

Urbana Police Department

Urbana PD Policy Manual

CHIEF'S PREFACE

In order to perform our duties with pride and professionalism, all the men and women of the Urbana Police Department must focus on the concept that the police need to maintain a strong collaboration with those who reside here and those who are visiting. We provide service to an incredibly diverse community, and the Urbana Police strive to address the needs of everyone we encounter. The Urbana Police Department believes in the dignity and worth of all people. Our employees should be customer-focused in their interaction with everyone they encounter. Although crime prevention is our primary goal, we can't do it alone and I recognize and believe that community policing is a more effective approach to preventing crime. Our role is to safeguard the public trust delegated to us to perform our duty impartially and with integrity at all times. We support the constitution of the United States and the State of Illinois and this policy manual will guide us in making those decisions.

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LAW ENFORCEMENT CODE OF ETHICS

As a Law Enforcement Officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

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

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession . . . law enforcement.

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MISSION, VISION, VALUES STATEMENTS

Mission

The mission of the Urbana Police Department is to enhance the quality of life in the City of Urbana by working cooperatively with the community and within the framework of the Constitution to enforce the laws, preserve the peace, reduce the fear of crime, and provide a safe environment for all. The Urbana Police Department will continually strive for excellence in the performance of its duties through education, training, and collaboration with its citizens.

Vision

Urbana Police Department envisions a future where trust, respect, and collaboration between law enforcement, residents, businesses, and the community-at-large foster a safe and inclusive environment for all residents. Through proactive engagement and adherence to the principles of community policing, we aim to build strong relationships, inspire confidence, and uphold justice.

Core Values

Our core values below were inspired, in part, by the [Illinois National Association for the Advancement of Colored People's \(NAACP\) State Conference and the Illinois Association of Chiefs of Police's Ten Shared Principles](#):

- **Integrity:** Upholding the highest ethical standards, we commit to honesty, transparency, and responsibility in all our actions.
- **Respect:** We value the dignity and worth of every individual, treating all with fairness, empathy, and compassion.
- **Professionalism:** Striving for excellence, we maintain proficiency through ongoing education, training, and development.
- **Community Partnership:** We recognize the power of collaboration and actively engage with residents, businesses, and organizations to address community concerns and promote shared goals.
- **Service Orientation:** Serving with dedication and humility, we prioritize the needs and well-being of the community, responding promptly and effectively to ensure public safety and security.
- **Inclusivity:** Embracing diversity, we foster an environment where everyone feels valued, respected, and included, regardless of background or circumstance.
- **Accountability:** We accept responsibility for our actions and decisions, seeking feedback and learning from mistakes to continuously improve.
- **Adaptability:** Recognizing the evolving nature of policing and community needs, we remain flexible and innovative in our approaches, embracing change to better serve our constituents.
- **Empowerment:** We empower both officers and community members to take an active role in problem-solving and decision-making processes, promoting ownership and shared responsibility.

Mission, Vision, Values Statements

- **Justice:** Guided by fairness and equity, we uphold the principles of due process and equal protection under the law, striving to eliminate bias and discrimination in all aspects of policing.

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Chapter 1 - Law Enforcement Role and Authority

Law Enforcement Authority

100.1 PURPOSE AND SCOPE

The purpose of this policy is to affirm the authority of the members of the Urbana Police Department to perform their functions based on established legal authority.

100.2 POLICY

It is the policy of the Urbana Police Department to limit its members to only exercise the authority granted to them by law.

While this department recognizes the power of peace officers to make arrests and take other enforcement action, officers are encouraged to use sound discretion in the enforcement of the law. This department does not tolerate abuse of law enforcement authority.

100.3 PEACE OFFICER POWERS

Sworn members of this department are authorized to exercise peace officer powers pursuant to applicable state law.

100.3.1 ARREST AUTHORITY WITHIN THE JURISDICTION OF THE URBANA POLICE DEPARTMENT

An officer may arrest a person when (725 ILCS 5/107-2):

- (a) There are reasonable grounds to believe that an arrest warrant exists.
 - 1. Notifications and waiver requests for the execution of warrants for those in need of emergency medical assistance and sexual assault victims shall be made in compliance with 725 ILCS 5/107-2.
 - 2. When the warrant charges a violation of the ILCS in another county, the arresting officer shall take steps to have the arrestee delivered before a judicial officer within the jurisdiction of the Urbana Police Department as soon as practicable (625 ILCS 5/16-103; 725 ILCS 5/109-2).
- (b) There are reasonable grounds to believe that the person is committing or has committed an offense.

100.3.2 ARREST AUTHORITY OUTSIDE THE JURISDICTION OF THE URBANA POLICE DEPARTMENT

The authority of officers outside the Urbana Police Department, police district includes the ability to conduct temporary questioning or make an arrest (725 ILCS 5/107-4):

- (a) If the officer is engaged in the investigation of criminal activity that occurred in the officer's jurisdiction and the temporary questioning or arrest is in furtherance of that investigation.
- (b) If the officer, while on-duty as an officer, becomes aware of the immediate commission of a felony or a misdemeanor violation of the laws of this state.

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- (c) If the officer, while on-duty as an officer, is requested by an appropriate state or local law enforcement official to render aid or assistance to the requesting law enforcement agency that is outside the Urbana Police Department jurisdiction.

While outside the jurisdiction of the Urbana Police Department, an officer shall make prompt notification to the local law enforcement agency of the county or municipality where any of the above occurs, and shall notify the officer's immediate on-duty supervisor as soon as practicable (725 ILCS 5/107-4).

100.4 CONSTITUTIONAL REQUIREMENTS

All members shall observe and comply with every person's clearly established rights under the United States and Illinois constitutions.

100.5 INTERSTATE PEACE OFFICER POWERS

Peace officer powers may be extended within other adjoining states:

- (a) As applicable under interstate compacts, memorandums of understanding or mutual aid agreements in compliance with the laws of each state.
- (b) When an officer enters Indiana, Iowa, Wisconsin or Missouri in fresh pursuit of a person who is in the immediate and continuous flight from the commission of a felony, and in Missouri the crime of driving while intoxicated or driving with excessive blood alcohol content (I.C. § 35-33-3-1 (Indiana); Iowa Code § 806.1 (Iowa); Wis. Stat. § 976.04 (Wisconsin); § 544.155, RSMo (Missouri)).

Whenever an officer makes an arrest in Indiana, Iowa, Wisconsin or Missouri, the officer shall take the offender to a magistrate or judge in the county where the arrest occurred as soon as practicable (I.C. § 35-33-3-2; Iowa Code § 806.2; Wis. Stat. § 976.04; § 544.155, RSMo).

Chief Executive Officer

101.1 PURPOSE AND SCOPE

The position of Chief of Police has been established as the highest rank for administration and management of the Police Department. The authority of the Chief of Police in matters affecting the Police Department is limited only by Federal and State Statutes, City Ordinances & Policies and the collective bargaining agreements to which the City is a party. He/she is responsible for the overall effective operation of the Police Department. He/she has the authority and responsibility for the management, direction and control of the operations and administration of the Urbana Police Department, through the authority vested in him/her by his/her job description as delineated by the City of Urbana government.

The Illinois Law Enforcement Training Standards Board (ILETSB) has mandated that all sworn officers within the State of Illinois receive certification and training within prescribed time periods.

101.1.1 CHIEF EXECUTIVE OFFICER REQUIREMENTS

Any Chief Executive Officer and Deputy Police Chief of this department must complete a minimum of 20 hours of certified training annually as prescribed by the Illinois Police Training Act (50 ILCS 705/10.7).

Oath of Office

102.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that oaths, when appropriate, are administered to department members.

102.1.1 LANGUAGE OF OATH OF OFFICE

The oath of office will be given to them by the City Administrator of the City of Urbana. The oath given shall read "I, (state name), having been appointed to the office of Probationary Police Officer in the City of Urbana in the County of Champaign, Illinois, do solemnly swear, that I will support the Constitution of the United States and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of Probationary Police Officer to the best of my ability."

102.2 POLICY

It is the policy of the Urbana Police Department that, when appropriate, department members affirm the oath of their office as an expression of commitment to the constitutional rights of those served by the Department and the dedication of its members to their duties.

102.3 OATH OF OFFICE

All department members, when appropriate, shall take and subscribe to the oaths or affirmations applicable to their positions. The form of oath shall be as follows (65 ILCS 5/3.1-10-25; 55 ILCS 5/3-6004; 55 ILCS 5/3-6010):

"I do solemnly swear (affirm) that I will support the Constitution of the United States, the Constitution of the State of Illinois, and the ordinances of the City, and that I will faithfully discharge the duties of the office of (state title) to the best of my ability."

If a member is opposed to taking an oath, the member shall be permitted to substitute the word "affirm" for the word "swear."

102.4 MAINTENANCE OF RECORDS

The oath of office shall be filed as prescribed by law (65 ILCS 5/3.1-10-25; 55 ILCS 5/3-6004; 55 ILCS 5/3-6010).

Ten Shared Principles

103.1 ADOPTION OF TEN SHARED PRINCIPLES

The Urbana Police Department agrees and subscribes to the tenants as described in the adoption agreement between the City of Urbana Police Department and the NAACP of Champaign County signed September 17, 2020. These principles were the result of a collaborative effort between the Illinois Association of Chiefs' of Police and the Illinois NAACP State Conference. This effort occurred over multiple discussions across Illinois throughout 2016 and 2017 resulting in the [final document](#) being published in 2018.

103.2 TEN SHARED PRINCIPLES

The City of Urbana Police Department also affirms the following principles regarding the relationship between law enforcement and the communities and people they serve in Illinois:

1. We value the life of every person and consider life to be the highest value.
2. All persons should be treated with dignity and respect. This is another foundational value.
3. We reject discrimination toward any person that is based on race, ethnicity, religion, color, nationality, immigrant status, sexual orientation, gender, disability, or familial status.
4. We endorse the six pillars in the report of the President's Task Force on 21st Century Policing. The first pillar is to build and rebuild trust through procedural justice, transparency, accountability, and honest recognition of past and present obstacles.
5. We endorse the four pillars of procedural justice, which are fairness, voice (i.e., an opportunity for citizens and police to believe they are heard), transparency, and impartiality.
6. We endorse the values inherent in community policing, which includes community partnerships involving law enforcement, engagement of police officers with residents outside of interaction specific to enforcement of laws, and problem-solving that is collaborative, not one-sided.
7. We believe that developing strong ongoing relationships between law enforcement and communities of color at the leadership level and street level will be the keys to diminishing and eliminating racial tension.
8. We believe that law enforcement and community leaders have a mutual responsibility to encourage all citizens to gain a better understanding and knowledge of the law to assist them in their interactions with law enforcement officers.
9. We support diversity in police departments and in the law enforcement profession. Law enforcement and communities have a mutual responsibility and should work together to make a concerted effort to recruit diverse police departments.
10. We believe de-escalation training should be required to ensure the safety of community members and officers. We endorse using de-escalation tactics to reduce the potential for confrontations that endanger law enforcement officers and community members; and the principle that human life should be taken only as a last resort

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Ten Shared Principles

The Urbana City Council approved and adopted the principles (resolution number 2020-06-031R) on June 22, 2020.

Policy Manual

104.1 PURPOSE AND SCOPE

The manual of the Urbana Police Department is hereby established and shall be referred to as the Policy Manual or the manual. The manual is a statement of the current policies, rules and guidelines of this department. All members are to conform to the provisions of this manual.

All prior and existing manuals, orders and regulations that are in conflict with this manual are rescinded, except to the extent that portions of existing manuals, procedures, orders and other regulations that have not been included herein shall remain in effect, provided that they do not conflict with the provisions of this manual.

104.2 POLICY

Except where otherwise expressly stated, the provisions of this manual shall be considered as guidelines. It is recognized that the work of law enforcement is not always predictable and circumstances may arise which warrant departure from these guidelines. It is the intent of this manual to be viewed from an objective standard, taking into consideration the sound discretion entrusted to members of this department under the circumstances reasonably available at the time of any incident.

104.2.1 DISCLAIMER

The provisions contained in the Policy Manual are not intended to create an employment contract nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the Urbana Police Department and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the City, its officials or members. Violations of any provision of any policy contained within this manual shall only form the basis for department administrative action, training or discipline. The Urbana Police Department reserves the right to revise any policy content, in whole or in part.

104.3 AUTHORITY

The Chief of Police shall be considered the ultimate authority for the content and adoption of the provisions of this manual and shall ensure compliance with all applicable federal, state and local laws. The Chief of Police or the authorized designee is authorized to issue Departmental Directives, which shall modify those provisions of the manual to which they pertain. Departmental Directives shall remain in effect until such time as they may be permanently incorporated into the manual.

104.4 DEFINITIONS

The following words and terms shall have these assigned meanings throughout the Policy Manual, unless it is apparent from the content that they have a different meaning:

Adult - Any person 18 years of age or older.

CFR - Code of Federal Regulations.

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City - The City of Urbana.

Civilian - Employees and volunteers who are not sworn peace officers.

Department/UPD - The Urbana Police Department.

Employee/personnel - Any person employed by the Department.

ILETSB - The Illinois Law Enforcement Training Standards Board (50 ILCS 705/1).

Juvenile - Any person under the age of 18 years.

Law enforcement officer - Any officer of a law enforcement agency who is primarily responsible for prevention or detection of crime and the enforcement of the criminal code, traffic, or highway laws of this State or any political subdivision thereof (50 ILCS 705/2).

Manual - The Urbana Police Department Policy Manual.

May - Indicates a permissive, discretionary, or conditional action.

Member - Any person who is employed or appointed by the Urbana Police Department, including:

- Full- and part-time employees.
- Sworn peace officers.
- Reserve, auxiliary officers.
- Civilian employees.
- Volunteers.

Officer - Those employees, regardless of rank, who are sworn employees of the Urbana Police Department.

On-duty - A member's status during the period when the member is actually engaged in the performance of assigned duties.

Order - A written or verbal instruction issued by a superior.

Rank - The title of the classification held by an officer.

Shall or will - Indicates a mandatory action.

Should - Indicates a generally required or expected action, absent a rational basis for failing to conform.

Supervisor - A person in a position of authority that may include responsibility for hiring, transfer, suspension, promotion, discharge, assignment, reward, or discipline of other department members, directing the work of other members, or having the authority to adjust grievances. The supervisory exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment.

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The term "supervisor" may also include any person (e.g., officer-in-charge, lead, or senior worker) given responsibility for the direction of the work of others without regard to a formal job title, rank, or compensation.

When there is only one department member on-duty, that person may also be the supervisor, except when circumstances reasonably require the notification or involvement of the member's off-duty supervisor or an on-call supervisor.

USC - United States Code.

104.5 ISSUING THE POLICY MANUAL

An electronic version of the Policy Manual will be made available to all members on the department network for viewing and printing. No changes shall be made to the manual without authorization from the Chief of Police or the authorized designee.

Each member shall acknowledge that he/she has been provided access to, and has had the opportunity to review the Policy Manual and Departmental Directives. Members shall seek clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

104.6 PERIODIC REVIEW OF THE POLICY MANUAL

The Chief of Police will ensure that the Policy Manual is periodically reviewed and updated as necessary.

104.7 REVISIONS TO POLICIES

All revisions to the Policy Manual will be provided to each member on or before the date the policy becomes effective. Each member will be required to acknowledge that he/she has reviewed the revisions and shall seek clarification from an appropriate supervisor as needed.

Members are responsible for keeping abreast of all Policy Manual revisions.

Each Division Commander will ensure that members under his/her command are aware of any Policy Manual revision.

All department members suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their Division Commanders, who will consider the recommendations and forward them to the command staff as appropriate.

Chapter 2 - Organization and Administration

Organizational Structure and Responsibility

200.1 PURPOSE AND SCOPE

The organizational structure of this department is designed to create an efficient means to accomplish our mission and goals and to provide for the best possible service to the public.

200.2 DIVISIONS

The Leadership Team, which includes the Chief of Police, the Deputy Chief of Police and four Lieutenants, is responsible for administering and managing the Urbana Police Department. There are three divisions in the Police Department as follows:

- Services Division
- Patrol Division
- Investigation Division

See attachment: [Org Chart 07282020.jpg](#)

200.2.1 SERVICES DIVISION

The Services Division is commanded by a lieutenant whose primary responsibility is to provide for the effective and efficient management and operations of this division. The Services Division consists of police services representatives, a FOIA specialist, a staff assistant, and a crime analyst.

200.2.2 PATROL DIVISION

The Patrol Division is commanded by two lieutenants whose primary responsibilities are to provide general management direction and control for that Division. The Patrol Division consists of Uniformed Patrol.

200.2.3 CRIMINAL INVESTIGATIONS DIVISION

The Criminal Investigations Division is commanded by a lieutenant whose primary responsibility is to provide general management direction and control for the Criminal Investigations Division. The Criminal Investigations Division consists of a sergeant, detectives, street crimes detectives, and an evidence technician.

200.3 COMMAND PROTOCOL

Command protocol in situations involving personnel of different sections or components engaged in a single operation, will be established as follows:

- (a) The command structure will always follow the chain of command.
- (b) Whenever the command structure cannot be easily distinguished by rank, responsibility of command remains with the Command Officer having primary functional responsibility.

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Organizational Structure and Responsibility

- (c) Whenever the command structure is easily distinguished by rank, but the Command Officer having primary functional responsibility is of a lower rank, responsibility of command remains with the Command Officer of the highest rank.
- (d) In order to provide for unity of command, the ranking Command Officer may assume command of scenes or situations where Command Officers from two or more different Sections are present. However, he/she may relinquish or delegate the command function to a subordinate officer who is present.

200.3.1 SUCCESSION OF COMMAND

The Chief of Police exercises command over all personnel in the Department. During planned absences, the Chief of Police will designate another command staff member to serve as the acting Chief of Police. Please refer to policy 1030.6 for the designated succession of command.

200.3.2 UNITY OF COMMAND

The principles of unity of command ensure efficient supervision and control within the Department. Generally, each employee shall be accountable to one supervisor at any time for a given assignment or responsibility. Except where specifically delegated authority may exist by policy or special assignment (e.g., K-9, SWAT), any supervisor may temporarily direct any subordinate if an operational necessity exists.

200.3.3 ORDERS

Members shall respond to and make a good faith and reasonable effort to comply with the lawful order of superior officers and other proper authority.

Emergency Management Plan

201.1 PURPOSE AND SCOPE

The purpose to this policy is to serve as a guide for supervisory and command staff. This Policy also establishes the roles and duties of those involved in emergency response planning and operations.

201.1.1 PRINCIPLES

In order to implement the plans and procedures contained herein, sound planning and preparations must be made in the following areas:

- Liaison with other agencies
- Intelligence
- Police-community relations
- Continuity of key personnel
- Facilities and equipment
- Fundamental tactics
- Mobilization
- Training

201.1.2 EMERGENCY OPERATIONS PLANNER

The Chief of Police shall fulfill the role of the Emergency Operations Planner. The Chief shall routinely review the Department's emergency plan, otherwise known as the Continuity of Operations Plan (COOP). He/she shall be responsible for providing the training for all Department employees concerning emergency and disaster preparedness and response. The Chief shall be the Department's representative in inter-departmental emergency planning and coordinated planning with other agencies such as the Emergency Management Agency (EMA).

201.1.3 EMERGENCY OPERATIONS COMMAND

The City of Urbana has established an Emergency Operations Center (EOC). The command of a situation and the City's response to it shall be coordinated from that location or any alternative location designated should the primary be unusable.

201.1.4 CONTINUITY OF OPERATIONS PLAN (COOP)

The Chief or his designee shall work with other City Department Directors (especially the Fire Chief) to review and update the COOP. Upon completion of this review and update, the Chief shall provide training for the Department Command Staff on the provisions of this plan. The disaster plan shall be kept in notebooks and distributed appropriately. This plan has the full force and authority of Department Policy when it is in place. All Department Supervisors are required to

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read and be familiar with the COOP as well as be familiar with the National Incident Management System (NIMS)

201.1.5 EMA RELATIONS

The Urbana Police Department shall cooperate with the Champaign County and State of Illinois Emergency Management Agencies. Many of the telecommunications functions between agencies during disasters will either fall to METCAD or EMA.

201.1.6 EQUIPMENT READINESS

It is the responsibility of all Department employees to constantly check equipment for readiness and proper maintenance. The Chief shall appoint a Command Officer with the responsibility for maintaining equipment that is stored and not used on a regular basis to ensure that it is in good working order.

201.1.7 DISCIPLINE OF ASSIGNMENT

During emergencies, it is imperative that all officers and supervisors adhere to the principle of "discipline of assignment". When sent to a post and given a responsibility, it is very important that the officer complete the assignment and remain at the post until properly relieved. Nowhere is this more important than Field Command Post duties. When assigned to the Field Command Post, it is very important that the officer remain there.

201.1.8 HAZARDOUS MATERIALS

The responsibility of hazardous materials rests with the Fire Department. Officers are to be familiar with hazardous materials and their effects. The primary responsibility of officers when dealing with hazardous materials is to set up an appropriate perimeter and keep people and vehicles from entering the area until the Fire Department arrives to take charge.

201.2 ACTIVATING THE EMERGENCY PLAN

Stage 1 - Normal Operations

A Stage 1 emergency exists when an incident or situation occurs requiring the presence of a Supervisor and all available officers. It should be noted that a Stage 1 emergency exists when the incident is predicted to consume an inordinate amount of time, wherein the normal flow of calls to be handled will be obstructed to a great degree or stopped altogether due to the emergency. This type of call includes, but is not limited to: multiple alarm fires, major accidents, train derailment, hazardous materials spill or explosion, homicides, aggressive civil disturbances, critical labor disputes and hostage or barricaded subject situations.

Stage 2 - Partial Mobilization

A Stage 2 emergency exists when the incident or situation described above requires, in the opinion of the Watch Commander, partial mobilization of off-duty personnel. The Watch Commander should request assistance from other local agencies pursuant to the Directives in this manual for help until off-duty personnel arrive. A situation may start out as a stage 2 emergency. All responding off-duty personnel should report to the Urbana Police Department for

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assignment. METCAD should be notified to hold all non-emergency calls for service and notify the Shift Commander of emergency calls. The Watch Commander should consider establishing a command post for communications purposes. The Patrol Division Commander should respond to a Stage 2 emergency.

Stage 3 - Full Mobilization

A Stage 3 emergency exists when, in the opinion of the Chief of Police or his designee, the emergency or disaster has reached such proportions that a total mobilization of the Department is in order. Unless otherwise notified, all off-duty personnel shall attempt to contact the police department immediately upon learning of the event in order to obtain further instructions. If the employee is unable to make contact with someone from the department, they shall report to the Urbana Police Department. Failure to do so shall be deemed neglect of duty.

When the Chief of Police arrives, he/she shall be in complete control of police resources and may delegate as he/she sees fit. When the EOC is in operation, supervisors and other personnel should refer to the COOP. All sworn employees, regardless of assignment, shall maintain a full and complete uniform ready for use at all times in cases of emergencies.

Notifications shall be made for each stage of emergencies. They should be made in accordance with the procedures outlined in the COOP.

201.3 FIELD COMMAND POST

In many instances, the creation of a Field Command Post is beneficial. There should be a clearinghouse of information where Command Officers are present and in communication with the rest of the units and the station. The station is not a good command post unless the incident occurs very close to it. For details on how to establish a Field Command Post, see the COOP.

201.4 MEDIA

The Command Officer in charge, should consider that the media will be present and will be a factor in most emergencies. There should be a special area set up for them, they should be kept at a safe distance and a particular officer assigned to liaison with them and keep media issues in mind.

201.5 RESPONSIBILITIES

These are the responsibilities of the responders to such emergencies.

- First Contact

As much accurate information about the incident as possible should be gained at the outset. The priority here is on accuracy. Responding to calls with inaccurate information or intelligence seriously hinders an effective planning and response. This responsibility falls to the first responding officers and supervisors.

- Command Officer Responsibilities

The affected area should be isolated and shut off. The first responding supervisors are responsible for the outer perimeter of a situation. The first duty is to evaluate the extent of the emergency

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and then limit it geographically if possible. Officers should be given specific direct orders about perimeter control and it should be secure. A leaky perimeter can exacerbate an emergency. Supervisors should consider the use of maps to assist in perimeter development and control. The Command Officer should consider appropriately staffing the station during a significant emergency. Oftentimes, there is only one Police Services Representative during emergencies, he/she may also need assistance.

When necessary and possible, assign the following responsibilities (they do not necessarily have to all be different people)

- Communications
- Supplies/equipment
- Liaisons with other agencies
- Investigations
- Appropriate staffing for the rest of the City
- Log
- Media
- Intelligence
- Mass arrest processing

201.6 MOBILIZATION

Once a stage 2 emergency is declared, the designated personnel shall be directed to the station for assignment. The Command Officer in charge may call back personnel pursuant to the appropriate labor contract provision. All off-duty personnel called back shall report to the station and have available with them a complete uniform and required equipment. Officers should not respond to a stage 2 or 3 emergency expecting to wear civilian clothes unless directed to do so. It is the responsibility of the Command Officer in charge to arrange for proper relief of employees in the field.

201.7 ARRESTS

The Urbana Police Department shall arrest and seek the prosecution of those apprehended for looting. When this is a factor, special squads of officers shall be assigned the task of looting prevention and apprehension. Mass arrests should be organized as smoothly as possible and staffed appropriately. A Command Officer shall be assigned the responsibility of operating a mass arrest booking facility near the Field Command Post if it becomes necessary.

201.8 PHOTOGRAPHS/VIDEO

Command Officers at such emergencies shall endeavor to document arrests, damage and other aspects of the emergency with cameras and available video equipment. Squad cars equipped with video cameras should be assigned to the scene and the officers in them directed to utilize the

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video as much as possible. The crowds, looting, disaster damage, etc., should all be videotaped and photographed.

201.9 METRO TEAM

The Urbana Police Department participates in a mutual tactical team with the University of Illinois and the Champaign County Sheriff's Office. In situations where the METRO team is activated, the command functions shall operate as described in the METRO Team Policy. Other pertinent provisions of this policy will still apply.

201.10 NATURAL AND MAN-MADE DISASTERS

The Urbana Police Department shall respond as described in this policy to natural and man-made disasters. However, initially it may be that the primary department responsible will be the Fire Department. The Police Department will cooperate with the Fire Department on all levels. Officers may be the first on the scene and the gathering of accurate information on the extent and type of disaster is crucial to appropriate Fire Department response. Officers should concern themselves with immediate lifesaving and rescue if possible. However, once the Fire Department is on the scene and their resources, usually more trained in triage and life support, are operating, the role of the responding officers may fall back to security and perimeter. These are prevention roles and are very important.

It is an incumbent and required responsibility that the Police Command Officer at the scene have a "face to face" conversation with Fire Command in order to specifically delineate responsibilities between Departments. This communication should be early and on-going.

201.11 MOBILE FIELD FORCE

With regards to civil disorder and other emergency situations, the Urbana Police Department utilizes the ILEAS regional mobile field force team who is specially trained in Mobile Field Force tactics.

201.12 AIRPORT

The only airport for which the Urbana Police Department is responsible is Frasca Field. Incidents at Frasca could be under the jurisdiction of federal authorities.

- Crashes

If there is an incident at Frasca which involves the crash of an aircraft, the Fire Department will respond to provide rescue/fire services. The FAA should be notified by calling the tower at Willard Airport. Urbana Police will cooperate as necessary with the scene and the follow-up investigation.

- Bomb Threats/Hijacking

If there is a bomb threat, hijacking or other threat or use of force on an aircraft at Frasca or en route to Frasca, the Shift Supervisor shall cause the FBI to be notified. Upon the arrival of an FBI official, they are to be considered in charge of the situation. The Urbana Police Department shall offer whatever assistance is required. Until they arrive, the situation should be handled as if it were Urbana's responsibility. These types of cases should be considered at least stage 2 emergencies.

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In cases of bomb threats, the Command Officer in charge shall notify the Explosives Ordinance Unit at the University of Illinois and request their assistance if necessary.

In cases of hostage, hijacking or threats of force on incoming aircraft, the Command Officer in charge should consider activating METRO depending on the specifics.

According to Federal procedures, if the aircraft is in the air, the FAA is in charge. When it is on the ground, it is the FBI. The Command Officer in charge should notify both of these agencies of a hijacking, bomb or hostage taking on an aircraft.

201.13 DOCUMENTATION

Documentation such as logs, lists of arrests, narrative describing the entire incident and operation, copies of all offense reports generated by the incident, a financial impact statement to include costs for equipment, damage and overtime should be collected.

Training

202.1 PURPOSE AND SCOPE

This policy establishes general guidelines for how training is to be identified, conducted, and documented. This policy is not meant to address all specific training endeavors or identify every required training topic.

202.2 OBJECTIVES

The objectives of the training program are to:

- (a) Enhance the level of law enforcement service to the public.
- (b) Increase the technical expertise and overall effectiveness of department members.
- (c) Provide for continued professional development of department members.
- (d) Ensure compliance with ILETSB rules and regulations concerning law enforcement training.

202.3 TRAINING PLAN

The training plan should include the anticipated costs associated with each type of training, including attendee salaries and backfill costs. The plan should include a systematic and detailed method for recording and logging of all training for all members.

Updates and revisions may be made to any portion of the training plan at any time it is deemed necessary.

The plan will address all required training.

202.3.1 GOVERNMENT-MANDATED TRAINING

The following lists, while not all inclusive, identify training that is required under state and federal laws and regulations. Additional required training may be identified in individual policies.

- (a) Federally mandated training:
 1. National Incident Management System (NIMS) training
- (b) State-mandated training:
 1. Officers must successfully complete the Minimum Standards Basic Law Enforcement Training Course or a similar ILETSB-approved training program within six months of full-time employment (50 ILCS 705/8.1).
 - (a) The basic training requirement may be waived if the employee is eligible for certification by meeting training and certification standards within the parameters, extensions, and exceptions set by ILETSB (50 ILCS 705/8.1).
 - (b) State-mandated training requirements every year include (50 ILCS 705/7; 50 ILCS 705/7.1):
 1. Legal updates.
 2. Emergency medical response training and certification.

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3. Crisis intervention training.
 4. Officer wellness and mental health.
 5. Firearms Restraining Order Act.
 6. Use of force (must include scenario-based or similar training in accordance with ILETSB mandates).
- (c) State-mandated training requirements every three years include (50 ILCS 705/7; 50 ILCS 705/10.6; 725 ILCS 203/20):
1. Constitutional and proper use of law enforcement authority.
 2. Procedural justice.
 3. Civil rights.
 4. Human rights.
 5. Mandatory child abuse reporting.
 6. Cultural competency.
 7. Mental health awareness and response.
 8. Training on sexual assault and sexual abuse response and report writing (see the Sexual Assault Investigations Policy).
 9. ILETSB-approved use of force training, including policies and laws related to stops and searches and officer safety techniques.
 10. Scenario-based role-playing (six hours de-escalation and six hours high-risk traffic stops) in accordance with ILETSB mandates.
- (d) State-mandated training requirements every four years include:
1. Homicide investigator training for investigators (50 ILCS 705/10.11).
- (e) State-mandated training requirements every five years include:
1. Domestic violence (725 ILCS 5/112A-27; 750 ILCS 60/301.1).

202.3.2 PROBATIONARY TRAINING

Probationary officers are required to satisfactorily complete minimum training mandated by the ILETSB in order to be eligible for permanent employment (50 ILCS 705/7).

202.3.3 SKILLS DEVELOPMENT TRAINING

Members who are assigned to new functions or promotions shall receive training in their new assignments.

202.3.4 NON-SWORN ORIENTATION

All non-sworn members of the Department shall receive information regarding:

- (a) The Department's role, purpose, goals, policies, and procedures.
- (b) Working conditions and regulations.

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- (c) Responsibilities and rights of employees.

202.4 TRAINING ATTENDANCE

- (a) All employees assigned to attend training shall attend as scheduled unless previously excused by their immediate supervisor. Excused absences should be limited to:
 1. Court appearances.
 2. Previously approved vacation or time off.
 3. Illness or medical leave.
 4. Physical limitations preventing the member's participation.
 5. Emergency situations or department necessity.
- (b) Any member who is unable to attend training as scheduled shall notify the member's supervisor as soon as practicable but no later than one hour prior to the start of training and shall:
 1. Document the member's absence in a memorandum to the member's supervisor.
 2. Make arrangements through the member's supervisor or the Training Officer to attend the required training on an alternate date.

202.5 POLICY

The Department shall administer a training program that will meet the standards of federal, state, local, and the Illinois Law Enforcement Training and Standards Board (ILETSB) training requirements. It is a priority of this department to provide continuing education and training for the professional growth and development of its members.

202.6 TRAINING OFFICER

The Chief of Police shall designate a Training Officer who is responsible for developing, reviewing, updating, and maintaining the department training plan so that required training is completed. The Training Officer should review the training plan annually.

202.7 TRAINING RECORDS

The Training Officer is responsible for the creation, filing, and storage of all training records (50 ILCS 705/8.1). Training records shall be retained in accordance with the established records retention schedule.

Electronic Mail

203.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper use and application of the electronic mail (email) system provided by the Department. Email is a communication tool available to employees to enhance efficiency in the performance of job duties and is to be used in accordance with generally accepted business practices and current law (e.g., Illinois Freedom of Information Act). Messages transmitted over the email system must only be those that involve official business activities or contain information essential to employees for the accomplishment of business-related tasks and/or communication directly related to the business, administration, or practices of the Department.

203.2 EMAIL RIGHT OF PRIVACY

All email messages, including any attachments, that are transmitted over department networks are considered department records and therefore are department property. The Department reserves the right to access, audit or disclose, for any lawful reason, any message, including any attachment, that is transmitted over its email system or that is stored on any department system.

The email system is not a confidential system and therefore is not appropriate for confidential communications. If a communication must be confidential, an alternative method to communicate the message should be used. Employees using the department email system shall have no expectation of privacy concerning communications transmitted over the system.

Employees should not use personal accounts to exchange email or other information that is related to the official business of the Department.

203.3 PROHIBITED USE OF EMAIL

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing or any other inappropriate messages on the email system is prohibited, will not be tolerated and may result in discipline.

Email messages addressed to the entire department are only to be used for official business related items that are of particular interest to all users and must be approved by the Chief of Police or a Division Commander. Personal advertisements are not acceptable.

It is a violation of this policy to transmit a message under another user's name. Users are strongly encouraged to log off the network when their computer is unattended. This added security measure should minimize the misuse of an individual's email, name and/or password by others.

203.4 EMAIL RECORD MANAGEMENT

Email may, depending upon the individual content, be a public record under the Illinois Freedom of Information Act and must be managed in accordance with the established records retention schedule and in compliance with state law.

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The Information Technology Department shall ensure that email messages are retained and recoverable as outlined in the Records Maintenance and Release Policy.

Operations Bulletin and Other Administrative Communications

204.1 PURPOSE AND SCOPE

Administrative communications of this department are governed by the following policies.

204.2 OPERATIONS BULLETIN

Operations Bulletins may be issued at the end of each week by the Chief of Police to announce and document all promotions, transfers, hiring of new personnel, separations, personnel and group commendations, or other changes in status.

- (a) The Urbana Police Department believes that a vehicle for communication throughout the Department is required. To avoid a flood of memoranda or e-mail communications containing directions and policies, the Department hereby establishes the Operations Bulletin. This Bulletin shall be distributed to all full-time employees and have the full force and effect of the Policy Manual.
- (b) This establishes the Operations Bulletin as a means for distributing temporary or special orders and other pertinent and interesting information throughout the Department. Additionally, procedural, process or other clarifying information may be included in the Operations Bulletin.
- (c) The Chief of Police shall issue a document known as the Operations Bulletin. This Bulletin may contain temporary or special orders. These orders have the full force and effect of this Policy Manual. These orders last until such time the information is incorporated into the Policy manual or superseded by a subsequent OPS bulletin entry. All employees of the Urbana Police Department shall read and be familiar with Operations Bulletins. Every employee is responsible for carrying out the directions issued in the Bulletin. Employees shall read the Operations Bulletin as soon as possible upon their return from regular days off or benefit time off. The Department Administrative Assistant shall issue the Operations Bulletin with the approval of the Chief of Police or his/her designee.
- (d) The Operations Bulletin will be sent out weekly to every full-time employee of this department via e-mail. Archived Operations Bulletins are available on the internal web. Supervisors who have part-time employees working for them are responsible to convey, in a timely manner, any information that affects the part-time employee. The Operations Bulletin shall be published every week, regardless of any pertinent content or not.
- (e) The Operations Bulletin may contain, but is not limited to, any of the following: Personnel assignments Temporary procedural changes Special orders Scheduling changes Meetings Clarifications to this Manual Training events Reminders of current policies The Operations Bulletin will not be used for personal reasons. There will be no advertising included in the Bulletin. Congratulatory notes for professional reasons may be included.

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- (f) Any employee may suggest information for the Operations Bulletin. They must send the proposal through the chain-of-command to the Chief of Police for inclusion in the next Bulletin.
- (g) Operations Bulletins shall be numbered individually. The number shall be of two parts. The first part is a two digit year. The second part is a sequential number of the week of the year. For instance, the first Operations Bulletin for 1994 will be numbered 94-01. The last one issued in 1994 will be 94-52.

204.3 CORRESPONDENCE

In order to ensure that the letterhead and name of the Department are not misused, all external correspondence shall be on Department letterhead. All Department letterhead shall bear the signature element of the Chief of Police. Personnel should use Department letterhead only for official business and with approval of their supervisor.

204.4 SURVEYS

All surveys made in the name of the Department shall be authorized by the Chief of Police or a Division Commander.

Staffing Levels

205.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that proper supervision is available for all shifts. The Department intends to balance an employee's needs against the need to have flexibility and discretion in using personnel to meet operational needs. While balance is desirable, the paramount concern is the need to meet operational requirements of the Department.

205.2 MINIMUM STAFFING LEVELS

Minimum staffing levels should result in the scheduling of at least one regular supervisor on duty whenever possible.

205.3 SUPERVISOR'S INABILITY TO ACT

The Department is committed to the presence of not less than one Shift Supervisor on duty for any watch. In any case where there is no Shift Supervisor available to perform that duty effectively, due to injury or prolonged necessary absence from the City where such inability occurs during the tour of duty, the Supervisor shall designate the officer of his/her choice to serve as interim Shift Supervisor. He/she shall then notify the Deputy Chief and Patrol Division Lieutenant and immediately call in another supervisor to assume command of the shift. This preferably is a supervisor from an adjoining shift but given the emergency nature of such a situation, any supervisor may be called and ordered to duty. If the Shift Supervisor is dead, unconscious, missing or otherwise unable to make this designation, the officer on duty having the most seniority shall assume interim command of the operational shift. He/she shall notify the Patrol Division Lieutenant, Deputy Chief and/or the Chief of Police.

205.4 MINIMUM STAFFING LEVELS FOR PATROL OFFICERS

Minimum staffing levels should result in the scheduling of at least four (4) patrol officers or supervisors from 0300 hours to 1100 hours. At least one (1) of those persons shall be a supervisor. Minimum staffing levels should result in the scheduling of at least five (5) patrol officers or supervisors from 1100 hours to 0300 hours. At least one (1) of those persons shall be a supervisor. This minimum staffing level is over and above any officers from a specialized unit who may be working at the time.

All command officers and officers shall be familiar with sections 13.6 of the FOP Labor Contract which governs the call back of officers. Call back overtime for minimum staffing shall be done pursuant to that procedure.

All command officers and officers shall be familiar with and abide by section 13.7 of the FOP Labor Contract, entitled, "Special Details."

205.5 MINIMUM STAFFING FOR FRONT DESK

The front desk must be staffed 17 hours per day, from 0600 to 2300. Services personnel are required to provide this staffing at a minimum of 17 hours per day, except on holidays when they are only required to staff the desk for a minimum of 16 hours, from 0600-2300 with the hour of

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0600-0700 being optional but not required. This minimum staffing level is not used to determine the number of PSRs allowed off on vacation or compensatory time. Scheduling of approved leave for PSRs is dealt with in the Scheduled Approved Leave policy.

Procedures on how to do call back for support services can be located in the Minimum Staffing and Callback Procedures section of the Front Desk Manual.

205.6 ASSIGNMENT ROTATION AND INFORMATION SHARING

Assignments to operational shifts and rotation of those shifts will be based on the FOP contract. Assignments to a particular beat are generally made for the entire shift sign-up, however, they can be altered with no notice at the sole discretion of the supervisor in charge. Based on established shift schedules, continuous coverage is provided during shift changes. The oncoming shift shall be apprised of all pertinent activities from the previous shift's supervisor or designee.

Retiree Concealed Firearms

206.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the issuance, denial, suspension or revocation of Urbana Police Department identification cards under the Law Enforcement Officers' Safety Act (LEOSA) and Illinois law (18 USC § 926C; 50 ILCS 705/10).

206.2 QUALIFIED RETIREES

1. In this policy, the term "qualified retired law enforcement officer" will mean a former Urbana Police Department officer who has separated from service in good standing, is not disabled due to mental instability, has an aggregate of at least ten years of service as a certified law enforcement officer, and is certified as such by the Chief of Police. A qualified retired law enforcement officer can also be an officer who has not completed the ten year aggregate, but who left service due to a service-related disability after completing probation.
2. In this policy, the term "officer" will mean a currently active Urbana Police Department officer, not retired or on permanent disability status.
3. The card or document containing the specified photograph and identifying data, bearing the authority of the Chief of Police, and certifying an officer's employment status or a qualified retired law enforcement officer's firearms qualification status.
4. The status of an officer or a qualified retired law enforcement officer as authorized to possess a firearm.
 - In the case of a current officer, "qualified" indicates the employee is current in firearms proficiency, having successfully completed the specified course of fire as certified by the Rangemaster. For purposes of this policy, officers on administrative leave requiring them to turn in their official identification are not "qualified" to carry a firearm under LEOSA.
 - In the case of a qualified retired law enforcement officer, "qualified" indicates successful completion of annual marksmanship testing for qualified retired law enforcement officers.

206.3 SECTION TITLE

206.4 LEOSA

The Chief of Police may issue an identification card for LEOSA purposes to any qualified former officer of this department who (18 USC § 926C(c)):

- (a) Separated from service in good standing from this department as an officer.
- (b) Before such separation, had regular employment as an officer for an aggregate of 10 years or more or, if employed as an officer for less than 10 years, separated from service after completing any applicable probationary period due to a service-connected disability as determined by this department.

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- (c) Has not been disqualified for reasons related to mental health.
- (d) Has not entered into an agreement with this department where the officer acknowledges that he/she is not qualified to receive a firearm qualification certificate for reasons related to mental health.
- (e) Is not prohibited by federal law from receiving or possessing a firearm.

206.4.1 LEOSA IDENTIFICATION CARD FORMAT

The LEOSA identification card should contain a photograph of the former officer and identify him/her as having been employed as an officer.

206.4.2 AUTHORIZATION

Any qualified former peace officer, including a former officer of this department, may carry a concealed firearm under 18 USC § 926C when he/she is:

- (a) In possession of photographic identification that identifies him/her as having been employed as a law enforcement officer, and one of the following:
 - (a) A valid permit to carry a concealed firearm issued by the Illinois Law Enforcement Training and Standards Board (ILETSB) (20 Ill. Adm. Code 1720.260).
 - (b) An indication from the person's former law enforcement agency that he/she has, within the past year, been tested or otherwise found by the law enforcement agency to meet agency-established active duty standards for qualification in firearms training to carry a firearm of the same type as the concealed firearm. This testing may be conducted by a qualified civilian or a law enforcement firearms instructor in another jurisdiction or range outside of Urbana. The civilian instructor must list who his instructor certification is through and date certified on the score sheet. The law enforcement instructor must identify which department he works for on the score sheet. Regardless of the instructor, they must print and sign their name on the score sheet. The score sheet then must be submitted to the Rangemaster via USPS or electronic means for approval and permit issuance.
 - (c) A certification, issued by either the state in which the person resides or by a certified firearms instructor who is qualified to conduct a firearms qualification test for active duty law enforcement officers within that state, indicating that the person has, within the past year, been tested or otherwise found to meet the standards established by the state or, if not applicable, the standards of any agency in that state.
- (b) Not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.
- (c) Not prohibited by federal law from receiving a firearm.
- (d) Not in a location prohibited by Illinois law or by a private person or entity on his/her property if such prohibition is permitted by Illinois law.

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206.5 ILLINOIS LAW ENFORCEMENT TRAINING AND STANDARDS BOARD PERMITS

Retirees who wish to carry a concealed firearm may apply for an ILETSB permit through the Illinois Retired Officer Concealed Carry (IROCC) office. Application information is available on the IROCC website (20 Ill. Adm. Code 1720.250).

206.6 FORMER OFFICERS RESPONSIBILITIES

A former officer with a card issued under this policy shall immediately notify the Shift Supervisor of his/her arrest or conviction in any jurisdiction, or that he/she is the subject of a court order, in accordance with the Reporting of Employee Convictions Policy.

206.6.1 RESPONSIBILITIES UNDER LEOSA

In order to obtain or retain a LEOSA identification card, the former officer shall:

- (a) Sign a waiver of liability of the Department for all acts taken related to carrying a concealed firearm, acknowledging both his/her personal responsibility as a private person for all acts taken when carrying a concealed firearm as permitted by LEOSA and also that these acts were not taken as an employee or former employee of the Department.
- (b) Remain subject to all applicable department policies and federal, state and local laws.
- (c) Demonstrate good judgment and character commensurate with carrying a loaded and concealed firearm.
- (d) Successfully pass an annual criminal history background check indicating that he/she is not prohibited by law from receiving or possessing a firearm.

206.7 DENIAL, SUSPENSION OR REVOCATION

A LEOSA identification card may be denied or revoked upon a showing of good cause as determined by the Department. In the event that an identification card is denied, suspended or revoked, the former officer may request a review by the Chief of Police. The decision of the Chief of Police is final.

206.8 FIREARM QUALIFICATIONS

The Rangemaster may provide former officers from this department an opportunity to qualify. Written evidence of the qualification and the weapons used will be provided and will contain the date of the qualification. The Rangemaster will maintain a record of the qualifications and weapons used.

The Rangemaster shall ensure that any such certification program complies with 20 Ill. Adm. Code 1720.280.

Policy Deviation

207.1 PURPOSE

Departmental policies are intended to provide guidelines and procedures on the philosophy and direction of the Department as outlined in these policies. Generally, these policies are the standard operating procedures of the Department. Policies do not exist for every situation encountered by employees nor are they applicable to every operation or situation.

207.2 DEVIATION

Unless faced with a life threatening situation, an employee may deviate from established policies, guidelines and directives only after advising and receiving authorization from a supervisor.

Supervisor Responsibility - Supervisors authorizing deviations are accountable for their decisions and judgments. Supervisors authorizing deviation from established Directives and polices shall provide a documented explanation via e-mail to his/her Division Commander detailing their rationale for authorizing the deviation. This explanation shall include reasons for the deviation and the circumstances surrounding the deviation. The supervisor can also make recommendations for a directive change if necessary.

Emergency Management Plan Procedures

208.1 PURPOSE AND SCOPE

This procedure provides members guidance in the operation of emergency management.

208.2 EMERGENCY MANAGEMENT PLAN

In accordance with the Emergency Operations Plan Policy, this plan shall supplement the policy for operations in emergency situations with the primary source being the county, state, or federal emergency operations plan enacted by the responsible emergency management agency.

This plan will supplement the plans of county, state, or federal agencies, and may be used for unusual occurrences or critical incidents, which may include:

- (a) Natural disasters.
- (b) Manmade disasters.
- (c) Pandemics.
- (d) Civil disturbances.
- (e) Active shooter situations.
- (f) Bomb threats.
- (g) Search missions of missing and/or endangered persons.
- (h) Hazardous material incidents.
- (i) Security of VIPs.
- (j) Other large-scale or special events.

208.2.1 VIP SECURITY AND HIGH SECURITY NEEDS SPECIAL EVENTS

The METRO SWAT team commander shall coordinate with other agencies or groups to assist in the planning of security for VIPs and/or special events. The Chief of Police or the authorized designee shall appoint an Incident Commander to coordinate the event-specific plan.

208.3 RESPONSIBILITIES

The Emergency Operations Plan contains command and control protocol for the following major functions:

- (a) Command
- (b) Operations
- (c) Planning
- (d) Logistics
- (e) Administration

208.3.1 COMMAND SECTION

The Command Section shall account for the following functional areas or responsibilities:

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- (a) Establishing an Incident Commander
- (b) Establishing a field command post
- (c) Determining if additional resources are required
- (d) Requesting mutual aid, when necessary, in accordance with the Outside Agency Assistance Policy
 - 1. If an incident exceeds the limits of this department, the County Emergency Management Agency should be notified, and additional resources coordinated through them.
- (e) Establishing a Public Information Officer in accordance with the Media Relations Policy
- (f) Establishing a safety officer, if required
- (g) Establishing an official or functional liaison officer
- (h) Ensuring the incident is documented, reviewed, and forwarded to the Chief of Police.

208.3.2 OPERATIONS SECTION

The Operations Section shall coordinate the organization, assignment, and supervision of tactical field resources to include:

- (a) Establishing and supervising any staging area, when necessary.
- (b) Establishing inner and outer perimeters.
- (c) Maintaining a manageable span of control.
- (d) Managing any evacuation of the affected area, when necessary.
- (e) Traffic management.

208.3.3 PLANNING SECTION

The Planning Section shall be responsible for coordinating gathering, analyzing, and disseminating information and intelligence and includes:

- (a) Managing the planning process.
- (b) Compiling the incident action plan.
- (c) Managing technical specialists.
- (d) Preparing a demobilization plan.

208.3.4 LOGISTICS SECTION

The Logistics Section shall be responsible for the following:

- (a) Communications
- (b) Medical support to incident personnel
- (c) Food and water for incident personnel
- (d) Supplies
- (e) Facilities

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- (f) Ground support

208.3.5 ADMINISTRATION AND FINANCE SECTION

The Administration and Finance Section shall account for the following functional areas or responsibilities:

- (a) Financial and cost summaries and/or analyses
- (b) Overseeing contract negotiations, when required
- (c) Tracking personnel and equipment time
- (d) Tracking costs of equipment and consumable supplies
- (e) Processing of claims for accidents, injuries, and liability issues

Chapter 3 - General Operations

Use of Force

300.1 PRINCIPLES AND VALUES

The Urbana Police Department serves, supports, and protects the community; promotes peace; and ensures the safety of all people in the City of Urbana. This Use of Force policy vests officers with the authority to use force that is objectively reasonable, necessary, and proportional to effectively and safely resolve incidents while protecting the lives of officers and other persons.

The Department shall review the Use of Force policy in collaboration with members of the public, its officers, City Staff, and the City Council at least once every five years. City Council may request that the policy be updated earlier than five years based on community concerns (Resolution 2021-02-007R).

Foundation - Ten Shared Principles

The Department values the life of every person in Urbana and considers the sanctity of life to be the highest value without prejudice to anyone. The Department is committed to the Ten Shared Principles as prescribed by the Illinois Association of Chiefs of Police and the Illinois Conference of the National Association for the Advancement of Colored People (NAACP) (Resolution 2020-06-031R). Every employee of the Urbana Police Department is required to treat all persons with dignity and respect.

Core Principles for Community Policing

The Urbana Police Department rejects discrimination toward any person, as formalized by the City of Urbana Human Rights Ordinance (Urbana Municipal Code Sec. 12.1). The Department is committed to building and maintaining community trust through transparency with the public about every use of force and accountability for every officer who uses force. The Department resolves to build stronger relationships with all communities, including the Black and Brown communities, which have been disproportionately affected by police use of force nationwide, through community policing, engagement, and collaborative problem-solving.

De-Escalation as Prioritized Response

Officers shall prioritize de-escalation during encounters with the public whenever feasible, as affirmed by the Urbana City Council on February 22, 2021 (Resolution 202102-007R). De-escalation is the foundation of the Urbana Police Department's approach to public safety and its guiding spirit. Appropriate de-escalation techniques include but are not limited to: respectful communication, verbal persuasion, taking time, and maintaining distance.

Duty to Intervene and Report

Officers have an affirmative duty to intervene verbally and physically, when in a position to do so, and to report any use of force that is not objectively reasonable, necessary, and proportional under the circumstances, without regard for chain of command. Officers have a duty to render medical assistance as soon as reasonably practical by determining if a person is injured, rendering medical

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aid and assistance consistent with their training, and requesting emergency medical assistance if necessary.

Officers' Responsibility, Compliance, and Accountability

All officers are responsible for knowing and complying with this policy and conducting themselves in a manner aligned with this mission. Any violation of this policy will subject the officer to progressive discipline as outlined in the Disciplinary Policy. Supervisors shall ensure that all personnel in their command know the content of this policy and operate in compliance with it. Supervisors who fail to do so will face disciplinary action.

300.2 PURPOSE AND SCOPE

This policy provides guidelines on de-escalation and the use of necessary force. Every employee of this Department is expected to use these guidelines to make such decisions in a professional, impartial, and reasonable manner.

In addition to those methods, techniques, and tools set forth below, the guidelines for the reasonable application of force contained in this policy shall apply to all policies addressing the potential use of force, including, but not limited to, the Control Devices and Techniques and Conducted Energy Device policies.

The Department shall follow all applicable state statutes regarding force utilization while interacting with crowds and gatherings [720 ILCS 5/7-5.5(e)].

The Department shall comply with all applicable state statutes regarding surplus military equipment, including acquisition and deployment [65 ILCS 5/11-5.1-2].

300.3 POLICY

Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation, and a careful balancing of all interests. The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved in numerous and varied interactions and, when warranted, may use objectively reasonable, necessary, and proportional force in carrying out their duties. Officers must have an understanding of, and true appreciation for, their constitutional and local authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties. Further, officers are reminded that de-escalation is the foundation of the Urbana Police Department's approach to public safety.

300.3.1 DEFINITIONS

Definitions related to this policy include

Chokehold - Applying any direct pressure to the throat, windpipe, or airway of another. "Chokehold" does not include any holding involving contact with the neck that is not intended to reduce the intake of air [720 ILCS 5/7-5.5(c)].

Deadly Force - Any use of force that creates a substantial risk of causing death or serious bodily injury to another person.

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Exigent Circumstances - Circumstances that would cause a reasonable person to believe that entry (or other relevant prompt action) was necessary to prevent physical harm to the officers or other persons, the destruction of relevant evidence, the escape of the suspect, or some other consequence improperly frustrating legitimate law enforcement efforts.

