

**WOODFORD COUNTY BOARD OF EDUCATION
AGENDA ITEM**

ITEM #: 1X4 **DATE:** July 9, 2019

TOPIC/TITLE: Law Enforcement General Orders

PRESENTER: Garet Wells GW

ORIGIN:

- TOPIC PRESENTED FOR INFORMATION ONLY (No board action required.)
- ACTION REQUESTED AT THIS MEETING
- ITEM IS ON THE CONSENT AGENDA FOR APPROVAL
- ACTION REQUESTED AT FUTURE MEETING: (DATE)
- BOARD REVIEW REQUIRED BY
 - STATE OR FEDERAL LAW OR REGULATION
 - BOARD OF EDUCATION POLICY
 - OTHER:

PREVIOUS REVIEW, DISCUSSION OR ACTION:

- NO PREVIOUS BOARD REVIEW, DISCUSSION OR ACTION
- PREVIOUS REVIEW OR ACTION
 - DATE:
 - ACTION:

BACKGROUND INFORMATION:

Law Enforcement departments in Kentucky are required to have their own set of specific orders in which to guide the implementation of their assigned duties.

SUMMARY OF MAJOR ELEMENTS:

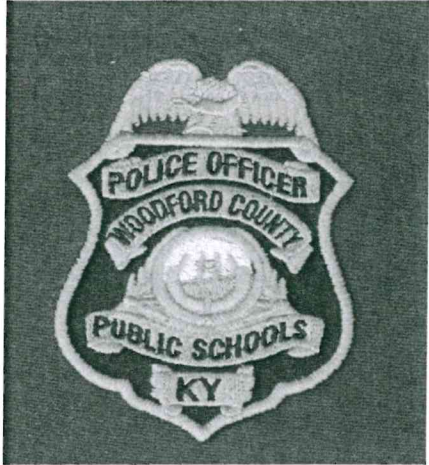
Draft general orders attached for areas our officers may potentially be involved with.

IMPACT ON RESOURCES:

TIMETABLE FOR FURTHER REVIEW OR ACTION:

SUPERINTENDENT'S RECOMMENDATION: Recommended Not Recommended





Woodford County Public Schools Police Department General Order Number

Title / Subject	EFFECTIVE DATE	REVISION DATE
Agency Jurisdiction	TBD	
REFERENCES	DISTRIBUTION	
KRS Chapter 15 & 15A	All Sworn Personnel	

I. POLICY

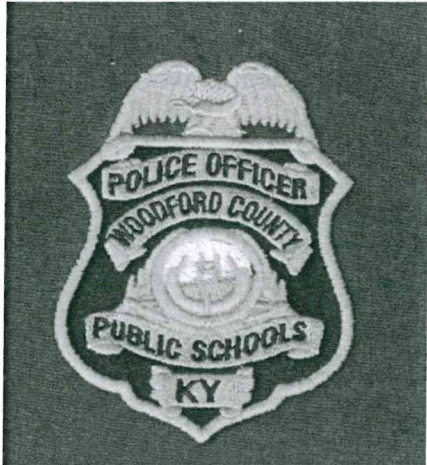
It is the policy of this agency to provide police services within the Woodford County School District properties and mutual aid to other law enforcement agencies to the extent permitted under Kentucky law.

II. PROCEDURE

A. PRIMARY RESPONSIBILITY

The Chief of Police and all members of the police force shall possess all of the common law and statutory powers of constables and sheriffs. They may exercise those powers, including the power of arrest for offenses against the Commonwealth as permitted by statute

The police force has the primary responsibility of providing police services within the Woodford County School District properties, in Kentucky. The police force provides full law enforcement services to our students and staff. The Chief of Police and all members are authorized to enforce all applicable laws and ordinances within the boundaries of the Woodford County Public Schools properties.



Woodford County Public Schools Police Department General Order Number

Title / Subject	EFFECTIVE DATE	REVISION DATE
Personal Appearance of Officers	TBD	
REFERENCES	DISTRIBUTION	
	All Sworn Personnel	

I. PURPOSE

The purpose of this policy is to establish the appearance standards for sworn officers of the Woodford County Public Schools Police Department.

II. POLICY

The policy of the Woodford County Public Schools Police Department is that the duty uniform is a highly visible symbol of the department. Officers in uniform are readily identifiable by the public and their wearing of the uniform projects a professional image of the department throughout the community.

III. PROCEDURE

- A. The following regulations apply to commissioned officers while on duty. All uniforms shall be properly fitted, cleaned, and maintained in good repair.
- B. Officers have the option to wear their choice of a long sleeve or short sleeve uniform shirt.
- E. It is each officer's responsibility to maintain in good working order, all mandatory uniform and equipment items, and any optional uniform or equipment items the officer has purchased.

IV. APPROVED UNIFORM and EQUIPMENT LIST

A. Headgear

- 1. The approved duty hat is the Gall's Perfect Fit Ball Cap (Item #HW225). It will have embroidered on the front panel in gold thread WCPS POLICE. The W.C.P.S.

will be capital letters half an inch in height and will be centered over the POLICE that will be capital letters an inch in height. It will be maintained in the same style as it was received from the manufacturer.

2. The duty hat, along with the duty uniform, is utilized as a means of identification to increase visibility of uniformed presence. For outdoor assignments which are public events, with the primary function being security, both the uniform and hat are required to be worn by assigned officers.

B. Uniform Shirts

1. The approved uniform shirts are as follows:

- a) 5.11 Tactical Short Sleeve Polo (Gall's Item #SW984)
- b) Cornerstone Select Lightweight Snag-Proof Polo (Gall's Item #SH1205)
- c) 5.11 Tactical Long Sleeve Polo (Gall's Item #ST101)
- d) Gall's G-Tac Tactical Performance Long Sleeve Polo (Item #ST829)

2. The uniform shirts will be black in color and will have the Woodford County Public Schools Police Department badge embroidered on the left side of the shirt. The badge will be centered and embroidered in gold thread. The officer's first name initial and complete last name will be centered on the right side of the shirt and embroidered in gold thread. The shirt will also have centered on the back "POLICE" in high-vis letters of silver or gold. There may also be embroidered on the bottom of the shirt sleeves "SRO". No other patches will be affixed to the shirt.

3. A white cotton/fabric blend, well-maintained crew neck T-shirt will be worn with the duty uniform shirt. All T-shirts will be neat in appearance, not discolored or thin from wear, and will maintain a proper and snug (non-sagging) fit at the neckline.

C. Uniform Pants

1. The approved uniform pants will be the 5.11 Tactical Stryke Pant with Flexnac (Gall's item #TR909). They will be khaki in color and tailored to proper length.

D. Jacket

1. The approved jacket will be the Gall's 3-in-1 Jacket (Item #JA-787). The jacket have the Woodford County Public Schools Police Department badge embroidered on the left side of jacket. The badge will be centered and embroidered in gold thread.

E. Duty Gear

1. The approved weapon is the Glock 22. The weapon can be of any generation and will have three magazines. The weapon can be owned by the officer or purchased by the department. If purchased by the department, the weapon is the property of the Woodford County Board of Education and is therefore subject to any restrictions or rules placed upon it. The weapon will be returned when the officer leaves the department for any reason. If the weapon is personally owned it is still subject to the rules and regulations of the department but is kept by the officer should they leave the department.
2. The approved inner belt will be the Gall's Buckleless Trouser Belt(Item #LP302).
3. The approved duty belt will be the Gall's Molded Nylon Duty Belt(Item #NP238)
4. The officer will use the holster he has been trained if he is prior law enforcement. The holster will be flat black or black stx in color to match the duty belt. If the officer is not prior law enforcement, the approved holster will be the Safariland 6365 Belt Drop Level III Holster (Gall's Item #ZW807 weapon #83 without light).
5. The approved magazine pouch will be the Gall's Molded Nylon Double Staggered Mag Pouch (Item #NP525).
6. The approved handcuff cases will be the Gall's Molded Nylon Single Cuff Case (Item #NP489) or the Double Cuff Case (Item# NP525).
7. The approved chemical agent holder will be the Gall's Molded Nylon MKIII Mace Holder (Item #NP493).
8. The approved chemical agent will be First Defense MK-3 .2 Percent Pepper Spray (Gall's Item # SD085).
9. The approved impact weapon will be the ASP 21" Sentry Expandable Baton (Gall's Item #BA006 BLK 21).
10. The approved holder for the impact weapon will be the ASP Federal Rotating Belt Scabbard (Gall's Item #BA143).

C. Traffic Control Gear

1. The approved traffic control vest will be the Gall's Hi-Vis Class II Traffic Vest with police in black lettering on front and back (Item #HS370).

2. The approved traffic control wand will be the Gall's 2 C-Cell LED Traffic Baton (Item #NP493).

V. OFFICER APPEARANCE

A. General Guidelines for Officers

1. Officers may wear their hair in any reasonable manner which does not interfere with their work or reflect negatively upon the department. The hairstyle will project a professional image.

2. Hair shall be clean, well groomed, and meet the guidelines of this order at all times while on duty.

3. Wigs and hairpieces may be worn by officers, and shall conform to the preceding and following guidelines.

B. Female Officers- Additional Guidelines

1. The back of the hair, including the end of a ponytail, may touch but not fall below the lower edge of the collar.

2. Natural hairstyles are permitted, but exaggerated styles are not.

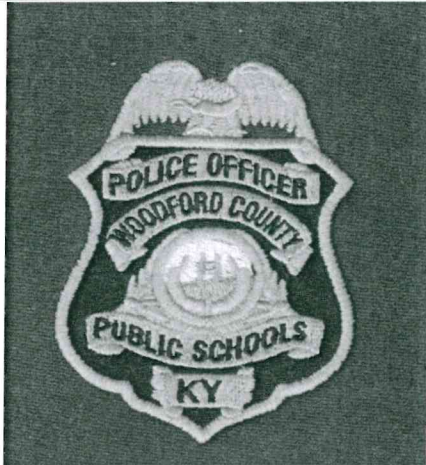
3. When groomed, hair shall not extend more than two inches in height. Pigtails shall not be worn while in uniform or on duty status.

4. Hair ornaments such as pins, combs, barrettes, and rubber bands may be worn if they are similar to the color of the hair.

C. Male Officers- Additional Guidelines

1. Hair shall not extend further than the top of the orifice of the ear. Hair shall not touch the collar when the officer is standing in the normal upright position. Hair may be groomed on the forehead but shall not extend lower than one inch above the eyebrow.

2. Sideburns shall extend no lower than the middle of the orifice of the ear.
3. Officers are allowed mustaches and goatees. They shall be well trimmed and not be of any unusual style or unique nature.
4. Hairstyles of any unusual or unique nature shall not be worn.
5. When wearing a hat or helmet, hair shall not extend below the front edge of the headgear.



Woodford County Public Schools Police Department General Order Number

Title / Subject	EFFECTIVE DATE	REVISION DATE
Stop, Arrest, and Search of Person(s)	TBD	
REFERENCES	DISTRIBUTION	
KRS Chapter 431.005;KRS 431.15;KRS 630.010	All sworn personnel	

I.Purpose: The purpose of this policy is to direct the members of this agency on the lawful limits of authority with respect to contacts with persons.

II.Policy: The policy of this department is to protect and serve the constitutional rights of all citizens when stopping, arresting or searching individuals while balancing the needs of law enforcement in solving crime for the protection of the community.

III.Definitions:

A. Probable Cause: (search): Facts and circumstances based upon observations or information that would lead a reasonable law enforcement officer/deputy to believe that evidence of crime exists and that the evidence exists at the place to be searched.

B. Probable Cause: (arrest): Facts and circumstances based upon observations or information that would lead a reasonable law enforcement officer/deputy to believe that a crime has been or is being committed and the person to be arrested is the one who is or has committed the crime.

C. Reasonable Suspicion (temporarily detain): Facts and circumstances based upon observations or information, short of probable cause but based upon articulated facts that would lead a reasonable law enforcement officer/deputy to believe that criminal activity is afoot.

D. Reasonable Suspicion (frisk): Facts and circumstances based upon observations or information, short of probable cause but based upon articulated facts that would lead a reasonable law enforcement officer/deputy to believe that a person who is lawfully stopped is in possession of a weapon.

E. Frisk (weapon): A limited type of search, the limit being to those areas capable of holding a weapon and located within the subject's immediate area of control.

F. Strip search: The removal or rearrangement of clothing that results in the exposure or observation of a portion of a person's body where that person has a reasonable expectation of privacy.

G. Consensual Contact: An interaction between a member of law enforcement and the public that is voluntary in nature. The law enforcement member has shown no authority that would cause a reasonable person to believe that they had no choice but to respond or comply with the officer's/deputy's efforts. Under this type of contact an officer/deputy has no power to detain an individual who chooses not to participate in the contact.

IV.Procedures:

. Consensual Contact - An officer/deputy may approach anyone and attempt a consensual contact.

a. Officers/Deputies are not required to have reasonable suspicion for this type of contact.

b. Officers/Deputies may not take any steps through words or conduct to stop the person's movement under this type of stop.

c. A person cannot be compelled in any way to participate in the stop.

A. Reasonable Suspicion Based Stops/Terry Stops-An officer/deputy who is aware of facts and circumstances that would lead a reasonable police officer/deputy to conclude that criminal activity is afoot, may stop a person, using reasonable force short of deadly force, and detain the person for a reasonable amount of time to investigate further.

. Officers/Deputies may detain the person for a reasonable amount of time at the location of the stop while a diligent investigation is conducted such that the officer/deputy has an opportunity to confirm or dispel their suspicion.

a. Anonymous tips that merely describe a person's location and physical/clothing description without providing a prediction of the subject's future actions that can be corroborated by the police prior to contact are insufficient to justify a stop or frisk.

b. The duration of the stop should not exceed the amount of time that it would normally take to investigate the conduct that the officer/deputy suspected at the time the stop was made.

c. Officers/Deputies may not frisk every person who is stopped in accord with this policy. An officer/deputy may only frisk those individuals for whom the officer/deputy has reasonable suspicion to believe is armed with a weapon.

B. Reasonable Suspicion Based Frisk - An officer/deputy may conduct a limited frisk/pat-down of a person's outer clothing when the officer/deputy has reasonable suspicion to believe that a person who has been lawfully stopped

is in possession of a weapon that poses a danger to the officer/deputy or others present.

. Items that may support reasonable suspicion:

1. The type of crime for which the stop is based is one that would lead a reasonable officer/deputy to conclude generally involves a weapon.
2. The officer/deputy observes a bulge in the subject's clothing that has the appearance of a weapon.
3. The officer/deputy has information (anonymous tip merely providing description and location is not enough) indicating that a person is armed.
4. The officer/deputy is aware of the subject's history of carrying weapons.
5. The officer/deputy observes the subject reach as if reaching for, or reaching to hide a weapon (furtive movements).

a. The frisk is limited to a pat-down of the outer-clothing and does not include reaching into pockets etc. unless the officer/deputy feels an item during the frisk that the officer/deputy reasonably believes is a weapon.

C. Arrest: An officer/deputy may arrest an individual if the officer/deputy has probable cause to believe that a crime has been committed and probable cause to believe that the person to be arrested is the person who committed that crime. Once probable cause is established an officer/deputy may take custody of the subject and involuntarily transport the subject.

. **NOTE:** If the person to be arrested is in a dwelling-refer to Home Search Policy/ If the person to be arrested is in a vehicle-refer to vehicle search policy.

a. Under Kentucky law officers/deputies may make an arrest: with or without a warrant:

1. In obedience to a warrant; or
2. When a felony has been committed in his or her presence; or
3. When he or she has probable cause to believe the person to be arrested has committed a felony; or
4. When a misdemeanor as defined by K.R.S. § 431.060 has been committed in his or her presence; or
5. An officer/deputy may also arrest without a warrant for the commission of offenses enumerated in K.R.S. § 431.005 (1) (e); or
6. When the officer/deputy has probable cause to believe that the person has intentionally or wantonly caused physical injury to a family member or member of an unmarried couple.

b. Under K.R.S. § 431.15 an officer/deputy may issue a citation in lieu of an arrest for enumerated offenses under this statute.

c. The sources of probable cause include:

1. Officer/deputy observations through 5 senses
2. Officer/Deputy background and experience
3. Specialized Training
4. Information Received

a. Good Citizens

b. Government

c. Paid Informants

d. Anonymous

5. Physical Evidence

. At Scene

a. On Suspect

6. Circumstantial Evidence

. Description of subject

a. Time and Place relationship between crime scene and stop

b. Suspect History

c. Suspect Flight

d. Type of Area i.e. high crime area

7. Juvenile Arrest Procedures: Juveniles may be taken into custody for non-criminal offenses under the following conditions:

. Pursuant to an order from a court for failure to appear before the court for a previous status offense; or

a. If there are reasonable grounds to believe that the child has been a habitual runaway from his parent or person exercising custodial control or supervision of the child

D. Search Incident to Arrest of a Person:

. When an officer/deputy arrests a person on the street, the officer/deputy may conduct a thorough search of the subject's person (not strip search).

a. Cross-Gender Searches

1. In the event that the arresting officer/deputy and prisoner are of the opposite sex, this search should be observed, if possible, by a witness or in front of the vehicle video camera.

