Pieces of High Risk Evidence/Property." The corresponding "Required Sample Size" should be applied when conducting the respective audit. If the exact number for "Pieces of High Risk Evidence/Property" is not listed, the next higher number should be used. If an error rate of more than 4 percent is discovered when conducting the audit, a complete inventory of the high-risk property must be performed. However, agencies should consider a complete inventory when other factors suggest it is necessary.

Pieces of High Risk Evidence/Property	Required Sample Size
100	92
250	203
500	341
1000	516
1500	624
2000	696
2500	748
3000	787
3500	818
4000	843
4500	863
5000	880
5500	894
6000	906
6500	917
7000	926
7500	934
8000	942
8500	948
9000	959
10000	964
15000	996
20000	1013
25000	1023
50000	1045
100000	1056

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
622-05	Property and Evidence Control	1 OF 1
ORDER NO.: 18-02	**SUBJECT:** AFIX Tracker Fingerprint Identification System	
SUPERSEDES: 05-01	**EFFECTIVE:** 02-26-18	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 1.2.5, 82.1.2		

Deleted: 02-26-18

POLICY: The Rapid City Police Department will monitor and analyze crime to determine crime patterns and trends for the purpose to better strategically and operationally deploy police resources to prevent, suppress, and solve crime to enhance of public safety. Due to the complexity and demands of the crime analysis function, no less than one full-time staff will be assigned to a Crime Analysis Unit.

A. CRIME ANALYSIS FUNCTION

1. The Crime Analysis Unit function is assigned and supervised under the Police Administration Division.

2. Duties of Crime Analyst include:

   a. Systematic Collection of Data:

      One of the key functions of the Crime Analyst is to determine the means, networks, and systems to collect vital crime related data pertinent to fulfilling their responsibilities. The Crime Analyst has access to and reviews all offense/incident reports, arrest reports, calls for service, field interview cards, and any other report available within the Department, that is necessary to fulfill their function. The Crime Analyst will work in cooperation with other law enforcement agencies, Probation, Parole, Department of Motor Vehicles, among others, to obtain vital sources of information required to analyze, understand and project emerging or existing crime problems for policing purposes.

   b. Collation of Data:

      Crime analysis personnel will organize collected data and facts pertinent to temporal, geographic, or modus operandi patterns of crime. This may include, but is not limited to times, dates, locations, suspects, suspect vehicles victimization data and the various evidence obtained about the crime(s), or from the crime scene(s). Organization of crime related data is done for the purpose of enhancing analysis and interpretation of the interrelationships of crime factors that will help prevent, suppress or solve crimes by using strategic police practices.

3. Analysis of Data:

   a. The Crime Analyst will routinely review and analyze crime data, attempting to identify patterns of behavior among criminals with the goal of connecting past crimes to known criminals, or predicting the likely location (hot spots) and time of future crimes to assist with police intervention and prevention strategies.

   b. The Crime Analyst will train other staff, such as police officers, Technical Services staff, or

college interns, about how to organize and interpret crime data and trends for various purposes.

c. The Crime Analyst will assist in police operations analyses is to identify weaknesses, such as shortage of police staff in certain geographic area, to adequately address predicted calls for service and crime. The assistance will help police administrators, managers and supervisors to better allocate and distribute police resources to effectively meet anticipated crime levels and patterns.

4. Dissemination of Analyzed Information:

   Crime analysis staff will produce and distribute crime maps, reports of criminal activities, lists of chronic repeat offenders (including high-risk parolees), comparative crime data that will be provided to supervisors, managers and administrators to assist in their developing tactical priority and exigent police strategies and interventions to prevent, suppress, solve and reduce crime. Distribution of crime analyst products will be made to supervisory and other appropriate personnel on a regular and timely basis.

5. Evaluation:

   The Crime Analyst will conduct an annual Department staff survey to obtain feedback regarding the usefulness of existing Crime Analysis products and subsequent recommendation for improving their usefulness The Crime Analyst can be required to produce special evaluation reports to examine the effectiveness and efficiency of particular police strategies and programs targeted to impact specific crime problems.

B. CRIME ANALYSIS FACTORS

The Crime Analyst shall be responsible for collecting, organizing, analyzing, and disseminating the following types of data as it relates to criminal activity:

1. Frequency by type of crime;
2. Geographic factors;
3. Chronological factors;
4. Victim and target descriptors;
5. Suspect descriptors;
6. Suspect vehicle descriptors;
7. Modus operandi factors;
8. Physical evidence information; and
9. Problem oriented or community policing strategies.
10. Chronic and Targeted Offenders.

A. CRIME ANALYSIS SOURCE DOCUMENTS

1. The Crime Analyst will be responsible for obtaining organizing, analyzing and disseminating timely and accurate crime data to appropriate customers.

2. The primary sources of information shall be offense reports, arrest reports, calls for service, investigative follow-up reports, field interview cards, high-risk parolee information, pawn data, driving under suspension / revocation data and other sources of information deemed useful for patrol and investigation planning.

B. TIME AND LOCATION OF CRIMES DOCUMENTED

1. The responsibility of Crime Analysis is to document temporal and geographic distribution of selected calls-for-service and crimes. This documentation may be in the form of maps, spread sheets, charts, special reports and/or other useful formats that meet customer needs.

2. The Crime Analysis Unit may use maps, charts, spreadsheets and special reports to display locations of crimes by type, times, days of week, frequency and may include modus operandi factors, suspect information, victim and target descriptions, and property loss information.

C. CRIME ANALYSIS INFORMATION ROUTING

The Crime Analysis Unit will disseminate its products and analysis information on a timely basis according to the needs of the Department. This information should be relevant to the required operational and tactical plans of respective line and staff units Information routing may be provided via the intranet by regularly updating special crime data files that are available to staff requiring the information.

D. OUTSIDE CRIME INFORMATION DISTRIBUTION

1. The Crime Analyst will disseminate appropriate crime information to other law enforcement agencies as required or when reasonably requested. This dissemination will be done by the most expeditious means.

2. Information conveyed to individuals from outside the Department will be under the direction of the Support Services Division Commander to whom the Crime Analyst is assigned, and in accordance with all applicable laws and directives.

E. CRIME ANALYSIS INFORMATION USES

Crime Analysis products developed as a result of organizing and analyzing information typically fall into three broad categories: tactical analysis to be used by the line divisions, strategic analysis to be used in developing long-range strategies and plans**,** and administrative analysis providing economic, geographic, social, or other types of general summary information required by command or administrative staff.

The Crime Analyst can be required to work with the State's Attorney's Office and Criminal Investigation Division to do relational mapping of offenders for major investigations such as organized crime.

F. CRIME ANALYSIS BRIEFINGS

The Crime Analyst will periodically brief the Chief of Police, Command Staff, supervisors, detectives and patrol officers on pertinent crime patterns and trends that can feasibly be useful for improving the impact of police resources and staff. Typically, the Crime Analyst will provide a weekly summary review of calls for service and crime activities with a discussion regarding any further implications for police operational planning.

G. EFFECTIVE USE OF CRIME ANALYSIS INFORMATION

The Crime Analyst will distribute a feedback survey to Department staff annually **to assess the value** of crime analysis products and services. The survey is one principal means to evaluate the efficiency and effectiveness of the unit, to provide added value to various police functions and also obtain suggestions and recommendation about how to improve support products and services.

RAPID CITY POLICE DEPARTMENT **RULES AND PROCEDURES**		
POLICY NO.: 632-01	**SECTION:** Criminal Intelligence	**PAGE NO.:** 1 OF 3
ORDER NO.: 13-01	**SUBJECT:** Criminal Intelligence Operations	
SUPERSEDES: 06-06	**EFFECTIVE:** 01-22-13	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 42.1.6, 82.3.5		

POLICY: The Rapid City Police Department gathers intelligence information concerning individuals who, or organizations which, are known to have engaged in, or who are reasonably suspected of engaging in criminal activity, to gather such information with due respect for the rights of those involved, and to disseminate it only to authorized individuals and agencies. The provisions of this policy will apply to all Rapid City Police Department personnel.

A. CRIMINAL INTELLIGENCE PROCEDURAL GUIDELINES

1. Intelligence gathering will be conducted to encompass criminal activity, or suspected criminal activity.

2. Intelligence gathering may also be conducted regarding:

   a. Organizations which advocate the use of violence or other unlawful means to effect any unit of government;

   b. Organizations which possess or attempt to acquire arms, ammunition, explosives or chemicals, biological or radiological weapons for unlawful purposes;

   c. Organizations which finance violent or other unlawful activity;

   d. Organizations which promote unlawful activity targeted toward other organizations or individuals;

   e. Individuals who threaten, plan, or commit acts of violence or other criminal acts, or where there is reasonable cause to believe they will do so; and

   f. Leaders of organizations listed in 1 through 5.

3. Employees of the Rapid City Police Department are prohibited from gathering intelligence information solely on the basis of, race, national origin, sexual preference, political ideology, or religious beliefs. Furthermore, information shall not be gathered regarding individuals merely because of membership in an organization, unless the organization meets the criteria set forth in sections 1 through 5, and such organization poses a threat to the community.

4. For purposes of this procedure, Criminal Intelligence refers to knowledge of past, present or future criminal activity resulting from the collection of information, which provides the user with a basis for rational decision-making. The gathering of Intelligence information is an on-going process, often pro-active, and not necessarily in response to a specific crime. Intelligence gathering may be Strategic (long range) or Tactical (of immediate concern).

5. The collation, evaluation, coordination, storage, dissemination and purging of Intelligence information will be the responsibility of the Criminal Investigation Division under the direction of the Division Commander or their designee. The Department utilizes the RISS management database for collation and storage of all Criminal Intelligence information. The RISS management system follows the guidelines in USC 28 CFR part 23, and automatically purges intelligence according to those guidelines. The Department does not maintain a separate system, other than through RISS, for intelligence specific information. Any criminal history and/or other similar information is maintained with all other Department records and is subject to the either the State Records Retention law or as listed in policy 761-02 - Records Repository and Retention.

B. CRIMINAL INTELLIGENCE INFORMATION

1. Intelligence information submitted to the Criminal Investigation Division may be based on fact, opinion, rumor, hearsay or inference. Due to the raw, often unverified, and usually sensitive nature of the information involved, all members of the Department will adhere to strict standards of control and dissemination of intelligence information.

2. Intelligence information may be documented in a variety of ways. Data may be submitted on the standard Rapid City Police Department Addendum form, or a similar document. Crime Report numbers will normally not be assigned to Intelligence reports, unless such information is relevant to a specific criminal act under investigation or involving an arrest. Information on an individual affiliated with a street gang may be documented on the Rapid City Police Department Gang Intelligence form. All Intelligence information generated by officers of the Rapid City Police Department shall be forwarded to the Criminal Investigation Division Commander or a designee for further disposition.

3. All criminal intelligence information received via a criminal intelligence report will be submitted to RISS and the original report shredded. We will not maintain separate files of Intelligence information. Records submitted with an assigned Crime Report number containing intelligence information will be maintained as any other crime report or any other part of any investigation. The Criminal Investigation Division Commander or a designee will assure intelligence documents are submitted through RISS. Access to RISS is limited to authorized personnel through an extensive vetting process controlled by MOCIC.

4. The Criminal Investigation Division Commander or a designee will be responsible for the dissemination of Intelligence information. Intelligence dissemination will be based upon a "*Need to Know*" and "*Right to Know*" basis.

5. The Rapid City Police Department does not maintain separate intelligence files regarding criminal organizations or suspected criminal activity. Such intelligence information is immediately disseminated to authorized individuals and agencies having a need to know and a right to know.

6. The Rapid City Police Department will disseminate intelligence information on local, intrastate, and interstate criminal activity. Local criminal intelligence information will be submitted directly to the Criminal Investigation Division Commander, or their designee. Activity of an intrastate nature will be submitted through the Regional Information Sharing System (RISS) and/or Law Enforcement Information Network (LEIN) as determined by the CID Commander or their designee. Information regarding activity of an interstate nature will be submitted to RISS utilizing the secure on-line feature on the Mid-States Organized Crime Information Network (MOCIC). The standard LEIN (Law Enforcement Information Network) form will be used to document intrastate and interstate Intelligence information). Drug related intelligence information will be submitted through RISS and forwarded to the Unified Narcotics Enforcement Team, and Outlaw Motorcycle Gang intelligence information will be submitted to the South

Dakota Division of Criminal Investigation.

7. Intelligence information may be gathered through a variety of sources. However, the Criminal Investigation Division Commander, or their designee will assure the Intelligence information collected and preserved meets all applicable federal, state and local laws and agency regulations. Aside from normal means of collecting information, such as investigative reports, public records and the like, Intelligence may be gathered through legal covert collection means such as physical or electronic surveillance, or use of undercover officers.

8. The Criminal Investigation Division Commander or a designee will be responsible for the maintenance of a confidential expenditure fund, in accordance with the procedure for Confidential Expenditures. Funds shall be available for use in gathering intelligence information, as appropriate.

C. CRIMINAL INTELLIGENCE PRIVACY

The Rapid City Police Department will assure while Intelligence gathering efforts are occurring, provisions shall be made to assure the privacy of the individuals named in Intelligence documents, and the Intelligence information shall be used only for investigative purposes.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
711-01	Crime Prevention and Community Involvement	1 OF 3
ORDER NO.: 12-02	**SUBJECT:** Crime Prevention and Community Relations Administration	
SUPERSEDES: 08-05	**EFFECTIVE:** 04-02-12	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 45.1.1		

PURPOSE: It has long been recognized that an organized approach to law enforcement contains, as an essential component, an active crime prevention program. Ideally, residents of the community should work closely with members of the Police Department in programs designed to increase the level of safety within the community. With this in mind, the Rapid City Police Department stands committed to the concepts of crime prevention and recognizes that all personnel are responsible for attaining Department crime prevention goals.

A. CRIME PREVENTION PHILOSOPHY

1. The Rapid City Police Department believes preventing crime is a responsibility of all of its members working in tandem with the community.

2. Many programs and individual presentations conducted by personnel from all Divisions are a substantial part of the Rapid City Crime Prevention Program.

B. CRIME PREVENTION COMPONENT

1. While no single unit within the Police Department is responsible for all crime prevention programs, the Field Services Division has an integral role in crime prevention through its Sector Policing efforts. The Sector Lieutenants will be responsible for the planning and coordination of crime prevention programs within their sectors.

2. All Rapid City Police Department personnel recognize the importance of crime prevention in the community, and shall actively participate in programs or training, which seeks to achieve its goals.

3. Department personnel during the course of their individual assignments will:

   a. Continually evaluate crime prevention needs in conjunction with line units, Crime Analysis personnel, and other Department resources, and those with specific responsibilities for reporting on geographic areas, or crime types.

   b. Monitor ongoing programs directed at crime prevention and will evaluate each of them monthly.

   c. Make recommendations through command channels, to the Chief of Police concerning both existing programs and potential or planned programs.

   d. Keep the Department administration informed of crime prevention efforts and innovations in other jurisdictions, which appear to have potential for productive local implementation.

e. Will assist in the setting up of programs approved for local action.

C. COMMITMENT TO CRIME PREVENTION PROGRAMS

1. The primary purpose of the Rapid City Police Department's Crime Prevention efforts is to establish an awareness of law enforcement's role to reduce the opportunity for crime and to foster a community-wide role to support law enforcement in the apprehension and prosecution of criminal offenders.

2. Other related purposes are:

   a. To provide a forum for the exchange and coordination of ideas, concepts and programs designed to address community perceptions and misperceptions pertaining to crime and safety.

   b. To encourage extensive citizen and community involvement in the reduction of crime and criminal opportunity.

   c. To focus attention on local, regional and state goals and issues relating to crime prevention and safety.

   d. To encourage maximum cooperation between all segments of the criminal justice system towards the goals of crime reduction.

   e. To promote the concept that all citizens, young and old, have the right to live in a safe and crime free community.

D. COMMUNITY RELATIONS FUNCTION

1. Achieving good community relations is the responsibility of all employees.

2. Good community relations comes through forming close, positive contacts and relationships with individual citizens, informal groups, civic organizations, businesses, clubs and neighborhoods in Rapid City.

E. COMMUNITY RELATIONS OUTREACH

1. The Department recognizes the value of the social media as a means to reach out to the community and provide information, news about the agency or employees, and seek assistance from citizens.

2. The Support Services Division holds primary responsibility for the Community Relations outreach through the Community Relations Specialist position.

3. The Community Relations Specialist will be supervised by the Support Services Commander. The Community Relations Specialist shall advise all command-level staff concerning media relations and community relations activities via social media or other assigned tasks.

F. COMMUNITY RELATIONS OBJECTIVES SHARED BY ALL

The Rapid City Police Department must be responsive to the needs and problems of the community. While the Department's task is governed by law, the policies formulated to guide the enforcement of the law must include consideration of the public will. This responsiveness must manifest itself in all levels of the Department by a willingness to listen and by a genuine concern for the problems of individuals or groups. The total needs of the community must become an integral part of the programs designed to carry out the mission of the Department.

G. COMMUNITY RELATIONS PLAN

1. The prevention of crime can be achieved only through the free exchange of information between the public and the Department. Identifying problem areas, sharing crime information as well as trends, establishing communications are paramount in the dual effort by the public and the Department to prevent crime. All Department employees should possess knowledge of crime problems and law enforcement needs.

2. Although the responsibility for good community relations rests with all Department employees, its overall initiation, coordination and ongoing guidance is assigned to the Sector Lieutenants as part of their duties. These duties will include:

   a. Establishing liaison with formal community groups.

   b. Providing feedback from citizens and citizen groups to the Chief.

   c. Monitoring police-community relationships.

   d. Assisting in the formation of citizen groups where none exist.

   e. Other duties as may be assigned.