Feasible - Reasonably capable of being done or carried out under the circumstances to successfully achieve the arrest or lawful objective without increasing risk to the officer or another person.

Force - Any physical effort to control, restrain, compel, or overcome the resistance of another person, including the display of a weapon to control a person's actions. It is not a use of force when a person allows themselves to be searched, escorted, handcuffed, or restrained.

Imminent - Ready to take place; impending. Imminent does not mean immediate or instantaneous. An imminent danger may exist even if the suspect is not at that very moment pointing a weapon at someone. For example, an imminent danger may exist if an officer reasonably believes that the person has a weapon or is attempting to access one and intends to use it against the officer or another person. An imminent danger may also exist if the person is capable of causing serious bodily injury or death without a weapon, and the officer believes the person intends to do so. An imminent harm is not merely a fear of future harm, no matter how great the fear and no matter how great the likelihood of the harm, but is one that, from appearances, must be instantly confronted and addressed [720 ILCS 5/7-5(h)(2)].

Objectively Reasonable Force - An objective standard of force. Determining whether force was objectively reasonable requires evaluating each use of force from the perspective of a reasonable officer, based on the totality of the circumstances known to or perceived by the officer involved at the time.

Restraint above the Shoulders with Risk of Positional Asphyxiation – Use of a technique used to restrain a person above the shoulders, including the neck or head, in a position that interferes with the person's ability to breathe after the person no longer poses a threat to the officer or any other person [720 ILCS 5/7-5.5(d)].

Serious Bodily Injury - Bodily injury that involves a substantial risk of death, protracted and obvious disfigurement, or extended loss or impairment of the function of a body part or organ.

Totality of the Circumstances- All facts and circumstances known to the officer at the time, taken as a whole, including the conduct of the officer and a person leading up to the use of force. The totality of the circumstances impacts what is considered to be reasonable.

Use of Force Continuum - A series of escalating and/or de-escalating actions an officer may take to resolve a situation. This continuum generally has many levels, and officers are instructed to respond with a level of force appropriate to the situation at hand, acknowledging that the officer may move from one part of the continuum to another in a matter of seconds. (National Institute of Justice)

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300.3.2 DUTY TO INTERVENE AND REPORT

Any Department employee who observes, knows, or suspects (whether in-person or not) that an officer has used force that is potentially beyond that which is allowable under the circumstances shall report as soon as practicable after having observation or knowledge of a use of force beyond that which is allowable, but in no event greater than five days, to the Services Division lieutenant. Reports shall be made on the appropriate form. All officers have a duty to intervene verbally and physically, when in a position to do so, and to report any use of force that is not objectively reasonable, necessary, and proportional under the circumstances, without regard for chain of command. Failure to report incidents involving the use of unnecessary or excessive force will result in disciplinary action. No employee of the Department shall discipline or retaliate in any way against an employee for intervening or reporting as required in this policy. In addition, no employee of the Department shall retaliate in any way against a person, including interns, volunteers, or community partners, for reporting as described in this policy.

The affirmative duty to intervene and report use of excessive force is a key factor in maintaining accountability and building trust with the community. This policy acknowledges that persons, including other officers, observing force used by an officer, may not have access to all information and actions that led to the decision to employ force, but that does not absolve the witnessing employee(s) from the duty to intervene or report.

300.4 DE-ESCALATION AND USE OF FORCE

Whenever feasible, safe, and prudent to do so, de-escalation should be the primary response by officers when handling and resolving incidents. Officers should use only that amount of force that appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose or to prevent physical injury to themselves or other persons. Officers should recognize that use of force incidents can be, and often are, rapidly changing and fluid events. As such, officers should be aware that their use of force must be objectively reasonable, necessary, and proportional to the force/resistance encountered.

The objective reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident taking into account the totality of the circumstances. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that appears necessary in a particular situation, with limited information and in circumstances that are, or may be, tense, uncertain, and rapidly evolving. While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires an officer to retreat or be exposed to possible physical injury before applying reasonable force (720 ILCS 5/7-5).

Given that no policy can predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion and to follow their training in determining the appropriate use of force in each incident.

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It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the tools, weapons, or methods provided by this Department. Officers may find it more effective to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must be utilized only to the degree that it appears objectively reasonable and necessary to accomplish a legitimate law enforcement purpose.

300.4.1 DE-ESCALATION GUIDELINES AND TECHNIQUES

Whenever feasible, safe, and prudent to do so, de-escalation shall be the primary response by officers when handling and resolving incidents. De-escalation is intended to permit officers to decrease the intensity of a situation, improve decision-making and communication, reduce the need for higher level of force, and increase voluntary compliance while maintaining control of a situation. De-escalation does not require an officer to compromise their safety or increase the risk of physical harm to the public.

The overall objective of any tactical encounter is to gain control and safely resolve the situation. Tactical situations vary and there is no single solution to resolving every incident. In some serious situations, where the safety of the officer or a member of the public is at risk, de-escalation techniques are neither viable nor effective options as the first response. However, prioritizing de-escalation techniques under the appropriate circumstances can preserve life, reduce injuries, build public trust, mitigate threats, and improve the safety of all involved. Further, whenever feasible, officers shall employ de-escalation techniques after they have initiated a use of force by continually assessing the situation and modifying the use of force as circumstances change.

De-escalation Techniques

Planning - Officers should attempt to arrive at a scene with a coordinated approach based on initial or pre-existing knowledge of the involved persons. The nature of most incidents will require plans to be flexible and officers will need to adapt as additional information becomes known.

Assessment - Officers should continually assess the situation as new information becomes known. If a person refused to comply with an order, officers should assess if it is a deliberate attempt to resist or escape, or an inability to comprehend the situation due to environmental, physical, cognitive, language barrier or other conditions. If a person is unable to comprehend the situation, other tactical options may be more effective in resolving the situation safely.

Time - Time is an essential element of de-escalation as it allows officers the opportunity to communicate with the person, refine tactical plans, and, if necessary, call for additional resources. If a person is contained and does not pose an imminent threat, time can provide an opportunity for them to reconsider their actions and decisions. Additionally, effective use of distance and cover may increase time and safety for the officer(s).

Redeployment and/or Containment - Redeployment and/or containment can afford officers the added benefit of time and distance while continuing to maintain control of the situation. The addition of time and distance may give officers an opportunity to re-assess, communicate, request additional resources, or deploy other tactics to reduce the likelihood of injury to both the public and

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officers while also mitigating any potential ongoing threats. Redeployment, however, should not enable a person to gain a tactical advantage, arm themselves, or flee and pose a greater danger to the public or officers.

Lines of Communication - Maintaining open lines of communication among officers and communicating effectively with members of the community are both critically important when managing a tense or potentially dangerous encounter. Communication among officers can improve decision-making under tense circumstances and increase the effectiveness of coordinated actions. Likewise, clear, calm, and respectful communication may help defuse a situation, deter resistance or flight, and increase the probability of safely resolving it. Examples of strategies that may be employed as time or circumstances allow include, but are not limited to:

- Ask open-ended questions
- Respond to questions
- Give clear verbal warnings
- Explain your actions
- Give clear and direct orders
- Defuse
- Show empathy
- Redirect
- Advise
- Build rapport

Other Resources - In the case of a tense or potentially dangerous encounter, requesting additional resources can provide officers with specialized expertise, personnel, and tools to help control, contain and safely resolve an incident.

300.4.2 USE OF FORCE TO EFFECT AN ARREST

An officer need not retreat or desist from efforts to make a lawful arrest because of resistance or threatened resistance to the arrest. An officer is justified in the use of any force which they reasonably believe, based on the totality of the circumstances, to be necessary to effect the arrest and of any force which they reasonably believe, based on the totality of the circumstances, to be necessary to defend themselves or another from bodily harm while making the arrest. In making this judgment, officers should carefully consider the factors listed in 300.4.3.

A peace officer or other person who has an arrested person in their custody is justified in the use of force, except deadly force, to prevent the escape of the arrested person from custody as they would be justified in using if they were arresting such person (720 ILCS 5/7-9).

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300.4.3 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When determining whether to apply force and evaluating whether an officer has used objectively reasonable, proportional and necessary force, a number of factors should be taken into consideration as time and circumstances permit. These factors include but are not limited to:

- (a) Immediacy and severity of the threat to officers or others.
- (b) The conduct of the person being confronted, as reasonably perceived by the officer at the time.
- (c) Officer/person factors (e.g., age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers present and available to assist vs. persons present involved).
- (d) The effects of suspected drug or alcohol use.
- (e) The person's mental state or capacity.
- (f) The person's ability to understand and comply with officer commands.
- (g) The proximity of weapons or dangerous improvised devices.
- (h) The degree to which the person has been effectively restrained and their ability to resist despite being restrained.
- (i) The availability of other reasonable and feasible options and their possible effectiveness.
- (j) The seriousness of the suspected offense or reason for contact with the person.
- (k) Training and experience of the officer.
- (l) Potential for injury to officers, suspects, and others (e.g. bystanders).
- (m) Whether the person appears to be:
 - resisting, or
 - attacking the officer.
 - attempting to evade arrest by flight, or
- (n) The risk and reasonably foreseeable consequences of escape.
- (o) The apparent need for immediate control of the person or a prompt resolution of the situation.
- (p) Whether the conduct of the person being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
- (q) Awareness of any propensity for violence.
- (r) Officer-created jeopardy (i.e. officer actions that increase the risk of a reasonably foreseeable and unnecessary confrontation, which is likely to result in injury to officers, suspects, or others).
- (s) Any other exigent circumstances.

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300.4.4 PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting person. Officers may only apply those pain compliance techniques for which they have successfully completed Department-approved training. Officers utilizing any pain compliance technique should consider:

- (a) The degree to which the application of the technique may be controlled given the level of resistance.
- (b) Whether the person is able to comply with the direction or orders of the officer.
- (c) Whether the person has been given sufficient opportunity to comply.
- (d) The application of any pain compliance technique shall be discontinued once the officer determines that compliance has been achieved.

300.4.5 USE OF FORCE TO SEIZE EVIDENCE

Officers may use only objectively reasonable and necessary force to seize evidence lawfully and to prevent the destruction of evidence. However, officers are discouraged from using force solely to prevent a person from swallowing evidence or contraband. Regardless, an officer shall not use a chokehold or restraint above the shoulders with risk of asphyxiation, or any lesser contact with the throat or neck area of another, in order to prevent the destruction of evidence by ingestion [720 ILCS 5/7-5.5(b)].

300.4.6 LIMITATIONS ON CHOKEHOLDS

Officers shall not use a chokehold or restraint above the shoulders with risk of asphyxiation in the performance of their duties, unless deadly force is justified [720 ILCS 5/7-5.5(a)].

300.5 DEADLY FORCE (720 ILCS 5/7-5)

A peace officer, or any person whom they have summoned or directed to assist them, need not retreat or desist from efforts to make a lawful arrest because of resistance or threatened resistance to the arrest. The officer is justified in the use of any force which they reasonably believe, based on the totality of the circumstances, to be necessary to effect the arrest and of any force which they reasonably believe, based on the totality of the circumstances, to be necessary to defend themselves or another from bodily harm while making the arrest. However, they are justified in using force likely to cause death or great bodily harm only when:

- (a) The officer reasonably believes, based on the totality of the circumstances, that such force is necessary to prevent death or great bodily harm to himself or such other person; or
- (b) When the officer reasonably believes, based on the totality of the circumstances, both that:
 - Such force is necessary to prevent the arrest from being defeated by resistance or escape and the officer reasonably believes that the person to be arrested is likely to cause great bodily harm to another; and

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- The person to be arrested committed or attempted a forcible felony, which involves the infliction or threatened infliction of great bodily harm or is attempting to escape by use of a deadly weapon, or otherwise indicates that they will endanger human life or inflict great bodily harm unless arrested without delay.

As used in this subsection, "retreat" does not mean tactical repositioning or other de-escalation tactics.

A peace officer is not justified in using force likely to cause death or great bodily harm when there is no longer an imminent threat of great bodily harm to the officer or another.

When reasonable, the officer shall, prior to the use of deadly force, make efforts to identify themselves as a police officer and to warn that deadly force may be used, unless doing so would create a substantial risk of death or great bodily harm. This is not necessary if the officer has objectively reasonable grounds to believe the person is aware of those facts.

Unless an officer is authorized to use deadly force as set forth above, deadly force shall **not** be used.

300.5.1 MOVING VEHICLES

Shots fired at or from a moving vehicle involve additional considerations and risks, and are rarely effective.

When feasible, officers should attempt to move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants.

An officer shall only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the imminent threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others.

Officers shall not shoot at any part of a vehicle in an attempt to disable the vehicle.

300.6 TERMINATION OF USE OF FORCE

The use of physical force should be discontinued when resistance ceases or the incident is under control. Officers should continue to use de-escalation techniques after they have initiated a use of force, including by continually assessing the situation and modifying the use of force as circumstances change and in ways that are consistent with the officer's and other persons' safety. When it is objectively reasonable that a person is fully in law enforcement's control, then the force must be terminated; this includes reducing the level of force as the threat diminishes. Physical force shall not be used against persons in restraints, except as objectively reasonable to prevent their escape, to prevent imminent bodily injury to the person, the officer, or another person, or to prevent manipulation of an officer's equipment. Only the amount of force necessary to control the situation shall be used. An officer shall not use force as punishment or retaliation.

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300.7 MEDICAL CONSIDERATIONS

Once the scene is safe and as soon as practical, an officer shall provide appropriate medical care consistent with their training to any person who has visible injuries, complains of being injured, requests medical attention, or is rendered unconscious. This may include:

- providing first aid,
- requesting emergency medical services, and/or
- arranging for transportation to an emergency medical facility.

Any person exhibiting signs of physical distress after an encounter should be continuously monitored until they can be medically assessed. Persons should not be placed or remain on their stomachs for an extended period, as this could impair their ability to breathe. As soon as practicable, officers should turn a subject onto their side (also known as the “recovery position”), so their ability to breathe is not impeded.

Based upon the officer’s initial assessment of the nature and extent of the person’s injuries, medical assistance may consist of examination by an emergency medical services provider or medical personnel at a hospital or jail. If any such person refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another officer and/or medical personnel. If a recording is made of the contact or an interview with the person, any refusal should be included in the recording, if possible.

The on-scene supervisor or, if the on-scene supervisor is not available, the primary handling officer shall ensure that any person providing medical care or receiving custody of a person following any use of force is informed that the person was subjected to force. This notification shall include a description of the force used and any other circumstances the officer reasonably believes would be potential safety or medical risks to the person (e.g., prolonged struggle, extreme agitation, impaired breathing).

Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics, and imperviousness to pain or who require a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Officers who reasonably suspect a medical emergency should request medical assistance as soon as practicable. See the Medical Aid and Response Policy for additional guidelines.

300.8 SUPERVISOR NOTIFICATION OF A USE OF FORCE

Officers shall notify supervisors as soon as practicable following the application of force as defined in 300.3.1.

The Chief of Police will implement and review on an annual basis a written procedure that ensures a multi-layered system of reporting and review of the uses of force by employees of the Department.

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300.9 SUPERVISOR USE OF FORCE FIELD INVESTIGATION

It is in the best interest of involved persons, officers, the community, and the Urbana Police Department to ensure the proper use of force was utilized in any incident. As a result, the Department shall engage in the proactive gathering of information in all use of force incidents. This procedure does not apply to incidents where any investigative team or unit is involved for the purpose of conducting criminal proceedings as required by state law.

See attachment: [Changes to Use of Force Reviews 01102024 FINAL.pdf](#)

Conditions Necessitating a Supervisor Use of Force Investigation

Under the following circumstances, a follow-up investigation will be initiated by the on-duty Field Supervisor when an officer's use of force results in or involves:

- (a) Any injury requiring medical treatment to the involved person or a third party, or
- (b) Any injury to an officer that requires follow-up medical services beyond initial assessment and treatment (e.g., beyond minor cuts, abrasions, bruising for which an officer still might go to Occupational Medicine or the ER), or
- (c) Any injury or a medical condition resulting from a use of force or an interaction with an officer for which the Champaign County Jail refused to accept a prisoner, or
- (d) A person subjected to the force complained of continuing pain, or
- (e) A person was struck or kicked, or
- (f) Oleoresin Capsicum (OC) is used on a person, or
- (g) A TASER was discharged in a non-training environment against a human, or
- (h) A person was struck by a baton, or
- (i) A person subjected to the force was rendered unconscious, or
- (j) A person asserts a misuse of force by an officer, or
- (k) The person indicates intent to pursue litigation, or
- (l) Any application of a restraint device other than handcuffs, shackles, belly chains, or
- (m) Any other use of force incident that, in light of all the known facts and circumstances, may face additional scrutiny.

Responsibilities of Supervisors Related to a Use of Force Investigation

When the above conditions are met, a supervisor, if reasonably available, should respond to a reported application of force. In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as many of the following items as circumstances permit. The supervisor is expected to:

- (a) Ensure that any injured parties are examined and treated.
- (b) Conduct an investigation to include:
 - 1. Obtain a statement from involved or witness officers. This should include a review of officers' reports and asking clarifying questions.

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2. When possible, obtain a statement from the person upon whom force was applied.
 3. Identify and obtain a statement from any witnesses not already included in related reports.
 4. Identify, collect, and document any physical evidence.
 - Ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas.
 - Search for and collect surveillance video or photographs.
- (c) Review and approve all related reports.
- (d) Determine if there is any indication that the person may pursue civil litigation. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.
- (e) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy noncompliance or if for any reason further investigation may be appropriate.

300.10 DOCUMENTING USE OF FORCE

Any use of force by an employee of this Department shall be documented promptly, completely, and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why they believed the use of force was reasonable under the circumstances. Some form of documentation regarding the use of force will always be required. The responsibility for written documentation falls on the officer who uses force. Other personnel may be directed and/or required to document the incident. Such reports are not limited to arrest situations but include any use of force as required by this policy. Those instances also include:

- (a) If an officer removed their OC spray can, baton, or TASER in anticipation of using them and displayed them to a person in an effort to gain compliance with their commands, a report shall be prepared.
- (b) In any situation where an officer removes their duty weapon from its holster in an attempt to control a person's action or displays a rifle in an attempt to control a person's action, the officer shall write a report.
- (c) Any time a duty weapon or rifle is pointed at a person, regardless of whether the person is aware of the weapon or rifle, the officer shall write a report.

Supervisors are required to ensure that the use of force is properly documented and reviewed. Higher levels of use of force shall require more detailed documentation. Reports shall thoroughly describe the incident both in terms of the offender's specific resistance and the officer techniques used to overcome that resistance. Officers shall use the proper terminology when writing reports.

To collect data for purposes of training, resource allocation, analysis, and related purposes, the Department may require the completion of additional report forms, as specified in Department

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policy, procedure, or the law. See the Report Preparation Policy for additional circumstances that may require documentation.

300.11 USE OF FORCE REVIEW COMMITTEE

The Urbana Police Department is committed to strengthening public trust through transparency with the public about every use of force and accountability for every officer who uses force. The Department recognizes that through early intervention it may be possible to avoid the use of excessive force and prevent harm to the community. To achieve this end, the Department utilizes a Use of Force Review Board. The Use of Force Review Board shall review each use of force by any officer to ensure compliance with this policy and to identify law enforcement officers who are at risk for engaging in the use of excessive force and to provide those law enforcement officers with re-training and appropriate behavioral interventions, or other appropriate consequences to eliminate that risk. Beyond the needs of specific officers, the Board will look for general Department issues, such as equipment needs or areas of performance in need of improvement.

300.12 TRAINING

Officers will receive periodic training on this policy and demonstrate their knowledge and understanding within the parameters as set through Illinois law.

Officers should receive periodic training on:

- (a) Guidelines regarding vulnerable populations, including but not limited to children, the elderly, pregnant persons, persons with physical, mental, or intellectual disabilities, or persons with language and cultural differences.
- (b) De-escalation tactics, including alternatives to force.
- (c) Cultural competency, including implicit bias and racial and ethnic sensitivity.

Supervisors should receive periodic training on this policy and the proper method for conducting field supervisor use of force investigations.

Use of Force Review Committee

301.1 PURPOSE AND SCOPE

This policy establishes a process for the Urbana Police Department to review the use of force by its employees.

This review process shall be in addition to any other review or investigation that may be conducted by any outside or multi-agency entity having jurisdiction over the investigation or evaluation of the use of deadly force.

301.2 POLICY

The Urbana Police Department will objectively evaluate the use of force by its members to ensure that their authority is used lawfully, appropriately and is consistent with training and policy.

301.3 REMOVAL FROM LINE DUTY ASSIGNMENT

Generally, whenever an employee's actions or use of force in an official capacity, or while using department equipment, results in death or very serious injury to another, that employee will be placed in a temporary administrative assignment pending an administrative review. The Chief of Police may exercise discretion and choose not to place an employee in an administrative assignment in any case.

301.3.1 PSYCHOLOGICAL EXAMINATION

All officers directly involved in an incident that results in death or very serious injury to another, as well as some events where [officer_deputy]s did not use deadly force but a citizen died or sustained very serious injury, shall be required to undergo a mental health evaluation as soon as practical after the incident.

301.4 USE OF FORCE INCIDENT REVIEW PROCEDURES

Administrative review of use of force, at all levels, is intended to correct deficiencies, provide training, and ensure accountability for all officers. This oversight is critical to ensuring that members act lawfully, appropriately, and consistently with training and policy. As such, all uses of force are required to be completely and thoroughly documented in a police report and the department-approved use of force data collection tool/form. After a use of force incident occurs, the following process will occur.

1. Any sworn officer, regardless of rank, will complete the necessary report and department-approved use of force collection tool/form.
2. The report and department-approved use of force collection/tool/form will be submitted to their immediate supervisor for review and approval. Police reports will be processed/approved per normal protocol. The department-approved use of force collection/tool/form will be reviewed by that supervisor.
3. If no issues are identified in the use of force, the use of force collection tool/form will be approved by the reviewing supervisor.

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4. The use of force collection tool/form will then be forwarded to the next highest rank for additional review of the use of force and potential approval.
5. Should there be no issues identified with the use of force with respect to adherence to policy, training, or well-formulated/effectuated tactics by either level of supervisor review, the use of force will be considered reviewed and closed.
6. Should either the reviewing supervisor identify a lack of adherence to policy, training, or well-formulated/effectuated tactics, the incident will be flagged for additional review by additional supervisors and will be forwarded to the department use of force committee.
7. The chief of police will make a final determination on the use of force.

Most uses of force will be performed by line-level officers. As such, a typical review process will include the review of the report, and the department-approved collection tool/form would be similar to this:

1. An Officer uses force and documents
2. A Sergeant reviews the report and department-approved collection tool/form
3. Division Lieutenant reviews report and department-approved collection tool/form
4. Incident closed as compliant with policy, training, tactics OR referred to Deputy Chief of Police and Use of Force Committee if there is an identified lack of adherence to policy, training, or well-formulated/effectuated tactics
5. Recommendation to Chief of Police on the use of force
6. The Chief of Police makes the final determination on the use of force

301.4.1 COMPOSITION OF THE COMMITTEE

A Deputy Chief of Police be appointed by the Chief of Police as the Use of Force Committee chairperson. The committee will be comprised of all officers with the rank of lieutenant and deputy chief of police. As per city resolution, a civilian will be incorporated into the use of force committee. The committee will also have access to subject matter experts for area-specific insights, which might include some of the following positions/specializations within the department:

- Control Tactics instructor
- Firearms instructor
- Criminal Investigations Division Sergeant
- Taser instructor
- OC or baton instructor
- De-escalation instructor

301.4.2 RESPONSIBILITIES OF THE COMMITTEE

The Use of Force Review Committee is empowered to conduct an administrative review and inquiry into the circumstances of an incident at the request of the Chief of Police.

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The committee members may request further investigation, request reports be submitted for the committee's review, and view evidence related to the incident.

The Chief of Police will determine whether the committee should delay its review until after completion of any criminal investigation, review by any prosecutorial body, filing of criminal charges, the decision not to file criminal charges, or any other action. The committee should be provided all relevant available material from these proceedings for its consideration.

The review shall be based upon those facts which were reasonably believed or known by the officer at the time of the incident, applying any legal requirements, department policies, procedures and approved training to those facts. Facts later discovered but unknown to the officer at the time shall neither justify nor call into question an officer's decision regarding the use of force.

Any questioning of the involved employee conducted by the committee will be in accordance with department's disciplinary procedures, the Personnel Complaints Policy, the current collective bargaining agreement and any applicable state or federal law.

The committee shall make one of the following recommended findings:

- (a) The employee's actions were within department policy and procedure.
- (b) The employee's actions were in violation of department policy and procedure.

A recommended finding requires a majority vote of the committee. The committee may also recommend additional investigations or reviews, such as disciplinary investigations, training reviews to consider whether training should be developed or revised, and policy reviews, as may be appropriate. The committee coordinator will submit the written recommendation to the Chief of Police.

The Chief of Police shall review the recommendation, make a final determination as to whether the employee's actions were within policy and procedure and will determine whether any additional actions, investigations or reviews are appropriate. The Chief of Police's final findings will be forwarded to the involved employee's Division Lieutenant for review and appropriate action. If the Chief of Police concludes that discipline should be considered, a disciplinary process will be initiated.

At the conclusion of any additional reviews, copies of all relevant reports and information will be filed with the Chief of Police.

301.5 CHAMPAIGN COUNTY MULTI-JURISDICTIONAL INVESTIGATIVE TEAM

The Department participates in a multi-agency effort to investigate serious use of force incidents and/or in-custody deaths involving officers of participating agencies. The Chief of Police, or his designee, may request the Team be activated to investigate a serious use of force incident or in-custody death. The Criminal Investigation Division Lieutenant is the Department's liaison and primary contact for the Team. The Chief of Police reserves the right to choose either the Team or another agency to investigate the incident. If the Team is activated, the the pre-established protocols and procedures should be followed.

Handcuffing and Restraints

302.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of handcuffs and other restraints during detentions and arrests.

302.2 POLICY

The Urbana Police Department authorizes the use of restraint devices in accordance with this policy, the Use of Force Policy and department training. Restraint devices shall not be used to punish, to display authority or as a show of force.

302.3 USE OF RESTRAINTS

Only members who have successfully completed Urbana Police Department-approved training on the use of restraint devices described in this policy are authorized to use these devices.

When deciding whether to use any restraint, officers should carefully balance officer safety concerns with factors that include, but are not limited to:

- The circumstances or crime leading to the arrest.
- The demeanor and behavior of the arrested person.
- The age and health of the person.
- Whether the person is known to be pregnant.
- Whether the person has a hearing or speaking disability. In such cases, consideration should be given, safety permitting, to handcuffing to the front in order to allow the person to sign or write notes.
- Whether the person has any other apparent disability.

302.3.1 RESTRAINT OF DETAINEES

Situations may arise where it may be reasonable to restrain an individual who may, after brief investigation, be released without arrest. Unless arrested, the use of restraints on detainees should continue only for as long as is reasonably necessary to assure the safety of officers and others. When deciding whether to remove restraints from a detainee, officers should continuously weigh the safety interests at hand against the continuing intrusion upon the detainee.

302.3.2 RESTRAINT OF PREGNANT PERSONS

Persons who are known to be pregnant should be restrained in the least restrictive manner that is effective for officer safety. Leg irons, waist chains, or handcuffs behind the body should not be used unless the officer has a reasonable suspicion that the person may resist, attempt escape, injure herself or others, or damage property.

No person who is in labor, delivery, or recovery after delivery shall be handcuffed or restrained except in extraordinary circumstances and only when a supervisor makes an individualized determination that such restraints are necessary for the safety of the arrestee, officers, or others.

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302.3.3 RESTRAINT OF JUVENILES

A juvenile under 14 years of age should not be restrained unless he/she is suspected of a dangerous felony or when the officer has a reasonable suspicion that the juvenile may resist, attempt escape, injure him/herself, injure the officer or damage property.

302.3.4 NOTIFICATIONS

Whenever an officer transports a person with the use of restraints other than handcuffs, the officer shall inform the jail staff upon arrival at the jail that restraints were used. This notification should include information regarding any other circumstances the officer reasonably believes would be potential safety concerns or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration) that may have occurred prior to, or during transportation to the jail.

302.4 APPLICATION OF HANDCUFFS OR PLASTIC CUFFS

Handcuffs, including temporary nylon or plastic cuffs, may be used only to restrain a person's hands to ensure officer safety.

Although recommended for most arrest situations, handcuffing is discretionary and not an absolute requirement of the Department. Officers should consider handcuffing any person they reasonably believe warrants that degree of restraint. However, officers should not conclude that in order to avoid risk every person should be handcuffed, regardless of the circumstances.

In most situations handcuffs should be applied with the hands behind the person's back. When feasible, handcuffs should be double-locked to prevent tightening, which may cause undue discomfort or injury to the hands or wrists.

In situations where one pair of handcuffs does not appear sufficient to restrain the individual or may cause unreasonable discomfort due to the person's size, officers should consider alternatives, such as using an additional set of handcuffs or multiple plastic cuffs.

Handcuffs should be removed as soon as it is reasonable or after the person has been searched and is safely confined within a detention facility.

302.4.1 APPLICATION OF FLEXIBLE HANDCUFFS

In mass arrests, officers may use flexible handcuffs. These may be removed at the jail by using the approved tool or other cutting device. Flexible handcuffs may be used only to restrain a person's hands to ensure officer safety.

302.5 APPLICATION OF SPIT HOODS

Spit hoods are temporary protective devices designed to prevent the wearer from biting and/or transferring or transmitting fluids (saliva and mucous) to others.

Spit hoods may be placed upon persons in custody when the officer reasonably believes the person will bite or spit, either on a person or in an inappropriate place. They are generally used during application of a physical restraint, while the person is restrained, or during or after transport.

Officers utilizing spit hoods should ensure that the spit hood is fastened properly to allow for adequate ventilation and that the restrained person can breathe normally. Officers should provide

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assistance during the movement of a restrained person due to the potential for impairing or distorting that person's vision. Officers should avoid commingling those wearing spit hoods with other detainees.

Spit hoods should not be used in situations where the restrained person is bleeding profusely from the area around the mouth or nose, or if there are indications that the person has a medical condition, such as difficulty breathing or vomiting. In such cases, prompt medical care should be obtained. If the person vomits while wearing a spit hood the spit hood should be promptly removed and discarded. Persons who have been sprayed with oleoresin capsicum (OC) spray should be thoroughly decontaminated, including hair, head, and clothing, prior to application of a spit hood.

Those who have been placed in a spit hood should be continually monitored and shall not be left unattended until the spit hood is removed. Spit hoods shall be discarded after each use.

302.6 APPLICATION OF AUXILIARY RESTRAINT DEVICES

Auxiliary restraint devices include transport belts, waist or belly chains, transportation chains, leg irons and other similar devices. Auxiliary restraint devices are intended for use during long-term restraint or transportation. They provide additional security and safety without impeding breathing, while permitting adequate movement, comfort and mobility.

Only department-authorized devices may be used. Any person in auxiliary restraints should be monitored as reasonably appears necessary.

302.7 APPLICATION OF LEG RESTRAINT DEVICES

Leg restraints may be used to restrain the legs of a violent or potentially violent person when it is reasonable to do so during the course of detention, arrest or transportation. Only restraint devices approved by the department shall be used.

In determining whether to use the leg restraint, officers should consider:

- (a) Whether the officer or others could be exposed to injury due to the assaultive or resistant behavior of a suspect.
- (b) Whether it is reasonably necessary to protect the suspect from his/her own actions (e.g., hitting his/her head against the interior of the patrol unit, running away from the arresting officer while handcuffed, kicking at objects or officers).
- (c) Whether it is reasonably necessary to avoid damage to property (e.g., kicking at windows of the patrol unit).

302.7.1 GUIDELINES FOR USE OF LEG RESTRAINTS

When applying leg restraints the following guidelines should be followed:

- (a) Once applied, absent a medical or other emergency, restraints should remain in place until the officer arrives at the jail or other facility or the person no longer reasonably appears to pose a threat.

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- (b) Once secured, the person should be placed in a seated or upright position, secured with a seat belt, and shall not be placed on his/her stomach for an extended period, as this could reduce the person's ability to breathe.
- (c) The restrained person should be continually monitored by an officer while in the leg restraint. The officer should ensure that the person does not roll onto and remain on his/her stomach.
- (d) The officer should look for signs of labored breathing and take appropriate steps to relieve and minimize any obvious factors contributing to this condition.
- (e) When transported by ambulance/paramedic unit, the restrained person should be accompanied by an officer when requested by medical personnel. The transporting officer should describe to medical personnel any unusual behaviors or other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

302.8 REQUIRED DOCUMENTATION

If a person is restrained and released without an arrest, the officer shall document the details of the detention and the need for handcuffs or other restraints.

If a person is arrested, the use of handcuffs or other restraints shall be documented in the related report.

Officers should document the following information in reports, as appropriate, when restraints other than handcuffs are used on a person:

- (a) The factors that led to the decision to use restraints.
- (b) The types of restraint used.
- (c) The amount of time the person was restrained.
- (d) How the person was transported and the position of the person during transport.
- (e) Observations of the person's behavior and any signs of physiological problems.
- (f) Any known or suspected drug use or other medical problems.

302.9 TRAINING

Subject to available resources, the Training Officer should ensure that officers receive periodic training on the proper use of handcuffs and other restraints, including:

- (a) Proper placement and fit of handcuffs and other restraint devices approved for use by the Department.
- (b) Response to complaints of pain by restrained persons.
- (c) Options for restraining those who may be pregnant without the use of leg irons, waist chains, or handcuffs behind the body.
- (d) Options for restraining amputees or those with medical conditions or other physical conditions that may be aggravated by being restrained.

Control Devices and Techniques

303.1 PURPOSE AND SCOPE

This policy provides guidelines for the use and maintenance of control devices that are described in this policy.

303.2 POLICY

In order to control subjects who are violent or who demonstrate the intent to be violent, the Urbana Police Department authorizes officers to use control devices in accordance with the guidelines in this policy and the Use of Force Policy.

303.3 ISSUING, CARRYING AND USING CONTROL DEVICES

Control devices described in this policy may be carried and used by members of this department only if the device has been issued by the Department or approved by the Chief of Police or the authorized designee.

Only officers who have successfully completed department-approved training in the use of any control device are authorized to carry and use the device.

Control devices may be used when a decision has been made to control, restrain or arrest a subject who is violent or who demonstrates the intent to be violent, and the use of the device appears reasonable under the circumstances. When reasonable, a verbal warning and opportunity to comply should precede the use of these devices.

When using control devices, officers should carefully consider potential impact areas in order to minimize injuries and unintentional targets.

303.4 RESPONSIBILITIES

303.4.1 RANGEMASTER RESPONSIBILITIES

The Rangemaster shall control the inventory and issuance of all control devices and shall ensure that all damaged, inoperative, outdated or expended control devices or munitions are properly disposed of, repaired, or replaced. Every control device will be periodically inspected by the Rangemaster or the designated instructor for a particular control device.

303.4.2 USER RESPONSIBILITIES

All normal maintenance, charging or cleaning shall remain the responsibility of personnel using the various devices.

Any damaged, inoperative, outdated or expended control devices or munitions, along with documentation explaining the cause of the damage, shall be returned to the Rangemaster for disposition. Damage to City property forms shall also be prepared and forwarded through the chain of command, when appropriate, explaining the cause of damage.

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303.5 BATON GUIDELINES

The need to immediately control a suspect must be weighed against the risk of causing serious injury. The head, neck, throat, spine, heart, kidneys and groin should not be intentionally targeted except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

When carrying a baton, uniformed personnel shall carry the baton in its authorized holder on the equipment belt. Plainclothes and non-field personnel may carry the baton as authorized and in accordance with the needs of their assignment or at the direction of their supervisor.

303.6 SMOKE CANISTER GUIDELINES

The department also has smoke canisters. Smoke canisters can only be deployed and used with a field supervisor or higher's approval. Caution should be used when deploying smoke canisters, as smoke displaces oxygen. Smoke canisters should only be used outdoors as they can cause fires.

When practicable, fire personnel should be alerted or summoned to the scene prior to the deployment.

303.7 OLEORESIN CAPSICUM (OC) GUIDELINES

As with other control devices, oleoresin capsicum (OC) spray may be considered for use to bring under control an individual or groups of individuals who are engaging in, or are about to engage in violent behavior. OC spray should not, however, be used against individuals or groups who merely fail to disperse or do not reasonably appear to present a risk to the safety of officers or the public.

303.7.1 OC SPRAY

Uniformed personnel carrying Oleoresin Capsicum (OC) spray shall carry the device in its holster on the equipment belt. Plainclothes and non-field personnel may carry OC spray as authorized, in accordance with the needs of their assignment or at the direction of their supervisor.

303.7.2 TREATMENT FOR OC SPRAY EXPOSURE

Persons who have been sprayed with or otherwise affected by the use of OC should be promptly provided with clean water to cleanse the affected areas. Those persons who complain of further severe effects shall be examined by appropriate medical personnel.

303.8 POST-APPLICATION NOTICE

Whenever tear gas or OC has been introduced into a residence, building interior, vehicle or other enclosed area, officers should provide the owners or available occupants with notice of the possible presence of residue that could result in irritation or injury if the area is not properly cleaned. Such notice should include advisement that clean up will be at the owner's expense. Information regarding the method of notice and the individuals notified should be included in related reports.

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303.9 KINETIC ENERGY PROJECTILE GUIDELINES

This department is committed to reducing the potential for violent confrontations. Kinetic energy projectiles, when used properly, are less likely to result in death or serious physical injury and can be used in an attempt to de-escalate a potentially deadly situation.

303.9.1 TRAINING

Training in the use of kinetic energy projectiles will consist of the approved department program and in-service briefing training. Officers will have to review the nomenclature, weapons handling, and target area review for kinetic energy projectiles once every two years. Only personnel who have completed the Department's program and in-service briefing training are authorized to use them during actual operations.

303.9.2 DEPLOYMENT AND USE

Only department-approved kinetic energy munitions shall be carried and deployed. Approved munitions may be used to compel an individual to cease their actions when such munitions present a reasonable option.

Officers are not required or compelled to use approved munitions in lieu of other reasonable tactics if the involved officer determines that deployment of these munitions cannot be done safely. The safety of hostages, innocent persons, and officers takes priority over the safety of subjects engaged in criminal or suicidal behavior.

Circumstances appropriate for deployment include, but are not limited to, situations in which:

- (a) The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.
- (b) The suspect has made credible threats to harm him/herself or others.
- (c) The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at people and/or officers.
- (d) There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.

303.9.3 DEPLOYMENT CONSIDERATIONS

Before discharging projectiles, the officer should consider such factors as:

- (a) Distance and angle to target.
- (b) Type of munitions employed.
- (c) Type and thickness of subject's clothing.
- (d) The subject's proximity to others.
- (e) The location of the subject.
- (f) Whether the subject's actions dictate the need for an immediate response and the use of control devices appears appropriate.

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A verbal warning of the intended use of the device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to give the individual a reasonable opportunity to voluntarily comply and to warn other officers and individuals that the device is being deployed.

Officers should keep in mind the manufacturer's recommendations and their training regarding effective distances and target areas. However, officers are not restricted solely to use according to manufacturer recommendations. Each situation must be evaluated on the totality of circumstances at the time of deployment.

The need to immediately incapacitate the subject must be weighed against the risk of causing serious injury or death. The head and neck should not be intentionally targeted, except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

303.9.4 DEPLOYMENT CRITERIA

The approved 12 gauge shotgun will be clearly marked with orange stocks and forends. They will only be loaded at the direction of a field supervisor or higher who is at the location of the incident. The person actually employing the 12 gauge shotgun shall ensure that the shotgun is loaded with only kinetic energy projectiles at the time they load it. Officers deploying a 12 gauge shotgun with kinetic energy projectiles will inform METCAD via radio that they have deployed the less-lethal shotgun.

The field supervisor or higher approving authority will determine when and who will remove the shotgun for possible use. The approving authority shall consider:

- Level of force being confronted.
- The proximity/access of the subject to officers
- The Department safety priorities.

The approving authority will ensure there is lethal force cover for the officer who is deploying the less-lethal shotgun.

Before kinetic energy rounds are fired, a clear verbal command should be given that identifies the rounds about to be fired as less-lethal munitions. This is done to alert other officers and to avoid reactive fire from officers who are not aware of the presence of a less-lethal shotgun. Tactical circumstances may dictate that a verbal command not be given so as to allow for an element of surprise against the subject.

303.9.5 SAFETY PROCEDURES

Shotguns specifically designated for use with kinetic energy projectiles will be specially marked in a manner that makes them readily identifiable as such.

Officers will inspect the shotgun and projectiles at the beginning of each shift to ensure that the shotgun is in proper working order and the projectiles are of the approved type and appear to be free from defects.

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When it is not deployed, the shotgun will be unloaded and properly and securely stored in the vehicle. When deploying the kinetic energy projectile shotgun, the officer shall visually inspect the kinetic energy projectiles to ensure that conventional ammunition is not being loaded into the shotgun.

At no time shall conventional ammunition be loaded into a shotgun designated as a less lethal shotgun.

303.9.6 TARGETING IMPACT AREAS

The kinetic energy projectiles will be delivered to subject target areas based on circumstances, the established safety priorities, and the level of force authorized. The attached training chart is the recognized department model for determining contact areas for kinetic energy projectiles, based on potential for injury.

- Green Areas - These areas will be considered when incapacitation is necessary and a minimal potential for injury is the appropriate response (i.e. calf/thigh muscles and lower abdomen).
- Yellow Areas - These areas will be considered when an escalation of force above green areas is necessary and appropriate, acknowledging an increase in the potential for death or serious physical injury (i.e. knees/elbows and upper chest).
- Red Areas - Intentional impact to these areas will be avoided unless the use of deadly force is justified, necessary and appropriate (i.e. head/neck, spine, solar plexus and kidneys).
- Arms - Careful consideration should be given when targeting these areas since they consist of primarily skeletal areas and are frequently used to protect a more vulnerable area. This could cause the officer to strike an unintended target if they miss or the target moves his/her arms.

[See attachment: PoliceChart.JPG](#)

303.9.7 LEGAL AUTHORITY TO USE KINETIC ENERGY PROJECTILES

It should be noted that Illinois Statutory Law on justifiable use of force establishes that the use of kinetic energy projectiles is not considered the use of deadly force. The use of kinetic energy projectiles is considered deadly force if intentionally deployed at the head or neck.

303.9.8 HANDLING OF SUBJECTS STRUCK BY KINETIC ENERGY PROJECTILES

Subjects who are struck by a kinetic energy projectile shall be transported to a medical facility for examination. The field supervisor who authorized the deployment of the less-lethal shotgun and kinetic energy projectiles shall ensure that the projectile itself and the casing that housed the projectile are collected and submitted into evidence. If either cannot be located after the use of the kinetic energy projectile, that information will be documented in a report.

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303.10 TRAINING FOR CONTROL DEVICES

The Training Officer shall ensure that all personnel who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified as necessary.

- (a) Proficiency training shall be monitored and documented by a certified, control-device weapons or tactics instructor.
- (b) All training and proficiency for control devices will be documented in the officer's training file.
- (c) Officers who fail to demonstrate proficiency with the control device or knowledge of this agency's Use of Force Policy will be provided remedial training. If an officer cannot demonstrate proficiency with a control device or knowledge of this agency's Use of Force Policy after remedial training, the officer will be restricted from carrying the control device and may be subject to discipline.

303.11 REPORTING USE OF CONTROL DEVICES AND TECHNIQUES

Any application of a control device or technique listed in this policy shall be documented in the related incident report and reported pursuant to the Use of Force Policy.

303.12 KNIVES

Knives may be carried by officers. Officers are responsible for concealing knives in order to ensure their retention.

303.13 TASERS

See TASER policy for specifics.

Conducted Energy Device

304.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of the conducted energy device (CED).

304.1.1 DEFINITIONS

CED - A conducted electrical weapon designed to control a subject through the use of electrical energy to interrupt the central nervous system of the affected individual.

CED Cartridge - A sealed unit that contains, amongst other things, the probes and wires that complete the electrical circuit.

CED Cycle - A 5-second span of time, during which electrical energy is sent through the device.

Drive Stun - The physical application of the main CED unit to the body of another for the specific purpose of pain compliance.

Display - The removal of the CED from the officer's holster for the purpose of deploying the probes.

Discharge - The actual firing of the CED at a person.

304.2 POLICY

The CED is used in an attempt to control a violent or potentially violent individual or an individual who is attempting to harm themselves. Appropriately using such a device may result in fewer serious injuries to officers and suspects

304.3 ISSUANCE AND CARRYING CEDS

Only officers who have successfully completed department-approved training and Crisis Intervention Team (CIT) training may be issued and carry a CED. Officers shall only use the CED and cartridges issued by the Department. Uniformed officers who have been issued a CED shall wear the device in an approved holster on their person. Non-uniformed officers may secure a CED in the driver's compartment of their vehicle.

When carried while in uniform, officers shall carry the CED on the side opposite the duty weapon.

- (a) All CEDs shall be clearly and distinctly marked to differentiate them from the duty weapon and any other device.
- (b) Whenever practicable, officers should carry at least two cartridges on their person when carrying a CED.
- (c) Officers shall be responsible for ensuring that their issued CED is properly maintained and in good working order.
- (d) Officers should not hold both a firearm and the CED at the same time.

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304.3.1 USER RESPONSIBILITIES

Officers shall be responsible for ensuring that the issued CED is properly maintained and in good working order. This includes a function test and battery life monitoring, as required by the manufacturer, and should be completed prior to the beginning of the officer's shift.

CEDs that are damaged or inoperative, or cartridges/magazines that are expired or damaged, shall be returned to the department instructor for disposition. Officers shall submit documentation stating the reason for the return and how the CED or cartridge/magazine was damaged or became inoperative if known.

304.4 VERBAL AND VISUAL WARNINGS

A verbal warning of the intended use of the CED should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to:

- (a) Provide the individual with a reasonable opportunity to voluntarily comply.
- (b) Provide other officers and individuals with a warning that the CED may be deployed.

If, after a verbal warning, an individual fails to voluntarily comply with an officer's lawful orders and it appears both reasonable and feasible under the circumstances, the officer may, but is not required to, activate any warning on the device, which may include display of the electrical arc, an audible warning, or the laser in a further attempt to gain compliance prior to the application of the CED. The laser should not be intentionally directed into anyone's eyes.

The fact that a verbal or other warning was given or the reasons it was not given shall be documented by the officer deploying the CED in the related report.

304.5 USE OF THE CED

The CED has limitations and restrictions requiring consideration before its use. The CED should only be used when its operator can safely deploy the device within its operational range. Although the CED may be effective in controlling most individuals, officers should be aware that the device may not achieve the intended results and be prepared with other options.

If sufficient personnel are available and can be safely assigned, an officer designated as lethal cover for any officer deploying a CED may be considered for officer safety.

304.5.1 APPLICATION OF THE CED

The CED may be used when the circumstances reasonably perceived by the officer at the time indicate that such application reasonably appears necessary to control a person who:

- (a) Is violent or is physically resisting.
- (b) Has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm officers, themselves, or others.

Mere flight from a pursuing officer, without additional circumstances or factors, is not good cause for the use of the CED to apprehend an individual. Officers however are authorized to use a CED on a fleeing suspect wanted or suspected of committing a felony involving violence. Officers are

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also authorized to use a CED on a fleeing subject that has verbalized and/or demonstrated that they will harm themselves or others and needs to be stopped without delay.

The CED shall not be used to psychologically torment, to elicit statements, or to punish any individual.

304.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS

The use of the CED on certain individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the officer, the subject, or others, and the officer reasonably believes that the need to control the individual outweighs the potential risk of using the device. This includes:

- (a) Individuals who are known to be pregnant.
- (b) Elderly individuals or obvious juveniles.
- (c) Individuals with obviously low body mass.
- (d) Individuals known to have been recently sprayed with a flammable chemical agent or who are otherwise known to be in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.
- (e) Individuals whose position or activity is likely to result in collateral injury (e.g., falls from height, located in water, operating vehicles).

Officers are prohibited from using a CED on any handcuffed subject/suspect unless the behavior is so egregious, and other methods are not appropriate, that a higher level of force would be justified.

Any CED capable of being applied in the drive-stun mode (i.e., direct contact without probes as a primary form of pain compliance) should be limited to supplementing the probe-mode to complete the circuit. The use of drive-stun mode for the primary form of pain compliance is prohibited.

304.5.3 TARGETING CONSIDERATIONS

Recognizing that the dynamics of a situation and movement of the subject may affect target placement of probes, when practicable, officers should attempt to target the back, lower center mass, and upper legs of the subject, and avoid intentionally targeting the head, neck, area of the heart, or genitals. If circumstances result in one or more probes inadvertently striking an area outside of the preferred target zones, the individual should be closely monitored until examined by paramedics or other medical personnel.

304.5.4 MULTIPLE APPLICATIONS OF THE CED

Once an officer has successfully deployed two probes on the subject, the officer should continually assess the subject to determine if additional probe deployments or cycles reasonably appear necessary. Additional factors officers may consider include but are not limited to:

- (a) Whether it is reasonable to believe that the need to control the individual outweighs the potentially increased risk posed by multiple applications.
- (b) Whether the probes are making proper contact.

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- (c) Whether the individual has the ability and has been given a reasonable opportunity to comply.
- (d) Whether verbal commands, other options or tactics may be more effective.

Given that, on certain devices (e.g., TASER 10™) each trigger pull deploys a single probe, the officer must pull the trigger twice to deploy two probes to create the possibility of neuro-muscular incapacitation.

If it appears that probe contact has not been made, completion of the probe contact with the main unit would be allowed to complete the electrical circuit.

304.5.5 ACTIONS FOLLOWING DEPLOYMENTS

Officers should take appropriate actions to control and restrain the individual as soon as reasonably practicable to minimize the need for longer or multiple exposures to the CED. As soon as practicable, officers shall notify a supervisor any time the CED has been discharged. If needed for evidentiary purposes, the expended cartridge, along with any probes and wire, should be submitted into evidence (including confetti tags, when equipped on the device). The evidence packaging should be marked "Biohazard" if the probes penetrated the subject's skin.

304.5.6 VIDEOS

Officers should be equipped with a body worn camera when they are carrying a CED. The policy governing the use of body worn cameras delineates the use of the body worn camera.

304.5.7 OFF-DUTY CONSIDERATIONS

Officers are not authorized to carry department CEDs while off-duty.

Officers shall ensure that CEDs are secured while in their homes, vehicles, or any other area under their control, in a manner that will keep the device inaccessible to others. Instances of unauthorized use or activation of a CED while an officer is off-duty shall be reviewed as a discharge. It shall be documented by the officer as if the officer was on-duty. If the discharge or activation was not within policy, officers are subject to discipline as they would be if they were on-duty.

304.6 DOCUMENTATION

Officers shall document all CED discharges in the related arrest/crime reports and the CED report forms. Photographs should be taken of any obvious probe impact or drive-stun application sites and attached to the CED report form. Notification shall also be made to a supervisor in compliance with the Use of Force Policy. Unintentional discharges, pointing the device at a person, audible warning, laser activation, and arcing the device, other than for testing purposes, will also be documented on the report form. Data downloads from the CED after use on a subject should be done as soon as practicable using a department-approved process to preserve the data.

304.6.1 CED REPORT FORM

As applicable based on the device type, items that shall be included in the CED report form are:

- (a) The brand, model, and serial number of the CED and any cartridge/magazine.

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- (b) Date, time, and location of the incident.
- (c) Whether any warning, display, laser, or arc deterred a subject and gained compliance.
- (d) The number of probes deployed, CED activations, the duration of each cycle, the duration between activations, and (as best as can be determined) the duration that the subject received applications.
- (e) The range at which the CED was used.
- (f) The type of mode used (e.g., probe deployment, drive-stun follow-through to complete the circuit).
- (g) Location of any probe impact.
- (h) Location of contact in drive-stun follow-through to complete the circuit.
- (i) Description of where missed probes went.
- (j) Whether medical care was provided to the subject.
- (k) Whether the subject sustained any injuries.
- (l) Whether any officers sustained any injuries.
- (m) Race, sex, age, height, and weight of the subject.
- (n) Whether the subject was included in a special discharging consideration category and if so, which category.
- (o) Was the subject engaged or intended to engage in self-harm behavior.

The Use of Force Committee should periodically analyze the report forms to identify trends, including deterrence and effectiveness. The Use of Force Committed should also conduct audits of CED device data downloaded to an approved location and reconcile CED report forms with recorded activations. CED information and statistics, with identifying information removed, should periodically be made available to the Civilian Police Review Board (CPRB)..

304.6.2 REPORTS

The officer should include the following in the arrest/crime report:

- (a) Identification of all personnel firing CEDs
- (b) If ordered to discharge a CED, from whom did the order come
- (c) Identification of all witnesses
- (d) Medical care provided to the subject
- (e) Observations of the subject's physical and physiological actions
- (f) Any known or suspected drug use, intoxication, or other medical problems

304.6.3 CPRB NOTIFICATION

The Chief of Police or his designee shall report all discharges to the CPRB.

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304.7 MEDICAL TREATMENT

Consistent with local medical personnel protocols and absent extenuating circumstances, only appropriate medical personnel or officers trained in probe removal and handling should remove CED probes from a person's body. Used CED probes shall be treated as a sharps biohazard, similar to a used hypodermic needle, and handled appropriately. Universal precautions should be taken.

All persons who have been struck by CED probes, who have been subjected to the electric discharge of the device, or who sustained direct exposure of the laser to the eyes shall be medically assessed prior to booking. Additionally, any such individual who falls under any of the following categories should, as soon as practicable, be examined by paramedics or other qualified medical personnel:

- (a) The person is suspected of being under the influence of controlled substances and/or alcohol.
- (b) The person may be pregnant.
- (c) The person reasonably appears to be in need of medical attention.
- (d) The CED probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).
- (e) The person requests medical treatment.

Any individual exhibiting signs of distress or who is exposed to multiple or prolonged applications shall be transported to a medical facility for examination or medically evaluated prior to booking. If any individual refuses medical attention, such a refusal should be witnessed by another officer and/or medical personnel and shall be fully documented in related reports. If an audio/video recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

The transporting officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the CED (see the Medical Aid and Response Policy).