2. When possible and practicable, an agency member of the opposite sex should be requested for these types of searches.
- b.** The purpose of this search is the following:
1. Protecting the officer/deputy from attack;
 2. Preventing the person from escaping;
 3. Discovering or seizing the fruits of the crime for which the person has been arrested; or
 4. Discovering or seizing any instruments, articles, or things that are being used or which may have been used in the commission of the crime for which the person has been arrested.
- c.** This search may include the subject's pockets as well as any items they are in possession of at the time of the arrest. (For search incident to arrest in home-see home search policy-for incident to arrest search in vehicle see motor vehicle contacts policy)
- d.** When the peace officer/deputy is in the process of effecting a lawful search, he may discover or seize any stolen or embezzled property, any item, substance, object, thing, or matter, the possession of which is unlawful, or any item, substance, object, thing, or matter, other than the private papers of any person, which is tangible evidence of the commission of a crime against the laws of this state.
- E. Privilege from Arrest:**
- . **Legislative Privilege**
 1. A member of the General Assembly, while going to, attending or returning from any session of the house to which he belongs shall not be arrested, menaced or disturbed at any place in the Commonwealth of Kentucky except on legal process for treason, felony, or breach or surety of the peace.
 2. It is declared to be the legislative intent of the General Assembly to prohibit the arrest of any member of the General Assembly at any place within the Commonwealth while going to, attending or returning from any session of the house to which he belongs, except for treason, felony, or breach or surety of the peace.
 - a. National Guard/State Militia**
 1. No officer/deputy, warrant officer/deputy, or enlisted man of the Kentucky National Guard or Kentucky active militia shall be arrested, except in case of a felony, while going to, remaining at, or returning from a place where he is ordered to attend for state active duty.
- F. Diplomatic and Consular Immunity**
- . **Background.** Diplomatic immunity is a principle of international law by which certain foreign government officials are not subject to the jurisdiction of

local courts and other authorities for both their official and, to a large extent, their personal activities. It should be emphasized, however, that even at its highest level, diplomatic immunity does not exempt diplomatic officers/deputies from the obligation of conforming with national and local laws and regulations.

a. Categories of persons entitled to diplomatic immunity are as follows:

1. **Diplomatic Agent:** Enjoys the highest degree of privileges and immunity. Diplomatic Agents may not be handcuffed (except in extraordinary circumstances), arrested or detained for any criminal offense. Generally, they are immune from any civil suits, but are not immune from receiving a citation/summons. Family members of these persons enjoy the identical privileges and immunity.
2. **Diplomatic Administrative and Technical Staff:** Enjoy privileges and immunity similar to Diplomatic Agents. Diplomatic Administrative and Technical Staff may not be handcuffed, arrested or detained for any criminal offense. They enjoy immunity from civil suits arising in connection with the performance of their official duties. Officers/Deputies may issue a citation for a motor vehicle violation. Family members enjoy identical privileges or immunity.
3. **Diplomatic Service Staff:** They are accorded few privileges and immunities. Diplomatic Service Staff may be arrested or detained for criminal offenses. They enjoy immunity from civil suits arising in connection with the performance of their official duties. Officers/Deputies may issue a citation for traffic violations. Family members enjoy no privileges or immunities.
4. **Consular Officers/Deputies:** Enjoy privileges and immunity from criminal and civil matters arising from their performance of official duties. Consular Officers/Deputies may be arrested or detained, pursuant to an arrest warrant, for felony offenses. They may be prosecuted for misdemeanors, but may not be arrested or detained prior to trial or other disposition of charges. Officers/Deputies may issue a citation for traffic violations. Generally, family members enjoy no privileges or immunity.
5. **Consular Employees:** Enjoy privileges and immunity from criminal and civil matters arising from their performance of official duties. Consular Employees may be arrested or detained for criminal offenses. Officers/Deputies may issue a citation for traffic offenses. Family members enjoy no privileges or immunity.

6. Honorary Consuls: Enjoy privileges and immunity from criminal and civil matters arising from their performance of official duties. Honorary Consuls may be arrested or detained for criminal offenses. Officers/Deputies may issue a citation for a traffic offense. Family members enjoy no privileges and immunity.

b. Procedure for Notification When a Foreign National is arrested.

1. Determine the foreign national's country. In the absence of other information, assume this is the country on whose passport or other travel documents the foreign national travels.
2. All foreign nationals must be told of their right to Consular notification.
3. If the foreign national's country is not on the mandatory notification list:

. Offer, without delay, to notify the foreign national's consular officials of the arrest/detention.

a. If the foreign national asks that consular notification be given, notify the nearest consular officials of the foreign national's country without delay.

4. If the foreign national's country is on the list of mandatory notification countries:

. Notify that country's nearest consular officials, without delay, of the arrest/detention. Tell the foreign national that you are making this notification

5. Keep a written record of the provision of notification and actions taken.

G. Strip Search: In order to conduct a strip search of an individual two threshold issues must be met:

. The person must first be arrested based upon probable cause to believe that person has or is committing a crime.

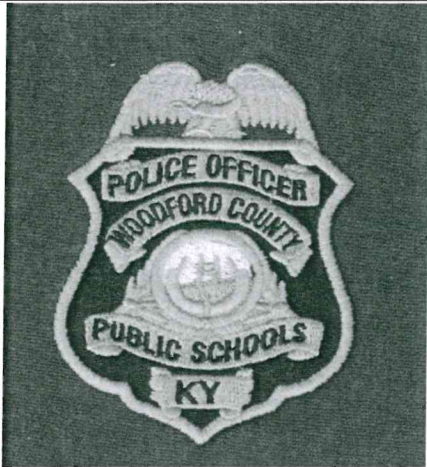
a. Field: The officer/deputy must have probable cause to believe that the arrestee is concealing evidence, contraband or weapons on their person. These searches shall be conducted at the police station or jail, unless exigent circumstances exist that make the search necessary to protect the officer/deputy or others from serious bodily harm or death. In such a case, the officer/deputy shall obtain supervisory authorization before making this search, unless no supervisor is available. In all cases the officer/deputy must seek a private area to conduct the search which is out of view of the public and other persons.

b. Booking: Strip searches during the booking process may only be conducted when officers/deputies can articulate reasonable suspicion to believe that the subject is concealing weapons or contraband.

c. Cross-gender strip searches are prohibited unless exigent circumstances exist that would justify such a search.

d. In all cases where a strip search has been conducted, the officer/deputy will document the following:

1. The offense the suspect was arrested for.
2. Facts and circumstances that led the officer/deputy to believe that the suspect was hiding weapons or contraband on his or her person.
3. The manner in which the search was conducted.
4. The persons who were present during the search.
5. The location where the search occurred.
6. The items that were recovered as a result of the search.



Woodford County Public Schools Police Department General Order Number

Title / Subject	EFFECTIVE DATE	REVISION DATE
Audits and Inspections	TBD	
REFERENCES	DISTRIBUTION	
	All Sworn Personnel	

I. PURPOSE

Some police operations and tasks have a high risk, high liability potential. These police operations must be undertaken in a consistent, methodical manner in an attempt to undertake the necessary police operation/task, yet reduce the liability potential. This liability potential can be reduced when the agency can document that the procedures in place were consistently followed. A police department must conduct formalized, regular audits and inspections of these high risk, high liability operations and tasks.

II. POLICY

This agency will conduct audits and inspections of designated police operations and tasks on both a scheduled and unannounced frequency

III. PROCEDURE:

The following operations and tasks shall be audited and inspected the Chief of Police. The Chief of Police shall use a formal checklist to ensure that all relevant areas on concentration are addressed in the audit/inspection. The ultimate purpose for these inspections is to ensure that operation/task is being conducted consistent with agency policy/procedure and the law. Scheduled inspections shall enlist and involve the personnel of the unit/function being inspected, unless there is an indication that this would inhibit the process of the audit/inspection. Unannounced audits/inspections shall be conducted at the direction of the Chief of Police. The following operations/tasks shall be audited/inspected on the following schedule:

A. Citizen complaint investigations

Annual

- | | |
|---|-------------------------|
| B. Response to Resistance Reports | Monthly/Annual report |
| C. Property/Evidence (Narcotics, Money, Guns) | Quarterly |
| D. Less lethal weaponry | Monthly |
| E. Mandated training | Quarterly/Annual Report |

II. The process of the inspection/audit shall respect the dignity of all agency personnel and conducted in a professional manner.

III. WRITTEN REPORT:

A. Each audit/inspection shall be reduced in writing:

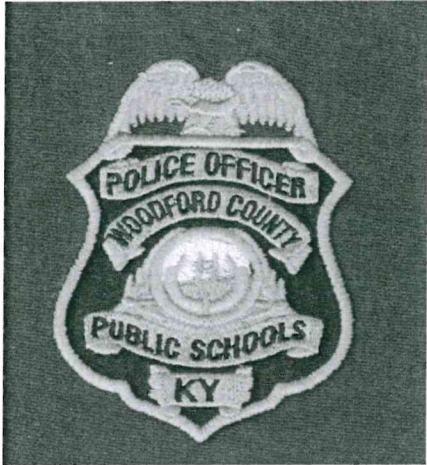
1. Specific examples of positive and negative issues, if observed, shall be identified.

IV. FOLLOW-UP REQUIREMENTS:

A. Each audit/inspection report that identified a deficiency or area of concern shall result in a follow-up audit/inspection within one month of the discovery of the deficiency.

V. MAINTENANCE OF AUDIT/INSPECTION REPORTS:

All reports of audit/inspections shall be maintained in a secure location for a minimum of five (5) years or longer where required by state law.



Woodford County Public Schools Police Department General Order Number

Title / Subject	EFFECTIVE DATE	REVISION DATE
Biased Based Policing	TBD	
REFERENCES	DISTRIBUTION	
<div style="text-align: center;">KRS 15A.195</div> Stops, Search & Arrest; Motor Vehicle Contacts	All sworn personnel	

I. Purpose

The purpose of this policy is to prohibit the use of race, ethnicity, gender, or national origin as a reason to restrict liberty, or exercise any other police power upon an individual, except in those cases where one of the classifications above is a descriptive factor concerning a suspect

Definition: Biased-Based Policing-using race, ethnicity, gender or national origin as a reason to restrict a person's liberty where race, ethnicity, gender or national origin is not a descriptive factor relating to a suspected criminal event.

II. Policy

The policy of this department is to respect the rights of all persons who officers come into contact with during any law enforcement operation.

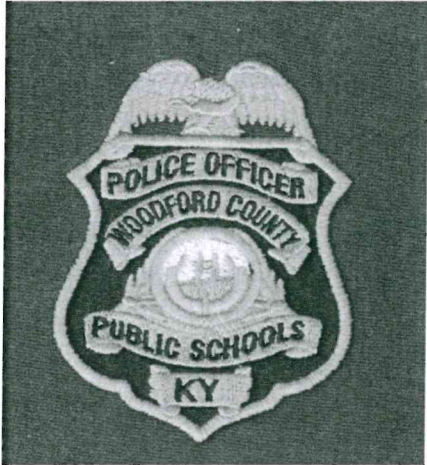
III. Procedure

A. All contacts made by members of this agency with any person must meet the requirements of the United States and Kentucky Constitutions.

B. Preventing Perception of Bias:

1. Officers should act with courtesy and professionalism on all stops and contacts.
2. At the outset of a contact, where feasible, officers should introduce themselves and inform the person of the reason for the stop. This introduction is not required where the introduction would compromise the safety of the officer or any other person.
 - i. Officers should continue the contact for only that time which is necessary to meet the objectives of that which justified the stop to begin with. i.e. if the stop is for a traffic violation, officers should not prolong the stop beyond the time it takes to write a citation. Where reasonable delays occur, the officer should keep the person informed of the reason for the delay.

- ii. Officers should answer questions posed by the persons stopped to the extent that is possible.
 - iii. Provide his or her name and identification number when requested.
- 3. **Complaints regarding bias:** All complaints regarding bias, as defined by this policy shall be handled in accordance with the Citizen Complaints and Administrative Investigations Policy of this agency.
- 4. All personnel shall be trained on this policy.



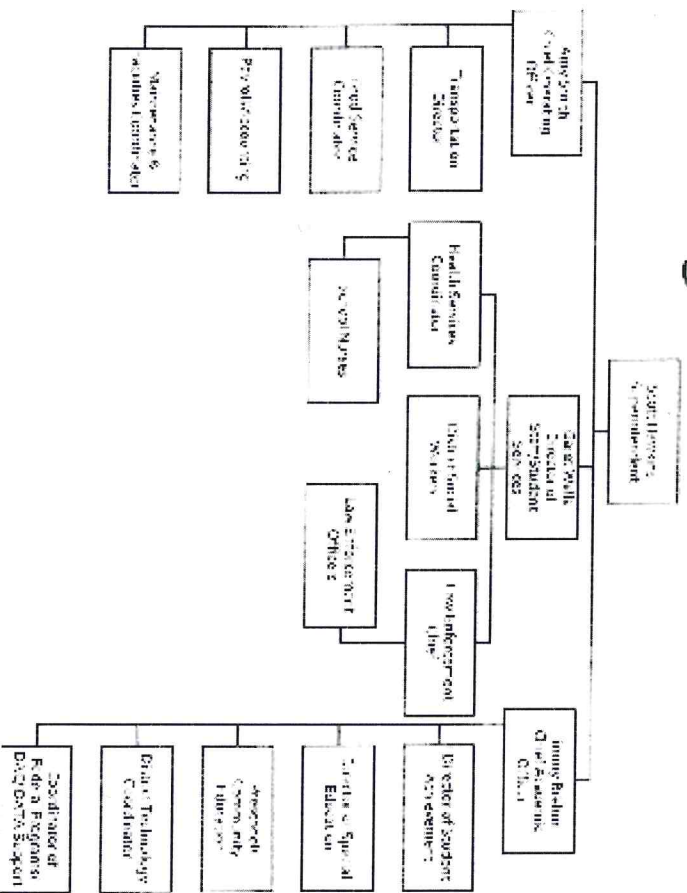
Woodford County Public Schools Police Department General Order Number

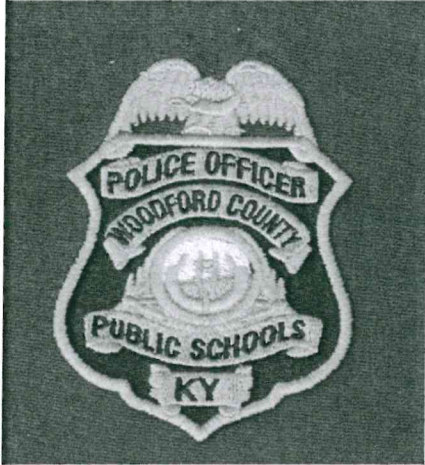
Title / Subject Chain of Command	EFFECTIVE DATE TBD	REVISION DATE
REFERENCES	DISTRIBUTION All Sworn Personnel	

I. Policy:

The purpose of this policy is to establish a Chain of Command for the Police Department. (Please see page two for flow chart)

Woodford County Public Schools District Organizational Structure





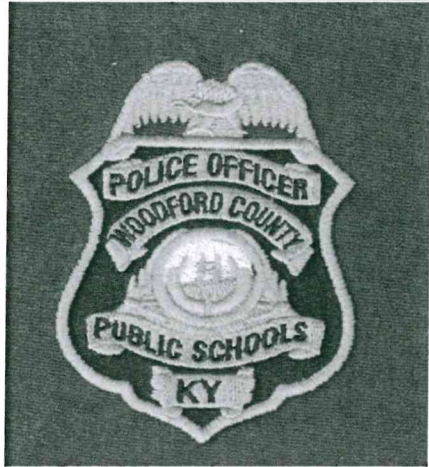
Woodford County Public Schools Police Department General Order Number

Title / Subject	EFFECTIVE DATE	REVISION DATE
Domestic Misconduct	TBD	
REFERENCES	DISTRIBUTION	
K.R.S. 403.715 -785; K.R.S. 456	All Sworn Personnel	

- I. **Purpose:** Police department employees come from the community. They may become involved in domestic matters. Because they are police employees and their status is usually known to other persons in the community and they are representatives of the police agency, the agency must take positive steps to ensure that these domestic matters do not adversely affect the employee's ability to perform, or compromise the conduct of agency missions, or create moral, operational or efficiency problems for the agency. The agency is dedicated to providing assistance for the employee during these critical times so that the employee may resolve the situation and return to being a productive member of the agency without these types of personal and family concerns.
- II. **Policy:** It is the policy of this agency to deal directly and positively with any employee involved in acts of domestic misconduct. The ultimate mission of the agency is to assist the employee to resolve these family/relationship problems, to ensure that these acts do not adversely affect the employee or the agency during the period of resolution, and to provide the agency with a safe work environment.
- III. **Definitions:**
 - A. **Domestic misconduct:** The agency defines this type of conduct very broadly. This definition may be broader than State law, but it is intended to assure the continuation of positive performance within the agency by the involved employee and other members of the agency. A domestic relationship involves any employee who is or has been married to the other party, involves any member of the employee's household, who is living or has lived with the other party, has had a child with the other party, or is or has engaged in an intimate or dating relationship with the other party. Misconduct refers to any physical assault or battery, vandalism, stalking, intimidation, coercion, or criminal act against a party within this form of domestic relationship.

- B. **Collateral misconduct:** Any conduct by another member of the police agency to assist another agency employee in the continuation of the act of domestic misconduct. This would also include any actions designed to shield the employee or impair the ability of the agency to be informed of the domestic misconduct.
 - C. **Service of court papers:** Any documents from a judicial proceeding that are designed to assist in ameliorating the domestic misconduct or curtailing specific actions by the parties involved in the domestic misconduct.
 - D. **Self-reporting:** It is the responsibility of the employee to provide the agency with specific notice whenever he/she is involved in any acts of domestic misconduct. This is specifically true whenever the employee is the subject of any judicial proceeding concerning these types of acts, whether the employee is the person complained of or the victim.
 - E. **Administrative no-contact orders:** Written orders by a supervisory employee or chief and served upon an agency employee designed to curtail any further domestic misconduct.
 - F. Internal Affairs/Professional Standards would include those persons, such as the chief, designated with internal affairs responsibility in agencies that do not have full-time IA/Professional Standards positions.
- IV. **Procedure:** The agency shall take immediate action when notified of any act of domestic misconduct involving an employee of this agency.
- A. When the incident occurs within the jurisdiction of this agency:
 - a. Assign the call for response by two uniformed officers with supervisor notification.
 - b. The supervisor will assure that any violence is curtailed, all parties are protected, and any required medical assistance is provided.
 - c. The supervisor shall ensure that all evidence is properly recorded and collected.
 - d. The supervisor is responsible for the criminal investigation, if warranted.
 - e. The supervisor shall notify the chain of command at the earliest moment.
 - f. The decision to arrest an agency employee involved in domestic misconduct shall be the responsibility of the on-scene supervisor. When probable cause exists, the employee shall be arrested and processed the same as any civilian.
 - B. The supervisor shall take immediate steps to ensure that there is no continuation of the domestic misconduct.

- a. Ensure that victim advocate assistance is offered and provided when necessary.
 - b. Ensure that an immediate safety plan is discussed with the victim of the domestic misconduct and assist in any manner to ensure this continued safety.
- C. When the incident involving domestic misconduct occurs in a jurisdiction other than that of this agency:
 - a. The agency person notified of this incident shall immediately notify the Chief.
 - b. The Chief shall make immediate contact with the involved agency to ensure that our agency is kept on notice of the progress of the investigation.
 - c. The Chief shall ensure that the employee and the persons involved are aware that the agency will assist them during this process.
 - d. The Chief is responsible for determining whether an administrative no-contact order is warranted and will be responsible for serving this upon the agency employee, when necessary.
- D. Service of court orders:
 - a. The Chief shall facilitate, when requested, the service of any court orders upon agency employees.
 - b. The Chief shall be responsible for the determination regarding any assignment limitations involving the employee who is subject to the court order.
- V. **Conviction of a crime of domestic violence:** When a sworn employee is convicted of a crime of domestic violence that brings in the provisions of 18 U.S.C. 922(g)(9) law, the employee shall be terminated as not being able to function completely with the job classification for which s/he was hired.