A. CRIME PREVENTION PRIORITIES

1. Sector Lieutenants will plan and direct the focus of the Field Services Division crime prevention efforts. They will coordinate with other personnel to determine what types, locations, and the severity of crime (risks) are occurring within the City, and where prevention activities could be most productive.

2. The Rapid City Police Department has developed numerous Crime Prevention and Safety Programs for the Rapid City community. Crime Prevention or Safety Programs are developed, promoted, and then offered to various segments of the community. The criteria used to develop programs range from the public perception of crime, to the statistical analysis of crime data compiled by the Department's Crime Analyst.

3. The Field Services Division Commander or designee will conduct a **triennial internal review** and evaluation of existing programs to ascertain if the needs of the community and Department are being met.

B. TARGETED CRIME PREVENTION PROGRAMS

1. The Rapid City Police Department has numerous community-oriented programs relating to the recovery of stolen property and other criminal activity.

2. The Rapid City Police Department's Crime Prevention Programs are implemented as the need arises and also on a request basis.

3. Crime Prevention and Safety Programs and Activities may include, but are not limited to:

   a. Neighborhood Watch;

   b. School Safety Program;

   c. School Liaison; and

4. The Department provides materials, training and such expertise on relevant subjects and applicable programs as dictated by the need or demand, and within the Department’s resources.

C. ACTIONS TO AVOID COMMUNITY PROBLEMS

1. The Rapid City Police Department brings necessary resources into quick action following any and all reported or observed incidents of hate bias crimes. There is special emphasis placed on victim assistance and community cooperation in order to reduce victim/community trauma or fear. It must be remembered that the actions taken by this department in dealing with incidents of hate bias crimes are visible signs of concern and commitment to the community.

2. A hate bias crime or incident is an act or a threatened or attempted act by any person or group of persons against the person or property of another individual or group that may in any way constitute an expression of hostility based on race, ethnicity, religious or sexual orientation.

Supporting Documentation: SDCL 22-19B-2

D. RESIDENTIAL CRIME PREVENTION GROUPS

The Rapid City Police Department Field Services Division is involved in a Citywide Neighborhood Watch Program. Part of the Neighborhood Watch Program may include a newsletter to all Neighborhood Watch **block captains** and selected members. It shall be the responsibility of the Sector Lieutenants and Sector Officers to provide active assistance in the organization of **neighborhood** crime prevention programs.

E. CRIME PREVENTION LIAISON

The Rapid City Police Department will maintain an ongoing relationship with interested persons, community groups, commercial groups and professional associations. The unit's interaction with these differing entities ensures the delivery of programs, activities and services encompasses the interests and needs of the entire community and Department.

F. CRIME PREVENTION POLICY INPUT

The Rapid City Police Department will provide interaction into planning and policy development with the appropriate agencies or divisions to ensure the addressing of crime prevention issues and concerns. This can include, but is not limited to, the City Planning Department and the Fire Department.

G. COMMUNITY RELATIONS REPORT

1. The responsibility of the Field Services Commander or designee, is to prepare and submit to the Chief of Police at least quarterly reports, which at a minimum include the following:

   a. A description of current concerns voiced by the community;

   b. A description of potential problems having a bearing on law enforcement activities within the community;

   c. A statement of recommended actions addressing previously identified concerns and problems; and

d. A statement of progress made toward addressing previously identified concerns and problems.

2. Any Department member obtaining relevant information will submit it in writing, through their chain-of-command, to the Field Services Commander, or designee.

H. TRIENNIAL CITIZEN SURVEY

1. On a triennial basis, the Rapid City Police Department conducts a survey of citizen attitudes and opinions with respect to:

   a. Overall Department performance;

   b. Overall competence of Department employees;

   c. Officer's attitudes and behavior toward citizens;

   d. Concern over safety and security within the Department's service area as a whole;

   e. Concern over safety and security within the beat where the respondent lives; and

   f. Recommendations and suggestions for improvements.

2. The results of the survey are compiled, with a written summary provided to the Chief of Police.

I. TRAFFIC SAFETY EDUCATIONAL MATERIALS

The responsibility of the Crime Prevention component of the Rapid City Police Department is to promote and disseminate traffic safety educational materials and programs.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
721-01	Inspectional Services	1 OF 1
ORDER NO.: 13-03	**SUBJECT:** Line Inspections	
SUPERSEDES: 05-01	**EFFECTIVE:** 08-27-13	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 53.1.1		

POLICY: The Rapid City Police Department is to regularly assess its effectiveness and efficiency and to gather pertinent data necessary for planned change. The need for detailed observation and analysis of the Department's elements, procedures and practices in order to evaluate the quality of services provided to the community is recognized.

A. LINE INSPECTIONS

1. Line inspection is an ongoing process conducted by those in direct command – those who have the authority to act or to require immediate action of subordinates. Ongoing authoritative inspection is a duty of every commander and supervisor.

2. Commanders and supervisors, responsible for line operations, conduct individual and team inspections to ensure that:

   a. Acceptable levels of appearance and personal hygiene are maintained by assigned personnel; and

   b. Personal and issued equipment is operational and conforms to Department and technical requirements.

3. Supervisory Responsibility:

   a. The supervisor or a designee is responsible for conducting monthly line inspections and correcting deficiencies as discovered.

   b. Inspections will include all aspects under the supervisor's control; facilities, property, equipment and personnel. Documented inspections of facilities may be done separately from line inspections and reported on a quarterly basis.

   c. Once deficiencies are noted, the supervisor will ensure that any deficiencies are corrected.

   d. Line inspections will be documented in a written report. This report will be forwarded through the chain of command to the appropriate division commander.

RAPID CITY POLICE DEPARTMENT RULES AND PROCEDURES		
POLICY NO.: 721-02	**SECTION:** Inspectional Services	**PAGE NO.:** 1 OF 2
ORDER NO.: 15-01	**SUBJECT:** Staff Inspection Administration	
SUPERSEDES: 11-03	**EFFECTIVE:** 04-02-15	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 53.2.1		

PURPOSE: The policies and procedures in this section relate to the inspection process within the Rapid City Police Department. The inspection process is an essential mechanism for evaluating the quality of the Department's operations, ensuring the Department's goals are being met, identifying the need for additional resources, and ensuring operational control is maintained throughout the Department. The inspection process compares the Department's formal expectations with actual performance. Inspections, conducted with clear objectives and a positive approach, provide a means of bi-directional communication within the Department, not only "downward" but also "upward."

A. STAFF INSPECTIONS

1. Management inspection and control through a process of staff inspection and evaluation is necessary to ascertain if:

   a. Command policies, procedures, and rules are adequate and are being adhered to;

   b. Whether Department resources are adequate and are being properly utilized; and

   c. To evaluate the overall performance of the Department.

2. Staff inspections shall be conducted on each organizational component at least once every three years.

3. Staff inspection is the formal process of self-examination within the Department and consists of the following steps:

   a. Performance auditing;

   b. Reporting;

   c. Recommendation for improvement (when appropriate);

   d. Response by management of the inspected component;

   e. Review by the Chief of Police and Staff;

   f. Implementation of improvements (when appropriate); and

   g. Follow-up.

4. The responsibility for staff inspections rests with the Chief of Police.

5. The Chief of Police initiates all staff inspections.

a. The staff is generally responsible for bringing specific need for staff inspection to the Chief of Police's attention.

b. No staff inspection is conducted without the express approval of the Chief of Police.

c. The Commander of the affected Division or Section is notified within a timely fashion prior to the beginning of any staff inspection substantially affecting the division.

d. If recommendations are made and accepted, the Support Services Commander or a designee will check with the appropriate supervisor to ensure progress.

6. Staff inspection reports will be written by the Staff Inspection Team Leader, in the approved format as outlined in policy 721-03 – Staff Inspection Procedures, or as directed by the Chief of Police.

7. All staff inspection reports are turned in to the Chief of Police.

8. Staff inspections will be accompanied by a written report submitted to the Chief. The goal of the inspection will be to ensure an objective review or analysis of goals and procedures.

9. The Staff Inspection Team Leader's responsibility is to conduct a complete inspection in accordance with Department policy and accreditation standards. The team leader is also responsible for providing proper instruction and directions to other Department personnel participating as a member of the inspection team. Instructions and directions will encompass the method of inspection, items to be included in the staff inspection and the format for a written inspection report.

10. A cooperative relationship must exist between the Staff Inspection Team and the organizational component being inspected so deficiencies can be identified and corrected. Division Commanders will review recommendations, and conduct follow-up staff inspections if necessary.

    a. Differences are first resolved to the fullest extent possible between the concerned division and the Support Services Commander.

    b. When and if differences cannot be resolved at that level, the matter is brought to the attention of the Chief of Police for resolution.

11. All staff inspection files and reports are restricted documents. Their release or review within the Department is subject to the approval of the Chief of Police.

RAPID CITY POLICE DEPARTMENT RULES AND PROCEDURES		
POLICY NO.: 721-03	**SECTION:** Inspectional Services	**PAGE NO.:** 1 OF 7
ORDER NO.: 15-01	**SUBJECT:** Staff Inspection Procedures	
SUPERSEDES: 11-03	**EFFECTIVE:** 04-02-15	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 53.2.1		

PURPOSE:

1. To provide the Chief of Police and the Department's staff with a tool to evaluate the operations of work components within the organization.

2. To determine the level of compliance with Department orders.

3. To determine if the agency is complying with accreditation standards promulgated by the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA).

4. To create an atmosphere of self-analysis and continuous improvement among work components.

A. NATURE AND TYPE OF STAFF INSPECTIONS:

1. Types of Staff Inspections:

   a. A general inspection examines a cross-section of operational functions and procedures of a particular component within a unit, such as the Street Crimes Unit within the Field Services Division, or Property Management within the Evidence Section.

   b. A specific inspection is an examination and evaluation of a single function or operations procedure performed by a single unit or as a process by several units, such as enforcement of traffic laws in the Field Services Division, or Records Management and Distribution in the Records Section.

   c. An audit is a review of a unit's responsibility, which may include; general orders and accreditation compliance. Audits are described in policy 243-01 – Accounting Procedures and 622-04 – Property Records, Inventory, and Inspections.

2. Nature of Staff Inspections:

   a. General and specific inspections are designed to provide concise, objective, and relevant information for management decision making.

   b. The focus throughout an inspection is on procedures, effects and issues not on personalities.

      (1) For this reason, all facts, findings, and recommendations are phrased without reference to particular individuals.

      (2) In this respect, it must be emphasized the focus is on improvements rather than finding fault.

3. Role of Management in the Staff Inspection Process:

   a. Support the inspection process as a mechanism to identify inconsistencies in the application of orders and as a means to improve the function of various components within the Department.

   b. Promote total quality in each Department program or operation.

   c. Promote active cooperation between Department members and the inspection team. Active cooperation means being available for interviews and providing documents as required.

4. Requests for Staff Inspections:

   The objective of an inspection is to assist all members of the management team through independent and objective analysis, review and evaluation of existing programs, procedures and activities. A staff inspection reviews programs to determine whether results are consistent with pre-established goals and objectives, whether programs are being carried out as planned, and whether management tools are in place to measure their efficiency and effectiveness.

5. Staff Inspection Definitions:

   a. **STAFF INSPECTION**: Inspection conducted by personnel who do not have control of the persons, facilities, or procedures being inspected. The staff inspection is a quality control management tool designed to review objectively the Agency's organizational units. Staff inspections involve the examination of all Department operations for efficiency, effectiveness, policy compliance and adequacy of management controls. The results of staff inspections are usually reported to the agency's Chief of Police.

   b. **LINE INSPECTION**: Inspection conducted by personnel in control of the persons, facilities, procedures, or other elements being inspected. Line inspections may be carried out by any supervisor within the chain of command and is often conducted by supervisory personnel who may also be responsible for ensuring that any substandard conditions revealed in the inspections are corrected. Line Inspections are described in 721-01.

   c. **METHODOLOGY**: The process used to gather and analyze data and to reach conclusions and recommendations. The methodology selected needs to provide evidence that will achieve the objectives for the inspection process.

   d. **WORKING PAPERS**: Documents containing the evidence to support the inspector's findings, opinions, conclusions, and judgments. They include the collection of evidence, prepared or obtained by the inspector during the inspection process.

   e. **RISK ASSESSMENT/RISK MANAGEMENT**: The assessment of risk or vulnerability by inspectors when conducting an inspection. Quality control methods, such as inspection activity, include the assessment or evaluation of the potentiality (risk) for loss of assets, or loss of time, for breaches of security, for personal physical harm, for institutional harm, and for lack of adequate internal controls to maintain efficient and effective (quality) operations.

B. INSPECTION OBJECTIVES

1. To determine if personnel are performing their duties according to agency policies and procedures, and applicable standard operating procedures. Additionally, it is to determine if employees are following unwritten policies and procedures, which may need to be incorporated or discontinued.

2. To determine how agency resources are being utilized. This includes, but is not limited to, supplies, equipment, reports, and personnel.

3. To determine the appearance of agency personnel and the condition of equipment and facilities.

4. To determine if anticipated results are being realized or, are we doing what we say we should be doing.

5. To determine uniformity of operations within the Agency.

6. To measure the progress and effectiveness of programs, policies and procedures.

7. To reveal the existence of need.

8. To determine the discharge of command and supervisory duties and responsibilities, or how supervision is done.

9. To inform Command personnel of irregularities and deficiencies observed.

10. To perform other duties as directed by the Chief of Police, such as what employees want and why they want it.

11. To determine areas where the agency or its members are vulnerable and/or at risk.

C. INSPECTION TEAM LEADER RESPONSIBILITIES

1. Supervise the operational activity of assigned personnel to the inspection team.

2. Plan and/or assist with planning the scope and direction of the inspection.

3. Conduct the Staff Inspection of the Department's components, processes or functions.

4. Assign and/or assist in the preparation of all reports on the results of the inspections performed.

5. Keep abreast of current inspection techniques and equipment.

6. Observe and record the performance of assigned personnel to the team. Document this performance as additions to the team members' performance appraisal or letters of recommendations to their personnel file.

7. Provide guidance to team members during the inspection process and clarification of their roles during the process.

8. Inspect and evaluate assigned personnel to ensure compliance to performance standards, policies, rules and directives of the Department. Take appropriate corrective action with subordinates when necessary.

9. Provide the Chief of Police, Division Commander, and Accreditation Manager with accurate and timely reports.

10. Assign and control personnel and equipment on a daily basis to ensure operational economy.

11. Develop team goals and objectives.

12. Ensure compliance of section personnel in the achievement of Division and Department goals and objectives.

13. Establish the timetable for the staff inspection to be completed.

14. Maintain security of Department files and other documentation.

15. Utilize effective and courteous interpersonal relationships with all members of the Department.

16. Comply with performance standards, policies, procedures, rules and directives of the Department.

D. SCHEDULED AND NON-SCHEDULED STAFF INSPECTIONS

1. The Accreditation Manager will maintain a list of all general inspections to be conducted. Each division of the organization shall be inspected at least once every three years. Specific components, units and functions may be subject to more frequent inspections as outlined by Department Orders or CALEA Standards.

2. The Inspection Team will also be available to perform special inspections when requested. Special inspections will be conducted upon the approval and at the direction of the Chief of Police in accordance with priorities set by the Chief.

E. STAFF INSPECTION TEAM

1. The Staff Inspection Team leader will be appointed by the Support Services Commander or designee. The Staff Inspection Team Leader will be under the command of the Support Services Division Commander. The Inspection Team conducts staff inspections and coordinates the use of inspectors who are not normally part of the Section.

2. An Inspection Team may consist of a single person, or several individuals if the size of the section to be inspected requires more people in order to accomplish the inspection in a timely manner. Inspection Teams may be composed of Department members (Sworn and Non-Sworn) appointed by the Chief of Police, or a designee, to conduct a staff inspection. The member selected shall not be assigned to the unit being inspected, except in the case of audit inspections.

F. STAFF INSPECTIONS TEAM RESPONSIBILITY AND AUTHORITY

The Staff Inspection Team will:

1. Function under the policies and directions established by the Chief of Police.

2. Have access to all records, personnel, and any other elements relevant to the performance of an inspection.

3. Have the authority to review and appraise any program, policy, order, plan, procedure or record within the Department.

4. Act on behalf of the Chief of Police as a staff evaluation body.

5. Have the authority to solicit the expertise of additional personnel whenever necessary.

6. Conduct staff inspections of organizational components within the Department at least every three years. For purposes of scheduling staff inspections, Sections and Divisions are designated as organizational components. Any unit, program, or operation may be selected for inspection within the component.

7. Identify discrepancies and issues.

8. Make recommendations to improve the rules and procedures, or the operations of the unit being inspected.

G. PRE-INSPECTION NOTIFICATION

1. The Staff Inspection Team Leader will notify the Division Commander in writing of the dates for the staff inspection before the inspection begins.

2. Before the scheduled staff inspection, the Staff Inspection Team Leader will meet with the Chief of Police, or designee, and the affected Division Commanders to discuss which programs are to be evaluated within the Division to be inspected. The Inspection Team will be introduced at that time.

3. This order does not supersede or replace the audit processes described in either policy 243-01 or 622-04.

H. INSPECTION PROCESS

1. This portion of the staff inspection process will be based on methods of evaluation developed by the Support Services Division. The types of evaluations that may be used singly or with one another are:

   a. Research assessment – Identifies the proposed program or operational goals, outlines resources needed to carry out the program, and summarizes the status of similar policing practices.

   b. Management evaluation – Describes the activities of the program or operation, assesses the management tools used in it, and measures the progress made toward achieving goals; may provide continuous improvement recommendations.

   c. Comprehensive evaluation – Evaluates program and operational effectiveness, assesses resource usage and deployment, and provides continuous improvement recommendations.