304.8 SUPERVISOR RESPONSIBILITIES

When possible, supervisors should respond to calls when they reasonably believe there is a likelihood a CED may be used. A supervisor should respond to all incidents where a CED was displayed. As soon as practicable, the supervisor shall retrieve the CED for download.

A supervisor should review each incident where a person has been exposed to an activation of a CED. The device's onboard memory should be downloaded through the data port by a supervisor or CED Program Coordinator and saved with the related incident report. Photographs of probe sites should be taken, witnesses interviewed, and any other reasonable investigative steps as required by the Use of Force Policy

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304.8.1 CPRB CED REVIEW

All CED discharges will be reviewed by members of the CPRB as soon as practicable pursuant to existing CPRB guidelines. Documentation, including video and audio recordings, consistent with CPRB guidelines, shall be submitted to the CPRB for this purpose.

304.9 TRAINING

Personnel who are authorized to carry a CED shall be permitted to do so only after successfully completing the initial department-approved training. Any personnel who have not carried the CED as a part of their assignment for a period of six months or more shall be recertified by a department-approved CED instructor prior to again carrying or using the device.

Proficiency training for personnel who have been issued CEDs should occur every year. A reassessment of officer's knowledge and/or practical skill may be required at any time if deemed appropriate by the CED Program Coordinator. All training and proficiency for CEDs will be documented in the officer's training file.

Command staff, supervisors, and investigators should receive CED training as appropriate for the investigations they conduct and review.

Officers who do not carry CEDs should receive training that is sufficient to familiarize them with the device and with working with officers who use the device.

Prior to being eligible to go through the CED training, officers must have completed the Crisis Intervention Team (CIT) course. Participation in CED training is voluntary, however, participation in the training requires that officers experience an actual CED discharge themselves. The CED Program Coordinator is responsible for ensuring that all members who carry a CED have received initial and annual proficiency training. Periodic audits should be used for verification.

The CED Program Coordinator should ensure that all training includes (this list is not exhaustive):

- (a) A review of this policy, to include philosophy of use.
- (b) A review of the Use of Force Policy.
- (c) Performing weak-hand draws or cross-draws to reduce the possibility of accidentally drawing and firing a firearm.
- (d) Target area considerations, to include techniques or options to reduce the accidental application of probes near the head, neck, chest, and groin.
- (e) Handcuffing a subject during the application of the CED and transitioning to other force options.
- (f) De-escalation techniques.
- (g) Restraint techniques that do not impair respiration following the application of the CED.
- (h) Review of defensive tactics
- (i) Review of Excited Delirium protocol
- (j) Review of documentation - both reports and forms

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304.10 DANGEROUS ANIMALS

A CED may be discharged against an animal as part of a plan to deal with a potentially dangerous animal, such as a dog, if the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

Officer-Involved Shootings and Deaths

305.1 PURPOSE AND SCOPE

The purpose of this policy is to establish policy and procedures for the investigation of an incident in which a person is injured or dies as the result of an officer-involved shooting or dies as a result of another action of an officer (50 ILCS 727/1-10; 50 ILCS 727/1-30; 730 ILCS 210/3-1).

In other incidents not covered by this policy, the Chief of Police may decide that the investigation will follow the process provided in this policy.

305.1.1 DEFINITIONS

Definitions related to this policy include:

Officer-involved death - Any death of an individual that results directly from an action or directly from an intentional omission, including unreasonable delay involving a person in custody or intentional failure to seek medical attention when the need for treatment is apparent, of a law enforcement officer while the officer is on-duty, or otherwise acting within the scope of his/her employment, or while the officer is off-duty, but performing activities that are within the scope of his/her law enforcement duties. It also includes any death resulting from a motor vehicle crash, if the law enforcement officer was engaged in law enforcement activity involving the individual or the individual's vehicle in the process of apprehension or an attempt to apprehend (50 ILCS 727/1-5).

305.2 INVESTIGATION RESPONSIBILITY

This department conforms to the by-laws, inter-agency agreement, and operational procedures of the Champaign County Multi-Jurisdictional Investigative Team (CCJMIT) for investigating serious uses of force and in-custody deaths, also known as critical incidents.

These agreements allow for standard responses and an unbiased and independent review of the incident. They also enhance the integrity of the process by removing involved agencies from critical steps in the investigative process.

305.3 TYPES OF INVESTIGATIONS

Critical incidents involve several separate investigations. The investigations may include:

- (a) An investigation of the incident by the CCMJIT, or by an outside agency if the shooting were to occur outside of Champaign County, for any potential criminal wrongdoing.
- (b) An administrative investigation of the incident conducted by the Urbana Police Department to determine if there were any violations of department policy or training needs.

Once the facts have been gathered in the above investigations, they may be reviewed at various levels. Examples of these types of reviews are:

- Champaign County State's Attorney's Office - state law compliance
- Police Department - policy compliance/training needs

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- City Legal Department - legal/liability concerns
- Champaign County Coroner's Office - inquest into cause and manner of death
- Department of Justice/FBI - civil rights violations

305.4 JURISDICTION

Jurisdiction is determined by the location of the incident and the agency employing the involved officer(s). The CCMJIT is the primary investigative team for critical incidents in Champaign County. As such, the CCMJIT will investigate the use of force and the incident which immediately led up to the use of force to ensure the force was appropriate. The investigation of the precipitating event will remain the responsibility of the agency with jurisdiction. The following scenarios provide guidance on the jurisdictional responsibilities for investigating critical incidents:

305.4.1 URBANA POLICE OFFICER WITHIN URBANA JURISDICTION

The CCMJIT is responsible for the criminal investigation of the incident, including officer and suspect actions. The Urbana Police Department will conduct the administrative investigation.

305.4.2 OTHER AGENCY'S OFFICER WITHIN URBANA JURISDICTION

The CCMJIT is responsible for the criminal investigation of the incident, including officer and suspect actions. The officer's employing agency will be responsible for any administrative investigation.

305.4.3 URBANA POLICE DEPARTMENT OFFICER IN ANOTHER JURISDICTION

If an incident occurs outside of Champaign County, the agency where the incident occurred has criminal jurisdiction and is responsible for the criminal investigation of the incident. That agency may relinquish its criminal investigation to another agency. The Urbana Police Department will conduct the administrative investigation.

305.4.4 ADMINISTRATIVE AND CIVIL INVESTIGATION

Regardless of where the incident occurs, the administrative and civil investigation of each involved officer is controlled by the respective employing agency.

An officer-involved death of an individual in custody that may have been caused by the officer's use of force shall be investigated pursuant to the Reporting of Deaths in Custody Act (730 ILCS 210/3-5).

305.5 THE INVESTIGATION PROCESS

The following guidelines are used in the initial phases of a critical incident investigation.

305.5.1 DUTIES OF INITIAL ON SCENE SUPERVISOR

Upon arrival at the scene of a critical incident, the first uninvolved supervisor shall be responsible for coordinating all aspects of the incident. Due to the complexity and individuality of these events and rather than trying to recount all of the investigative steps here, each supervisor has been directed to utilize supervisor resources, checklists, and other guidelines previously provided by the department. The supervisor shall follow the critical incident procedure as established by this

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department, which can be found in the Department Emergency Manual, the FOP contract, and on the internal web.

305.5.2 NOTIFICATIONS

The following persons shall be notified as soon as practicable:

- Chief of Police
- Criminal Investigations Division Commander
- Champaign County Multi-Jurisdictional Investigative Team
- Outside agency investigators (if appropriate)
- Deputy Chief of Police
- Civil liability response team
- Psychological/Peer support personnel
- Chaplain
- Coroner (if necessary)
- Involved officer's agency representative (if requested)
- Public Information Officer

305.5.3 MEDIA RELATIONS

Due to the sensitive nature of these types of investigations, it is assumed that media pressure will be substantial. As such, the CCMJIT commander will work with UPD's senior command to develop a comprehensive media strategy for each investigation. For further media protocol, refer to the CCMJIT Inter-Agency Agreement.

305.5.4 INVOLVED OFFICERS

The following shall be considered for the involved officer:

- (a) Any request for legal or union representation will be accommodated.
 1. Involved UPD officers shall not be permitted to meet collectively or in a group with an attorney or any representative prior to providing a formal interview or report.
 2. Requests from involved non-UPD officers should be referred to their employing agencies.
- (b) Discussions with licensed attorneys will be considered privileged as attorney-client communications.
- (c) Discussions with agency representatives/employee groups will be privileged only as to the discussion of non-criminal information.
- (d) A licensed psychotherapist shall be provided by the Department to each involved UPD officer. A licensed psychotherapist may also be provided to any other affected UPD members, upon request.

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1. Interviews with a licensed psychotherapist will be considered privileged.
 2. An interview or session with a licensed psychotherapist may take place prior to the member providing a formal interview or report. However, the involved members shall not be permitted to consult or meet collectively or in a group with a licensed psychotherapist prior to providing a formal interview or report.
 3. A separate fitness-for-duty exam may also be required (see the Fitness for Duty Policy).
- (e) Communications between the involved officer and a peer support member is addressed in the Wellness Program Policy.

Care should be taken to preserve the integrity of any physical evidence present on the involved officer's equipment or clothing, such as blood or fingerprints, until investigators or lab personnel can properly retrieve it.

Each involved UPD officer shall be given reasonable paid administrative leave following an officer-involved shooting or death. It shall be the responsibility of the Shift Supervisor to make schedule adjustments to accommodate such leave.

305.5.5 COMMUNICATION WITH FAMILY AND NEXT-OF-KIN

When a death has resulted from an officer's use of force or while in the custody of the Department or a department officer, notification to next-of-kin, family, or another emergency contact shall be made as soon as practicable. The information provided should include the facts surrounding the incident that are reasonably known to the member at that time and that are appropriate to provide under the circumstances given any pending investigations and in accordance with state and federal law (730 ILCS 210/3-5).

The Chief of Police shall designate an officer as the Family Liaison Officer to handle ongoing communication with the decedent's family or next-of-kin. Responsibilities of this position include but are not limited to communicating investigation developments, practical support, and, if requested, arranging for a chaplain or suitable staff member to address matters related to faith (730 ILCS 210/3-5).

305.6 ADMINISTRATIVE INVESTIGATION

In addition to all other investigations associated with an officer-involved shooting or death, this department will conduct an internal administrative investigation of involved UPD officers to determine conformance with department policy. This investigation will be conducted under the supervision of the Deputy Chief of Police and will be conducted after the criminal investigation.

Interviews of members shall be subject to department policies and applicable laws (see the Personnel Complaints Policy) (50 ILCS 725/1 et seq.).

- (a) Any officer involved in a shooting or death shall comply with the drug/alcohol testing procedure as provided in the current FOP contract.
- (b) A sample shall be compelled in the case of a shooting that caused injury or death of a person as soon as practicable but no later than the end of the officer's shift or tour of

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duty (50 ILCS 727/1-25). The department procedure related to this required is located on the department internal web and will be updated as needed.

- (c) In the event that an involved officer has elected not to provide criminal investigators with a voluntary statement, the assigned administrative investigator shall conduct an administrative interview to determine all relevant information.
 - (a) Although this interview should not be unreasonably delayed, care should be taken to ensure that the officer's physical and psychological needs have been addressed before commencing the interview.
 - (b) Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.
 - (c) Regardless of whether the use of force is an issue in the case, the completed administrative investigation shall be submitted to the Use of Force Review Board, which will restrict its findings as to whether there was compliance with the Use of Force Policy or if training needs can be identified.
 - (d) The Deputy Chief of Police shall compile all relevant information and reports necessary for the Department to determine compliance with applicable policies.
 - (e) The interview shall occur pursuant to current Illinois state statute regarding formal and informal inquiries
 - (f) Investigators should take reasonable steps to avoid interfering with the outside criminal investigation conducted under the requirements of 50 ILCS 727/1-10 (50 ILCS 727/1-15).

305.6.1 DRUG AND ALCOHOL TESTING

In accordance with 50 ILCS 727/1-25, whenever a police officer fires a firearm in the line of duty causing injury or death to a person or persons they will be subject to mandatory drug and alcohol testing. The drug and alcohol testing must be completed as soon as practicable after the officer-involved shooting, but no later than the end of the involved officer's shift or tour of duty.

[See attachment: OIS procedures for blood and urine collection FINAL 04042022.pdf](#)

305.7 CIVIL LIABILITY RESPONSE

A member of this department may be assigned to work exclusively under the direction of the legal counsel for the Department to assist in the preparation of materials deemed necessary in anticipation of potential civil litigation.

All materials generated in this capacity shall be considered attorney work product and may not be used for any other purpose. The civil liability response is not intended to interfere with any other investigation but shall be given reasonable access to all other investigations.

305.8 DEBRIEFING

Following an officer-involved shooting or death, the Urbana Police Department should conduct both a Critical Incident Stress Debriefing and a tactical debriefing. See the Wellness Program Policy for guidance on Critical Incident Stress Debriefings

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305.8.1 TACTICAL DEBRIEFING

A tactical debriefing should take place to identify any training or areas of policy that need improvement. The Chief of Police or the authorized designee should identify the appropriate participants. This debriefing should not be conducted until all involved members have provided recorded or formal statements to criminal and/or administrative investigators.

305.9 REPORTING

The Patrol Division Commander will ensure that the Police Services Supervisor is provided with enough information to meet the reporting requirements for any officer-involved shooting or death that qualifies to be reported to the Department of State Police (50 ILCS 709/5-12).

The Police Services Supervisor shall submit a written report to the Illinois Criminal Justice Information Authority whenever there is an officer-involved death of an individual in custody or that may have been caused by an officer's use of force as required by the Reporting of Deaths in Custody Act (730 ILCS 210/3-5). There shall be a good faith effort to include all known relevant facts and circumstances in the report, and the report shall be submitted within 30 days on the required standardized form (730 ILCS 210/3-5).

Firearms

306.1 PURPOSE AND SCOPE

This policy provides guidelines for issuing firearms, the safe and legal carrying of firearms, firearms maintenance and firearms training.

This policy does not apply to issues related to the use of firearms that are addressed in the Use of Force or Officer-Involved Shootings and Deaths policies.

This policy only applies to those members who are authorized to carry firearms.

306.1.1 CARRYING OF FIREARMS

All firearms approved by the Department and described herein, shall be used only in conformance with the law and policies. It is the obligation and responsibility of the Department to effectively manage the carrying and use of firearms by sworn officers. It is each officer's responsibility to use good judgment and diligence in all aspects of weapons possession, including storage, maintenance, and other aspects of handling.

The Department does not require an officer to carry a firearm while off-duty. However, if an officer chooses to carry a firearm off-duty, he/she shall do so within the parameters of the law regarding location, jurisdiction, and use. The firearm must be carried concealed when off-duty. Officers shall use good judgment when carrying an off-duty firearm and consider when carrying it may not be appropriate. These situations include when consuming alcoholic beverages or when attire is such that a firearm cannot be concealed.

An on-duty officer who is not working in uniform (a detective, Street Crimes Officer, command officer, etc.) need not conceal the firearm, although tactical principles or good judgment may at times favor concealed carry. When these officers are carrying an exposed weapon, other paraphernalia (e.g. belt badge, neck badge, raid vest, etc.) shall clearly indicate to the casual observer their status as a police officer. Whether on-duty or off-duty, such non-uniformed personnel must be in possession of a UPD badge. They must also be prepared to show the badge expeditiously.

In any case, officers are responsible for carrying a firearm in a manner to ensure weapon retention.

306.2 POLICY

The Urbana Police Department will equip its members with firearms to address the risks posed to the public and department members by violent and sometimes well-armed persons. The Department will ensure firearms are appropriate and in good working order and that relevant training is provided as resources allow.

306.3 AUTHORIZED FIREARMS, AMMUNITION AND OTHER WEAPONS

Members shall only use firearms that are issued or approved by the Department and have been thoroughly inspected by the Rangemaster or his designee. Firearms shall not be carried by civilian members while on-duty or while in any City-owned vehicle. Except in an emergency or as directed

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by a supervisor, no firearm shall be carried by a member who has not qualified annually with that firearm at an authorized department range.

All other weapons not provided by the Department, including, but not limited to, edged weapons, chemical or electronic weapons, impact weapons or any weapon prohibited or restricted by law or that is not covered elsewhere by department policy, may not be carried by members in the performance of their official duties without the express written authorization of the member's Division Commander.

The carrying of a knife that is not prohibited by law is allowed. The department does not provide training in the use of a knife as a defensive weapon. This does not prohibit an officer the use of a knife as a defensive weapon in extreme or deadly force circumstances.

Any knife carried by an officer shall be carried securely (i.e. in a pocket or in duty gear specifically designed to secure it). The knife blade shall be completely encased or of the folding type where the blade is stored within the handle of the knife.

Fixed blade knives shall be concealed from view (i.e. inside of the duty belt, attached to the vest or top of boot). The handle of a fixed blade knife can be exposed. Folding knives shall be concealed inside a pocket or other area of the uniform. Knives equipped with belt or pocket clips can be worn as designed with the knife mostly concealed and the clip on the outside of the uniform.

In either form, fixed blade or folding knife, the blade shall be no longer than 5 inches in length.

306.3.1 HANDGUNS

The authorized department-issued handgun is the Glock Model 45, 9mm. Officer-Owned handguns are approved for on-duty use.

Officer-owned sidearms shall meet the following criteria:

- They will be semi-automatic pistols from reputable manufacturers. In all cases, officers should gain the approval of the Rangemaster prior to purchase. Caliber and manufacturer options will be more restricted for on-duty use than off-duty options, primarily due to UPD duty ammo supplies and the need for peers to be familiar with co-workers' duty weapons.
- Officer-owned duty sidearms shall chamber .45 ACP, .40 S&W, or 9 mm.
- The minimum barrel length shall be three and three-quarter (3.75) inches, and the minimum magazine capacity shall be six (6) rounds.
- Trigger pull shall be appropriate for that manufacturer's stock firearm. No user alteration is allowed to lessen the weight or length of the pull. This does not preclude spring replacement by an authorized armorer, as needed.
- A Department armorer shall inspect and certify all officer-owned sidearms as safe.

306.3.2 AMMUNITION

Members shall carry only department-authorized ammunition. When members are issued fresh duty ammunition for their department-issued firearms, it will be issued during the member's

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firearms qualification. Replacements for unserviceable or depleted ammunition issued by the Department shall be dispensed by the Rangemaster or his designee when needed, in accordance with established policy.

Members carrying personally owned authorized firearms of a caliber differing from department-issued firearms shall be responsible for obtaining fresh duty ammunition in accordance with the above, at their own expense.

306.3.3 PATROL RIFLES

The authorized department-issued or approved patrol rifle is the AR-15. The following additional patrol rifles are approved for on-duty use:

AR-15 variant manufactured by a reputable company, chambered in either 5.56 x 45 mm NATO or .223 Remington. Only ammunition that is approved by the Rangemaster shall be carried in the patrol rifle. All patrol rifles shall be equipped with a sling. Single point slings are not authorized. Carry straps are not approved as a sling. The department encourages officers to have a weapon mounted light. Other accessories mounted, affixed, or otherwise used in conjunction with a patrol rifle must be approved by the Rangemaster prior to use.

Prior to carrying a patrol rifle, each officer must attend and complete the UPD or equivalent training. All officers carrying a rifle must successfully qualify with the rifle periodically as determined by the Rangemaster. The Rangemaster and/or supervisor may temporarily suspend an officer from carrying a patrol rifle for maintenance, safety, or judgment related reasons. The Rangemaster will be the final authority if an officer may carry a patrol rifle.

Members may deploy the patrol rifle in any circumstance where the member can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the patrol rifle may include, but are not limited to:

- (a) Situations where the member reasonably anticipates an armed encounter.
- (b) When a member is faced with a situation that may require accurate and effective fire at long range.
- (c) Situations where a member reasonably expects the need to meet or exceed a suspect's firepower.
- (d) When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.
- (e) When a member reasonably believes that a suspect may be wearing body armor.
- (f) When authorized or requested by a supervisor.
- (g) When needed to euthanize an animal.

When not deployed, the patrol rifle should be properly secured in a locking weapons rack in the patrol vehicle with the chamber empty, magazine loaded and inserted into the magazine well, the bolt forward with the dust cover closed, and the selector lever in the safe position. Patrol rifles not

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stored in the rifle racks, shall be kept in a discrete locked case in a locked vehicle. Generally, this should only occur when patrol rifle do not fit appropriately in the locking weapons rack.

Sights - Initial training will commence with original manufacturer's iron sights or UPD-approved military spec or other acceptable "iron" open or peep sights. Initial qualification shall also be with those sights. Subsequently, with Rangemaster approval, an officer may add a reputable manufacturer's electronic or optical glass sighting device. Tritium or similarly treated iron sights may be used. For patrol rifles, the supplemental optical glass sighting device shall not be more than x 4 magnification. All patrol rifles shall have acceptable "iron" open or peeps sights on them even if outfitted with electronic or optical glass sighting device.

The department may approve supplemental optical glass sighting devices in excess of x 4 magnification on a case by case basis on the authority of the Rangemaster. Generally those exceptions to the magnification limit will occur for officers that have received additional training or have experience with precision marksmanship. The maximum magnification should generally be not more that x 12 magnification. The minimum magnification on the optical glass sighting device shall also be considered. To allow for use at closer distances, the optical glass sighting device should have a minimum of x 2 magnification. Officers authorized to have optical glass sighting devices in excess of x 4 magnification shall successfully complete the "designated marksman" qualification at least once annually. Rifles with optical glass sighting devices in excess of x 4 magnification shall be stored in a hard case to prevent accidental misalignment of optical glass sighting devices.

Individual officers are responsible for the maintenance and upkeep of rifles. Any damage or malfunctions shall be reported to the Rangemaster. Officers are encouraged to practice with their patrol rifles to ensure proficiency and adequate marksmanship abilities.

306.3.4 PERSONALLY OWNED DUTY FIREARMS

Members desiring to carry an authorized but personally owned duty firearm must receive approval from the Chief of Police or the authorized designee. Once approved, personally owned duty firearms are subject to the following restrictions:

1. The firearm shall be in good working order and on the department list of approved firearms.
2. The firearm shall be approved by the Rangemaster and inspected by a department armorer prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
3. Prior to carrying the firearm, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the firearm functions properly.
4. Members shall provide written notice of the make, model, color, serial number and caliber of the firearm to the Rangemaster, who will maintain a list of the information.

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306.3.5 AUTHORIZED OFF-DUTY FIREARMS

The carrying of firearms by members while off-duty is permitted by the Chief of Police but may be rescinded should circumstances dictate (e.g., administrative leave). Members who choose to carry a firearm while off-duty, based on their authority as peace officers, will be required to meet the following guidelines:

1. A personally owned firearm shall be used, carried, and inspected in accordance with the Personally Owned Duty Firearms requirements in this policy.
 - (a) The purchase of the personally owned firearm and ammunition shall be the responsibility of the member.
2. The firearm shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.
3. Prior to carrying any off-duty firearm, the member shall demonstrate to the Rangemaster or his designee that he/she is proficient in handling and firing the firearm and that it will be carried in a safe manner.
4. The member will successfully qualify with the firearm prior to it being carried. This does not mean that the member must qualify with every weapon that they may carry. However, the member must qualify with a weapon in each specific category to be carried off duty. Weapons will be divided into five categories: Single Action (e.g. 1911), Double Action (e.g. Sig Sauer P250), Striker Fired (e.g. Glock), and Double Action/Single Action (e.g. Beretta 92). Revolvers with a cylinder will be the fifth category. The Rangemaster or their designee will have the final say on which category a firearm qualifies in for the appropriate category the member desires to carry off-duty.
5. Members shall provide written notice of the make, model, color, serial number, and caliber of the firearm to the Rangemaster, who will maintain a list of the information.
6. If a member desires to use more than one firearm while off-duty, he/she may do so, as long as all requirements set forth in this policy for each firearm are met.
7. Members shall only carry department-authorized ammunition.
8. When armed, officers shall carry their badges and Urbana Police Department identification cards under circumstances requiring possession of such identification.

306.3.6 AUTHORIZED SECONDARY HANDGUN

Members desiring to carry department or personally owned secondary handguns are subject to the following restrictions:

1. The handgun shall be in good working order and on the department list of approved firearms.
2. Only one secondary handgun may be carried at a time.
3. The purchase of the handgun and ammunition shall be the responsibility of the member unless the handgun and ammunition are provided by the Department.
4. The handgun shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.

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5. The handgun shall be approved by the Rangemaster and inspected by a department armorer prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
6. Ammunition shall be the same as department issue. If the caliber of the handgun is other than department issue, the Chief of Police or the authorized designee shall approve the ammunition.
7. Prior to carrying the secondary handgun, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule with that type of firearm. Members must demonstrate proficiency and safe handling. The qualification will be conducted from the manner in which the member is going to carry the weapon, i.e. drawn from the ankle holster.
8. Secondary firearms shall be capable of firing at least five rounds in calibers .45 ACP, .40 S&W, .38 Special, 9 mm, or .380 ACP. Such handguns may be semi-automatics or revolvers.
9. Members shall provide written notice of the make, model, color, serial number and caliber of the firearm to the Rangemaster, who will maintain a list of the information.

306.4 EQUIPMENT

Firearms carried on- or off-duty shall be maintained in a clean, serviceable condition. Maintenance and repair of authorized personally owned firearms are the responsibility of the individual member.

306.4.1 REPAIRS OR MODIFICATIONS

Each member shall be responsible for promptly reporting any damage or malfunction of an assigned firearm to a supervisor or the Rangemaster.

Firearms that are the property of the Department or personally owned firearms that are approved for department use may be repaired or modified only by a person who is department-approved and certified as an armorer or gunsmith in the repair of the specific firearm. Such modification or repair must be authorized in advance by the Rangemaster.

Any repairs or modifications to the member's personally owned firearm shall be done at his/her expense and must be approved by the Rangemaster.

306.4.2 HOLSTERS

Only Department-approved holsters shall be used and worn by members. Members shall periodically inspect their holsters to make sure they are serviceable and provide the proper security and retention of the handgun. Members shall safely practice to become proficient in the usage of any holster used.

All officers assigned to plainclothes duties are required to use holsters with at least one level of retention. School Resource Officers are required to use department-approved triple security holsters while in the presence of children.

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306.4.3 TACTICAL LIGHTS

Tactical lights may only be installed on a firearm carried on- or off-duty after they have been examined and approved by the Rangemaster or his designee. Once the approved tactical lights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

306.4.4 OPTICS OR LASER SIGHTS

Optics or laser sights may only be installed on a firearm carried on- or off-duty after they have been examined and approved by the Rangemaster. Miniaturized Red Dot Sights (MRDS) shall be approved for duty handgun use, however, the MRDS and accessories must be from the Armorer's Approved Equipment List. Any approved sight shall only be installed in strict accordance with manufacturer specifications. Installation and any ongoing maintenance of MRDS optics and accessories remain the responsibility of the carrying officer and should be completed by a qualified gunsmith. Once approved sights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it. All pistols equipped with an MRDS shall be equipped with iron sights of sufficient height to be co-witnessed with MRDS. The Rangemaster/Armorer shall maintain an approved MRDS optic and accessories list, and be responsible for updating the list as necessary. Before carrying an MRDS on a duty handgun, all officers shall attend the approved department MRDS Transition Course or an approved alternative course. Officers who have attended the MRDS Transition Course may also utilize an approved MRDS on an off-duty handgun.

306.5 SAFE HANDLING, INSPECTION AND STORAGE

Members shall maintain the highest level of safety when handling firearms and shall consider the following:

- (a) Members shall not unnecessarily display or handle any firearm.
- (b) Members shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Rangemaster. Members shall not dry fire or practice quick draws except as instructed by the Rangemaster or other firearms training staff.
- (c) Members shall not clean, repair, load or unload a firearm anywhere in the Department, except where clearing barrels are present.
- (d) Rifles removed from vehicles or the equipment storage room shall be loaded and unloaded in the parking lot and outside of the vehicle, using clearing barrels, if available.
- (e) Members shall not place or store any firearm or other weapon on department premises except where the place of storage is locked. No one shall carry firearms into the jail section or any part thereof when securing or processing an arrestee, but shall place all firearms in a secured location. Members providing access to the jail section to persons from outside agencies are responsible for ensuring firearms are not brought into the jail section.

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- (f) Members shall not use any automatic firearm, heavy caliber rifle, gas or other type of chemical weapon or firearm from the armory, except with approval of a supervisor.
- (g) Any firearm authorized by the Department to be carried on- or off-duty that is determined by a member to be malfunctioning or in need of service or repair shall not be carried. It shall be promptly presented to the Department or a Rangemaster approved by the Department for inspection and repair. Any firearm deemed in need of repair or service by the Rangemaster will be immediately removed from service. If the firearm is the member's primary duty firearm, a replacement firearm will be issued to the member until the duty firearm is serviceable.

306.5.1 ALCOHOL AND DRUGS

Firearms shall not be carried by any member, either on- or off-duty, who has consumed an amount of an alcoholic beverage, taken any drugs or medication, or has taken any combination thereof that would tend to adversely affect the member's senses or judgment.

306.5.2 INSPECTION AND STORAGE

Handguns shall be inspected regularly and upon access or possession by another person. Rifles shall be inspected at the beginning of the shift by the member to whom the weapon is issued or to whom it belongs. The member shall ensure that the firearm is carried in the proper condition and loaded with approved ammunition. Inspection of the rifle shall be done while standing outside of the patrol vehicle. All firearms shall be pointed in a safe direction or into clearing barrels. Supervisors need to regularly inspect the less-lethal munitions that are stored in each supervisor's car for cleanliness, function, and serviceability.

Department and **personally-owned** firearms may be safely stored in lockers at the end of the shift. No department or personally-owned firearms will be left in any department vehicle while the owner of the weapon is not on duty. Sergeants, officers, and Investigators will ensure at the end of their scheduled workday that no weapon issued to or belonging to them is left in any department-owned vehicle unless locked in a safe or lockbox secured to the vehicle while it is unoccupied. Rifles shall be unloaded safely outside the building and then may be stored in an officer's locked locker.

306.5.3 STORAGE AT HOME/VEHICLE

Members shall ensure that all firearms and ammunition are locked and secured while in their homes, vehicles or any other area under their control, and in a manner that will keep them inaccessible to children and others who should not have access. Members shall not permit department-issued firearms to be handled by anyone not authorized by the Department to do so. Members shall not store a weapon in any vehicle that is not locked in a safe or lock box that is secured to the vehicle while it is unoccupied. Members should be aware that negligent storage of a firearm could result in civil and criminal liability (720 ILCS 5/24-9(a)).

306.6 FIREARMS TRAINING AND QUALIFICATIONS

All members who carry a firearm while on-duty are required to comply with the Peace Officer and Probation Officer Firearm Training Act (50 ILCS 710).

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Members will qualify with off-duty and secondary firearms at least annually. Training and qualifications must be on an approved range course. Patrol personnel shall wear their duty belt for qualifications. Administrators, managers, investigators, or others who normally work in "soft clothes" may qualify with a holster/belt arrangement normally worn in the course of their duties.

At least annually, all members carrying a firearm should receive practical training designed to simulate field situations including low-light shooting and secondary weapons.

306.6.1 NON-CERTIFICATION OR NON-QUALIFICATION

If any member fails to meet minimum standards for firearms training or qualification for any reason, including injury, illness, duty status, or scheduling conflict, that member shall submit a memorandum to the member's immediate supervisor prior to the end of the required training or qualification period.

Those who fail to meet minimum standards or qualify on their first shooting attempt shall be provided remedial training and will be subject to the following requirements:

- (a) Additional range assignments may be scheduled to assist the member in demonstrating consistent firearm proficiency.
- (b) Members shall be given credit for a range training or qualification when obtaining a qualifying score or meeting standards after remedial training.
- (c) No range credit will be given for the following:
 1. Unauthorized range make-up
 2. Failure to meet minimum standards or qualify after remedial training

Members who repeatedly fail to meet minimum standards will be removed from field assignment and may be subject to disciplinary action.

306.6.2 REQUIREMENTS PRIOR TO CARRYING

Prior to an officer carrying a firearm, the officer shall be issued copies of this policy and the Use of Force Policy, and successfully complete department-approved training on both.

306.7 FIREARM DISCHARGE

Except during training or recreational use, any member who discharges a firearm intentionally or unintentionally, on- or off-duty, shall make a verbal report to his/her supervisor as soon as circumstances permit. If the discharge results in injury or death to another person, additional statements and reports shall be made in accordance with the Officer-Involved Shootings and Deaths Policy. If a firearm was discharged as a use of force, the involved member shall adhere to the additional reporting requirements set forth in the Use of Force Policy.

In all other cases, written reports shall be made as follows:

- (a) If on-duty at the time of the incident, the member shall file a written report with his/her Division Commander or provide a recorded statement to investigators prior to the end of shift, unless otherwise directed.

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- (b) If off-duty at the time of the incident, a written report shall be submitted or recorded statement provided no later than the end of the next regularly scheduled shift, unless otherwise directed by a supervisor.

306.7.1 DESTRUCTION OF ANIMALS

Members are authorized to use firearms to stop an animal in circumstances where the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

In circumstances where there is sufficient advance notice that a potentially dangerous animal may be encountered, department members should develop reasonable contingency plans for dealing with the animal (e.g., fire extinguisher, conducted energy device, oleoresin capsicum (OC) spray, animal control officer). Nothing in this policy shall prohibit any member from shooting a dangerous animal if circumstances reasonably dictate that a contingency plan has failed, becomes impractical, or if the animal reasonably appears to pose an imminent threat to human safety.

306.7.2 INJURED ANIMALS

With the approval of a supervisor, a member may euthanize an animal that is so badly injured that human compassion requires its removal from further suffering and where other dispositions are impractical.

306.7.3 WARNING AND OTHER SHOTS

The Urbana Police Department prohibits the use of warning shots.

306.8 RANGEMASTER DUTIES

The range will be under the exclusive control of the Rangemaster. All members attending will follow the directions of the Rangemaster or his designee. The Rangemaster, or his designee, will maintain a roster of all members attending the range and will submit the roster to the Training Officer after each range date. Failure of any member to sign in and out with the Rangemaster, or his designee, may result in non-participation or non-qualification.

The range shall remain operational and accessible to Department members during hours established by the Department.

The Rangemaster has the responsibility of making periodic inspection, at least once a year, of all duty weapons carried by members of this department to verify proper operation. The Rangemaster, range staff or a department armorer has the authority to deem any department-issued or personally owned firearm unfit for service. The member will be responsible for all repairs to his/her personally owned firearm; it will not be returned to service until inspected and approved by the Rangemaster and department armorer.

The Rangemaster has the responsibility for ensuring each member meets the minimum requirements during training shoots and, on at least a yearly basis, can demonstrate proficiency in the care, cleaning and safety of all firearms the member is authorized to carry.

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The Rangemaster ,or his designee, shall complete and submit to the Training Officer documentation of the training courses provided. Documentation shall include the qualifications of each instructor who provides the training, a description of the training provided and, on a form that has been approved by the Department, a list of each member who completes the training. The Rangemaster should keep accurate records of all training shoots, qualifications, repairs, maintenance or other records as directed by the Training Officer.

306.9 FLYING WHILE ARMED

The Transportation Security Administration (TSA) has imposed rules governing law enforcement officers flying armed on commercial aircraft. The following requirements apply to officers who intend to be armed while flying on a commercial air carrier or flights where screening is conducted (49 CFR 1544.219):

- (a) Officers wishing to fly while armed must be flying in an official capacity, not for vacation or pleasure, and must have a need to have the firearm accessible, as determined by the Department based on the law and published TSA rules.
- (b) Officers must carry their Urbana Police Department identification card, bearing the officer's name, a full-face photograph, identification number, the officer's signature and the signature of the Chief of Police or the official seal of the Department and must present this identification to airline officials when requested. The officer should also carry the standard photo identification needed for passenger screening by airline and TSA officials (e.g., driver license, passport).
- (c) The Urbana Police Department must submit a National Law Enforcement Telecommunications System (NLETS) message prior to the officer's travel. If approved, TSA will send the Urbana Police Department an NLETS message containing a unique alphanumeric identifier. The officer must present the message on the day of travel to airport personnel as authorization to travel while armed.
- (d) An official letter signed by the Chief of Police authorizing armed travel may also accompany the officer. The letter should outline the officer's need to fly armed, detail his/her itinerary, and include that the officer has completed the mandatory TSA training for a law enforcement officer flying while armed.
- (e) Officers must have completed the mandated TSA security training covering officers flying while armed. The training shall be given by the department-appointed instructor.
- (f) It is the officer's responsibility to notify the air carrier in advance of the intended armed travel. This notification should be accomplished by early check-in at the carrier's check-in counter.
- (g) Any officer flying while armed should discreetly contact the flight crew prior to take-off and notify them of his/her assigned seat.
- (h) Discretion must be used to avoid alarming passengers or crew by displaying a firearm. The officer must keep the firearm concealed on his/her person at all times. Firearms are not permitted in carry-on luggage and may not be stored in an overhead compartment.

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- (i) Officers should try to resolve any problems associated with flying armed through the flight captain, ground security manager, TSA representative or other management representative of the air carrier.
- (j) Officers shall not consume alcoholic beverages while aboard an aircraft, or within eight hours prior to boarding an aircraft.

306.10 CARRYING FIREARMS OUT OF STATE

Qualified, active, full-time officers of this department are authorized to carry a concealed firearm in all other states subject to the following conditions (18 USC § 926B):

- (a) The officer shall carry his/her Urbana Police Department identification card whenever carrying such firearm.
- (b) The officer is not the subject of any current disciplinary action.
- (c) The officer may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.
- (d) The officer will remain subject to this and all other department policies (including qualifying and training).

Officers are cautioned that individual states may enact local regulations that permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property, or that prohibit or restrict the possession of firearms on any state or local government property, installation, building, base or park. Federal authority may not shield an officer from arrest and prosecution in such locally restricted areas.

Active law enforcement officers from other states are subject to all requirements set forth in 18 USC § 926B.

Range

307.1 POLICY

The Urbana Police Department has a range for firearms training. Officers may use the range under approved circumstances. The Urbana Police Department stresses safety on the range. It is the policy of the Urbana Police Department to discipline officers who do not follow range safety rules. The Department may establish agreements within which members of other law enforcement agencies could also use this range.

307.2 PURPOSE

This Directive outlines policy and procedures for range use and safety.

307.3 RANGEMASTER AND RANGE INSTRUCTORS

The Urbana Police Department has established the position of Department Rangemaster, appointed by the Chief. The Rangemaster chairs a committee of Range Instructors, coordinating usual range activities relating to training, qualification, range maintenance, and supplies. The Rangemaster also has duties and authority outlined in other related Directives and is assisted in these duties by the various range instructors.

Range Instructors are instructional staff members who have been selected by the Chief. They will undergo specialized training courses in order to be Master Firearms Instructors, as certified by the State's Training Board.

Any Range Instructor presiding over specific shooting activities at a range function might be referred to as a "Rangemaster" for purposes of that event. An acting Rangemaster's authority on the range is only superseded by the Department Rangemaster or the Chief of Police. Such a Rangemaster may order any user off of the range for violation of safety rules or failure to follow relevant range commands.

307.4 GENERAL RANGE SAFETY CONDITIONS

All range users shall obey all published or posted safety regulations, heed specific range commands, and generally obey rangemaster directions at the facility. Users will act in a safe, conservative, and thoughtful manner. In addition to authority outlined elsewhere, the Department Rangemaster has authority to suspend, postpone, or cancel shoots. The Rangemaster and staff shall be mindful of inclement weather, approaching storms, and other obvious hazardous conditions.

Range staff can administer training and qualification shoots in challenging weather conditions, such as rain or snowfall and intense heat or cold. However, this shall not jeopardize users' safety in extreme weather conditions such as visible lightning, severe storms so close as to constitute an obvious hazard, dangerously high winds, or other such conditions. The final decision on this matter resides with the presiding Rangemaster, subject to later administrative review.

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307.5 SAFETY RULES

The following are a set of basic safety rules which shall be observed when at the range:

- (a) Unloaded Firearms - Except for an on-duty officer coming to deliver a message or a similar non-participatory official appearance, loaded weapons are not allowed in the range building. This means not only that users shall remove all ammunition from inside weapons prior to entering the facility but once inside, occupants are not permitted to insert loaded magazines or have ammo in any other way loaded into the uncharged weapons. All weapons are to be charged only when instructed by the presiding Rangemaster and only out on the range grounds.\
- (b) Ammunition - While in the range building, ammunition will be kept away from the gun cleaning area. Range staff may allow officers to load magazines – and only magazines – while in the building. Only approved ammunition can be used on the range. Range staff will provide a suitable method of temporarily storing any duty ammo unloaded upon arrival at the facility.
- (c) Holsters - Handguns will be properly secured when not deployed or engaged in shooting, per range commands. This typically means securely holstered, with retention features enabled, if so equipped.
- (d) Shoulder Mounted Firearms - Shoulder mounted firearms will be carried muzzle up with the safety on, properly slung, or in another safe fashion, as instructed by the Rangemaster.
- (e) Ear/Eye Protection - Adequate ear and eye protection must be worn when on the range and in close proximity to the firing line, by visitors as well as shooters.
- (f) Discipline - Strict discipline must be maintained at all times. Carelessness and thoughtlessness will not be tolerated when on the range.
- (g) Smoking/Eating - There shall be no smoking or eating while on the firing line.
- (h) Talking - Talking should be kept to a minimum while on or near the firing line.
- (i) Attention - Officers shall pay strict attention to the Range Instructors.
- (j) Weapons Handling - Officers shall not brandish or otherwise handle firearms in a careless or flippant manner. Dry practice or live fire is only permitted when instructed by the Rangemaster. Should an officer need to pick up another's weapon, the officer must assume it is loaded and immediately render it unloaded before further handling or passing it along.
- (k) Barrels - Barrels of firearms should be checked for obstructions prior to firing.
- (l) Trigger - Officers shall keep their fingers out of the trigger guard until the firearm is pointed down range and the command to fire or otherwise cover the trigger has been given. Never draw or re-holster a firearm with a finger inside the trigger guard.
- (m) Loading - Load only when and as instructed.
- (n) Anticipation - Never anticipate a command.
- (o) Firing Line - Never move in front of the firing line until the line is declared safe by the Rangemaster, and the command to go forward has been given.

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- (p) All of these safety rules shall apply, to the extent they can, even in the absence of range staff.

307.6 RANGE HOURS

The range building may be used from 0600 to 2200. Except for scheduled night firearms training, shooting is allowed from 0700 until dark, Monday through Friday, and dawn to dark on Saturday and Sunday. Users need to allow for retrieving spent casings and other clean-up activities.

307.7 RANGE ACCESS AND USE

The following outlines who may use the range and how.

- (a) Individual Use – In addition to scheduled Department use, sworn UPD personnel can use the range on an individual basis if such use does not conflict with previously scheduled activities. Officers from another jurisdiction may accompany a UPD officer on an individual basis.
- (b) Other Agencies – In order for other jurisdictions to use the range for training without the presence of Urbana staff, they must first obtain permission from the Chief of Police or Department Rangemaster. Such users should have among them a state-certified Range Instructor.
- (c) Civilians – Officers wishing to take family members or other civilians to the range must be accompanied by the Chief of Police, Assistant Chief of Police, or a member of the UPD Range Staff.
- (d) Calendar – Before using the range, officers should check the range calendar, which will be maintained on a shared UPD hard drive and in hardcopy in the services area, in the range log.
- (e) Range Log, Keys, and Supervisor Notification – A user must check in and check out by signing the range log, providing the times in/out. A set of keys for range use will be kept in this log. These keys must be returned after range use. The log is an appropriate place to comment on any noted problems or conditions, but anything requiring action should be brought to the Department Rangemaster's attention as soon as possible. The user checking in and out will have to be able to attest to and account for others who were out on the range during its use.
- (f) Access (gates and grounds) – The range keys provide access through the Landscape Recycling Center roadway gate (closed and locked when the LRC is not open for business) and the range building / range fencing gate. The LRC gate must be re-secured after passage, if after hours. The range fence gate should be kept closed and locked, other than for maintenance access or for foot traffic access in limited circumstances. Users shall not drive a vehicle into the range interior without permission of the Department Rangemaster or higher authority. In any case, users will be accountable for any damage caused by such access.
- (g) Building Use – Users must turn off whatever alarm is in use, in order to prevent a needless police response. Any such alarm would need to be reset upon departure. In colder months, users shall leave the thermostat set to 45 degrees upon leaving. In warmer months, users shall leave the thermostat set to 85 degrees upon leaving. The building must be left locked, with windows closed and lights turned off.

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- (h) Range Supplies – Recommended or provided gun cleaning supplies and other equipment may change from time to time, and users will be advised of their proper use. Shortages in supplies shall be remedied or reported to the Department Facilities Manager.
- (i) Targets and Brass – Paper targets should be repaired and replaced, as necessary, and other approved target systems must be used reasonably and taken care of. Items used shall be replaced to their proper storage location. Range staff will post notices or instruct users on proper brass collection or disposal. Generally, pistol brass should be saved and kept separate from rifle brass, and all aluminum casings must be disposed of as trash.
- (j) Building and Range Cleanliness – By the conclusion of an event, users are responsible for picking up spent casings, targets, and trash. The range building shall be left clean and orderly. Damage shall be reported to the Department Rangemaster.
- (k) Citizen Encounters – If a user is approached by a citizen with a complaint concerning the range use, address the complaint briefly with information about our rules for usage, and then obtain contact information so the Rangemaster or other administrator can contact the citizen. It is our intent to be “good neighbors.”
- (l) Any injuries, damage, or unintended weapons discharges should be reported immediately to an On-duty Supervisor, who will ensure the completion of any necessary paperwork (City Damage Report, Employee Injury form, etc.) prior to the departure of the user or end of supervisor’s tour of duty, as appropriate.
- (m) Intoxication or other impairment – Officers shall not go to the range after any alcohol consumption. Officers should not handle a firearm or otherwise take part in any firearms training after taking medication which affects motor skills.

Vehicle Pursuits

308.1 PURPOSE AND SCOPE

Vehicle pursuits expose innocent citizens, law enforcement officers, and fleeing violators to the risk of serious injury or death. The primary purpose of this policy is to provide officers with guidance in balancing the safety of the public and themselves against law enforcement's duty to apprehend violators of the law. Another purpose of this policy is to minimize the potential for pursuit-related crashes. Vehicular pursuits require officers to exhibit a high degree of common sense and sound judgment. Officers must not forget that the immediate apprehension of a suspect is generally not more important than the safety of the public and pursuing officers.

Deciding whether to pursue a motor vehicle is a critical decision that must be made quickly and under difficult and unpredictable circumstances. In recognizing the potential risk to public safety created by vehicular pursuits, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a vehicular pursuit because of the risk involved. This includes circumstances where department policy would permit the initiation or continuation of the pursuit. It is recognized that vehicular pursuit situations are not always predictable and decisions made pursuant to this policy will be evaluated according to the totality of the circumstances reasonably available at the time of the pursuit.

Officers must remember that the most important factors to the successful conclusion of a pursuit are proper self-discipline and sound professional judgment. Officers' conduct during the course of a pursuit must be objectively reasonable; that is, what a reasonable officer would do under the circumstances. An unreasonable individual's desire to apprehend a fleeing suspect at all costs has no place in professional law enforcement.

308.1.1 VEHICLE PURSUIT DEFINED

An active attempt by a peace officer in an authorized emergency vehicle to apprehend an actual or suspected law violator, who is attempting to avoid apprehension through evasive tactics.

308.2 OFFICER RESPONSIBILITIES

It shall be the policy of this department that a vehicle pursuit shall be conducted only with emergency lights and siren. The driver of an authorized emergency vehicle may proceed past a red or stop signal or stop sign, exceed the maximum speed limits, and disregard regulations governing direction of movement or turning in specified directions provided the driver slows as may be required and necessary for safe operation and does not endanger life or property (625 ILCS 5/11-205).

The driver of an authorized emergency vehicle is not relieved from the duty of driving with due regard for the safety of all persons, nor do such provisions protect the driver from the consequences of his/her reckless disregard for the safety of others (625 ILCS 5/11-205(e)).

To reduce the likelihood of a pursuit occurring, an officer intending to stop a vehicle for any violation of the law, except a traffic law, should, whenever possible and without creating a threat to public

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safety or officers, close the distance between the two vehicles. In situations where appropriate and prudent, awaiting the arrival of assisting officers, prior to activating emergency lights, an audible device, or otherwise signaling the suspect to stop may be warranted.

Upon approaching an intersection controlled by traffic signals or signs, or any other location at which there is an increased likelihood of a crash, the driver of any pursuit vehicle shall reduce the vehicle's speed so as to avoid a crash with another vehicle or pedestrian.

Officers should make every reasonable effort to ensure that the way is clear before proceeding through an intersection or otherwise increasing speed. Pursuing officers are expected to maintain complete control of their vehicles at all times. Throughout the course of a pursuit, pursuing officers should not attempt to overtake, pull alongside, or pass the suspect's moving vehicle without the specific authorization of a supervisor, if feasible. Officers are discouraged from passing other units involved in a pursuit unless the passing officer receives specific permission from the primary unit.

308.2.1 WHEN TO INITIATE A PURSUIT

Officers may not initiate a pursuit unless both of the following conditions are met:

- (a) The suspect is committing or has committed a felony involving the use of physical force or violence against a person; and
- (b) The [officer_deputy] must reasonably believe that the suspect if allowed to escape, would:
 - 1. present an immediate danger to others, or
 - 2. be able to destroy evidence of the crime, or
 - 3. escape prosecution due to lack of identification.

In deciding whether to pursue, the [officer_deputy] must exercise sound judgment and carefully consider the seriousness of the offense, possible consequences of pursuit, and the safety of citizens. The following factors individually and collectively shall be considered in deciding whether to initiate a pursuit:

- (a) The seriousness of the known or reasonably suspected crime and its relationship to community safety.
- (b) The importance of protecting the public and balancing the known or reasonably suspected offense and the apparent need for immediate capture against the risks to officers, innocent motorists and others.
- (c) Apparent nature of the fleeing suspect(s) (e.g., whether the suspect(s) represent a serious threat to public safety).
- (d) The identity of the suspect(s) has been verified and there is comparatively minimal risk in allowing the suspect(s) to be apprehended at a later time.
- (e) Safety of the public in the area of the pursuit, including the type of area, time of day, the amount of vehicular and pedestrian traffic, and the speed of the pursuit relative to these factors.

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- (f) Pursuing officer(s) familiarity with the area of the pursuit, the quality of radio communications between the pursuing units and the telecommunicator/supervisor, and the driving capabilities of the pursuing officers under the conditions of the pursuit.
- (g) Weather, traffic, and road conditions that substantially increase the danger of the pursuit beyond the worth of apprehending the suspect.
- (h) Performance capabilities of the vehicles used in the pursuit in relation to the speeds and other conditions of the pursuit.
- (i) Vehicle speeds.
- (j) Other persons in or on the pursued vehicle (e.g., passengers, co-offenders, and hostages).
- (k) The police unit is carrying passengers other than police officers. Pursuits should not be undertaken with a prisoner(s) in the police vehicle.

308.2.2 WHEN TO TERMINATE A PURSUIT

Pursuits should be discontinued whenever the totality of objective circumstances known or which reasonably ought to be known to the officer or supervisor during the pursuit indicates that the present risks of continuing the pursuit reasonably appear to outweigh the risks resulting from the suspect(s)' escape.

The factors listed in the previous subsection are expressly included herein and will apply equally to the decision to discontinue as well as the decision to initiate a pursuit. Officers and supervisors must objectively and continuously weigh the seriousness of the offense against the potential danger to innocent motorists and themselves when electing to continue a pursuit. In the context of this policy, the term "terminate" shall be construed to mean discontinue or stop chasing the fleeing vehicle(s).

In addition to the factors listed in the previous subsection, the following factors should also be considered in deciding whether to terminate a pursuit:

- (a) Distance between the pursuing officers and the fleeing vehicle(s) is so great that further pursuit would be futile or require the pursuit to continue for an unreasonable time and/or distance.
- (b) Pursued vehicle's location is no longer definitely known.
- (c) Officer's pursuit vehicle sustains any type of damage that renders it unsafe to drive.
- (d) Hazards to uninvolved bystanders or motorists.
- (e) If the identity of the offender is known and it does not reasonably appear that the need for immediate capture outweighs the risks associated with continuing the pursuit, officers should strongly consider discontinuing the pursuit and apprehending the offender at a later time.
- (f) Directed by a supervisor.

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308.2.3 SPEED LIMITS

The speed of a pursuit is a factor that should be evaluated on a continuing basis by the officer and supervisor. Evaluation of vehicle speeds shall take into consideration public safety, officer safety and the safety of the occupants of the fleeing vehicle.

Should high vehicle speeds be reached during a pursuit, officers and supervisors shall also consider these factors when determining the reasonableness of the speed of the pursuit:

- (a) Pursuit speeds have become unreasonably unsafe for the surrounding conditions.
- (b) Pursuit speeds have exceeded the driving ability of the officer.
- (c) Pursuit speeds are beyond the capabilities of the pursuit vehicle thus making its operation unsafe.

308.3 PURSUIT UNITS

Pursuit units should be limited to two vehicles; however, the number of units involved will vary with the circumstances. An officer or supervisor may request additional units to join a pursuit if, after assessing the factors outlined above, it appears that the number of officers involved would be insufficient to safely arrest the suspect(s). All other officers should stay out of the pursuit, but should remain alert to its progress and location. Any officer who drops out of a pursuit may then, if necessary, proceed to the termination point at legal speeds, following the appropriate rules of the road.

308.3.1 SEMI-MARKED AND UNMARKED VEHICLES

Semi-marked units may initiate a pursuit providing the proper justification exists, but will relinquish Primary Unit status immediately upon the participation of a marked police car. Upon relinquishing Primary Unit status, semi-marked units shall terminate active involvement in a pursuit unless they are needed to fulfill Secondary Unit responsibilities or are otherwise directed by a supervisor. A semi-marked police vehicle is not identifiably marked by a distinctive color scheme; red and/or blue lights may be mounted within the vehicle, and equipped with a siren. A marked unit is identifiably marked by a distinctive color scheme; red and/or blue lights may be mounted within the vehicle, and equipped with a siren.

Unmarked or other departmental vehicles, except for marked, and semi-marked, may not initiate a pursuit without the authorization of a supervisor unless there is an imminent threat to life or great bodily harm represented by the continued freedom of the suspect. An unmarked police vehicle has no distinctive identifiable marking but may have portable emergency warning lights.