Woodford County Public Schools Police Department General Order Number

Title / Subject	EFFECTIVE DATE	REVISION DATE
Domestic Violence	TBD	
REFERENCES	DISTRIBUTION	
KRS 403.715-785; KRS 456; KRS 431 SS005,015,064; KRS 209; KRS 209A; KRS 600-645		

I. POLICY

The purpose of this policy is designed to provide officers and support personnel with clear definitions, direction, and guidelines for providing and promoting a consistent, effective response to domestic violence crime in order to accomplish the following goals:

- A. Make an arrest for any violation of an Emergency Protective Order (EPO), any violation of a Domestic Violence Order (DVO), any violation of a Temporary Interpersonal Protective Order (TIPO), any violation of an Interpersonal Protective Order (IPO), any violation of a Foreign Protective Order (FPO) or any violation of a condition of release or bond when authorized by state law;
- B. Reduce the incidence and severity of domestic violence crime;
- C. Afford maximum protection and support to adult and child victims of domestic violence through coordinated services of law enforcement and victim assistance; and
- D. Reduce the risk of civil liability for officers, supervisors and administrators, and the employing unit of government.
- E. To accomplish these goals, every officer shall:
 - a. Make an arrest when authorized by state law as the preferred response, instead of using dispute mediation, separation or other police intervention techniques;
 - b. Treat all acts of domestic violence as criminal conduct;

- c. Respond with the same protection and sanctions for every domestic violence incident, regardless of race, religion, creed, national origin, gender, sexual orientation, disability and socio-economic status, including cases where any of the alleged parties may be a law enforcement officer, public official or prominent citizen; and
- d. Immediately report all known or suspected cases of domestic violence and abuse, adult abuse, or child abuse as required by state law;
- e. Receive training on domestic violence as required by state law.

NOTE: Every officer shall document action taken (arrest or non-arrest) on the JC-3 form. If the victim is a child or a vulnerable adult, the JC-3 shall be forwarded to the Cabinet for Families and Children. If the victim is an adult (other than a vulnerable adult), the JC-3 shall be maintained in the officer's investigation file but will not be forwarded to the Cabinet for Families and Children.

- F. The following facts shall not be considered as an independent compelling reason not to arrest the perpetrator. These facts may be used as background information to complete a domestic violence investigation for prosecution.
 - a. The marital status of the suspect and the victim;
 - b. Whether or not the suspect lives on the premises with the victim (except as may be necessary to qualify the parties as "members of an unmarried couple");
 - c. Whether the victim has not obtained a protective order against the perpetrator;
 - d. The potential financial consequences of arrest;
 - e. Whether there have been previous law enforcement responses to domestic calls at this address;
 - f. Verbal assurances that the violence will cease;
 - g. The victim's emotional status;
 - h. Whether or not physical injuries suffered by the victim can be personally observed at the time of the law enforcement response;
 - i. The location of the incident (i.e. public or private);
 - j. Speculation that the victim may not follow through with the prosecution, or that the arrest may not lead to a conviction;
 - k. The victim's initial reluctance regarding an officer-initiated arrest;
 - l. The fact that the victim and suspect are of the same gender; or,
 - m. The use of alcohol or drugs by either or both parties.

II. PROCEDURES

- A. On-scene investigation, arrest and post arrest procedures

a. General responsibilities at the scene

- a.) Respond promptly to the call - utilize two officers when available;
- b.) Establish control;
- c.) Assess the situation for risks to all parties including children;
- d.) Attend to the emergency medical needs of those involved;
- e.) Interview parties/witnesses separately and away from the line of sight and hearing of the perpetrator; (use direct quotes of witnesses about their fears and concern);
- f.) Effect an arrest of the perpetrator as the preferred response, if legally possible;
- g.) Seize any weapons used in the incident;
- h.) Inform the victim of rights;
- i.) Provide victim information on legal remedies and community services available for protection and safety planning;
- j.) Assist the victim in securing medical attention which shall include arranging for the transporting of the victim to obtain medical attention;
- k.) Assist the victim in securing legal protection (warrant, protective order) which may include transporting the victim to obtain the legal protection, if appropriate;
- l.) Report any actual and suspected incidents of abuse to the Cabinet of Families and Children, Department for Social Services, using the "Child Abuse, Adult Abuse and Domestic Abuse Standard Report" for (JC-3) when the victim is a child or a vulnerable adult;
- m.) If the exigent circumstances have ceased, obtain a consent to search or obtain a search warrant when appropriate;
- n.) Collect and photograph all relevant evidence required for successful prosecution (use body map with checklist to document injuries);
- o.) Arrange for follow up photographs of the victim in order to demonstrate the extent of the injuries that may later become more obvious;
- p.) Attend to any children or dependent adults;
- q.) Check LINK and NCIC for outstanding warrants, history file on protective orders and whether there are any active "EPO's", "DVO's", "TIPO's", "IPO's" or Foreign Protective Order (FPO's").
(For various reasons, not all valid domestic violence orders may be in the LINK system).

B. Arrests

- a.) Arrest is the preferred response to domestic violence. All arrests shall be made in conformity with Kentucky State Law, Agency Policy and Procedures.
- b.) Warrantless arrest for domestic violence related felonies is the preferred response.

c.) Misdemeanant arrests without a warrant:

1. If there is probable cause to believe an offender has intentionally or wantonly caused injury to a family member, ~~or~~ a member of an unmarried couple, or another person with whom the person was or is in a dating relationship, the officer may arrest for Assault in the Fourth Degree. **KRS 431.005 (2) (a).**
 - (a) Effective July 1996, the officer does not have to determine whether the offender will present a danger or threat of danger to others if not immediately restrained in order to effect an arrest for an Assault in the Fourth Degree. **KRS 431.005(2) (a).**
 - (b) If the misdemeanor assault charge is a third or subsequent offense, the penalty for the arresting offense can be enhanced by one degree. In order for the enhancement of the penalty, it is not necessary that the victim be the same person. **KRS 508.032.** The officer should make a reasonable effort to determine if there is a prior history.
 - (c) If there is probable cause to believe that any condition of a bond or pre-trial release has been violated and the officer has verified that the offender has had notice of the conditions, he shall arrest the offender without a warrant. **KRS 431.005(5)**

d.) Emergency Protective Orders (EPO)

1. Emergency Protective Orders are immediately enforceable only if the respondent has been served or given notice of the contents;
2. The law enforcement officer should check through the LINK - Domestic Violence File to verify service of the Emergency Protective Order;
3. If personal service has not occurred, the officer shall immediately give the respondent notice of the contents of the Emergency Protective Order;
4. After notice has been given to the respondent, its terms are binding and enforceable for subsequent acts;
5. The law enforcement officer shall then make arrangements for personal service of the "EPO" if possible and make notification to the communications center of this department and notification to the responsible agency for LINK entry of the orders.

NOTE: Information regarding notice and arrangements for service shall be marked on the JC-3 form.

e.) Domestic Violence Orders (DVO)

1. DVO shall be enforced immediately upon issuance.
2. The officer shall make sure that the conditions for which an arrest is made are prohibited in the “DVO”.

(a) All law enforcement officers should be aware that pursuant to the Carrying a Concealed Deadly Weapon Statute, “...when a Domestic Violence Order or Emergency Protective Order is issued pursuant to the provision of **KRS Chapter 403** against a person holding a license issued under (the law), the holder of the permit shall surrender the license to the court or to the officer serving the order”. **KRS 237.110(10)**;

f.) Temporary Interpersonal Protective Orders (TIPO)

1. Temporary Interpersonal Protective Orders are immediately enforceable only if the
respondent has been served or given notice of the contents;
2. The law enforcement officer should check through the LINK - Domestic Violence File to verify service of the Emergency Protective Order;
3. If personal service has not occurred, the officer shall immediately give the respondent
notice of the contents of the Temporary Interpersonal Protective Order;
4. After notice has been given to the respondent, its terms are binding and enforceable
for subsequent acts;
5. The law enforcement officer shall then make arrangements for personal service of the
“TIPO” if possible and make notification to the communications center of this department and notification to the responsible agency for LINK entry of the orders.

NOTE: Information regarding notice and arrangements for service shall be marked on the JC-3 form.

g.) Interpersonal Protective Orders (“IPO”)

1. IPOs shall be enforced immediately upon issuance.
2. The officer shall make sure that the conditions for which an arrest is made are prohibited in the “IPO”.

(a) All law enforcement officers should be aware that pursuant to the Carrying a Concealed Deadly Weapon Statute, “...when a Domestic

Violence Order or Emergency Protective Order is issued pursuant to the provision of KRS Chapter 403 against a person holding a license issued under (the law), the holder of the permit shall surrender the license to the court or to the officer serving the order". KRS 237.110(10);

h.) Foreign Protective Orders ("FPO")

a. General

- i. All out-of-state Protective Orders shall be enforced as written including provisions which grant relief not available in Kentucky;
- ii. All Foreign Protective Orders are presumed valid upon presentation to the law enforcement officer. Foreign Protective Orders do not have to have been entered into the LINK system to be valid and enforceable;
- iii. Some Foreign Protective Orders may have been filed or recorded and may be verified through LINK

b. Arrest procedures

- i. When a Foreign Protective Order is presented to the law enforcement officer by the complainant, the officer should:
 1. Determine whether the order is current;
 2. Determine whether the conduct complained of is prohibited by the order.

NOTE: For different reasons, some Foreign Protective Orders do not have expiration dates on them. Even though no expiration date is contained on the order, the officer shall accept the statement (written or oral) of the complainant that the order is current.

- ii. The officer shall inquire of the complainant whether the Protective Order has been filed with the circuit clerk's office. If it has not the officer should advise the complainant to register the Foreign Protective Order with the Circuit Court Clerk in the county of residency.
- iii. If the order has been filed with the clerk's office, it can be further verified through the LINK system.

NOTE: Even if the order has not been filed with the court clerk and is not available on LINK, it is still a valid order of protection as long as Step (1) is completed.

- iv. The officer shall assume that the respondent was given notice of the Domestic Violence Order and its contents:
 1. If the officer has probable cause to believe the respondent has violated the terms of the Protective Order, he shall arrest the respondent as having violated a Protective Order. **KRS 403.763.**
 2. All peace officer shall make arrests for a violation of a Foreign Protective Order in the same manner as a violation of an Emergency Protective Order, Domestic Violence Order or Interpersonal Protective Order as if it had been entered by a Kentucky Court. The charge shall be a violation of a Protective Order.

NOTE: This shall not preclude officers from arresting the perpetrator for other violations of the Kentucky Penal Code; Law enforcement officers are not expected to be aware of any changes of a Foreign Protective Order that are not clearly on the order itself; or, if the order is on LINK, if the changes are not indicated on LINK. It is the obligation of the victim to notify the court of changes in the order.

2. Mutual Violence

- a. Where the officer has probably cause to believe that two or more persons committed a misdemeanor or felony, or if two or more persons make complaints to the officer, the officer shall try to determine who was the primary aggressor and whether one party acted in self-defense;
- b. The officer should arrest the primary aggressor;
- c. Where there is probable cause to believe that all parties are equally responsible, the officer should contact his immediate supervisor for assistance in a resolution;
- d. Officers should not use mutual arrests as a substitute for a thorough investigation;

NOTE: Arresting both parties is not the preferred response.

- e. Factors to consider in mutual violence situations to determine the primary aggressor:
 - i. The history of domestic disputes/violence between the persons;

- ii. The degree of injury inflicted upon each person keeping in mind that many injuries to the head and body may not be visible at the time;
- iii. Objective and testimonial evidence from the parties and other persons at the scene including children;
- iv. Whether one person acted in self-defense;
- v. The presence of fear of the parties involved and the level of fear (who is afraid of whom); and
- vi. The likelihood of future injury.

NOTE: An injury inflicted in self-defense is not a basis for an arrest for a violation of a mutual protection order.

ii. Obtaining Warrants/Protective Orders

- 1. When a domestic violence crime has allegedly been committed, and the officer is unable to arrest the alleged perpetrator under the provisions discussed above, the officer shall assist the victim in obtaining an arrest warrant and/or protective order;
 - a. The officer may apply for an arrest warrant himself when he has sufficient information to establish probable cause;
 - b. The officer may consult with his supervisor;
 - c. Prosecution is the preferred response even if the officer has to take the initiative;
 - d. The victim's non-cooperation shall not be considered when seeking warrants;
 - e. If the offense occurs after normal working hours, this department will follow the 24 hour access policy established by the court;

NOTE: Each law enforcement agency should insert their local court's 24 hour policy for obtaining Emergency Protective Order and warrants and its own policy for transporting victims.

iii. Duty to victim whether or not an arrest has been made

- 1. Whether or not an arrest has been made, if the officer has reason to suspect that a family member or member of unmarried couple, or persons who are or have been in a dating relationship, has been the victim of domestic violence, dating violence, sexual assault or stalking, the officer is required by **KRS 403.785 (2)** (for family members or members of an unmarried couple) or **KRS 456.090(2)** (for persons of a dating relationship, victim of sexual assault or stalking), to use all reasonable means necessary to prevent further domestic violence, including but not limited to:

- a. Remaining at the scene as long as the officer reasonable suspects there is danger to the physical safety of the individuals present without the presence of an enforcement officer;
- b. Assisting the victim to obtain medical treatment, including offering to transport, or arranging for the transportation of the victim to the nearest medical treatment facility capable of providing the necessary treatment; and
- c. Advising the victim of rights and services available.

NOTE: These “rights and services” include information about criminal complaint procedures, availability and enforcement of civil protective orders, availability of emergency shelter services, protective services of DSS, and other community resources. Many of these rights and services are printed on the “Victim Rights Information” tear-off portion of the JC-3 form.

Tearing off the victim rights information portion of the JC-3 form and giving it to a victim may not fully satisfy this duty. The responding officer should also insure that the victim can read and understand the print form.

2. In order to protect the victim and provide access to a safe environment, the officer should, when possible:
 - a. Provide a copy of a safety plan, if available;
 - b. Inform the person of local procedures for victim notification;
 - c. Provide the victim with the Women’s Crisis Center in their area for crisis intervention counseling; information and referral, emergency shelter for victims of abuse (women and children), speakers on issues of rape, child sexual assault, family violence support groups, and the court advocacy program, which works toward communication, networking, support in legal process, and referrals.
3. Whether or not an arrest has been made, the officer shall report any known or suspected vulnerable adult or child abuse, neglect or exploitation immediately, or any known or suspected domestic violence or abuse where the victim is a child or a vulnerable adult within 48 hours, to the Cabinet for Families and Children, Department for Social Services using the JC-3 form.
 - a. Death of an adult or child does not relieve the officer of the responsibility to report the circumstances surround the death related to abuse or neglect.

iv. Special Circumstances

1. Agency Assigned Service of an Emergency Protective Order or Temporary Interpersonal Protective Order
 - a. Emergency Protective Orders (“EPO”) or Temporary Interpersonal Protective Orders (“TIPO”) assigned by the District or Circuit Court for service by this agency shall receive high priority response. These orders shall be segregated from other or warrants to be served.
 - b. Upon service of the order on the respondent, the officer should immediately notify the communications center of this agency and in turn, the law enforcement agency in the issuing jurisdiction responsible for entry of Domestic Violence Protective Orders or Interpersonal Protective Orders on the LINK-Domestic Violence File.
 - c. The officer should promptly arrange for a copy of the order with the verified service to be delivered to the entering agency for modification to the LINK-Domestic Violence File record.

b. Domestic Violence Protocol

The Courts, together this agency, recognize the need and desirability for twenty-four (24) hour accessibility to Emergency Protective Orders or Temporary Interpersonal Protective Orders in response to the serious threat that domestic violence and dating violence poses within our community. Although the Court has always been available on a twenty-four hour basis for the review and consideration of request and consideration of requests for such orders, the following protocol has been developed because of a rising demand for services:

i. Terminology

1. **“Domestic Violence and Abuse”** means physical injury, serious physical injury, stalking, sexual abuse, assault, or the infliction of fear of imminent physical injury, serious physical injury, sexual abuse, or assault between family members or members of an unmarried couple. **KRS 403.720 (1)**
2. **“Family Member”** means a spouse, including a former spouse, a grandparent, a grandchild, a parent, a child, a stepchild, or any other person living in the same household as a child if the child is the alleged victim. **KRS 403.720(2).**

3. **“Member of an Unmarried Couple”** means each member of an unmarried couple which allegedly has a child in common, any children of that couple, or a member of unmarried couples; who is living together or have formerly lived together. **KRS 403.720(5)**
4. **“Dating Relationship”** means a relationship between individuals who have or have had a relationship of a romantic or intimate nature. It does not include a casual acquaintanceship or ordinary fraternization in a business or social context. The following factors may be considered in addition to any other relevant factors in determining whether the relationship is or was of a romantic or intimate nature:
 - (a) Declarations of romantic interest;
 - (b) The relationship was characterized by the expectation of affection;
 - (c) Attendance at social outings together as a couple;
 - (d) The frequency and type of interaction between the persons, including whether the persons have been involved together over time and on a continuous basis during the course of the relationship;
 - (e) The length and recency of the relationship; and
 - (f) Other indications of a substantial connection that would lead a reasonable person to understand that a dating relationship existed; **KRS 456.010(1)**
5. **“Dating violence and abuse”** means physical injury, serious physical injury, stalking, sexual assault, or the infliction of fear of imminent physical injury, serious physical injury, sexual abuse, or assault occurring between persons who are or have been in a dating relationship. **KRS 456.010(2)**
6. **“Sexual Assault”** refers to conduct prohibited as any degree of rape, sodomy, or sexual abuse under KRS Chapter 510 or incest under KRS 530.020. **KRS 456.010(6).**
7. **“Stalking”** refers to conduct prohibited as stalking under KRS 508.140 or 508.150. **KRS 456.010(7)**

C. Policy

a.) It shall be the policy of this agency to view complaints of domestic violence as alleged criminal conduct. Such agencies shall respond to such complaints and investigate them accordingly, and make an arrest if merited.

b.) Arrest Authority

1. Peace Officers may arrest, per **KRS 431.005**,

- i. Pursuant to a warrant;
- ii. Without a warrant when a felony is committed in his/her presence;
- iii. Without a warrant when he/she has probable cause to believe the person has committed a felony;
- iv. Without a warrant when a misdemeanor, as defined in **KRS.431.060**, is committed in her/her presence.
- v. Without a warrant when a violation of **KRS 511.080** (Criminal Trespass, Third Degree) or **KRS 525.070** (Harassment) has been committed in his/her presence; or
- vi. Without a warrant when the peace officer has probable cause to believe that the person has intentionally or wantonly caused physical injury to a family member, member of an unmarried couple or another person with whom the person was or is in a dating relationship.