2. The inspection team may use the following methods to conduct the evaluation:

   a. Data collection – Determine the goals of the program or operation, what its objectives are, what activities comprise it, and what resources are used to achieve its goals and objectives. Data may be collected through many methods, including, but not limited to:

      (1) Observation;

      (2) Interviews; and

      (3) Document review.

b. Analysis – Measure the data collected:

(1) Quantitative analysis of numerical data such as calls for service, arrests, number of personnel and so on; and

(2) Qualitative analysis of information such as interview results, survey responses, assessment of training provided or needed for work performed, equipment used by personnel in their duties and so on.

I. POST-INSPECTION REVIEW

1. Upon completion of the inspection and prior to the report being finalized, the Staff Inspection Team Leader shall meet with the affected Division Commander and review the findings. At this time, the Division Commander may be asked to clarify any findings and comment on the recommendations, prior to the final report being submitted.

2. At this review meeting, Division Commanders are encouraged to discuss the findings thoroughly enough that they are able to address those findings in their response to the inspection report.

J. STAFF INSPECTION REPORT

1. Staff inspection reports shall be completed for all staff inspections.

2. The format for the staff inspection report shall be determined by the Chief of Police. The report may include:

   a. An executive summary, which details how the inspection was carried out and summarizes the findings.

   b. A discussion of the program or operation inspected, relating research done on similar programs or operations and identifying the goals, resources, and activities of the program or operation inspected.

   c. Identifying procedural issues, management tools, resource expenditures, or activities inconsistent with the Department's mission, goals, or current policy.

   d. Recommendations, which suggest how the program or operation may be improved or modified.

K. INSPECTION RESPONSE REPORT

1. The inspection report response shall consist of a memo from the Division Commander to the Chief of Police. The memo shall address:

   a. Inspection findings.

   b. Recommendations made by the inspection team.

   c. Procedural issues.

L. INSPECTION RESPONSE REPORT FOLLOW-UP

1. The inspected Division Commanders shall meet with the Chief of Police within 30 days of the date the response report was signed off. The spirit of this meeting will be the continuous improvement of operations through empowerment, accountability, and teamwork. At this meeting, they may discuss:

   a. The inspection process;

   b. Findings and recommendations made in the inspection report;

   c. The inspection response report; and

   d. Other relevant issues.

2. Division Commanders will ensure recommendations adopted are formalized, where necessary, in orders and operations.

M. AUDIT OF DEPARTMENT ORDERS

1. An audit of Department policies and procedures shall be conducted during each calendar year. The objectives of an audit are to ensure orders are current, revise orders where necessary, and ensure proofs of compliance for accreditation standards have been collected.

2. Each Division will conduct their own audit, coordinated by the Accreditation Manager. The Division Commander shall appoint a person from within the section to conduct the audit. Assigned audits shall be completed by the end of 3rd quarter that year. All portions of the policy manual will be reviewed at least once triennially.

3. All revisions will be approved by the respective Division Commanders prior to presentation and discussion during monthly staff meetings.

4. Once changes are approved by staff and the Chief of Police, the Accreditation Manager will make the appropriate changes in the policy manual. The changes will be disseminated through a Department General Order.

PURPOSE: To streamline the release of information to the media and the public, while improving transparency, access to information, and efficiency of Department communications.

A. PUBLIC INFORMATION FUNCTION

1. The Community Relations Specialist (CRS) will serve as the main point of contact for the Rapid City Police Department. General inquiries by the media concerning Department activities, both criminal and non-criminal will, under most circumstances, be referred to the CRS.

2. When the CRS is not present, media inquiries will be referred to the on-duty Shift Commander or other designee.

3. For specific events, the CRS will work with Division Commanders to designate a spokesperson. The spokesperson will be authorized to give interviews and provide information to the media about that incident.

4. The CRS is responsible for directing the activities of members of the news media at the scene of a crime or other event under the control of Department personnel. If a spokesperson has been assigned to the incident, the spokesperson assumes these duties, including:

   a. Responding to the scene of the event, or, when necessary or practical, responding to the Department to take charge of disseminating information to the news media;

   b. Notifying the media or requesting the Emergency Services Communications Center assist in notifying the media;

   c. Responding to interview requests and inquiries from the media related to the incident.

5. In the absence of the CRS or designated spokesperson, these responsibilities lie with the Shift Commander or Shift Supervisor on duty. This may be a uniformed supervisor, Investigation Division Supervisor, etc., as the situation dictates.

6. In major case investigations, where time and circumstances permit, the release of information to the media will be coordinated with the lead investigator assigned to the case, or a Criminal Investigation Division supervisor.

7. Additional duties of the CRS may be:

   a. Assist news personnel in covering news stories at the scene

   b. Being available for on-call responses to the media;

c. Preparing and distributing news releases;

d. Arranging for, and assisting at, news conferences;

e. Coordinating and authorizing the release of information about victims, witnesses, and suspects;

f. Assisting in crisis situations within the agency;

g. Coordinating and authorizing the release of information concerning confidential agency investigations and operations;

h. Establishing procedures for releasing information when other service agencies are involved in a mutual effort;

i. Coordinating the release of information on related social media sites, the Department's website, and other online platforms.

B. INFORMATION RELEASE AUTHORITY

1. Guidelines related to how and when to issue news releases.

   a. Incidents during normal business hours requiring a media release:

      (1) Shift supervisors will send a brief to the CRS and Shift Lieutenant with details of the incident. The CRS will draft the release and distribute it to the media. Depending on the scale of the incident, the shift supervisor may be designated as the incident spokesperson to conduct interviews.

      (2) If the CRS determines a need, or is able, he or she may respond to the scene and gather the details for the release.

   b. Incidents after normal business hours requiring a media release:

      (1) If there is an active public safety risk, such as dangerous weather conditions, missing persons, armed felons on the run, or other significant event, the shift supervisor will notify the shift commander, prepare a release, and send it to both the media and CRS. The shift supervisor will answer any media calls related to the incident.

      (2) If there is no active public safety risk, such as a past crime, accident, or other event, the shift supervisor will draft a release and send it to the CRS and shift commander. In most cases, the Department will wait until the next business day to consider publishing the news release. The shift supervisor will use good judgment in answering media inquiries.

   c. Major events occurring at any time:

      In the case of a major event, such as an officer shooting, school shooting, homicide, or other crisis, the CRS will be called in to coordinate messaging, field media requests, and advise crisis communications strategy.

2. Guidelines for responding to media inquiries.

   a. During normal business hours, inquiries from the media should be directed to the CRS.

b. If the media requests information on scene, the shift supervisor is authorized to release information or conduct interviews (if time permits).

c. After normal business hours, general media inquiries or requests for non time-sensitive information should be forwarded to the CRS for a response on the next business day.

d. After normal business hours, media requests for time-sensitive information or information related to specific incidents may be handled by the on-duty supervisor. The on-duty supervisor shall use good judgment in answering media inquiries after hours.

e. News media requests for information regarding ongoing investigations will be handled by the CRS, in conjunction with the Investigation Division Commander or a designee and when appropriate, the State's Attorney's Office.

f. The Chief, Division Commanders, Lieutenants, Sergeants, and CRS are the only personnel authorized to respond to media inquiries. Other personnel may release information only when authorized.

g. The Emergency Services Communications Center is neither authorized, nor responsible for issuing news media releases and should not be utilized for this purpose.

h. All statements relating to Rapid City Police Department policy shall be coordinated by the CRS, with authorization of the Chief.

PURPOSE: To balance the public's need to know and right to be informed about the Department's activities with the legal rights of individuals who are a focus of criminal and non-criminal investigations.

A. PRESS RELEASE PROCEDURES

The Department recognizes the importance of openness in matters of public interest and full disclosure of objectives and policies. However, the Department must also consider the legal rights of individuals involved in incidents under investigation.

1. Each incident must be considered in light of its unique circumstances. The Department must determine whether the release of information will hamper an investigation, unnecessarily embarrass or jeopardize an innocent person, or promote pretrial prejudice to the extent that a fair trial becomes difficult or impossible. These concerns are weighed against the public's need and right to be informed. In addition, the information, which is released to the public, must be accurate.

2. When contacted in person by a member of the news media, a member of the Department may ask for proper credentials prior to releasing any information or allowing access to any restricted area.

3. In cases where a newsperson requesting information over the telephone is not known to the Department employee receiving the call, and the Community Relations Specialist is not available to take the call, the employee may, if he feels it is necessary, establish the identity of the caller by calling the person at his agency.

4. Copies of police reports will be given to members of the media only in accordance with Records Section procedures and federal and state statutes.

5. News media interviews of subjects in custody are not granted without first obtaining permission from the court and prosecuting attorney having jurisdiction over the matter.

6. Officers may not prevent brief comments by arrestees to reporters while in public places, e.g., at the arrest scene, in the lobby, etc. However, officers will not arrange any access to the subject by the media.

B. RELEASE OF ON-GOING INVESTIGATION INFORMATION

1. The following procedures apply to the release of information to the news media from the time a person or action becomes the subject of an incident or investigation and until any proceeding, resulting from such incident or investigation is terminated by trial or other disposition.

2. Disclosures shall only include factual matters.

3. Personnel of the Department, subject to specific limitations by law, or by court order, may make public the following information:

   a. An arrestee's name, age, sex, race or nationality, residence, usual occupation and marital status.

   b. The substance, text, and source of the charge for which the arrestee is being held.

   c. The identity of investigating or arresting officers and the length or scope of an investigation.

   d. The circumstances immediately surrounding an arrest, including time and place of arrest, resistance, pursuit, possession and use of weapons and a description of physical items seized at the time of the arrest (without relating their possible evidentiary value).

   e. The arrestee's Rapid City criminal history, only.

4. When background material or information relating to the circumstances of an arrest or investigation would jeopardize that case, the information shall not be released.

5. Disclosures shall not include subjective observations.

6. Information that may tend to create an atmosphere of prejudice, without serving a significant public information function shall not be released.

7. The following types of information shall not be released:

   a. Observations concerning an arrestee's character.

   b. Statements, admissions, confessions, or alibis attributable to an arrestee, or the refusal or failure of the accused to make a statement.

   c. Statements concerning the identity, address, testimony or credibility of any prospective witnesses.

   d. The name and location of the arrestee's employment.

      Exception: If the location is the same as that of the crime or arrest, the information may be released.

   e. Any opinion as to the guilt of the accused or the possibility of a plea or plea negotiations.

   f. Any information concerning an arrestee's prior criminal record except arrests occurring in Rapid City.

   g. The name or address of any victim of a sex offense. The age and sex of the victim may be released along with an indication of the general area where the offense occurred.

   h. The identifications of any person under the age of eighteen who is the suspect in any investigation or has been taken into custody. It is sufficient to release the age and sex of the person. Ordinarily this policy will pertain to anyone under the age of eighteen who is a complainant or a victim of a crime.

i. Information pertaining to the victim in death investigations, until investigating agents have been authorized by the County Coroner's office to make a release.

(1) Arrival on scene and pronouncement of death by the Coroner does not constitute authorization.

(2) Prior to the receipt of authorization, all requests for information will be referred to the Coroner's office.

j. Any information concerning a personnel investigation without the express authorization of the Chief.

k. News media interviews of subject in custody shall not be granted without the express authorization of the Prosecuting Attorney and/or the court.

l. Personnel of this Department shall not provide photographs of subjects in custody to the news media in any instance where release might jeopardize the case or violate State statutes.

m. The news media shall not be allowed to photograph subjects in custody, excepting in public access areas. Under no circumstances will subjects be postured for media photographing.

n. This statement of procedure is not intended to restrict the release of information concerning a defendant who is a fugitive of justice when such information may be necessary to enlist public assistance in apprehending such a fugitive.

o. Any time a representative of the news media is denied access to certain information as outlined above, he shall be given a courteous explanation of the reasons for the denial and referred to the Chief's Office.

8. Once a case has been accepted for filing with the States Attorney or City Attorney, media requests for information on prosecution of that case, except for the basic facts, will be referred to the appropriate prosecuting attorney.

9. Copies of all formal press releases will be forwarded to the following areas:

a. Community Relations Specialist, Administrative Services, for filing for a period of one year; and

b. Investigator assigned to the case for inclusion in the case file.

10. Press releases will be made on occurrences deemed appropriate by supervisory personnel involved and the CRS, or when requested by the media.

11. Press releases will be available equally to all media outlets.

C. INFORMATION RELEASE ON JOINT OPERATIONS

1. Whenever an agency other than the Rapid City Police Department (i.e., Pennington County Sheriff, FBI, Rapid City Fire Department arson investigator, etc.) initiates an activity within the City of Rapid City, regardless of the degree of Department assistance given, that outside agency is responsible for releasing information about its activity to the news media.

2. Whenever the Rapid City Police Department initiates an activity in another jurisdiction, the appropriate member of the Department is, after advising any other involved agency, responsible for releasing information about that activity to the news media.

3. In a situation where multiple jurisdictions or agencies are present (such as police and fire), responsible persons representing such agencies shall be consulted as to a plan for coordinating the activities of the news media. Members of the media are referred accordingly.

4. In death investigations within Rapid City involving the offices of the Coroner and States Attorney, the primary responsibility for the release of information to the news media lies with this Department, subject to prior notification of relatives by the coroner.

D. NEWS MEDIA ACCESS

1. Department personnel shall extend every reasonable courtesy to news media representatives at crime scenes. This may include closer access than available to the general public, to the degree that it does not compromise the crime scene, interfere with law enforcement, or impede traffic.

2. The news media, including photographers, shall not be allowed access to private property if the owner or agent of that property requests they be excluded.

3. The news media shall not be allowed access to any area where there is a possibility that evidence may be damaged, destroyed or altered, until the evidence has been photographed and processed or has been removed or secured.

4. The news media shall be allowed anywhere outside the secured perimeter of a crime scene. If it is necessary to move the perimeter and relocate media representatives, the Community Relations Specialist or officer in command of the scene will clearly communicate with media to move them to an appropriate area.

5. The news media shall not be allowed access to any crime scene, fire, natural disaster or other catastrophic event when such access could jeopardize evidence, tactical operations, or life or safety of any person including news media representatives. In special circumstances, the incident commander may authorize briefings and tours of restricted areas to facilitate media coverage.

6. It is the responsibility of the Community Relations Specialist, or assigned incident spokesperson, to coordinate the activities of members of the news media at the scene of a crime or other event under the control of the Department. In the absence of either the Community Relations Specialist or a designated spokesperson, this responsibility shall lie with the officer in command of the scene or a designee.

POLICY: The victims and witnesses of crimes will be treated with fairness, compassion, and dignity by the Rapid City Police Department. The Rapid City Police Department is committed to the development, implementation, and continuation of appropriate Victim/Witness Assistance Programs and activities.

A. ORGANIZATION AND ADMINISTRATION

1. The Victims Assistance Program is a function of the **Pennington County State's Attorney's Office.** The goal of the **Pennington County Victims Assistance Program** is to provide an information center for victims of all types of crimes in the county.

2. The Victims Assistance Program provides information on court dates and procedures, refers victims to sources of help within the county, refers victims to counseling, provides crisis intervention, assists in recovering restitution from convicted criminals for the victims, relays victim's wishes to judges and prosecutors, assists victims in making pre-sentence impact statements, pays forensic examination costs in rape cases, assists victims in victim compensation, and works with other agencies in the county to provide thorough assistance to victims.

***B. IDENTIFIABLE POSITION FOR MANAGING AGENCIES VICTIM/WITNESS* ROLE**

1. The Director of Victims Assistance for Pennington County shall be in the **"identifiable position"** of authority and shall be responsible for administering and coordinating the Department's role with victim assistance. The victim assistance coordinator shall be a full-time employee of professional status.

2. The Criminal Investigation Division Commander or their designee shall act as Department liaison with the Pennington County Victims Assistance Program.

C. VICTIM RIGHTS AND AGENCY COMMITMENT TO VICTIM/WITNESS ASSISTANCE

1. The Rapid City Police Department will uphold the rights of victims and witnesses as stated in the **Victim Bill of Rights** legislation and as presented in the **President's Task Force on Victims of Crime, 1982.** The Department shall treat victims and witnesses with fairness, compassion, and dignity in the deployment, implementation, and perpetuation of appropriate victim/witness programs and activities.

2. The victims of crime have a fundamental right to be informed about the status of the investigation of their case, the progress of any subsequent court proceedings, the right to prompt return of property, and the right to be involved in subsequent sentencing. Where the Rapid City Police Department is involved or has control over the process, members of the Department will do everything possible to ensure that the rights of the victim are scrupulously honored.

D. VICTIM/WITNESS ASSISTANCE GOALS, OBJECTIVES, ORGANIZATION

1. The goal of the Rapid City Police Department's Victim/Witness Assistance Program is to make contact with victims of physically and emotionally traumatic crimes. These victims include relatives of homicide victims, victims of domestic violence, abuse or neglect, victims of sexual crimes, elderly victims of crime, victims of assault, and victims of any other sudden traumatic criminal event.

2. The Rapid City Police Department and the Pennington County Victims Assistance Program will ensure, where the agencies have a capacity to do so, that the South Dakota Victim's Bill of Rights (SDCL 23A-28C) are implemented.

3. The Rapid City Police Department CID Victim Assistance Coordinator will maintain a liaison with the Pennington County Victims Assistance Coordinator and with other criminal justice agencies, governmental and non-governmental, concerned with victim/witness needs and rights.

4. **Objectives** of assisting the victim may include, but are not limited to the following:

   a. Providing emotional support;

   b. Victim compensation;

   c. Court restitution;

   d. Informing of investigation and court procedure;

   e. Return of evidence and property;

   f. Assess client needs and make referrals; and

   g. Assist the victim in preparing victim impact statements.

E. VICTIM/WITNESS TRAINING FOR SWORN PERSONNEL AND OTHERS

1. The Training Administrator and Victim Assistance Coordinator shall provide, assist, or arrange for an appropriate level of **training** for employees, volunteers, and others directly involved in victim assistance efforts. Such training may include victim rights and needs, reaction and emotional response to trauma, and specific dynamics to crime victimization.