308.3.2 PRIMARY UNIT RESPONSIBILITIES

The decision to initiate and/or continue a pursuit requires weighing the public safety need to immediately apprehend the suspect against the degree of risk to which peace officers and others are exposed as the result of a pursuit. Officers are reminded that they are under no legal obligation to initiate a pursuit, and that in many circumstances the safety of the public will dictate that no pursuit be initiated, and/or it be discontinued.

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Upon the initiation of a pursuit, the pursuing officer shall immediately activate the vehicle's emergency warning lights, audible device, and headlights if not already activated.

The Primary Unit will notify METCAD that a vehicle pursuit has been initiated and as soon as practical provide information including, but not limited to:

- (a) Reason for the pursuit.
- (b) Location and direction of travel.
- (c) Speed of the fleeing vehicle.
- (d) Description of the fleeing vehicle and license number, if known.
- (e) Number of known occupants.
- (f) The identity or description of the known occupants.
- (g) Information concerning the use of firearms, threat of force, injuries, hostages or other unusual hazards.

Unless relieved by a supervisor or secondary unit, the officer in the primary unit shall be responsible for the broadcasting of the progress of the pursuit. Unless practical circumstances indicate otherwise, and in order to concentrate on pursuit driving, the primary officer should relinquish the responsibility of broadcasting the progress of the pursuit to a secondary unit or aircraft joining the pursuit.

308.3.3 SECONDARY UNIT(S) RESPONSIBILITIES

The second officer in the pursuit is responsible for the following:

- (a) The officer in the secondary unit should immediately notify the telecommunicator and supervisor, if feasible, of entry into the pursuit. Until such time that a supervisor assumes responsibility, only one Secondary Unit shall become involved in an ongoing pursuit.
- (b) Remain a safe distance behind the primary unit unless directed to assume the role of primary officer, or if the primary unit is unable to continue the pursuit.
- (c) The secondary officer should be responsible for broadcasting the progress of the pursuit unless the situation indicates otherwise.
- (d) Upon joining the pursuit or being assigned Secondary Unit responsibilities, the vehicle's emergency warning lights, audible device, and headlights shall be activated.
- (e) If so requested by the Primary Unit or if directed by a supervisor to do so, the Secondary Unit may assume Primary Unit responsibilities. Otherwise, the Secondary Unit may not attempt to overtake or pull alongside the Primary Unit.
- (f) Secondary Unit personnel are responsible for serving as a backup to the Primary Unit. As such, they will respond to directions from the Primary Unit personnel unless otherwise directed by a supervisor or circumstances do not allow.

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308.3.4 PURSUIT DRIVING TACTICS

The decision to use specific driving tactics requires the same assessment of considerations outlined in the factors to be considered concerning pursuit initiation and termination. The following are tactics for units involved in the pursuit:

- (a) Officers, considering their driving skills and vehicle performance capabilities, will space themselves from other involved vehicles so they are able to see and avoid hazards or react safely to maneuvers by the fleeing vehicle.
- (b) Because intersections can present increased risks, the following tactics should be considered:
 1. Available units not directly involved in the pursuit may proceed safely to controlled intersections ahead of the pursuit in an effort to warn cross traffic.
 2. Pursuing units should exercise due caution when proceeding through controlled intersections.
- (c) Police officers involved in a pursuit shall not proceed in a direction opposite to the flow of traffic on a divided highway without the specific authorization of a supervisor, if feasible. In the event the pursued vehicle does so, the following tactics should be considered:
 1. Requesting assistance from an air unit.
 2. Maintaining visual contact with the pursued vehicle by paralleling it on the correct side of the roadway.
 3. Requesting other units to observe exits available to the suspect(s).
- (d) Notifying the Illinois State Police and/or other agency if it appears that the pursuit may enter their jurisdiction.
- (e) Officers involved in a pursuit should not attempt to pass other units unless the situation indicates otherwise or they are requested to do so by the primary unit.

308.3.5 TACTICS/PROCEDURES FOR UNITS NOT INVOLVED IN THE PURSUIT

There should be no paralleling of the pursuit route. Officers are authorized to use emergency equipment at intersections along the pursuit path to clear intersections of vehicular and pedestrian traffic to protect the public. Officers should remain in their assigned area and should not become involved with the pursuit unless directed otherwise by a supervisor.

Non-pursuing personnel needed at the termination of the pursuit should respond in a non-emergency manner, observing the rules of the road.

The primary and secondary units should be the only units operating under emergency conditions (red light and siren) unless other units are assigned to the pursuit.

308.3.6 PURSUIT TRAILING

In the event the initiating unit from this agency either relinquishes control of the pursuit to another unit or jurisdiction, that initiating unit may, with permission of a supervisor, trail the pursuit to the

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termination point in order to provide necessary information and assistance for the arrest of the suspect(s).

The term trail means to follow the path of the pursuit at a safe speed while obeying all traffic laws and without activating emergency equipment. If the pursuit is at a slow rate of speed, the trailing unit will maintain sufficient distance from the pursuit units so as to clearly indicate an absence of participation in the pursuit.

308.4 SUPERVISORY CONTROL AND RESPONSIBILITY

It is the policy of this department that available supervisory and management control will be exercised over all vehicle pursuits involving officers from this department.

The field supervisor of the officer initiating the pursuit, or if unavailable, the nearest field supervisor will be responsible for the following:

- (a) Upon notification that a pursuit is in progress, the supervisor shall assume responsibility for the monitoring and control of the pursuit as it progresses.
- (b) The supervisor shall immediately determine whether the pursuit was initiated in accordance with the provisions of this guideline and shall permit the pursuit to be continued only if said guideline has been fully complied with to the best of the supervisor's knowledge.
- (c) Upon being notified of a pursuit, the supervisor shall verify the following:
 1. That no more than the required or necessary number of units are involved in the pursuit.
 2. That the proper radio frequency is being used.
 3. That other agencies are notified as necessary and appropriate.
- (d) The supervisor shall continuously review the incoming information to determine whether the pursuit should be continued or terminated.
- (e) The supervisor shall order a pursuit terminated after concluding danger to the pursuing peace officers or the public outweighs the need for the immediate apprehension of the suspect.
- (f) The supervisor may order a pursuit terminated if the suspect's identity is established to the point where later apprehension is likely and there is no immediate threat to public safety.
- (g) The supervisor should order a pursuit terminated whenever the weather, road, or traffic conditions substantially increase the danger to the public posed by the pursuit beyond the need for immediate apprehension.
- (h) The supervisor should order a pursuit terminated whenever the distance between the pursuing and fleeing vehicles is so great that further pursuit is futile.
- (i) In controlling the pursuit, the supervisor shall be responsible for the coordination of the pursuit as follows:
 1. Directing pursuit or support units into or out of the pursuit.

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2. The assignment of a Secondary Unit to the pursuit.
 3. The re-designation of Primary, Secondary, or other support units as necessary.
 4. The approval, disapproval, and coordination of pursuit tactics.
 5. The approval or disapproval to cross jurisdictional boundaries in the continuation of the pursuit.
 6. Ensure compliance with inter-jurisdictional pursuit agreements.
- (j) The supervisor may approve and assign additional backup or support units to assist the Primary and Secondary Units based upon their analysis of:
1. The nature of the offense for which the pursuit was initiated.
 2. The number of suspects and any known propensity for violence.
 3. The number of peace officers in the pursuit vehicles.
 4. Any damage or injuries to the assigned Primary or Secondary Units or peace officers.
 5. The number of peace officers necessary to safely make an arrest at the conclusion of the pursuit.
 6. Any other clear and articulable facts that would justify the increased hazards caused by adding more than the Primary and Secondary Units to a pursuit.
- (k) When the pursuit is terminated, the supervisor shall require that all participating agencies are notified, and identify an on scene supervisor or designee to monitor the arrest and transportation procedures.
- (l) The supervisor shall require throughout the duration of the pursuit that this guideline is followed by all peace officers.

308.5 COMMUNICATIONS

If the pursuit is confined within the City limits, radio communications will be conducted on the primary channel unless instructed otherwise by a supervisor or telecommunicator. If the pursuit leaves the jurisdiction of this department or such is imminent, involved units should, whenever available, switch radio communications to an emergency channel most accessible by participating agencies and units.

308.5.1 METCAD RESPONSIBILITIES

- (a) Upon notification that a pursuit has been initiated, METCAD will:
1. Give priority to the Primary Unit.
 2. Notify other units of pursuit, including location, direction of travel, and vehicle description.
 3. Keep the channel clear.
 4. Notify the Shift Supervisor and/or patrol supervisor if feasible.
 5. Receive and records all incoming information on pursuit.

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6. Keep Shift Supervisor and/or the patrol supervisor apprised of progress of pursuit.
 7. Request status when the pursuing peace officer fails to make frequent contact.
 8. Notify neighboring jurisdictions of the pursuit approaching their boundaries.
 9. Perform relevant records and motor vehicle checks.
 10. Coordinate and dispatch backup assistance and air support units under the direction of the supervisor.
- (b) Radio frequency management:
1. Pursuit communication will be handled on the frequency designated by the pursuing agency unless one or more of the following conditions exist:
 - (a) The pursuit has or may extend into other jurisdictions.
 - (b) The supervisor directs a switch to ISPERN.
 2. Upon using the ISPERN frequency, the Primary Unit shall conform to ISPERN guidelines.

308.5.2 LOSS OF PURSUED VEHICLE

When the pursued vehicle is lost, the primary unit should broadcast pertinent information to assist other units in locating suspect(s). The primary unit will be responsible for coordinating any further search for either the pursued vehicle or suspects fleeing on foot.

308.6 INTER-JURISDICTIONAL PURSUITS

Officers involved in inter-jurisdictional pursuits are required to comply with their department's guidelines and inter-jurisdictional agreements. Only pursuit tactics permitted by this policy may be utilized by Urbana Police Department officers, irrespective of what is requested by the other agency.

When a pursuit enters another agency's jurisdiction:

- (a) The primary unit will advise METCAD that the pursuit is leaving this jurisdiction.
- (b) The controlling supervisor will decide whether to continue the pursuit based upon the totality of circumstances known.
- (c) As soon as practicable METCAD will notify the involved jurisdiction.
- (d) If two units from the other agency are actively involved in the pursuit, the officers will not engage in the pursuit unless directed to do so by a supervisor.

308.6.1 ASSUMPTION OF PURSUIT BY ANOTHER AGENCY

Units originally involved will discontinue the pursuit when advised that another agency has assumed the pursuit and assistance of the Urbana Police Department is no longer needed. Upon discontinuing the pursuit, the primary unit may proceed upon request, with or at the direction of a supervisor, to the termination point to assist in the investigation.

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The role and responsibilities of officers at the termination of a pursuit initiated by this department shall be coordinated with appropriate consideration of the units from the agency assuming the pursuit.

Notification of a pursuit in progress should not be construed as a request to join the pursuit. Requests to or from another agency to assume a pursuit should be specific. Because of communication limitations between local agencies and ISP units, a request for ISP assistance will mean that they will assume responsibilities for the pursuit. For the same reasons, a request for assistance from the ISP should include confirmation that the ISP will relinquish control.

308.6.2 PURSUITS EXTENDING INTO THIS JURISDICTION

The agency that initiates a pursuit shall be responsible for conducting the pursuit. Units from this department should not join a pursuit unless specifically requested to do so by the agency whose peace officers are in pursuit. The exception to this is when a single unit from the initiating agency is in pursuit. Under this circumstance, a unit from this department may join the pursuit until sufficient units from the initiating agency join the pursuit.

When a request is made for this department to assist or take over a pursuit from another agency that has entered this jurisdiction, the supervisor should consider these additional following factors:

- (a) Ability to maintain the pursuit.
- (b) Circumstances serious enough to continue the pursuit.
- (c) Adequate staffing to continue the pursuit.
- (d) The public's safety within this jurisdiction.
- (e) Safety of the pursuing peace officers.

As soon as practical, a supervisor or the Shift Supervisor should review a request for assistance from another agency. The Shift Supervisor or supervisor, after consideration of the above factors, may decline to assist in, or assume the other agency's pursuit.

Assistance to a pursuing allied agency by officers of this department will terminate at the City limits provided that the pursuing peace officers have sufficient assistance from other sources. Ongoing participation from this department may continue only until sufficient assistance is present.

In the event that a pursuit from another agency terminates within this jurisdiction, officers shall provide appropriate assistance to peace officers from the allied agency including, but not limited to, scene control, coordination and completion of supplemental reports and any other assistance requested or needed.

308.7 PURSUIT INTERVENTION

Pursuit intervention is an attempt to terminate the ability of a suspect to continue to flee in a motor vehicle through the tactical application of technology, road spikes, blocking, boxing, PIT (Police Immobilization Technique), ramming, heading off, or roadblock procedures. Use of pursuit intervention tactics should be employed only after the approval of a supervisor. In deciding whether to use intervention tactics, officers/supervisors should balance the risks of allowing the pursuit to

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continue with the potential hazards arising from the use of each tactic to the public, the officers, and persons in or on the pursued vehicle. With these risks in mind, the decision to use any intervention tactic should be reasonable in light of the circumstances confronting the officer at the time of the decision. It is imperative that officers act within the bounds of legality, good judgment, and accepted practices.

308.7.1 DEFINITIONS

Boxing-in/Rolling Roadblock - The surrounding of a suspect's moving vehicle with moving pursuit vehicles which are then slowed to a stop along with the suspect's vehicle. Boxing in/rolling roadblocks are mobile stop techniques.

Heading Off - An attempt to terminate a pursuit by pulling ahead of, behind or toward a suspect's moving vehicle to force it to the side of the road or to otherwise come to a stop. Heading off is a forcible stop technique.

Roadblocks - A restriction or obstruction used or intended for the purpose of preventing free passage of motor vehicles on a roadway in order to effect the apprehension of a suspect. This includes placement of vehicles as well as use of devices to disable a vehicle. A roadblock is a stationary stop technique.

Spikes or Tack Strips - A device that extends across the roadway designed to puncture the tires of the pursued vehicle.

Vehicle Contact Action (Ramming, Police Immobilization Technique (PIT)) - Any action undertaken by the pursuing officer intended to result in contact between the moving police vehicle and the pursued vehicle. Vehicle contact actions are forcible stop techniques.

308.7.2 USE OF FIREARMS/VEHICLE CONTACT ACTION

Officers involved in a pursuit shall not discharge any firearm from or at a moving vehicle, nor engage in any vehicle contact action except as a last resort in which it reasonably appears necessary to prevent imminent death or serious bodily injury to a peace officer or another person where deadly force would otherwise be legally justified. Where feasible, an officer should obtain authorization from a supervisor before discharging a weapon from or at a moving vehicle. The Urbana Police Department does not train its officers on vehicle contact action (Ramming, Police Immobilization Technique (PIT)).

308.7.3 CAPTURE OF SUSPECTS

Proper self-discipline and sound professional judgment are the keys to a successful conclusion of a pursuit and apprehension of evading suspects. Officers shall use only that amount of force, which reasonably appears necessary under the circumstances, to properly perform their lawful duties.

Unless relieved by a supervisor the primary officer should coordinate efforts to apprehend the suspect(s) following the pursuit. Officers should consider safety of the public and the involved officers when formulating plans to contain and capture the suspect.

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308.8 REPORTING REQUIREMENTS

Officers shall complete an appropriate report of the pursuit incident and assign a case reporting number to each pursuit incident. If involved in inter-jurisdictional pursuit, obtain an Illinois State Police Emergency Radio Network (ISPERN) number in addition to their own case reporting number.

- (a) Pursuit incidents will be investigated thoroughly. The acquisition of statements, photographs, drawings, preliminary medical reports and any other evidentiary items that are or could be relevant to the conduct of the pursuit incident should be completed.
- (b) A Vehicle Pursuit Supplement form shall be completed. in This form will contain the following information:
 - 1. Date and time of pursuit.
 - 2. Length of pursuit.
 - 3. Involved units and officers.
 - 4. The initial reason for pursuit.
 - 5. Starting and termination points.
 - 6. Disposition: arrest, citation, etc. Arrestee information should be provided if applicable.
 - 7. Injuries and/or property damage.
 - 8. Medical treatment.
 - 9. Name of supervisor at scene.
 - 10. A preliminary determination that the pursuit appears to be in compliance with this policy or additional review and/or follow-up is warranted.
- (c) The respective division lieutenant of the pursuing officer will review the pursuit to ensure policy compliance.

308.9 APPLICATION OF VEHICLE PURSUIT POLICY

This policy has been created with input from the Illinois Law Enforcement Training Standards Board; Police Pursuit Guidelines (revised March, 2004), in accordance with 50 ILCS 705/7.5.

Officer Response to Calls

309.1 PURPOSE AND SCOPE

This policy provides for the safe and appropriate response to emergency and non-emergency situations whether dispatched or self-initiated.

309.1.1 DEFINITIONS

- Emergency Response Mode - Driving while using emergency warning devices or in accordance with 625 ILCS 5/11-205.
- High Speeds - Speeds of 21 or more MPH over the statutory limit.
- Marked Squad Cars - Marked squad cars will typically, but not always, be equipped with a roof-mounted light mechanism to include red and blue flashing or strobe lighting, as well as auxiliary lights (such as alley/takedown lights); spotlights controlled from within. School Resource Officer cars have interior lights but are considered marked squad cars.
- Unmarked Squad Cars - Vehicle with no exterior markings, but equipped with a siren and strobes or flashing interior-mounted lights for emergency responses and traffic stops.

309.2 RESPONSE TO CALLS

If an officer reasonably believes an emergency response to any call is appropriate, the officer shall initiate an emergency response in accordance with this policy.

Officers using emergency lights and siren shall consider the call an emergency response and proceed immediately. Officers responding using emergency lights and siren shall continuously operate emergency lighting equipment, and shall sound the siren as reasonably necessary.

The driver of an authorized emergency vehicle may (625 ILCS 5/11-205):

- (a) Park or stand, irrespective of the provisions of the Illinois Vehicle Code (625 ILCS).
- (b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be required and necessary for safe operation.
- (c) Exceed the maximum speed limits so long as he/she does not endanger life or property.
- (d) Disregard regulations governing direction of movement or turning in specified directions.
- (e) In emergency responses, officers driving at high speeds shall continuously employ both the emergency lights and siren of the police vehicle.
- (f) When driving in emergency response mode, the officer must exercise sound judgment and carefully consider the immediate conditions, including roadway and weather conditions, density/flow of vehicular and pedestrian traffic, time of day, and nature of the location (e.g., school, hospital, residential area, etc.).

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- (g) Escorting other vehicles in emergency response mode is a dangerous practice and can only be done with prior approval by a Supervisor.
- (h) Non-sworn personnel are not permitted to respond to calls for service in violation of Illinois Traffic Laws. The use of emergency equipment by non-sworn personnel is limited to traffic control and direction, at the direction of a Shift Supervisor.

The driver of an authorized emergency vehicle is not relieved from the duty of driving with due regard for the safety of all persons, nor do such provisions protect the driver from the consequences of his/her reckless disregard for the safety of others (625 ILCS 5/11-205(e)).

Officers should only respond using emergency lights and siren when circumstances reasonably indicate an emergency response is required. Officers not authorized to respond using emergency lights and siren shall observe all traffic laws and proceed without the use of emergency lights and siren.

309.3 REQUESTING EMERGENCY ASSISTANCE

Requests for emergency assistance should be limited to those situations where the involved personnel reasonably believe that there is an immediate threat to the safety of officers, or assistance is needed to prevent imminent serious harm to a citizen. In any event, where a situation has stabilized and emergency response is not required, the requesting officer shall immediately notify METCAD.

If circumstances permit, the requesting officer should give the following information:

- The unit number
- The location
- The reason for the request and type of emergency

309.4 RESPONSIBILITIES OF RESPONDING OFFICER(S)

Officers shall exercise sound judgment and care with due regard for life and property when responding to an emergency call. Officers shall reduce speed at all street intersections to such a degree that they shall have complete control of the vehicle.

The decision to continue a response is at the discretion of the officer. If, in the officer's judgment, the roadway conditions or traffic congestion does not permit such a response without unreasonable risk, the officer may elect to respond to the call without the use of lights and siren at the legal speed limit. An officer shall also discontinue an emergency response when directed by a supervisor.

Upon determining an emergency response is appropriate, an officer shall immediately give the location from which he/she is responding.

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309.4.1 UNMARKED VEHICLES

Officers operating unmarked police vehicles in emergency response mode will use extra caution in view of the fact that unmarked cars are more difficult for other drivers to identify as police/emergency vehicles.

309.5 SUPERVISORY RESPONSIBILITIES

Upon learning that an emergency response has been initiated, the shift supervisor shall verify the following:

- (a) The proper response has been initiated.
- (b) No more than those units reasonably necessary under the circumstances are involved in the response.
- (c) Affected outside jurisdictions are being notified as practical.

The shift supervisor shall monitor the response until it has been stabilized or terminated and assert control by directing units into or out of the response if necessary. If, in the supervisor's judgment, the circumstances require additional units to be assigned, the supervisor may do so.

It is the supervisor's responsibility to terminate an emergency response that, in his/her judgment is inappropriate due to the circumstances.

When monitoring an emergency response, the shift supervisor should consider the following:

- The type of call
- The necessity of a timely response
- Traffic and roadway conditions
- The location of the responding units

309.6 FAILURE OF EMERGENCY EQUIPMENT

If the emergency equipment on the vehicle should fail to operate, the officer must terminate the emergency response and respond accordingly. In all cases, the officer shall notify the shift supervisor or METCAD of the equipment failure so that another unit may be assigned to the emergency response.

Canines

310.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of canines to augment law enforcement services to the community, including but not limited to locating individuals and contraband..

310.1.1 OWNERSHIP OF CANINES

All dogs accepted for training and use by the Department are the property of the Department and the City of Urbana. Expenses incurred in the care, feeding, shelter, and transportation of the canines are the responsibility of the Department. Proper care and maintenance of the canine is the responsibility of the handler.

310.2 POLICY

It is the policy of the Urbana Police Department that teams of handlers and canines meet and maintain the appropriate proficiency to effectively and reasonably carry out legitimate law enforcement objectives.

310.3 ASSIGNMENT

Canine teams should be assigned to the Patrol Division, however, they may be assigned by the shift supervisor to assist other divisions or departments. Additionally, the canine unit may be assigned to conduct community outreach or public demonstrations.

310.4 CANINE COORDINATOR

The canine coordinator shall be appointed by and directly responsible to the Patrol Division Commander or the authorized designee.

The responsibilities of the coordinator include but are not limited to:

- (a) Reviewing all canine use reports to ensure compliance with policy and to identify training issues and other needs of the program.
- (b) Maintaining a liaison with the vendor kennel.
- (c) Maintaining a liaison with command staff and functional supervisors.
- (d) Maintaining a liaison with other agency canine coordinators.
- (e) Maintaining accurate records to document canine activities.
- (f) Recommending and overseeing the procurement of equipment and services for the teams of handlers and canines.
 - 1. Ensure all department vehicles used to transport canines are equipped with a heat sensor monitoring device that meets the requirements of 510 ILCS 83/15.
- (g) Scheduling all canine-related activities.
- (h) Ensuring the canine teams are scheduled for regular training to maximize their capabilities.

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310.5 REQUESTS FOR CANINE TEAMS

Patrol Division members are encouraged to request the use of a canine. Requests for a canine team from department units outside of the Patrol Division shall be reviewed by the Shift Supervisor. If a canine from another jurisdiction is requested, the Urbana officer requesting the canine should meet with the handler and outline what the request specifically entails. If the purpose is to track and possibly apprehend the offender of a crime, the handler shall follow their respective department policies and procedures.

310.5.1 OUTSIDE AGENCY REQUEST

All requests for canine assistance from outside agencies must be approved by the Shift Supervisor and are subject to the following:

- (a) Canine teams shall not be used for any assignment that is not consistent with this policy.
- (b) The canine handler shall have the authority to decline a request for any specific assignment that they deem unsuitable.
- (c) Calling out off-duty canine teams is discouraged.
- (d) It shall be the responsibility of the canine handler to coordinate operations with agency personnel in order to minimize the risk of unintended injury.
- (e) It shall be the responsibility of the canine handler to complete all necessary reports.

310.5.2 PUBLIC DEMONSTRATIONS

All public requests for a canine team shall be reviewed and, if appropriate, approved by the canine coordinator prior to making any resource commitment. The canine coordinator is responsible for obtaining resources and coordinating involvement in the demonstration to include proper safety protocols.

310.6 CANINE USAGE GUIDELINES

The Urbana canine is "a single-purpose canine" trained in narcotics detection and is also trained in tracking/locating articles as well as missing/endangered persons and suspects or offenders of crimes.

- **Narcotics Detection**-The department canine is trained to comport with State of Illinois requirements regarding narcotics detection. The department canine may be used on open area searches on vehicles and residential and/or domicile searches consistent with applicable legal limitations. The canine will not be used to search a person for narcotics, nor will it be intentionally deployed inside a vehicle unless the handler determines it is safe to do so. i.e. mobile homes or tractor-trailers in order to source to a specific location.
- **Article Searches** - The department canine may be used for the purpose of finding items that are deemed to be of evidentiary value.
- **Tracking** - The department canine may be utilized to track missing or endangered persons and suspects or offenders, at the discretion of the handler's judgment based on a totality of the circumstances. When determining whether or not to utilize the UPD

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canine to track, the handler shall, at the minimum, take into consideration the following circumstances:

- 1. The type of crime.
- 2. Whether or not the suspect is known to be armed.
- 3. Number of suspects.
- 4. Environmental concerns.
- 5. Number of officers available/required to assist with canine team security.
- Nothing prevents the handler from refusing to conduct a track based on factors not mentioned above.

310.6.1 PREPARATION FOR USE OF CANINE

Prior to the use of a canine to search for a child, missing adult, suspect or offender of a crime, the canine handler and/or the supervisor on-scene should consider all pertinent information reasonably available at the time. As circumstances permit, the canine handler should make every reasonable effort to communicate and coordinate with other involved members to minimize the risk of unintended injury. It is the canine handler's responsibility to evaluate each situation and determine whether the use of a canine is appropriate and reasonable. The canine handler shall have the authority to decline the use of the canine whenever they deem deployment is unsuitable. A supervisor who is sufficiently apprised of the situation may prohibit deploying the canine. Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.

310.6.2 REPORTING - BITES AND INJURIES

Should a canine deployment result in a bite or cause injury to anyone, a supervisor should be promptly notified, and the injuries documented in a canine use report. The injured person shall be promptly treated by emergency medical services personnel, and, if appropriate, transported to an appropriate medical facility for further treatment. The deployment and injuries should also be included in any related incident or arrest report.

Any unintended bite or injury caused by a canine, whether on- or off-duty, shall be promptly reported to the canine coordinator. Unintended bites or injuries caused by a canine should be documented in a report. The investigation leading to this report shall be done by a supervisor and will be similar to a use of force investigation, including the taking of statements from involved parties, seizing of evidence, and taking of photographs.

If an individual alleges an injury, either visible or not visible, a supervisor shall be notified and both the individual's injured and uninjured areas shall be photographed as soon as practicable after first tending to the immediate needs of the injured party. Photographs shall be retained as evidence in accordance with current department evidence procedures. The photographs shall be retained until the criminal proceeding is completed and the time for any related civil proceeding has expired.

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Canines used by law enforcement agencies are generally exempt from impoundment and reporting requirements (510 ILCS 5/13(b)). The canine shall be under observation for 10 days following any bite. The observation shall consist of the canine being locked in a kennel, performing its official duties in a law enforcement vehicle or remaining under the constant supervision of its handler.

310.7 USAGE GUIDELINES

Properly trained canines may be used to track or search for persons at risk (e.g., lost children, individuals who may be disoriented or in need of medical attention) as well as offenders or suspects of crimes. The canine handler is responsible for determining the canine's suitability for such assignments based on the conditions and the particular abilities of the canine. When the canine is deployed in a search or other non-apprehension operation, the following guidelines apply:

- (a) Absent a change in circumstances that presents an immediate threat to officers, the canine, or the public, such applications should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual if located.
- (b) Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.
- (c) Throughout the deployment, the handler should periodically give verbal assurances that the canine will not hurt the individual and encourage the individual to make him/herself known.
- (d) Once the individual has been located, the handler should place the canine in a down-stay or otherwise secure it as soon as reasonably practicable.

310.8 HANDLER SELECTION

The minimum qualifications for the assignment of canine handler include:

- (a) An officer who is currently off probation.
- (b) Residing in an adequately fenced single-family residence (minimum 5-foot-high fence with locking gates).
- (c) A garage that can be secured and can accommodate a canine vehicle.
- (d) Living within 30 minutes travel time from the Urbana City limits.
- (e) Agreeing to be assigned to the position for a minimum of three years.

310.9 HANDLER RESPONSIBILITIES

The canine handler shall ultimately be responsible for the health and welfare of the canine and shall ensure that the canine receives proper nutrition, grooming, training, medical care, affection and living conditions.

The canine handler will be responsible for the following:

- (a) Except as required during appropriate deployment, the handler shall not expose the canine to any foreseeable and unreasonable risk of harm.

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- (b) The handler shall maintain all department equipment under his/her control in a clean and serviceable condition.
- (c) When a handler is off-duty for an extended number of days, the assigned canine vehicle should be stored at the Urbana Police Department facility.
- (d) Handlers shall permit the canine coordinator to conduct spontaneous on-site inspections of affected areas of their homes as well as their canine vehicles to verify that conditions and equipment conform to this policy.
- (e) Any changes in the living status of the handler that may affect the lodging or environment of the canine shall be reported to the canine coordinator as soon as possible.
- (f) When off-duty, the canine shall be in a kennel provided by the City at the home of the handler. When a canine is kenneled at the handler's home, the gate shall be secured. When off-duty, the canine may be let out of the kennel while under the direct control of the handler.
- (g) The canine should be permitted to socialize in the home with the handler's family under the direct supervision of the handler.
- (h) Under no circumstances will the canine be lodged at another location unless approved by the canine coordinator or a command officer.
- (i) When off-duty, the handler shall not involve the canine in any law enforcement activity or official conduct unless approved in advance by the canine coordinator or Shift Supervisor.
- (j) Whenever a canine handler is off-duty for an extended number of days, it may be necessary to temporarily relocate the canine. In those situations, the handler shall give reasonable notice to the canine coordinator so that appropriate arrangements can be made. If the handler is gone for an extended period of time, the City will be responsible for paying the cost of housing and care. If the canine is kenneled, the handler will use the full amount of benefit time for their assigned shift.

310.9.1 CANINE IN PUBLIC AREAS

The canine should be kept on a leash when in areas that allow access to the public. Exceptions to this rule would include specific law enforcement operations for which the canine is trained.

- (a) A canine shall not be left unattended in any area to which the public may have access.
- (b) When the canine vehicle is left unattended, all windows and doors shall be secured in such a manner as to prevent unauthorized access to the canine. The handler shall also ensure that the unattended vehicle remains inhabitable for the canine.

310.10 CANINE INJURY AND MEDICAL CARE

In the event that a canine is injured, or there is an indication that the canine is not in good physical condition, the injury or condition will be reported to the canine coordinator or command officer in charge of the canine program as soon as practicable and appropriately documented.

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All medical attention shall be rendered by the designated canine veterinarian, except during an emergency where treatment should be obtained from the nearest available veterinarian. All records of medical treatment shall be maintained in a file by the administrative assistant to the Chief of Police.

310.11 TRAINING

Before assignment in the field, each narcotic detection canine team shall be trained and certified to meet current requirements established by the Illinois Law Enforcement Training and Standards Board (ILETSB) (50 ILCS 705/10.12).

The canine coordinator shall be responsible for scheduling periodic training for all department members in order to familiarize them with how to conduct themselves in the presence of department canines.

All canine training should be conducted while on-duty unless otherwise approved by the canine coordinator or Shift Supervisor.

310.11.1 FAILURE TO SUCCESSFULLY COMPLETE TRAINING

Any canine team failing to graduate or obtain certification shall not be deployed in the field for tasks the team is not certified to perform until graduation or certification is achieved. When reasonably practicable, pending successful certification, the canine handler shall be temporarily reassigned to regular patrol duties.

310.11.2 TRAINING RECORDS

All canine training records shall be maintained in the canine handler's file as well as the canine's training file.

310.11.3 TRAINING AIDS

Training aids are required to effectively train and maintain the skills of canines. Officers possessing, using, or transporting controlled substances for canine training purposes must comply with federal and state requirements. Alternatively, the Urbana Police Department may work with outside trainers with the applicable licenses or permits.

310.11.4 CONTROLLED SUBSTANCE TRAINING AIDS

Officers acting in the performance of their official duties may possess or transfer controlled substances for the purpose of narcotics-detection canine training in compliance with state and federal laws (21 USC § 823(g)).

The Chief of Police or the authorized designee may authorize a member to seek a court order to allow controlled substances seized by the Urbana Police Department to be possessed by the member or a narcotics-detection canine trainer who is working under the direction of this department for training purposes, provided the controlled substances are no longer needed as criminal evidence.

As an alternative, the Chief of Police or the authorized designee may request narcotics training aids from the Drug Enforcement Administration (DEA).

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These procedures are not required if the canine handler uses commercially available synthetic substances that are not controlled narcotics.

310.11.5 CONTROLLED SUBSTANCE PROCEDURES

Due to the responsibilities and liabilities involved with possessing readily usable amounts of controlled substances and the ever-present danger of the canine's accidental ingestion of these controlled substances, the following procedures shall be strictly followed:

- (a) All controlled substance training samples shall be weighed and tested prior to dispensing to the individual canine handler or trainer.
- (b) The weight and test results shall be recorded and maintained by this department.
- (c) Any person possessing controlled substance training samples pursuant to court order or DEA registration shall maintain custody and control of the controlled substances and shall keep records regarding any loss of, or damage to, those controlled substances.
- (d) All controlled substance training samples will be inspected, weighed and tested quarterly. The results of the quarterly testing shall be recorded and maintained by the canine coordinator with a copy forwarded to the dispensing agency.
- (e) All controlled substance training samples will be stored in locked, airtight and watertight cases at all times, except during training. The locked cases shall be secured in the trunk of the canine handler's assigned patrol vehicle during transport and stored in an appropriate locked container. There are no exceptions to this procedure.
- (f) The canine coordinator shall periodically inspect every controlled substance training sample for damage or tampering and take any appropriate action.
- (g) Any unusable controlled substance training samples shall be returned to the Property and Evidence Division or to the dispensing agency.
- (h) All controlled substance training samples shall be returned to the dispensing agency upon the conclusion of the training or upon demand by the dispensing agency.

310.12 CANINE RETIREMENT

When the Patrol Division Commander determines a canine is no longer fit for duty it shall be offered to the handler assigned to the animal during its service. If the handler does not wish to keep the dog, the Patrol Division Commander should offer the canine to another employee of the Urbana Police Department, or to a nonprofit organization or no-kill shelter that may facilitate the dog's adoption (510 ILCS 82/5).

Domestic Violence

311.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to deter, prevent and reduce domestic violence through vigorous enforcement and to address domestic violence as a serious crime against society. The policy specifically addresses the commitment of this department to take enforcement action when appropriate, to provide assistance to victims and to guide officers in the investigation of domestic violence.

311.1.1 DEFINITIONS

Definitions related to this policy include:

Court order - All forms of orders related to domestic violence, that have been issued by a court of this state or another, whether civil or criminal, regardless of whether service has been made.

311.2 POLICY

The Urbana Police Department's response to incidents of domestic violence and violations of related court orders shall stress enforcement of the law to protect the victim and shall communicate the philosophy that domestic violence is criminal behavior. It is also the policy of this department to facilitate victims' and offenders' access to appropriate civil remedies and community resources whenever feasible.

311.3 OFFICER SAFETY

The investigation of domestic violence cases often places officers in emotionally charged and sometimes highly dangerous environments. No provision of this policy is intended to supersede the responsibility of all officers to exercise due caution and reasonable care in providing for the safety of any officers and parties involved.

311.4 INVESTIGATIONS

The following guidelines should be followed by officers when investigating domestic violence cases:

- (a) Calls of reported, threatened, imminent, or ongoing domestic violence and the violation of any court order are of extreme importance and should be considered among the highest response priorities. This includes incomplete 9-1-1 calls.
- (b) When practicable, officers should obtain and document statements from the victim, the suspect, and any witnesses, including children, in or around the household or location of occurrence.
- (c) Officers should list the full name and date of birth (and school if available) of each child who was present in the household at the time of the offense. The names of other children who may not have been in the house at that particular time should also be obtained for follow-up.
- (d) When practicable and legally permitted, video or audio record all significant statements and observations.

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- (e) All injuries should be photographed, regardless of severity, taking care to preserve the victim's personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the Criminal Investigation Division in the event that the injuries later become visible.
- (f) Officers should request that the victim complete and sign an authorization for release of medical records related to the incident when applicable.
- (g) If the suspect is no longer at the scene, officers should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement, and make an arrest or seek an arrest warrant if appropriate.
- (h) Seize any firearms or other dangerous weapons in the home, if appropriate and legally permitted, for safekeeping or as evidence (725 ILCS 5/112A-30).
- (i) When completing an incident or arrest report for violation of a court order, officers should include specific information that establishes that the offender has been served, including the date the offender was served, the name of the agency that served the order, and the provision of the order that the subject is alleged to have violated. When reasonably available, the arresting officer should attach a copy of the order to the incident or arrest report.
- (j) Officers should take appropriate enforcement action when there is probable cause to believe an offense has occurred (725 ILCS 5/112A-30). Factors that should not be used as sole justification for declining to take enforcement action include:
 - 1. Whether the suspect lives on the premises with the victim.
 - 2. Claims by the suspect that the victim provoked or perpetuated the violence.
 - 3. The potential financial or child custody consequences of arrest.
 - 4. The physical or emotional state of either party.
 - 5. Use of drugs or alcohol by either party.
 - 6. Denial that the abuse occurred where evidence indicates otherwise.
 - 7. A request by the victim not to arrest the suspect.
 - 8. Location of the incident (public/private).
 - 9. Speculation that the complainant may not follow through with the prosecution.
 - 10. Actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or marital status of the victim or suspect.
 - 11. The social status, community status, or professional position of the victim or suspect.

311.4.1 IF A SUSPECT IS ARRESTED

If a suspect is arrested, officers should:

- (a) Provide the victim's contact information to the jail staff.

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- (b) Advise the victim whether any type of court order will be in effect when the suspect is released from jail.

311.4.2 IF NO ARREST IS MADE

If no arrest is made, the officer should:

- (a) Advise the parties of any options, including but not limited to:
 1. Voluntary separation of the parties.
 2. Appropriate resource referrals (e.g., counselors, friends, relatives, shelter homes, victim witness unit).
- (b) Document the resolution in a report.

311.4.3 ENHANCED DOMESTIC VIOLENCE PROTOCOL (EDVP)

If an officer encounters an individual who has been identified as meeting the EDVP criteria of three or more previous domestic related incidents, then the current Enhanced Domestic Violence Protocol should be followed.

311.4.4 ELECTRONIC SURVEILLANCE ALERTS

Certain individuals released after a violation of an order of protection may be subject to electronic surveillance by GPS as a condition of release, probation, or conditional discharge (725 ILCS 5/110-5; 730 ILCS 5/5-8A-7).

Upon being dispatched in response to an electronic surveillance alert, officers should make a reasonable attempt to locate the domestic violence victim who is being protected and assist in providing for the victim's safety. A reasonable attempt to locate the offender should also be made.

If the offender is located within a prohibited location of the victim, an officer should consider whether an arrest for a violation of the conditional discharge, a condition of pretrial release, supervision, or order of protection is appropriate.

Each response to an electronic surveillance alert shall be documented in an incident or arrest report.

311.5 VICTIM ASSISTANCE

Victims may be traumatized or confused. Officers should (725 ILCS 5/112A-30):

- (a) Recognize that a victim's behavior and actions may be affected.
- (b) Provide the victim with the department's domestic violence information handout, even if the incident may not rise to the level of a crime.
- (c) Alert the victim to any available victim advocates, shelters, and community resources.
- (d) Stand by for a reasonable amount of time when an involved person requests law enforcement assistance while removing essential items of personal property.
- (e) Seek medical assistance as soon as practicable for the victim if he/she has sustained injury or complains of pain.

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- (f) Ask the victim whether he/she has a safe place to stay. Assist in arranging to transport the victim to an alternate shelter if the victim expresses a concern for his/her safety or if the officer determines that a need exists.
- (g) Make reasonable efforts to ensure that children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.
- (h) Seek or assist the victim in obtaining an emergency order if appropriate.

311.6 DISPATCH ASSISTANCE

All calls of domestic violence, including incomplete 9-1-1 calls, should be dispatched as soon as practicable.

Dispatchers are not required to verify the validity of a court order before responding to a request for assistance. Officers should request that dispatchers check whether any of the involved persons are subject to the terms of a court order.

311.7 FOREIGN COURT ORDERS

Various types of orders may be issued in domestic violence cases. Any foreign court order properly issued by a court of another state, Indian tribe or territory shall be enforced by officers as if it were the order of a court in this state. An order should be considered properly issued when it reasonably appears that the issuing court has jurisdiction over the parties and reasonable notice and opportunity to respond was given to the party against whom the order was issued (18 USC § 2265). An otherwise valid out-of-state court order shall be enforced, regardless of whether the order has been properly registered with this state.

311.8 VERIFICATION OF COURT ORDERS

Determining the validity of a court order, particularly an order from another jurisdiction, can be challenging. Therefore, in determining whether there is probable cause to make an arrest for a violation of any court order, officers should carefully review the actual order when available, and, where appropriate and practicable:

- (a) Ask the subject of the order about his/her notice or receipt of the order, his/her knowledge of its terms and efforts to respond to the order.
- (b) Check available records or databases that may show the status or conditions of the order.
- (c) Contact the issuing court to verify the validity of the order.
- (d) Contact a law enforcement official from the jurisdiction where the order was issued to verify information.

Officers should document in an appropriate report their efforts to verify the validity of an order, regardless of whether an arrest is made. Officers should contact a supervisor for clarification when needed.

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311.8.1 UNLAWFUL VISITATION INTERFERENCE

Officers may be faced with a Domestic Violence situation where one party is violating a court order for child custody or visitation. These situations are to be handled under the Illinois Unlawful Visitation Interference Law. If there is a specific court order for visitation and one party is violating that order, **officers shall issue a Notice to Appear for the violation**. Offenders shall not be arrested or taken into custody under this law, 720 ILCS 5/10-5.5d.

311.9 LEGAL MANDATES AND RELEVANT LAWS

Illinois law provides for the following:

311.9.1 STANDARDS FOR ARRESTS

- (a) Officers shall attempt to determine the predominate physical aggressor.
- (b) Whenever an officer has reason to believe that a person has been the victim of domestic abuse, the officer shall immediately use all reasonable means to prevent further abuse including arresting the abusing, neglecting, and exploiting party, where appropriate (725 ILCS 5/112A-30).
- (c) Officers investigating reports of domestic violence should consider the appropriate charges, including Domestic Battery, Aggravated Domestic Battery, and Interfering with the Reporting of Domestic Violence (720 ILCS 5/12-3.2; 720 ILCS 5/12-3.3; 720 ILCS 5/12-3.5).
- (d) Officers investigating a domestic violence incident who encounter an individual on pretrial release for a domestic violence charge should attempt to determine if there are reasonable grounds to believe that the individual is violating a condition of pretrial release, for example by making contact or communicating with the victim, or by entering or remaining at the victim's residence within 72 hours following the defendant's release (725 ILCS 5/110-10(d)).

311.9.2 REPORTS AND RECORDS

The Urbana Police Department is required to record, compile and report to the Illinois State Police information regarding domestic crimes.

- (a) Officers shall include in their reports the victim's statements as to the frequency and severity of prior incidents of domestic violence by the person and the number of prior calls for law enforcement assistance to prevent domestic violence (750 ILCS 60/303; 725 ILCS 5/112A-29).
- (b) Reports must also include information regarding the victim, suspect, date and time of the incident, any injury inflicted, any weapons involved, and the relationship between the victim and the suspect so that the Police Services Supervisor is provided with enough information to meet the reporting requirements of 50 ILCS 709/5-12.

311.9.3 SPECIFIC VICTIM ISSUES

Officers should:

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- (a) Provide or arrange for accessible transportation for the victim (and, at the victim's request, any minors or dependents in the victim's care) to a medical facility for treatment of injuries or to a nearby place of shelter or safety (750 ILCS 60/304).
- (b) Provide the victim with one referral to an accessible service agency (750 ILCS 60/304).

311.9.4 COURT ORDER RELATED TO PEACE OFFICERS

If the respondent in an order of protection is a peace officer, the investigating officer shall determine if the order prohibits the peace officer from possessing any firearms or a FOID card during the duration of the order (725 ILCS 5/112A-14(b)(14.5)).

If the respondent officer is employed by the Urbana Police Department, the investigating officer shall take any necessary enforcement actions, promptly submit the appropriate report, and notify the Chief of Police of the incident through the chain of command.

If the respondent officer is not a member of the Urbana Police Department, the investigating officer shall promptly notify the investigating officer's supervisor. The supervisor shall ensure prompt notification to the respondent officer's department.

311.9.5 SERVICE OF COURT ORDERS

A summons, along with the petition for protective order, supporting affidavits, if any, and any ex parte protective order that has been issued, shall be served at the earliest time possible and take precedence over service of other summonses, except those of a similar emergency nature (725 ILCS 5/112A-5.5; 725 ILCS 5/112A-17.5).

Before serving an order of protection, the serving officer should conduct an inquiry to determine whether the respondent has been issued a concealed carry license (CCL) or a Firearm Owner's Identification (FOID) card. If the respondent is found to be in possession of a CCL, the officer shall seize the CCL and forward the notification of the order and license to the Illinois State Police within seven days of the date the order was served (430 ILCS 66/70). If the respondent is found to be in possession of a FOID card, then the officer should instruct the respondent if the order of protection requires compliance with section 9.5 of the FOID Card Act (725 ILCS 5/112A-14; 430 ILCS 65/9.5).

If the Urbana Police Department receives a copy of an ex parte protective order issued to a person who is in custody, an officer shall make reasonable efforts to serve the protective order or a short form notification on the person before the person is released from custody (725 ILCS 5/112A-22).

Workplace Violence

312.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines for responding to incidents involving workplace violence.

312.1.1 DEFINITIONS

Definitions related to this policy include:

Workplace violence - The commission or threatened commission of an act of violence, harassment or stalking as defined under the Illinois Criminal Code of 2012 against a person at his/her place of work. Place of work means any property that is owned or leased by the employer and at which the official business of the employer is conducted, as defined by the Workplace Violence Prevention Act (820 ILCS 275/10).

312.2 POLICY

It is the policy of this department to investigate workplace violence as a serious crime and to facilitate employer and victim access to appropriate civil remedies and community resources whenever feasible.

312.3 INVESTIGATIONS

The following guidelines should be followed by officers when investigating workplace violence cases:

- (a) Calls of reported, threatened, imminent or ongoing workplace violence may also involve incidents of domestic violence. Members should consider whether a related domestic violence investigation should also be conducted, as provided in the Domestic Violence Policy.
- (b) Members should take reasonable steps to prevent any further workplace violence, including making an arrest where appropriate.
- (c) If the suspect is no longer at the scene, officers should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement and make an arrest or seek an arrest warrant if appropriate.
- (d) Officers should advise the employer and victim about seeking medical attention and preserving evidence (specifically including photographs of injury or damage).
- (e) When completing an incident or arrest report for violation of a court order, officers should include specific information that establishes that the offender has been served, including the date the offender was served, the name of the agency that served the order and the provision of the order that the subject is alleged to have violated. When reasonably available, the arresting officer should attach a copy of the order to the incident or arrest report.

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- (f) All responses to calls of workplace violence should be documented in an appropriate report.

312.4 EMPLOYER AND VICTIM ASSISTANCE

Officers should:

- (a) If a suspect is arrested, advise the employer and victim that there is no guarantee the suspect will remain in custody.
 - 1. Members should also provide the employer's and victim's contact information to the jail staff to enable notification upon the suspect's release from jail.
- (b) If no arrest is made, inform the victim of the victim's right to request that a criminal proceeding be initiated where appropriate, including specific times and places for meeting with the State's Attorney's office, a warrant officer, or other official in accordance with local procedure.
- (c) Provide the victim with the department's domestic violence information handout, if appropriate.
- (d) Advise the parties of available resources, such as victim advocates, shelters, or other community resources.
- (e) Accompany the victim to their place of residence for a reasonable period of time to remove essential items of personal property if appropriate.
- (f) Seek medical assistance as soon as practicable for the victim if the victim has sustained injury or complains of pain.
- (g) Ask the victim whether they have a safe place to stay. Assist in arranging to transport the victim to an alternate shelter if the victim expresses a concern for their safety or if the officer determines that a need exists.
- (h) Make reasonable efforts to ensure that children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.
- (i) Assist the employer and victim in obtaining an emergency order if appropriate.
 - 1. Victims may require assistance with transportation to apply for an emergency order of protection.
 - 2. Employers may apply for workplace protection orders if any act of violence, harassment, or stalking has been carried out or threatened to be carried out at the workplace (820 ILCS 275/15).
- (j) Officers who are investigating a workplace violence incident and encounter a workplace violence suspect who is on pretrial release for a domestic violence charge should attempt to determine if there are reasonable grounds to believe that the individual is violating a condition of pretrial release, for example by making contact or communicating with a domestic violence victim within 72 hours of release (725 ILCS 5/110-10(d)).

Search and Seizure

313.1 PURPOSE AND SCOPE

Both the federal and state Constitutions provide every individual with the right to be free from unreasonable searches and seizures. This policy provides general guidelines for Urbana Police Department personnel to consider when dealing with search and seizure issues.

313.2 POLICY

It is the policy of the Urbana Police Department to respect the fundamental privacy rights of individuals. Members of this department will conduct searches in strict observance of the constitutional rights of persons being searched. All seizures by this department will comply with relevant federal and state law governing the seizure of persons and property.

As often as practicable, the Department will provide relevant and current training to officers as guidance for the application of current law, local community standards and prosecutorial considerations regarding specific search and seizure situations, as appropriate.

313.3 SEARCHES

The U.S. Constitution generally provides that a valid warrant is required in order for a search to be permissible. There are, however, several exceptions that permit a warrantless search.

Examples of law enforcement activities that are exceptions to the general warrant requirement include, but are not limited to, searches pursuant to the following:

- Valid consent
- Incident to a lawful arrest
- Legitimate community caretaking interests
- Vehicle searches under certain circumstances
- Exigent circumstances

Certain other activities are recognized by federal and state courts and by certain statutes as legitimate law enforcement activities that also do not require a warrant. Such activities may include seizure and examination of abandoned property, and observations of activities and property located on open public areas.

Because case law regarding search and seizure is constantly changing and subject to interpretation by the courts, each member of this department is expected to act in each situation according to current training and his/her familiarity with the subject's clearly established rights as determined by case law.

Whenever practicable, officers are encouraged to contact a supervisor to resolve questions regarding search and seizure issues prior to electing a course of action.

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313.3.1 SEARCHES PROTOCOL FOR PROPERTY AND PREMESIS

Although conditions will vary and officer safety and other exigencies must be considered in every search situation, the following guidelines should be followed whenever circumstances permit:

- (a) Members of this department will strive to conduct searches with dignity and courtesy.
- (b) Whenever possible, officers should explain the reason for the search.
- (c) Searches should be carried out with due regard and respect for private property interests and in a manner that minimizes damage.
- (d) In order to minimize the need for forcible entry, consideration may be given to obtaining keys, combinations or access codes when a search of locked property is anticipated.

313.4 SEARCH PROTOCOL

The U. S. Constitution provides for the search of a person under certain circumstances:

- Valid Consent
- Incident to lawful arrest
- Warrant

Because case law is constantly changing and subject to interpretation by the courts, each member of this department is expected to act in each situation according to current case law.

Whenever practicable, officers are encouraged to contact a supervisor to resolve questions regarding search and seizure issues prior to electing a course of action.

313.4.1 SEARCH PROTOCOL FOR PERSONS

Thorough searches of prisoners and arrestees are a safety practice that lowers the level of danger both for the officer and the arrestee. Proper searches are also an effective means of building a criminal case. Evidence and/or contraband are often carried on the person of criminals. The Police Department requires that every arrestee, as soon as practical, be thoroughly searched. Although conditions will vary and officer safety and other exigencies must be considered in every search situation, the following guidelines should be followed whenever circumstances permit:

- Members of this department will strive to conduct searches with dignity and courtesy.
- Officers should explain to the person being searched the reason for the search and how the search will be conducted.
- When the person to be searched is of the opposite sex as the searching officer, a reasonable effort should be made to summon an officer of the same sex as the subject to conduct the search.
- When it is not practicable to summon an officer of the same sex as the subject, another officer or supervisor should witness the search.

1. Searches Incident to Arrest (Custody Searches)

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Under the Code of Criminal Procedure, when a lawful arrest is made, a peace officer may reasonably search the person arrested and the area within such person's immediate control for the purpose of protecting the officer from attack, preventing the person from escaping, discovering the fruits of the crime, or discovering any instruments, articles or things which may have been used in the commission of, or which may constitute evidence of, an offense. 725 ILCS 5/108-1(1). The arresting officer shall search all arrestees; provided, however, that the officer conducting a search shall be of the same sex as the arrestee when practicable. If at all possible, searches should be performed immediately after handcuffing.

2. Searches with Warrants

Arrestees and others may be searched pursuant to a search warrant issued by a judge. These searches should be done in a controlled environment and by the appropriate medical personnel or those trained for the type of search required.

For details on physical body cavity searches refer to Custodial Searches policy.

3. Stop and Frisk during Temporary Questioning (Pat Downs)

A peace officer, after having identified himself as a peace officer, may stop any person in a public place for a reasonable period of time when the officer reasonably infers from the circumstances that the person is committing, is about to commit or has committed an offense as defined in Section 102-15 of this Code, and may demand the name and address of the person and an explanation of his actions. Such detention and temporary questioning will be conducted in the vicinity of where the person was stopped.