2. Peace Officers shall arrest, per **KRS 431.015(1)(c)**, without a warrant when the peace officer has probable cause to believe a violation of a Protective Order has occurred, after service on the respondent or notice to the respondent of the existence and terms of the order by a peace officer or the court.

a. Providing Motion/Petitions for Orders of Protection and Verification of Petitions

b. During regular business hours of the District Court Clerk's office, it is the policy that petitions for Emergency Protective Orders or Temporary Interpersonal Protective Orders be sought from that office.

c. The following persons are hereby authorized to provide Motion/Petition for Orders of Protection forms to any person who meets the definition "family member", or "member of an unmarried couple", persons who are or have been in a "dating relationship", been a victim of "sexual assault" or "stalking" as set out herein and who is seeking an Emergency Protective Order or a Temporary Interpersonal Protective Order:

i. Circuit/District Court Clerk and all Deputy Clerks;

- ii. Commonwealth Attorney, Assistant Commonwealth Attorneys and the Commonwealth Attorney's Office staff;
 - iii. County Attorney, Assistant County Attorneys and the County Attorney's office staff;
 - iv. Sheriff and all Deputy Sheriffs;
 - v. All Peace Officers as defined by KRS.
- d. All persons listed in Paragraph d(b) are hereby authorized to take the oath of the person making a motion/petition for Orders of Protection and to verify the signature of the petitioner.
- i. The person receiving the completed Motion/Petition for Order of Protection shall administer an oath of the Petitioner affirming the truthfulness of the contents of the Petition.
 - ii. The person giving the oath shall sign their name and office in the space provided on the petition.

3. Post Arrest Procedure

- a.) Responding officers, after establishing control of the situation, shall complete the JC-3 (victim statement) and any offense/report forms required by his/her department.
- b.) A Motion/Petition for an Order of Protection should be offered to the alleged victim for completion. Upon completion, the petition must be signed by the person seeking protection and must be verified by the law enforcement officer present at the scene. **KRS 403.725 and KRS 456.030.**
- c.) After hours, the arresting officer shall contact pretrial services for notification of the on-call judge that an order has been requested.
- d.) The alleged perpetrator shall be lodged in jail, pending bond.
- e.) The peace officer should take the signed and verified petition to the on-call judge for review and, if merited, the issuance of an Emergency Protective Order. The judge shall keep the original petition and order for filing with the clerk.
- f.) A copy of the signed order and petition shall be taken by the peace officer to the jail for service; together with the identity of the person serving the order shall be noted on the order. A copy of the order shall be filed with the clerk.
- g.) A copy of the signed order shall be sent the local entering agency for the Law Information Network of Kentucky (LINK).
- h.) The victim should be informed by the peace officer that the order has been signed, entered into LINK and that a copy is available to him/her.
- i.) Within forty-eight (48) hours, the law enforcement agency initiating the report shall report the suspected violence and abuse to the Cabinet for Human Resources, Department for Social Services, by use of the JC-3, in cases where the victim is a child or a vulnerable adult. In cases where the

victim is an adult, the officer shall keep a copy of the JC-3 in his/her investigative file.

- j.) All arrestees for violation of Protective Orders shall be presented to the on-call judge by pre-trial services for the fixing of bond in accordance with the severity of the offense charged.

4. No Arrest Made

- a.) Responding officers, after establishing control of the situation, shall complete the JC-3 (victim statement) and any offense/report forms required by his/her department.
- b.) A Motion/Petition for Order of Protection should, if possible, be given to the alleged victim for completion. Upon completion, the petition must be signed by the person seeking protection and must be verified by the law enforcement officer present at the scene. **KRS 403.725 and KRS 456.030.**
- c.) If the court is not in session, the peace officer shall contact pretrial services for notification of the on-call judge that an order has been requested.
- d.) The peace officer shall take the signed and verified petition to the on-call judge for review and, if merited, the issuance of an Emergency Protective Order or Temporary Interpersonal Protective Order. The judge shall keep the original petition and order for filing with the clerk.
- e.) A copy of the signed order shall be sent to the local entering agency for the Law Information Network of Kentucky (LINK). The victim shall be informed by the peace officer that the order has been signed, entered into LINK, and that a copy is available to him/her.
- f.) The peace officer shall attempt to serve a copy of the signed order and petition upon the alleged perpetrator. If this is not accomplished within a reasonable time, the peace officer should attempt to give notice of the existence and terms of the order to the alleged perpetrator. The time and place of service or notice shall be set out on the order. A copy of the order shall be filed with the District Court Clerk.
 - i.) If the peace officer is unable to serve the alleged perpetrator within a reasonable time, a copy of the order, the notice setting the hearing and a copy of the petition shall be forwarded to the sheriff for personal service.
 - ii.) Within forty-eight (48) hours, the law enforcement agency initiating the report shall report the suspected violence and abuse to the Cabinet for Human Resources, Department for Social Services, use of the JC-3, in cases where the victim was a child or a vulnerable adult. In cases where the victim is an adult, the officer shall keep a copy of the JC-3 in his/her investigative file.

5. Miscellaneous

- a.) Whenever an Emergency Protective Order or Temporary Interpersonal Protective Order is not issued by the court, the court shall note on the

petition any action taken or denied and the reason for it, **KRS 403.730(2)(b) or KRS 456.040(2)(b)** and accept the same for filing.

- b.) Officers acting in good faith shall be immune from criminal and civil liability. **KRS 403.785(4) or KRS 456.090(4).**
- c.) Motions/Petitions for Order of Protection shall be made available to law enforcement agencies and should be in the possessions of peace officer at all times.
- d.) At least six copies of petitions and orders shall be completed. After hours, the original shall be maintained by the judge for filing with the clerk on the next business day. A copy shall be served on the alleged perpetrator, and a copy returned to the clerk. The victim shall be given a copy, a copy shall be sent to LINK and the peace office shall retain a copy.
- e.) Pursuant to statute, if no District Judge can be found within the county, the petition shall be presented to any judge of the Circuit Court found within the county.
- f.) A petitioner for an order of protection under KRS Chapter 403 (family member or member of an unmarried couple) may apply for a temporary permit to carry a concealed deadly weapon on or about his person under the same terms and conditions as a person holding a CCDW license issued under KRS 237.110. **KRS 403.754**

D. Offender or Victim has Left the Scene

- a.) If probable cause exists that an alleged perpetrator has committed an assault on a family member, member of an unmarried couple, or persons who are or have been in a dating relationship, or has violated a Protective Order or a Foreign Protective Order, but the perpetrator has left the scene, the responding officer shall interview all available witnesses, record or document these interviews and collect all available physical evidence.
- b.) If the officer is unable to arrest the alleged perpetrator within a reasonable time, the officer should assist the victim in seeking an arrest warrant and/or Protective Order to deter future domestic violence;
- c.) If probable cause exists that there has been an assault on a family member, or a member of an unmarried couple, or another person with whom the person was or is in a dating relationship or that a protective order has been violated, but the victim has left the scene, the responding officer shall, in addition to investigating the offense at the scene, attempt to locate the victim, determine whether the victim needs medical assistance and continue the investigation where the victim is located;
- d.) Effecting an arrest consistent with state law is the preferred response even when one party or the other has left the scene. This may include an arrest based on probable cause or the officer applying for an arrest warrant himself.

- e.) If an officer is unable to execute a probable cause arrest due to not being able to identify the location of the suspect in a reasonable time frame and only if the offense alleged committed was a misdemeanor, the officer shall:
- f.) Provide the victim with a copy of the JC-3, in cases where the victim is a child or a vulnerable adult, along with any other completed police reports. The officer will provide a copy of the victim's rights from the bottom of the JC-3 to all victims, regardless of age or status. **KRS 209A.120**
- g.) Direct the victim to respond to the County Attorney's Office as soon as they open for business to secure an arrest warrant for said charges.
- h.) However, if exigent or special circumstances exist, nothing in this section shall preclude the investigating officer from securing an arrest warrant himself on behalf of the victim.
 - i.) If probable cause exists that a felony was committed, the police officer shall take it upon himself to secure the arrest warrant.

E. Domestic Violence Perpetrator is a Juvenile

- a. Officers will handle juvenile perpetrators of domestic violence in the same manner as when the alleged perpetrators are an adult perpetrator;
- b. If a juvenile is taken into custody, officers shall process the juvenile under the provisions of the Juvenile Code (**KRS Chapters 600-645**);
- c. Officer should not release juvenile perpetrators at the scene.
- d. Officers should contact the Court Designated Worker (CDW) for an alternative placement for the juvenile perpetrator.

F. Special Needs Victims

- a. Some domestic violence victims have special needs because of their relationship to the perpetrator, limited physical or mental abilities, or some other factor. These factors make it extremely difficult for them to report their victimization, call for assistance, or participate fully in the investigation and prosecution of their case.
- b. Such special needs victims may include:
 - a.) Pregnant women;
 - b.) Physically or mentally disable persons;
 - c.) Alcohol or chemically dependent persons;
 - d.) Males;
 - e.) Adolescents, and;

- f.) Culturally diverse populations.
- c. Officers should treat all victims respectfully and as seriously as any other criminal case;
- d. Officer should refer these victims to specialized support services to ensure the victim receives protection, physical assistance, medical treatment or other services as needed.

G. Marital Rape/Sexual Assault

- a. Responding officers shall follow all procedures relating to investigation and evidence collection (including comprehensive rape examinations) where a sex offense is reported, regardless of the relationship, including the marriage of the victim to the alleged perpetrator.

NOTE: There is no exemption for marital rape, **KRS 508 and KRS 510.**

H. Children, Dependent Adults and Elderly Adults

- a. Even where a spouse or partner is the primary victim, officers shall take appropriate action on behalf of children, dependent adults, and elderly adults at the scene who may be the direct or indirect victims of violence.

I. Domestic Violence or Dating Violence Stalking

- a. Officers should complete a full report and investigation where a domestic violence, dating violence or any other victim alleges that he or she has been stalked;
- b. Officers shall offer the Motion/Petition for Order of Protection to victims of stalking, whether it be domestic violence, dating violence or when no relationship exists between the victim and the perpetrator, in accordance with KRS 456.
- c. Officers should advise stalking victims to notify this agency of subsequent incidents.

J. Special Relationship/Prominent Citizen

- a. A responding officer shall notify his supervisor when he responds to a domestic violence call involving a public official, or a prominent citizen.
 - i.) A responding officer and supervisor shall apply this policy equally to all members of the community;
 - ii.) This applies whether the person is the victim or the perpetrator.

- b. A responding officer shall notify his supervisor when he responds to a domestic violence call involving law enforcement personnel.
 - i.) When possible, the investigation should be handled by an officer at least one rank higher than the party involved;
 - ii.) The investigating officer shall notify the highest ranking officer on duty of the investigation.
- c. When a law enforcement officer is investigating a member of another law enforcement agency, that investigating officer should notify the highest ranking office on duty of the agency with whom the officer under investigation is employed.
 - i.) This applies whether the person is the victim or the perpetrator.

K. Duty to Warn

- a. Officers who receive warnings from mental health professionals under the provisions of **KRS 202A.400** of threatened violence against an identifiable victim or victims should attempt to contact the intended victim or victims;
- b. Officers should inform the victim of the threatened violence, advise him or her of all available legal remedies and assist the victim in accessing those legal remedies;
- c. Officers should discuss alternative safety plans with the intended victim, provide transportation to a safe location if necessary, and give other indicated assistance;
- d. Officer and supervisor should decide what further investigation or action (e.g., increased patrol, alert to all shift officers, etc.) is indicated;
- e. Officers and supervisors should fully document the report of threatened violence, all attempts by officers to contact the intended victim or victims, and all further recommendation investigations or actions.

L. Involuntary Hospitalization

- a. If the officer believes the domestic violence perpetrator has a mental health condition which indicates that the person is an imminent danger to self or others, the officer needs to follow the provisions set forth in **KRS 202A**;
- b. This statute should not be used as substitute for an arrest.

NOTE: Check local procedures for the placement of this individual in an appropriate facility.

M. Other Related Matters

- i. Confidentiality

The actual location of any spouse abuse center, or other emergency shelters, shall not be communicated by any electronic means. Such information shall be communicated only on a face-to-face, need-to-know basis to other law enforcement personnel.

ii. Training

KRS 15.334(1)(b) requires that each officer receive initial training, followed at least every four years by continuing education courses, developed by the Justice Cabinet concerning the dynamics of domestic violence, effects of domestic violence on adult and child victims, legal remedies for protection, lethality and risk issues, model protocols for addressing domestic violence, available community resources, victims services and reporting requirements.

iii. Good Faith Immunity from Liability

Officers who reasonable perform their duties in good faith have immunity from civil and criminal liability under the following situations:

- i.) Enforcing Emergency Protective Order or Domestic Violence Orders **KRS 403.755(2) 485(4).**
- ii.) Enforcing Temporary Interpersonal Protective Orders or Interpersonal Protective Orders **KRS 456.090(4)**
- iii.) Enforcing Foreign Protective Orders. **KRS 403.7521(2)**
- iv.) Making a report or investigation for adult abuse or neglect **KRS 209.050**
- v.) Making a report or investigation for child dependency, abuse or neglect. **KRS 620.050(1)**

j.) **DEFINITIONS**

i. **General Definitions**

- i.) **“Domestic Disturbance or Dispute Call”** means a call involving an argument or disagreement between family members, unmarried couples, or household members.
- ii.) **“Domestic Violence Call”** means a call where an adult, child, or family member or member of an unmarried couple is alleged to be the victim of:
 - a. Physical injury or fear of imminent physical injury (explicit or implied threats);
 - b. Sexual abuse or in fear of imminent sexual abuse;
 - c. Unlawful imprisonment/kidnapping;
 - d. Property crime;

- e. Stalking; or,
- f. Violation of terms or conditions of a protective order by the other party.

iii.) **“Dating Violence Call”** means a call where persons who are or have been in a dating relationship is alleged to be the victim of:

- a. Physical injury or fear of imminent physical injury (explicit or implied threats);
- b. Sexual abuse or in fear of imminent sexual abuse;
- c. Unlawful imprisonment/kidnapping;
- d. Property crime;
- e. Stalking; or,
- f. Violation of terms or conditions of a protective order by the other party.

NOTE: These calls are the types of cases which, by statute, must be reported to the Department of Social Services on the JC-3 form in cases where the victim is a child or a vulnerable adult.

iv.) **“Victim or Complainant”** means any person who has been subjected to threats of or actual domestic and abuse or dating violence and abuse. This includes persons who, at that time, may be reluctant to see the perpetrator arrested, file charges, or see the perpetrator prosecuted. It also includes victims of sexual assault or stalking when no relationship between the victim and perpetrator exists.

v.) **“Exigent Circumstances”** means those circumstances or emergencies which authorized officers to enter a dwelling without consent or a warrant. Examples of such emergencies are:

- a. Hot pursuit of a fleeing felon;
- b. The imminent destruction of evidence;
- c. The need to prevent a suspect’s escape;
- d. The risk of danger to the police or others;
- e. Reasonable belief that a person inside is in need of immediate protection or assistance.

NOTE: If the officer is not in hot pursuit, the officer must have probable cause that one or more of the other three circumstances are present. In assessing the risk of danger, the officer should consider the seriousness of the crime and the likelihood that the suspect is armed. Minnesota v Olson, 110 S. Ct. 1684 (1990)

vi.) **“Probable Cause”** to justify an arrest means facts and circumstances within the officer’s knowledge that are sufficient to warrant a prudent person, or one of reasonable caution, in believing in the circumstances shown, that the suspect has committed, is committing, or is about to commit an offense. Probable cause means more than a simple suspicion or a hunch. The officer must have concrete facts or reliable information giving the officer a reasonable belief that the suspect probably committed the crime. Probable cause is frequently referred to in cases and statutes as “reasonable grounds”.

NOTE

- a. The victim’s statement is a factor that should be considered in determining whether probable cause exists.
- b. The officer shall use the JC-3 form (Child Abuse, Adult Abuse and Domestic Abuse Standard Report) to document the evidence giving the officer probable cause to make the arrest, and/or report suspected abuse.

ii. Domestic Violence and Abuse Definitions

- i.) **“Domestic Violence and Abuse”** means not only causing physical injury, serious physical injury, stalking, sexual abuse, or assault between family members or members of an unmarried couple, but also causing fear of such imminent physical injury, serious physical injury, sexual abuse, or assault. **KRS 403.720(1)**.
- ii.) **“Physical Injury”** means substantial physical pain or any impairment of physical condition. **KRS 500.080(13)**.
- iii.) **“Family Member”** means a spouse, including a former spouse, a grandparent, a grandchild, a parent, a child, a stepchild, or any other person living in the same household as a child if the child is the alleged victim. **KRS 403.720(2)**.
- iv.) **“Member of an Unmarried Couple”** means each member of an unmarried couple which allegedly has a child in common, any children of that couple, or a member of an unmarried couple; who is living together or has formerly lived together. **(KRS 403.720(5))**

NOTE

- a. The AOC Clerk’s Manual lists the following as being included: the parent of the victim’s child even if the parties

are not married, any children of that couple or member of an unmarried couple who are living together or formerly lived together;

- b. The statutes do not define “couple” or “living together”. Officer should make a determination of whether or not parties are a “couple” or “living together” without being influenced by gender or sexual orientation or whether or not sexual activity is involved.

iii. Dating Violence and Abuse Definitions

i.) **“Dating Relationship”** means a relationship between individuals who have or have had a relationship of a romantic or intimate nature. It does not include a casual acquaintanceship or ordinary fraternization in a business or social context. The following factors may be considered in addition to any other relevant factors in determining whether the relationship is or was of a romantic or intimate nature:

- a. Declarations of romantic interest;
- b. The relationship was characterized by the expectation of affection;
- c. Attendance at social outings together as a couple;
- d. The frequency and type of interaction between the persons, including whether the persons have been involved together over time and on a continuous basis during the course of the relationship;
- e. The length and recency of the relationship; and
- f. Other indications of a substantial connection that would lead a reasonable person to understand that a dating relationship exists.

ii.) **“Dating violence and abuse”** means physical injury, serious physical injury, stalking, sexual assault or the infliction of fear of imminent physical injury, serious physical injury, sexual abuse, or assault occurring between persons who are or have been in a dating relationship.

iii.) **“Sexual assault”** refers to conduct prohibited as any degree of rape, sodomy, or sexual abuse under KRS Chapter 510 or incest under KRS 530.020.

iv.) **“Stalking”** refers to conduct prohibited as stalking under KRs 508.140 or 508.150.

iv. Protective Orders

i.) **“Emergency Protective Orders” (“EPO”)** means an ex parte court order (an order issued at the request of one party without a hearing) issued under the provisions of **KRS 403.730** against a family member or a member of an unmarried couple who has been determined to present an immediate and present danger and which is valid for up to 14 days (the date of expiration should appear on the order).

ii.) **“Temporary Interpersonal Protective Orders” (“TIPO”)** means an ex parte order (an order issued at the request of one party without a hearing) issued under the provisions of **KRS 456.040** against a person who is or has been in a dating relationship, the alleged perpetrator of sexual assault or stalking (where a relationship may or may not exist between the perpetrator and victim) who has been determined to present an immediate and present danger and which is valid for up to 14 days (the date of expiration should appear on the order).