2. **Civilian Volunteers** for crisis intervention shall have completed approximately 40 hours of appropriate training consisting of intervention, role-playing, crime specific trauma, and other elements of victimization.

A. VICTIM/WITNESS ASSISTANCE BETWEEN VICTIMIZATION AND PRELIMINARY INVESTIGATION

1. The minimum levels of victim/witness assistance service provided by the Department shall include the following:

   a. On-call crisis intervention, information, and referral service provided 24 hours a day, 7 days a week.

   b. Employees or volunteers may provide information to victims concerning counseling, medical attention, emergency needs, and financial assistance.

   c. An **information card or brochure** may be provided to victims, informing them of appropriate resources regarding their cases and investigation.

2. Officers and personnel shall follow the established guidelines and policy related to call out and incident notification.

3. Officers may provide the victim with the information card at the time of the offense.

4. Officers will have access to the **Social Services** resource list, which provides telephone numbers for referrals to agencies for specific situations.

B. ASSISTANCE FOR THREATENED VICTIMS

1. The Department will attempt to provide appropriate and warranted assistance to victim/witnesses within its jurisdiction who have been threatened or express credible reason for fearing intimidation or further **victimization.**

2. The victim/witness will be promptly notified when the Department becomes aware of danger to a victim/witness and appropriate measures will be taken.

3. If the Department becomes aware of danger to a victim/witness in another jurisdiction the Department shall inform the appropriate jurisdiction requesting, reasonable precautions be taken.

C. VICTIM/WITNESS ASSISTANCE DURING PRELIMINARY INVESTIGATION

The victim assistance coordinator, their designee, or an officer shall provide the following minimal services during the preliminary investigation:

1. Provide the victim/witness with a card, brochure, or document that provides the following: case number, appropriate telephone numbers to contact victim assistance, and telephone numbers to report additional information about the case or to receive information about the status of the case.

2. Provide information about applicable rights and services. (**Counseling, medical, advocacy, emergency food, or shelter,** etc.).

3. Advise the victim/witness about what to do if the suspect or the suspect's companions or family threatens or otherwise intimidates them.

D. VICTIM/WITNESS ASSISTANCE DURING FOLLOW-UP INVESTIGATION

1. The Victim Assistance Program provides at a minimum the following services during follow- up investigations to appropriate victims or those that request such services.

   a. If, in the opinion of the supervisor, the impact of a crime on a victim/witness has been unusually severe or has triggered the need for above-average victim/witness assistance, it may be necessary to re-contact the victim/witness to determine if their needs are being met.

   b. Information shall be provided regarding the investigation, prosecution, and victim's role in the criminal justice system.

   c. During the investigation the Department shall provide scheduling for **interviews, line-up, transportation,** and other required appearances at the convenience of the victim/witness regarding its case. Victim assistance shall assist as requested or as is necessary.

   d. If feasible, the Victim Assistance Program shall assist victim/witnesses in obtaining their personal property and **evidence** where permitted by law or rules of evidence.

   e. If feasible, assign a victim **advocate** to the victim/witness during the follow-up investigations and court proceedings.

2. Provision of these services shall depend on many factors and will vary from case to case. The Department shall make a **good-faith** effort to provide these services during the follow-up investigation.

E. VICTIM/WITNESS ASSISTANCE AT ARREST AND THEREAFTER

The CID Victim Assistance Coordinator, the Pennington County Victim Assistance Coordinator or their designee (police officer-detective), may provide to the victim/witness additional services upon arrest and during post-arrest processing of the suspect.

1. **Notification** of the victim/witness of the arrest, the charges, and the arrestee's custody status and changes thereto.

2. **Notification** will be as timely as possible.

A. VICTIM/WITNESS LIAISON WITH OTHER AGENCIES

The Criminal Investigation Division of the Rapid City Police Department is available to assist law enforcement agencies with the notification of next-of-kin**.** This will include notification of deceased, seriously ill, seriously injured family members, when requested by appropriate personnel.

B. DELIVERY OF EMERGENCY MESSAGES

1. Emergency messages shall be delivered by members of the Rapid City Police Department. Emergency messages shall be defined as follows:

   a. Notification of serious or life threatening injuries or illness.

   b. Notification of death.

   c. Notification of other emergency situations as authorized by the Shift Commander or Supervisor.

2. Routine messages may be delivered by members of the Rapid City Police Department, with a Supervisor's approval.

3. In cases where messages are not deliverable, the ESCC dispatch will notify the requesting person that the message has not been delivered.

C. NEXT-OF-KIN NOTIFICATION PROCEDURES

1. Officers may be called upon to make notifications, either as a result of a crime or crash occurring in the city, or which occurred as a result of a request from another law enforcement agency.

2. If such notification is the result of a death that has occurred in Pennington County, the Coroner will be responsible for notifying the next-of-kin. If the notification is to be made within Rapid City, an officer may be called upon to assist the Coroner with the notification.

3. All notifications should be carried out promptly and in a considerate and sensitive manner.

4. Whenever possible, assistance should be offered in notifying a member of the clergy, a relative, or friend to be with the next-of-kin following the notification.

5. The names of deceased persons will not be made public and will not be released to the media until the next-of-kin is properly notified, and then only after official authorization from the

Coroner.

6. The names of seriously injured persons will not be made public and will not be released to the media until after the next-of-kin have been properly notified.

PURPOSE: As an integral part of the community, the Rapid City Police Department may, from time to time, be asked to participate in various diversion programs. The Chief of Police shall review and approve each request for participation and designate a Department member to represent the Police Department in the program. The Department's role in these programs is to provide professional law enforcement input to programs that allow sentencing alternatives to qualified defendants.

POLICY: The Rapid City Police Department will ensure that officers and civilian personnel are made aware of the diverse resources at their disposal. The Department will inform all personnel of the resources and services available through the following resource documentation. The Emergency Services Communication Center will also have access to this information.

1. **Human Services Resources Directory**
2. **South Dakota Victim Services Directory**
3. **Officer Referral Listing (742-04)**

A. ADULT AND JUVENILE REFERRAL CRITERIA

1. The Rapid City Police Department will work with the Pennington County Victims Assistance program in providing aid to victims and witnesses of crime.
2. All personnel will have access to a listing of Community Services. This listing is on all department computers. The listing provides names of agencies, addresses, phone numbers and persons to contact, where applicable.
3. Should an officer come in contact with a status offender, the following options are available.
   a. Return the offender directly to a parent or guardian, and/or make a recommendation for the parent to contact an appropriate community resource. Examples of this are, but are not limited to:
      (1) Behavior Management
      (2) Lifeways, for chemical dependency issues
      (3) School Counselors
      (4) Department of Social Services
      (5) Boys Club

(6) Youth & Family Services (YFS)

b. Contact the Pennington County State's Attorney's Office and make a recommendation that the Juvenile's Case be considered for their Juvenile Diversion Program.

4. Law enforcement officers and the courts are the only parties who can take a child into **protective custody**.

   a. It is strongly encouraged that the officer makes contact with a **Social Services** caseworker prior to placing a hold.

   b. Once a hold is placed, the caseworker must place the child in a **temporary facility.**

   c. If the officer decides not to place a hold on the child and the Social Services worker decides to request a **court-ordered hold,** the officer shall assist in enforcing the court order.

B. ROLE IN DIVERSION PROGRAMS

The Rapid City Police Department will work closely with other social service diversion programs. The Department will encourage support for diversion programs in the following areas:

1. Detoxification;
2. Mental health;
3. Drug/Alcohol abuse diversion;
4. Juvenile delinquency;
5. Community Care Center; and
6. Salvation Army.

ALCOHOL / DRUG TREATMENT

Youth and Family Services
202 E. Adams Street
342-4789 (M-F)

Northern Plains Native American Chemical Dependency Assoc.
628 ½ 6th Street
341-5360 (M-F)

Alcoholics Anonymous
325 Deadwood Avenue
721-4352 (24 hours)

City / County Alcohol & Drug Programs
725 N. LaCrosse Street
394-6128 (M-F)

Sioux San Alcohol Program
3200 Canyon Lake Drive
342-8925 (M-F)

ABUSE

Child Protection Services
Department of Social Services
510 N. Cambell
394-2434 (M-F)
24 hours through Police Dept.

Victims' Assistance Program
300 Kansas City Street
394-5846 (M-F)

Working Against Violence, Inc.
527 Quincy Street
341-3292 (M-F)
24 hours Crisis Line

Court Appointed Special Advocate (CASA)
3820 Jackson Blvd.
394-2203 (M-F)

CLOTHING/FOOD/SHELTER

Food Stamps
Department of Social Services
342-3560 (Call for Hours)

Salvation Army
405 N. Cherry Avenue
342-0982 (M-F)

Cornerstone Rescue Mission
30 Main Street
341-2741 (7 days a week)

Black Hills Regional Food Bank
1844 Lombardy Drive
348-2689 (7 days a week)

COUNSELING

Catholic Social Services
918 5th Street
348-6086 (M-F)

Department of Social Services
510 N. Cambell
394-2538 (M-F)

Chrysalis
6301 Canyon Lake Drive
341-8647 (M-F)

Psychological Associates
2630 Jackson Blvd.
348-6500 (M-F)

Lutheran Social Services
1010 Soo San Drive
348-0477 (M-F)

Behavior Management Systems
350 Elk Street
343-7262 (M-F)
Phone answered 24 hours a day

Wellspring, Inc.
1205 E. St. James
342-0345 (M-F)
24 hour Crisis Line

EMERGENCY SERVICES

American Red Cross
1221 N. Maple
342-4010 (M-F)

REACT of the Black Hills
P.O. Box 2146
393-2700 (John Sowards)

Pennington County Search and Rescue
Emergency Management
394-2185

National Guard
2823 W. Main
399-6200 or 394-2221
(24 hrs.)

Civil Air Patrol
County Courthouse
394-6075

HOSPITALS/MEDICAL

Rapid City Regional Hospital
353 Fairmont Boulevard
719-1000 Information
719-8222 Emergency

Poison Control Center
353 Fairmont Boulevard
719-1000 (24 hours)_

Indian Health Service
Sioux San Hospital
3200 Canyon Lake Drive
355-2500 (24 hours)

Regional West Hospital
915 Mt. View Road
Mental Health Facility
719-7200 (24 hours)

LEGAL SERVICES

Dakota Plains Legal Services
528 Kansas City St., Suite 1
342-7171 (M-F)

E.A.F.B. Legal Office
28 BW/JA Suite 2
105 W. Scott, E.A.F.B.
385-2329 (M-F)

Lawline
342-8600 (M-F)
Legal Information Service

Consumer Credit Counseling
111 St. Joseph St.
348-3104 (M-F)

YOUTH SERVICES

Big Brothers/Big Sisters
2100 7th St.
343-1488 (M-F)

Girls, Incorporated
120 E. Adams
341-5010 (M-F)

Rapid City Club for Boys
320 N. 4th Street
343-3500 (M-F summer)

Girl Scouts of America
140 North Street
343-6355

Boy Scouts of America
144 North Street
342-2824 (M-F)

YMCA
815 Kansas City St.
718-5437 (M-F)

This listing should be used when an officer is contacted by someone needing assistance from other than Law Enforcement. A complete directory of services, offered in the Rapid City area, is located at the Rapid City Police Department Information Desk and through the Rapid City Area Chamber of Commerce, 444 Mt. Rushmore Road, Rushmore Plaza Civic Center, 343-1744. An additional list is available on all department computers.

PURPOSE: The Emergency Services Communication Center is responsible for all Public Safety communications within Pennington County and the City of Rapid City. An essential function of the communications system is to satisfy the immediate public safety and police service needs of the community, both during routine operations and during times of emergency. The speed and accuracy, with which information is processed, are measures of the Department's capability to respond to the needs of the community.

A. COMMUNICATION COMPONENT ESTABLISHED

1. The Rapid City Police Department strives to obtain optimum benefit from its communication network by following established radio procedures, which are a vital safety link for the public and department employees.

2. The Rapid City Police Department will access radio communications through the Emergency Services Communications Center (ESCC), managed by the seven-member Users Board under an Inter-Governmental Agreement for the Administration and Operation of the Pennington Area Emergency Services Communications Center.

3. The ESCC was created to be a consolidated public safety communications center, in a central location.

4. The ESCC Director shall be responsible for the efficient and effective operation of the Communications Center, and shall report to the ESCC Users Board.

5. The Emergency Services Communications Center is staffed by full and part-time personnel who provide coverage for communications functions on a continuous basis twenty-four hours daily.

Supporting Documentation: ESCC SOP #28

B. COMMUNICATION FUNCTIONS ESTABLISHED

1. The functions of the Emergency Services Communication Center are broadly defined as follows:

   a. Radio Communications: Radio communications are the primary means of relaying emergency and non-emergency information and calls for service to police and sheriff units, fire department apparatus and personnel, ambulance units, administrative personnel, and other designated State, and Municipal agencies.

   b. Telephone Communications: Telephone communications provide the necessary link between the community and the public safety dispatch center. The communications center

is responsible to ensure appropriate handling of routine and emergency telephone communications. Communications center personnel providing emergency first-aid instruction over the telephone or radio shall be certified Emergency Medical Dispatchers and have immediate access to approved emergency medical guidelines or materials.

c. Teletype and Automated Data Communications: This system provides access into national data storage computers including National Law Enforcement Telecommunications System (NLETS), South Dakota Law Enforcement Telecommunications System (SDLETS), and National Crime Information Center (NCIC).

d. Alarm Monitoring: The Emergency Services Communication Center monitors alarm systems of various types, including but not limited to: bank security, and fire alarms.

2. The primary function of personnel assigned to the Emergency Services Communication Center are:

   a. Receive, screen, and prioritize calls for service. Ensure that appropriate public safety resources are directed to all situations requiring police, sheriff, fire or medical attention. Ensure that additional public or private agency resources are utilized as necessary and appropriate to specific situations.

   b. Support mobile units in the field with information obtained through the various components of the communications system.

   c. Provide other support and assistance, as required, to the public and to public safety personnel.

3. The responsibility of the Emergency Services Communications Center Director is to ensure the proper functioning of the Communications system, and to ensure that communications operations take place according to procedure.

4. Communications Center personnel are to refer to the ESCC SOP Manual for procedures to be followed during the course of routine radio, telephone and personnel operations.

5. Patrol, Administration and Investigation supervisors should be familiar with the ESCC SOP Manual.

Supporting Documentation: ESCC SOP #28

C. AUTHORITY OF COMMUNICATIONS PERSONNEL

1. All employees hired to staff the Emergency Services Communication Center shall be considered employees of Pennington County, per the Inter-Governmental Agreement.

2. The authority and specific responsibility of personnel assigned to the Emergency Services Communication Center shall be as prescribed in the Pennington County job descriptions for:

   a. Communications Director;

   b. Chief Deputy Director;

   c. Training and Accreditation Manager;

   d. Administrative Assistant 1

e. Radio Technician

f. Shift Supervisor;

g. Assistant Shift Supervisor;

h. Telecommunicator 1, 2, and 3

Supporting Documentation: ESCC SOP #28

D. COMMUNICATION OPERATIONS PROCEDURES

1. Communications Center personnel are to refer to the ESCC SOP Manual for procedures to be followed during the course of routine radio, telephone and personnel operations.

2. Patrol, Administration and Investigation supervisors should be familiar with the ESCC SOP Manual.

Supporting Documentation: ESCC SOP Manual.

RAPID CITY POLICE DEPARTMENT RULES AND PROCEDURES		
POLICY NO.: 751-02	**SECTION:** Communications Administration	**PAGE NO.:** 1 OF 1
ORDER NO.: 05-01	**SUBJECT:** Federal Communications Commission (FCC) Standards	
SUPERSEDES: 00-01	**EFFECTIVE:** 06-01-05	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 81.1.2		

A. FEDERAL COMMUNICATIONS COMMISSION (FCC) STANDARDS MAINTAINED

1. The Rapid City Police Department holds a valid license issued by the Federal Communications Commission (FCC) authorizing the Department to operate from the control point of 300 Kansas City Street. FCC licenses are kept in the Emergency Services Communications Center and a copy posted at the repeater sights. The FCC has assigned Call Sign KZ2097 to the Rapid City Police Department.

2. The following is a list of radio frequencies as assigned by the Federal Communications Commission (FCC):

   a. Primary Police Frequency ---------- 453.900
   b. Secondary Police ---------- 453.100
   c. Detectives ---------- 453.650
   d. Mobile Data ---------- 453.975
   e. Mutual Aid w/ Sheriff ---------- 453.800

3. All radio operations shall be conducted in accordance with FCC regulations Part 90. The Emergency Services Communications Director shall ensure that a copy of FCC - Part 90 regulations is maintained in the Communications Center and that annual training in these regulations shall be conducted.

4. In accordance with FCC rules and regulations, the Emergency Services Communication Center radio system shall be used for official business and the following practices shall be prohibited:

   a. Use of other than authorized call signs, i.e. officer's name, etc., excepting when authorized for a special detail.

   b. Lengthy conversations: telephone should be utilized in cases where long conversations are necessary (Does not apply to cellular phones).

   c. Use of obscenity, sarcasm, or harsh or abusive language.

   d. Ordering of lunch, coffee, or for any other non-police reason.

5. Correct radio terminology and brevity shall be practiced at all times. A copy of acceptable radio terminology may be found in the Emergency Services Communications Center, ESCC SOP Manual.

A. CALLS FOR EMERGENCY SERVICE

The Emergency Services Communication Center maintains 24-hour toll free telephone access for emergency calls for service through the 911 emergency call lines.

B. SINGLE EMERGENCY NUMBER USED

The emergency 911-telephone number shall connect all callers within the county telephone exchanges to the Emergency Services Communications Center.