When a peace officer has stopped a person for temporary questioning pursuant to 725 ILCS 5/107-14 and reasonably suspects that he or another is in danger of attack, the officer may frisk the person for weapons. If the officer discovers a weapon, he may take it until the completion of the questioning, at which time he shall either return the weapon, if lawfully possessed, or arrest the person so questioned. 725 ILCS 5/108-1.01

4. Searches by Officers Transporting Prisoners

Oftentimes, the officer making the arrest and the initial search is not the one transporting. The transporting officer is also required to ensure that the arrestee has been searched and not just assume that a search has been done.

5. Strip Searches

"Strip search" means having an arrested person remove or arrange some or all of his or her clothing so as to permit a visual inspection of the genitals, buttocks, anus, female breasts or undergarments of such person.

For details on strip searches refer to Custodial Searches policy

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313.5 DOCUMENTATION

Officers are responsible to document any search and to ensure that any required reports are sufficient including, at minimum, documentation of the following:

- Reason for the search
- Any efforts used to minimize the intrusiveness of any search (e.g., asking for consent or keys)
- What, if any, injuries or damage occurred
- All steps taken to secure property
- The results of the search, including a description of any property or contraband seized
- If the person searched is the opposite sex, any efforts to summon an officer of the same sex as the person being searched and the identification of any witness officer

Supervisors shall review reports to ensure the reports are accurate, that actions are properly documented and that current legal requirements and department policy have been met.

Temporary Custody of Juveniles

314.1 PURPOSE AND SCOPE

This policy provides guidelines consistent with the Juvenile Justice and Delinquency Prevention Act for juveniles taken into temporary custody by members of the Urbana Police Department (34 USC § 11133).

314.1.1 DEFINITIONS

Definitions related to this policy include:

Juvenile non-offender - An abused, neglected, dependent, or alien juvenile who may be legally held for the juvenile's own safety or welfare. This also includes any juvenile who may have initially been contacted for an offense that would not subject an adult to arrest (e.g., fine-only offense) but was taken into custody for the juvenile's protection or for purposes of reuniting the juvenile with a parent, guardian, or other responsible person.

Juvenile offender - A juvenile under 18 years of age who is alleged to have committed an offense that would subject an adult to arrest (a non-status offense) or a juvenile who has violated 720 ILCS 5/24-3.1 by possessing a handgun (28 CFR 31.303; 705 ILCS 405/5-105).

Non-secure custody - When a juvenile is held in the presence of an officer or other department member at all times and is not placed in a locked room, cell, or behind any locked doors. Juveniles in non-secure custody may be handcuffed but not to a stationary or secure object. Personal supervision, through direct visual monitoring and audio two-way communication, is maintained. Monitoring through electronic devices, such as video, does not replace direct visual observation.

Safety checks - Direct visual observation by a member of this department performed at random intervals, within time frames prescribed in this policy, to provide for the health and welfare of juveniles in temporary custody.

Secure custody - When a juvenile offender is held in a locked room, a set of rooms, or a cell. Secure custody also includes being physically secured to a stationary object.

Examples of secure custody include:

- (a) A juvenile left alone in an unlocked room within the secure perimeter of the adult temporary holding area.
- (b) A juvenile handcuffed to a rail.
- (c) A juvenile placed in a room that contains doors with delayed egress devices that have a delay of more than 30 seconds.
- (d) A juvenile being processed in a secure booking area when an unsecure booking area is available.
- (e) A juvenile left alone in a secure booking area after being photographed and fingerprinted.

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- (f) A juvenile placed in a cell within the adult temporary holding area, whether or not the cell door is locked.
- (g) A juvenile placed in a room that is capable of being locked or contains a fixed object designed for cuffing or restricting movement.

Sight and sound separation - Located or arranged to prevent physical, visual, or auditory contact.

Status offender - A juvenile suspected of committing a criminal violation of the law that would not be a criminal violation but for the age of the offender. Examples may include running away, underage possession or tobacco, curfew violation, or truancy. A juvenile in custody on a court order or warrant based upon a status offense is also a status offender.

314.2 POLICY

The Urbana Police Department is committed to releasing juveniles from temporary custody as soon as reasonably practicable and keeping juveniles safe while they are in temporary custody at the Urbana Police Department. Juveniles should be held in temporary custody only for as long as reasonably necessary for processing, transfer or release.

314.2.1 ADDITIONAL CONSIDERATIONS

It is also the policy of the Department that all members be committed to the development and perpetuation of programs designed to prevent and control juvenile delinquency.

314.3 JUVENILES WHO SHOULD NOT BE HELD

Juveniles who exhibit certain behaviors or conditions should not be held at the Urbana Police Department. These include:

- (a) Unconsciousness or having been unconscious while being taken into custody or transported.
- (b) Serious injuries or a medical condition requiring immediate medical attention.
- (c) A suspected suicide risk or obvious signs of severe emotional or mental disturbance (see the Civil Commitments Policy).
 - 1. If the officer taking custody of a juvenile believes that the juvenile may be a suicide risk, the officer shall ensure continuous direct supervision until evaluation, release, or transfer to an appropriate facility is completed.
- (d) Significant intoxication or showing signs of having ingested any substance that poses a significant risk to their health, whether or not they appear intoxicated.
- (e) Extremely violent or continuously violent behavior
- (f) Afflicted with, or displaying symptoms of, a communicable disease that poses an unreasonable exposure risk.

Officers taking custody of a juvenile who exhibits any of the above conditions should take reasonable steps to provide medical attention or mental health assistance and should notify a supervisor of the situation.

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These juveniles should not be held at the Department unless they have been evaluated by a qualified medical or mental health professional, as appropriate for the circumstances.

314.4 CUSTODY OF JUVENILES

Officers should take custody of a juvenile and temporarily hold the juvenile at the Department when there is no other lawful and practicable alternative to temporary custody. Refer to the Child Abuse Policy for additional information regarding detaining a juvenile who is suspected of being a victim.

No juvenile should be held in temporary custody at the Urbana Police Department without authorization of the arresting officer's supervisor or the Shift Supervisor. Juveniles taken into custody shall be held in non-secure custody unless otherwise authorized by this policy.

Any juvenile taken into custody shall be released to the care of the juvenile's parent, legal guardian, or other responsible adult, or transferred to a juvenile custody facility, or to other authority as soon as practicable, and in no event shall a juvenile be held beyond six hours from the time of the juvenile's entry into the Urbana Police Department (34 USC § 11133; 20 Ill. Adm. Code 720.30).

314.4.1 CUSTODY OF JUVENILE NON-OFFENDERS

Non-offenders taken into protective custody in compliance with the Child Abuse Policy may be held at the Urbana Police Department pending other arrangements. These custodial arrangements should be made for non-offenders as soon as reasonably possible. Juvenile non-offenders may not be held in secure custody (42 USC § 5633).

A juvenile taken into protective custody for prostitution should be reported to the Illinois Department of Children and Family Services (720 ILCS 5/11-14).

314.4.2 CUSTODY OF JUVENILE STATUS OFFENDERS

Status offenders should generally be released by citation or with a warning rather than taken into temporary custody. However, officers may take custody of a status offender if requested to do so by a parent or legal guardian in order to facilitate reunification (e.g., transported home or to the station to await a parent). Juvenile status offenders may not be held in secure custody (34 USC § 11133).

314.4.3 CUSTODY OF JUVENILE OFFENDERS

Juvenile offenders should be held in non-secure custody while at the Urbana Police Department unless another form of custody is authorized by this policy or is necessary due to exigent circumstances.

Generally, a juvenile offender may be taken into custody when (705 ILCS 405/5-401):

- (a) Probable cause exists to believe he/she has violated, or attempted to violate, a law or ordinance.
- (b) The juvenile has been adjudged a ward of the court and has escaped from any commitment ordered by the court.

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- (c) An officer reasonably believes the juvenile has violated court-ordered conditions of probation or supervision.

The officer shall promptly take the juvenile to the nearest juvenile police officer (705 ILCS 405/2-6; 705 ILCS 405/3-8).

The officer shall submit a completed report to the Shift Supervisor.

314.4.4 ALTERNATIVES TO TEMPORARY CUSTODY

Officers handling juvenile offenders should use reasonable alternatives to arrest, when applicable, including:

- (a) Release with no further action. Officers should use discretion to determine if release with a warning is appropriate for minor petty offenses.
- (b) Referral to juvenile court.

314.5 ADVISEMENTS

An officer who takes a juvenile into custody without a warrant shall immediately make a reasonable attempt to notify the parent, guardian or the person with whom the juvenile resides that the juvenile has been taken into custody and where the juvenile is being held (705 ILCS 405/2-6). This notification may be made by the Youth Assessment Center or Juvenile Detention Center staff. However, this does not remove the officer's responsibility for ensuring the notification is done.

314.6 NO-CONTACT REQUIREMENTS

Sight and sound separation shall be maintained between all juveniles and adults while in custody at the Urbana Police Department (34 USC § 11133; 705 ILCS 405/5-410). There should also be sight and sound separation between non-offenders and juvenile and status offenders.

In situations where brief or accidental contact may occur (e.g., during the brief time a juvenile is being fingerprinted and/or photographed in booking), a member of the Department shall maintain a constant, immediate, side-by-side presence with the juvenile or the adult to minimize any contact. If inadvertent or accidental contact does occur, reasonable efforts shall be taken to end the contact.

314.7 TEMPORARY CUSTODY REQUIREMENTS

Members and supervisors assigned to monitor any juvenile at the Urbana Police Department shall ensure the following:

- (a) The Shift Supervisor should be notified if it is anticipated that a juvenile may need to remain at the Urbana Police Department more than four hours. This will enable the Shift Supervisor to ensure no juvenile is held at the Urbana Police Department more than six hours.
- (b) Efforts should be made to have a staff member of the same sex supervise personal hygiene activities and care.
- (c) Reasonable effort should be given to ensure juveniles have adequate food, water, access to bathroom facilities, etc. while at the Urbana Police Department.

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314.8 USE OF RESTRAINT DEVICES

Juvenile offenders may be handcuffed in accordance with the Handcuffing and Restraints Policy. A juvenile offender may be handcuffed at the Urbana Police Department when the juvenile presents a heightened risk. However, non-offenders and status offenders should not be handcuffed unless they are combative or threatening.

Other restraints shall only be used after less restrictive measures have failed and with the approval of the Shift Supervisor. Restraints shall only be used so long as it reasonably appears necessary for the juvenile's protection or the protection of others.

Juveniles in restraints shall be kept away from other unrestrained juveniles or monitored in such a way as to protect the juvenile from abuse.

314.8.1 PREGNANT JUVENILES

Juveniles who are known to be pregnant should be restrained in accordance with the Handcuffing and Restraints Policy.

314.9 SECURE CUSTODY

Only juvenile offenders 10 years of age or older may be placed in secure custody (705 ILCS 405/5-410). Juvenile offenders requiring secure custody shall be transported to the Juvenile Detention Center. Such offenders may be brought to the police department for temporary purposes, such as interviewing, but they shall ultimately be taken to JDC.

Should unforeseen circumstances dictate that a juvenile offender be temporarily kept in secure custody at the Urbana Police Department:

- The juvenile should be secured in a locked room located in the police department where they will be continuously monitored and/or recorded while they are held inside the room.

314.10 INTERVIEWING OR INTERROGATING

No interview or interrogation of a juvenile should occur unless the juvenile has the apparent capacity to consent, and does consent to an interview or interrogation.

A juvenile under 15 years of age at the time of the commission of any of the offenses listed in 705 ILCS 405/5-170 (e.g., homicide, criminal sexual assault, criminal sexual abuse) must be represented by legal counsel during the entire custodial interrogation of the juvenile.

Oral, written, or sign-language statements of a juvenile under the age of 18 who is subject to custodial interrogation while in custody at a police station or other custodial location are governed by the Investigation and Prosecution Policy (705 ILCS 405/5-401.5).

A juvenile who was under the age of 18 at the time of the commission of the offense should be read the simplified *Miranda* warning and asked the following questions as set forth in 705 ILCS 405/5-401.5 and 725 ILCS 5/103-2.1:

- (a) Do you want to have a lawyer?
- (b) Do you want to talk to me?

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314.10.1 INVESTIGATIONS ON SCHOOL PROPERTY

Before detaining and questioning a juvenile student during regular hours on school grounds, an officer should make a reasonable effort to notify and have the juvenile's parent or guardian present during questioning unless the officer reasonably believes that urgent and immediate action is necessary to do any of the following (105 ILCS 5/22-88):

- (a) Prevent bodily harm or injury to a person
- (b) Apprehend an armed or fleeing suspect
- (c) Prevent the destruction of evidence
- (d) Address an emergency or other dangerous situation

The officer should document the time and manner by which the attempted notification or notification of the juvenile's parent or guardian was made.

If the juvenile's parent or guardian is not in attendance during questioning, the officer should have a guidance counselor, nurse, social worker, and/or mental health professional of the school present. If practicable, an officer trained or certified in juvenile investigations should be present or conduct the questioning of the juvenile (105 ILCS 5/22-88).

Adult Abuse

315.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation and reporting of suspected abuse of certain adults who may be more vulnerable than others. This policy also addresses mandatory notification for Urbana Police Department members as required by law.

315.1.1 DEFINITIONS

Definitions related to this policy include:

Adult abuse - Any offense or attempted offense involving violence or neglect of an adult victim when committed by a person responsible for the adult's care, or any other act that would mandate reporting or notification to a social service agency.

315.2 POLICY

The Urbana Police Department will investigate all reported incidents of alleged adult abuse and ensure proper reporting and notification as required by law.

315.3 MANDATORY NOTIFICATION

- (a) Members of the Urbana Police Department shall notify the Illinois Department on Aging or other designated social services agency within 24 hours when there is reason to believe that an eligible adult who is unable to seek assistance for themselves because of a disability or other condition or impairment has, within the previous 12 months, been subjected to abuse, neglect, or financial exploitation (320 ILCS 20/4).
- (b) Members of the Urbana Police Department shall notify the Illinois Department on Aging or other designated social services agency when there is reason to believe that an eligible adult has died as the result of suspected abuse or neglect (320 ILCS 20/4).
- (c) For purpose of this notification, an eligible adult means either:
 1. An adult 18 through 59 years old whose disability impairs their ability to seek or to obtain protection from abuse, neglect, or exploitation.
 2. A person 60 years of age or older who resides in a domestic living situation.
- (d) Incidents of alleged abuse shall continue to be reported pursuant to the Illinois Domestic Violence Act (320 ILCS 20/4).
- (e) The Urbana Police Department shall also notify the Illinois Department on Aging whenever it determines a death of an eligible adult was caused by abuse or neglect by a caregiver (320 ILCS 20/3).

315.4 QUALIFIED INVESTIGATORS

Qualified investigators should be available to investigate cases of adult abuse. These investigators should:

- (a) Conduct interviews in appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to adult abuse investigations.

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- (c) Present all cases of alleged adult abuse to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and facility administrators as needed.
- (e) Provide referrals to therapy services, victim advocates, guardians and support for the victim and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable (320 ILCS 20/3).

315.5 INVESTIGATIONS AND REPORTING

All reported or suspected cases of adult abuse require investigation and a report, even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of adult abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected adult abuse victim is contacted.
- (b) Any relevant statements the victim may have made and to whom he/she made the statements.
- (c) If a person is taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.
- (d) Documentation of any visible injuries or any injuries identified by the victim. This should include photographs of such injuries, if practicable.
- (e) Whether the victim was transported for medical treatment or a medical examination.
- (f) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other potential victims or witnesses who may reside in the residence.
- (g) Identification of any prior related reports or allegations of abuse, including other jurisdictions, as reasonably known.
- (h) Previous addresses of the victim and suspect.
- (i) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.
- (j) Whether a protective order petition should be filed on behalf of the victim when there is a reasonable belief that the victim is incapable of filing a petition for him/herself (750 ILCS 60/201). Any unexplained death of an adult who was in the care of a guardian or caretaker should be considered as potential adult abuse and investigated similarly.

Any unexplained death of an adult who was in the care of a guardian or caretaker should be considered as potential adult abuse and investigated similarly.

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315.6 PROTECTIVE CUSTODY

Before taking an adult abuse victim into protective custody when facts indicate the adult may not be able to care for him/herself, the officer should make reasonable attempts to contact the Illinois Department on Aging or other designated social services agency. Generally, removal of an adult abuse victim from his/her family, guardian or other responsible adult should be left to the welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove an adult abuse victim from his/her family or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the victim. Prior to taking an adult abuse victim into protective custody, the officer should take reasonable steps to deliver the adult to another qualified legal guardian, unless it reasonably appears that the release would endanger the victim or result in abduction. If this is not a reasonable option, the officer shall ensure that the adult is delivered to the Illinois Department on Aging or other designated social services agency.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking an adult abuse victim into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking the adult into protective custody.

When adult abuse victims are under state control, have a state-appointed guardian or there are other legal holdings for guardianship, it may be necessary or reasonable to seek a court order on behalf of the adult victim to either remove the adult from a dangerous environment (protective custody) or restrain a person from contact with the adult.

315.7 INTERVIEWS

315.7.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, officers should audio record the preliminary interview with a suspected adult abuse victim. Officers should avoid multiple interviews with the victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available.

315.7.2 DETAINING VICTIMS FOR INTERVIEWS

An officer should not detain an adult involuntarily who is suspected of being a victim of abuse solely for the purpose of an interview or physical exam without his/her consent or the consent of a guardian unless one of the following applies:

- (a) Exigent circumstances exist, such as:
 1. A reasonable belief that medical issues of the adult need to be addressed immediately.
 2. A reasonable belief that the adult is or will be in danger of harm if the interview or physical exam is not immediately completed.

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3. The alleged offender is a family member or guardian and there is reason to believe the adult may be in continued danger.
 - (b) A court order or warrant has been issued.

315.8 MEDICAL EXAMINATIONS

When an adult abuse investigation requires a medical examination, the investigating officer should obtain consent for such examination from the victim, guardian, agency or entity having legal custody of the adult. The officer should also arrange for the adult's transportation to the appropriate medical facility.

In cases where the alleged offender is a family member, guardian, agency or entity having legal custody and is refusing to give consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the adult for a medical examination, the supervisor should consider other government agencies or services that may obtain a court order for such an examination.

315.9 DRUG-ENDANGERED VICTIMS

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of an adult abuse victim who has been exposed to the manufacturing, trafficking or use of narcotics.

315.9.1 SUPERVISOR RESPONSIBILITIES

The Criminal Investigation Division supervisor should:

- (a) Work with professionals from the appropriate agencies, including Illinois Department on Aging or other social services agency designated to investigate adult abuse, other law enforcement agencies, medical service providers and local prosecutors to develop community specific procedures for responding to situations where there are adult abuse victims endangered by exposure to methamphetamine labs or the manufacture and trafficking of other drugs.
- (b) Activate any available interagency response when an officer notifies the Criminal Investigation Division supervisor that he/she has responded to a drug lab or other narcotics crime scene where an adult abuse victim is present or where evidence indicates that an adult abuse victim lives there.
- (c) Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social and other conditions that may affect the adult.

315.9.2 OFFICER RESPONSIBILITIES

Officers responding to a drug lab or other narcotics crime scene where an adult abuse victim is present or where there is evidence that an adult abuse victim lives there should:

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- (a) Document the environmental, medical, social and other conditions of the adult, using photography as appropriate and the checklist or form developed for this purpose.
- (b) Notify the Criminal Investigation Division supervisor so an interagency response can begin.

315.10 STATE MANDATES AND OTHER RELEVANT LAWS

315.10.1 SERVICES DIVISION RESPONSIBILITIES

The Services Division is responsible for:

- (a) Providing a copy of the adult abuse report to the Department on Aging or the designated social services agency as required by law.
- (b) Retaining the original adult abuse report with the initial case file.

315.10.2 RELEASE OF REPORTS

Information related to incidents of adult abuse or suspected adult abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (320 ILCS 20/8).

315.10.3 SUMMARY REPORTS OF DEATH INVESTIGATIONS

This department will provide, upon request, a summary of actions taken in response to a reported death of an eligible adult to a public or nonprofit agency that has been approved by the Department on Aging to receive and assess such reports (320 ILCS 20/3).

315.11 TRAINING

This department should provide training on best practices in adult abuse investigations to members tasked with investigating these cases. The training should include:

- (a) Participating in multidisciplinary investigations, as appropriate.
- (b) Conducting interviews.
- (c) Availability of therapy services for adults and families.
- (d) Availability of specialized forensic medical exams.
- (e) Cultural competence (including interpretive services) related to adult abuse investigations.
- (f) Availability of victim advocates or other support.

Discriminatory Harassment

316.1 PURPOSE AND SCOPE

The purpose of this policy is to prevent department members from being subjected to discriminatory harassment, including sexual harassment and retaliation. Nothing in this policy is intended to create a legal or employment right or duty that is not created by law.

316.2 POLICY

The Urbana Police Department is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation. The Department will not tolerate discrimination against a member in hiring, promotion, discharge, compensation, fringe benefits, and other privileges of employment. The Department will take preventive and corrective action to address any behavior that violates this policy or the rights it is designed to protect.

The nondiscrimination policies of the City and the Department may be more comprehensive than state or federal law. Conduct that violates these policies may not violate state or federal law but still could subject a member to discipline.

Child Abuse

317.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when Urbana Police Department members are required to notify the Illinois Department of Children and Family Services (DCFS) of suspected child abuse.

317.1.1 DEFINITIONS

Definitions related to this policy include:

Child - Unless otherwise specified by a cited statute, a child is any person under the age of 18 years.

Child abuse - Any offense or attempted offense involving violence or neglect with a child victim when committed by a person responsible for the child's care or any other act that would mandate notification to a social service agency (325 ILCS 5/3).

317.2 POLICY

The Urbana Police Department will investigate all reported incidents of alleged criminal child abuse and ensure DCFS is notified as required by law.

317.3 MANDATORY NOTIFICATION

Members of the Urbana Police Department shall notify DCFS when they have reasonable cause to believe a child known to them in their official capacity was abused by a parent, immediate family member, any person responsible for the child's welfare, any individual residing in the same home as the child or a paramour of the child's parent. Members must also report any case of a neglected child (325 ILCS 5/4; 325 ILCS 5/3).

For purposes of notification, abuse includes physical injuries, risk of physical injuries, sex offenses, torture, excessive corporal punishment, female genital mutilation, etc. Neglect includes failure to provide necessary nourishment or medical care or blatant disregard of parent or caretaker responsibilities. Full definitions of abuse and neglect are provided in 325 ILCS 5/3.

317.3.1 NOTIFICATION PROCEDURE

Notification should occur as follows (325 ILCS 5/7):

- (a) All notifications of suspected child abuse or neglect shall be made immediately, either to DCFS on the statewide, toll-free telephone number (1-800-25-ABUSE), in person or by telephone through the nearest DCFS office (325 ILCS 5/7.6; 89 Ill. Adm. Code 300.30).
- (b) Notification, when possible, shall include:
 1. The name and address of the child and his/her parents or other persons having custody.
 2. The child's age, the nature of the child's condition, including any evidence of previous injuries or disabilities.

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3. Any other information that the person filing the report believes might be helpful in establishing the cause of abuse or neglect and the identity of the person believed to have caused such abuse or neglect.
- (c) A member who suspects that a child has died as a result of child abuse or neglect shall also immediately report his/her suspicion to the appropriate Coroner (325 ILCS 5/4.1).

317.4 QUALIFIED INVESTIGATORS

Qualified investigators should be available for child abuse investigations. These investigators should:

- (a) Conduct interviews in child appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to child abuse investigations.
- (c) Present all cases of alleged child abuse to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and school administrators as needed.
- (e) Provide referrals to therapy services, victim advocates, guardians and support for the child and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable.

317.5 INVESTIGATIONS AND REPORTING

In all reported or suspected cases of child abuse, a report will be written.

Investigations and reports related to suspected cases of child abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected child abuse victim was contacted.
- (b) The exigent circumstances that existed if officers interviewed the child victim without the presence of a parent or guardian.
- (c) Any relevant statements the child may have made and to whom he/she made the statements.
- (d) If a child was taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.
- (e) Documentation of any visible injuries or any injuries identified by the child. This should include photographs of such injuries, if practicable.
- (f) Whether the child victim was transported for medical treatment or a medical examination.
- (g) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other children who may reside in the residence.

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- (h) Identification of any prior related reports or allegations of child abuse, including other jurisdictions, as reasonably known.
- (i) Previous addresses of the victim and suspect.
- (j) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.
- (k) Other investigative steps taken in compliance with any applicable county Child Advocacy Advisory Board protocol the Urbana Police Department follows (55 ILCS 80/3).

All cases of the unexplained death of a child should be investigated as thoroughly as if it had been a case of suspected child abuse (e.g., a sudden or unexplained death of an infant).

317.6 PROTECTIVE CUSTODY

Before taking any child into protective custody, the officer should make reasonable attempts to contact DCFS. Generally, removal of a child from his/her family, guardian or other responsible adult should be left to the child welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove a child from his/her parent or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the child. Prior to taking a child into protective custody, the officer should take reasonable steps to deliver the child to another qualified parent or legal guardian, unless it reasonably appears that the release would endanger the child or result in abduction. If this is not a reasonable option, the officer shall ensure that the child is delivered to DCFS.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking a child into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking a child into protective custody.

Children may only be removed from a parent or guardian in the following situations (325 ILCS 5/5):

- (a) A court has ordered the removal of the child.
- (b) A court has not ordered the removal of the child but there is reason to believe the child cannot be cared for at home or in the custody of the person responsible for the child's welfare without endangering the child's health or safety, and there is no time to apply for a court order for temporary custody of the child.

317.6.1 PROCEDURE

A department member taking a child into temporary protective custody shall immediately (325 ILCS 5/5):

- (a) Make every reasonable effort to notify the person responsible for the child's welfare.
- (b) Notify DCFS.

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See the Abandoned Newborn Infant Protection Policy for guidance regarding the Abandoned Newborn Infant Protection Act (325 ILCS 2/10 et seq.).

317.7 INTERVIEWS

317.7.1 PRELIMINARY INTERVIEWS

Officers should avoid multiple interviews with a child victim and should attempt to gather only the information necessary to begin an investigation. In cases of severe physical and sexual abuse and when practicable, investigating officers should defer in-depth interviews until a person who is specially trained in such interviews is available. Generally, child victims should not be interviewed in the home or location where the alleged abuse occurred.

317.7.2 DETAINING SUSPECTED CHILD ABUSE VICTIMS FOR AN INTERVIEW

An officer should not detain a child involuntarily who is suspected of being a victim of child abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless one of the following applies:

- (a) Exigent circumstances exist, such as:
 - 1. A reasonable belief that medical issues of the child need to be addressed immediately.
 - 2. A reasonable belief that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.
 - 3. The alleged offender is the custodial parent or guardian and there is reason to believe the child may be in continued danger.
- (b) A court order or warrant has been issued.

317.8 MEDICAL EXAMINATIONS

If the child has been the victim of abuse that requires a medical examination, the investigating officer should obtain consent for such examination from the appropriate parent, guardian or agency having legal custody of the child. The officer should also arrange for the child's transportation to the appropriate medical facility.

In cases where the alleged offender is the custodial parent or guardian and is refusing consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the child for a medical examination, the notified supervisor should consider obtaining a court order for such an examination.

317.9 DRUG-ENDANGERED CHILDREN

Officers responding to a drug lab or other narcotics crime scene where a child is present or where there is evidence that a child lives should document the environmental, medical, social and other conditions of the child using photography (and video if it can be done safely) and police reports. Officers should then notify the Department of Children and Family Services.

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317.10 STATE MANDATES AND OTHER RELEVANT LAWS

Illinois requires or permits the following:

317.10.1 RELEASE OF REPORTS

Information related to incidents of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to state law and the Freedom of Information Act Policy (325 ILCS 5/11).

317.10.2 CHILD ADVOCACY ADVISORY BOARD PROTOCOL

This department has adopted the Champaign County Children's Advocacy Center Protocol for Multidisciplinary Investigation of Child Sexual and Physical Abuse governing the investigation of child sexual abuse, serious injury or fatal injury to a child pursuant to Illinois' Children's Advocacy Center Act (55 ILCS 80/3). All investigations and interviews conducted by this agency shall comply with this protocol.

317.10.3 ASSISTANCE TO CHILD PROTECTIVE SERVICES INVESTIGATORS

Upon receiving a request for assistance from a child protective services investigator involving an investigation of a high-risk report of child abuse or neglect officers should determine the reason for the request. If the protective services investigator reasonably believes that the person being investigated has a potential for violence, officers should accompany him/her. However, if resources are limited or unavailable, officers should notify the Shift Supervisor to arrange for the assistance to occur at a mutually agreeable time (325 ILCS 5/7.2).

317.10.4 SEXUAL ABUSE INVOLVING SCHOOL PERSONNEL

In all reported incidents of sexual abuse of a child involving school personnel, including vendors or volunteers, the Criminal Investigation Division supervisor or authorized designee shall notify the relevant school when the investigation has been suspended or completed, as well as the outcome of the investigation (105 ILCS 5/22-85).

Missing Persons

318.1 PURPOSE AND SCOPE

This policy provides guidance for handling missing person investigations.

318.1.1 DEFINITIONS

Definitions related to this policy include:

High-risk missing person - A person whose whereabouts are not currently known and whose circumstances indicate that the person may be at risk of injury or death. The circumstances that indicate that a person is a high-risk missing person include but are not limited to any of the following (50 ILCS 722/10(a)(1)):

- (a) The person is missing as a result of a stranger abduction.
- (b) The person is missing under suspicious circumstances.
- (c) The person is missing under unknown circumstances.
- (d) The person is missing under known dangerous circumstances.
- (e) The person is missing more than 30 days.
- (f) The person has already been designated as a high-risk missing person by another law enforcement agency.
- (g) There is evidence that the person is at risk because:
 - 1. The person is in need of medical attention, including persons with dementia-like symptoms, or in need of prescription medication.
 - 2. The person does not have a pattern of running away or disappearing.
 - 3. The person may have been abducted by a non-custodial parent.
 - 4. The person is mentally impaired, or is developmentally or intellectually disabled.
 - 5. The person is under the age of 21.
 - 6. The person has been the subject of past threats or acts of violence.
 - 7. The person has eloped from a nursing home.
 - 8. The person is a veteran, active duty, or reserve member of the United States Armed Forces or National Guard, and is believed to have a physical or mental health condition related to their service.
- (h) Any other factor that may, in the judgment of the law enforcement official, indicate that the missing person may be at risk.

Missing person - Any person who is reported missing to law enforcement when that person's location is unknown. This includes a person under the age of 18, reported to the Department as abducted, lost or a runaway, whose identity is entered into the Law Enforcement Agencies Data System (LEADS) (325 ILCS 55/1(c)).

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Missing person networks - Databases or computer networks that are available to law enforcement and are suitable for obtaining information related to missing person investigations. This includes the National Crime Information Center (NCIC), the National Missing and Unidentified Persons System (NamUs), and LEADS (20 Ill. Adm. Code 1291.40).

318.2 POLICY

The Urbana Police Department does not consider any report of a missing person to be routine and assumes that the missing person is in need of immediate assistance until an investigation reveals otherwise. The Urbana Police Department gives missing person cases priority over property-related cases and does not require a specific amount of time to have passed before beginning a missing person investigation.

318.3 REQUIRED FORMS AND DNA COLLECTION KITS

The Criminal Investigation Division supervisor shall ensure the following forms and kits are developed and available:

- Missing Person Report Form (50 ILCS 722/5(c))
- Missing Person Investigation Checklist that provides investigation guidelines and resources that could be helpful in the early hours of a missing person investigation
- Missing Person School Notification Form
- Medical Records Release Form
- DNA collection kits

318.4 ACCEPTANCE OF REPORTS

Any member encountering a person who wishes to report a missing person or runaway shall render assistance without delay. This can be accomplished by accepting the report via telephone or in person and initiating the investigation. Those members who do not take such reports or who are unable to give immediate assistance shall promptly dispatch or alert a member who can take the report.

A report shall be accepted in all cases and regardless of where the person was last seen, where the person resides or any question of jurisdiction (50 ILCS 722/5(a)).

Cunningham Children's Home: Due to the circumstances surrounding the facilities associated with CCH, CCH staff will respond to the front desk to file runaway reports, as agreed to by CCH. The representative filing the report will complete the Missing Person Signature Form.

318.4.1 REPORTS OF MISSING CHILDREN

Any member taking a report of a missing person under the age of 18 shall provide the reporting party with the following information (325 ILCS 40/7.2):

- (a) The 24-hour toll-free telephone numbers for:
 1. The National Center for Missing and Exploited Children® (NCMEC).
 2. The National Runaway Safeline.

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- (b) A description of the services provided to families of missing children by NCMEC and the National Runaway Safeline.

318.5 INITIAL INVESTIGATION

Officers or other members conducting the initial investigation of a missing person should take the following investigative actions as applicable:

- (a) Respond to a dispatched call as soon as practicable.
- (b) Interview the reporting party and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be a high-risk missing person.
- (c) Notify a supervisor immediately if there is evidence that a missing person is either high-risk or may qualify for a public alert, or both (see the Public Alerts Policy).
- (d) Broadcast a radio alert (e.g., internal broadcast, interagency broadcast) if the person is under 18 years of age or there is evidence that the missing person is high-risk. If the missing person is under 18, the alert should be broadcast immediately or as soon as practicable, but in no event more than one hour after determining the missing person may be high-risk (325 ILCS 40/7).
- (e) Ensure that entries are made into the appropriate missing person networks:
 - 1. Immediately, when the missing person is high-risk.
 - 2. In all other cases, as soon as practicable, but not later than two hours from the time of the initial report (34 USC § 41308).
- (f) Complete the appropriate report forms accurately and completely and initiate a search as applicable according to the facts.
- (g) Collect and/or review:
 - 1. A photograph and fingerprint card of the missing person, if available.
 - 2. A voluntarily provided biological sample of the missing person, if available (e.g., toothbrush, hairbrush).
 - 3. Any documents that may assist in the investigation, such as court orders regarding custody.
 - 4. Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).
- (h) When circumstances permit and if appropriate, attempt to determine the missing person's location through their telecommunications carrier.
- (i) Contact the appropriate agency if the report relates to a missing person report previously made to another agency and that agency is actively investigating the report. When this is not practicable, the information should be documented in an appropriate report for transmission to the appropriate agency. If the information relates to a high-risk missing person, the member should notify a supervisor and proceed with reasonable steps to locate the missing person.

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- (j) If the missing person is a child, immediately contact the State Missing Persons Clearinghouse (325 ILCS 40/7(b)).
- (k) In the event that a missing child is not found during the shift in which the report was made, information regarding the missing child shall be disseminated to all sworn officers in the Department (325 ILCS 40/7(b)).

318.6 REPORT PROCEDURES AND ROUTING

Members should complete all missing person reports and forms promptly and advise the appropriate supervisor as soon as a missing person report is ready for review.

318.6.1 SUPERVISOR RESPONSIBILITIES

The responsibilities of the supervisor shall include but are not limited to:

- (a) Reviewing and approving missing person reports upon receipt.
 - 1. The reports should be promptly sent to the Services Division.
- (b) Ensuring resources are deployed as appropriate.
- (c) Initiating a command post as needed.
- (d) Ensuring applicable notifications and public alerts are made and documented.
- (e) Ensuring that records have been entered into the appropriate missing person networks.
- (f) Taking reasonable steps to identify and address any jurisdictional issues to ensure cooperation among agencies.
 - 1. If the case falls within the jurisdiction of another agency, the supervisor should facilitate transfer of the case to the agency of jurisdiction.
- (g) Initiating a search of the area if applicable. Steps to initiate a search may include:
 - 1. Arrange for a search team of department members or volunteers.
 - 2. Determine the locations to be searched.
 - 3. Establish a search pattern.
 - 4. Arrange for other resources as needed (e.g., divers, air support, canines).

318.6.2 SERVICES DIVISION RESPONSIBILITIES

The responsibilities of the Services Division member shall include but are not limited to:

- (a) As soon as reasonable under the circumstances, notifying and forwarding a copy of the report to the agency of jurisdiction for the missing person's residence in cases where the missing person is a resident of another jurisdiction.
- (b) Notifying and forwarding a copy of the report to the law enforcement agency in whose jurisdiction the missing person was last seen.
- (c) Notifying and forwarding a copy of the report to the agency of jurisdiction for the missing person's intended or possible destination, if known.
- (d) Forwarding a copy of the report to the Criminal Investigation Division.

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- (e) Coordinating with the NCIC Terminal Contractor for Illinois to have the missing person record in the NCIC computer networks updated with additional information obtained from missing person investigations (34 USC § 41308).

318.7 CRIMINAL INVESTIGATION DIVISION FOLLOW-UP

In addition to completing or continuing any actions listed above, the investigator assigned to a missing person investigation:

- (a) Should ensure that the missing person's school is notified within 10 days if the missing person is a juvenile.
 1. The notice shall be in writing and should also include a photograph.
 2. The investigator should meet with school officials as appropriate to stress the importance of including the notice in the child's student file, along with the investigator's contact information if the school receives a call requesting the transfer of the missing child's files to another school.
- (b) Should recontact the reporting party and/or other witnesses within 30 days of the initial report and within 30 days thereafter to keep them informed, as appropriate, and to determine if any additional information has become available.
- (c) In cases involving a person missing for more than 30 days but less than 60 days, may generate a report of the missing person within the National Missing and Unidentified Persons System (NamUs) and, if not previously received, obtain the following (50 ILCS 722/5(d)):
 1. DNA samples from family members or from the missing person along with any needed documentation, or both, including any consent forms, required for the use of state or federal DNA databases, including but not limited to the Local DNA Index System (LDIS), State DNA Index System (SDIS), National DNA Index System (NDIS), and NamUs partner laboratories.
 2. An authorization to release dental or skeletal X-rays of the missing person.
 3. Any additional photographs of the missing person that may aid with the investigation or an identification and enter the photograph into applicable missing person networks (34 USC § 41308). No written authorization to publicly release any photograph that would aid in the investigation or identification of the missing person is required.
 - (a) If the missing person is under 18 years of age, the photographs should be forwarded to the Illinois State Police and LEADS.
 4. Dental information and X-rays.
 5. Fingerprints.
- (d) Should consider contacting other agencies involved in the case to determine if any additional information is available.
- (e) Shall verify and update LEADS, the NCIC, and any other applicable missing person networks within 30 days of the original entry into the networks and every 30 days thereafter until the missing person is located (34 USC § 41308).

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- (f) Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 30 days.
- (g) Shall maintain a close liaison with state and local child welfare systems and the National Center for Missing and Exploited Children (NCMEC) if the missing person is under the age of 21 and shall promptly notify NCMEC when the person is missing from a foster care family home or childcare institution (34 USC § 41308).
- (h) Should make appropriate inquiry with the Coroner.
- (i) Should obtain and forward medical and dental records, photos, X-rays, and biological samples, as applicable.
 - 1. If a DNA sample is obtained, it should be submitted to a NamUs partner laboratory or other local, state, or national DNA system resource within 60 days (50 ILCS 722/5).
- (j) Shall attempt to obtain the most recent photograph for persons under 18 years of age if it has not been obtained previously and forward the photograph to the Illinois State Police and enter the photograph into applicable missing person networks (34 USC § 41308).
- (k) Shall immediately begin an investigation and notify the Illinois State Police if information is received that a request for the birth certificate, school record, or any other information concerning a missing child has been made (325 ILCS 55/6).
- (l) In the case of a high-risk missing person or a person who has been missing for an extended time, should consult with a supervisor regarding seeking federal assistance from the FBI and the U.S. Marshals Service (28 USC § 566).

318.7.1 NOTIFICATION TO REPORTING PERSON

The investigator shall notify the person making the report, a family member or other person in a position to assist the Department in its efforts to locate the missing person of the following (50 ILCS 722/5(d)(1)):

- (a) General information about the handling of the missing person case or about intended efforts in the case to the extent that the disclosure would not adversely affect the ability to locate or protect the missing person or to apprehend or prosecute any person criminally involved in the disappearance.
- (b) That the person should promptly contact the Urbana Police Department if the missing person remains missing in order to provide additional information and materials that will aid in locating the missing person such as the missing person's credit cards, debit cards, banking information and cellular telephone records.
- (c) That any DNA samples provided for the missing person case are provided on a voluntary basis and will be used solely to help locate or identify the missing person and will not be used for any other purpose.
- (d) That, dependent upon the missing person's age, NCMEC and NamUs may be contacted.

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318.8 WHEN A MISSING PERSON IS FOUND

When any person reported missing is found, the assigned investigator shall document the location of the missing person in the appropriate report, notify the reporting party and other involved agencies and refer the case for additional investigation if warranted.

The Police Services Supervisor shall ensure that, upon receipt of information that a missing person has been located, the following occurs:

- (a) Notification is made to the Illinois State Police.
- (b) A missing child's school is notified.
- (c) Entries are made in the applicable missing person networks.
- (d) When a missing person is high-risk, the fact that the person has been found shall be reported within 24 hours to the Illinois State Police.
- (e) Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation.

318.8.1 UNIDENTIFIED PERSONS

Members investigating a case of an unidentified person who is deceased or a living person who cannot assist in identifying themselves should:

- (a) Obtain a complete description of the person.
- (b) Enter the unidentified person's description into the NCIC Unidentified Person File and the NamUs database.
- (c) Use available resources, such as those related to missing persons, to identify the person.

318.9 CASE CLOSURE

The Criminal Investigation Division supervisor may authorize the closure of a missing person case after considering the following:

- (a) Closure is appropriate when the missing person is confirmed returned or evidence matches an unidentified person or body.
- (b) If the missing person is a resident of Urbana or this department is the lead agency, the case should be kept under active investigation for as long as the person may still be alive. Exhaustion of leads in the investigation should not be a reason for closing a case.
- (c) If this department is not the lead agency, the case can be made inactive if all investigative leads have been exhausted, the lead agency has been notified and entries are made in the applicable missing person networks, as appropriate.
- (d) A missing person case should not be closed or reclassified because the person would have reached a certain age or adulthood or because the person is now the subject of a criminal or civil warrant.

Public Alerts

319.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for alerting the public to important information and soliciting public aid when appropriate.

319.2 POLICY

Public alerts may be employed using the Emergency Alert System (EAS), local radio, television and press organizations and other groups to notify the public of incidents, or enlist the aid of the public, when the exchange of information may enhance the safety of the community. Various types of alerts may be available based upon each situation and the alert system's individual criteria.

319.3 RESPONSIBILITIES

319.3.1 EMPLOYEE RESPONSIBILITIES

Employees of the Urbana Police Department should notify their supervisor, Shift Supervisor or Criminal Investigation Division Supervisor as soon as practicable upon learning of a situation where public notification, a warning or enlisting the help of the media and public could assist in locating a missing person, apprehending a dangerous person or gathering information.

319.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor apprised of the need for a public alert is responsible to make the appropriate notifications based upon the circumstances of each situation. The supervisor shall promptly notify the Chief of Police, the appropriate Division Commander and the Public Information Officer when any public alert is generated.

The supervisor in charge of the investigation to which the alert relates is responsible for the following:

- (a) Updating alerts
- (b) Canceling alerts
- (c) Ensuring all appropriate reports are completed
- (d) Preparing an after-action evaluation of the investigation to be forwarded to the Division Commander

319.4 AMBER ALERTS

The AMBER Alert Notification Plan is a tool for law enforcement to promptly notify the media of a confirmed abduction so the information can be broadcast to the public for assistance in locating the child and/or abductor.

319.4.1 CRITERIA

An AMBER Alert should only be implemented when all of the following criteria are met (20 Ill. Adm. Code 1292.30):

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- (a) A confirmed abduction.
- (b) The child must be under the age of 16 or have a proven mental or physical disability.
- (c) The agency has a belief the child is in danger of serious bodily harm or death.
- (d) There is enough descriptive information about the child, abductor, and/or suspect's vehicle to believe an immediate broadcast alert will help.

319.4.2 PROCEDURE

In the event a confirmed child abduction meeting the Illinois AMBER Alert criteria has occurred the following procedures designed to alert the media shall be followed:

- (a) Complete the Amber Alert Notification Plan form, notify the Illinois State Police Communication Center (SCC) (217) 786-6677, and fax the AMBER Fax Packet (217) 786-7191.
- (b) Include detailed information which could be helpful to the public in identifying the child.
- (c) Designate a department contact for the Illinois State Police (ISP) SCC (include a name and telephone number).
- (d) Designate a secondary number Public Information Officer (PIO) for media contacts.
- (e) Follow department policy regarding the actual investigation process involving any abducted/kidnapped child incident which takes place within this department's jurisdiction.
- (f) Disseminate necessary abduction information via a LEADS/NLETS message (sent ISPERN messages shall be coordinated through the ISP district of occurrence).
- (g) If a current portrait of the child is available, forward it electronically along with a copy of all abduction details/summaries to the ISP Clearinghouse for Missing and Exploited Children Manager (ISPmissing@illinois.gov).
- (h) The individual responsible for making notifications shall also consider the following resources as the circumstances dictate:
 1. Federal Bureau of Investigation (FBI Local Office).
 2. Prompt entry of information into the Missing Person System (LEADS/NCIC).
 3. National Center for Missing and Exploited Children (800) 843-5678 or ojjdp.ojp.gov/programs/national-center-missing-and-exploited-children.
- (i) The Criminal Investigation Division investigator or other individual responsible for making notifications shall prepare and fax to the previously described locations, follow-up press releases with updates regarding the search and investigation, or immediately upon locating the abducted child.
- (j) The Criminal Investigation Division investigator or other individual responsible for making notifications shall, immediately upon locating the abducted child, ensure that updated releases to all previous distributions are sent notifying of the recovery and cancellation of the missing alerts.

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319.5 ENDANGERED MISSING PERSON ADVISORY

The Endangered Missing Persons Advisory is a voluntary partnership between law enforcement and local media to notify the public about a missing and endangered person.

319.5.1 CRITERIA

The advisory is initiated by the department utilizing the criteria established in the definitions section of the Missing Persons Policy (50 ILCS 722/10).

319.5.2 PROCEDURE

Upon receipt of a missing person report and using the above criteria, the Criminal Investigation Division investigator or other individual assigned to the investigation shall promptly determine if there is a basis to classify the missing person as high-risk and endangered and, following approval by a supervisor:

- (a) Immediately enter the missing person information, including any vehicle information, into the LEADS and the NCIC databases.
- (b) Complete the Endangered Missing Person Advisory Packet available at silversearchillinois.org and fax the completed form to the ISP Communications Center, (217) 786-7191.
- (c) If appropriate, coordinate an ISPERN message through the ISP District of occurrence.
- (d) Upload DNA profiles as determined by the ISP into the State DNA Index System and the National DNA Index System.
- (e) Submit relevant information to the FBI Violent Criminal Apprehension Program (ViCAP).
- (f) Notify department members to be on the lookout for the high-risk missing person and/or suspected abductor.
- (g) Follow department policy regarding missing persons reporting and documentation, required notifications, conduct of the investigation, and follow up investigation.
- (h) Immediately upon locating a missing high-risk individual, ensure that updated releases to all previous distributions are sent notifying of the recovery and cancellation of the missing advisory.

319.6 CRIMES AGAINST POLICE OFFICERS ADVISORY

The Crimes Against Police Officers Advisory provides a regional system for the rapid dissemination of information regarding a person who is suspected of committing or attempting to commit certain crimes against a peace officer (20 ILCS 2605/2605-600).

319.6.1 CRITERIA

A Crimes Against Police Officers Advisory may be initiated under the following circumstances (20 ILCS 2605/2605-600):

- (a) The Department believes that a suspect has committed one or more of the following offenses against a peace officer:

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1. First degree murder
 2. Second degree murder
 3. Involuntary manslaughter
 4. Reckless homicide
 5. Concealment of a homicidal death
- (b) The Department believes that the suspect may be a serious threat to the public.
- (c) Sufficient information is available to disseminate to the public that could assist in locating the suspect.

319.6.2 PROCEDURE

The Illinois Department of State Police will be contacted with a request to initiate a Crimes Against Police Officers Advisory (20 ILCS 2605/2605-600).

Hate Crimes

320.1 PURPOSE AND SCOPE

This department recognizes and places a high priority on the rights of all individuals guaranteed under the Constitution and the laws of this state. When such rights are infringed upon by violence, threats or other harassment, this department will utilize all available resources to see that justice is served under the law. This policy provides members of this department with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias.

320.2 DEFINITIONS

Definitions related to this policy include:

Hate crime - A crime motivated by prejudice based on actual or perceived race, color, religion, national origin, ethnicity, gender, sexual orientation, gender identity or expression, or disability of the victim. This includes creed, ancestry, citizenship, and immigration status (720 ILCS 5/12-7.1).

320.3 PREVENTING AND PREPARING FOR LIKELY HATE CRIMES

While it is recognized that not all crime can be prevented, this department is committed to taking a proactive approach to preventing and preparing for potential hate crimes by among other things:

- (a) Officers should make an affirmative effort to establish contact with persons and groups within the community who are likely targets of hate crimes to form and cooperate with prevention and response networks.
- (b) Accessing assistance by community and victim groups when necessary.
- (c) Providing victim assistance and follow-up as outlined below, including community follow-up.

320.4 PROCEDURE FOR INVESTIGATING HATE CRIMES

Whenever any member of this department receives a report of a suspected hate crime or other activity that reasonably appears to involve a potential hate crime, the following should occur:

- (a) Officer(s) will be promptly assigned to contact the victim, witness, or reporting party to investigate the matter further as circumstances may dictate.
- (b) A supervisor should be notified of the circumstances as soon as practical.
- (c) Once "in progress" aspects of any such situation have been stabilized (e.g., treatment of victims, apprehension of present suspects, etc.), the assigned officer(s) will take all reasonable steps to preserve available evidence that may tend to establish that a hate crime was involved.
- (d) The assigned officer(s) will interview available witnesses, victims and others to determine what circumstances, if any, indicate that the situation may involve a hate crime.
- (e) Depending on the situation, the assigned officer(s) or supervisor may request additional assistance from detectives or other resources to further the investigation.

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- (f) The assigned officer(s) will include all available evidence indicating the likelihood of a hate crime in the relevant report(s). All related reports will be clearly marked as “Hate Crimes” and, absent prior approval of a supervisor, will be completed and submitted by the assigned officer(s) before the end of the shift.
- (g) Officer(s) and supervisor should take reasonable steps to ensure that any such situation does not escalate further (e.g., Possible Temporary Restraining Order through the State's Attorney or City Attorney).

320.4.1 CRIMINAL INVESTIGATION DIVISION RESPONSIBILITY

If a case is assigned to the Criminal Investigation Division, the assigned detective will be responsible for following up on the reported hate crime as follows:

- (a) Coordinate further investigation with the State's Attorney and other appropriate law enforcement agencies, as appropriate. Federal law also prohibits discrimination-based acts and may be considered in addition to or in lieu of state law, depending on the circumstances (18 USC § 245).
- (b) Maintain contact with the victim and other involved individuals as needed. Provide the victim with available information on local assistance programs and organizations when applicable.
- (c) Ensure that the Police Services Supervisor is provided with enough information to meet the monthly reporting requirements of 50 ILCS 709/5-12.

Standards of Conduct

321.1 PURPOSE AND SCOPE

This policy establishes standards of conduct that are consistent with the values and mission of the Urbana Police Department and are expected of all department members. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, members are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this department or a member's supervisors.

321.2 POLICY

The continued employment or appointment of every member of the Urbana Police Department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action.

321.3 DIRECTIVES AND ORDERS

Members shall comply with lawful directives and orders from any department supervisor or person in a position of authority, absent a reasonable and bona fide justification.

321.3.1 UNLAWFUL OR CONFLICTING ORDERS

Supervisors shall not knowingly issue orders or directives that, if carried out, would result in a violation of any law or department policy. Supervisors should not issue orders that conflict with any previous order without making reasonable clarification that the new order is intended to countermand the earlier order.

No member is required to obey any order that appears to be in direct conflict with any federal law, state law or local ordinance. Following a known unlawful order is not a defense and does not relieve the member from criminal or civil prosecution or administrative discipline. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or shall confer with a higher authority. The responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.

Unless it would jeopardize the safety of any individual, members who are presented with a lawful order that is in conflict with a previous lawful order, department policy or other directive shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the lawful order is intended to countermand the previous lawful order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting lawful order after having given the issuing supervisor the opportunity to correct the conflict, may request the order be in writing and will not be held accountable for disobedience of the lawful order or directive that was initially issued.

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The person countermanning the original order shall notify, in writing, the person issuing the original order, indicating the action taken and the reason.

321.3.2 SUPERVISOR RESPONSIBILITIES

Supervisors and managers are required to follow all policies and procedures and may be subject to discipline for:

- (a) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.
- (b) Failure to promptly and fully report any known misconduct of a member to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.
- (c) Directing a subordinate to violate a policy or directive, acquiesce to such a violation, or are indifferent to any such violation by a subordinate.
- (d) The unequal or disparate exercise of authority on the part of a supervisor toward any member for malicious or other improper purpose.

321.4 GENERAL STANDARDS

Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and Illinois constitutions and all applicable laws, ordinances, and rules enacted or established pursuant to legal authority.

Members shall familiarize themselves with policies and procedures and are responsible for compliance with each. Members should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty.

Discipline may be initiated for any good cause. It is not mandatory that a specific policy or rule violation be cited to sustain discipline. This policy is not intended to cover every possible type of misconduct.

321.5 CAUSES FOR DISCIPLINE

The following are illustrative of causes for disciplinary action. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for violation of other rules, standards, ethics and specific action or inaction that is detrimental to efficient department service.

321.5.1 LAWS, RULES AND ORDERS

- (a) Violation of, or ordering or instructing a subordinate to violate any policy, procedure, rule, order, directive, requirement or failure to follow instructions contained in department or City manuals.
- (b) Disobedience of any legal directive or order issued by any department member of a higher rank.
- (c) Violation of federal, state, local or administrative laws, rules or regulations.

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321.5.2 ETHICS

- (a) Using or disclosing one's status as a member of the Urbana Police Department in any way that could reasonably be perceived as an attempt to gain influence or authority for nondepartment business or activity.
- (b) The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit or any other improper purpose.
- (c) The receipt or acceptance of a reward, fee or gift from any person for service incident to the performance of the member's duties (lawful subpoena fees and authorized work permits excepted).
- (d) Acceptance of fees, gifts or money contrary to the rules of this department and/or laws of the state.
- (e) Offer or acceptance of a bribe or gratuity.
- (f) Misappropriation or misuse of public funds, property, personnel or services.
- (g) Any other failure to abide by the standards of ethical conduct.
- (h) The Fraternal Order of Police (FOP) may conduct public solicitations, but should be clear that they are soliciting on behalf of the FOP and not the Department.
- (i) Employees shall not conduct business transactions, discussions, or work that are related to personal businesses while on-duty.