NOTE

- a. The officer seeking to enforce the order shall determine that certain conduct has been prohibited on the order form or in the LINK system - - he cannot assume that any particular provision is in force;
- b. He must also determine whether service or notice of the order has been completed.

iii.) **“Mutual Protection Order”** is an order of protection against both the Petitioner and Respondent only if each has filed a separate petition seeking protection against the other. The order must be specific so as to make clear to any peace officer which party has violated the order. **KRS 403.745(4)**.

NOTE: Out-of-state mutual protection orders are enforceable only if the issuing court has made specific findings that each party in a separate order was entitled to an order of protection.

iv.) **“Domestic Violence Order” (“DVO”)** means a court order issued under the provisions of **KRS 403.750** following a hearing against a family

member or a member of an unmarried couple where the court has found violence has occurred and is likely to occur again. In Kentucky, a “DVO” is valid for up to three years (the date of expiration should appear on the order.)

v.) **“Interpersonal Protective Order” (“IPO”)** means a court order issued under the provisions of **KRS 456.060** following a hearing against a person who is or has been in a dating relationship, a victim of sexual assault or stalking where the court has found violence has occurred and is likely to occur again. In Kentucky, an IPO is valid for up to three years (the date of expiration should appear on the order.)

vi.) **“Foreign Protective Order” (“FPO”)** means any judgment, decree, or order of protection issued by a court of any state of the United States or tribal court which is entitled to full faith and credit in this state pursuant to 18 U.S.C. sec 2265. **KRS 403.7521(1)**. Foreign Protective Orders shall be enforced as written.

NOTE: Out-of-state orders may not have an expiration date and may even contain provisions which could not otherwise be issued by Kentucky Court.

v. Adult Abuse or Neglect/Exploitation Definitions

i.) **“Abuse”** means the infliction of physical pain, ~~injury or~~ mental injury, or injury of an adult; **KRS 209.020(7)**

ii.) **“Neglect”** means a situation in which an adult is unable to perform or obtain for himself the services which are necessary to maintain his health or welfare, or the deprivation of services by a caretaker which are necessary to maintain the health and welfare of an adult, or a situation in which a person deprives his spouse of reasonable services to maintain health and welfare

a. **KRS 209.020(15).**

iii.) **“Adult”** means a person eighteen (18) years of age or older or a married person without regard to age, who because of mental or physical dysfunction, or who is the victim of abuse or neglect inflicted by a spouse, is unable to manage his own resources, carry out the activities of daily living, or protect himself from neglect, hazardous or abusive situations

without assistance from others and may be in need of protective services; or a person without regard to age who is the victim of abuse and neglect inflicted by a spouse. **KRS 209.020(4).**

iv.) **“Exploitation”** means the improper use of an adult or an adult’s resources by a caretaker or other person for the profit or advantage of the caretaker or other person. **KRS 209.020(8).**

vi. Abuse or Neglected/Dependent Child Definitions

i.) **“Abused or Neglected Child”** means a child whose health or welfare is harmed or threatened with harm when his parent, guardian or other person exercising custodial control or supervision of the child, inflicts or allows to be inflicted upon the child physical or emotional injury by other than accidental means; commits or allows to be committed an act of sexual abuse, sexual exploitation, or prostitution upon the child; creates or allows to be created a risk that an act of sexual abuse, sexual exploitation, or prostitution will be committed upon the child; abandons or exploits such child; does not provide the child with adequate care, supervision, food, clothing, shelter and education or medical care necessary for the child’s well-being; a person twenty-one (21) years or older commits or allows to be committed an act of sexual abuse, sexual exploitation, or prostitution upon a child less than sixteen (16) years of age. The relationship between the adult and juvenile does not have to be custodial in nature. A parent or other person exercising custodial control or supervision of the child legitimately practicing his religious beliefs shall not be considered a negligent parent solely because he fails to provide specified medical treatment for a child for that reason alone. This exception shall not preclude a court from ordering necessary medical services for a child. **KRS 600.020(1)**

ii.) **“Dependent Child”** means any child, other than an abused or neglected child, who is under improper care, custody, control, or guardianship that is not due to an intentional act of the parent, guardian, or person exercising custodial control or supervision of the child. **KRS 600.020 (19).**

iii.) **“Person Exercising Custodial Control or Supervision”** means a person or agency that has assumed the role and responsibility of a parent or guardian for the child, but that does not necessarily have legal custody of the child. **KRS 600.020 (45).**

vii. Stalking Definitions

i.) **“Stalking”** means an intentional course of conduct directed at a specific person which seriously alarms, annoys, intimidates or harasses; which

serves no legitimate purpose; and which would cause a reasonable person to suffer substantial mental distress. **KRS 508.130(1)(a).**

ii.) **“Course of Conduct”** means a pattern of conduct composed of two or more acts, evidencing a continuity of purpose; it does not include constitutionally protected activity. **KRS 508.130(2).**

viii. Other Definitions

i.) **“Self Protection” or “Protection of Another”** means a person’s justifiable use of physical force upon another person when the person believes such force is necessary to defend himself or a third person from the use, or imminent use, of unlawful physical force by such other person. **KRS 503.050; KRS 503.070.**

ii.) **“Imminent”** means impending danger, and, in the context of domestic violence and abuse as defined by **KRS 403.720**, belief that danger is imminent can be inferred from a past pattern of repeated serious abuse. **KRS 503.010(3).**

iii.) **“Peace Officer”** for purpose of this policy means:

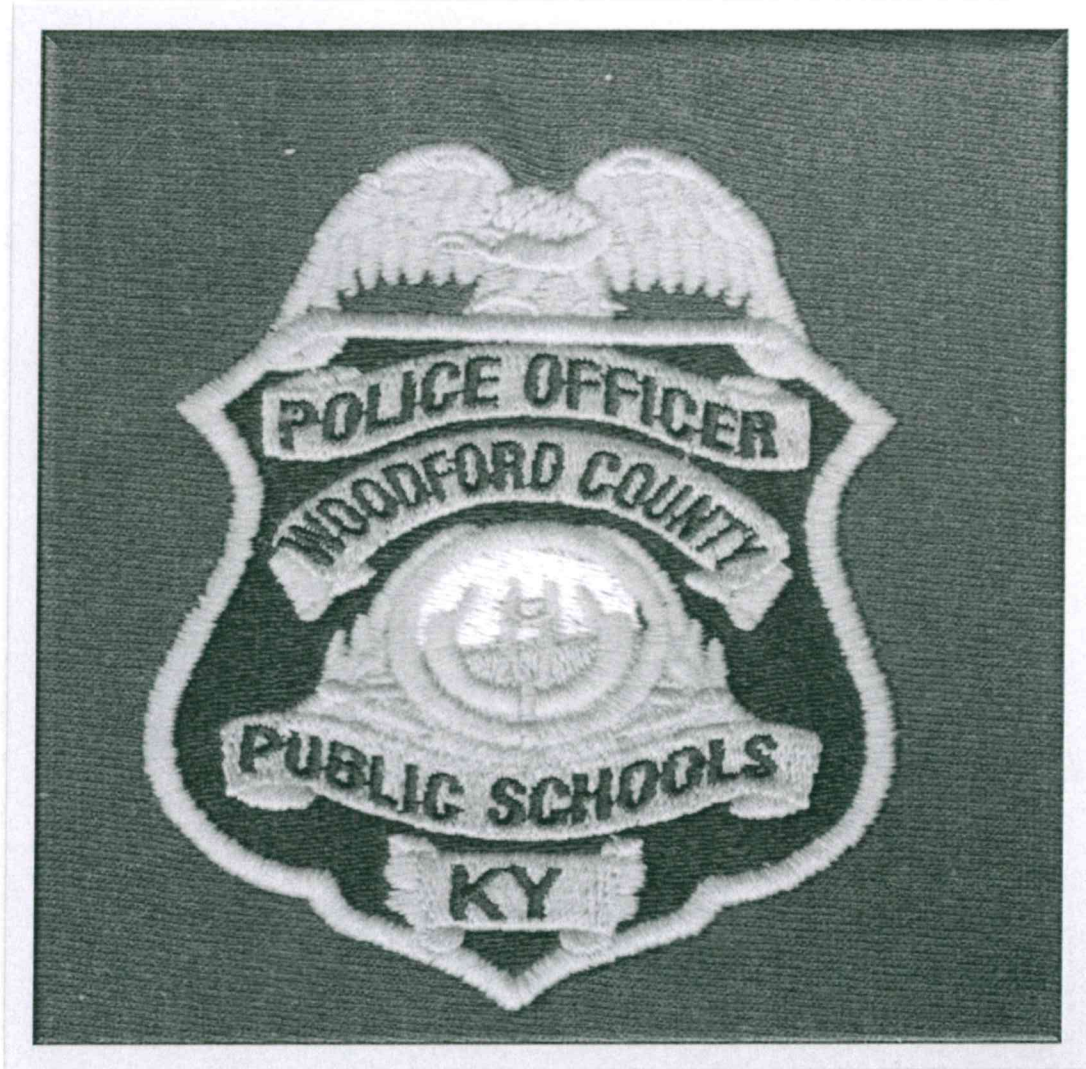
- a. “A full-time sworn officer of the Kentucky State Police, a full time sworn officer of the Kentucky Horse Park, a commissioned full time state park ranger, a full time state water patrol officer, a full time city policeman, a full time county policeman, a full time university safety and security officer appointed pursuant to **KRS 164.950 to KRS 164.970 and KRS 15.380**, a full time city/county policeman, a duly elected sheriff, or a full time paid deputy sheriff or,
- b. A part time law enforcement officer, or a special paid deputy, who has completed a Kentucky Law Enforcement Council approved education and training program referred to in **KRS 15.334.**

Forward

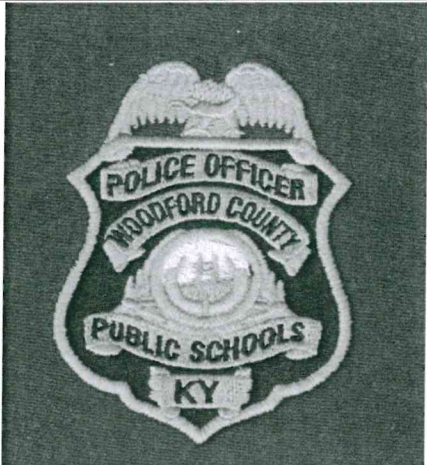
General Orders Manual

This manual shall serve as a guide for the officers of the Woodford County Public Schools Police Department and shall not replace the policy and procedure manual of which the Woodford County Board of Education has approved and adopted for all of their employees. This manual shall work in conjunction with the school board's existing approved policies and procedures.

Woodford County Public Schools
Police Department



General Orders Manual



Woodford County Public Schools Police Department General Order Number

Title / Subject	EFFECTIVE DATE	REVISION DATE
Media and Public Relations	TBD	
REFERENCES	DISTRIBUTION	

I. POLICY

The Woodford County Public Schools Police Department is committed to informing the public through the news media of events within the public domain that are handled by this Department. The Department cooperates fully and impartially with properly identified representatives of the news media in their efforts to gather and disseminate information that is consistent with established procedures so long as such activities do not subvert the ends of justice or infringe upon individual rights or privacy.

II. DEFINITIONS

- A. **Public Information:** Information that may be of interest to the general public regarding policy, procedures or events involving the department or other newsworthy information that is not legally protected, does not unduly interfere with the mission of the department, infringe upon the rights of a defendant or compromise the legitimate safety and privacy interests of officers, victims, witnesses or others.
- B. **News Media Representatives:** Those individuals who are directly employed by agencies of the electronic or print media such as radio, television, and newspapers. Freelance workers in this field are to be regarded as other members of the public unless otherwise designated.

III. PROCEDURE

- A. The Department's established uniform procedure for releasing information to the news media clarifies areas of information that can be released and restricts those areas in which release of information is unlawful or prejudicial to the successful completion of an investigation or prosecution.

B. Release of Information

- a.** All members of the Department must exercise care, common sense and discretion to avoid rendering statements or information, which if later quoted, might create a misunderstanding or compromise the effectiveness of police service. From the initial stage of an investigation until the completion, police personnel will:
 - 1.** Direct all requests for news information to the Chief of Police who shall release information within the guidelines set forth in this procedure.
 - 2.** Prior to arrest, consider the identity of a suspect to be confidential and the identity will not be disclosed to the media unless:
 - a)** The identity of the suspect and his/her involvement has been established beyond a reasonable doubt and such information would assist in the apprehension of the subject.
 - b)** Such information serves to warn the public of potential danger.
 - 3.** In certain major cases such as kidnapping where the safety and welfare of the victim would be jeopardized by the release of information to the news media, information regarding the investigation in progress shall not be released.
 - 4.** At the scene of an incident or other fast breaking event where an agency spokesperson is required, the Officer-in-Charge with the approval of the Chief of Police will speak for the Department.
- b.** When the agency is involved with other public service agencies in a mutual effort, the Chief of Police or his designee shall only approve the release of information.

C. Release of Information – Juvenile

- a.** At no time will the identity of a juvenile or any record concerning, a juvenile be released to the news media.
- b.** The release of any juvenile information (including all reports, photographs, fingerprints) to any outside agencies, other than news media, will follow Department Juvenile Policy and KRS 610.320.

D. Release of Information - Ongoing Investigations

- a.** The Chief of Police may release the following investigative information unless otherwise restricted in this procedure:

1. Type or nature of an incident such as a fire, accident, robbery, etc.
 2. Location, date and time occurred, damage, injuries sustained by victim or assailant, type of force used, and description of how incident occurred.
 3. Casualty figures to include known dead or injured may be released.
 4. The identity and general address of the victim if the identity is not one of the exceptions listed.
 5. Number of officers or people involved in an event or investigation and the length of the investigation.
 6. Amount and type of property taken including value, if known.
 7. Requests for aid in locating evidence, a complainant or suspect. A person's race may be released as descriptive information in such cases.
 8. The name, age and address of any adult arrested or charged with a crime.
 9. The fact that a juvenile has been taken into custody, including age, sex, general area of residence and substance of the charge.
- b. After an incident and during an investigation, but before an arrest, information which shall not be released except by the Chief of Police to aid another agency's investigation or warn the public, includes:
1. The identity of:
 - a) Any victim or related information which, if divulged would tend to lead to the victim's identification of a sex crime, abduction, spouse or child abuse.
 - b) Any suspect who is under the age of eighteen.
 - c) Any critically injured or deceased person prior to the notification of the next of kin.
 - d) The location of any suspect; the existence of a suspect may be acknowledged without further comment.
 - e) A prospective non-victim witness.
 - f) A victim/witness, if such disclosure would prejudice an investigation to any significant degree, or if it would place the victim in clear

personal danger.

2. The specific cause of death until determined by the Coroner/Medical Examiner.
3. Investigative information of an evidential nature.
4. Contents of suicide notes.
5. Personal opinion not founded by facts.
6. Unofficial statement(s) concerning personnel.
7. Home addresses and telephone numbers of investigating officers.
8. Valuables or cash overlooked by crime perpetrators.
9. Results of an investigative procedure such as line-up, polygraph, fingerprinting, lab or ballistics test. The fact that tests are performed may be acknowledged without further comment.
10. Information which, if prematurely disclosed, would significantly interfere with an investigation or apprehension, particularly leads which have not been checked or information which has not been verified; specifics of the modus operandi; details known only to a suspect or officer; information which may cause a suspect to flee or avoid apprehension.

E. Release of Information - Arrests

- a. From the filing of any complaint, information, or indictment; the issuance of an arrest warrant; or time of arrest until the completion of trial or disposition without trial, information which generally may be released includes:
 1. A factual statement of the accused name (except juveniles), age, residence, occupation, and family status.
 2. The identity of the investigating and arresting officer or agency, and the length of the investigation.
- b. In those instances where covert operations are necessary and a need exists to protect the identity of officers involved, their identity will not be revealed.
- c. Under no circumstances, will the home address or telephone number of an investigating officer be disclosed.

- d. The charge, including a brief description of the elements necessary in the KRS that constitute the charge.
- e. The circumstances immediately surrounding an arrest:
 - 1. Time and place of arrest,
 - 2. Method of apprehension,
 - 3. Resistance and injury resulting from,
 - 4. Possession and use of weapons by the suspect, and/or
 - 5. Description of items or contraband seized.
 - 6. Amount of bond, scheduled court dates and place of detention.
- f. After formal charging and arrest but prior to adjudication, the following information shall not be released:
 - 1. The prior criminal record including arrests, indictments, or other charges of crime, character or reputation of the accused.
 - 2. The existence or contents of any confession, admission, or statement given by the accused or the refusal or failure of the accused to make a statement.
 - 3. The performance or results of any examinations or tests, or the accused refusal to submit to such examinations or tests.
 - 4. The identity of any victim or witness or any related information that would tend to lead to the victim's identification of a sex crime, abduction, and spousal or child abuse.
 - 5. The identity of any suspect who is under the age of eighteen.
 - 6. Statements, prospective testimony, character or credibility of any victim or witness;
 - 7. Normally the motive of the commission of the crime cannot be discussed unless it is an apparent motive such as robbery or murder;
 - 8. Any opinion about the guilt or innocence of the accused, or the merits of the case, including arguments and evidence, or whether their use in court is expected;
 - 9. Possibility of a guilty plea, plea bargaining or other disposition;
 - 10. Reports, transcripts or summaries of proceedings from which the press and public have been excluded by judicial order.

F. Release of Information - Incidents Involving Officers

- a. Department policy authorizes the Chief of Police or his designee to allow the release of names of those police personnel involved in an incident as soon as possible.
- b. Prior to release, caution should be exercised to be certain of the accuracy of the information.
- c. The officer should be afforded the opportunity to notify his family, prior to the release of his name, if the report of his participation in an incident could cause them unnecessary concern.
 1. No information concerning an incident should be released if the information would adversely affect or hamper an investigation in any way.
- d. The timely release of the names of police participants in a major incident can only add to the credibility of the Department and forestall the possibility of the news media adversely commenting on the incident because this information was withheld.

G. Release of Information - Department Files

- a. The Police Chief shall be the "Official Custodian" (KRS 61.870(3)) of the Department public records and shall be authorized to release information from Department records in accordance with this procedure and the Open Records Law (KRS 61.870).
- b. Accredited news media representatives will be allowed to review crime reports, arrest reports and other public documents and will be granted access to departmental representatives authorized to release information.
- c. Reports which are solely the result of or the fruits of investigative efforts shall not be released to anyone other than law enforcement officers. This includes all supplemental reports that list witnesses, suspects, opinions and suppositions, hearsay, investigative leads, and other non-factual investigative information.
 1. Any Department personnel may release copies of Kentucky Uniform Police Traffic Accident Reports to persons involved in the accident or their insurance companies.
 2. A reasonable fee shall be charged for copies of police reports. This fee shall be based on the number of reports and the time involved by records

personnel to retrieve, collate and copy the reports.