C. TELECOMMUNICATION DEVICE FOR THE HEARING/SPEECH IMPAIRED

The Emergency Services Communication Center shall be equipped with telecommunication devices, for the hearing/speech (TDD) impaired, accessible to the call taker and supervisors position. The telecommunication devices for the hearing/speech impaired are connected to 911 and all business lines.

D. ACCESS TO TACTICAL DISPATCHING PLANS

Communications personnel shall have immediate access to tactical dispatching plans (call guide cards (LE Guide Cards)) that may be utilized as necessary to direct resources and obtain information when dispatching police units.

E. SERVICE REQUEST INFORMATION RECORDED

1. All requests for service, backup units, and officer-initiated activity are entered on the computer-aided dispatch system (CAD) for documentation and control purposes.

    a. Additional or supplemental information is added to the original call stored on CAD.

    b. The CAD system automatically assigns Crime Report numbers in numerical order (1) when a call is entered and forwarded to dispatch; (2) dispatch enters on-view incidents; and (3) when a call is handled directly by the Front Desk Officer.

2. Administrative activities such as fuel stops, meal breaks, and court appearances are entered on the CAD system. The CAD system does not assign Crime Report numbers for any administrative activity.

F. ADMINISTRATIVE REPORTING SYSTEM

Incident Recording:

All **calls for service** and **officer initiated activity** will be recorded by **Emergency Services Communication** personnel in two forms:

1. Calls for Service (CFS) dispatch **Computer Aided Dispatch** (CAD), which include:

   a. Date and time of initial reporting;

   b. Name and address (if available) of reporting party and/or victim;

   c. Location of occurrence;

   d. Nature of the incident;

   e. Officer(s) assigned;

   f. Time of dispatch;

   g. Time of arrival;

   h. Time cleared; and

   i. Disposition.

2. Records will be prioritized and sequentially logged in numeric order on the CAD (Computer Aided Dispatch) Log. The log will be electronically forwarded upon demand by the Records Section. Records will maintain an original copy; Investigations and Patrol will have electronic access to the CAD log from remote printers within the Public Safety building.

3. The daily log will be a summary of all significant events having transpired during the previous 24 hours.

   The **Daily Log** and **Hot Sheet** will be used to identify potential and actual police hazards within the department's service area.

4. The daily log will include all field activity conducted by the Rapid City Police Department. These may include, but are not limited to;

   a. **Attempt to locate** (ATL) requests.

   b. **Stolen vehicles** from Rapid City.

   c. Recovered stolen vehicles from Rapid City.

   d. Area checks.

   e. **Wanted, missing persons, or runaways.**

   f. Other information as deemed appropriate.

5. The Crime Report number or name of the authorizing person or agency shall appear with each log entry.

6. The **Crime Analyst** will submit at a minimum, a monthly report to the Field Services and Criminal Investigations Commanders. This report is intended to keep personnel informed of major crimes, arrests, and other important activities. The monthly report will also provide Commanders with an opportunity to account for the activities of their units during the previous month.

7. The **Crime Analyst** will submit an annual report to the Chief of Police. The annual report will be a summary of the monthly reports and should provide comparative data, statistics and an account for the activities of the department.

G. OBTAINING CALL INFORMATION

The Emergency Services Communications Center establishes all procedures for obtaining relevant information for each call for law enforcement service. This procedure will elicit as much information as possible to enhance the safety of the officer and assist in anticipating conditions that may be encountered by the officer in the field.

H. HANDLING OF MISDIRECTED EMERGENCY CALLS

1. In cases where the Dispatcher receives calls intended for another jurisdiction or agency, the Dispatcher shall ascertain whether the call is routine or emergency in nature.

2. In cases of emergency, the Dispatcher shall obtain the pertinent information (i.e. nature, location, name and phone number of the caller), and contact the appropriate department or agency with jurisdiction and keep the caller on-line until the caller is contacted by an officer from the appropriate jurisdiction.

3. In cases where the call is of a business or routine nature, the Dispatcher shall provide the caller with the telephone number of the agency or jurisdiction.

I. COMPLAINT CONTROL NUMBERS

1. The Emergency Services Communications Center personnel are responsible for issuing a unique Report Number for each reportable incident and/or criminal event handled by the Department.

2. The numbers will be issued in chronological order beginning at 0001 hours on January 1st of each calendar year and be preceded by the current year four digit number designator, e.g., 2005-0001, 2005-0002, etc.

J. RECORDING OFFICER OUT-OF-SERVICE STATUS

1. As each employee is assigned to a Call for Service, the Computer Aided Dispatch (CAD) will automatically change the status screen to assigned, arrived or cleared. Each of the previously mentioned status designations will be recorded by the computer as to exact time the call is received, when the employee is assigned the call, when they arrived, and what time they cleared the call.

2. All out-of-service activities, e.g., eating, car repairs, or other non-police functions, shall be conducted only where telephone or radio contact is available and only after the dispatcher has

been advised. All out-of-service activities are subject to the prior approval of the patrol shift supervisor. Officers out-of-service are subject to recall at any time and shall respond immediately.

K. OFFICER STATUS INDICATORS

1. Officer status indicators shall be visible to all personnel. The status screen shall display all on duty police units. Police units shall be displayed by officer identification number and beat area.

2. At the beginning of each patrol shift, the patrol supervisor coming on duty will change the status of shift assignments for the on-coming shift. The change will accurately reflect the shift assignments provided by the shift commander.

L. BACK-UP INFORMATION RECORDED

In cases where additional officers are assigned, the name of each officer assigned to the call shall be entered into the call for service record.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
752-02	Communications Operations	1 OF 3
ORDER NO.: 05-01	**SUBJECT:** Radio Communications	
SUPERSEDES: 00-01	**EFFECTIVE:** 06-01-05	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 81.2.2, 81.2.4		

A. CONTINUOUS TWO-WAY COMMUNICATION

The Emergency Services Communications Center maintains a 24-hour, two-way radio communications capability, which provides a continuous communication link between the Communications Center and officers on duty.

B. RADIO SYSTEM ENGINEERING STANDARDS

The primary console configuration is engineered to produce a 12-decibel or greater SINAD (signal plus noise and distortion divided by noise plus distortion, expressed in decibels) ratio to radio receivers in 95 percent of the city's reception area. The ESCC has a contract with a private corporation to provide 24-7 technical support of the communications equipment located in the ESCC. The ESCC further employs a full-time radio technician to maintain all communication equipment located outside the ESCC.

C. RADIO USE AND CONTACT WITH THE COMMUNICATIONS CENTER

1. Every employee engaged in field assignment shall have access to radio communications with the assigned portable radio or mobile radio.

2. In the event an officer's radio fails, the officer shall notify the Communications Center, by phone, regarding the failure. The officer will then proceed to the station to acquire a functional radio. The officer will notify the Patrol Shift Supervisor, who will ensure that repairs are scheduled with the ESCC radio technician.

3. If the Communications Center radio system becomes inoperative, the Communications Director or designee shall order immediate repairs and establish an alternative communications system. Officers will contact ESCC by phone every fifteen minutes, if necessary.

4. Use of radio:

   a. Radio transmission will be duty related and preceded by the employee's area call number.

   b. Speak distinctly, slowly and without humor or emotion.

   c. The message will be short and to the point.

   d. Limit car-to-car conversation except when necessary for proper performance of police duty.

   e. Keep radio transmissions to a minimum.

f. Use **CLEAR SPEECH**.

5. When an employee is required to leave their post they shall:

   a. Notify the Dispatcher of their location, destination and purpose.

   b. Obtain permission of the shift supervisor, where practical.

   c. Upon return to area, immediately notify the Dispatcher.

6. Patrol officers shall, whenever possible, transact confidential police business with the Communications Center by public or Department telephone. Classified and/or restricted police information shall never be transmitted by radio.

7. Patrol vehicles shall not be placed out-of-service for refueling or servicing even though out of the assigned area. The radio shall be left on and the car ready for instant use.

8. Patrol officers dispatched to calls and directed to stay on the air shall be considered in-service and available for calls.

9. If the address given by the Dispatcher is incorrect, the officer shall check with the Dispatcher to verify the proper address.

10. At the scene of an emergency, employees shall stay in contact with the Dispatcher either by:

    a. Portable radio.

    b. Telephone or cell phone.

    c. Assigning, where feasible, an employee to handle on-scene communications.

11. When the Dispatcher does not hear from an employee on traffic or dangerous or suspicious assignments within five minutes, the Dispatcher shall attempt to contact the employee. The employee shall answer immediately, if possible. If contact with the employee cannot be established, the Dispatcher or Field Supervisor shall send another employee to assist and report on conditions at once.

12. Employees are directed not to hesitate to call for assistance or backup when needed or desired, and should specify the response code for the assisting employee.

13. Employees are directed to notify Dispatch immediately upon arriving at a call or destination.

14. When an assignment has been completed, the assigned employee shall notify the Dispatcher immediately.

15. When it becomes necessary for an employee to come into the department, the employee shall immediately notify the Dispatcher upon arrival, and remain subject to call.

D. RADIO COMMUNICATION PROCEDURES

1. The following procedures will be used by employees in the field, initiating a radio transmission:

   a. Prior to making a stop, the employee shall identify himself by call sign and nature of stop.

b. After acknowledgment by Dispatch, the employee shall give the location of the stop, and the license number and/or vehicle description. If necessary, the employee may request assistance or give other pertinent data.

c. Employees should wait for acknowledgment by Dispatch prior to making contact with the driver.

d. In the event the primary channel is in use and exigent circumstances exist, requiring immediate police action, the above procedures shall be followed by using the backup channel or calling **"BREAK FOR EMERGENCY TRAFFIC**" on the primary channel.

e. When contacting a pedestrian, the employees shall use the above procedures except that a brief description of the individual(s) shall be given.

2. Employees are directed to notify Dispatch immediately upon arriving at a call or destination.

3. When an assignment has been completed, the assigned employee shall notify the Dispatcher immediately.

E. REQUEST FOR ASSISTANCE

1. Employees requesting supportive assistance, e.g., tow trucks, detectives, ambulances, other agencies, etc., shall give the location and nature of assistance required on the primary channel.

2. Employees engaged in any radio conversation will use **CLEAR SPEECH.** Ten codes and/or other methods of communication techniques are not permitted unless specifically authorized.

F. MULTI-CHANNEL BROADCASTS

Employees having pertinent information for a multi-channel broadcast shall request clear air time from the dispatcher on the primary channel. Employees shall then proceed to broadcast the information.

F. TACTICAL CHANNEL CHANGES

During a prolonged tactical situation, it is preferable to separate the tactical operation from the normal radio traffic. If at all possible, the tactical operation should be switched to a secondary radio channel; however, if this is impractical the primary radio channel may be changed.

G. INTERAGENCY RADIO COMMUNICATION

All employees engaged in operations with units from other jurisdictions will use **clear speech** communications.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
752-03	Communications Operations	1 OF 1
ORDER NO.: 07-05	**SUBJECT:** Radio Call Signs	
SUPERSEDES: 06-10	**EFFECTIVE:** 08-02-07	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 81.2.4		

PURPOSE: Each police officer/patrol unit has been provided with a radio designation or call sign and should be used at all times.

CAD CODE	CALL SIGN	ASSIGNED TO ADMINISTRATION
C1	Car 1	Chief of Police
C100	Car 100	Mayor
PDIS	N/A	Police Dispatch (to enter log entries)
ID 001-999	001-999	Support Services Personnel

CAD CODE	CALL SIGN	ASSIGNED TO PATROL
P1	P1	Patrol Division Commander
P2 - P9	P2 – P9	Patrol Shift Commanders
P10 - P19	P10 - P19	Patrol Shift Sergeants
K91 – K96	K91 – K96	Canine Units

CAD CODE	CALL SIGN	ASSIGNED TO PATROL
ID 001-999	001-999	Patrol Officers

Patrol Unit designation will be the officer's assigned ID number. The individual ID number will serve as a permanent call sign for the employee, no matter where they are assigned during their tour of duty. This includes Crash Investigators assigned to patrol duties. All Patrol Supervisors will share a "P unit" designator.

Daily rosters will indicate areas of responsibility for the individual officer.

CDT61	Cadet 61	Cadet Captain
CDT62	Cadet 62	Cadet Lieutenant
CDT63 - CDT65	Cadet 63 - Cadet 65	Cadet Sergeants
CDT70 - CDT89	Cadet 70 - Cadet 89	Police Cadets
M100 - M999	M100 - M999	Parking Enforcement Officers

CAD CODE	CALL SIGN	ASSIGNED TO CID
D & ID #	D & ID #	Detectives

CAD CODE	CALL SIGN	SCHOOL SYSTEM SECURITY
ACD1	Academy 1	Academy Security
CEN1 – CEN9	Central 1 - Central 9	Central High School Security
STV1 – STV9	Stevens 1 - Stevens 9	Stevens High School Security

A. COMMUNICATION PERSONNEL ACCESS TO RESOURCES

1. Emergency Services Communication Center personnel shall have immediate radio or telephone access to the Shift Commander/Supervisor at all times.

2. The duty roster and schedules of each shift, as well as a schedule of outside police details shall be immediately available to Communications personnel.

3. Communications personnel shall have immediate access to the duty pagers, cell phones and home telephone numbers of all personnel.

B. EMERGENCY SERVICE AGENCY TELEPHONE NUMBERS

The on-call/emergency notification listings will be kept in the Communications Center and maintained and updated by Communications Center personnel. The dispatchers will be familiar with all resources listed and be responsible for following appropriate notification procedures.

C. SERVICE AREA MAPS VISUALLY AVAILABLE

The Emergency Services Communications Center will maintain computerized maps detailing the Department's service area at each dispatch console. The computerized maps shall identify city jurisdictional boundaries and beat/reporting area designations. Specific detailed maps of areas and complexes are maintained as necessary to ensure proper emergency vehicle response.

D. PROCURING EXTERNAL SERVICES

1. The Emergency Services Communications Center is responsible for maintaining a list of referral agencies to be used by Police Department personnel (742-04).

2. The referral list shall be used when Police Department personnel encounter people who require assistance outside the normal scope of police duties and best provided by another agency.

3. The referral list shall contain those agencies that provide health and welfare services to the community.

   a. The agencies shall be grouped by the type of services provided.

   b. A brief descriptive statement of the type of services provided by the agency shall also be given.

4. The referral list shall be updated on a regular basis by the Emergency Services Communications Center Director with assistance from the Field Services Division Commander or his designee.

5. The referral list shall be available to all Police Department personnel.

E. COMMUNICATION CENTER VICTIM/WITNESS PROCEDURES

1. The Emergency Services Communications Center shall maintain a 24-hour on-call list of the Victims Assistance staff available for call-out for crisis intervention and for information or referrals as necessary.

2. Communication Center personnel shall notify the Victims Assistance coordinator or the Department victim/witness coordinator whenever a request is received from police personnel at the scene of a crisis or any other incident requiring assistance.

3. Communications Center personnel who receive calls from victims, witnesses, members from criminal justice agencies, government and non-government agencies and other organizations will provide the caller with the appropriate information, or refer them to the victim assistance coordinator for the handling of such requests.

F. NATIONAL CRIME INFORMATION CENTER SYSTEM ACCESS

The capability of law enforcement agencies to identify and arrest wanted persons has been greatly enhanced through the efforts and computer capabilities of the National Crime Information Center (NCIC), maintained by the Federal Bureau of Investigation. The Rapid City Police Department maintains access to this system through the Emergency Services Communication Center. As a result of this network of computer systems, the agency has access to extensive state and federal law enforcement information, as well as extensive local information through our in-house computerized filing systems.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
752-05	Communications Operations	1 OF 1
ORDER NO.: 05-01	**SUBJECT:** Telephone and Radio Recording	
SUPERSEDES: 00-01	**EFFECTIVE:** 06-01-05	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 81.2.8		

A. TELEPHONE AND RADIO RECORDING

1. All telephone lines and radio frequencies utilized in the Emergency Services Communications Center shall be automatically recorded.

2. The recording system shall be a continuously operating recording system located in the Communications Center.

3. The responsibility of the Emergency Services Communications Center Director is to maintain, a minimum of 30-days of recorded audio.

Supporting Documentation: ESCC SOP #6

B. REVIEW OF RECORDED CONVERSATIONS

1. The Emergency Services Communications Center Director shall be responsible for the safe and proper storage of all recorded audio.

2. All requests to review the telephone or radio transmission recordings shall be directed to the Emergency Services Communications Center Director, who shall have the authority, in routine cases, to allow departmental personnel to review the recording for legitimate police purposes.

   Exceptional requests (outside agencies, legal inquiries etc.): shall be referred to the Chief of Police for authority to review the recorded audio in question.

4. Only trained, authorized personnel may produce copies of recorded audio.

C. IMMEDIATE PLAYBACK CAPABILITY

The Emergency Services Communications Center shall maintain the continuous capability to playback any recorded telephone and/or radio conversation.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.: 513-16 / 752-06	**SECTION:** Patrol Operations/Communications Operations		**PAGE NO.:** 1 OF 1
ORDER NO.: 08-01	**SUBJECT:** Mutual Aid Channel		
SUPERSEDES: 05-01	**EFFECTIVE:** 01-04-08	**APPROVED BY:** Chief of Police Karl Jegeris	
CALEA STANDARDS: 2.1.3, 81.2.4			

POLICY: The Rapid City Police Department will utilize the mutual aid channel during incidents, which may involve or do involve other law enforcement entities or would enable those entities to provide assistance to that incident.

These incidents may include, but are not limited to; armed robberies, response to suspected homicides, searches for felony or serious misdemeanor suspects, weapons calls, pursuits or other types of critical response.

PROCEDURE:

A. The utilization of the mutual aid channel will be at the direction of the shift commander or shift supervisor who has initial oversight responsibility for the incident.