321.5.3 DISCRIMINATION, OPPRESSION OR FAVORITISM

Discriminating against, oppressing or providing favoritism, to any person because of actual or perceived characteristics such as race ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, disability, economic status, cultural group, veteran status, marital status and any other classification or status protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power, or immunity, knowing the conduct is unlawful.

321.5.4 RELATIONSHIPS

- (a) Unwelcome solicitation of a personal or sexual relationship while on duty or through the use of one's official capacity.
- (b) Engaging in on duty sexual activity including, but not limited to, sexual intercourse, excessive displays of public affection or other sexual contact.
- (c) Establishing or maintaining an inappropriate personal or financial relationship, as a result of an investigation, with a known victim, witness, suspect or defendant while a case is being investigated or prosecuted, or as a direct result of any official contact.
- (d) Associating with or joining a criminal gang, organized crime and/or criminal syndicate when the member knows or reasonably should know of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by this department.

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- (e) Associating on a personal, rather than official basis with persons who demonstrate recurring involvement in serious violations of state or federal laws after the member knows, or reasonably should know of such criminal activities, except as specifically directed and authorized by this department.

321.5.5 ATTENDANCE

- (a) Leaving the job to which the member is assigned during duty hours without a reasonable excuse and proper permission and approval.
- (b) Unexcused or unauthorized absence or tardiness.
 - 1. Tardy - an employee who has not arrived at their assigned post at the assigned starting time (including training, overtime, duty trades, etc.) but are no more than 30 minutes past the assigned starting time.
 - 2. AWOL - an employee who has not arrived at their assigned post within 30 minutes of the assigned starting time.
- (c) Excessive absenteeism or abuse of leave privileges.
- (d) Failure to report to work or to place of assignment at time specified and fully prepared to perform duties without a reasonable excuse.
- (e) Employees shall not feign injury, falsely report themselves ill or injured, or otherwise deceive or attempt to deceive any supervisor of the department as to the condition of their health.

321.5.6 UNAUTHORIZED ACCESS, DISCLOSURE, OR USE

- (a) Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms, or reports obtained as a result of the member's position with this department.
- (b) Disclosing active or protected investigation information to any unauthorized person.
- (c) The use of any information, photograph, video, or other recording obtained or accessed as a result of employment or appointment to this department for personal or financial gain or without the express authorization of the Chief of Police or the authorized designee.
- (d) Loaning, selling, allowing unauthorized use, giving away, or appropriating any department property for personal use, personal gain, or any other improper or unauthorized use or purpose.
- (e) Using department resources in association with any portion of an independent civil action. These resources include but are not limited to personnel, vehicles, equipment, and non-subpoenaed records.

321.5.7 EFFICIENCY

- (a) Neglect of duty.

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- (b) Unsatisfactory work performance including, but not limited to, failure, incompetence, inefficiency or delay in performing and/or carrying out proper orders, work assignments or the instructions of supervisors without a reasonable and bona fide excuse.
- (c) Concealing, attempting to conceal, removing or destroying defective or incompetent work.
- (d) Unauthorized sleeping during on-duty time or assignments.
- (e) Failure to notify the Department as soon as possible of any change in residence address, contact telephone numbers or marital status.
- (f) Employees are required to maintain a telephone and will not "screen" calls from the Department.
- (g) Allowing a suspect or prisoner to escape from custody.
- (h) On call employees who are issued a cellular phone or a stipend for a cellular phone must keep it properly maintained, turned on and carried when the employee is in Champaign County.
- (i) Employees shall not use the Department as a personal mailing address for the delivery of goods or merchandise personally purchased by them. Exceptions to this rule are as follows:
 - 1. Employees may use the Department address when ordering police uniforms and equipment.
 - 2. Sworn members may provide the Illinois Secretary of State with the Department address instead of their residence for the purpose of titling and registering their motor vehicle, in accordance with 626 ILCS 5/3-405. The spouses and children of sworn members also may use the Department address for these purposes if they reside with the sworn member.

321.5.8 PERFORMANCE

- (a) Failure to disclose or misrepresenting material facts, or making any false or misleading statement on any application, examination form, or other official document, report or form, or during the course of any work-related investigation.
- (b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive, or the willful and unauthorized removal, alteration, destruction and/or mutilation of any department record, public record, book, paper or document.
- (c) Failure to participate in, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any department-related business.
- (d) Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm the reputation, authority or official standing of this department or its members.

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- (e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this department or subverts the good order, efficiency and discipline of this department or that would tend to discredit any of its members.
- (f) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:
 - 1. While on department premises.
 - 2. At any work site, while on-duty or while in uniform, or while using any department equipment or system.
 - 3. Gambling activity undertaken as part of an officer's official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.
- (g) Improper political activity including:
 - 1. Unauthorized attendance while on-duty at official legislative or political sessions.
 - 2. Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on-duty or on department property except as expressly authorized by City policy, the collective bargaining agreement, or the Chief of Police.
- (h) Engaging in political activities during assigned working hours except as expressly authorized by City policy, the collective bargaining agreement, or the Chief of Police.
- (i) Any act on- or off-duty that brings discredit to this department.
- (j) Employees going on-duty shall be prompt in going directly to their work and shall devote their time to their work.
- (k) Employees shall not enter bars or taverns on-duty, except for police purposes or for the purpose of eating, while on break, in those bars that also have a restaurant component.

321.5.9 CONDUCT

- (a) Failure of any member to promptly and fully report activities on his/her part or the part of any other member where such activities resulted in contact with any other law enforcement agency or that may result in criminal prosecution or discipline under this policy.
- (b) Unreasonable and unwarranted force to a person encountered or a person under arrest.
- (c) Exceeding lawful peace officer powers by unreasonable, unlawful or excessive conduct.
- (d) Unauthorized or unlawful fighting, threatening or attempting to inflict unlawful bodily harm on another.
- (e) Engaging in horseplay that reasonably could result in injury or property damage.
- (f) Discourteous, disrespectful or discriminatory treatment of any member of the public or any member of this department or the City.

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- (g) Use of obscene, indecent, profane or derogatory language while on duty or in uniform.
- (h) Criminal, dishonest, or disgraceful conduct, whether on- or off-duty, that adversely affects the member's relationship with this department.
- (i) Unauthorized possession of, loss of, or damage to department property or the property of others, or endangering it through carelessness or maliciousness.
- (j) Attempted or actual theft of department property; misappropriation or misuse of public funds, property, personnel or the services or property of others; unauthorized removal or possession of department property or the property of another person.
- (k) Activity that is incompatible with a member's conditions of employment or appointment as established by law or that violates a provision of any collective bargaining agreement or contract to include fraud in securing the appointment or hire.
- (l) Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment or appointment without first notifying the Chief of Police of such action.
- (m) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.
- (n) Employees shall not incur a liability chargeable to the City or the Department except with the knowledge and consent of the proper authority.

321.5.10 SAFETY

- (a) Failure to observe or violating department safety standards or safe working practices.
- (b) Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver's license, first aid).
- (c) Failure to maintain good physical condition sufficient to adequately and safely perform law enforcement duties.
- (d) Unsafe firearm or other dangerous weapon handling to include loading or unloading firearms in an unsafe manner, either on- or off-duty.
- (e) Carrying, while on the premises of the work place, any firearm or other lethal weapon that is not authorized by the member's appointing authority.
- (f) Unsafe or improper driving habits or actions in the course of employment or appointment.
- (g) Any personal action contributing to a preventable traffic crash.
- (h) Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable but within 24 hours.

321.5.11 INTOXICANTS

- (a) Reporting for work or being at work while intoxicated or when the member's ability to perform assigned duties is impaired due to the use of alcohol, medication or drugs, whether legal, prescribed or illegal.

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- (b) Possession or use of alcohol at any work site or while on-duty, except as authorized in the performance of an official assignment. A member who is authorized to consume alcohol is not permitted to do so to such a degree that it may impair on-duty performance or driving.
- (c) Unauthorized possession, use of, or attempting to bring a controlled substance, illegal drug or non-prescribed medication to any work site.

Disciplinary Policy

322.1 PURPOSE AND SCOPE

This policy establishes guidelines and procedures to ensure the fair and impartial treatment of all employees of this Department who are subject to the disciplinary procedure.

322.2 DISCIPLINE

1. Employees Subject to Discipline

Any employee violating his/her oath or trust by committing any offense punishable under Federal, State or Local laws, or who violates any provision of this Policy Manual, special, temporary or other verbal or written legal orders, or who is incompetent, or who is unable or who refuses to perform his/her duties is subject to disciplinary action.

Notwithstanding any procedural or substantive guarantees provided to employees herein, probationary employees may be disciplined or terminated in any manner and for any reason not prohibited by law.

2. Authority to Discipline

Final Department authority to discipline is the responsibility of the Chief of Police. The Chief of Police may also delegate disciplinary authority to Supervisors but only the Chief of Police has the authority to:

- Place someone on Unpaid Administrative Leave status
- Terminate employment within the law and contract provisions

3. Disciplinary System

Disciplinary measures include:

- Written Warning
- Notice to Correct
- Letter of Reprimand
- Unpaid Administrative Leave
- Demotion
- Dismissal from employment

When circumstances allow, it is the policy of the Department to pursue a philosophy of progressive discipline. This entails an administration of gradually increasing disciplinary measures for each successive instance of misconduct. This process does not prevent the initiation of disciplinary action at any step, if a particular set of circumstances so dictates.

322.2.1 NON PUNITIVE MEASURES

1. Non-Punitive Measures

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- (a) Counseling/oral reprimand/log entries

Supervisors shall counsel employees to help:

- Correct an employee's poor job performance
- When a minor infraction of Departmental rules and/or procedures occurs

b. Training

Training is a function of instilling good discipline within employees.

- Positive and constructive training techniques are used for improving the morale, productivity, and effectiveness of employees
- Supervisors are required to identify any shortcomings, deficiencies, or lack of sufficient knowledge of their employee's job performance.

322.2.2 PUNITIVE DISCIPLINARY MEASURES

1. Punitive Disciplinary Measures

The following criteria may be used to determine the appropriate punitive disciplinary measure:

- (a) The seriousness of the incident.
- (b) The circumstances surrounding the incident.
- (c) The employee's disciplinary record.
- (d) The employee's work performance.
- (e) The overall negative impact on the Department caused by the incident.
- (f) The probability that future similar problems will occur.
- (g) The length of the employee's employment.

The following are the procedures and criteria for taking punitive actions in the interest of discipline:

- Written Warnings

The issuance of a Written Warning is the first step in the process of punitive discipline. A Written Warning may be issued for minor infractions of Departmental standards.

A Written Warning may be issued by any Supervisor within the department.

Written Warnings will be forwarded through the chain of command and will be maintained in the employee's permanent personnel file pursuant to the relevant labor agreement and State Law. If subsequent discipline is issued as part of progressive discipline and the Written Warning was used as a basis (or partial basis) for the subsequent discipline, the Written Warning will be forwarded with the subsequent discipline, pursuant to the relevant labor agreement and State Law.

- Notices to Correct Deficiencies

A Notice to Correct Deficiencies is the next level of discipline in the punitive disciplinary process. A Notice to Correct Deficiencies is issued for repeat occurrences of minor infractions or slightly more serious violations where there has been no response to other lower forms of discipline.

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Depending on the seriousness of the misconduct that prompted the Notice to Correct, this may be used as a first step without the need for prior warning. A Notice to Correct may be issued by any Supervisor within the department. Notice to Correct documentation will be forwarded through the chain-of command and will be maintained in the employee's permanent personnel file pursuant to the relevant labor agreement and State Law.

- Letters of Reprimand

A Letter of Reprimand will be issued for more serious infractions or repeated violations of Departmental standards. A Letter of Reprimand may be issued by a Lieutenant or above with approval of either the Chief of Police or the Assistant Chief of Police. A Letter of Reprimand will be forwarded through the chain-of-command and will be maintained/purged in the employee's permanent personnel file pursuant to the relevant labor agreement and State Law.

- Unpaid Administrative Leave (Suspension)

An employee may be placed on Unpaid Administrative Leave (suspension without pay) status for serious infractions of Departmental standards or as the next step in the progressive discipline continuum for infractions previously addressed through the disciplinary process. Unpaid Administrative Leave can only be administered by the Chief of Police or as authorized by the Chief of Police. The notice of Unpaid Administrative Leave will be maintained/purged in the employee's permanent personnel pursuant to the relevant labor agreement and State Law.

Any employee who is placed on administrative leave pursuant to this Policy (except for those who were relieved from duty pursuant to the emergency provision) may be required to surrender his/her badge, identification card, keys, weapon, and commission to the Department for the period of the suspension. Failure to turn in this Department equipment will result in further disciplinary action against the employee. An employee on administrative leave may not wear any Police Department uniform, and shall not be allowed access to the inner security area of the Police Department without first obtaining the permission of the Chief of Police. Any requests for official Departmental records or documents from an employee on paid administrative leave shall only be authorized by the Chief of Police. Any officer on administrative leave from the Department shall be deprived of all police powers and privileges, except as a private citizen, and shall not represent the Department for the duration of the administrative leave. A sworn member of the Department shall not carry a firearm while on administrative leave and is bound by the Rules and Regulations of the Urbana Police Department while on administrative leave, except those rules and regulations that require the exercise of direct police action by a member.

- Demotion

Demotion is the reduction of the class or rank of employment and the corresponding permanent reduction in wages. Records of all demotions will remain in the employee's permanent personnel file and are not subject to being removed.

- Dismissal from Employment

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The final level of corrective disciplinary action is dismissal from employment. An employee may be dismissed from employment for repeated violations of Departmental standards or for committing a criminal act. An employee may be dismissed from employment in conjunction with standards and procedures established by the appropriate labor contract (if applicable) with the FOP and AFSCME and the Urbana Civil Service Commission Rules. A decision to dismiss an employee from duty rests with the Chief of Police in consultation with the Human Resources Manager and the City Attorney. Records of all dismissals will remain in the employee's permanent personnel file and are not subject to being removed.

322.3 SUPERVISOR RESPONSIBILITIES

Supervisors are the key to effective discipline within the Department. All Supervisors shall be aware of and enforce the policies of this Department. Whenever violations of policy are found, supervisors will investigate them in accordance with the Internal Investigations Policy. Once a Supervisor has determined that an employee has in fact committed a violation of a Departmental standard, he/she may be required to assess and recommend the appropriate disciplinary action that fits the violation. Once the decision to discipline is made, it shall be issued without unnecessary delay.

322.3.1 EMERGENCY RELIEF FROM DUTY

Any Supervisor may relieve from duty (with pay) an employee under his/her authority. These emergency suspensions shall only be ordered when it appears that such action is in the best interest of the Department and only for serious and major infractions of Departmental Standards and/or Directives. Serious and major infractions of these Departmental Directives include, but are not limited to:

- The on-duty use of, or being under the influence of, while on duty, any alcoholic beverage or any illegal drug or other drug which is seriously impairing the employee's ability to perform his or her duties
- The violation of any criminal statute or ordinance
- Conduct unbecoming an officer
- False reporting or conversion of evidence or other property
- Refusal to obey a lawful order
- Neglect of duty

Relief from duty is mandatory for the on-duty use of drugs/alcohol, violation of statutes and refusing to obey an order.

Any employee so suspended, shall be ordered to and is expected to appear the next business day in the office of the Chief of Police at a time determined by the Supervisor suspending the employee. The employee shall, once being relieved from duty, leave the police facility immediately.

The Supervisor initiating such a suspension shall prepare written documentation outlining the relevant facts which led to the suspension and forward it through the chain-of-command to the

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Chief of Police. The written report shall be completed prior to the Supervisor leaving duty. The Supervisor shall also be present in the office of the Chief the next business day if required by the Chief. The Supervisor shall, as soon as practicable, make appropriate notifications per the chain-of-command when relieving an employee of duty.

322.4 DISCIPLINARY ACTION OUTSIDE THE CHAIN-OF-COMMAND

When the improper conduct of an employee is of such a nature that immediate discipline is required and that employee's Supervisor is not present, discipline may be taken by a Supervisor outside of that employee's chain-of-command. The Supervisor taking action shall report the discipline to the Direct Supervisor of the employee as soon as possible.

Internal Investigations

323.1 PURPOSE AND SCOPE

It is the policy of the Urbana Police Department to investigate all claims of misconduct by employees. These investigations will be conducted with standardized procedures in order to demonstrate the Department's desire to provide honest and efficient police service and inspire the public's confidence in its personnel, while also ensuring that employees are treated fairly and impartially.

323.1.1 DEFINITIONS

Definitions related to this policy include:

Formal investigation - The process of an investigation ordered by a commanding officer during which the questioning of an officer is intended to gather evidence of misconduct which may be the basis for filing charges seeking his or her removal, discharge or suspension in excess of three days (50 ILCS 725/2).

Informal inquiry - A meeting by supervisory or command personnel with an officer upon whom an allegation of misconduct has come to the attention of such supervisory or command personnel, the purpose of which meeting is to mediate a citizen complaint or discuss the facts to determine whether a formal investigation should be commenced.

Interrogation - The questioning of an officer pursuant to the formal investigation procedures of the respective state agency or local governmental unit in connection with an alleged violation of such agency's or unit's rules which may be the basis for filing charges seeking his or her suspension, removal, or discharge. The term does not include questioning (1) as part of an informal inquiry or (2) relating to minor infractions of agency rules which may be noted on the officer's record but which may not in themselves result in removal, discharge or suspension in excess of three days (50 ILCS 725/2).

Officer - Any peace officer, as defined by Section 2-13 of the Criminal Code of 2012 (720 ILCS 5/2-13), as now or hereafter amended, who is employed by any unit of local government or a state college or university, including supervisory and command personnel, any park police officer as defined under the Park District Police Act (70 ILCS 1325/1), and any pay-grade investigator for the Secretary of State as defined in Section 14-110 of the Illinois Pension Code (40 ILCS 5/14-110), including Secretary of State sergeants, lieutenants, commanders and investigator trainees.

Police administrative proceeding - Any non-judicial hearing which is authorized to recommend, approve, or order the suspension, removal or discharge of an officer.

323.2 INTERNAL AFFAIRS COORDINATOR

The Internal Affairs Coordinator is established for the purpose of creating a process to ensure the integrity of the Department and the internal investigation function. The Deputy Chief of Police will serve as the Department's Internal Affairs Coordinator. They shall coordinate and exercise supervision over investigations of complaints or allegations of misconduct against employees.

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323.2.1 INTERNAL AFFAIRS COORDINATOR DUTIES

- Supervising and controlling the investigation of alleged or suspected criminal conduct within the agency.
- Maintaining the confidentiality of the internal affairs investigation and records.
- Ensure that all formal allegations, both internal and external, are issued a tracking number regardless of the disposition of the investigation.
- Ensuring that allegations of employee conduct that is improper shall be appropriately investigated and promptly adjudicated.
- Ensure that allegations are properly classified in consultation with the chief of police.

323.3 INTERNAL AFFAIRS INVESTIGATOR

Allegations of officer misconduct will be subject to an investigation by a supervisor. The rank of the investigator will correspond to the severity of the allegation. Higher-ranking officers will investigate more serious allegations. Typically, cases that may result in disciplinary actions such as letters of reprimand up to and including termination will be investigated by officers with the rank of lieutenant or higher. The Chief of Police will generally not serve as the investigator, as their role is to act as the finder of fact. An exception will be made if the allegation involves a deputy chief. In such instances, the Chief of Police may, at their sole discretion, assign another deputy chief to conduct the investigation.

323.3.1 INTERNAL AFFAIRS INVESTIGATOR ROLE

Officers appointed as internal affairs investigators for any allegation are tasked with identifying and gathering evidence, including physical evidence and statements from involved parties or potential witnesses. They are required to report all evidence, both inculpatory and exculpatory, in a written report. Investigators must avoid drawing conclusions or providing opinions in their reports. The Chief of Police is the sole and final finder of fact in all internal investigations. Based on the totality of facts and circumstances, the Chief of Police may draw conclusions and form opinions related to the investigation. Officers conducting internal affairs investigations that may result in suspensions, up to and including termination, shall receive formal training in internal affairs investigations before conducting an internal affairs investigation unless under the direct supervision of another supervisor who has received internal affairs training. Additionally, all officers holding the rank of deputy chief and the Chief of Police shall receive formal training related to internal affairs investigations.

323.4 SUPERVISOR RESPONSIBILITIES

All supervisors who become aware of misconduct, either through personal observation, through another employee, or through a citizen, will conduct a preliminary investigation to establish the parameters of the misconduct. If the misconduct raises to the level that it warrants an immediate relief of duty, refer to Disciplinary Policy for guidelines.

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323.5 NON-SUPERVISOR RESPONSIBILITIES

Non-supervisory employees who become aware of misconduct, either through personal observations or through a citizen, shall immediately notify the Shift Supervisor.

323.6 CRIMINAL CONDUCT

All allegations of criminal conduct on the part of an employee shall be considered formal investigations. Criminal conduct is defined as a violation of state, federal, or local laws. The Chief of Police shall immediately be notified of any allegation of criminal conduct by any employee. This includes situations where a command officer is investigating a formal or informal complaint and discovers possible criminal conduct. The investigation shall cease and immediate notification of the Chief is required. The Chief of Police will coordinate investigations into criminal conduct with the City Attorney and/or the State's Attorney, and the results of the investigations will be forwarded to one or both of them for their consideration. The Chief of Police shall advise the complainant, victim, and accused employee of the decision of the State's Attorney and/or the City Attorney. There is no requirement to notify employees who are being investigated for criminal conduct of the investigation while it is in progress.

323.7 ADMINISTRATIVE LEAVE

During an investigation into misconduct, the Chief of Police may deem it necessary to place the officer on paid administrative leave until the investigation is completed. Any employee who is placed on paid administrative leave pursuant to this Policy (except for those who were relieved from duty pursuant to the emergency provision) may be required to surrender his/her badge, identification card, keys, weapon and commission to the Department for the period of the administrative leave. Failure to turn in this Department equipment will result in further disciplinary action against the employee. An employee on paid administrative leave may not wear any Police Department uniform, and shall not be allowed access to the inner security area of the Police Department without first obtaining the permission of the Chief of Police. Any requests for official Departmental records or documents from an employee on paid administrative leave shall only be authorized by the Chief of Police.

Any officer on administrative leave from the Department shall be deprived of all police powers and privileges, except as a private citizen, and shall not represent the Department for the duration of the administrative leave.

A sworn member of the Department shall not carry a firearm while on administrative leave and is bound by the Rules and Regulations of the Urbana Police Department while on administrative leave, except those rules and regulations that require the exercise of direct police action by a member.

323.8 EMPLOYEE'S NOTIFICATION OF FORMAL INVESTIGATION

The employee shall be notified of a formal investigation against them in writing by the investigator at the outset of the investigation, unless the complaint alleges illegal actions.

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The Department shall adhere to the provisions in the Uniform Peace Officers Disciplinary Act, which sets forth certain rights that are guaranteed to law enforcement officers in disciplinary procedures.

323.9 EVIDENCE COLLECTION

The Chief of Police may require an employee to submit to any of the following tests, disclosures or searches when the test, disclosure or search is specifically directed and narrowly related to an internal investigation regarding the employee. Failure to follow a direct order of this nature may result in a separate disciplinary action against the employee up to and including termination. Employees are required to submit to the gathering of non-testimonial evidence, including, but not limited to the following:

- Medical, psychiatric, psychological, or laboratory examination of the employee
- Breathalyzer testing, if intoxication is suspected
- Search of City property
- Written reports as required
- Photographs of the employee
- Examination of firearms
- Participation in a lineup
- Financial disclosure statements by the employee
- Handwriting samples
- Fingerprints

323.10 POST INVESTIGATION PROCEDURES

323.10.1 DIVISION COMMANDER RESPONSIBILITIES

The Division Commander assigned the investigation of the alleged misconduct shall ensure a thorough and accurate investigation is conducted. If an investigation is being conducted that is intended to gather evidence of misconduct that may be the basis for filing charges seeking removal, discharge or suspension in excess of three (3) days, the employee(s) who are the subject of the investigation shall receive a "Notice of Certain Rights in Connection with an Interrogation, Examination or Hearing" form.

The Division Commander investigating an allegation of misconduct shall complete a written report to include the following information;

- Summary of the complaint or alleged misconduct
- Statements of all parties to the incident (if appropriate)
- A description of the incident
- Observations and conclusions of the investigator

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- Physical evidence that may exist

323.10.2 RESPONSIBILITIES OF THE CHIEF OF POLICE

Upon receipt of any written recommendation for disciplinary action, the Chief of Police shall review the recommendation and all accompanying materials. The Chief of Police may modify any recommendations and/or may return the file to the Division Commander for further investigation or action. Once the Chief of Police is satisfied that no further investigation or action is required by staff, the Chief of Police shall determine the amount of discipline, if any, to be imposed.

323.10.3 ILETSB NOTIFICATION

In the event of an arrest or conviction of any of the specified sections in 50 ILCS 705/6.1, the Chief of Police shall report such arrest or conviction to ILETSB. The Chief of Police or the authorized designee shall notify the ILETSB of any final determination of discipline in the following circumstances (50 ILCS 705/6.2):

- (a) The officer is discharged or dismissed as a result of the violation.
- (b) The officer resigns during the course of an investigation and after being served notice that he/she is under investigation that is based on the commission of a Class 2 or greater felony.

The notification shall occur within 30 days of a final decision and exhaustion of any appeal, or resignation, and shall provide information regarding the nature of the violation.

323.11 EMPLOYEE RESPONSE

It is the duty and responsibility of every full-time and part-time police officer to report to ILETSB within 30 days, and the officer's Chief of Police, of his/her arrest or conviction for an offense identified in 50 ILCS 705/6.1. Any full-time or part-time police officer who knowingly makes, submits, causes to be submitted, or files a false or untruthful report to the Board must have his or her certificate or waiver immediately decertified or revoked.

323.12 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE

In the event that an employee tenders a written retirement or resignation prior to the imposition of discipline, it shall be noted in the file. The tender of a retirement or resignation by itself shall not serve as grounds for the termination of an investigation or of pending discipline. and/or recommendation.

323.13 POST INVESTIGATION PROCEDURE

In situations resulting in the imposition of a suspension, punitive transfer, demotion, termination of a non-probationary employee, the employee shall have the right to an evidentiary appeal of the Chief of Police's imposition of discipline pursuant to the personnel rules and applicable guidelines, or pursuant to the collective bargaining agreement, or if non-home rule, the procedures outlined in 65 ILCS 5/10-2.1-1, or if civil service, the procedures outlined in 65 ILCS 5/10-1-1.

Information Technology Use

324.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper use of department information technology resources, including computers, electronic devices, hardware, software and systems.

324.1.1 PRIVACY POLICY

Any employee utilizing any computer, electronic storage device or media, internet service, phone service, information conduit, system or other wireless service provided by or funded by the Department expressly acknowledges and agrees that the use of such service, whether for business or personal use, shall remove any expectation of privacy the employee, sender and recipient of any communication utilizing such service might otherwise have, including as to the content of any such communication. The Department also expressly reserves the right to access and audit any and all communications (including content) sent, received and/or stored through the use of such service.

324.2 DEFINITIONS

The following definitions relate to terms used within this policy:

Computer System - Shall mean all computers (on-site and portable), hardware, software, and resources owned, leased, rented, or licensed by the Urbana Police Department, which are provided for official use by agency employees. This shall include all access to, and use of, Internet Service Providers (ISP) or other service providers provided by or through the agency or agency funding.

Hardware - Shall include, but is not limited to, computers, computer terminals, network equipment, modems or any other tangible computer device generally understood to comprise hardware.

Software - Shall include, but is not limited to, all computer programs and applications including "shareware." This does not include files created by the individual user.

Temporary File or Permanent File or File - Shall mean any electronic document, information or data residing or located, in whole or in part, whether temporarily or permanently, on the system, including but not limited to spreadsheets, calendar entries, appointments, tasks, notes, letters, reports or messages.

324.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails, texts or anything published, shared, transmitted or maintained through file-sharing software or any Internet site that is accessed, transmitted, received or reviewed on any department computer system.

The Department reserves the right to access, audit and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the Department, including the department email system, computer network and/or any information placed into storage on any department

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system or device. This includes records of all keystrokes or Web-browsing history made at any department computer or over any department network. The fact that access to a database, service or website requires a username or password will not create an expectation of privacy if it is accessed through department computers, electronic devices or networks.

The Department shall not request, require or coerce a member to provide a username, password or other related account information, or require or coerce a member to invite other members to join a group affiliated with any personal account of the member or to join a member's list of contacts in order to gain access to the member's account or profile on a personal online account (820 ILCS 55/10).

324.4 AGENCY PROPERTY

All information, data, documents, communications, and other entries initiated on, sent to or from, or accessed on any department computer, or through the department computer system on any other computer, whether downloaded or transferred from the original department computer, shall remain the exclusive property of the Department and shall not be available for personal or non-departmental use without the expressed authorization of an employee's supervisor.

To reduce the risk of a computer virus or malicious software, members shall not install any unlicensed or unauthorized software or other files on any department computer without the explicit consent of either the department or city IT professional. The manipulation or alteration of current software running on agency-owned mobile, desktop or handheld computers is prohibited absent the explicit consent of the department or city IT professional.

324.4.1 OFF-DUTY USE

Members shall only use technology resources provided by the Department while on-duty or in conjunction with specific on-call assignments unless specifically authorized by a supervisor. This includes the use of telephones, cell phones, texting, email or any other "off the clock" work-related activities. This also applies to personally owned devices that are used to access department resources.

Refer to the Personal Communication Devices Policy for guidelines regarding off-duty use of personally owned technology.

324.5 UNAUTHORIZED USE OF SOFTWARE

Employees shall not copy or duplicate any copyrighted or licensed software except for a single copy for backup purposes in accordance with the software company's copyright and license agreement. To reduce the risk of computer virus or malicious software infection, employees shall not install any unlicensed or unauthorized software on any department computer. Employees shall not install personal copies of any software onto any department computer. Any files or software that an employee finds necessary to upload onto a department computer or network shall be done so only with the approval of the department IT specialist and only after being properly scanned for malicious attachments.

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No employee shall knowingly make, acquire or use unauthorized copies of computer software not licensed to the agency while on agency premises or on an agency computer system. Such unauthorized use of software exposes the agency and involved employees to severe civil and criminal penalties.

324.6 PROHIBITED AND INAPPROPRIATE USE

Access to department technology resources including Internet access provided by or through the Department shall be strictly limited to department-related business activities. Data stored on, or available through, department systems shall only be accessed by authorized employees who are engaged in an active investigation, assisting in an active investigation, or who otherwise have a legal and legitimate law enforcement or department business related purpose to access such data. Any exceptions to this policy must be approved by a supervisor.

An Internet site containing information that is not appropriate or applicable to departmental use and which shall not be intentionally accessed include, but are not limited to, adult forums, pornography, chat rooms and similar or related Web sites. Certain exceptions may be permitted with the prior approval of a supervisor as a function of an assignment.

Downloaded information shall be limited to messages, mail, and data files which shall be subject to audit and review by the Department without notice. No copyrighted and/or unlicensed software program files may be downloaded.

Employees shall report any unauthorized access to the system or suspected intrusion from outside sources (including the Internet) to a supervisor.

Report Preparation

325.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to those members of the Department who complete investigations and reports as a part of their duties.

325.2 REQUIRED REPORTING

In all of the following situations, members shall complete reports using the appropriate department-approved forms and reporting methods, unless otherwise approved by a supervisor. The reporting requirements are not intended to be all-inclusive. A member may complete a report if the member deems it necessary or as directed by a supervisor.

325.2.1 CRIMINAL ACTIVITY

When a member responds to a call for service, or as a result of self-initiated activity becomes aware of any activity where a crime has occurred, the member shall document the incident regardless of whether a victim desires prosecution.

Activity to be documented in a written report includes:

- (a) All arrests.
- (b) All felony crimes.
- (c) Non-felony domestic violence incidents involving threats or stalking behavior.
- (d) Situations covered by separate policy. These include:
 - (a) Use of Force Policy.
 - (b) Domestic Violence Policy.
 - (c) Child Abuse Policy.
 - (d) Adult Abuse Policy.
 - (e) Hate Crimes Policy.
 - (f) Suspicious Activity Reporting Policy.
- (e) All misdemeanor crimes where the victim desires a report.

325.2.2 NON-CRIMINAL ACTIVITY

Non-criminal activity to be documented includes:

- (a) Any found property or found evidence.
- (b) All protective custody and welfare detentions.
- (c) Any time a person is reported missing, regardless of jurisdiction (see the Missing Persons Policy).
- (d) Suspicious incidents that may indicate a potential for crimes against children or that a child's safety is in jeopardy.
- (e) Suspicious incidents that may place the public or others at risk.

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- (f) Any use of force against any person by a member of this department (see the Use of Force Policy).
- (g) Any firearm discharge (see the Firearms Policy).
- (h) Any time an officer points a firearm at any person.
- (i) Any traffic crashes above the minimum reporting level (see the Traffic Crash Reporting Policy).
- (j) Whenever the employee believes the circumstances should be documented or at the direction of a supervisor.
- (k) All METRO activations wherein Urbana participates or has an interest.
- (l) Anytime a vehicle is towed or impounded, a tow report shall be completed. An exception to this is a traffic accident where the tow is listed on the accident report; however, officers should be mindful of valuables inside the vehicle being towed and document if necessary.

325.2.3 DEATHS

Death investigations require specific investigation methods, depending on circumstances. They should be handled in accordance with the Death Investigation Policy. The handling member should notify and apprise a supervisor of the circumstances surrounding the incident to determine how to proceed. The following incidents shall be appropriately investigated and documented:

- (a) Unattended deaths (no physician or qualified hospice care in the 20 days preceding death)
- (b) Sudden, accidental, or suspicious deaths
- (c) Suicides
- (d) Homicide or suspected homicide
- (e) Found dead bodies or body parts

325.2.4 CITY PERSONNEL OR PROPERTY

Incidents involving City personnel or property shall require a report when:

- An injury occurs as the result of an act of a City employee or on City property.
- There is damage to City property or equipment.

325.2.5 MISCELLANEOUS INJURIES

Any injury that is reported to this department shall require a report when:

- (a) The injury is a result of drug overdose.
- (b) Attempted suicide.
- (c) The injury is major/serious, whereas death could result.
- (d) The circumstances surrounding the incident are suspicious in nature and it is desirable to record the event.

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The above reporting requirements are not intended to be all-inclusive. A supervisor may direct an employee to document any incident he/she deems necessary.

325.2.6 TELESERVE AND WEB-BASED REPORTS

The following incident report categories have been designated for Teleserve diversion. If there is meaningful and specific suspect information, or the crime is in progress, or the value of the stolen or damaged property exceeds web-reporting guidelines, a Patrol Officer shall be dispatched to investigate the alleged crime. The final decision as to whether a call meets Teleserve requirements rests with a supervisor.

- (a) All reports of bicycle thefts. This includes technical burglaries where the only item stolen is a bicycle(s) and there was no forced entry.
- (b) All other misdemeanor thefts.
- (c) All reports of drive-offs except when verified suspect information is available.
- (d) All reports of lost property including license plates.
- (e) All reports of misdemeanor criminal damage.
- (f) Runaway/missing reports from Cunningham Children's Home (CCH) as long as foul play is not suspected.
- (g) Complaints of obscene or harassing phone calls.
- (h) Follow up reports documenting information by victims with additional information concerning property loss. In cases involving follow-up reporting of serialized items, the PSR is responsible for entering the articles in LEADS as soon as practical.

The Shift Supervisor shall review the Teleserve reports and they shall be held to the same standard as any other offense report.

The incidents that can be reported through this new web reporting method are:

- Business Drive-offs under \$150 in motor fuel
- Retail Thefts under \$300
- Criminal Damage to Property under \$500
- Theft under \$500
- Bicycle Theft - value of bicycle under \$500

For incidents where there is no meaningful and specific suspect information, such as a specific name of the offender or complete license plate number of a vehicle, these reports will only be taken via web report. Generally speaking, reports taken via web or Teleserve will not be reassigned for follow up investigation. If a supervisor determines based on initial information that follow up investigation might be necessary, an officer shall be dispatched to take the initial report. Specific to retail theft cases, surveillance video or photos alone do not rise to the level of meaningful and specific suspect information. For incidents where the above criteria is not applicable either

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by exceeding the dollar value or an incident where there is meaningful and specific offender information, a police officer will come and take a police report in person.

325.3 REVIEW AND CORRECTIONS

Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor should complete a correction form stating the reasons for rejection.

The original report and the correction form should be returned to the reporting member for correction as soon as practicable. It shall be the responsibility of the originating member to ensure that any report returned for correction is processed in a timely manner.

325.4 POLICY

It is the policy of the Urbana Police Department that members shall act with promptness and efficiency in the preparation and processing of all reports. Reports shall document sufficient information to refresh the member's memory and shall provide enough detail for follow-up investigation and successful prosecution.

325.5 EXPEDITIOUS REPORTING

Incomplete reports, unorganized reports, or reports that are delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or to a special priority made necessary under exceptional circumstances.

325.6 REPORT PREPARATION

Reports should be sufficiently detailed for their purpose and free from errors prior to submission and approval. It is the responsibility of the member to complete and submit all reports taken during the shift before going off-duty unless permission to hold the report has been approved by a supervisor. Generally, reports requiring prompt follow-up action on active leads or arrest reports where the suspect remains in custody should not be held.

All reports shall accurately reflect the identity of the persons involved; all pertinent information seen, heard, or assimilated by any other sense; and any actions taken. Members shall not suppress, conceal, or distort the facts of any reported incident, nor shall any member make a false report orally or in writing. Generally, the reporting member's opinions should not be included in reports unless specifically identified as such.

Media Relations

326.1 PURPOSE AND SCOPE

This policy provides guidelines for media releases and media access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities.

326.2 RESPONSIBILITIES

The ultimate authority and responsibility for the release of information to the media shall remain with the Chief of Police, however, in situations not warranting immediate notice to the Chief of Police and in situations where the Chief of Police has given prior approval, Division Commanders, Shift Supervisors and designated Public Information Officer(s) may prepare and release information to the media in accordance with this policy and the applicable law.

326.2.1 MEDIA REQUEST

Any media request for information or access to a law enforcement situation shall be referred to the designated department media representative, or if unavailable, to the first available supervisor. Prior to releasing any information to the media, employees shall consider the following:

- (a) At no time shall any employee of this department make any comment or release any official information to the media without prior approval from a supervisor or the designated department media representative.
- (b) In situations involving multiple law enforcement agencies, every reasonable effort should be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this department.
- (c) Under no circumstance should any member of this department make any comment(s) to the media regarding any law enforcement incident not involving this department without prior approval of the Chief of Police.

326.3 MEDIA ACCESS

Authorized members of the media shall be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities subject to the following conditions:

- (a) The media representative shall produce press credentials that shall be prominently displayed at all times while in areas otherwise closed to the public.
- (b) Media representatives may be prevented from interfering with emergency operations and criminal investigations. Members of the news may not resist, obstruct, or oppose an officer in the lawful execution of a legal duty. The presence of the news media at a field incident, the taking of pictures (still or video), or the asking of questions do not constitute unlawful interference. Denial of access to crime scenes or other restricted areas is generally a necessity. Members of the media apprehended for violating the law shall be dealt with in the same manner as any other violator.

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1. Reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency or criminal investigation operations. All information released to the media should be coordinated through the department Public Information Officer or other designated spokesperson.
2. Whenever the presence of media or other aircraft poses a threat to public or officer safety or significantly hampers incident operations, the field supervisor should consider requesting a Temporary Flight Restriction (TFR). All requests for TFR should be routed through the Shift Supervisor. The TFR request should include specific information regarding the perimeter and altitude necessary for the incident and should be requested through the appropriate control tower. If the control tower is not known, the Federal Aviation Administration should be contacted (14 CFR 91.137).
 - (c) No member of this department who is under investigation shall be subjected to media visits or interviews without the consent of the involved employee.
 - (d) Media interviews with individuals who are in custody shall not be permitted without the approval of the Chief of Police and the express consent of the person in custody.

A tactical operation should be handled in the same manner as a crime scene. Department members shall not jeopardize a tactical operation in order to accommodate the news media. All comments to the media shall be coordinated through a supervisor or the Public Information Officer.

326.3.1 PROVIDING ADVANCE INFORMATION

To protect the safety and rights of officers and other persons, advance information about planned actions by law enforcement personnel, such as movement of persons in custody or the execution of an arrest or search warrant, should not be disclosed to the news media, nor should media representatives be invited to be present at such actions except with the prior approval of the Chief of Police.

Any exceptions to the above should only be considered for the furtherance of legitimate law enforcement purposes. Prior to approving any exception the Chief of Police will consider, at minimum, whether the release of information or presence of the media would unreasonably endanger any individual, prejudice the rights of any person or is otherwise prohibited by law.

326.4 SCOPE OF INFORMATION SUBJECT TO RELEASE

The Department will maintain a daily information log of significant law enforcement activities that shall be made available to media representatives and the general public through the Department's public website. This log will generally contain the following information:

- (a) The date, time, location, case number, type of crime, extent of injury or loss, and names of individuals (except confidential informants) involved in crimes occurring within this jurisdiction unless the release of such information would endanger the

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safety of any individual or jeopardize the successful completion of any ongoing investigation.

- (b) The date, time, location, case number, name, birth date and charges for each person arrested by this department unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.
- (c) The time and location of other significant law enforcement activities or requests for service with a brief summary of the incident subject to the restrictions of this policy and applicable law.

Identifying information concerning deceased individuals shall not be released to the media until notification of next of kin or otherwise cleared through the Coroner's Office.

Any requests for copies of related reports or additional information not contained in this log shall be referred to the designated department media representative, the custodian of records, or if unavailable, to the Shift Supervisor. Such requests will generally be processed in accordance with the provisions of the Illinois Freedom of Information Act (5 ILCS 140/1, et seq.).

326.4.1 RESTRICTED INFORMATION

It shall be the responsibility of the authorized member dealing with media requests to ensure that restricted information is not inappropriately released to the media by this department (see the Records Maintenance and Release and Peace Officer Personnel Files policies) (5 ILCS 140). When in doubt, authorized and available legal counsel should be obtained.

Subpoenas and Court Appearances

327.1 PURPOSE AND SCOPE

This policy establishes the guidelines for department members who must appear in court. It will allow the Urbana Police Department to cover any related work absences and keep the Department informed about relevant legal matters.

327.2 POLICY

Urbana Police Department members will respond appropriately to all subpoenas and any other court-ordered appearances. A subpoena constitutes a legal directive requiring the named party's presence at a designated place and time. Personal time off, including vacation or benefit time, does not take precedence over a subpoena. However, effective communication with supervisors and the Champaign County State's Attorney's Office is crucial for achieving a successful resolution in such situations.

327.2.1 SUBPOENA CHECKS

When officers receive a check for testimony (typically attached to the subpoena), the following steps shall be taken:

- (a) If the officer testifies, they should sign the check, attach a copy of the subpoena, and then forward the check to the Department Administrative Assistant for processing.
- (b) If the case is dropped or the officer is not required to testify, send the unsigned check and subpoena to the Department Administrative Assistant, noting that the court appearance was canceled.

327.3 SERVICE OF SUBPOENAS

Service of a subpoena requiring the appearance of any department employee in connection with a matter arising out of the employee's course and scope of official duties may be accomplished through several methods. Because the primary requestor of police presence in court is the State's Attorney's Office, an email system has been set up to facilitate this communication between the SAO and the police department.

State's Attorney's Office (SAO) Subpoenas:

- Supervisors, along with the members being subpoenaed, will get an e-mail, which is the subpoena. The member subject to the subpoena shall respond to the SAO via email indicating they have received and will be present at the date and time indicated. This will be the only notice an officer will receive.
- First line supervisors shall endeavor to recognize when their direct reports are subpoenaed. Special attention should be paid to subpoenas received where an appearance is required in the next seven (7) days. Supervisors shall communicate with member subject to the subpoena that a court appearance both required and imminent.
- In the event an issue arises where a member is unavailable to appear, they shall notify both their supervisor and the SAO.

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- The member subject to the subpoena shall be solely responsible for finding a replacement in cases where hearsay is admissible such as grand jury and sentencing hearings. The member shall further communicate with the SAO via email who will appear in their place once a replacement is found. If a replacement cannot be found, the member is responsible for appearing in court or notifying their supervisor and SAO of a request for a continuance.
- First-shift sergeants will check the subpoenas as they come in and, if they find any that are short notice (where the officer will not be back before the court date), they will need to contact that officer and inform him/her of the court date and time.
- First-shift sergeants also need to check any subpoenas for an officer who is off for an extended period, whether at training, leave or vacation and contact the officer and inform them of the court notification. Once the sergeant contacts the officer, they will e-mail all the sergeants and let them know the notification has been made.
- The CID Sergeant, backed up by the CID Lieutenant, will monitor e-mail subpoenas for CID personnel.

Subpoenas may also be delivered by personal service to the employee or by delivery of the subpoena to the employee's supervisor or other authorized departmental agent. Subpoena service is also acceptable by certified US mail, courier or court-appointed liaison from the court to this department.

Traffic court notices are sent from the Circuit Clerk's Office and are in paper format. They are to be delivered to the appropriate division for processing.

For paper, hand-delivered subpoenas, the above process still applies. Any employee accepting a subpoena shall forward it to the subpoenaed employee. Once the subpoenaed employee receives the subpoena, a copy shall be forwarded to the division commander.

327.3.1 CIVIL SUBPOENA

The Department will compensate members who appear in their official capacities on civil matters arising out of their official duties, as directed by any current collective bargaining agreement or City personnel rules.

The Department should seek reimbursement for the member's compensation through the civil attorney of record who subpoenaed the member.

327.3.2 OFF-DUTY RELATED SUBPOENAS

Members receiving valid subpoenas for off-duty actions not related to their employment or appointment will not be compensated for their appearance. Arrangements for time off shall be coordinated through their immediate supervisors.

327.3.3 SPECIAL NOTIFICATION REQUIREMENTS

Any member who is subpoenaed to testify, agrees to testify or provides information on behalf of or at the request of any party other than the City Attorney or the prosecutor shall notify his/her immediate supervisor without delay regarding:

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- (a) Any civil case where the City or one of its members, as a result of his/her official capacity, is a party.
- (b) Any civil case where any other city, county, state or federal unit of government or a member of any such unit of government, as a result of his/her official capacity, is a party.
- (c) Any criminal proceeding where the member is called to testify or provide information on behalf of the defense.
- (d) Any civil action stemming from the member's on-duty activity or because of his/her association with the Urbana Police Department.
- (e) Any personnel or disciplinary matter when called to testify or to provide information by a government entity other than the Urbana Police Department.

The supervisor will then notify the Chief of Police and the appropriate prosecuting attorney as may be indicated by the case. The Chief of Police should determine if additional legal support is necessary.

No member shall be retaliated against for testifying in any matter.

327.4 FAILURE TO APPEAR

Any member who fails to comply with the terms of any properly served subpoena or court-ordered appearance may be subject to discipline. This includes properly served orders to appear that were issued by a state administrative agency.

327.5 STANDBY

To facilitate court appearances, employees are required to provide and maintain current information on their address and phone number with the Department. Employees are required to notify the Department within 24 hours of any change in residence address or home phone number, and to provide accurate and reasonably reliable means or methods for contact.

327.6 COURTROOM PROTOCOL

When appearing in court, members shall:

- (a) Be punctual and prepared to proceed immediately with the case for which they are scheduled to appear.
- (b) Dress in the department uniform or business attire.
- (c) Observe all rules of the court in which they are appearing and remain alert to changes in the assigned courtroom where their matter is to be heard.

327.6.1 TESTIMONY

Before the date of testifying, the subpoenaed member shall request a copy of relevant reports and become familiar with the content in order to be prepared for court.

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327.7 OVERTIME APPEARANCES

When a member appears in court on his/her off-duty time, they will be compensated in accordance with any current collective bargaining agreement or City personnel rules.

Mutual Aid and Outside Agency Assistance

328.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members when requesting or responding to a request for mutual aid or when assisting another law enforcement agency.

328.2 PROCEDURE

328.2.1 GEOGRAPHIC/CONCURRENT JURISDICTION

The Urbana Police Department has primary jurisdiction for providing police services within its legal corporate boundaries. The Department recognizes that other police agencies (i.e., University of Illinois, Champaign County Sheriff, Illinois State Police, etc.) may have concurrent jurisdiction. Pursuant to 65 ILCS 5/7-4-7, Champaign and Urbana, being municipalities wholly within one county and sharing common borders, constitute a Police District. Therefore, Urbana and Champaign Officers have full authority and power as peace officers and may go into any part of the district to exercise that authority and power pursuant to 65 ILCS 5/7-4-8. However, sworn members shall exercise their law enforcement authority outside of the geographic boundaries of the City of Urbana only in accordance with this Policy.

328.2.2 MUTUAL AID AGREEMENTS

The City of Urbana has entered into three (3) Mutual Aid Agreements. These agreements allow law enforcement agencies to assist each other with personnel and equipment in times of emergencies. The agreements are as follows:

- (a) The cities of Champaign and Urbana, the University of Illinois, the Champaign County Sheriff's Office, and the Villages of Rantoul and Mahomet are signatories to an Interagency Mutual Aid Agreement. Any signatory agency may request temporary emergency assistance from any other member agency.
- (b) The City of Urbana, the University of Illinois, the Champaign County Sheriff's Office, the Villages of Rantoul and Mahomet, and Parkland College are signatories to an Interagency Mutual Aid Agreement establishing METRO (Metropolitan Emergency Tactical Response Operations). METRO is an interagency team of officers that have been trained and equipped to deal with abnormally dangerous or tactically complex situations requiring the use of specialized equipment and or tactics.
- (c) Urbana is a signatory on a Mutual Aid Agreement known as the Illinois Law Enforcement Alarm System (ILEAS). ILEAS is a consortium of sheriff and Illinois police agencies that have banded together to provide mutual aid during disasters and crises. During serious emergencies, Urbana can request assistance from ILEAS and receive assistance from officers from other jurisdictions. Changes in State law and signed interagency agreements provide for indemnity and extra-jurisdictional authority.

Liability for equipment, personnel, worker's compensation, and other claims are outlined in each Mutual Aid Agreement.

328.3 AUTHORITY

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Mutual Aid and Outside Agency Assistance

328.3.1 SWORN SUPERVISORS AUTHORITY

Sworn Supervisors are authorized to request and provide for emergency interagency assistance when, in their judgment, it is necessary. Cases in which mutual aid may be necessary include life-threatening situations, riots, civil disturbances or mob actions, or other events where the immediate resources of the Department are not sufficient. When a situation arises that exceeds the available resources of the Department, sworn supervisors may request mutual aid within the following guidelines:

- (a) Determine how many officers and vehicles are needed.
- (b) Advise METCAD of the staging area for responding units and the person(s) to whom they report.
- (c) Notify Command Staff of the incident and steps that are being taken to quell the situation as soon as practicable.
- (d) Establish a command post with the following available, as needed: telephones and communications equipment, ample parking for emergency and support vehicles, adequate lighting and electrical connections, and toilet facilities.

Only Division Commanders and above may make a request for ILEAS assistance.

Sworn Supervisors are authorized to fulfill mutual aid requests from any Champaign County Agency. When the scope of those requests involves overtime or appears to be of a lengthy nature, then the Chief of Police should be notified via the chain of command. When responding to the request of another police agency or whenever an emergency police situation becomes evident in adjacent or concurrent jurisdictions (such as traffic accidents or assistance to officers in that jurisdiction), shift supervisors shall be responsible for authorizing and limiting the extent of the response.

328.3.2 OFFICER RESPONSIBILITY AND AUTHORITY

Any peace officer employed by a law enforcement agency of this State may conduct temporary questioning pursuant to 725 ILCS 5/107-14 and may make arrests in any jurisdiction within this State:

- (a) if the officer is engaged in the investigation of an offense that occurred in the officer's primary jurisdiction and the temporary questioning is conducted or the arrest is made pursuant to that investigation; or
- (b) if the officer, while on duty as a peace officer, becomes personally aware of the immediate commission of a felony or misdemeanor violation of the laws of this State; or
- (c) if the officer, while on duty as a peace officer, is requested by an appropriate State or local law enforcement official to render aid or assistance to the requesting law enforcement agency that is outside the officer's primary jurisdiction.

While acting pursuant to this subsection, an officer has the same authority as within his or her own jurisdiction pursuant to 725 ILCS 5/107-4(a-3). The law enforcement agency of the county or municipality in which any arrest is made under this Section shall be immediately notified of the arrest pursuant to 725 ILCS 5/107-4(a-7).

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Mutual Aid and Outside Agency Assistance

328.4 MAINTENANCE OF SERVICES

Urbana is committed to the provision of personnel, equipment and specialized units to a member agency to the extent that it would not endanger primary services to the City of Urbana.

328.5 IMPLEMENTATION

The Chief of Police, or his/her designee, will meet with other agency officials to develop an implementation plan and a common procedural document to be used as a resource in such incidents. This includes the provision of staffing levels, equipment, specialized units and other information.

328.6 EMERGENCY REQUESTS FOR MUTUAL AID

The requesting agency supervisor has the responsibility to oversee and manage the police resources at the scene, regardless of their jurisdiction. All loaned personnel shall follow his/her lawful commands and shall act in support of and at the discretion of those supervisor(s) who have primary jurisdiction. Officers may be assigned in multi-jurisdictional workgroups or teams with supervision from the requesting agency or a signatory agency. Officers shall follow the lawful orders of those assigned supervisors. However, where the provided mutual assistance involves the use of a specialized unit such as SWAT, METRO, K-9, Bomb Disposal, etc., the commander of the unit will act as Supervisor. When taking law enforcement actions at the emergency site, including use of force, officers from the Urbana Police Department shall at all times adhere to Urbana Directives, utilizing only those weapons and tactics with which they have qualified. Urbana Officers providing assistance at an emergency site may make lawful arrests when appropriate but shall, in doing so, follow the direction of the requesting agency's command staff.

328.7 ROUTINE RESPONSE

Routine responses between local agencies are managed by both METCAD and the requesting/responding agency supervisors who are responsible to communicate with regard to the details of the assistance.