3. Copies of police reports may be obtained with the approval of the Chief of Police.

H. Release of Photographs - Police Personnel

- a. Under normal circumstances, photographs of police personnel may be released to the media for a specific community relations purpose such as promotion of a police function or program, recognition for a meritorious act, promotion in rank, etc.
- b. Photographs of police personnel will not be released without permission of the Chief of Police when:
 1. The possibility of disciplinary action exists,
 2. An arrest of an officer is made,
 3. Civil action is initiated,
 4. An officer commits suicide,
 5. The officer is working in a covert assignment, or
 6. Any other circumstances exist which may reflect unfavorably on the individual officer or the Department.

I. Release of Photographs - Arrested Persons

- a. Requests for photographs will be referred to the Chief of Police. The Chief of Police, after reviewing the request, may authorize the release of a photograph to the news media.
 1. If the arrested person has been formally charged with a crime. (An arrested person will be considered formally charged when an affidavit has been filed.) All identifying marks or numbers will be removed from the photographs before releasing.
 2. If the arrested person has not been formally charged, requests for a photograph will be denied.
- b. Department members will not prevent the photographing or televising of persons in custody in public areas unless so directed by court order. However, Department members will not pose or unnecessarily expose persons in custody to the news media for pictures, interviews or televising.

J. Release of Photographs - Victims and Witnesses

- a. Police personnel will not release photographs of victims or witnesses.

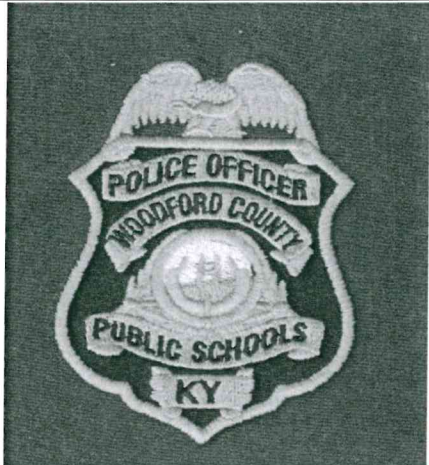
K. News Media Access and Other Media Concerns

- a.** The Chief of Police will determine the frequency and content of Department-generated media releases. Information shall be released to the media as soon as it becomes available, is organized and is determined by the Press Information Officer to be of importance to the media. When available for dissemination, the Press Information Officer shall make the information available to all media on an equal basis.
- b.** The Police Department shall not issue press credentials, but shall recognize credentials identifying members of the press unless there is sufficient reason to believe that those credentials are false. Personnel of the news media at the scene of a crime or other events shall obey any City ordinances, state or federal statutes. The media personnel are subject to criminal prosecution if they violate these laws. Officers shall file a written complaint to the Chief of Police for any misconduct on the part of persons possessing press credentials.
- c.** In all official operations, the Department will establish an "incident or danger perimeter" and will keep all personnel, bystanders and others outside of same. The Department shall extend every courtesy to properly identified news media representatives who are actively covering an incident. These courtesies shall permit closer access than that granted to the public and shall provide for vehicles and equipment to be located closer so long as such courtesy does not interfere either with the mission or with general traffic flow.
- d.** The Officer-in-Charge may deny access of the news media, including photographers, to a crime scene, catastrophic event or police operation when:
 - 1.** The owner of private property requests they be excluded;
 - 2.** There is a strong possibility that evidence will be damaged, tampered with or removed from the scene of a crime, or the investigation will be hampered; or
 - 3.** During a tactical police operation, the media's presence would disrupt operations by placing a citizen or police officer at risk of injury or loss of life.
 - 4.** When a member of the media is denied access to information or to an area pursuant to any of the provisions of this procedure, that representative will be given a courteous explanation of the reason for such denial.

L. Inter-Agency Coordination on News Releases

In instances where more than one agency is involved, the agency having primary jurisdiction will be responsible for the release of information, and all inquiries

will be directed to that agency. The word "agencies" as used in this section also applies to all other public service agencies such as the fire department, coroner's office, etc.



Woodford County Public Schools Police Department General Order Number

Title / Subject	EFFECTIVE DATE	REVISION DATE
Persons with Disabilities	TBD	
REFERENCES	DISTRIBUTION	

I. Purpose: The purpose of this policy is to outline department mandates with respect to contacts with persons who have disabilities.

II. Policy: It is the policy of this department to provide police services in an equal and impartial manner. This policy includes providing police services to those who have disabilities that officers either observe or become aware of based upon the circumstances presented or information obtained. This department shall take steps to protect persons with disabilities from inequitable treatment based on their disability and to avoid furthering any injury or disability based on the police contact where such accommodation can occur without jeopardizing the safety of all persons involved in the event.

III. Definitions:

A. ADA (Americans with Disabilities Act): Federal Civil Rights Law protecting individuals with disability.

B. Recognized Disability/Protected Person under ADA: Any person who has a physical or mental impairment that substantially limits one or more major life activities such as walking, seeing, hearing, speaking, breathing, learning, and working. A person who associates with a disabled person is also protected under the act.

C. Other disabilities: Injury, Illness, Mental, or Emotional state that would render a person more vulnerable to police actions such as use of force, incarceration, or restraint.

IV. Procedure:

D. Arrest-Minor Crimes: When dealing with a person who suffers from a recognized disability officers should consider whether the suspected conduct is a manifestation of the person's disability. In cases where the conduct is a manifestation of the disability, officers should consider a medical or mental health referral as opposed to arrest.

E. Response to Resistance: In determining the appropriate level of force to be used to control a situation involving a person with a recognized or other disability, officers should consider whether the particular control or restraint tactic is more dangerous or unreasonable in light of the particular person's disability.

F. In cases where an officer becomes aware through information or observations of a disability, officers should take steps to accommodate that disability where they are able to do so without jeopardizing the subject, the officer, or any other person present.

a. Where handcuffing or other restraints may cause further injury of an existing disability and there is no imminent threat, officers should seek assistance from a supervisor to determine if there is an appropriate method of restraint that will accommodate the disability without jeopardizing safety.

b. In cases where a person indicates that they have some recognized or other disability, officers will call for a supervisor in order that steps may be taken to verify the disability and determine what steps can be taken to accommodate the disability without jeopardizing the safety of the individual, the officers, and the institutional security of the jail.

G. Mobility: Standard transport procedures may be dangerous for many people with mobility disabilities. Officers should use caution not to injure the person or damage their wheelchair or other mobility device. The best approach when possible is to ask the person what type of transportation he or she can use, and how to lift or assist him or her in transferring them in or out of the vehicle.

H. Visually Impaired: When dealing with a person who is visually impaired it is important for officers/deputies to identify themselves verbally and state clearly and completely any directions or instructions including any information that is posted visually which cannot be seen by the person who is visually impaired.

a. Officers/Deputies should read out loud and fully any document that a visually impaired person is required to sign as the result of a law enforcement action.

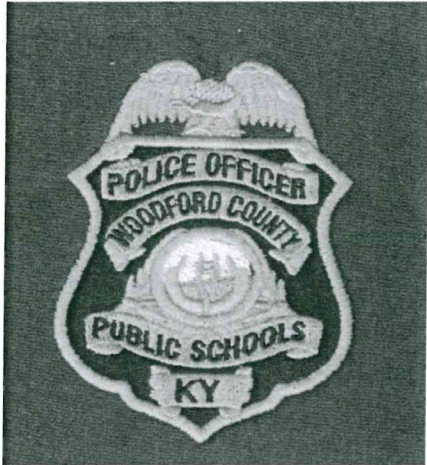
b. Before taking photos or fingerprints of a visually impaired person, law enforcement personnel shall describe the activity to the visually impaired person so that they know what to expect.

I. Hearing Impaired: Law enforcement is required by the ADA to ensure effective communication with the deaf or hearing impaired.

a. Agencies should have one person capable of sign language on call. In accordance with recommendations by the United States Department of Justice, this may be accomplished by contracting with a sign language interpreter for response on an as needed basis.

b. Hearing impaired prisoners must have access to a TDD phone in the same manner as other persons in custody have access to telephone privileges.

J. Other Disability: In any case where an officer becomes aware of an injury, illness or disability which may render the activity, tactic or restraint to be undertaken more dangerous to the individual, the officer shall notify a supervisor and in conjunction with supervisory support take reasonable steps to accommodate the injury or disability.



Woodford County Public Schools Police Department General Order Number

Title / Subject	EFFECTIVE DATE	REVISION DATE
Property & Evidence Management	TBD	
REFERENCES	DISTRIBUTION	
	All Sworn Personnel	

I. Purpose: The purpose of this policy is to outline the procedure of this department with respect to property, contraband or evidence that is seized. All property will be dealt with under this policy.

II. Policy: The policy of this department is to provide for the safekeeping of all property that comes into the possession of this agency. With respect to evidentiary items, this agency shall maintain a proper chain of custody and secure such items in a manner that will ensure that the evidence is available to be admitted at trial.

III. General Provisions Applicable To All Evidentiary Items:

A. Access to the property room by other individuals must be documented by name, date, purpose, time-in, time-out and the initials of the assigned personnel accompanying the individual.

B. Members of this department shall only seize items under the following conditions:

- a. Officer has probable cause to believe that an item is contraband.
- b. Officer has probable cause, at the moment of seizure, that the item to be seized is stolen.
- c. Officer has probable cause, at the moment of seizure, to believe that the item is evidence of a crime.

C. In cases where professional expertise is required to make a proper accounting of the property, the commanding officer shall be notified so that the services of an expert may be obtained.

D. Once an item is seized, it shall be transported to the property room by the end of the officer's tour of duty.

E. The officer who has seized the property shall fill out a Department property form.

F. In cases where the items are related to a criminal investigation, all forms necessary for criminal processing shall be compiled.

G. Evidence shall be properly marked or tagged with the report number, the date of seizure, the arresting officer's name and identification number as well as the suspect's name where applicable. A full description of the item including make, model and serial number should be included where available.

H. If items of evidence are being transferred to another agency; all necessary chain of custody records shall be completed.

J. If any discrepancies are discovered between items listed on the property form and the items being delivered to the property room, the designated officer shall report this discrepancy, in writing, to his or her commanding officer.

K. In cases where a discrepancy has been reported, the commanding officer shall cause an immediate investigation to be completed to resolve the discrepancy at issue.

L. The property system of the agency incorporates special security and control measures to safeguard all money, firearms, controlled substances, and high value items within the protective custody of the agency.

M. The department shall maintain an evidence processing station and property room that complies with all OSHA standards.

N. Bio-Hazard Section: The department property room shall maintain a specific area for Biohazard property/evidence.

O. Smoke alarm system is in place, at a minimum an audible stand-alone smoke alarm.

IV. Evidentiary Narcotics

The officer who seizes drugs shall complete all paperwork that accompanies these arrests. The suspected narcotics should be properly packaged and tagged. The tag should include the report number, defendant's name, date of seizure, and the seizing officer's name. The seized property shall then be placed in the designated secure area. Copies of all associated paperwork should be included with the evidence.

- a. Drugs should be removed from unnecessary exterior packaging and a net weight taken and recorded.
- b. Evidence should be properly bagged and tagged and a gross weight should be taken and recorded.
- c. Evidence examination report shall be typed.
- e. The tagged and bagged narcotics and any cash seized should then be placed in the locker in the property.
- f. The evidence control officer shall then submit the narcotics evidence to the appropriate agency for toxicological examination. A member of that agency will sign a receipt for the evidence.
- g. The evidence officer shall maintain the receipt to insure that the chain of custody for the evidence is maintained.
- h. Once a toxicology report is received the evidence officer shall file the report for use in a subsequent criminal prosecution.
- i. The evidence officer shall be responsible for ensuring that narcotics sent for toxicological testing are returned and properly documented and stored in the designated area of the evidence room.
- j. When the evidence is needed for court, the officer assigned to the case shall notify the evidence officer. The evidence officer shall enter the locker and retrieve the evidence. The officer handling the case shall sign and date the log indicating that he or she has accepted the evidence.
- k. When evidence is returned from court, it shall be returned to the custody of the evidence officer who shall initial the log indicating the return of the drugs. The evidence officer shall then return the narcotics to the locker.
- l. In cases where items of evidence are needed for court on several occasions but are not held by the court, officers must follow the above outlined procedure and sign the evidence out each day. In no case, will drugs be stored in any other manner than outlined in this policy when held in the custody of this department and its members.
- m. When there is a final disposition in the case, the officer handling the case shall notify the evidence unit of the disposition of the case. The evidence

officer shall verify this disposition with the court so that a determination can be made regarding the continued custody or disposal of the narcotics.

V. Non-evidentiary narcotics

Narcotics that are abandoned and narcotics turned over to police as articles found. In these cases the narcotics are not used as evidence in criminal trials thus, it is not necessary to have a toxicology exam performed on the drugs.

A. Label found-drugs turned over to the police with no suspect. The officer who initially takes custody of the item must complete and a property form as well as tagging and bagging the item(s). The item(s) shall be weighed for a gross weight prior to placement in the secure area. The tagged item and its property form should then be placed in the designated secure locker.

B. The evidence officer shall maintain the narcotics until the item(s) are to be disposed of under the provisions of this policy.

VI. Narcotics Disposal

It shall be the responsibility of the evidence officer to perform a monthly reconciliation between the drugs within the custody of this department and the disposition of cases. The purpose of this reconciliation is to determine those cases where the drugs will no longer be needed as evidence. In cases where the drugs are no longer needed, the drugs will be destroyed in accordance with the procedures set by State Statute and Administrative Regulations.

A. A drug destruction sheet indicating which narcotics are ready for destruction shall be prepared by the evidence officer/deputy on a monthly basis. This destruction sheet shall include the following information: report number, toxicology number, name of defendant, disposition of the case, gross weight of the narcotics and two open categories for the initials of the officer/deputy who ultimately destroys the drugs as well as the outside witnesses and a second open category where the date of destruction will be filled in following destruction.

B. The drug destruction sheet shall be filled out and sent to the officer's supervisor who will verify the dispositions of the case.

C. The Chief of Police shall review the drug destruction sheet and determine the compliance with the above listed procedure. Once it has been determined that there is compliance the Chief shall approve the destruction of the narcotics in writing.

D. Narcotics will then be destroyed in accordance with the procedures set by State Statute and Administrative Regulations.

VII. Stolen Property

In addition to the general provisions of this policy, the following particular provisions also must be complied with when dealing with stolen property or property for which there is probable cause to believe is stolen. It should be noted that state legislatures set diverse requirements for types of stolen property and for property that has been recovered as stolen from varying crimes. It is the intent of this policy to be broad enough to cover all stolen property irrespective of the crime or type of property that will meet all the requirements of law.

A. Officer shall secure the property believed to be stolen and create an inventory detailing the property taken into custody in accordance with the general provisions of this policy.

B. The evidence officer shall maintain a log of every item brought into the custody of this department and verify that the property is assigned a case number.

C. The evidence officer/deputy may deliver the stolen property to its rightful owner upon satisfactory proof of ownership after meeting the provisions of Kentucky state law.

D. Anytime a firearm is returned to a person, a criminal history check must be done to determine if the person receiving the firearm has been disqualified by some conviction from possessing a firearm.

E. Prior to the return of a firearm, a check of available databases concerning domestic violence protective, restraining or non-contact orders shall be conducted to determine if the person receiving the firearm is prohibited by law from possessing a firearm.

VIII. Other seized property

In the course of investigating a crime, it is often necessary to seize what courts refer to as "mere evidence" to establish a connection between a suspect and a crime. This would include items such as wallets with identification, clothing, photographs and any other item that belongs to a suspect, victim or witness to a crime. While some of these items may have no monetary value they may in fact be valuable to the rightful possessor of the property. In addition to the

general provisions of this policy that must be followed for all items coming into the custody of this department, the following particular provisions shall also be followed:

Prior to returning any property to a claimant, the following criteria shall be met:

- a. A complete photographic record of the items being released, including at least one photo depicting the claimant and the items, shall be made. This photograph shall be tagged by the evidence officer and maintained in the evidence files.
- b. The person claiming the property shall complete a signed declaration of ownership of the items under penalty of perjury.
- c. Items in the custody of this department will be disposed of in accordance with the provisions of this policy.
- d. All firearms that are no longer necessary for evidentiary purposes and have not been returned to a rightful owner following a criminal history check will be turned over the Kentucky State Police in accordance with law.

IX. Abandoned Property/Articles Found or turned over to police

Abandoned property and articles found which come into the custody of this department shall be initially handled in accordance with the general provisions of this policy. In addition to the general provisions, the following specific procedures shall be followed:

If the item contains any identifying feature of ownership, an attempt will be made to contact the owner. If an owner is found the officer, shall confirm the identity of the owner and return the property to them.

While the provisions of state law allow for the quick disposal of property, this department shall attempt to contact the claimant of any property before disposing of the property in accordance with the laws of this state.

If no owner can be located then these items will be disposed of in accordance with this policy and the provisions of state law outlined below:

- a. Any peace officer, except for the Kentucky State Police, or court having custody of the property shall, as soon as practicable, deliver it into the custody of the property officer.
- b. The Chief, designated as custodian of property, may appoint a person to serve as property officer and other persons necessary as deputy property officers.
- c. All the property shall be particularly described and registered by the property clerk, or his deputy, in a book kept for that purpose, containing the name of the owner, if ascertained, the place where found, the name of the person from whom it was taken, with the general circumstances of its receipt, the name of the officer/deputy recovering the property, the names of all claimants to the

property, and any final disposition of the property. The property clerk shall advertise the property, if it is not the subject of a forfeiture proceeding, as to the amount and disposition of the property.

d. All animals stolen, strayed, lost, or confiscated that come into the possession of the property officer shall be sent to an animal shelter located within the county.

c. No property shall be delivered to the property clerk or his deputy except as provided in this section.

d. No property shall be disposed of by the property clerk or his deputy except in the manner prescribed by law.

e. The provisions of this section shall apply in all unincorporated areas of a county and in all cities which do not appoint a property custodian pursuant to KRS 95.845.