B. Information provided by the Emergency Services Communication Center (ESCC) will be instrumental in the decision to utilize the channel.

C. In the event the shift commander or supervisor is unable to make the decision to switch to mutual aid because of involvement in other duties; the decision to use the mutual aid channel may be made by the ESCC supervisor. In such cases, the ESCC supervisor will immediately notify the shift commander or supervisor of the fact that the mutual aid channel is being used.

D. Once the decision has been made to switch to the mutual aid channel, all involved units will go to that channel and will broadcast and monitor radio traffic regarding the critical incident from that channel until directed to return to normal channels.

E. In the event there are problems with broadcasting or receiving information over the mutual aid channel because of technical difficulties, the shift commander or supervisor may decide to have all units switch back to normal operating channels and have the ESCC relay pertinent information to other agency units involved in the event.

A. COMMUNICATIONS CENTER ACCESS LIMITED

The Emergency Services Communication Center shall be classified as a secure, limited access area and shall remain locked at all times.

Supporting Documentation: ESCC SOP #21

B. COMMUNICATION CENTER SECURITY MEASURES

1. Personnel authorized to access the Emergency Services Communications Center shall be limited to:

    a. Communications Center personnel;

    b. Rapid City Police Department personnel;

    c. Pennington County Sheriff's Office personnel;

    d. Rapid City Fire Department personnel;

    e. Box Elder Police Department personnel;

    f. Any private vendor performing maintenance or installations for the Center;

    g. Any member of the Users Board; and

    h. Other personnel performing official business with the Communications Center.

2. The on-duty communications shift supervisor has positional authority to remove any person from the Communications Center when operational requirements dictate.

3. Physical protection of the Emergency Services Communications Center is established by the following:

    a. Proximity Reader lock and key access;

    b. Intercom telephone (PSB & ESCC front doors);

    c. Solid wood (fire code) door;

    d. Video camera views the front doors and first floor hallway of the Public Safety Building; and

e. All other access doors to the Communications Center and adjoining equipment rooms are locked at all times.

A. BACK-UP POWER SUPPLY

1. The Emergency Services Communications Center has an alternate source of electrical power in the form of a diesel-powered generator capable of producing sufficient electrical power to maintain continuous emergency communications. The generator is located and secured in the County Administration Building and is inspected and tested weekly by personnel of the Pennington County Building and Grounds Department.

2. The Communications Center also is equipped with a battery uninterrupted power supply (UPS), which is located in the electronic equipment room of the Communications Center. The UPS is monitored constantly by a computer diagnostic monitor.

B. INCOMING CALL SEPARATION

1. There are eight separate incoming 911 lines designated solely for emergency use. Whenever one of the emergency 911 lines is busy, the telephone system will automatically switch the call to another open line.

2. The Communications Center maintains 10 business lines, which are separate from the 911 system. The business lines also ring to the next available line, so that the public should not receive a busy signal.

C. JOINT PUBLIC SAFETY FREQUENCIES

1. The Communications Center operates 54 multi-channel frequencies. The Dispatchers have the capability to transmit on each frequency individually, or to select any number of frequencies and broadcast the same information simultaneously. This simultaneous frequency broadcast is necessary to coordinate and deploy the variety of forces in times of such emergencies as fires, floods, traffic and natural disasters. Mobile and portable radios are multi-channel, from which officers can either broadcast or receive information.

2. The Emergency Services Communications Center Shift Supervisors, under the direction of the ESCC Director, shall be responsible for scheduling of dispatcher positions and the handling of priority assignment positions within the Communications Center.

D. 800 TOLL FREE TELEPHONE ACCESS TO COMMUNICATIONS CENTER

All Department personnel will have access to a toll-free 800 telephone number for official department business only. This toll-free number will ring into the Emergency Services Communications Center 24 hours per day. The ESCC 800 number is accessible nationwide.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
753-03	Communications Facilities and Equipment	1 OF 3
ORDER NO.: 05-02	**SUBJECT:** Emergency Operations Center	
SUPERSEDES: 00-01	**EFFECTIVE:** 07-19-05	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

POLICY: The Rapid City Police Department is to establish an Emergency Operations Center (EOC) to respond to emergencies exceeding the resources ordinarily available to the on duty street supervisor. Once in place and operational, the EOC will assume the authority and responsibility to provide a central location for coordination and executive decision-making to manage the response and recovery. The EOC is **not** on scene management.

A. RAPID CITY POLICE DEPARTMENT EOC GENERAL PROCEDURES

1. The Department will respond to an emergency with appropriate available resources. During an emergency it is often difficult to accurately assess what is an appropriate level of response. Each supervisor must closely monitor the emergency.

2. When the supervisor determines to activate the EOC, he will immediately relay that request to the on duty Shift Commander. When there is no on duty Shift Commander available, he will relay the information to the Patrol Division Commander. The authority to activate a formal EOC rests with the rank of Captain or above.

B. LAW ENFORCEMENT SITUATIONS THAT MAY REQUIRE AN EOC

Any threatening situation, when it becomes serious enough, either in potential or in actuality, can necessitate the activation of the EOC. Typical examples include, but are not limited to:

1. Civil disorder

2. Area searches for lost or missing persons

3. Dignitary protection

4. Incidents of terrorism

5. Complicated barricaded gunman/hostage situations; or

6. Train or airplane crashes, or,

7. Other incidents requiring a law enforcement response that would exceed the resources ordinarily available to the street supervisor.

C. NOTIFICATION PROCEDURES

The Field Services Division Commander will notify the Communications Center Director that the EOC is to be activated. Communications will notify the appropriate personnel.

D. RAPID CITY POLICE DEPARTMENT EOC LOCATION

1. The EOC will be located in the Emergency Services Communications Center Incident Room at the County Administration Building.

2. The secondary site of the EOC may be the Fire Station at the corner of East Boulevard and Main Streets.

3. A third designated site may be Fire Station 6, 1930 Promise Rd.

E. RAPID CITY POLICE DEPARTMENT EOC PERSONNEL

1. In order to minimize confusion, it is essential that only authorized personnel be in the EOC. The individual in charge of the EOC shall determine who shall be allowed access.

2. EOC chain of command:

   a. The Field Services Division Commander will be in charge of the EOC, if present.

   b. The Senior Division Commander present will be in charge in the absence of the Patrol Division Commander.

   c. The following will be the protocol when there is no Division Commander present:

      (1) The on-duty or on-call Shift Commander.

      (2) The Senior Lieutenant on duty.

F. DUTIES AND RESPONSIBILITIES OF THE RAPID CITY POLICE DEPARTMENT EOC

1. Once the EOC has been activated and is in place, it assumes the authority and responsibility for that particular emergency.

2. The Dispatcher Supervisor will screen calls for service, and those requests for service relating to the situation or requests for service that deplete needed manpower will be relayed to the EOC.

3. Additional manpower, if required, will be requested through the EOC.

G. MEDIA RELATIONS

The Public Information Officer or a designee will handle all inquiries from assisting agencies, organizations, and the media, in accordance to the Department Rules and Procedures.

H. TERMINATING THE EOC

The officer in charge will terminate operations of the EOC once the incident or event is in control or has ended and the need for coordination and executive decision-making is no longer required.

I. THE RAPID CITY-PENNINGTON COUNTY EMERGENCY OPERATIONS CENTER

This area is designated as the central location for elected officials and department heads to coordinate emergency actions during disasters or emergencies originating from natural or technological causes or enemy attack.

(See: The Rapid City-Pennington County Multi-Hazard Operations Plan, Annex A, Attachment 3, Emergency Operations Center Standard Operating Guidelines – SOG)

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
761-01	Records Administration	1 OF 3
ORDER NO.: 18-01	**SUBJECT:** Records Component	
SUPERSEDES: 11-01	**EFFECTIVE:** 01-02-18	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 82.1.4, 82.3.1		

PURPOSE: The establishment and support of a well-organized, proficient and secure Records Section is critical to the delivery of law enforcement services to the community. This section establishes the key functions, responsibilities and procedures for the processing, storage and dissemination of information. The Records Section serves the Department and the public through the effective management of records maintenance, physical security, controlled computer access, historical record retrieval, and by ensuring the continuity of information within the Department.

POLICY: The Rapid City Police Department complies with South Dakota laws pertaining to Criminal Justice Records. The Department will make complete criminal justice information available consistent with all applicable federal and state laws. Refer to South Dakota Codified Laws for further details.

DEFINITIONS:

The following words and terms used in this procedure shall be defined as provided below:

1. Access – means to view and read a record.

2. Person of Interest – Person named in a case.

3. Copying – means to duplicate a record by use of a machine.

4. Criminal Justice Record – means all books, papers, cards, photographs, tapes, recordings or other documentary materials regardless of form or characteristics, which are made, maintained, or kept by the Department for use in the exercise of functions required or authorized by law or administrative rule.

5. RMS- Records Management System

A. CENTRAL RECORDS COMPONENT ESTABLISHED

1. The Records Section is established as a component of the Support Services Division.

2. The Records Section shall operate under the direct supervision of the Support Services Division Commander who may be referred to as the Records Custodian and is designated by the Chief of Police.

   a. The Records Section shall be staffed by a combination of full and/or part-time personnel.

B. CENTRAL RECORDS FUNCTIONS

1. Every original Offense Report, Supplemental Report, Traffic Crash Report, Arrest Report, Traffic Citation and Warning Ticket will be reviewed by Records Personnel and indexed in computer database as follows:

   a. The Record ID Number is an index number assigned to all individuals in the law enforcement computer database, which includes the personal identifiers, e.g., name, DOB, juvenile flagging, and addresses of all victims, suspects, arrestees, owners of crashed vehicles, and subjects injured in traffic crashes. The Record ID Number serves as a cross reference to all documents stored in the RMS. All data entry into the law enforcement database links directly to the Record ID Number, which makes essential the need for tightly controlled access to the Record ID Number.

   b. All reports of criminal activity in the City will be coded according to the guidelines in the National Incident Based Reporting System (NIBRS) Edition and entered daily into the computer system designated for the collection of this statistical information. This program provides the FBI with data for the statistical view of crime nationwide, and further provides the Department with a local statistical index of criminal activity by classification.

   c. All Calls for Service (CFS) entered by Emergency Services Communications Center (ESCC) personnel or Rapid City Police Department personnel authorized and trained in the function are responsible for the timely and accurate entry of calls. Entries will include: caller information, name, location, call type, dispatch times, and brief narrative to include pertinent information (e.g. suspect description, items stolen, etc.). The law enforcement and the Computer Aided Dispatch system allow for on-line and off-line retrieval of all CFS information on a 24-hour basis. Retrievals can be listed by any of the following: type of offense, date, incident number, officer, reporting person, location/grid coordinates, method received, disposition, time dispatched, etc.

2. Challenges to Accuracy of Records:

   a. All requests for correction of records shall be in writing. Application may only be made by the person of interest.

   b. The Records Custodian shall consider the application and either grant or deny the request, depending on whether or not it has merit.

   c. If the request for correction is granted, the Records Custodian shall take the necessary action to correct the record.

   d. If the request for correction is denied, the Records Custodian shall notify the applicant of the grounds for refusal. The Records Custodian shall have 30 days from the date of the request to make a determination and may notify the applicant in writing. If additional time is needed to consider a request, the Records Custodian may notify the applicant in writing.

3. Sealing of Records:

   a. Upon receipt of a court order, which directs the Department to seal any record, the Records Custodian or designee shall immediately proceed to comply.

   b. If any person, including criminal justice agencies, requests inspection of sealed records or inquiries as to whether such records exist, the Records Custodian shall reply that no such records exist.

c. Basic identification information shall be exempt from sealing, e.g., name, date of birth, last known address, physical description, sex, and fingerprints.

4. Order Suppressing Information:

a. Upon receipt of a signed court order limiting the release or access of arrest and criminal records information, the Records Custodian shall immediately comply by prohibiting the release of or access to the records to any person or agency other than:

(1) A criminal justice agency in the State of South Dakota, or

(2) A similar agency of the federal government.

b. The Records Custodian or designee shall add to the individual's physical record the term "Order Suppressing Information." A copy of the above information will also be provided to the Criminal Investigation Division.

5. Special Provisions Applicable to Arrest Records:

a. The Records Custodian shall not allow inspection of a record of arrest without a court order.

b. The restriction shall not apply to:

(1) The person of interest.

(2) A criminal justice agency of this or another state.

(3) A similar agency of the federal government.

C. NATIONAL INCIDENT-BASED REPORTING SYSTEM (NIBRS)

1. The Rapid City Police Department participates in State and Federal Crime Reporting Systems. The Records Supervisor is responsible for the retrieval and generation of National Incident-Based Reporting System (NIBRS), which is directed to the State of South Dakota, Office of Attorney General, and the Criminal Statistics Analysis Center.

2. The NIBRS reports are submitted on a quarterly basis throughout the year.

3. Digital media of the NIBRS reports will be accepted in place of the UCR Arrest Coding Forms when, reports contain the required information and the data is formatted in a manner acceptable to the State NIBRS system.

4. Records Section personnel shall read the details of all crime and incident reports and with the use of the *NIBRS Uniform Crime Reporting Handbook*, determine the correct uniform crime reporting classification.

6. The appropriate classification and necessary coding shall be recorded on the report.

A. RECORDS REPOSITORY

1. The Rapid City Police Department maintains a repository of records, to include:

   a. Offense reports;

   b. Arrest reports;

   c. Traffic crash reports; and

   d. All other official police reports.

   Exception: All reports of a sensitive nature relating to Internal Affairs, Employee's personnel files, Medical, Training and other Administrative reports and documents will be kept in the Administration Section of Support Services Division.

2. All juvenile records will be identified separately in the RMS.

B. REPORT STATUS SYSTEM

1. All current reports including, but not limited to offense/incident reports, and arrest reports will be in the RMS.

2. Investigation follow-up reports will be maintained in the RMS. Investigation Progress Reports will be completed in accordance with procedures established in policy 611-02, Criminal Investigations Case Management, and maintained in the RMS.

C. RECORDS IN OPERATIONAL UNITS

1. All reports (case reports, files, crash reports) will be completed by the end of shift/working period, and submitted to the Supervisor, or a Delayed/Missing Crime Report disposition will be completed. The delayed report must be approved by a supervisor and forwarded to the Records Section to notify them of the status of a case report or that a case report number was issued in error.

2. No division will maintain original reports other than the Administration Section of Support Services as in the case of Professional Standards Investigations.

3. Closed cases, reports or files will be appropriately coded and maintained in the RMS.

4. Closure/retention schedule:

   a. Investigations Division will follow the Criminal Investigation Division procedures for follow-up reports.

   b. Administration will maintain the original cases for Professional Standards Investigations as specified in section 345 of the Rules and Procedures.

D. RECORD ID CRITERIA

All persons, businesses, financial institutions, governmental agencies, religious organizations or churches, other public and private entities or organizations, and other like businesses generating reports with the Rapid City Police shall have a Record ID Number File assigned. An exception to this will be name information classified for intelligence operations ongoing in the Department.

E. ALPHABETICAL RECORD ID NUMBER

The Record ID Number File is maintained in alphabetic or numeric order within the computerized law enforcement database. It is through the database that all Department records are cross-referenced and identified. The database is continuously updated by the clerical personnel of the Rapid City Police Department, Pennington County Sheriff's Office, Pennington County Jail, and Juvenile Services. It is the responsibility of the Police Department's Records Section clerical staff to ensure accurate data entries are being performed when inputting related offense or arrest information. Discrepancies will be reported to the Support Services Supervisor.

F. CRIMINAL HISTORY

The Rapid City Police Department maintains a computerized local criminal history file on every person arrested.

G. ARRESTEE IDENTIFICATION NUMBER

The Rapid City Police Department has an automatic numbering system (Record ID Number) in the RMS database to identify each person arrested.

H. ARREST FILES

The Rapid City Police Department has established and maintained criteria for recording all arrest information, to include:

1. Preparing reports.

2. Photographing.

Supporting Documentation: SDCL 23-5-2, 23-5-4, 23-5-7

I. PROPERTY INDEX

The Rapid City Police Department maintains a computerized local database of stolen, found, recovered and evidentiary property held.

J. TRAFFIC CITATION FILES

1. The Rapid City Police Department controls records of all traffic citations, to include:

   a. Issuing citation forms to officers;

      (1) Hard copy citations:

      In the case of hard copy citations, the shift commanders and shift supervisors will issue all blank traffic citations to officers. Records of the issuance of traffic citations will be entered into the Department's Records Management System (RMS) by the issuing supervisors. Officers will be expected to account for all traffic citations issued to them. Any voided, damaged, or otherwise unused traffic citations will be marked with the officer's name and employee number and all copies forwarded to the Records Section. An incident report will be made on all lost or stolen traffic citations.

      (2) Electronically Issued Citations:

      Each Patrol vehicle is equipped with an automated electronic ticketing module. Each ticketing module is assigned a unique number specific to its vehicle. Officers logged into the vehicle's automated electronic ticketing create an individual new number generated for each issued citation. Two copies are generated on each incident, one of which goes to the violator, and the second is turned into Records and documented in the RMS.

   b. Accounting for and Cross-Referencing Citations:

      The citations completed and received by Records shall be periodically, but not less than yearly compared to records of issued citations. Electronically created citations are entered either manually or uploaded electronically and verified for accuracy and accounting through the quality assurance process, within Records and the RMS.

   c. Storage of citations;

      Unused hard copy Traffic Citations shall be stored in a secure location in the Patrol Division. The Patrol Day Shift Commander or Shift Supervisor will be responsible for periodic inspection of traffic citations to ensure an adequate supply exists.

K. RECORDS RETENTION SCHEDULE

1. Records will be retained according to the State of South Dakota Records Retention and Destruction Schedule rules for Municipalities with the following exceptions;

   All current, original arrest reports, case reports, investigative reports and associated documents pertaining to police investigations, which have been imaged, will be housed in Records for up to three months from the date of the report. After imaged documents have been downloaded on a quarterly schedule to another media, the original hard-copy reports will be destroyed (re. SDCL 1-27-4).