328.8 COMMAND POST

If, due to scope or length, an emergency situation requiring multi-jurisdictional assistance develops past the ability of one supervisor at the scene to manage, a command post should be established and communications (frequency assignments, etc.) formally allocated.

328.9 MOBILE FIELD FORCE

ILEAS Region 7 Mobile Field Force is available to control unruly crowds and to apprehend multiple offenders.

328.10 NATIONAL GUARD AND OTHER STATE RESOURCES

Requests for the assistance of any State of Illinois resource are directed to the State of Illinois Emergency Management Agency via the local ESDA Office. The decision to request the National Guard is made by the Mayor and NOT the Urbana Police Department.

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328.11 POLICY

It is the policy of the Urbana Police Department to promptly respond to requests for assistance by other law enforcement agencies, subject to available resources and consistent with the applicable laws and policies of this department.

328.12 ASSISTING OUTSIDE AGENCIES

Generally, requests for any type of assistance from another agency should be routed to the Shift Supervisor's office for approval. In some instances, a memorandum of understanding or other established protocol may exist that eliminates the need for the approval of individual requests.

When another law enforcement agency requests assistance from this department, the Shift Supervisor may authorize, if available, personnel to assist. Members are reminded that their actions when rendering assistance must conform with applicable laws and be consistent with the policies of this department. Arrestees may be temporarily detained by this department until arrangements for transportation are made by the outside agency. When transportation assistance is rendered, a report shall be prepared and submitted by the handling member unless otherwise directed by a supervisor.

328.12.1 INITIATED ACTIVITY

Any on-duty officer who engages in law enforcement activities of any type that are not part of a mutual aid request and take place outside the jurisdiction of the Urbana Police Department shall notify his/her supervisor or the Shift Supervisor and METCAD as soon as practicable. This requirement does not apply to special enforcement details or multi-agency units that regularly work in multiple jurisdictions.

328.13 REQUESTING OUTSIDE ASSISTANCE

The handling member or supervisor should direct assisting personnel to where they are needed and to whom they should report when they arrive. The requesting member should arrange for appropriate radio communication capabilities, if necessary and available so that communication can be coordinated between assisting personnel.

Registered Offender Information

329.1 PURPOSE AND SCOPE

This policy establishes guidelines by which the Urbana Police Department will address issues associated with certain offenders residing in the jurisdiction and how the Department will disseminate information and respond to public inquiries for information about registered offenders.

329.2 POLICY

It is the policy of the Urbana Police Department to identify and monitor registered offenders living within this jurisdiction and to take reasonable steps to address the risks those persons may pose.

329.3 REGISTRATION

The Criminal Investigation Division Supervisor shall establish a process to reasonably accommodate registration of certain offenders. The process should rebut any allegation on the part of the offender that the registration process was too confusing, burdensome, or difficult for compliance. If it is reasonable to do so, an investigator assigned to related investigations should conduct the registration in order to best evaluate any threat the person may pose to the community. Employees assigned to register offenders should receive appropriate training regarding the registration process.

Upon conclusion of the registration process, the investigator shall ensure that the registration information is provided to the Illinois State Police (ISP) and to the Illinois Attorney General (730 ILCS 150/3(a-10); 730 ILCS 150/8; 730 ILCS 154/45).

The refusal of a registrant to provide any of the required information or complete the process should initiate a criminal investigation for failure to register.

329.4 CONTENTS OF REGISTRATION

The Criminal Investigation Division Supervisor shall assign a Department employee to reasonably accommodate registration. The assigned employee will (730 ILCS 150/3; 730 ILCS 150/8; 730 ILCS 154/45):

- (a) Obtain proof of identity and residency.
- (b) Conduct a criminal history check.
- (c) Utilize the appropriate ISP Offender Registration Form to process registration and obtain the offender's signature on the completed form.
- (d) Photograph and fingerprint the individual.
- (e) Provide the offender with a registration receipt.
- (f) Enter registration information into Law Enforcement Agencies Database System (LEADS).

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329.5 MONITORING OF REGISTERED OFFENDERS

The Criminal Investigation Division Supervisor should establish a system to periodically, and at least once annually, verify that a registrant remains in compliance with his/her registration requirements after the initial registration. This verification should include:

- (a) Efforts to confirm residence by making personal contact with registered offender at their listed place of residence.
- (b) Review of information on the ISP website.
- (c) Contact with a registrant's parole or probation officer.

Any discrepancies should be reported to the assigned Criminal Investigation Division detective.

The Criminal Investigation Division Supervisor should also establish a procedure to routinely disseminate information regarding registered offenders to Urbana Police Department personnel, including timely updates regarding new or relocated registrants.

329.6 DISSEMINATION OF INFORMATION

Employees will not unilaterally make a public notification advising the community of a particular registrant's presence in the community. Employees who identify a significant risk or other public safety issue associated with a registrant should promptly advise their supervisor. The supervisor should evaluate the request and forward the information to the Chief of Police if warranted. A determination will be made by the Chief of Police, with the assistance of legal counsel as necessary, whether such a public alert should be made.

Members of the public requesting information on registrants should be directed to the [Illinois Sex Offender Information website](#).

The Police Services Supervisor shall release local registered offender information to residents in accordance with 730 ILCS 152/120 and in compliance with a Freedom of Information Act request.

329.6.1 RELEASE NOTIFICATIONS

Registrant information that is released should include notification that:

- (a) The offender registry includes only those persons who have been required by law to register and who are in compliance with the offender registration laws.
- (b) The information is provided as a public service and may not be current or accurate.
- (c) Persons should not rely solely on the offender registry as a safeguard against offenses in their communities.
- (d) The crime for which a person is convicted may not accurately reflect the level of risk.
- (e) Anyone who uses information contained in the registry to harass registrants or commit any crime may be subject to criminal prosecution.

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329.6.2 MANDATORY OFFENDER INFORMATION DISSEMINATION

Information on registered offenders shall be posted at department headquarters (730 ILCS 152/120; 730 ILCS 154/95) and must be made available for public inspection to any person, no later than 72 hours or three business days from the date of a request (730 ILCS 152/120; 730 ILCS 154/95).

Upon registration of a juvenile sex offender who is also enrolled in school, the department shall provide a copy of the sex offender registration form only to the principal or chief administrative officer of the school and any counselor designated by the chief administrative officer (730 ILCS 152/121).

Major Incident Notification

330.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of this department in determining when, how and to whom notification of major incidents should be made.

330.2 POLICY

The Urbana Police Department recognizes that certain incidents should be brought to the attention of supervisors or other specified personnel of this department to facilitate the coordination of activities and ensure that inquiries from the media and the public may be properly addressed.

330.3 MINIMUM CRITERIA FOR NOTIFICATION

Most situations where the media show a strong interest are also of interest to the Chief of Police and the affected Division Commander. The following list of incident types is provided as a guide for notification and is not intended to be all-inclusive:

- Homicides
- Traffic accidents with fatalities
- Officer-involved shooting - on or off duty (see Officer-Involved Shootings and Deaths Policy for special notifications)
- Significant injury or death to employee - on or off duty
- Death of a prominent Urbana official
- Arrest of Department employee or prominent Urbana official
- Aircraft crash with major damage and/or injury or death
- In-custody deaths

330.4 SHIFT SUPERVISOR RESPONSIBILITY

The Shift Supervisor is responsible for making the appropriate notifications. The Shift Supervisor shall make reasonable attempts to obtain as much information on the incident as possible before notification. The Shift Supervisor shall attempt to make the notifications as soon as practical. Notification should be made by calling the cellular number and or the home phone.

330.4.1 STAFF NOTIFICATION

In the event an incident occurs described in the Minimum Criteria for Notification Section of this policy, the affected Division Commander and the Detective Lieutenant shall be notified. They will be responsible to notify the Deputy Chief of Police and the Chief of Police.

330.4.2 DETECTIVE NOTIFICATION

If the incident requires that a detective respond from home, the Criminal Investigations Division Lieutenant or, if the CID Lt. is not available, the CID Sergeant shall be contacted who will then contact the appropriate detective.

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330.4.3 PUBLIC INFORMATION OFFICER (PIO)

The Public Information Officer shall be called after members of staff have been notified that it appears the media may have a significant interest in the incident.

Death Investigation

331.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for situations where officers initially respond to and investigate the circumstances of a deceased person.

Some causes of death may not be readily apparent and some cases differ substantially from what they appear to be initially. The thoroughness of death investigations and use of appropriate resources and evidence gathering techniques is critical.

331.2 INVESTIGATION CONSIDERATIONS

Emergency medical services shall be called in all suspected death cases unless death is obvious (e.g., decapitated, decomposed).

A supervisor shall be notified as soon as possible to assist and provide appropriate personnel and resources. The on-scene supervisor should determine whether follow-up investigation is required and notify the Criminal Investigations Division Commander as necessary. The Shift Supervisor will make notification to command staff in accordance with the Major Incident Notification Policy.

Only officers who have successfully completed the Illinois Law Enforcement Training and Standards Board (ILETSB) program in death and homicide investigations or who have been granted a waiver by the board shall be assigned as lead investigators on any death or homicide investigation (50 ILCS 705/10.11).

331.2.1 CORONER REQUEST

Officers are not authorized to pronounce death unless they are also Coroners, Deputy Coroners, or appointed Coroner investigators. The Coroner shall be called in all sudden or unexpected deaths or deaths due to other than natural causes. State law requires that the Coroner be notified in any of the following cases (55 ILCS 5/3-3013):

- (a) A sudden or violent death, whether apparently suicidal, homicidal, or accidental.
- (b) A death due to a sex crime.
- (c) A death where the circumstances are suspicious, obscure, mysterious, or otherwise unexplained or where, in the written opinion of the attending physician, the cause of death is not determined.
- (d) A death where addiction to alcohol or to any drug may have been a contributory cause.
- (e) A death where the decedent was not attended by a licensed physician.

The body shall not be disturbed or moved from the position or place of death without permission of the Coroner.

331.2.2 SEARCHING DEAD BODIES

- (a) The Coroner, their assistant, and authorized investigators are generally the only persons permitted to move, handle, or search a dead body.

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- (b) An officer may make a reasonable search of an individual who it is reasonable to believe is dead, or near death, for the purpose of identification or for information identifying the individual as an anatomical donor, with the permission of the Coroner (55 ILCS 5/3-3019). If a donor document is located, the Coroner or their assistant shall be promptly notified.
- (c) The Coroner, with the permission of the Department, may take property, objects, or articles found on the deceased or in the immediate vicinity of the deceased that may be necessary for conducting an investigation to determine the identity of the deceased or the cause or manner of death.
- (d) Should exigent circumstances indicate to an officer that any other search of a known dead body is warranted prior to the arrival of the Coroner or their assistant, the investigating officer should first obtain verbal consent from the Coroner or their assistant when practicable (55 ILCS 5/3-3019).
- (e) Whenever reasonably possible, a witness, preferably a relative to the deceased or a member of the household, should be requested to remain nearby the scene and available to the officer pending the arrival of the Coroner or their assistant. The name and address of this person shall be included in the narrative of the death report.
- (f) Whenever personal effects are removed from the body of the deceased by the Coroner or their assistant, a receipt shall be obtained. This receipt shall be attached to the death report.

331.2.3 SUSPECTED HOMICIDE

If the initially assigned officer suspects that the death involves a homicide or other suspicious circumstances, the officer shall take steps to protect the scene. The Criminal Investigation Division shall be notified to determine the possible need for an investigator to respond to the scene.

If the on-scene supervisor, through consultation with the Shift Supervisor or Criminal Investigation Division supervisor, is unable to determine the manner of death, the investigation shall proceed as though it is a homicide.

The investigator assigned to investigate a homicide or death that occurred under suspicious circumstances may, with the approval of their supervisor, request the Coroner to conduct physical examinations and tests, and to provide a report.

331.2.4 REPORTING

All incidents involving a death shall be documented on the appropriate form.

331.2.5 EMPLOYMENT-RELATED DEATHS OR INJURIES

Any member of this department who responds to and determines that a death, serious illness, or serious injury has occurred as a result of an accident at or in connection with the victim's employment should ensure that the regional Occupational Safety and Health Administration (OSHA) office is notified of all pertinent information.

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331.3 SPECIMEN SUBMISSION

As soon as possible, but no later than 30 days after receipt of any blood, buccal, or tissue specimen from the Coroner, the Criminal Investigations Division Commander shall ensure the specimen and department case number is submitted to an approved National DNA Index System (NDIS) participating laboratory within this state for analysis and categorizing into genetic marker groupings and that the results are submitted to the Illinois State Police (55 ILCS 5/3-3013).

331.4 UNUSED MEDICATIONS

On most occasions, the Coroner will collect any unused prescription medication at the scene. However, if an officer collects any unused prescription medication at the scene of a death investigation, the officer shall (210 ILCS 150/18(g)):

- (a) Document the number or amount of medication to be disposed of.
- (b) If the medication is collected as evidence, photograph the unused medication and its container or packaging, if available, and include the photograph and documentation with the report.

331.5 POLICY

It is the policy of the Urbana Police Department to respond, document, and investigate incidents where a person is deceased. Investigations involving the death of a person, including those from natural causes, accidents, workplace incidents, suicide, and homicide, shall be initiated, conducted, and properly documented.

331.6 IDENTIFICATION OF DECEASED PERSONS

The responsibility to make a final determination as to the identity of a deceased person lay solely with the coroner or their designee. However, members of the police department may assist a coroner's office with the process of identifying a deceased person. Until the coroner's office makes that final determination as to the identity of the decedent, members should not make definitive statements, either written or verbal, concerning the identity of a decedent.

It is recognized that the identification process of a decedent is individualized and will change from incident to incident. Members should gather information and share it with coroner's office personnel that may aid the process. Examples include, but are not limited to:

- Providing information based on first-hand, personal knowledge/contact with a decedent,
- Providing/comparing known photographs of a person to a decedent,
- Providing/comparing known scars/marks/tattoos of a person to a particular to decedent,
- Providing/comparing information from medical information to a decedent,
- Noting/collection of identification or paperwork containing personal identifying information (e.g. identification cards, passports, bills, leases, etc.)
- Collecting items that might lead to business records containing personal identifying information (e.g. a cellphone or vehicle registration),

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- Identifying persons that have first-hand, personal knowledge/contact with a decedent such as a close friend or family member
- Or other information that provides information as to potential the identity of a decedent.

331.7 DEATH NOTIFICATION

When reasonably practicable, and if not handled by the Coroner's Office, notification to the next-of-kin of the deceased person shall be made, in person, by the officer assigned to the incident. If the next-of-kin lives in another jurisdiction, a law enforcement official from that jurisdiction shall be requested to make the personal notification.

If a deceased person has been identified as a missing person, this department shall attempt to locate family members and inform them of the death and location of the deceased missing person's remains. All efforts to locate and notify family members shall be recorded in appropriate reports.

331.8 UNIDENTIFIED DEAD BODY

If the identity of a dead body cannot be established, the handling officer will request from the Coroner a unique identifying number for the body. The number shall be included in any report.

The assigned officer, as necessary, shall create an unidentified person record in the National Missing and Unidentified Persons System as required by law (50 ILCS 722/20).

The assigned officer, as necessary, shall contact the Illinois State Police (ISP), request the creation of a National Crime Information Center (NCIC) Unidentified Person record, and provide ISP with all initial and updated information needed for that record as required by law. The assigned officer will obtain the NCIC number from ISP and maintain it in the case file (50 ILCS 722/20).

Identity Theft

332.1 PURPOSE AND SCOPE

Identity theft is a growing trend that frequently involves related crimes in multiple jurisdictions. This policy is intended to provide guidelines for the reporting and investigation of such crimes.

332.2 REPORTING

- (a) In an effort to maintain uniformity in reporting, officers presented with the crime of identity theft shall initiate a report for victims residing within the jurisdiction of this department (720 ILCS 5/16-35). For incidents of identity theft occurring outside this jurisdiction, officers should observe the following:
 - 1. For any victim not residing within this jurisdiction, the officer may either take a courtesy report to be forwarded to the victim's residence agency or the victim should be encouraged to promptly report the identity theft to the law enforcement agency where he/she resides.
- (b) Officers should include all known incidents of fraudulent activity (e.g., credit card number applied for in victim's name when the victim has never made such an application).
- (c) Officers should also cross-reference all known reports made by the victim (e.g., U.S. Secret Service, credit reporting bureaus and U.S. Postal Service with all known report numbers).
- (d) Following supervisory review and departmental processing, the initial report should be forwarded to the appropriate detective for follow up investigation, coordination with other agencies and prosecution as circumstances dictate.

332.3 VICTIM ASSISTANCE

- (a) Officers should advise all victims of identity theft to log on to the Attorney General's identity theft website and seek information through their resource guide.
- (b) In a case where another person has been arrested, cited or charged in the victim's name, where a criminal complaint was filed against a perpetrator in the victim's name, or where the victim's name has been mistakenly associated with a criminal conviction, the reporting officer should inform the victim of identity theft of his/her right to obtain an expedited judicial determination of factual innocence (720 ILCS 5/16-35(b)).

Limited English Proficiency

333.1 PURPOSE AND SCOPE

This policy provides guidance to members when communicating with individuals with limited English proficiency (LEP) (42 USC § 2000d).

333.1.1 DEFINITIONS

Definitions related to this policy include:

Authorized interpreter - A person who has been screened and authorized by the Department to act as an interpreter and/or translator for others.

Interpret or interpretation - The act of listening to a communication in one language (source language) and orally converting it to another language (target language), while retaining the same meaning.

Limited English proficient (LEP) - Any individual whose primary language is not English and who has a limited ability to read, write, speak or understand English. These individuals may be competent in certain types of communication (e.g., speaking or understanding) but still be LEP for other purposes (e.g., reading or writing). Similarly, LEP designations are context-specific; an individual may possess sufficient English language skills to function in one setting but these skills may be insufficient in other situations.

Qualified bilingual member - A member of the Urbana Police Department, designated by the Department, who has the ability to communicate fluently, directly and accurately in both English and another language. Bilingual members may be fluent enough to communicate in a non-English language but may not be sufficiently fluent to interpret or translate from one language into another.

Translate or translation - The replacement of written text from one language (source language) into an equivalent written text (target language).

333.2 POLICY

It is the policy of the Urbana Police Department to reasonably ensure that LEP individuals have meaningful access to law enforcement services, programs and activities, while not imposing undue burdens on its members.

The Department will not discriminate against or deny any individual access to services, rights or programs based upon national origin or any other protected interest or right.

333.3 LEP COORDINATOR

Depending on the balance of the below four factors, this department will make every reasonable effort to provide meaningful and timely assistance to LEP individuals through a variety of services, where available. LEP individuals may elect to accept interpreter services offered by the Department at no cost or choose to provide their own interpreter services at their own expense. Department personnel should document in any related report whether the LEP individual elected to

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use interpreter services provided by the Department or some other source. Department-provided interpreter services may include, but are not limited to, the assistance methods described below.

333.3.1 TELEPHONE INTERPRETER SERVICES

Officers who need interpreter services will ask METCAD who will contact the language line and ask for assistance.

333.4 FOUR-FACTOR ANALYSIS

Since there are many different languages that members could encounter, the Department will utilize the four-factor analysis outlined in the U.S. Department of Justice (DOJ) Guidance to Federal Financial Assistance Recipients, available at the DOJ website, to determine which measures will provide meaningful access to its services and programs. It is recognized that law enforcement contacts and circumstances will vary considerably. This analysis, therefore, must remain flexible and will require an ongoing balance of four factors, which are:

- (a) The number or proportion of LEP individuals eligible to be served or likely to be encountered by department members, or who may benefit from programs or services within the jurisdiction of the Department or a particular geographic area.
- (b) The frequency with which LEP individuals are likely to come in contact with department members, programs or services.
- (c) The nature and importance of the contact, program, information or service provided.
- (d) The cost of providing LEP assistance and the resources available.

www.nrcs.usda.gov/wps/portal/nrcs/detailfull/national/about/civilrights/?cid=stelprbd1261331

333.5 TYPES OF LEP ASSISTANCE AVAILABLE

Urbana Police Department members should never refuse service to an LEP individual who is requesting assistance, nor should they require an LEP individual to furnish an interpreter as a condition for receiving assistance. The Department will make every reasonable effort to provide meaningful and timely assistance to LEP individuals through a variety of services.

The Department will utilize all reasonably available tools, such as technologically based resources like computers or phones, when attempting to determine an LEP individual's primary language.

LEP individuals may choose to accept department-provided LEP services at no cost or they may choose to provide their own.

Department-provided LEP services may include, but are not limited to, the assistance methods described in this policy.

333.6 WRITTEN FORMS AND GUIDELINES

Vital documents or those that are frequently used should be translated into languages most likely to be encountered. The LEP Coordinator will arrange to make these translated documents available to members and other appropriate individuals, as necessary.

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333.7 AUDIO RECORDINGS

The Department may develop audio recordings of important or frequently requested information in a language most likely to be understood by those LEP individuals who are representative of the community being served.

333.8 QUALIFIED BILINGUAL MEMBERS

Bilingual members may be qualified to provide LEP services when they have demonstrated through established department procedures a sufficient level of skill and competence to fluently communicate in both English and a non-English language. Members utilized for LEP services must demonstrate knowledge of the functions of an interpreter/translator and the ethical issues involved when acting as a language conduit. Additionally, bilingual members must be able to communicate technical and law enforcement terminology, and be sufficiently proficient in the non-English language to perform complicated tasks, such as conducting interrogations, taking statements, collecting evidence or conveying rights or responsibilities.

When a qualified bilingual member from this department is not available, personnel from other City departments, who have been identified by the Department as having the requisite skills and competence, may be requested.

The Urbana Police Department may utilize an officer for interpretation who has demonstrated, through successful foreign language training of practical application, the ability to communicate in a foreign language but is not necessarily fluent. These officers, who are limited in their ability, should only be utilized when a fluent speaker is not reasonably available. It will be the responsibility of the translating officer to notify the requesting officer or supervisor when they have reached their limitations.

333.9 AUTHORIZED INTERPRETERS

Any person designated by the Department to act as an authorized interpreter and/or translator must have demonstrated competence in both English and the involved non-English language, must have an understanding of the functions of an interpreter that allows for correct and effective translation, and should not be a person with an interest in the department case or investigation involving the LEP individual. A person providing interpretation or translation services may be required to establish the accuracy and trustworthiness of the interpretation or translation in a court proceeding.

Authorized interpreters must pass a screening process established by the LEP Coordinator which demonstrates that their skills and abilities include:

- (a) The competence and ability to communicate information accurately in both English and in the target language.
- (b) Knowledge, in both languages, of any specialized terms or concepts peculiar to this department and of any particularized vocabulary or phraseology used by the LEP individual.

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- (c) The ability to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.
- (d) Knowledge of the ethical issues involved when acting as a language conduit.

333.9.1 SOURCES OF AUTHORIZED INTERPRETERS

The Department may contract with authorized interpreters who are available over the telephone. Members may use these services with the approval of a supervisor and in compliance with established procedures.

Other sources may include:

- Qualified bilingual members of this department or personnel from other City departments.
- Individuals employed exclusively to perform interpretation services.
- Contracted in-person interpreters, such as state or federal court interpreters, among others.
- Interpreters from other agencies who have been qualified as interpreters by this department, and with whom the Department has a resource-sharing or other arrangement that they will interpret according to department guidelines.

333.9.2 COMMUNITY VOLUNTEERS AND OTHER SOURCES OF LANGUAGE ASSISTANCE

Language assistance may be available from community volunteers who have demonstrated competence in either monolingual (direct) communication and/or in interpretation or translation (as noted in above), and have been approved by the Department to communicate with LEP individuals.

Where qualified bilingual members or other authorized interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, department members must carefully consider the nature of the contact and the relationship between the LEP individual and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

While family or friends of an LEP individual may offer to assist with communication or interpretation, members should carefully consider the circumstances before relying on such individuals. For example, children should not be relied upon except in exigent or very informal and non-confrontational situations.

333.10 CONTACT AND REPORTING

While all law enforcement contacts, services and individual rights are important, this department will utilize the four-factor analysis to prioritize service to LEP individuals so that such services may be targeted where they are most needed, according to the nature and importance of the particular law enforcement activity involved.

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Whenever any member of this department is required to complete a report or other documentation and interpretation services are provided to any involved LEP individual, such services should be noted in the related report. Members should document the type of interpretation services utilized and whether the individual elected to use services provided by the Department or some other identified source.

Officers may use personal communication devices to aid in communication or translation, but should document all applicable communication while completing their incident report. This documentation should include spoken translation recorded on the body worn or in car camera system or screen shots or photos of conversations that were recorded in written form on an electronic device that cannot be captured on an officers BWC or in-car camera system.

333.11 FIELD ENFORCEMENT

Members and/or supervisors must assess each situation to determine the need and availability of language assistance to all involved LEP individuals and utilize the methods outlined in this policy to provide such assistance.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action. For example, it would be meaningless to request consent to search if the officer is unable to effectively communicate with an LEP individual.

Officers should obtain the assistance of a qualified bilingual member or an authorized interpreter, when deemed necessary, before placing an LEP individual under arrest.

333.12 INVESTIGATIVE FIELD INTERVIEWS

In any situation where an interview may reveal information that could be used as the basis for arrest or prosecution of an LEP individual and a qualified bilingual member is unavailable or lacks the skills to directly communicate with the LEP individual, an authorized interpreter should be used. This includes interviews conducted during an investigation with victims, witnesses and suspects. In such situations, audio recordings of the interviews should be made when reasonably possible. Identification and contact information for the interpreter (e.g., name, address) should be documented so that the person can be subpoenaed for trial if necessary.

If an authorized interpreter is needed, officers should consider calling for an authorized interpreter in the following order:

- An authorized department member or allied agency interpreter
- An authorized telephone interpreter
- Any other authorized interpreter

Any *Miranda* warnings shall be provided to LEP suspects in their primary language by an authorized interpreter or, if the suspect is literate, by providing a translated *Miranda* warning card.

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The use of an LEP individual's bilingual friends, family members, children, neighbors or bystanders may be used only when a qualified bilingual member or authorized interpreter is unavailable and there is an immediate need to interview an LEP individual.

333.13 CUSTODIAL INTERROGATIONS

Miscommunication during custodial interrogations may have a substantial impact on the evidence presented in a criminal prosecution. Only qualified bilingual members or, if none is available or appropriate, authorized interpreters shall be used during custodial interrogations. *Miranda* warnings shall be provided to suspects in their primary language by the qualified bilingual member or an authorized interpreter.

In order to ensure that translations during custodial interrogations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

333.14 COMPLAINTS

The Department shall ensure that LEP individuals who wish to file a complaint regarding members of this department are able to do so. The Department may provide an authorized interpreter or translated forms, as appropriate.

333.15 COMMUNITY OUTREACH

Community outreach programs and other such services offered by this department are important to the ultimate success of more traditional law enforcement duties. This department will continue to work with community groups, local businesses and neighborhoods to provide equal access to such programs and services.

Communications with Persons with Disabilities

334.1 PURPOSE AND SCOPE

This policy provides guidance to members when communicating with individuals with disabilities, including those who are deaf or hard of hearing, have impaired speech or vision, or are blind.

334.1.1 DEFINITIONS

Definitions related to this policy include:

Auxiliary aids - Tools used to communicate with people who have a disability or impairment. They include, but are not limited to, the use of gestures or visual aids to supplement oral communication; a notepad and pen or pencil to exchange written notes; a computer or typewriter; an assistive listening system or device to amplify sound; a teletypewriter (TTY) or videophones (video relay service or VRS); taped text; qualified readers; or a qualified interpreter.

Disability or impairment - A physical or mental impairment that substantially limits a major life activity, including hearing or seeing, regardless of whether the disabled person uses assistive or adaptive devices or auxiliary aids. Individuals who wear ordinary eyeglasses or contact lenses are not considered to have a disability (42 USC § 12102).

Qualified interpreter - A person who is able to interpret effectively, accurately and impartially, both receptively and expressively, using any necessary specialized vocabulary. Qualified interpreters include oral interpreters, transliterators, sign language interpreters and intermediary interpreters. Qualified interpreters shall have a valid Illinois license to practice interpreting for the deaf (225 ILCS 443/15), unless they are exempt under 225 ILCS 443/25.

334.2 POLICY

It is the policy of the Urbana Police Department to reasonably ensure that people with disabilities, including victims, witnesses, suspects and arrestees have equal access to law enforcement services, programs and activities. Members must make efforts to communicate effectively with individuals with disabilities.

The Department will not discriminate against or deny any individual access to services, rights or programs based upon disabilities.

334.3 ASSISTING PERSONS WITH DISABILITIES

Depending on the balance of the factors available for consideration at the time, this department will make every reasonable effort to provide meaningful and timely assistance to disabled individuals through a variety of services, where available. Disabled individuals may elect to accept such assistance at no cost, choose to provide their own communication services at their own expense or any combination thereof. In any situation, the individual's expressed choice of communication method shall be given primary consideration and honored unless the employee can adequately demonstrate that another effective method of communication exists under the circumstances.

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Officers should document the type of communication utilized in any related report and whether a disabled or impaired individual elected to use services provided by the Department or some other identified source.

334.4 FACTORS TO CONSIDER

Because the nature of any law enforcement contact may vary substantially from one situation to the next, members of this department should consider all information reasonably available to them when determining how to communicate with an individual with a disability. Members should carefully balance all known factors in an effort to reasonably ensure people who are disabled have equal access to services, programs and activities. These factors may include, but are not limited to:

- (a) Members should not always assume that effective communication is being achieved. The fact that an individual appears to be nodding in agreement does not always mean he/she completely understands the message. When there is any doubt, members should ask the individual to communicate back or otherwise demonstrate their understanding.
- (b) The nature of the disability (e.g., deafness or blindness vs. hard of hearing or low vision).
- (c) The nature of the law enforcement contact (e.g., emergency vs. non-emergency, custodial vs. consensual contact).
- (d) The availability of auxiliary aids. The fact that a particular aid is not available does not eliminate the obligation to reasonably ensure access. However, in an emergency, availability may factor into the type of aid used.

334.4.1 RECEIVING AND RESPONDING TO REQUESTS FOR ASSISTANCE

In order to provide disabled and impaired individuals with meaningful access to law enforcement services when they are victims of, or witnesses to, alleged criminal activity or other emergencies, this department has designated its METCAD 911 lines as its top priority for assistance with such services. Department personnel will make every reasonable effort to promptly accommodate such disabled and impaired individuals utilizing 911 lines through any or all of the above resources.

While 911 calls shall receive top priority, it is also important that reasonable efforts be made to accommodate disabled and impaired individuals seeking more routine access to services and information from this department.

334.4.2 CUSTODIAL SITUATIONS

In an effort to ensure the rights of all disabled and impaired individuals are protected during arrest and custodial interrogation, this department places a high priority on providing reasonable communication assistance during such situations. It is further recognized that miscommunication during custodial interrogations may have a substantial impact on the evidence presented in any related criminal prosecution. As such, department personnel providing communication assistance

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in these situations will make every reasonable effort to accurately and effectively communicate with disabled or impaired individuals.

Employees providing such assistance shall also be aware of the inherent communication impediments to gathering information from disabled or impaired individuals throughout any situation in which a disabled or impaired individual is within the control of department personnel. Therefore, it is important for this department to make every reasonable effort to provide effective communication assistance.

- (a) Individuals who require communication aids (e.g., hearing aids) should be permitted to retain such devices while in custody.
- (b) While it may present officer safety or other logistical problems to allow a physically disabled individual to retain devices such as a wheel chair or crutches during a custodial situation, the removal of such items will require that other reasonable accommodations be made to assist such individuals with access to all necessary services.
- (c) Whenever a deaf or hearing impaired individual is detained or arrested and placed in handcuffs, officers should consider, safety permitting, placing the handcuffs in front of the body in order to allow the individual to sign or write notes.

334.5 INITIAL AND IMMEDIATE CONSIDERATIONS

Recognizing that various law enforcement encounters may be potentially volatile and/or emotionally charged, members should remain alert to the possibility of communication problems.

Members should exercise special care in the use of all gestures, and verbal and written communication to minimize initial confusion and misunderstanding when dealing with any individual with known or suspected disabilities.

In a non-emergency situation, when a member knows or suspects an individual requires assistance to effectively communicate, the member shall identify the individual's choice of auxiliary aid or service.

The individual's preferred communication method must be honored unless another effective method of communication exists under the circumstances (28 CFR 35.160).

Factors to consider when determining whether an alternative method is effective include:

- (a) The methods of communication usually used by the individual.
- (b) The nature, length and complexity of the communication involved.
- (c) The context of the communication.

In emergency situations involving an imminent threat to the safety or welfare of any person, members may use whatever auxiliary aids and services that reasonably appear effective under the circumstances. This may include, for example, exchanging written notes or using the services of a person who knows sign language but is not a qualified interpreter, even if the person who is deaf or hard of hearing would prefer a qualified sign language interpreter or another appropriate

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auxiliary aid or service. Once the emergency has ended, the continued method of communication should be reconsidered. The member should inquire as to the individual's preference and give primary consideration to that preference.

If an individual who is deaf, hard of hearing or has impaired speech must be handcuffed while in the custody of the Urbana Police Department, consideration should be given, safety permitting, to placing the handcuffs in the front of the body to facilitate communication using sign language or writing.

334.6 TYPES OF ASSISTANCE AVAILABLE

Urbana Police Department members shall never refuse to assist an individual with disabilities who is requesting assistance. The Department will not charge anyone to receive auxiliary aids, nor shall they require anyone to furnish their own auxiliary aid or service as a condition for receiving assistance. The Department will make every reasonable effort to provide equal access and timely assistance to individuals who are disabled through a variety of services.

A person who is disabled may choose to accept department-provided auxiliary aids or services or they may choose to provide their own.

Department-provided auxiliary aids or services may include, but are not limited to, the assistance methods described in this policy.

334.7 AUDIO RECORDINGS AND ENLARGED PRINT

The Department may develop audio recordings to assist people who are blind or have a visual impairment with accessing important information. If such a recording is not available, members may read aloud from the appropriate form, for example a personnel complaint form, or provide forms with enlarged print.

334.8 QUALIFIED INTERPRETERS

A qualified interpreter may be needed in lengthy or complex transactions (e.g., interviewing a victim, witness, suspect or arrestee), if the individual to be interviewed normally relies on sign language or speech reading (lip-reading) to understand what others are saying. The qualified interpreter should not be a person with an interest in the case or the investigation. A person providing interpretation services may be required to establish the accuracy and trustworthiness of the interpretation in a court proceeding.

Qualified interpreters should be:

- (a) Available within a reasonable amount of time but in no event longer than one hour if requested.
- (b) Experienced in providing interpretation services related to law enforcement matters.
- (c) Familiar with the use of VRS and/or video remote interpreting services.
- (d) Certified in either American Sign Language (ASL) or Signed English (SE).

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- (e) Able to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.
- (f) Knowledgeable of the ethical issues involved when providing interpreter services.

Members should use department-approved procedures to request a qualified interpreter at the earliest reasonable opportunity, and generally not more than 15 minutes after a request for an interpreter has been made or it is reasonably apparent that an interpreter is needed. No individual who is disabled shall be required to provide his/her own interpreter (28 CFR 35.160).

334.9 TTY AND RELAY SERVICES

In situations where an individual without a disability would have access to a telephone (e.g., booking or attorney contacts), members must also provide those who are deaf, hard of hearing or have impaired speech the opportunity to place calls using an available TTY (also known as a telecommunications device for deaf people, or TDD). Members shall provide additional time, as needed, for effective communication due to the slower nature of TTY and TDD communications.

The Department will accept all TTY or TDD calls placed by those who are deaf or hard of hearing and received via a telecommunications relay service (28 CFR 35.162).

Note that relay services translate verbatim, so the conversation must be conducted as if speaking directly to the caller.

334.10 COMMUNITY VOLUNTEERS

Interpreter services may be available from community volunteers who have demonstrated competence in communication services, such as ASL or SE, and have been approved by the Department to provide interpreter services.

Where qualified interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, department members must carefully consider the nature of the contact and the relationship between the individual with the disability and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

334.11 FAMILY AND FRIENDS

While family or friends may offer to assist with interpretation, members should carefully consider the circumstances before relying on such individuals. The nature of the contact and relationship between the individual with the disability and the person offering services must be carefully considered (e.g., victim/suspect).

Children shall not be relied upon except in emergency or critical situations when there is no qualified interpreter reasonably available.

Adults may be relied upon when (28 CFR 35.160):

- (a) There is an emergency or critical situation and there is no qualified interpreter reasonably available.

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- (b) The person with the disability requests that the adult interpret or facilitate communication and the adult agrees to provide such assistance, and reliance on that adult for such assistance is reasonable under the circumstances.

334.12 REPORTING

Whenever any member of this department is required to complete a report or other documentation, and communication assistance has been provided, such services should be noted in the related report. Members should document the type of communication services utilized and whether the individual elected to use services provided by the Department or some other identified source. If the individual's express preference is not honored, the member must document why another method of communication was used.

All written communications exchanged in a criminal case shall be attached to the report or placed into evidence.

334.13 FIELD ENFORCEMENT

Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve individuals with disabilities. The scope and nature of these activities and contacts will inevitably vary.

The Department recognizes that it would be virtually impossible to provide immediate access to complete communication services to every member of this department. Members and/or supervisors must assess each situation and consider the length, complexity and importance of the communication, as well as the individual's preferred method of communication, when determining the type of resources to use and whether a qualified interpreter is needed.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action. For example, it would be meaningless to verbally request consent to search if the officer is unable to effectively communicate with an individual who is deaf or hard of hearing and requires communications assistance.

If available, officers should obtain the assistance of a qualified interpreter before placing an individual with a disability under arrest. Individuals who are arrested and are assisted by service animals should be permitted to make arrangements for the care of such animals prior to transport.

334.13.1 FIELD RESOURCES

Examples of methods that may be sufficient for transactions, such as checking a license or giving directions to a location or for urgent situations such as responding to a violent crime in progress, may, depending on the circumstances, include such simple things as:

- (a) Hand gestures or visual aids with an individual who is deaf, hard of hearing or has impaired speech.
- (b) Exchange of written notes or communications.

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- (c) Verbal communication with an individual who can speechread by facing the individual and speaking slowly and clearly.
- (d) Use of computer, word processing, personal communication device or similar device to exchange texts or notes.
- (e) Slowly and clearly speaking or reading simple terms to individuals who have a visual or mental impairment.

Members should be aware that these techniques may not provide effective communication as required by law and this policy depending on the circumstances.

334.14 CUSTODIAL INTERROGATIONS

In an effort to ensure that the rights of individuals who are deaf, hard of hearing or have speech impairment are protected during a custodial interrogation, this department will provide interpreter services before beginning an interrogation, unless exigent circumstances exist or the individual has made a clear indication that he/she understands the process and desires to proceed without an interpreter. The use of a video remote interpreting service should be considered, where appropriate, if a live interpreter is not available. *Miranda* warnings shall be provided to suspects who are deaf or hard of hearing by a qualified interpreter or by providing a written *Miranda* warning card.

In order to ensure that communications during custodial investigations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

334.15 ARRESTS AND BOOKINGS

If an individual with speech or hearing disabilities is arrested, the arresting officer shall use department-approved procedures to provide a qualified interpreter at the place of arrest or booking as soon as reasonably practicable, unless the individual indicates that he/she prefers a different auxiliary aid or service or the officer reasonably determines another effective method of communication exists under the circumstances.

When gathering information during the booking process, members should remain alert to the impediments that often exist when communicating with those who are deaf, hard of hearing, who have impaired speech or vision, are blind, or have other disabilities. In the interest of the arrestee's health and welfare, the safety and security of the facility and to protect individual rights, it is important that accurate medical screening and booking information be obtained. If necessary, members should seek the assistance of a qualified interpreter whenever there is concern that accurate information cannot be obtained or that booking instructions may not be properly understood by the individual.

Individuals who require and possess personally owned communication aids (e.g., hearing aids, cochlear processors) should be permitted to retain them while in custody.

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334.16 COMPLAINTS

The Department shall ensure that individuals with disabilities who wish to file a complaint regarding members of this department are able to do so. The Department may provide a qualified interpreter or forms in enlarged print, as appropriate. Complaints will be referred to the department ADA Coordinator.

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. Qualified interpreters used during the investigation of a complaint should not be members of this Department.

334.17 COMMUNITY OUTREACH

Community outreach programs and other such services offered by this department are important to the ultimate success of more traditional law enforcement duties. This department will continue to work with community groups, local businesses and neighborhoods to provide equal access to such programs and services.

Chaplains

335.1 PURPOSE AND SCOPE

This policy establishes the guidelines for Urbana Police Department chaplains to provide counseling and emotional support to members of the Department, their families and members of the public.

335.2 POLICY

The Urbana Police Department shall ensure that department chaplains are properly appointed, trained and supervised to carry out their responsibilities without financial compensation.

335.3 ELIGIBILITY

Requirements for participation as a chaplain for the Department may include, but are not limited to:

- (a) Being above reproach, temperate, prudent, respectable, hospitable, able to teach, be free from addiction to alcohol or other drugs, and excessive debt.
- (b) Managing their households, families and personal affairs well.
- (c) Having a good reputation in the community.
- (d) Successful completion of an appropriate-level background investigation.
- (e) A minimum of five years of successful counseling experience.
- (f) Possession of a valid driver's license.

The Chief of Police may apply exceptions for eligibility based on organizational needs and the qualifications of the individual.

335.4 RECRUITMENT, SELECTION AND APPOINTMENT

The Urbana Police Department shall endeavor to recruit and appoint only those applicants who meet the high ethical, moral, and professional standards set forth by this department.

335.4.1 RECRUITMENT

Chaplains should be recruited on a continuous and ongoing basis consistent with department policy on equal opportunity and nondiscriminatory employment. A primary qualification for participation in the application process should be an interest in and an ability to assist the Department in serving the public. Chaplain candidates are encouraged to participate in ride-alongs with department members before and during the selection process.

335.4.2 SELECTION AND APPOINTMENT

Chaplains are volunteers and serve at the discretion of the Chief of Police. Chaplains shall have no property interest in continued appointment. However, if a chaplain is removed for alleged misconduct, the chaplain will be afforded an opportunity solely to clear their name through a liberty interest hearing, which shall be limited to a single appearance before the Chief of Police or the authorized designee.

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335.5 IDENTIFICATION AND UNIFORMS

As representatives of the Department, chaplains are responsible for presenting a professional image to the community. Chaplains shall dress appropriately for the conditions and performance of their duties. Uniforms and necessary safety equipment will be provided for each chaplain. Identification symbols worn by chaplains shall be different and distinct from those worn by officers through the inclusion of "Chaplain" on the uniform and not reflect any religious affiliation.

Chaplains will be issued Urbana Police Department identification cards, which must be carried at all times while on-duty. The identification cards will be the standard Urbana Police Department identification cards, with the exception that "Chaplain" will be indicated on the cards. Chaplains shall be required to return any issued uniforms or department property at the termination of service.

Chaplains shall conform to all uniform regulations and appearance standards of this department.

335.6 DUTIES AND RESPONSIBILITIES

Chaplains assist the Department, its members and the community, as needed. Assignments of chaplains will usually be to augment the Patrol Division. Chaplains may be assigned to other areas within the Department as needed. Chaplains should be placed only in assignments or programs that are consistent with their knowledge, skills, abilities and the needs of the Department.

All chaplains will be assigned to duties by the chaplain coordinator or the authorized designee.

Chaplains may not proselytize or attempt to recruit members of the Department or the public into a religious affiliation while representing themselves as chaplains with this department. If there is any question as to the receiving person's intent, chaplains should verify that the person is desirous of spiritual counseling or guidance before engaging in such discussion.

Chaplains may not accept gratuities for any service or any subsequent actions or follow-up contacts that were provided while functioning as a chaplain for the Urbana Police Department.

335.6.1 COMPLIANCE

Chaplains are volunteer members of this department, and except as otherwise specified within this policy, are required to comply with the Volunteer Program Policy and other applicable policies.

335.6.2 ASSISTING DEPARTMENT MEMBERS

The responsibilities of a chaplain related to department members include, but are not limited to:

- (a) Assisting in making notification to families of members who have been seriously injured or killed and, after notification, responding to the hospital or home of the member.
- (b) Visiting sick or injured members in the hospital or at home.
- (c) Attending and participating, when requested, in funerals of active or retired members.
- (d) Serving as a resource for members when dealing with the public in incidents, such as accidental deaths, suicides, suicidal subjects, serious accidents, drug and alcohol abuse and other such situations that may arise.
- (e) Providing counseling and support for members and their families.

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- (f) Being alert to the needs of members and their families.

335.6.3 ASSISTING THE DEPARTMENT

The responsibilities of a chaplain related to this department include, but are not limited to:

- (a) Assisting members in the diffusion of a conflict or incident, when requested.
- (b) Responding to natural and accidental deaths, suicides and attempted suicides, family disturbances and any other incident that in the judgment of the Shift Supervisor or supervisor aids in accomplishing the mission of the Department.
- (c) Responding to all major disasters, such as natural disasters, bombings and similar critical incidents.
- (d) Being on-call and, if possible, on-duty during major demonstrations or any public function that requires the presence of a large number of department members.
- (e) Attending department and academy graduations, ceremonies and social events and offering invocations and benedictions, as requested.
- (f) Participating in in-service training classes.
- (g) Willingness to train others to enhance the effectiveness of the Department.

335.6.4 ASSISTING THE COMMUNITY

The duties of a chaplain related to the community include, but are not limited to:

- (a) Fostering familiarity with the role of law enforcement in the community.
- (b) Providing an additional link between the community, other chaplain coordinators and the Department.
- (c) Providing liaison with various civic, business and religious organizations.
- (d) Promptly facilitating requests for representatives or leaders of various denominations.
- (e) Assisting the community in any other function as needed or requested.
- (f) Making referrals in cases where specialized attention is needed or in cases that are beyond the chaplain's ability to assist.

335.7 PRIVILEGED COMMUNICATIONS

No person who provides chaplain services to members of the Department may work or volunteer for the Urbana Police Department in any capacity other than that of chaplain.

Department chaplains shall be familiar with state evidentiary laws and rules pertaining to the limits of the clergy-penitent, psychotherapist-patient and other potentially applicable privileges and shall inform members when it appears reasonably likely that the member is discussing matters that are not subject to privileged communications. In such cases, the chaplain should consider referring the member to a non-department counseling resource.

No chaplain shall provide counsel to or receive confidential communications from any Urbana Police Department member concerning an incident personally witnessed by the chaplain or concerning an incident involving the chaplain.

Child and Dependent Adult Safety

336.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that children and dependent adults are not left without appropriate care in the event their caregiver or guardian is arrested or otherwise prevented from providing care due to actions taken by members of this department.

This policy does not address the actions to be taken during the course of a child abuse or dependent adult investigation. These are covered in the Child Abuse and Adult Abuse policies.

336.2 POLICY

It is the policy of this department to mitigate, to the extent reasonably possible, the stressful experience individuals may have when their parent or caregiver is arrested. The Urbana Police Department will endeavor to create a strong cooperative relationship with local, state and community-based social services to ensure an effective, collaborative response that addresses the needs of those affected, including call-out availability and follow-up responsibilities.

336.3 PROCEDURES DURING AN ARREST

When encountering an arrest or prolonged detention situation, the officers should make reasonable attempts to determine if the arrestee is responsible for children or dependent adults. In some cases this may be obvious, such as when children or dependent adults are present. However, officers should inquire if the arrestee has caregiver responsibilities for any children or dependent adults who are without appropriate supervision. The following steps should be taken:

- (a) Inquire about and confirm the location of any children or dependent adults.
- (b) Look for evidence of children and dependent adults. Officers should be mindful that some arrestees may conceal the fact that they have a dependent for fear the individual may be taken from them.
- (c) Consider inquiring of witnesses, neighbors, friends and relatives of the arrestee as to whether the person is responsible for a child or dependent adult.

The officer shall assist the arrestee in the placement of the children or dependent adult with a relative or other responsible person designated by the arrestee. If the officer has reasonable cause to believe that a child may be a neglected child as defined in the Abused and Neglected Child Reporting Act, he/she shall report it immediately to the Department of Children and Family Services (725 ILCS 5/107-2(2)).

Whenever reasonably possible, officers should take reasonable steps to accomplish the arrest of a parent, guardian or caregiver out of the presence of his/her child or dependent adult. Removing children or dependent adults from the scene in advance of the arrest will generally ensure the best outcome for the individual.

Whenever it is safe to do so, officers should allow the parent or caregiver to assure children or dependent adults that they will be provided care. If this is not safe or if the demeanor of the parent

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or caregiver suggests this conversation would be non-productive, the officer at the scene should explain the reason for the arrest in age-appropriate language and offer reassurance to the child or dependent adult that he/she will receive appropriate care.

336.3.1 AFTER AN ARREST

Whenever an arrest is made, the officer should take all reasonable steps to ensure the safety of the arrestee's disclosed or discovered children or dependent adults.

Officers should allow the arrestee reasonable time to arrange for care of children and dependent adults. Temporary placement with family or friends may be appropriate. However, any decision should give priority to a care solution that is in the best interest of the child or dependent adult. In such cases the following guidelines should be followed:

- (a) Allow the person reasonable time to arrange for the care of children and dependent adults with a responsible party, as appropriate.
 - 1. Officers should consider allowing the person to use his/her cell phone to facilitate arrangements through access to contact phone numbers, and to lessen the likelihood of call screening by the recipients due to calls from unknown sources.
- (b) Unless there is evidence to the contrary (e.g., signs of abuse, drug use, unsafe environment), officers should respect the parent or caregiver's judgment regarding arrangements for care. It is generally best if the child or dependent adult remains with relatives or family friends that he/she knows and trusts because familiarity with surroundings and consideration for comfort, emotional state and safety are important.
 - 1. Except when a court order exists limiting contact, the officer should attempt to locate and place children or dependent adults with the non-arrested parent, guardian or caregiver.
- (c) Provide for the immediate supervision of children or dependent adults until an appropriate caregiver arrives.
- (d) Notify the Illinois Department of Children and Family Services, if appropriate.
- (e) Notify the field supervisor or Shift Supervisor of the disposition of children or dependent adults.

If children or dependent adults are at school or another known location outside the household at the time of arrest, the arresting officer should attempt to contact the school or other known location and inform the principal or appropriate responsible adult of the caregiver's arrest and of the arrangements being made for the care of the arrestee's dependent. The result of such actions should be documented in the associated report.

336.3.2 REPORTING

- (a) For all arrests where children are present or living in the household, the reporting employee will document the following information:

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1. Name
 2. Sex
 3. Age
 4. Special needs (e.g., medical, mental health)
 5. How, where and with whom or which agency the child was placed
 6. Identities and contact information for other potential caregivers
 7. Notifications made to other adults (e.g., schools, relatives)
- (b) For all arrests where dependent adults are present or living in the household, the reporting employee will document the following information:
1. Name
 2. Sex
 3. Age
 4. Whether he/she reasonably appears able to care for him/herself
 5. Disposition or placement information if he/she is unable to care for him/herself

336.3.3 SUPPORT AND COUNSELING REFERRAL

If, in the judgment of the handling officers, the child or dependent adult would benefit from additional assistance, such as counseling services, contact with a victim advocate or a crisis telephone number, the appropriate referral information may be provided.

336.4 DEPENDENT WELFARE SERVICES

Whenever an arrestee is unwilling or incapable of arranging for the appropriate care of any child or dependent adult, the handling officer should contact the appropriate welfare service or other department-approved social service to determine whether protective custody is appropriate.

Only when other reasonable options are exhausted should a child or dependent adult be transported to the police facility, transported in a marked patrol car or taken into formal protective custody.

Under no circumstances should a child or dependent adult be left unattended or without appropriate care.

Service Animals

337.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to ensure that the rights of individuals who use service animals to assist with disabilities are protected in accordance with Title II of the Americans with Disabilities Act (ADA).

337.1.1 DEFINITIONS

Definitions related to this policy include:

Service animal - A dog that is trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a service animal must be directly related to the individual's disability (28 CFR 35.104).

Service animal also includes a miniature horse if the horse is trained to do work or perform tasks for people with disabilities, provided the horse is housebroken, the horse is under the handler's control, the facility can accommodate the horse's type, size and weight, and the horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility (28 CFR 35.136(i); 720 ILCS 5/48-8).

Service animal also includes any animal that is trained in obedience and task skills to meet the needs of a person with a disability or that is trained or being trained as a hearing animal, a guide animal, an assistance animal, a seizure alert animal, a mobility animal, a psychiatric service animal, an autism service animal, or an animal trained for any other physical, mental or intellectual disability (510 ILCS 70/2.01c; 720 ILCS 5/48-8).

337.2 POLICY

It is the policy of the Urbana Police Department to provide services and access to persons with service animals in the same manner as those without service animals. Department members shall protect the rights of persons assisted by service animals in accordance with state and federal law.

337.3 IDENTIFICATION AND USE OF SERVICE ANIMALS

Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness or collar.

Service animals may be used in a number of ways to provide assistance, including:

- Guiding people who are blind or have low vision.
- Alerting people who are deaf or hard of hearing.
- Retrieving or picking up items, opening doors or flipping switches for people who have limited use of their hands, arms or legs.
- Pulling wheelchairs.
- Providing physical support and assisting with stability and balance.

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- Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities or psychiatric disabilities, such as reminding a person with depression to take medication.
- Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items or to follow daily routines.

337.4 MEMBER RESPONSIBILITIES

Service animals that are assisting individuals with disabilities are permitted in all public facilities and areas where the general public is allowed (720 ILCS 5/48-8; 775 ILCS 30/3). Department members are expected to treat individuals with service animals with the same courtesy and respect that the Urbana Police Department affords to all members of the public (28 CFR 35.136).

337.4.1 INQUIRY

If it is apparent or if a member is aware that an animal is a service animal, the individual generally should not be asked any questions as to the status of the animal. If it is unclear whether an animal meets the definition of a service animal, the member should ask the individual only the following questions (28 CFR 35.136(f)):

- Is the animal required because of a disability?
- What task or service has the service animal been trained to perform?

If the individual explains that the animal is required because of a disability and has been trained to work or perform at least one task, the animal meets the definition of a service animal and no further questions as to the animal's status should be asked. The individual should not be questioned about his/her disability nor should the person be asked to provide any license, certification or identification card for the service animal.