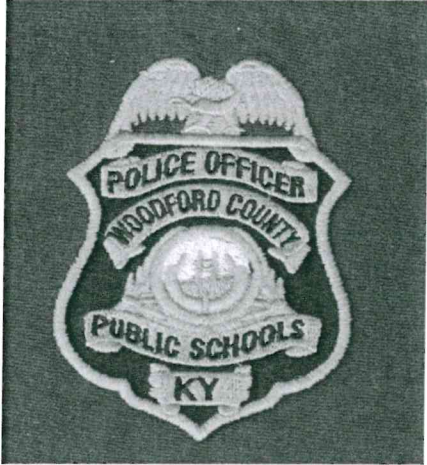
KRS 67.594. Use of property as evidence

If any property in the custody of the evidence officer is desired as evidence in any court, such property shall be delivered to any officer/deputy who presents an order to that effect from the court. Such property shall not be retained by the court, but shall be returned to the evidence officer.

All property that has been seized and is forfeited pursuant to law shall be disposed of as provided in the court order of forfeiture.

All property that remains in the custody of the evidence officer without any lawful claimant thereto, and which is contraband or which is subject to forfeiture and on which there will be no court action shall be ordered forfeited by the Circuit Court of the county not less than ninety (90) days after it comes into the possession of the evidence officer. The order of forfeiture shall specify the manner of disposition of the property and shall be consistent with applicable provisions of the Kentucky Revised Statutes and federal law. If the property is ordered and sold the proceeds shall go to:

1. The state if the property was seized by an agency of the state or peace officer/deputy thereof;
2. The county if the property was seized by the sheriff or an agency or peace officer/deputy of the county.
3. The board of education, if the property was seized by an officer thereof.



Woodford County Public Schools Police Department General Order Number

Title / Subject	EFFECTIVE DATE	REVISION DATE
Response to Resistance	TBD	
REFERENCES	DISTRIBUTION	
KRS 503.090	All Sworn Personnel	

I. Policy:

The policy of this department is to protect and serve all citizens while at the same time respecting the rights of suspects and balancing the need for officer safety in use of force events. It is the policy of this department that officer will use only reasonable force to bring an incident or event under control. Reasonable force is only that force which is necessary to accomplish lawful objectives. All uses of force must be objectively reasonable.

II. Purpose:

The purpose of this policy is to direct officers in the appropriate use of force.

III. Definitions:

- A. Deadly Force:** The Federal Courts have defined deadly force as any force which creates a substantial likelihood of death or serious bodily harm. The Kentucky Legislature has further defined deadly force in K.R.S. 503.010: "Deadly physical force" means force which is used with the purpose of causing death or serious physical injury or which the defendant knows to create a substantial risk of causing death or serious physical injury.
- B. Non-Deadly Force:** All uses of force other than those that create a substantial likelihood of serious bodily harm or death.
- C. Imminent:** Impending or about to occur.
- D. Objectively Reasonable:** The amount of force that would be used by other reasonable and well-trained officer when faced with the circumstances that the officer using the force is presented with.

- E. Reasonable Belief:** Reasonable belief means that the person concerned, acting as a reasonable person believes that the prescribed facts exist.
- F. Serious Physical Injury:** "Serious physical injury" means physical injury which creates a substantial risk of death, or which causes serious and prolonged disfigurement, prolonged impairment of health, or prolonged loss or impairment of the function of any bodily organ"
- G. Electronic Control Device:** Electronic Control Devices, TASER,™ or stun-guns (electronic control weapons) that disrupt the central nervous system of the body.
- H. Active resistance:** a subject actively resists when they take affirmative action to defeat an officer's ability to take them into custody.
- I. Physical force:** Use of any part of an officer body, such as joint manipulation, leverage, pain compliance, take-down maneuvers or neck restraint holds.
- J. Chemical agents:** Use of any chemical agent to overcome subject resistance.
- K. Impact tools/strikes:** Use of any tools, object or body part to strike a subject
- L. Electronic tools:** Use of any electronic equipment on a subject being controlled
- M. Injury or complained of injury:** Any time the subject being controlled is injured or complains of injury.
- N. Pointing of Firearms:** Any time an officer points a firearm at an individual, notwithstanding the fact that deadly force is not ultimately deployed. This does not include drawing a firearm and maintaining at the low-ready position.

IV. Procedure:

- A.** In determining the appropriate level of force officer should apply the levels of force under the department's trained use of force continuum along with the following three factor test:
 - a.** How serious is the offense the officer suspected at the time the particular force used?
 - b.** What was the physical threat to the officer or others?
 - c.** Was the subject actively resisting or attempting to evade arrest by flight?
- B. Force Options:** Officer have several force options that will be dictated by the actions of the suspect upon the appearance of the police officer.

Officer may be limited in their options due to the circumstances and actions of the subject. For example, an officer who immediately observes a subject with a firearm unjustifiably threatening another may immediately respond with deadly force without considering other force options.

- a. **Command Presence:** Visual appearance of officer where it is obvious to the subject due to the officer's uniform or identification that the officer has the authority of law.
 - b. **Verbal Commands:** Words spoken by the officer directing the subject as to the officer expectations.
 - c. **Soft Empty Hand Control:** Officer use of hands on the subject to direct the subject's movement; Techniques that have a low potential of injury to the subject.
 - d. **Chemical Spray:** Where subject exhibits some level of active resistance/active aggression, officer may use chemical spray to temporary incapacitate the subject.
 - e. **Electronic Control Devices:** Where subject exhibits some level of active resistance/active aggression an officer may use an electronic control device to temporarily incapacitate the subject.
 - f. **Hard Hand Control:** Punches and other physical strikes, including knees, kicks and elbow strikes that have the possibility of creating mental stunning and/or motor dysfunction.
 - g. **Impact Weapons:** Batons, ASP/Expandable Baton may be utilized in cases where the officer believe the use of these weapons would be reasonable to bring the event under control. Examples would be where other options have been utilized and failed or where based on the officer perception at the time, the other options would not be successful in bringing the event to a successful conclusion.
 - h. **Deadly Force:** The Federal Courts have defined deadly force as any force when employed may bring about serious bodily injury or death. The Kentucky Legislature has further defined deadly force in K.R.S. 503.010: "Deadly physical force" means force which is used with the purpose of causing death or serious physical injury or which the defendant knows to create a substantial risk of causing death or serious physical injury
- C. **Deadly Force:** The use of deadly force is objectively reasonable when the officer is faced with an imminent threat of serious physical injury or death to him/herself, or some other person who is present, or;
- D. Kentucky statutory law provides:

- a. The use of physical force by an officer upon another person is justifiable when the officer, acting under official authority, is making or assisting in making an arrest, and he:
 - 1) Believes that such force is necessary to effect the arrest;
 - 2) Makes known the purpose of the arrest or believes that it is otherwise known or cannot reasonably be made known to the person to be arrested; and
 - 3) Believes the arrest to be lawful.
 - b. The use of deadly physical force by a defendant upon another person is justifiable only when:
 - 1) The officer, in effecting the arrest, is authorized to act as a peace officer; **and**
 - 2) The arrest is for a felony involving the use or threatened use of physical force likely to cause death or serious physical injury; **and**
 - 3) The officer believes that the person to be arrested is likely to endanger human life unless apprehended without delay.
- E. In all deadly force events, officer should warn the subject prior to using deadly force where feasible.
- F. Once the subject's active resistance has ceased and control has been gained an officer is no longer authorized to use force. Officer should immediately provide any necessary medical assistance to the subject to the degree to which they are trained and provide for emergency medical response where needed.
- G. Discharge of Firearms Restrictions:
- a. Warning Shots are prohibited
 - b. Discharge of firearms is prohibited when the officer is presented with an unreasonable risk to innocent third parties.
 - c. When a moving vehicle is involved, use of deadly force by discharging a firearm is dangerous, can be ineffective, and should not occur when there is an unreasonable risk to the safety of persons other than the subject. Whenever possible, officer should avoid placing themselves in a position where use of deadly force is the only alternative.
 - d. Even when deadly force is justified, firearms shall not be discharged at a vehicle unless:
 - 1) The officer has a reasonable belief that an occupant of the vehicle poses an imminent threat of death or serious physical injury to the officer /deputy or another person, or

- 2) The officer has a reasonable belief that an occupant is using the vehicle in a manner that poses an imminent threat of death or serious physical injury to the officer or another person, and there is no avenue of escape

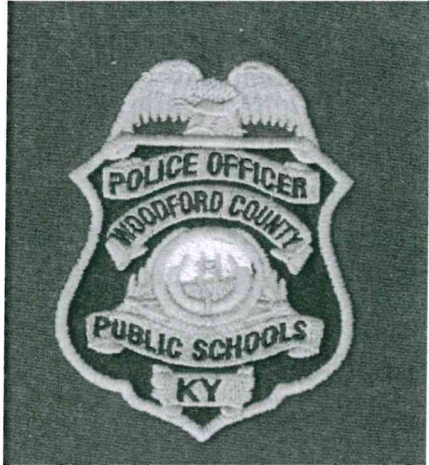
e. Weapons: Batons, ASP/Expandable Baton

- 1) Impact weapons may be utilized in cases where the officer believe the use of these weapons would be reasonable to bring the event under control.
- 2) Examples would be where other options have been utilized and failed or where based on the officer perception at the time, the other options would not be successful in bringing the event to a successful conclusion.
- 3) Officer shall not intentionally strike a person in the head with an impact weapon unless deadly force would be justified.

V. Reporting Control to Active Resistance:

- A. Purpose (Reporting):** It is the purpose of this policy to provide police employees and supervisors with guidelines for reporting control to active resistance. The department will develop a Report to Control Active Resistance (RCAR) form to capture all required information described in this policy.
- B. Policy (Reporting):** Police officers are given the authority to use force to overcome a subject's resistance to the officer order to comply, effect arrest, defend against assault, and prohibit flight. It is incumbent that officer be held accountable to safeguard the rights of members of the public. This policy mandates that members of the Department accurately, completely and timely report subject control of active resistance and a supervisor conducts a prompt investigation and reports this investigation findings.
- C. Procedures (Reporting):**
 - a. Officer who become involved in an incident that requires any degree of force are required to immediately notify their supervisor. The involved officer will provide a detailed documentation of the use of force utilized in the official police report prepared for the incident involved. In cases where no supervisor is working the officer will also be responsible for completing the RCAR report identified below prior to the end of their shift.
 - b. A Report to Control Active Resistance (RCAR) form shall be prepared by a supervisor whenever an officer of this agency utilizes reportable force, as described in the definition of this policy, in the performance of their duties.

- c. The RCAR form will be completed in detail including a narrative account of the following:
 - 1) The actions of the subject that necessitated that use of force as a response to overcome the active resistance of the subject.
 - 2) The reasons why force was required and the type of force the officer utilized in overcoming the resistant subject.
 - 3) Any injuries or complaint of injuries of either the subject or the officer and any medical treatment received.
- D. **Supervisory Responsibilities:** Once notified of an incident in which an officer has utilized force, the supervisor will immediately respond to the scene to investigate the incident. If the involved officer supervisor is not available to respond, another supervisor will be dispatched to complete the RCAR. The supervisor will accomplish the following investigative steps in conducting the investigation:
 - a. Interview the involved subject if they are cooperative, to determine their account of the incident and if they have a complaint. If they do have a complaint the supervisor shall complete a Public Service Report. If they have any type of injury, the designated departmental person will be notified. Additionally, should the supervisor determine that unreasonable force was utilized, the designated investigator will be notified and assume control of the investigation.
 - b. If a crime scene exists; or police equipment exists, which may contain forensic evidence, the supervisor shall ensure that the scene and evidence is processed, photographed and preserved.
 - c. Take photographs of the involved officer(s) and subject(s) depicting any potential injuries or documenting the lack of any injuries to the parties involved.
 - d. Interview, preferably audio-record/audio-visual record, all witnesses to the incident and document their description of the event.
 - e. Ensure that a qualified health care provider handles any injuries or other medical condition being experienced by the involved person.
 - f. The supervisor shall review any video recording of the incident, if available, prior to the completion of the RCAR and the approval of the officer reports
 - g. The supervisor investigating the use of reportable force shall be responsible for the review and approval of the officer reports of the incident, when practicable
 - h. The supervisor will complete the RCAR prior to completing their shift and submit it along with the officer report to their chain of command for review.
 - i. **Exceptions: The following do not require the completion of a RCAR unless otherwise required by the above policy:**
 - 1) Handcuffing or escorting a compliant, cooperative subject.
 - 2) Physical removal of peaceful demonstrators whom do not resist.



Woodford County Public Schools Police Department General Order Number

Title / Subject	EFFECTIVE DATE	REVISION DATE
Safety Equipment	TBD	
REFERENCES	DISTRIBUTION	
KRS 189.125		

I. Purpose: The purpose of this policy is to direct the use and maintenance of safety equipment by members of this agency.

II. Policy: It is the policy of this agency to provide for the safety of each of its officers. Toward this goal, officers must make use of all available safety equipment.

III. Procedure:

A. Seat Belts: Officers are directed that seat belts shall be worn during the operation of any vehicle belonging to the Woodford County Board of Education.

B. Ballistic Vests: All officers shall be required to wear a ballistic vest during all field operations. An officer who obtains a doctor's note indicating that he or she cannot wear a vest for medical reasons.

C. Personal Protective Equipment: Personal Protective Equipment will be provided by the department in accordance with Kentucky State law, and administrative and OSHA regulations. Direct contact with blood and other body fluids shall be avoided whenever possible. Employees are required to use appropriate equipment to prevent transmission of contagious diseases. In the event of any type of possible exposure, needle stick or blood contamination being examples, the employee will immediately notify his supervisor, document the incident, and seek appropriate medical treatment.

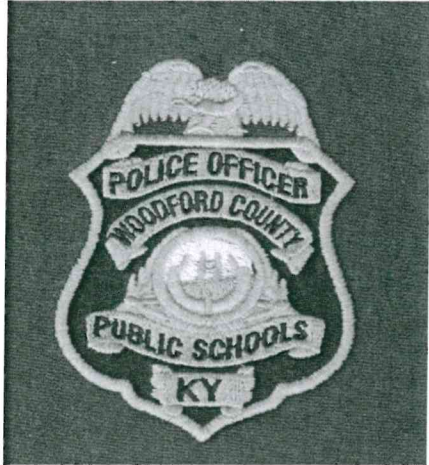
D. Firearms Lock-Boxes: Officers shall utilize firearms lock boxes in all circumstances where the officer's firearm presents a threat to the

officer because of required proximity to prisoners/suspects. Examples being booking areas, interrogation rooms, and holding cells.

E. Reflective Traffic Vest: Officers shall make use of a reflective traffic vest when they will be in a position for an extended period of time that exposes them to the dangers of vehicular traffic. Examples of this are directing traffic, accident scenes, and crossing-guard assignments.

IV. Maintenance of Safety Equipment – Officer Responsibility: Officers shall be responsible for the maintenance of all safety equipment and shall immediately notify a supervisor of missing or damaged equipment.

V. The failure to utilize safety equipment will not be considered contributory to an officer's injury for injuries that occur in the line of duty.



**Woodford County
Public Schools Police Department
General Order Number**

Title / Subject	EFFECTIVE DATE	REVISION DATE
Sexual Assault Policy	08/31/2017	
REFERENCES	DISTRIBUTION	
Senate Bill 63		

I. POLICY

Woodford County Public Schools Officers shall not investigate sexual assaults. However, if in the normal course of their duties they encounter a sexual assault victim after rendering necessary aid as needed, they will immediately contact the appropriate law enforcement agency with jurisdiction. In the event officer/officers are faced with exigent circumstances requiring participation in sexual assault investigations, any evidence collection, lab submissions, and/or victim notifications shall be conducted in accordance with appendix A.

II. PURPOSE

Senate Bill 63, effective January 1, 2017, mandates all law enforcement agencies adopt a policy relating to sexual assault investigations. The Woodford County Public Schools Police, as an law enforcement agency, adopts this policy so as to comply with SB 63. The department does not have the resources to properly conduct sexual assault investigations, but will contact the agency with jurisdiction and provide any and all help requested by that agency.

III. PROCEDURE

When the Department receives notification that a sexual assault examination has been conducted by a collecting facility/medical provider performed under KRS 216B.400 and a sexual assault evidence kit has been completed, they shall immediately contact the appropriate law enforcement agency with jurisdiction.

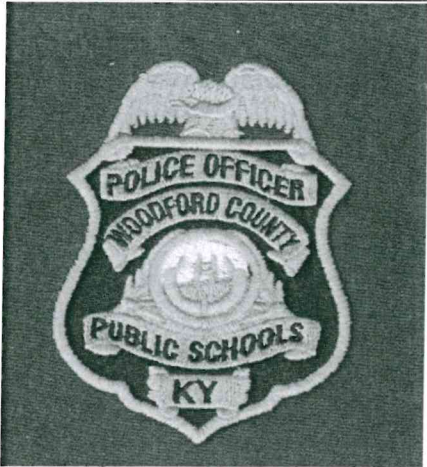
Scope: This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline

APPENDIX A

Evidence Collection--Sexual Assaults

A. General Rules

1. Collect undergarments, clothing, bedding, rugs, or other appropriate items which may contain semen, blood, hairs, fibers, or other pieces of trace evidence, or that might be damaged. Collect wash cloths or towels which may have been used.
2. Collect bottles, glasses, or other objects which may contain latent prints.
3. Search scene for foreign objects (buttons, hair, pieces of torn clothing).
4. If crime occurred outdoors, take soil samples from several areas and sketch the location of each sample taken.
5. If crime occurred in a car, gather sweepings from seats and floors, search floor mats and seat covers for stains.
6. Photograph crime scene.
7. Photograph bite marks, scratch marks, or other signs of brutality or injury to victim. Only officers of the same sex as the victim or medical personnel should photograph private sexual areas.
8. Description of exact location where each piece of evidence located, who found said piece of evidence, and time it was found. An example would be: Found under the first desk in the fifth roll from the right by Officer Jones at 1300 hours.



Woodford County Public Schools Police Department General Order Number

Title / Subject	EFFECTIVE DATE	REVISION DATE
Sexual Harassment/Sexual Discrimination	TBA	
REFERENCES	DISTRIBUTION	
	All Sworn Peronnel	

I.Purpose: The purpose of this policy is to prohibit sexual harassment, sexual misconduct and sexual discrimination within this agency. The policy also provides for the reporting and department response to sexual harassment or sexual discrimination.

II.Policy: It is the policy of this department to prohibit sexual harassment or sexual discrimination in any form and to provide employees with a mechanism for reporting and resolving allegations of sexual harassment and sexual discrimination.

III.Definitions:

A. Sexual Harassment - Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct when:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
- c. Conduct of this nature has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

B. Two Types of Sexual Harassment:

a. Quid Pro Quo Harassment: A circumstance by which an employee is afforded a favorable employment action in exchange for a sexual favor.
Examples:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; i.e. sexual favors in exchange for hiring.
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, i.e. sexual favors in exchange for promotions, raises etc.

b. Hostile Work Environment: A circumstance by which an employee is confronted with an environment involving sexually explicit language, photos, or conduct.

3. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.
4. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
5. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

C. Sexual Harassment Progression:

a. Non-Physical

1. Pressure for Dates
2. Sexual Jokes
3. Teasing
4. Remarks
5. Questions
6. Suggestive Looks/Gestures

b. Physical/Non-Physical Intimidation

7. Sexual Favors
8. Pinching
9. Touching
10. Phone Calls
11. Blocking
12. Cornering
13. Sending Materials of Sexual Nature

c. Bodily Harm

14. Sexual Assault

15. Attempted Sexual Assault

D. Sexual Discrimination: The disparate treatment of an employee with respect to work benefits, conditions, assignments, promotions, etc. based upon the gender of the employee. Unless such disparate treatment is necessary based upon some bona-fide occupational qualification. An example would be where an undercover assignment where a male is necessary due to the nature of the infiltration.

IV. Procedure: Supervisors and all employees have an obligation to provide a work environment free of all harassment. This includes taking steps to insure that the agency is in a position to control prohibited harassment done by any employee or non-employees such as vendors working with the agency or supplying services. Employees who believe they have been harassed or that the harassment is ongoing may report this harassment to EEOC.

Reporting Requirements: All employees of the Department have an obligation to report violations of this policy in a prompt manner. This would include sexual harassment, sexual discrimination or indicators of a hostile, offensive work environment that the employee experiences, witnesses, or otherwise has knowledge of the ongoing event. The Department shall promptly investigate all complaints regarding harassment or discrimination regardless of their origin.

Employees will make complaints to their immediate supervisor. If the immediate supervisor is involved in the allegation or the employee is uncomfortable with making a report to their immediate supervisor, they may by-pass the chain of command in order to report the sexual harassment or sexual discrimination.

Once an allegation is made steps should be taken to separate the involved employees while an investigation into the allegations is conducted. The separation will be done in an equitable manner that is non-punitive in nature. In no case will the complaining employee be forced to change assignments against their choice. The supervisor is required to stop immediately any conduct that might continue or aggravate the allegation(s).

All allegations of sexual harassment or sexual discrimination will be documented and forwarded up the chain of command.

All complaints of sexual harassment or sexual discrimination will be immediately and thoroughly investigated.

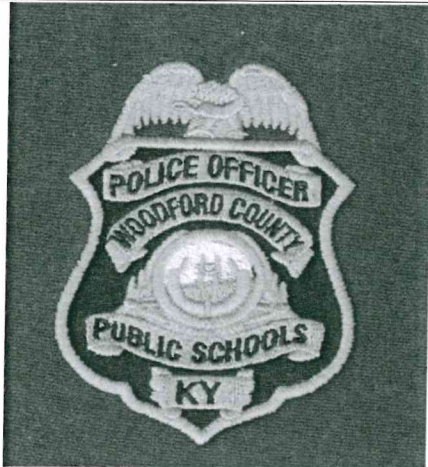
The victim of the alleged sexual harassment will be kept informed of the progress of the investigation.

At the conclusion of the investigation, the victim and the accused employee will be informed of the conclusions reached by the investigation.

Where evidence is established to sustain a violation of this policy, immediate disciplinary action will be taken against the offending employee, up to and including termination from employment with this agency.

No employee will be retaliated against for reporting allegations of sexual harassment or sexual discrimination.

Training: The department shall conduct annual training regarding sexual harassment and sexual discrimination for all employees that includes instruction on the reporting requirements of such conduct. This training will be documented to ensure that all employees receive the training.



Woodford County Public Schools Police Department General Order Number

Title / Subject	EFFECTIVE DATE	REVISION DATE
Sexual Misconduct	TBD	
REFERENCES	DISTRIBUTION	
KRS 522.030; KRS 510.010; KRS 510.140	All Sworn Personnel	

I.Purpose: Law enforcement officers are empowered with authority by their government to protect the public from criminal activity. When an officer abuses this authority for sexual purposes, and violates another person, the officer not only commits a crime against the victim, but damages the credibility and trust of the entire law enforcement community with the public. The purpose of this policy is caution all officers that any violation of the public trust involving sexual misconduct will result in severe consequences including prosecution to the fullest extent possible.

II.Policy: It is the policy of this Department to train all of their officers concerning the potential for criminal sexual misconduct within law enforcement, how to recognize it, and the requirements for reporting any violation to the appropriate authorities.

III.Definitions:

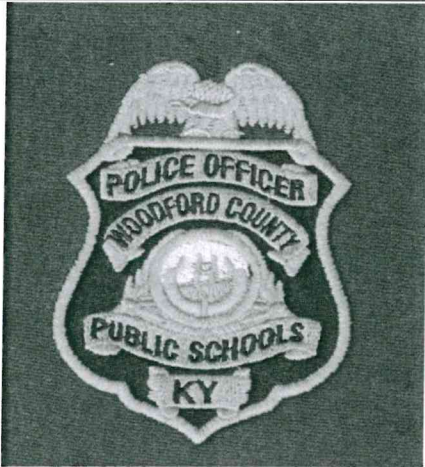
- A. Criminal Sexual Misconduct: A person is guilty of sexual misconduct when he engages in sexual intercourse or deviate sexual intercourse with another person without the latter's consent.
- B. Sexual Misconduct: Any sexual activity while on-duty or stemming from official duty. Sexual misconduct includes but is not limited to use of official position and official resources to obtain information for purposes of pursuing sexual conduct.
- C. Intimate Part: Genital area, inner thigh, groin, buttocks or breasts of a person.
- D. Actor: The person accused of sexual assault
- E. Sexual Contact: Any contact for the purpose of sexual gratification of the actor with the intimate parts of a person not married to the actor.

IV. Procedure:

- A.** Sexual activity, which includes any activity for sexual gratification, while on duty is prohibited.
- B.** Sexual Misconduct is prohibited and shall be disciplined up to and including termination.
- C.** Any contact for the purpose of sexual gratification of the actor with the intimate parts of a person while on duty is prohibited.
- D.** An officer shall not engage in sexual contact with another person who is in the custody of law enforcement.
- E.** Training: All sworn officers of this department including supervisors will receive specific training about the elements of sexual misconduct involving law enforcement officers. The training will also include all elements of this policy.
- F.** Reporting Requirements: Any employee of this Department, who is made aware of any violation of this policy, is required to report the violation to their supervisor. The supervisor will immediately contact the command level personnel who will immediately initiate an investigation in accordance with their established investigative policy. The investigation will involve other investigative elements of the Department as necessary and any forensic evidence will be protected and processed immediately. The accused officer's supervisor will not attempt to resolve a complaint of this nature with the complainant, and is required to make immediate contact with the command level personnel having responsibility.

V. Discipline:

- A.** Any employee found to be in violation of the provisions of this policy shall be disciplined up to and including termination and criminal charges where established.
- B.** Any employee having knowledge of a violation of this policy, who fails to report said violation shall also be disciplined up to and including dismissal, and criminal charges if appropriate.
- C.** If the violation involves supervisory personnel, the reporting employee will notify a supervisor and will not be strictly held to his or her chain of command.



Woodford County Public Schools Police Department General Order Number

Title / Subject	EFFECTIVE DATE	REVISION DATE
Social Networking/Texting Postings	TBD	
REFERENCES	DISTRIBUTION	
	All Sworn Personnel	

I. Purpose: The purpose of this policy is to direct the employees of this department with respect to the use of the Internet, the worldwide web, and social networking as a medium of communication that impact this department.

II. Policy: The internet, blogs, twitter, the worldwide web, social networking sites and any other medium of electronic communication shall not be used in a manner that is detrimental to the mission and function of this agency.

III. On Duty Procedures:

A. Employees of this agency are prohibited from using agency computers for any unauthorized purpose including surfing the internet or participating in social networking sites.

B. Employees of this agency are prohibited from posting, or in any other way broadcasting, without prior agency approval, information on the internet, or other medium of communication, the business of this agency to include but not limited to:

- a. Photographs/images relating to any investigation of this agency.
- b. Video or audio files related to any investigation of this agency
- c. Video, audio, photographs, or any other images etc. which memorialize a law enforcement related action of this agency.
- d. Logos/Uniforms/Badges or other items that are symbols associated with this agency.
- e. Any other item or material that is identifiable to this agency.

IV. Off Duty Procedures:

A. Employees of this agency who utilize social networking sites, blogs, twitter or other mediums of electronic communication in their off-duty time shall maintain an appropriate level of professionalism and appropriate conduct so as not to broadcast in a manner which is detrimental to the mission and function of this agency or otherwise impairs the efficiency of this agency.

Employees shall not use references in these social networking sites or other mediums of communication that in any way represent themselves as an employee of this agency without prior agency approval. This shall include but not be limited to:

- i. Text that identifies this agency.
- ii. Photos that depict the logos, patches, badge or other symbols of this agency.
- iii. Accounts of events that occur within this agency where such information would reveal non-public information under state law; would violate confidentiality provisions of law; would affect ongoing investigations; or would otherwise affect the efficient operations of this agency.
- iiii. Any other material, text, audio, video, photograph, or image that would be identifiable to this agency.

a. Employees shall not use a social networking site or other medium of internet communication to post any materials of a sexually graphic nature.

b. Employees shall not use a social networking site or other medium of internet communication to post any materials that promote violence.

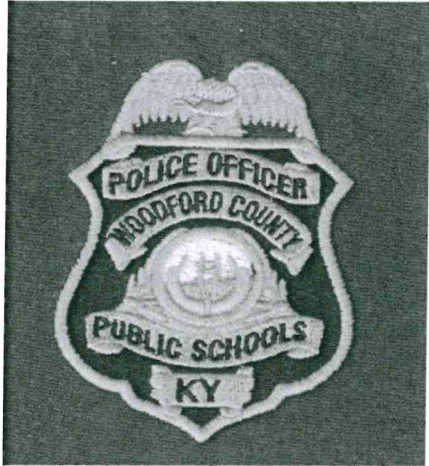
c. Employees shall not use social networking or other medium to promote or disseminate information in favor of recognized subversive entities.

d. Employees shall not use a social networking site or other medium of communication to post or broadcast any materials that would be detrimental to the mission and function of this agency or otherwise affect agency efficiency.

B. Employees of this agency are prohibited from using their title as well as any reference to this agency in any correspondence to include emails, postings, blogs, twitter, social network sites such as Facebook, unless the communication is of an official nature and is serving the mission of this agency.

This prohibition also includes signature lines in personal email accounts. An employee may seek agency approval for such use.

C. Employees shall be required to complete an affidavit indicating their participation in any social networking sites. This affidavit shall include the name of the sites; and will provide access to the agency. Access shall not include the employee to provide any password or personal identification numbers.



Woodford County Public Schools Police Department General Order Number

Title / Subject	EFFECTIVE DATE	REVISION DATE
Standards of Conduct	TBD	
REFERENCES	DISTRIBUTION	
	All Sworn Personnel	

I. PURPOSE

It is the purpose of this policy to provide additional specificity to the standards of conduct embodied in the law enforcement officer's code of ethics and this agency's statement of values so that officers of this agency will better understand prohibitions and limitations pertaining to their conduct and activities while on and off duty. The rules of conduct set forth in this policy are not to serve as an exhaustive treatment of requirements, limitations, or prohibitions on officer conduct and activities established by this agency. Rather, they are to alert officers to some of the more sensitive and often problematic matters involved in police conduct and ethics. Specifically conduct that is contrary to and that conflict with the duties and responsibilities of law enforcement officers. Also to guide officers in conducting themselves and their affairs in a manner that reflects standards of deportment and professionalism as required of law enforcement officers. Additional guidance on matters of conduct is provided to specific policies, procedures, and directives disseminated by this agency and from officers' immediate supervisors.

II. POLICY

Any actions of officers that are inconsistent, incompatible, or in conflict with the values established by this agency and negatively affect its reputation and that of its officers. Such actions and inactions thereby detract from the agency's overall ability to effectively and efficiently protect the students and staff, maintain peace and order, and conduct other essential business. Therefore, it is the policy of this law enforcement agency that officers conduct themselves at all times in a manner that reflects the ethical standards consistent with the rules contained in this policy and otherwise disseminated by this agency

DEFINITIONS:

Accountability: In the context of this policy, accountability means the duty of all officers to truthfully acknowledge and explain their actions and decisions when requested to do so by an authorized member of this agency without deception or subterfuge.

III. PROCEDURES

A. General Conduct

1. Obedience to Laws, Regulations, and Orders

- a. Officers shall not violate any law or any agency policy, rule, or procedure.
- b. Officers shall obey all lawful orders

2. Conduct Unbecoming an Officer

- a. Officers shall not engage in any conduct or activities on- or off-duty that reflect discredit on the officers, tend to bring this agency into disrepute, or impair its efficient and effective operation.
- b. Officers shall cooperate fully in any internal administrative investigation conducted by this or other authorized agency and shall provide complete and accurate information in regard to any issue under investigation.
- c. Officers shall be accurate, complete, and truthful in all matters.
- d. Officers shall accept responsibility for their actions without attempting to conceal, divert, or mitigate their true culpability nor shall they engage in efforts to thwart, influence, or interfere with an internal or criminal investigation.
- e. Officers who are arrested, cited, or come under investigation for any criminal offense in this or another jurisdiction shall report this fact to a superior as soon as possible.

3. Conduct Toward Fellow Employees

- a. Officers shall conduct themselves in a manner that will foster cooperation among members of the Woodford County School District, showing respect, courtesy, and professionalism in their dealings with one another.
- b. Employees shall not use language or engage in acts that demean, harass, or intimidate another person.

4. Conduct Toward the Public

- a. Officers shall conduct themselves toward the public in a civil and professional manner that connotes a service orientation and that will foster public respect and cooperation.
- b. Officers shall treat violators with respect and courtesy, guard against employing an officious or overbearing attitude or language that may belittle, ridicule, or intimidate the individual, or act in a manner that unnecessarily delays the performance of their duty.
- c. While recognizing the need to demonstrate authority and control over criminal suspects and prisoners, officers shall adhere to this agency's response to resistance policy and shall observe the civil rights and protect the well-being of those in their charge.

5. Use of Alcohol and Drugs

- a. Officers shall not consume any intoxicating beverage while on duty.
- b. No alcoholic beverage shall be served or consumed on school premises or in vehicles owned by the Woodford County Board of Education.
- c. No officer shall report for duty with the odor of alcoholic beverage on his or her breath.
- d. No officer shall report to work or be on duty as a law enforcement officer when his or her judgment or physical condition has been impaired by alcohol, medication, or other substances

e. Officers must report the use of any substance, prior to reporting for duty, that impairs their ability to perform as a law enforcement officer.

f. Supervisors may order a drug or alcohol screening test when they have reasonable suspicion that an employee is using and/or under the influence of drugs or alcohol. Such screening shall conform to this agency's policy on employee drug-screening and testing.

6. Abuse of Law Enforcement Powers or Position

a. Officers shall report any unsolicited gifts, gratuities, or other items totaling \$35.00 or more of value that they receive and shall provide a full report of the circumstances of their receipt if directed.

b. Officers shall not use their authority or position for financial gain or for obtaining or granting privileges or favors not otherwise available to them or others except as a private citizen. To avoid the consequences of illegal acts for themselves or for others. To barter, solicit, or accept any goods or services, gratuities, gifts, discounts, rewards, loans, or fees, whether for the officer or for another.

c. Officers shall not purchase, convert to their own use, or have any claim to any found, impounded, abandoned, or recovered property, or any property held or released as evidence.

d. Officers shall not solicit or accept contributions for this agency or for any other agency, organization, event, or cause without the express consent of their supervisor.

e. Officers are prohibited from using information gained through their position as a law enforcement officer to advance financial or other private interests of themselves or others.

8. Prohibited Associations and Establishments

a. Officers shall not knowingly commence or maintain a relationship with any person who is under criminal investigation, indictment, arrest, or incarceration by this agency.

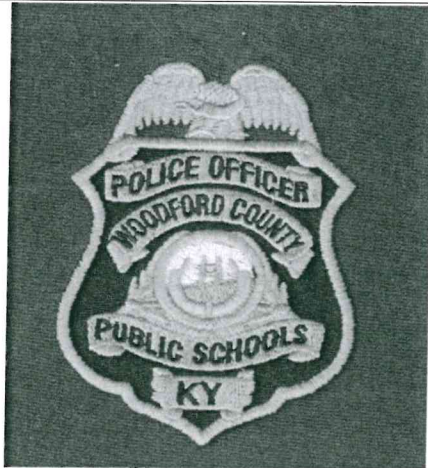
b. Except in the performance of official duties, officers shall not knowingly enter any establishment in which the law of that jurisdiction is regularly violated.

B. Public Statements, Appearances, and Endorsements

1. Officers shall not, under color of authority,
 - a. Make any public statement that could have an adverse effect upon department morale, discipline, operation of the agency, or perception of the public.
 - b. Divulge or willfully permit to have divulged, any information gained by the power of their position for anything other than its official authorized purpose.
 - c. Unless expressly authorized, make any statements, speeches, or appearances that represent the views of this agency.

A. Expectations of Privacy

1. Officers shall not store personal information or belongings with an expectation of personal privacy in such places as lockers, desks, departmentally owned vehicles, file cabinets, computers, or similar areas that are under the control and management of this agency. While this agency recognizes the need for officers to occasionally store personal items in such areas, officers should be aware that these and similar places may be inspected or otherwise entered—to meet operational needs, internal investigatory requirements, or for other reasons—at the direction of the agency chief executive or his or her designee.
2. No member of this agency shall maintain files or duplicate copies of official agency files in either manual or electronic formats at his or her place of residence or in other locations outside the confines of this agency without express permission.



Woodford County Public Schools Police Department General Order Number

Title / Subject	EFFECTIVE DATE	REVISION DATE
Training	TBD	
REFERENCES	DISTRIBUTION	
	All Sworn Personnel	

I. POLICY

The Woodford Public Schools Police Department requires and encourages its officers to participate in training and development courses throughout their careers. Department members are required to complete all Kentucky Law Enforcement Council (KLEC) or agency mandated training with a passing grade.

II. PROCEDURE

A. BASIC ACADEMY TRAINING:

1. Each officer having responsibility for the enforcement of the criminal laws in general, will graduate from a basic training program certified by the KLEC prior to the exercise of such authority, except when accompanied by and under the direct supervision of a certified officer who is serving as a field training officer. Equivalent training will be accepted, however, the agency must demonstrate that the training is equal to or exceeds KLEC standards. All sworn members must be KLEC and POPS certified within one year of employment.

B. ANNUAL TRAINING:

1. Every regular officer having responsibility for the enforcement of the criminal laws in general shall annually complete at least 40 hours of certified in-service training. Equivalent training will be accepted, however, the agency must demonstrate that the training is equal to or exceeds KLEC standards.