2. Other permanent records maintained by the Police Department may be destroyed, when permitted, consistent with South Dakota Administrative Rule 10:04:02 as directed in the South Dakota Records Retention and Destruction Schedules. Refer to the Retention and Destruction table for documents retention and destruction schedules in Appendix A of this chapter.

3. Definition of terms used in the Retention and Destruction Table:

   a. **Activity:** Physical arrest within Pennington County. It is not necessary to determine activity outside of Pennington County, nor does activity refer to a non-physical arrest such as a traffic citation or a citation for a petty offense or non-traffic class 2 misdemeanors.

   b. **Case Book**: The major Case Book produced in murders, attempted murders or other significant cases. If a Case Book does not exist then the retention requirement does not apply.

   c. **Evidence Chain-of-Custody Forms**: Refers to the copy used by the Evidence Section to document the date and time the property was accepted, where it was stored, and signatures of those who viewed the evidence, or took custody of the evidence. Any additional documents, which may be attached to an Evidence Chain-of-Custody Form, will also be retained, imaged, or destroyed along with the Chain-of-Custody Form.

   d. **Imaged Report:** A document transferred into an electronic, searchable and reproducible format, which replaces the original hard-copy document.

   e. **Information**: Any new documentation about an individual's association with a street gang. The information may be an admission, a new tattoo or body brand, flashing of gang signs, clothing articles, uncollaborated third party information about the subject's gang affiliation, or other details outlined in the gang classification form in the file.

   f. **Quarterly:** Once every three months, up to four times in a year. The Original Report remains the original report only until the Imaged version is downloaded quarterly and backed-up.

   g. **Permanently**: Long-term storage on electronic media. The imaged document becomes the original report.

Appendix A

FORM	DESTRUCTION SCHEDULE - ORIGINALS	IMAGED REPORT RETENTION PERIOD	SECTION
ACCIDENT REPORT – SHORT FORM	QUARTERLY	PERMANENTLY	RECORDS
ACCIDENT REPORT – STATE FORM	QUARTERLY	PERMANENTLY	RECORDS
ARREST REPORT – ADULT	QUARTERLY	PERMANENTLY	RECORDS
ARREST REPORT – JUVENILE	QUARTERLY	PERMANENTLY	RECORDS
BICYCLE REPORT	QUARTERLY	PERMANENTLY	RECORDS
CASE REPORT	QUARTERLY	PERMANENTLY	RECORDS
CASH RECEIPT	Check State First	If imaged PERMANENTLY	RECORDS
CITIZEN'S ARREST FORM	QUARTERLY	PERMANENTLY	RECORDS
DEATH INVESTIGATION CHECKLIST	QUARTERLY	PERMANENTLY	RECORDS
DOMESTIC VIOLENCE FORM	QUARTERLY	PERMANENTLY	RECORDS
DRUG DATA COLLECTION FORM	QUARTERLY	PERMANENTLY	RECORDS
EVIDENCE CHAIN-OF-CUSTODY FORMS – ANY PROPERTY / EVIDENCE STILL IN CUSTODY	RETAIN ORIGINALS UNTIL ALL PROPERTY / EVIDENCE IS RELEASED OR DESTROYED	NA	EVIDENCE
EVIDENCE CHAIN-OF-CUSTODY FORMS – ALL PROPERTY / EVIDENCE IS RELEASED OR DESTROYED – ORIGINALS	RETAIN ORIGINALS FOR TEN YEARS AFTER THE DATE OF FINAL DISPOSITION OF PROPERTY THEN IMAGE	NA	EVIDENCE
EVIDENCE CHAIN-OF-CUSTODY FORMS – ALL PROPERTY / EVIDENCE IS RELEASED OR DESTROYED - IMAGED	QUARTERLY	PERMANENTLY	RECORDS
EVIDENCE INVENTORY FORMS	QUARTERLY	PERMANENTLY	RECORDS
FIELD INTERVIEW CARDS – IMAGED	QUARTERLY	PERMANENTLY	RECORDS

FORM	DESTRUCTION SCHEDULE - ORIGINALS	IMAGED REPORT RETENTION PERIOD	SECTION
GANG INTELLIGENCE FILES – AT RISK	2 YEARS IF NO NEW INFORMATION	NA	GANG TASK FORCE
GANG INTELLIGENCE FILES – ACTIVE	5 YEARS IF NO NEW INFORMATION	NA	GANG TASK FORCE
INFORMATION ITEMS	QUARTERLY	PERMANENTLY	RECORDS
INVESTIGATIVE FOLLOW-UP REPORTS	QUARTERLY	PERMANENTLY	RECORDS
JUVENILE CITATIONS	QUARTERLY	PERMANENTLY	RECORDS
NO PROSECUTION RELEASE	QUARTERLY	PERMANENTLY	RECORDS
NOTIFICATION OF CHILD(REN) TAKEN INTO PROTECTIVE CUSTODY	QUARTERLY	PERMANENTLY	RECORDS
PERMISSION TO SEARCH FORM	QUARTERLY	PERMANENTLY	RECORDS
RELEASE FROM LIABILITY FORM	QUARTERLY	PERMANENTLY	RECORDS
SEX OFFENDER FORMS	RETAIN FOR LIFE OF OFFENDER	NA	CID
SUPPLEMENT REPORTS ATTACHED TO CASE REPORTS	QUARTERLY	PERMANENTLY	RECORDS
TELETYPES – IMAGED	QUARTERLY	PERMANENTLY	RECORDS
TOWED / IMPOUNDED VEHICLE FORMS	QUARTERLY	PERMANENTLY	RECORDS
UNIFORM SUMMONS AND COMPLAINT	QUARTERLY	PERMANENTLY	RECORDS
USE OF FORCE REPORT	QUARTERLY	PERMANENTLY	RECORDS
WARNING TICKETS	QUARTERLY	PERMANENTLY	RECORDS

A. DISTRIBUTION OF REPORTS AND RECORDS

1. The Records Section is responsible for the collection, verification, and distribution of police reports. Distribution will be accomplished by section personnel Monday through Friday, excluding non-working holidays. All handwritten reports, typed reports, and field reported documents reviewed, which have been approved by an employee's supervisor, will be received by Records.

2. South Dakota Law SDCL 1-27-1.5 addresses law enforcement records. Records developed or received by law enforcement agencies are not subject to inspection and copying; however, records can be released if the agency or a court determines that the public interest in disclosure outweighs the interest in nondisclosure.

3. The Records Section is responsible for the distribution of police records. A formal request to review or obtain reports or records must be filed with the Department.

4. The Records Custodian shall have 10 days from the date of the record request to make a determination and may notify the applicant in writing. If additional time is needed to consider the request, the Records Custodian may notify the applicant in writing.

5. The Records Section reserves the right to prevent disclosure of information or records that could be used to locate or harass the victim or the victim's family, or which could disclose confidential or privileged information about the victim, and to be notified of any request for such information or records.

6. Crime reports are available through the RMS. Proper routing is monitored by Records personnel through an audit process. Access to the RMS is made available to the following:

   a. Records.

   b. Criminal Investigation Division.

   c. City Attorney.

   d. State's Attorney.

   e. Victim's Assistance.

7. Crash reports - distributed in following manner:

   The original crash reports are electronically completed and automatically transmitted to the State of South Dakota Department of Public Safety, Records Section, in Pierre. A PST will also provide the report to the following:

a. M.A.D.D. – Gets all DUI crashes.

b. Black Hills Power & Light – Any reports with damage to electrical boxes or poles owned by BH CORP.

c. Risk Management and City Finance – Any reports with damage to City property.

d. Rapid City Fire Department Emergency Management Services – Any reports with an individual being transported via ambulance.

e. All State reportable crash reports will be available to the public through the Department's website via www.crashdocs.org.

f. Following distribution, crash report data is entered into the Department's Records Management System. Reports are stored according to procedure specified in policy 761-02 – Records Repository and Retention.

8. The following procedure will apply to records released to the United States Armed Forces:

a. Informal communications between police supervisors and Ellsworth or Army National Guard and Reserve "First Sergeants" regarding inappropriate conduct of military personnel should be made by a supervisor. Communications regarding misconduct of military officers may be made to military command. Access to the Unit Commander, if Ellsworth personnel are involved, may be accomplished through the Command Post. If the information is sensitive, request the commander to call back.

b. Requests for arrest reports involving military personnel will be forwarded to the Pennington County State's Attorney's Office.

c. Requests for written reports or other official documentation concerning an on-going investigation or inappropriate conduct of military personnel where no arrest has been made will be approved only through the Department's Records Custodian.

d. Whereas inter-agency communication is sometimes crucial to law enforcement operations, employees are not restricted from communicating with military personnel or the military chain-of-command; however, no employee other than the Records Custodian may release records to a military agency.

9. Release of Records to Crime Free Multi-Housing Agencies.

a. Release of records regarding residents of crime free multi-housing units may be authorized by the Records Custodian or Sector Lieutenant.

b. The reports will be screened carefully prior to release to safeguard against release of sensitive, unrelated, or inappropriate information. Release of information regarding the conduct of residents to exclude:

(1) Social security numbers;

(2) Certain unrelated juvenile information;

(3) Personal identifiers;

(4) Medical information to include emergency mental holds and alcohol holds, or

(5) Any other information deemed sensitive or inappropriate.

B. CONFIDENTIALITY OF RECORDS

1. Employees of the Rapid City Police Department are authorized to access agency records and other criminal justice information in the performance of their duties.

2. Employees of the Rapid City Police Department are prohibited from accessing agency records and other criminal justice information for personal reasons, which are outside of the scope of their duties.

3. Employees may not share agency records, case files, intelligence files, arrest files, other confidential information with persons not employed with the Rapid City Police Department, or another law enforcement agency without the authorization outlined in this chapter.

4. Employees may not access agency records, other criminal justice records of other employees, or potential employees for personal reasons, which are outside of the scope of their duties and which are not authorized by a supervisor. Upon any employee leaving the employment of the Rapid City Police Department, the employee's computer network account is disabled by designated Information Technology Division staff. Additionally, the State representatives will be notified if an employee leaves the department, in order to disable CJIS and NCIC accounts if applicable.

5. Upon discovery of any unauthorized access to Department information systems, CJIS, and/or NCIC accounts, the Department's agency coordinator for the City of Rapid City or a designee shall attempt to determine the method of access, and identify the steps necessary to prevent further access violations. Additionally, any NCIC or CJIS security incidents will be reported externally to the controlling agency.

C. RECORDS SECURITY

1. Only the Records Custodian or designee shall have the authority to disseminate criminal justice information or grant permission to inspect or copy criminal justice records to persons not employed by the Department.

2. All Department records shall be physically secured in order to ensure they are permanently preserved. Access by persons not employed by the Department can be done only through requests directed to the Records Custodian or designee.

3. When inspection of records is granted, the Records Custodian or designee will be present. Care must be taken not to allow any person to remove, destroy, conceal or damage any record during inspection.

4. Copies of records by persons not employed by the Department shall be made only under the direct supervision of the Records Custodian or designee.

5. The Records Custodian shall have the discretion to waive written requests for inspection of records and dissemination of information and may allow access by law enforcement agencies upon oral request.

6. The Records Custodian has the authority to require the person requesting records to produce identification to satisfy proof the applicant is entitled to inspection of records and the dissemination of information.

7. The Department's computer system shall be programmed to restrict access by the following criteria:

   a. To all Department computers.

   b. User name and password.

   c. Networking Server Team Supervisor's specific authorizations.

8. To comply with requirements from FBI CJIS (Criminal Justice Information Systems Division) controlling NCIC, all Department passwords used for the Records Management Systems authenticate to NCIC and require the following password attributes:

   i. Passwords shall be a minimum length of eight characters, to include at least one upper and one lower case letter, and one number or special character.

   ii. Passwords shall not be a dictionary word or proper name.

   iii. Passwords and the user-id shall not be the same.

   iv. Passwords shall be changed within a maximum of every 90 days.

   v. The Records Management System software will prevent password reuse of the last 10 passwords and will programmatically enforce items a, c and d.

9. Rapid City Police Department employees are required to log off or lock the computer when it will be unattended. Any computer inactive for more than fifteen minutes is automatically locked by the internal system settings. This policy is made to protect information stored from unauthorized access, and to protect the interests of the Rapid City Police Department and its employees.

D. RECORDS PRIVACY

1. Any person with a court order from Pennington County may request records between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, non-working holidays excluded.

2. Fees for copying shall be shown to any applicant upon request. The Police Support Technician may collect the fee before commencing the search and retrieval.

3. Upon receipt of the court order, the specified items may be released. The Records Custodian will determine the fees owed and make immediate collection. Upon completion of the copying, E-mailing, or faxing of criminal justice records, the Records Custodian or designee shall determine the total amount of fees owed in accordance with the above provisions and shall make immediate collection. As a courtesy, there are some businesses billed on a monthly basis. Payment may be made in U.S. coin, currency, certified, or cashier's check, money order, personal or business check, with acceptable identification. A receipt shall be given for all fees collected. All funds shall be deposited in accordance with records procedures. For further information regarding e-mailing of information, refer to policy 213-05.

4. A search of the requested records shall begin as soon as feasible, and be completed within a reasonable amount of time as determined at the time of the request.

5. Records of Official Action:

a. The Records Custodian may make records of official actions available to persons of interest.

b. If the requested records are not within the Records Section's custody or control, the Records Custodian shall notify the applicant (in writing if requested).

c. If the records are active, the Records Custodian or designee will notify the applicant (in writing if requested) that the case is not completed and unavailable at this time. The applicant can request to be notified when the record is completed.

6. Other Criminal Justice Records:

a. Where Access Denied:

(1) Pursuant to the Privacy Act, if disclosure could be contrary to the public interest, access to records consisting of the following shall be denied to all persons except law enforcement authorities.

(a) Investigations conducted by this or any other Law Enforcement agency or State's Attorney.

(b) Intelligence information or security information of this or any other Law Enforcement agency or State's Attorney.

(c) Investigative files compiled for any other Law Enforcement purpose.

(2) If access is denied, the Records Custodian or designee shall notify the applicant of the grounds for denial (in writing if requested).

b. Where Access Granted:

(1) If disclosure would not be contrary to the law and the public interest, the applicant shall be granted access to the requested records.

(2) If the requested records are not within the Records Custodian's custody or control, the Custodian or designee shall notify the applicant of the reason for the absence, the location, and the person having custody and control (in writing if requested).

c. Exceptions:

The Records Custodian or designee, after criminal charges have been filed, may grant access to records of investigations to all criminal justice agencies, defense attorneys representing the person of interest, members of the news media, and to any other person where access would not be contrary to the law, and where the request is based on a demonstrated need of public interest.

7. Determination:

When records are located and retrieved, the Records Custodian or designee shall determine if the inspection and dissemination is consistent with state and federal laws. If the release is questionable, the request will be forwarded to the Chief of Police or designee for approval or denial based upon the nature of the request. The City Attorney or the State's Attorney may be consulted for clarification.

E. ACCESS TO RECORDS INFORMATION

1. Emergency Services Communications Center personnel shall have access to the Law Enforcement database 24 hours per day.

2. Records are accessible from Records Section personnel during normal business hours Monday through Friday.

3. No one shall have physical access to the Records Section original documents, except Records Section employees and the Records Custodian.

   Stringent guidelines indicate no personnel except those indicated above shall have any access to the Records Section. In the event it is necessary to access the Records Section for security or emergency reasons, Administration or Emergency Services Communications may assist in gaining access to the Records Section.

   Documents may be accessed and retrieved by way of the RMS at all times.

4. The Records Section employee scheduled to close the Records Section at the end of the business day shall be responsible to ensure the following:

   a. All doors and windows shall be locked.

   b. Ensure the cash register is locked and secured.

F. ADDITIONAL FBI CJIS COMPLIANCE

1. Security of Computer Terminals: Department employees shall strictly control physical access to any computer terminals displaying Criminal Justice Information. All visitors must be signed in to the visitor's log located in the Civil Division, and shall be monitored at all times when near CJIS terminals. Under no circumstances will visitors be allowed to have unsupervised access to terminals displaying CJIS information.

2. E-mail Encryption: E-mails containing CJIS information, which are sent to authorized agencies outside the physical boundary of the Department, shall be protected via encryption methods. The encryption process will be provided and maintained by the City of Rapid City IT Division and will be in compliance with the FBI CJIS standards located in section 4.6 *(Encryption)* of the FBI CJIS Information Technology Security manual.

3. Laptop Security and Authentication: All Department laptops accessing CJIS information must have the Window's Firewall activated and two-factor authentication enabled.

4. Media Security & Disposal: Computer hard drives or any other electronic storage systems containing Criminal Justice Information, which are to be reused by unauthorized personnel, shall be adequately "sanitized" prior to release. The IT Division will overwrite hard drives at least three times or degauss the electronic media. Any inoperable electronic media shall be destroyed. The IT Division shall maintain written documentation of the steps used to sanitize or destroy all electronic media containing Criminal Justice Information, which is no longer in use. The agency shall securely store electronic and physical media within physically secure locations or controlled areas. The agency shall restrict access to electronic and physical media to authorized individuals. If physical and personnel restrictions are not feasible then the data shall be encrypted

5. Microfiche Documents: Microfiche documents needing to be retrieved from the Public Library will be transferred by means of an authorized employee. If a document must be printed it will be transferred to a thumb-drive and is not to be printed on a Library printer. The thumb-drive used to transfer the data will be maintained by the Records Supervisor and will be erased after each use.

6. Original Paperwork: Once scanned, paper copies or original reports containing Criminal Justice Information shall be placed in the secure shredding bin located in the Records Section. Authorized staff will accompany the bin to the shredding location and will remain to observe the shredding take place.

7. Any mishandling of CJIS information or violation of the previous CJIS compliance requirements may cause internal disciplinary measures and/or termination of the user's access.

G. NCIC VALIDATION

Validation is accomplished by reviewing the original entry and current supporting documents, consulting with the appropriate complainant, victim, prosecutor, court, motor vehicle registry files, and other appropriate sources or individuals for the wanted person, missing person, and vehicle files, and retaining the record in NCIC if the information is found to be complete, accurate and active.

POLICY: The Rapid City Police Department records concerning all juveniles under the age of 18 taken into temporary custody, arrested whether a criminal or status offense, or issued a summons under the provisions of SDCL 26-7A-27, shall be identified separately from the records of adult arrests. Juvenile records may not be inspected by or disclosed to the public.

A. JUVENILE RECORDS PROCEDURES

1. Any requests for an adult individual's involvement history being sent outside of the Rapid City Police Department may need to have any juvenile arrest or juvenile court action redacted. Exceptions to this policy shall be if the information is being sent to other criminal justice agencies.

2. The Rapid City Police Department has an Order for Exchange of Information in place for information release concerning children who are apparent, alleged, or adjudicated Children in Need of Supervision, Delinquent Children, and Abused or Neglected Children with the following agencies/departments (see Appendix A):

   a. Law Enforcement Agencies

   b. Court Services

   c. Department of Corrections

   d. Western South Dakota Juvenile Services Center

   e. LSS Arise Youth Center

   f. Department of Social Services

   g. State’s Attorney’s Office

   h. Juvenile Diversion Programs

   i. Court-Authorized Service Organizations

   j. Schools within the Seventh Circuit

3. When a Petition for Sealing Records/Notice of Hearing and Court Order to Seal Records are received from the Clerk of Courts, a PST shall handle the order in the following manner:

a. Upon receiving the juvenile court order to seal records a PST will seal the components pertaining to the record.

b. The court order shall be scanned and filed with the juvenile's sealed record.

c. No sealed information is to be released for any request without a proper court order allowing the sharing of such information. If a computer printout of an individual's involvement record is requested, those entries previously sealed must be redacted.

4. Access to all records pertaining to juveniles is restricted. Juvenile records are distinguished from adult records with a tagged uppercase black 'J' on the name card, and under case information with a red capitalized 'JUVENILE' tag. The decision to grant access to a juvenile's information will be made through the Records Custodian or a designee, or as permitted by South Dakota Codified Law 26-7A-27.

5. Juvenile records after the individual reaches 18 years of age are handled in the following manner:

a. Records contained in the computerized filing system regarding juvenile activity remains flagged in the file. Data entry regarding any person once reaching 18 years of age is located in the individual's record.

APPENDIX A

STATE OF SOUTH DAKOTA)
) SS.
COUNTY OF PENNINGTON)

IN CIRCUIT COURT
SEVENTH JUDICIAL CIRCUIT

ORDER FOR EXCHANGE OF INFORMATION

The Honorable Craig Pfeifle, Presiding Judge for the Seventh Judicial Circuit, does hereby

ORDER that, pursuant to SDCL 26-7A-29, SDCL 26-7A-120 and SDCL 26-8A-13, Law Enforcement Agencies, Court Services, Department of Corrections, Western South Dakota Juvenile Services Center, the LSS Arise Youth Center, the Department of Social Services, State's Attorneys, Juvenile Diversion Programs, court-authorized Service Organizations, and Schools within the Seventh Circuit, may mutually release to each other, information concerning children who are apparent, alleged, or adjudicated Children in Need of Supervision (SDCL ch. 26-8B), Delinquent Children (SDCL ch. 26-8C), and Abused or Neglected Children (SDCL ch. 26-8A).

Dated this 21 day of September, 2015.

BY THE COURT:

Craig Pfeifle
Circuit Court Judge

ATTEST:

Ranae Truman, Clerk of Courts

BY: LaDonna Barker
Deputy

Pennington County, SD
FILED
IN CIRCUIT COURT
SEP 21 2015
Ranae Truman, Clerk of Courts
By LB Deputy

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
761-05	Records Administration	1 OF 1
ORDER NO.: 11-01	**SUBJECT:** Audit of Records	
SUPERSEDES: 09-03	**EFFECTIVE:** 02-15-11	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 82.1.5		

A. AUDIT OF RECORDS

1. A procedural review and periodic inspection will be conducted on all phases of Records. This inspection will include an evaluation of manual and computerized records collection, dissemination, and maintenance.

2. At the end of each shift, the Shift Commander/Supervisor will ensure a report is received for each Case Number issued during the shift.

   Employees shall not normally keep any original reports in their possession after their tour of duty. All documentation must be turned in to the Shift Commander/Supervisor, or a Delayed/Missing Case Report form shall be completed explaining which officer has the report, and the reason for delay.

3. In order to maintain a high level of accountability and efficiency within the Department's Records Management System, a periodic status report of all police reports should be generated and reviewed by Records Section personnel.

   The Records Section Supervisor or designee shall ensure all reports are located.

4. Once original reports are turned in to the Records Section, they may not be removed. Employees may obtain copies of reports through the Imaging System and/or Records Management System.

5. No original report may leave the Records Section, except as the result of a lawful court order. An imaged copy will be retained in the Records Management System and/or Imaging System.

6. As part of the staff inspection function, an evaluation of the complaint/offense reporting system shall be completed. This inspection shall be all inclusive and shall address the following areas:

   a. Reporting procedures and instructions to officers.

   b. Storage, maintenance, retrieval and dissemination of reports.

   c. Privacy and security precautions taken within the Records Section to ensure compliance with applicable local, state and federal regulations.

   d. Supervisory review and flow of paperwork.

   e. Identified problem areas or any other identified as requiring staff review.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
761-06	Records Administration	1 OF 2
ORDER NO.: 13-03	**SUBJECT:** Computer Records and Security	
SUPERSEDES: 11-01	**EFFECTIVE:** 08-27-13	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 11.4.4, 41.3.7, 82.1.6		

A. COMPUTER ACCESS RESTRICTION AND AUDITING

1. Upon any employee leaving the employment of the Rapid City Police Department, the employee's computer network account is disabled by designated Information Technology Division staff.

2. In or about the first quarter of each year or as directed, the IT Officer for the City of Rapid City or a designee shall conduct an audit of computer passwords to help prevent unauthorized persons from accessing Department records. Passwords as required by and described in policy 761-03 C shall be handled in the manner described.

3. Upon discovery of any unauthorized access to Department information systems, the IT Officer for the City of Rapid City or a designee shall attempt to determine the method of access, and identify the steps necessary to prevent further access violations.

4. An audit log of all computer access containing the user logon and the workstation logged onto will be kept in a running 60-day computer file to assist in identifying any reported, or discovered computer abuses.

B. COMPUTER SOFTWARE

1. It is the Rapid City Police Department's and the City of Rapid City policy to have computer virus detection software installed on all Department computers. No employee will knowingly introduce disks or software contaminated by a computer virus to Department computers.

2. The virus detection software will not be disabled.

3. All computer software used by the Rapid City Police Department will be properly licensed. Employees shall not install personal software on any Department computer without authorization from the IT Officer for the City of Rapid City or a designee.

4. No unauthorized computer programs (executable computer files) will be loaded onto Department computers without the express permission of the IT Officer for the City of Rapid City or a designee. This includes e-mails with attachments, programs on CD-ROM, or any other media such as compact flash cards, USB drives. In the event an individual gets an e-mail attachment with an executable file, they may read the e-mail and print it if needed, <u>but they must not execute the attached program.</u> Following that, the e-mail must be deleted to prevent accidental use of the attached program. The purpose of this policy is to protect Department computer assets from malicious code that may be contained in the attached file.

5. E-mails with program attachments from unknown sources will be reported to the IT Officer for the City of Rapid City or a designee immediately.

6. Manipulation or alteration of or to current software running on any agency-owned computers, including mobile, desktop or handheld devices is prohibited.

C. COMPUTER RECORDS BACK-UP AND STORAGE

1. Department computer records and files will normally be backed-up on a daily basis.

2. Computerized records are backed up by City IT staff on a daily basis onto magnetic tapes and independent hard drives. Back-up tapes are stored off-site in the Police Department Evidence Building at 625 1st Street.

3. Computerized records are subject to the South Dakota Common Records Retention and Destruction Schedule.

D. SECURITY OF COMPUTERIZED RECORDS

Computerized criminal history records are subject to the same access and release restrictions imposed on Department records under Rules and Procedures Section 761-03.

POLICY: Rapid City Police Department employees will document their activities in relation to all criminal and non-criminal investigations.

A. PURPOSES OF REPORTS

1. At the completion of every police-related assignment, it is the employee's primary responsibility to see the facts and circumstances relevant to the incident are properly reported.

2. The prompt and complete reporting of preliminary police investigations enables follow-up investigators to make decisions about priorities and to concentrate their efforts on those cases showing indications of investigative success.

3. The reporting of police actions protects the Department and employees from unwarranted accusations of police misconduct or lack of action.

4. Written reports serve as an important evaluation tool for supervisors and command officers. Accurately reporting the police action taken allows supervisors to review work performance information with the reporting employee.

5. Since the public and the press have access to police reports, the professional image of the Department and its employees may be dependent on the quality of its written records.

B. FIELD REPORTING FORMS

In all cases, employees will record the facts and circumstances in at least one of the following approved methods:

1. A Case or Supplemental Report.

2. An Arrest Report, if an arrest is made.

3. An Information Report, whether criminal or non-criminal, but the facts need to be communicated to other employees.

4. Request an incident (log) entry through the Emergency Services Communications Center (ESCC).

C. INCIDENT REPORTING INFORMATION

Police reports generated by employees shall contain, at a minimum, the following:

1. The date and time of the initial reporting;

2. The name (if available) of the citizen requesting the service, or the victim's or complainant's name, address, DOB, SSN, phone number;

3. The nature of the incident; and

4. The nature, date, and time of any action taken by Department personnel.

D. REPORT REQUIREMENTS

1. Once approved by a supervisor and submitted, all reports become a part of the Department's records. No report will subsequently be changed or altered in any way except through the filing of an approved Supplemental Report. A supplemental report may be in the form of a Case Report addendum or an E-mail depending on the circumstances. E-mail responses may be utilized when minor changes are needed on the Case Report front sheet to clarify identifiers such as, but not limited to, name, DOB, and Social Security Number. Changes by Records Section personnel will be accomplished utilizing established standardized operating procedures within Records Section manuals. Under no circumstance will E-mail responses be used for changes within the narrative of the report.

2. Clarity:

   a. The quality of a police report is not determined by its length, but whether or not the report completely, clearly, and concisely communicates an accurate account of the incident being reported.

   b. The details of the incident and the sequence of events should be arranged in a logical order.

   c. The narrative section of the report shall be divided into paragraphs, each dealing with a specific event or action.

   d. Slang terminology, abbreviations and police jargon should be avoided unless it is part of a direct quotation by a victim, witness or suspect.

3. Legibility:

   a. Follow-up investigations cannot occur on the basis of illegible reports.

   b. It is necessary to press firmly on all multiple copy reports so all copies are legible.

4. Accuracy:

   a. Reports must be accurate to result in appropriate decisions in the law enforcement process and in the criminal justice system. The greatest opportunity for successful apprehension and prosecution depends on an accurate, complete and objective report.

   b. Each police report should accurately state the facts of the incident, the results of the employee's investigation, and the nature of the action taken.

c. Misspelled names, incorrect or missing dates of birth, social security numbers, and addresses can adversely affect the filing and retrieval process. These errors may mean the difference between a successful or unsuccessful prosecution. Inaccuracies in the spelling of words detract from the reports professional appearance. Always ask for proper spelling of names. If unsure of the spelling of a word, consult the dictionary or use a word with a similar meaning, which can be correctly spelled.

E. INCIDENT REPORTING

1. Accurate reports of police investigations serve as the official memory of the Department. Without a comprehensive system of field reporting, the agency would not be able to successfully investigate and/or prosecute cases.

2. The CAD system automatically generates an incident number for all calls for service. To ensure the proper recording of police actions, a case number may be initiated and a report generated by the investigating officer. Incident numbers will serve as a case number anytime a report is generated by a Department employee. Case numbers shall be recorded on reports including non-traffic related citations.

3. All documentation relating to a particular case report will utilize the initial case report number. Although the CAD assigns a new incident number, refer all new documentation to the original incident/case number.

4. Case numbers may be initiated in the following cases:

   a. Traffic Citations.

   b. Citizen reports of crimes or complaints.

   c. Citizen requests for services, when an officer is dispatched.

5. Incident Tracking:

   Due to difficulties with tracking certain types of incidents, it will be necessary for officers to include specific information in the incident field of case reports and titles of information items, i.e. Information Item – Assault, or Information Item - Burglary. Codes are in place with the Records Section to facilitate the tracking.

   a. When an officer writes a case report, which includes a **vehicle pursuit**, **use of force**, **use of deadly force**, or **discharge of firearm to destroy an animal**, the officer is to note the circumstance in the incident field of the case report. In the case of multiple incidents, the officer will include the notation in the narrative block with reference to the incident block listing any additional crimes and/or incidents. (An example of multiple incidents would include an armed robbery where officers engage in a vehicle pursuit to capture the suspects.)

   b. For those incidents listed in section "a" above, the following categories should be used for the incident block or as the title to an information item:

      PURSUIT
      DISCHARGE OF WEAPON – ANIMAL OTHER THAN DEER
      DISCHARGE OF WEAPON – DEER
      DISCHARGE OF WEAPON – VICIOUS ANIMAL
      DESTROY ANIMAL W/O FIREARM

USE OF FORCE – DEADLY
USE OF FORCE – OTHER

6. Hate Crime Reporting:

   a. Definition: Hate crime, also known as bias crime, is a criminal offense committed against a person, property, or society, which is motivated in whole or in part by the offender's bias against a race, religion, disability, sexual orientation or ethnicity/national origin.

   b. The object of the collection of hate crime information is to indicate whether the offender was motivated to commit the offense because of their bias against a racial, religious, disability, sexual-orientation group or ethnic/national origin. Because of the difficulty of ascertaining the offender's subjective motivation, **bias is to be reported only if investigation reveals sufficient objective facts to lead a reasonable and prudent person to conclude that the offender's actions were motivated, in whole or part, by bias**.

   c. The offenses to be reported for hate crimes are: Murder, Non-negligent Manslaughter, Forcible Rape, Robbery, Aggravated Assault, Simple Assault, Intimidation, Burglary, Larceny-Theft, Motor Vehicle Theft, Arson, or Damage/Destruction/Vandalism of Property.

   Source: SD Division of Criminal Investigation, Statistical Analysis Center.

F. INCIDENT NUMBERING SYSTEM

1. Any case numbers appearing to be duplicates or in error will need to be examined and corrected by the Records Custodian or designee.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
762-02	Reports and Forms	1 OF 1
ORDER NO.: 06-08	**SUBJECT:** Supervisory Review of Reports	
SUPERSEDES: 00-01	**EFFECTIVE:** 11-09-06	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS: 82.2.1		

PURPOSE: Preliminary report review for the Field Services Division shall be conducted by the Shift Commander/Supervisor, and is intended to ensure call for service assignments have been satisfactorily completed.

A. FIELD REPORT REVIEW

1. Employees shall forward all reports and case work to the Shift Supervisor periodically throughout their tour of duty.

2. The Shift Supervisor shall account for and review all reports, including traffic related reports and summonses having been initiated during their tour of duty. This includes specific responsibility to ensure:

   a. The reports are neat and complete.

   b. All forms are appropriately used.

   c. Appropriate spelling, grammar and overall writing style are used.

   d. The narrative properly documents all actions taken by the employee in a given incident, and reflects all pertinent information in a straight-forward easily comprehended manner.

   e. The actions reflected in the report represent proper police procedure and investigative methods.

3. The Shift Supervisor shall take corrective action relative to any deficiency or problem found with any police report filed by a Department member for whom they are responsible.

4. The Shift Supervisor shall ensure follow-up investigation is recommended in cases where further police action is necessary.

5. All cases shall receive an administrative designation according to standard 611-02 (I), Case Status Designations.

RAPID CITY POLICE DEPARTMENT
RULES AND PROCEDURES

POLICY NO.:	SECTION:	PAGE NO.:
762-03	Reports and Forms	1 OF 1
ORDER NO.: 06-08	**SUBJECT:** Forms Control	
SUPERSEDES: 00-01	**EFFECTIVE:** 11-09-06	**APPROVED BY:** Chief of Police Karl Jegeris
CALEA STANDARDS:		

A. FORMS CONTROL

1. The Rapid City Police Department policy is to assign proposed revisions or new drafts of forms to the Forms Committee as defined in the Department Forms policy 213-02. Proposed revisions or new drafts of forms will be prepared:

   a. When assigned by proper authority;

   b. Anytime a Department member identifies a need and desires to take the initiative to draft a proposal; or

   c. Anytime an outside agency or other source initiates a new or revised form requiring its use by Police Department employees.

2. Whenever possible, employees developing a draft of a new form shall solicit input from those Department employees that will use the form.

3. At the discretion of the Chief of Police, the proposed form may need to be reviewed by the Forms Committee or a Division Commander. The Chief may solicit or require review and comment from staff members or other personnel.

4. Final drafts of proposed forms or revisions must be prepared with the proper supporting documentation for placement into the form system and the Department Rules and Procedures. The supporting documentation must be consistent with the format and contents for either form systems already in place or the Department Rules and Procedures.

5. The Chief of Police is the ultimate authority for approving official Department forms.

6. No form shall be used by any member of the Rapid City Police Department unless it has been specifically authorized for such use by the Chief of Police or a designee, and the supporting documentation dictating its proper use is prepared as prescribed above.