337.4.2 CONTACT

Service animals are not pets. Department members should not interfere with the important work performed by a service animal by talking to, petting or otherwise initiating contact with a service animal.

337.4.3 REMOVAL

If a service animal is not housebroken or exhibits vicious behavior, poses a direct threat to the health of others, or unreasonably disrupts or interferes with normal business operations, an officer may direct the handler to remove the animal from the premises. Barking alone is not a threat nor does a direct threat exist if the person takes prompt, effective action to control the service animal (28 CFR 35.136(b)).

Each incident must be considered individually and past incidents alone are not cause for excluding a service animal. Removal of a service animal may not be used as a reason to refuse service to an individual with disabilities. Members of this department are expected to provide all services that are reasonably available to an individual with a disability, with or without a service animal.

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337.4.4 COMPLAINTS

When handling calls of a complaint regarding a service animal, members of this department should remain neutral and should be prepared to explain the ADA requirements concerning service animals to the concerned parties. Businesses are required to allow service animals to accompany their handlers into the same areas that other customers or members of the public are allowed (28 CFR 36.302).

Absent a violation of law independent of the ADA, officers should take no enforcement action beyond keeping the peace. Individuals who believe they have been discriminated against as a result of a disability should be referred to the Civil Rights Division of the U.S. Department of Justice (DOJ).

Abandoned Newborn Infant Protection

338.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper managing of incidents of newborn infant abandonment according to the Abandoned Newborn Infant Protection Act (325 ILCS 2/10).

338.1.1 DEFINITIONS

- **Newborn Infant** - A child who a licensed physician reasonably believes is 30 days old or less at the time the child is initially relinquished to a hospital, police station, fire station, or emergency medical facility, and who is not an abused or a neglected child.
- **Relinquish** - To bring a newborn infant, who a licensed physician reasonably believes is 30 days old or less, to a hospital, police station, fire station, or emergency medical facility and to leave the infant with personnel of the facility, if the person leaving does not express an intent to return for the infant or states that he or she will not return for the infant. In the case of a mother who gives birth to an infant in a hospital, the mother's act of leaving the newborn infant at the hospital (i) without expressing an intent to return for the infant or (ii) stating that she will not return for the infant is not a "relinquishment".
- **Temporary Protective Custody** - The temporary placement of a newborn infant within a hospital or medical facility out of the custody of the infant's parent.
- **Police Station** - As it relates to this policy, the municipal building.

338.2 ACCEPTANCE

Officers must accept a newborn infant relinquished at the Department (325 ILCS 2/20 (c)). The State of Illinois defines a newborn infant as a child who a licensed physician reasonably believes is 30 days old or less at the time the child is initially relinquished (325 ILCS 2/10). Although a person relinquishing a newborn infant retains the right to limited immunity and anonymity, officers should request the person's personal information. Absent any other information, officers should attempt to obtain any known medical information about the newborn infant. Any information obtained should be documented in the report and, if appropriate, transmitted to the hospital or medical facility to which the newborn infant is taken.

If there is no evidence of abuse or neglect of the newborn infant, the relinquishing person has the right to remain anonymous and leave the premises at any time without being pursued or followed. The act of relinquishing a newborn infant does not, in and of itself, constitute a basis for a finding of abuse, neglect, or abandonment. If there is suspected abuse or neglect that is not based solely on the newborn infant's relinquishment, the relinquishing person no longer has the right to remain anonymous (325 ILCS 2/30).

338.3 MEDICAL CONSIDERATIONS

After accepting a relinquished newborn infant, the officer will request paramedics for a medical evaluation and transportation to the nearest hospital (325 ILCS 2/20 (c)). If the infant is not being transported by the paramedics, the officer will see that transportation of the infant to the nearest

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hospital is accomplished as soon as transportation can be arranged. Newborn infants will not be transported in a department vehicle equipped with a prisoner screen or in any department vehicle without the appropriate child safety restraint and/or that does not allow for the proper placement of such child safety restraint.

338.4 NOTICE TO RELINQUISHING PERSON

When accepting a newborn infant, officers will offer the relinquishing person an information packet prepared and maintained by the Department for this purpose (325 ILCS 2/35). If possible, the employee will also inform the relinquishing person of the following:

- Acceptance of the information is completely voluntary.
- Registration with the Illinois Adoption Registry and Medical Information Exchange is voluntary.
- They will remain anonymous if they complete a Denial of Information Exchange.
- They have the option to provide medical information only and still remain anonymous.
- By relinquishing the child anonymously, they will have to petition the court of jurisdiction if they desire to prevent the termination of parental rights and regain custody of the child.

338.4.1 SUPERVISOR NOTIFICATION

When accepting a newborn infant, officers will notify their immediate supervisor as soon as practical.

338.4.2 DOCUMENTATION

When accepting a newborn infant, officers will generate a report and document all pertinent information.

338.4.3 REPORTING

- If there is no evidence of abuse or neglect of the relinquished newborn infant, a report will be completed using the incident code - Child Abandonment.
- If there is evidence of abuse or neglect of the relinquished newborn infant, a report will be completed using the incident code - Child Abandonment and any other proper incident code for appropriate criminal incident.
- Investigation personnel shall be contacted for appropriate follow-up investigation.
- In either case, the reporting officer shall make an immediate report of the Illinois Department of Children and Family Services Hotline at 1-800-25ABUSE (1-800-252-2873).

338.5 RIGHT OF PERSON OR PARENT TO RETURN

If the relinquishing person or a parent of a relinquished newborn infant returns to reclaim the infant within 30 days after relinquishing the infant at the Department, an officer must inform that person of the name and location of the hospital where the infant was transported (325 ILCS 2/20 (c)).

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338.6 INFORMATION DISCLOSURE

Employees will not publicly disclose any information concerning the relinquishment of a newborn infant and the individuals involved, except as otherwise provided by law (325 ILCS 2/37).

338.7 INVESTIGATIVE RESPONSIBILITIES

Neither a child protective investigation nor a criminal investigation should be initiated solely because a newborn infant is relinquished (325 ILCS 2/25 (c)).

After accepting a newborn infant, or upon being contacted to assist in regards to a newborn infant relinquished elsewhere, the handling employee should take the necessary steps to ensure that the infant is not a missing child.

If there is suspected child abuse or neglect that is not based solely on the newborn infant's relinquishment, as mandated reporters under the Abused and Neglected Child Reporting Act, officers shall report their observations (325 ILCS 2/25(b)). In this instance, officers shall begin their criminal investigation.

338.8 REQUIRED SIGNAGE

The Administration Division Commander will ensure that an appropriate sign is posted in a conspicuous place on the exterior of the police facility informing persons that a newborn infant may be relinquished at the facility. The sign and its placement will comply with the prescribed specifications to ensure statewide uniformity (325 ILCS 2/22).

Interns, Volunteers and Ride Alongs

339.1 PURPOSE AND SCOPE

The Urbana Police Department believes in supporting continuing education, particularly in the area of criminal justice. To that end, the Department participates in various intern programs where college or high school students work at the Police Department in a "real world" learning mode.

In addition, at times it may be beneficial for the Urbana Police Department to allow authorized persons to ride along with patrol officers during regular patrols. Allowing patrol observers provides members of the media and interested citizens an opportunity to learn about their police department and the job of a police officer. We believe this helps foster a greater understanding between officers and the community.

339.1.1 INTERN

The Police Department participates in intern programs with various universities in Illinois as well as Parkland College and the Urbana High School. These interns spend a specific amount of time at the Department in various sections and units, working and learning about the police function.

339.2 INTERN COORDINATOR

There shall be an Intern Coordinator appointed to schedule, monitor, liaison with their school and assist the interns as they go through their programs at the Department.

The Intern Coordinator shall review the background checks on all interns. The background check may include a local records check and an automated check through LEADS. Those persons with notable criminal records or other unacceptable behavior patterns shall not be allowed to participate in the intern program. The final decision on whether a person will be accepted into the intern program rests with the Chief of Police or his designee.

339.2.1 VOLUNTEERS

A volunteer is a person who performs a service for the department without promise, expectation or receipt of compensation for services rendered. There are times that volunteers are utilized by the department for various tasks. The volunteers must also have a background check, which will be reviewed by the Chief of Police or his designee for approval.

339.2.2 RIDE ALONGS

As a matter of policy, only those persons having a bona fide area of interest in the criminal justice system shall be allowed to ride along. This includes other government employees, students, Citizen Police Academy participants, accredited members of the media, and others approved by the Chief of Police or his designee. Participation in this program is limited to two "ride-alongs" per calendar year unless (a) the individual is participating in an authorized internship program or (b) approval has been granted by a Division Commander.

Family members or significant others of Urbana officers may participate in the ride along program. However, those family members or significant others may not ride with their related officer.

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The dress should be appropriate; no t-shirts, shorts or open-toed shoes. All Ride Alongs shall wear a ballistic vest when with a sworn officer. Ride Alongs should present themselves in a clean, neat, and respectful manner. Officers, in consultation with their supervisors, may end a ride-along if a ride along fails to follow reasonable guidelines requested by the officers. These include, but need not be limited to, improperly injecting themselves into situations, doing unsafe or irrational acts, or being disorderly or otherwise distracting officers from duties. Unless specifically approved, the following will generally not be eligible for the Ride Along Program: citizens under 18 years of age, individuals whose background checks reveal significant or felonious criminal history, and those with currently pending court cases.

Requests for a ride along should be made at least 72 hours in advance, unless approved by the Intern Coordinator or the Chief of Police or his designee. The Intern Coordinator shall schedule and manage all ride alongs to avoid conflicts with scheduling.

339.2.3 WAIVER REQUIREMENT

All ride alongs and interns who are not Urbana Police Department employees will be required to sign a waiver of liability - an Assumption of Risks form - prior to the initial observation or "ride-along". The Services Division will maintain the observer's information and the waiver form. An on-duty Shift Supervisor must ensure that the waiver is properly completed.

339.2.4 SELECTION AND PLACEMENT

Interns, volunteers and ride-alongs shall not perform the following functions at the Police Department:

- Serve in any enforcement role
- Carry or use firearms or any weapons
- Drive any department vehicle
- Be assigned a duty post of any type without direct supervision
- Write official police reports
- Make data entry into any department computer system

Officers who have been assigned patrol observers must maintain an interest in their safety. Officers with observers should start the ride with a discussion of safety issues, instructions on the radio system and the rules which affect them. Observers are not to take police action or carry weapons of any kind. Officers are not to give weapons to an observer unless someone's life is in danger. This does not preclude a sworn officer from another department from carrying a weapon as provided by Illinois and federal statutes.

339.2.5 TRAINING

All Urbana Police Department employees will treat interns, volunteers and ride alongs with respect. They will not be made fun of or belittled in any way by actions or words. Conversely if an intern, volunteer or ride along acts in any manner that is disrespectful or contrary to the expectations of this agency, they will be removed from their position.

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Interns, Volunteers and Ride Alongs

339.3 CONFIDENTIALITY

Interns, volunteers and ride alongs may have access to confidential information such as criminal histories or investigative files. Unless otherwise directed by a supervisor or departmental policy, all information shall be considered confidential and will not be released under any circumstances. Unauthorized disclosure of any confidential information, verbally, in writing or by any other means, by the intern, volunteer or ride along will be grounds for immediate dismissal and possible criminal prosecution.

There may be calls for service where it is not appropriate for a ride along to be present in the investigation or interview. This may be for safety or confidentiality reasons. It will be at the discretion of the officer the ride along is with (or supervisor) to allow or not allow the ride along to observe or participate in the investigation (i.e. shooting situation where the suspect is still in the area or sexual assault investigation).

339.4 DISCIPLINARY PROCEDURES/TERMINATION

An intern, volunteer or ride along may be dismissed at the discretion of the Chief of Police or his designee.

Off-Duty Law Enforcement Actions

340.1 PURPOSE AND SCOPE

The decision to become involved in a law enforcement action when off-duty can place an officer as well as others at great risk and must be done with careful consideration. This policy is intended to provide guidelines for officers of the Urbana Police Department with respect to taking law enforcement action while off-duty.

340.2 POLICY

Initiating law enforcement action while off-duty is generally discouraged. Officers should not attempt to initiate enforcement action when witnessing minor crimes, such as suspected intoxicated drivers, reckless driving or minor property crimes. Such incidents should be promptly reported to the appropriate law enforcement agency.

Officers are not expected to place themselves in unreasonable peril. However, any sworn member of this department who becomes aware of an incident or circumstance that he/she reasonably believes poses an imminent threat of serious bodily injury or death, or significant property damage may take reasonable action to minimize the threat.

When public safety or the prevention of major property damage requires immediate action, officers should first consider reporting and monitoring the activity and only take direct action as a last resort.

340.3 FIREARMS

Officers of this department may carry firearms while off-duty in accordance with federal regulations and department policy. All firearms and ammunition must meet guidelines as described in the Firearms Policy. When carrying firearms while off-duty officers shall also carry their department-issued badge and identification.

Officers should refrain from carrying firearms when the consumption of alcohol is likely or when the need to carry a firearm is outweighed by safety considerations. Firearms shall not be carried by any officer who has consumed an amount of an alcoholic beverage or taken any drugs or medication or any combination thereof that would tend to adversely affect the officer's senses or judgment.

340.4 DECISION TO INTERVENE

There is no legal requirement for off-duty officers to take law enforcement action. However, should officers decide to intervene, they must evaluate whether the action is necessary or desirable, and should take into consideration the following:

- (a) The tactical disadvantage of being alone and the fact there may be multiple or hidden suspects.
- (b) The inability to communicate with responding units.
- (c) The lack of equipment, such as handcuffs, OC or baton.

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- (d) The lack of cover.
- (e) The potential for increased risk to bystanders if the off-duty officer were to intervene.
- (f) Unfamiliarity with the surroundings.
- (g) The potential for the off-duty officer to be misidentified by other peace officers or members of the public.

Officers should consider waiting for on-duty uniformed officers to arrive, and gather as much accurate intelligence as possible instead of immediately intervening.

340.4.1 INTERVENTION PROCEDURE

If involvement is reasonably necessary the officer should attempt to call, or have someone else call 9-1-1 to request immediate assistance. The operator should be informed that an off-duty officer is on-scene and should be provided a description of the officer if possible.

Whenever practicable, the officer should loudly and repeatedly identify him/herself as an Urbana Police Department officer until acknowledged. Official identification should also be displayed.

340.4.2 INCIDENTS OF PERSONAL INTEREST

Officers should refrain from handling incidents of personal interest, (e.g., family or neighbor disputes) and should remain neutral. In such circumstances officers should call the responsible agency to handle the matter.

340.4.3 CIVILIAN PERSONNEL RESPONSIBILITIES

Civilian personnel should not become involved in any law enforcement actions while off-duty except to notify the local law enforcement authority and remain at the scene, if safe and practicable.

340.4.4 OTHER CONSIDERATIONS

When encountering a non-uniformed officer in public, uniformed officers should wait for acknowledgement by the non-uniformed officer in case he/she needs to maintain an undercover capability.

340.5 REPORTING

Any off-duty officer who engages in any law enforcement activity, regardless of jurisdiction, shall notify the Shift Supervisor as soon as practicable. The Shift Supervisor shall determine whether a report should be filed by the employee.

Officers should cooperate fully with the agency having jurisdiction in providing statements or reports as requested or as appropriate.

Department Use of Social Media

341.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that any use of social media on behalf of the Department is consistent with the department mission. This policy does not address personal use of social media by individual department members (see the Employee Speech, Expression and Social Networking).

341.1.1 DEFINITIONS

Definitions related to this policy include:

Social media - Any of a wide array of internet-based tools and platforms that allow for the sharing of information, such as the department website or social networking services.

341.2 POLICY

The Urbana Police Department may use social media as a method of effectively informing the public about department services, issues, investigations and other relevant events.

Department members shall ensure that the use or access of social media is done in a manner that protects the constitutional rights of all.

341.3 AUTHORIZED USERS

Only members authorized by the Chief of Police or the authorized designee may utilize social media on behalf of the Department. Authorized members shall use only department-approved equipment during the normal course of duties to post and monitor department-related social media, unless they are specifically authorized to do otherwise by their supervisors.

The Chief of Police may develop specific guidelines identifying the type of content that may be posted. Any content that does not strictly conform to the guidelines should be approved by a supervisor prior to posting.

Requests to post information over department social media by members who are not authorized to post should be made through the member's chain of command.

341.4 AUTHORIZED CONTENT

Only content that is appropriate for public release, that supports the department mission and conforms to all department policies regarding the release of information may be posted.

Examples of appropriate content include:

- (a) Announcements.
- (b) Tips and information related to crime prevention.
- (c) Investigative requests for information.
- (d) Requests that ask the community to engage in projects that are relevant to the department mission.

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- (e) Real-time safety information that is related to in-progress crimes, geographical warnings or disaster information.
- (f) Traffic information.
- (g) Press releases.
- (h) Recruitment of personnel.

341.4.1 INCIDENT-SPECIFIC USE

In instances of active incidents where speed, accuracy and frequent updates are paramount (e.g., crime alerts, public safety information, traffic issues), the Public Information Officer or the authorized designee will be responsible for the compilation of information to be released, subject to the approval of the Incident Commander.

341.5 PROHIBITED CONTENT

Content that is prohibited from posting includes but is not limited to:

- (a) Content that is abusive, discriminatory, inflammatory, or sexually explicit.
- (b) Any information that violates individual rights, including confidentiality and/or privacy rights and those provided under state, federal, or local laws.
- (c) Any information that could compromise an ongoing investigation.
- (d) Any information that could tend to compromise or damage the mission, function, reputation, or professionalism of the Urbana Police Department or its members.
- (e) Any information that could compromise the safety and security of department operations, members of the Department, victims, suspects, or the public.
- (f) Any content posted for personal use.
- (g) Any content that has not been properly authorized by this policy or a supervisor.

Any member who becomes aware of content on this department's social media site that he/she believes is unauthorized or inappropriate should promptly report such content to a supervisor. The supervisor will ensure its removal from public view and investigate the cause of the entry.

341.5.1 PUBLIC POSTING PROHIBITED

Department social media sites shall be designed and maintained to prevent posting of content by the public. The Department may provide a method for members of the public to contact department members directly.

341.5.2 BOOKING PHOTOGRAPHS

Booking photographs in connection with civil, petty, and business offenses, and Class B and C misdemeanors may not be published on department social media sites unless the photograph is posted to assist in the search for a fugitive, person of interest, missing person, or individual wanted in relation to a crime other than a petty or business offense, or Class B or C misdemeanor (5 ILCS 140/2.15).

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341.6 MONITORING CONTENT

The Chief of Police will appoint a supervisor to review, at least annually, the use of department social media and report back on, at a minimum, the resources being used, the effectiveness of the content, any unauthorized or inappropriate content and the resolution of any issues.

Bicycles

342.1 POLICY

The Urbana Police Department policy is to develop strategies to reduce the number of bicycle accidents and to reduce bicycle theft. Proper management of recovered bicycles is also necessary for effective property management.

342.2 PURPOSE

This manual establishes general bicycle policies and procedures for the Urbana Police Department.

342.3 PROCEDURE

1. Traffic Enforcement

Bicycles are vehicles that are subject to traffic laws concerning movement. Bicycles also have special laws to which they are subject. Bicycles shall be treated like all vehicles for traffic enforcement purposes. Officers are also encouraged to use city ordinance violations for bicycle infractions with the option of the bike diversion program found on the internal web.

2. Bicycle Management

The Services Division Commander, or their designee, shall be assigned bicycle management duties. The Services Division Commander, or their designee, shall manage the abandoned and recovered stolen bicycles along with the paperwork required. This includes releasing bikes to owners and disposing of those unclaimed.

3. Recovered Bicycles

- (a) **Abandoned Bicycles:** City of Urbana Public Works is primarily responsible for the collection of abandoned bicycles. All abandoned bicycles will be checked by the Services Division Commander, or their designee, for stolen status on a regular basis. (See attached abandoned bicycle protocol.)
- (b) **Stolen Bicycles:** A report shall be completed (supplemental only if a stolen report was previously prepared in Urbana) and the bicycle transported to the bike impound area and processed. (See internal web for bicycle processing procedures.)

4. Disposition

The Services Division Commander, or their designee, shall periodically re-check for stolen and ownership on each bicycle recovered. A letter shall be sent to the last known address of any owner identified, allowing such owner 30 days to recover the bicycle. The Services Division Commander, or their designee, shall keep up-to-date records as to the status of each bicycle recovered. They shall submit a supplementary report to address the bicycle disposition.

5. Release

Recovered abandoned or stolen bicycles may be released to the owner upon signature of a Property Release Form. The Services Division Commander, or their designee, releasing the

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bicycle must notify the Evidence Technician that a bicycle has been released. The Evidence Technician can then remove the bicycle from the inventory.

6. Donation of Bicycles

Bicycles that are unclaimed may be donated to charitable organizations or given away through a city-sponsored bike giveaway program. Before bikes are given away, the Services Division Commander, or their designee, shall make appropriate checks to verify that the owner cannot be found. A bike must be in Urbana Police storage for 30 days before it can be given away.

7. Bicycle Registration

All employees shall encourage the registration of bicycles in order to prevent theft and facilitate recovery and identification. The City of Urbana has partnered with Project 529, a nationwide bicycle registry program, that allows a person to register their bike for free online or with an app. It is recommended to purchase a registration sticker through Project 529 or picked up at locations around Champaign-Urbana.

8. 72 Hour Notice

Upon complaint, a police officer will respond to bicycles affixed to City property. If the bicycle is found affixed to the property after proper notice, a police officer will remove the bicycle and process it as abandoned.

Private Person's Arrest

343.1 PURPOSE AND SCOPE

This policy provides guidance for the handling and acceptance of a private person's arrest.

343.2 POLICY

It is the policy of the Urbana Police Department to accept a private person's arrest only when legal and appropriate.

343.3 ARRESTS BY PRIVATE PERSON

A private person may arrest another when the person has probable cause to believe the other person has committed an offense other than an ordinance violation (725 ILCS 5/107-3).

343.4 OFFICER RESPONSIBILITIES

An officer confronted with a person claiming to have made a private person's arrest should determine whether such an arrest is lawful.

If the officer determines that the private person's arrest is unlawful, the officer should:

- (a) Take no action to further detain or restrain the arrested individual, unless there is independent justification for continuing a detention.
- (b) Advise the parties that the arrest will not be accepted but the circumstances will be documented in a report.
- (c) Document the incident, including the basis for refusing to accept custody of the individual.

Whenever an officer determines that a private person's arrest is justified, the officer may take the individual into custody and proceed in the same manner as with any other arrest. If use of force was used by the private person to utilize the arrest, it should be documented.

Honor Guard

344.1 POLICY

Police officers specifically trained and equipped to formally represent the department at various ceremonies and functions bring credit to the department and the community. The Urbana Police Department supports the establishment of an Honor Guard unit for those reasons.

344.2 PURPOSE

The Urbana Police Department has established an Honor Guard detail to render the proper farewell with respect and honor to police officers and other public servants who make the ultimate sacrifice in service to the community. The Honor Guard detail will offer these honors to the family of any fatally wounded officer in the area. Fortunately, the ultimate sacrifice in the line of duty does not occur frequently. The Honor Guard detail will predominantly function as a color guard to present the national colors at the commencement of numerous community functions that the department may be invited to participate. The Honor Guard will be an important opportunity to be viewed by the citizens of Urbana, demonstrating the discipline and precision that they should expect from each sworn officer in their daily interactions while performing their duties. The Honor Guard, in the same respect, can be an effective recruiting tool.

344.3 MEMBERSHIP

Any sworn officer who has completed the field training program and has successfully completed the term of probation may volunteer to be a member of the Honor Guard detail. No previous military affiliation or similar training is required as a prerequisite. Members will be responsible for maintaining their fitness level to withstand the rigors of performances. These performance challenges can consist of standing at attention for a considerable amount of time and carrying/holding rifles and flags for a considerable amount of time. Performances can occur outdoors during inclement weather or on extremely hot and cold temperature days. Members will be asked to perform uniform maintenance at a much higher level of detail and scrutiny. Members will be required to purchase and set aside one long sleeve shirt and trousers for performances only.

The detail will consist of a unit commander and any number of officers on a voluntary basis. The unit commander will be responsible for training, equipping and scheduling the detail. The Honor Guard Commander is an interim title that can be conferred upon any officer who is competent in small unit drill and is able to lead a detail through the movements required for any particular performance. The title of Honor Guard Commander will rotate to give any competent member the opportunity to lead and improve leadership authority and command presence.

344.4 TRAINING

The training schedule will consist of the appropriate amount of time as deemed necessary by the Honor Guard commander and a Patrol Division Commander. Continued Honor Guard members may be asked to practice troublesome movements on their personal time.

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Honor Guard

344.5 UNIFORMS

The performance uniform will be the department's Class 'A' uniform, regardless of weather. The Honor Guard has special accoutrements that will be authorized for wear during performances. At present, these special uniform items consist of a gold name tag, gold braided epaulet cord and white gloves.

Radio Operations

345.1 POLICY

Effective, efficient and safe delivery of police services will not occur without proper radio traffic control. Proper radio discipline is a mandatory obligation of all employees who are authorized to make radio transmissions. The Urbana Police Department believes that conformance to standard radio traffic policies and rules on a daily basis and during periods of non-emergencies will enhance the police response during periods of emergencies by the formation of good radio habits.

345.2 PURPOSE

This policy will outline basic radio discipline and operations expected of every employee authorized to use radios.

345.3 DEFINITIONS

ISPERN - Illinois State Police Emergency Radio Network

FCC - Federal Communications Commission

MDC - Mobile Data Computer

IREACH - Illinois Regional Emergency Access Channel

345.4 AUTHORITY

Employees must be authorized to use Department radios for communications. Those authorized includes:

- All Sworn Personnel
- All Police Services Representatives

Others may be given authority under specific circumstances. Under normal, routine circumstances, interns may be allowed to use the radio. This is under the immediate and direct control of their assigned officer. Nothing in this section prohibits anyone from using a Department radio to report an emergency where an officer is unable to; for example, when an officer is injured.

345.5 FCC

Those using radios shall conform to all of the laws and regulations of the Federal Communications Commission.

Specific conduct such as obscenities, profiting, unauthorized dissemination, etc. is strictly prohibited.

345.6 METRO

Officers assigned to METRO shall conform to these rules when operating radios on regular frequencies. However, when they are operating radios on tactical frequencies, they shall conform to METRO radio usage policies.

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Radio Operations

345.7 DUTY TO MONITOR

All personnel who are issued radios and subject to dispatch while on duty, shall maintain radio communications with METCAD.

Patrol Officers, when on-duty, shall notify METCAD of their location and activity. They shall re-advise METCAD when either of these changes substantially.

345.8 PORTABLE RADIOS

Each Officer is assigned a portable radio and those subject to dispatched calls shall carry it when on duty. It is the officer's responsibility to ensure that the battery is fully charged and the radio is in good working order.

345.9 RADIO CALL SIGNS

All employees when using radios shall first give the call sign of the unit or station they are calling and then identify themselves with their own call sign. The transmission should take the form of, "Unit x from Unit y." Those using radios should use the assigned call sign and not names during radio transmissions.

345.10 REPORT ON DUTY

All radio units shall report to METCAD when they are on and off duty. When coming on duty the Patrol Officer will give their beat number, squad car number and if more than the officer in solo patrol, the number of persons in the squad. When assignment is made, they shall advise arrival and clearance of the assignment. All traffic stops and employee initiated activities shall require them to notify METCAD of his/her status change.

345.11 BREVITY

All radio transmissions shall be kept brief and concise, containing only necessary information. When the information to be transmitted is lengthy, the employee should consider another method of communications such as the telephone or MDC. If that is not practical or possible, then the employee should "break" the transmission into shorter, less than 7 or 8 seconds, transmissions and conclude each one with the word, "break." This will indicate to everyone else on the frequency that more information is to follow.

Employees violating this brevity section will be subject to discipline. Lengthy and unnecessary radio transmissions can prevent others who have emergencies from transmitting and create an officer and citizen safety problem.

345.12 CONDUCT

Officers and employees using the radio system shall conduct themselves professionally. Dispatchers, others on the radio or citizens will not be disparaged in any way. Officers will not argue, be sarcastic or tell jokes on the radio. This system is for necessary police business communications only. Employees who have conflicts with telecommunicators, desk personnel or other employees on the radio shall consult with their supervisors in person and not confront anyone over the air.

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Radio Operations

Directions and call dispatches given to an employee over the radio by the Front Desk or METCAD shall be considered an order as they have staff authority. If an officer disagrees, then he/she must seek relief from a supervisor.

A calm, professional, clear and audible tone of voice must be used. Mumbling, talking too fast, loud or too softly will be avoided. Proper pronunciation of words will also be required. Those using the radio shall be courteous to others on the network.

The information broadcast on the radio must be accurate to the best of the employee's ability.

Those using Department radios are reminded that the public uses scanners to monitor radio frequencies. Radio broadcasts are not private conversations but public ones both legally and in effect. Employees should conduct themselves with professional demeanor. Also, all radio transmissions are recorded and may be played back both immediately and in the future.

Supervisors have the affirmative and mandatory responsibility to set the example and to enforce these rules.

345.13 RADIO SILENCE

Incidents will occur which require radio silence. Those using the radio shall obey the order to be silent unless they are engaged in their own emergency.

345.14 MDCS

The same rules, policies and procedures outlined in these Directives about radios also apply to MDC's. Professional conduct is required. MDC traffic is recorded and can be reviewed at any time by UPD Supervisory Personnel or by outside sources under FOIA or subpoena.

345.15 CHANNELS

The Urbana Police Department operates on an 800 MHz system and has several channels available for use. Each portable and mobile radio has these channels programmed into them. METCAD has the authority to make channel assignments.

The non-repeated channels are not heard at METCAD, they are not recorded and they only have a limited broadcast range of a few blocks. Those other channels, are repeated, recorded and heard county-wide.

Some Urbana patrol and plain cars also have VHF high band radios with two frequencies in them.

Channel 1 - ISPERN

Channel 2 - IREACH

ISPERN is used only in emergencies when radio broadcasts to other police agencies not in the METCAD system is required. Such agencies include the State Police, Secretary of State Police, Conservation Police, etc.

IREACH is an alternate channel for ambulances, highway trucks and other public and semi-public fleet units to reach the police in an emergency.

Officers, when in cars so equipped, shall monitor both of these channels.

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Radio Operations

345.16 PRIORITY

Calls for service will be dispatched in order of priority, highest to lowest. The telecommunicator shall not hold emergency calls for beat cars but rather dispatch them to available units. When calls are held, a Shift Supervisor shall be notified. Shift Supervisors may also re-order and/or reassign radio calls. Shift Supervisors may issue orders via the radio and are authorized and responsible to manage the radio traffic over the assigned primary Urbana frequency. Additionally, Shift Supervisors shall endeavor to maintain awareness of pending calls and shall communicate with METCAD to resolve delays in the dispatch of calls.

345.17 METRO/COMMAND POST

Whenever a command post has been established, communication between the Command Post and METCAD is essential to avoid mixed signals, miscommunication and other problems. When a Command Post is established, one employee shall be given the responsibility as telecommunicator and take over radio traffic involved in the incident.

Firearms Restraining Orders

346.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for petitioning for and serving firearms restraining orders and accounting for firearms, ammunition, firearm parts that could be assembled to make an operable firearm, any Firearm Owner's Identification card, and concealed carry licenses obtained pursuant to those orders.

346.1.1 DEFINITIONS

Definitions related to this policy include:

Firearms Restraining Order - A court order prohibiting and enjoining a named person from having in the person's custody or control, purchasing, possessing, or receiving any firearms, ammunition, or firearm parts that could be assembled to make an operable firearm (430 ILCS 67/5; 430 ILCS 67/35; 430 ILCS 67/40). The order requires the named person to surrender to local law enforcement any firearm, ammunition, and firearm parts that could be assembled to make an operable firearm in the respondent's possession for the duration of the order (430 ILCS 67/35; 430 ILCS 67/40).

346.2 POLICY

It is the policy of the Urbana Police Department to petition for and serve firearms restraining orders in compliance with state law, and to properly account for firearms, any Firearm Owner's Identification Card, and concealed carry licenses obtained by the Department pursuant to such orders.

346.3 FIREARMS RESTRAINING ORDER COORDINATOR

The Chief of Police will appoint a firearms restraining order coordinator. The responsibilities of the coordinator include:

- (a) Developing and maintaining procedures for the filing of a petition for a firearms restraining order by the Department (430 ILCS 67/1 et seq.)
- (b) Developing and maintaining procedures for the receipt and service of firearms restraining orders consistent with the requirements of 430 ILCS 67/50. Procedures should include:
 1. Acceptance of voluntarily surrendered firearms, ammunition, firearm parts, any Firearm Owner's Identification card, and concealed carry license from a person who is the subject of the restraining order.
 2. Assessing a firearms restraining order prior to service to determine whether the order should be served pursuant to the Warrant Service and the Operations Planning and Deconfliction policies.
 3. Preparing or obtaining a search warrant prior to attempting service of the firearms restraining order.
 4. Consulting with an Illinois State Police (ISP) gun liaison officer.

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5. Entering firearms restraining orders information into the Law Enforcement Agencies Data System (LEADS).
- (c) Coordinating with the Training Officer to provide officers with appropriate training. Training should include determining when a petition is appropriate, the process for seeking a firearms restraining order, and the service of firearms restraining orders.
 1. The training shall be made available annually and approved by the Illinois Law Enforcement Training and Standards Board.
- (d) Reviewing each petition for a firearms restraining order (and associated affidavits or court documents, if applicable) to ensure compliance with this policy, department procedures, and state law.
- (e) Developing and maintaining procedures for the filing of all required documents with the court after service of a firearm restraining order (e.g., the original firearms receipt, proofs of service).
- (f) Making notifications to department members and witnesses regarding scheduled court proceedings.

346.4 FIREARMS RESTRAINING ORDERS

An officer who reasonably believes that a firearms restraining order is appropriate should obtain supervisor approval prior to seeking an order.

346.4.1 STANDARDS

Firearms restraining orders may be appropriate if a person poses an immediate and present danger of causing personal injury to him/herself or others by having a firearm in his/her custody or control (430 ILCS 67/35; 430 ILCS 67/40).

346.4.2 REQUIREMENTS OF PETITION

A petition for a firearms restraining order should be prepared and served consistent with state law, court-approved forms, and the procedures developed by the Firearms Restraining Order coordinator (430 ILCS 67/1 et seq.). If known, the petition should identify existing or previous protective orders and clear and present danger reports involving the subject of the petition.

346.4.3 NOTICE TO FAMILIES AND PERSONS AT RISK

Upon the application for a firearms restraining order, officers should make a good faith effort to provide notice to a family or household member of the person who is the subject of the firearms restraining order and to any other person reasonably known to be at risk of violence.

Officers shall also make reasonable efforts to provide notice to any and all intimate partners if the petition alleges that the named person poses a significant danger of causing personal injury to them.

The notice shall include (430 ILCS 67/35; 430 ILCS 67/40):

- (a) The department's intention to petition the court for a firearms restraining order.

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- (b) Information and referrals to appropriate resources, such as counseling services, domestic violence or stalking advocacy, if applicable.

Officers should document all reasonable efforts to provide notice.

346.5 SERVICE

Officers shall serve a copy of a firearms restraining order, including renewals or terminations of orders, and any accompanying notice of hearing and petition, on the person named in the order as soon as practicable if the named person was not present in court when the order was issued (430 ILCS 67/50). Service of firearms restraining orders takes precedence over the service of other orders, except for orders of a similar emergency nature.

If applicable, officers may serve a firearms restraining order upon the named person via short form notification (430 ILCS 67/50).

346.5.1 SAFETY CONSIDERATIONS

Upon receipt of a firearms restraining order, the operations director or the authorized designee should evaluate the circumstances of the order and consider what precautions are appropriate for service.

When appropriate based on the circumstances and department procedures, service of firearms restraining orders should be executed pursuant to the Operations Planning and Deconfliction Policy.

In no circumstances should fewer than two officers be present when a firearms restraining order is being served.

346.5.2 SURRENDER OF FIREARMS, ANY FIREARM OWNER'S IDENTIFICATION CARD, AND CONCEALED CARRY LICENSE

Officers serving a firearms restraining order should request that the person who is the subject of the order immediately surrender all firearms, ammunition, and firearm parts in the person's custody, control, or possession along with any Firearm Owner's Identification card and concealed carry license issued to the person. Officers shall take custody of any items surrendered (430 ILCS 67/35; 430 ILCS 67/40).

346.5.3 RECEIPT OF COURT-ORDERED ITEMS

A receipt identifying all surrendered items should be prepared by the officers and a copy given to the person. The officers should ensure a copy of the receipt is forwarded to the Police Services Supervisor as soon as practicable.

All items collected should be handled and booked in accordance with the Property and Evidence Division Policy.

346.5.4 SEARCH WARRANTS

If the person subject to the firearms restraining order refuses to surrender all items subject to the order or if an officer serving a firearms restraining order reasonably believes there are items

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ordered to be relinquished in the person's custody, control, or possession that have not been surrendered, the officer should consider whether to seek a search warrant.

Officers should be prepared to file a search warrant prior to attempting service of a firearms restraining order. Preparation and service of the search warrant should be done in accordance with the Warrant Service Policy.

346.5.5 SEARCH WARRANT RETURN

A return of a search warrant that was issued in relation to a firearm restraining order is required to be filed with the court within four days of issuance (430 ILCS 67/35; 430 ILCS 67/40).

346.5.6 INFORMATION FOR RETAKING POSSESSION OF FIREARMS, ANY FIREARM OWNER'S IDENTIFICATION CARD, AND CONCEALED CARRY LICENSE

An officer who takes custody of firearms, ammunition, firearm parts, a Firearm Owner's Identification card, and concealed carry license should inform the person who is the subject of the order of the process for retaking possession of those items after the period of safekeeping has ended.

346.5.7 DATABASE CHECK OF SEIZED FIREARMS

An officer who takes custody of firearms from the person who is the subject of the order should run the firearms through LEADS and the National Crime Information Center (NCIC) database.

346.6 RELEASE OF FIREARMS, FIREARM OWNER'S IDENTIFICATION CARD, AND CONCEALED CARRY LICENSE

Any person requesting the release of any firearm, ammunition, firearm parts, Firearm Owner's Identification card, or license to carry a concealed weapon or firearm in department custody pursuant to a firearms restraining order should be referred to the Property and Evidence Division (430 ILCS 67/35; 430 ILCS 67/40).

346.7 RENEWAL OF FIREARMS RESTRAINING ORDER

The Criminal Investigation Division supervisor is responsible for the review of any firearms restraining order obtained by the Department to determine if renewal or extension of a firearms restraining order should be requested within the time prescribed by law (430 ILCS 67/45).

346.8 POLICE SERVICES SUPERVISOR RESPONSIBILITIES

The Police Services Supervisor is responsible for sending required documents to the ISP in the manner prescribed or required by law (e.g., receipts of court-ordered items, Firearms Owners Identification cards, concealed carry licenses). This includes sending any received concealed carry licenses within seven days of receipt (430 ILCS 66/70).

346.9 REPORTING CLEAR AND PRESENT DANGER TO ISP

An officer encountering an individual, who based on known circumstances, would pose a clear and present danger to self or others (as defined by 430 ILCS 65/1.1), shall forward a report to the ISP in the approved format (430 ILCS 65/8.1). This requirement applies regardless of whether a petition for a firearms restraining order has been filed.

Active Bystandership for Law Enforcement (ABLE)

347.1 PURPOSE

The Urbana Police Department has elected to participate in the national Active Bystandership for Law Enforcement (ABLE) Project™. The ABLE project provides training, technical assistance, and research, all with the aim of creating a police culture in which officers routinely intervene as necessary to:

- Prevent misconduct,
- Avoid police mistakes, and
- Promote officer health and wellness.

Through our participation in the ABLE Project, the Urbana Police Department will deliver practical, scenario-based training for all officers of the agency in the strategies and tactics of police peer intervention.

347.2 DUTY TO INTERVENE

Employees of the Urbana Police Department have a moral, ethical, and/or legal duty to intervene to prevent another employee from conduct that would unnecessarily harm others or would violate law or policy. This duty applies regardless of rank. Intervention is required where the bystander employee is witness to and has a reasonable opportunity to prevent or mitigate harm caused by policy or legal violations, or mistakes. Employees are also encouraged to intervene to assist colleagues in addressing health and wellness concerns, even where those concerns are not currently resulting in policy or legal violations. Employees should intervene in a manner that protects the safety of the community, their colleagues, and themselves to the greatest extent possible.

347.3 TRAINING

The Urbana Police Department's ABLE training offers practical strategies and tactics to maximize the effectiveness of interventions when they are necessary, and to ensure, where possible, interventions are handled safely, professionally, and respectfully. All officers, including agency leaders, will receive at least 8 hours of initial dedicated ABLE training and at least 2 hours of annual ABLE refresher training. Training will be conducted with complete fidelity to the ABLE curriculum, and in a manner consistent with all ABLE program guidelines. ABLE training will be taught to classes of 30 or fewer officers by at least two ABLE-certified instructors. The principles of active bystandership also will be incorporated into relevant recruit and in-service courses, including, among others, Use of Force, Stop/Search/Arrest, Report Writing, Traffic Stops, Ethics, Vehicle Pursuits, and Field Training Officer training. ABLE-certified instructors may be called upon to provide training to surrounding ABLE-certified law enforcement agencies, per the ABLE Program Standards.

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Active Bystandership for Law Enforcement (ABLE)

347.4 TRAINING FOR ABLE INSTRUCTORS

All ABLE instructors must have been certified through the Train-the-Trainer process offered by the ABLE project. ABLE instructors will review supplemental teaching materials, participate in supplemental training programs, and attend annual refresher training provided by the ABLE project.

347.5 PROGRAM LEADERSHIP

The Urbana Police Department has designated an ABLE Program Coordinator as the Services Division Commander. The ABLE Program Coordinator is responsible for leading the implementation of ABLE, including the rollout, promotion, and reinforcement of the program, and for playing an active role in embedding ABLE in the agency's organizational culture. The Program Coordinator will provide guidance and assistance to employees as necessary. The Program Coordinator also will work with the agency leadership to ensure that the agency is meeting ABLE program standards. The Program Coordinator will report program status (e.g., number of officers trained) to the ABLE Project, as requested.

347.6 PROGRAM REINFORCEMENT

Supervisors at all levels will reinforce the core principles of active bystandership during roll calls and other appropriate agency activities.

347.7 INVESTIGATIONS

The Urbana Police Department will investigate all apparent instances of failure to intervene, whether discovered during the course of any use of force review, misconduct investigation, or by other means.

347.8 DISCIPLINE MITIGATION

Discipline must be adjudicated consistently, and a similar violation should receive a similar penalty. There are often aggravating and mitigating circumstances of an offense that may impact the appropriateness of a given penalty. Because the Urbana Police Department supports officers who intervene to prevent misconduct, mistakes, and officer health/wellness problems, an effective intervention that was acceptable by the accused officer will be considered to be a mitigating factor for both the accused officer and the intervening officer in any discipline resulting from the underlying activity that prompted the need for the intervention.

347.9 REPORTING

The Urbana Police Department intentionally has decided to adopt ABLE principles as a foundational element of organizational values with the intent to help teach officers practical strategies and skills to effectively intervene in another officer's conduct, regardless of rank, when necessary to prevent misconduct, reduce mistakes, and promote officer health and wellness. ABLE does not alter the agency's reporting policies. If an action was reportable pursuant to agency policy before the adoption of ABLE, it continues to be reportable following the adoption of ABLE. If an action was not reportable before ABLE, it did not become so after ABLE.

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Active Bystandership for Law Enforcement (ABLE)

347.10 NO RETALIATION

The Urbana Police Department promotes and supports intervention to protect the community we serve and one another, and will not tolerate retaliation against an employee for exercising their duty to intervene. Nor will employees who engage in a good faith act of intervention to promote employee health or wellness be subject to retaliation. A good faith intervention is considered a protected activity. This commitment is part of the Urbana Police Department's commitment to providing a culture in which employees are free from harassment and retaliation of any kind. Acts of harassment and retaliation are forms of serious misconduct and will result in investigation and appropriate disciplinary action, up to and including termination.

347.11 EVALUATIONS AND PROMOTIONS

The Urbana Police Department is committed to developing and promoting officers who demonstrate an understanding of and commitment to active bystandership. Concrete steps taken to employ ABLE skills and promote the principles of ABLE will be recognized during the evaluation/promotion process.

347.12 INSIGNIA

ABLE instructors will be permitted to wear their authorized ABLE instructor Pin on their uniforms.

Chapter 4 - Patrol Operations

Patrol Function

400.1 PURPOSE AND SCOPE

The purpose of this policy is to define the functions of the patrol unit of the Department to ensure intra-department cooperation and information sharing.

400.1.1 FUNCTION

Officers will generally patrol in clearly marked vehicles, patrol assigned jurisdictional areas of Urbana, respond to calls for assistance, act as a deterrent to crime, enforce state and local laws and respond to emergencies 24 hours per day seven days per week.

Patrol will generally provide the following services within the limits of available resources:

- (a) Patrol that is directed at the prevention of criminal acts, traffic violations and collisions, the maintenance of public order, and the discovery of hazardous situations or conditions.
- (b) Crime prevention activities such as residential inspections, business inspections, community presentations, etc.
- (c) Calls for service, both routine and emergency in nature.
- (d) Investigation of both criminal and non-criminal acts.
- (e) The apprehension of criminal offenders.
- (f) Community Oriented Policing and Problem Solving activities such as citizen assists and individual citizen contacts of a positive nature.
- (g) The sharing of information between the Patrol and other divisions within the Department, as well as other outside governmental agencies.
- (h) The application of resources to specific problems or situations within the community, which may be improved or resolved by Community Oriented Policing and problem solving strategies.
- (i) Traffic direction, control and enforcement.

400.1.2 TERRORISM

It is one of the goals of the Urbana Police Department to make every reasonable effort to accurately and appropriately gather and report any information that may relate to either foreign or domestic terrorism. Officers should advise a supervisor as soon as practicable of any activity believed to be terrorism-related and should document such incidents with a written report or Field Interview (FI). All officers are encouraged to call the Statewide Terrorism and Intelligence Center (STIC) at (877) 455-7842 if you obtain any information related to possible terrorism-related activity.

400.2 PATROL INFORMATION SHARING PROCEDURES

The following guidelines are intended to develop and maintain intra-department cooperation and information flow between the various divisions of the Urbana Police Department.

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Patrol Function

400.2.1 CRIME ANALYSIS UNIT

The Criminal Investigations Division will be the central unit for crime analysis. Criminal information and intelligence reports can be submitted to the Criminal Investigations Division for distribution to all officers within the Department.

400.2.2 INFORMATION SHARING

Information about criminal activity can and should be shared by any officer that receives information with other members of the department using any typical means of communication. Such communications should always also be sent to the Criminal Investigations Division for analysis of the case for potential follow-up investigation.

400.2.3 PATROL BRIEFINGS

Patrol supervisors, detective sergeants, and special unit sergeants are encouraged to share information as much as possible. All supervisors and/or officers will be provided an opportunity to share information at the daily patrol Briefings as time permits.

400.3 CROWDS, EVENTS AND GATHERINGS

Officers may encounter gatherings of people, including but not limited to, civil demonstrations, civic, social and business events, public displays, parades and sporting events. Officers should monitor such events as time permits in an effort to keep the peace and protect the safety and rights of those present. A patrol supervisor should be notified when it becomes reasonably foreseeable that such an event may require increased monitoring, contact or intervention.

Officers responding to an event or gathering that warrants law enforcement involvement should carefully balance the speech and association rights of those present with applicable public safety concerns before taking enforcement action. Officers are encouraged to contact organizers or responsible persons to seek voluntary compliance that may address relevant public safety/order concerns.

Officers should consider enforcement of applicable state and local laws, when the activity blocks the entrance or egress of a facility or location and when voluntary compliance with the law is not achieved.

Bias-Based Policing

401.1 PURPOSE AND SCOPE

This policy provides guidance to department members that affirms the Urbana Police Department's commitment to policing that is fair and objective.

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach and partnerships).

401.1.1 DEFINITIONS

Definitions related to this policy include:

Bias-based policing or improper profiling - An inappropriate reliance on actual or perceived characteristics such as race, ethnicity, national origin (including limited English proficiency), religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement. This includes explicit and implicit biases (i.e., conscious and unconscious beliefs or attitudes towards certain groups).

401.2 POLICY

The Urbana Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

401.3 BIAS-BASED POLICING PROHIBITED

Bias-based policing is strictly prohibited.

However, nothing in this policy is intended to prohibit an officer from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

401.4 MEMBER RESPONSIBILITIES

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any bias-based actions by another member.

401.4.1 REASON FOR DETENTION

Officers detaining a person shall be prepared to articulate sufficient reasonable suspicion to justify a detention, independent of the individual's membership in a protected class.

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To the extent that written documentation would otherwise be completed (e.g., arrest report, Field Interview (FI) card), the involved officer should include those facts giving rise to the officer's reasonable suspicion or probable cause for the detention, as applicable.

Nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

401.4.2 REPORTING TRAFFIC STOPS - CITATION ISSUED

Each time an officer issues a uniform traffic citation or warning citation for a violation of the Illinois Vehicle Code (625 ILCS 5/1-100 et seq.), the officer shall record, at a minimum (625 ILCS 5/11-212 (a)):

- (a) The name, address, gender and the officer's subjective determination of the race of the person stopped. The person's race shall be selected from the following list: Black or African-American, Hispanic or Latino, American Indian or Alaska Native, Asian, Native Hawaiian or other Pacific Islander, White.
- (b) The alleged traffic violation that led to the stop of the motorist.
- (c) The make and year of the vehicle stopped.
- (d) The date and time of the stop, beginning when the vehicle was stopped and ending when the driver was free to leave or taken into physical custody.
- (e) The location of the traffic stop.
- (f) Whether consent to search the vehicle, driver, passenger or passengers contemporaneous to the stop was requested, and, if so, whether consent was given or denied.
- (g) Whether a search contemporaneous to the stop was conducted of the vehicle, driver, passenger or passengers, and, if so, whether it was with consent or by other means.
- (h) Whether a police canine performed a sniff of the vehicle, and, if so (625 ILCS 5/11-212(a)(6.2)):
 1. Alerted to the presence of contraband, and, if so,
 2. An officer searched the vehicle, and, if so,
 3. Contraband was discovered, and, if so,
 4. The type and amount of contraband.
- (i) Whether contraband was found during a search, and, if so, the type and amount of contraband seized.
- (j) The motivation for the stop.
- (k) The name and badge number of the issuing officer.

At the conclusion of every traffic stop the officer shall submit a traffic citation, warning ticket, or FI card documenting the required information for the traffic stop data collection. An IDOT (sticker) form is to be completed.

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Bias-Based Policing

401.4.3 REPORTING STOPS

The Chief of Police or the authorized designee shall ensure stop cards are created and available to members, and contain all of the information required by 625 ILCS 5/11-212 for traffic and pedestrian stops. Officers shall complete one of these cards when they detain, conduct a pat-down search of or arrest a pedestrian in a public place, issue a summons to a pedestrian, search a pedestrian's property or conduct a traffic stop.

401.5 SUPERVISOR RESPONSIBILITIES

Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations of this policy in accordance with the Personnel Complaints Policy.

- (a) Supervisors should discuss any issues with the involved officer and their supervisor in a timely manner.
 - (a) Supervisors should document these discussions, in the prescribed manner.
- (b) Supervisors should periodically review Mobile Audio/Video (MAV) recordings, portable audio/video recordings, Mobile Digital Computer (MDC) data, and any other available resource used to document contact between officers and the public to ensure compliance with this policy.
 - (a) Supervisors should document these periodic reviews.
 - (b) Recordings or data that capture a potential instance of bias-based policing should be appropriately retained for administrative investigation purposes.
- (c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.
- (d) Supervisors should take prompt and reasonable steps to address any retaliatory action taken against any member of this department who discloses information concerning bias-based policing.

401.6 STATE REPORTING

The Services Division shall compile the required data on the standardized law enforcement data compilation form and transmit the data to the Illinois Department of Transportation. This shall be done by March 1 for data collected during July through December of the previous calendar year, and by August 1 for data collected during January through June of the current calendar year (625 ILCS 5/11-212).

401.7 ADMINISTRATION

The Urbana Police Department administration shall continuously review the efforts of the department to prevent racial or bias based profiling and make changes when needed through policy and training.

Supervisors shall review the traffic stop statistics each month. These statistics will be forwarded monthly to the supervisors

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Bias-Based Policing

401.8 TRAINING

Training on fair and objective policing and review of this policy shall be conducted annually and include:

- (a) Explicit and implicit biases.
- (b) Avoiding improper profiling.

Briefing/Briefing Training

402.1 PURPOSE AND SCOPE

Briefing training is generally conducted at the beginning of the officer's assigned shift. Briefing provides an opportunity for important exchange between employees and supervisors. A supervisor generally will conduct briefing; however officers may conduct briefings for training purposes with supervisor approval.

Shift Supervisors shall conduct a briefing prior to assigning patrol officers to field duties. This briefing shall be conducted the first 15 minutes of each scheduled patrol shift.

Briefing should accomplish, at a minimum, the following basic tasks:

- (a) Briefing officers with information regarding daily patrol activity, with particular attention given to unusual situations and changes in the status of wanted persons, stolen vehicles, and major investigations.
- (b) Notifying officers of changes in schedules and assignments.
- (c) Notifying officers of new Departmental Policies, Operations Bulletin or changes in Departmental Policies.
- (d) Reviewing recent incidents for training purposes.
- (e) Providing training on a variety of subjects.
- (f) Visual inspection of all assigned personnel.

The oncoming supervisor shall meet with the supervisor coming off shift to be briefed on activity from the previous shift.

When briefing commences, all assigned personnel shall be equipped, in uniform if required, and present in the briefing room (or other place so designated). Failure to be present or in the right place shall be dealt with as a tardiness or absence without leave. If assigned employees cannot be present at briefing, they shall notify, or cause to be notified, the Shift Supervisor.

Assigned employees shall not only be present but quiet in their demeanor and attentive to the information being provided by the Shift Supervisor. It is important to pay attention.

402.2 BRIEFING TRAINING

A supervisor will be assigned to put together ongoing training for all the briefings. This supervisor will prepare topics that include Policy and Procedure, criminal law, IVC and other pertinent information that may come up. The supervisor will enter the training topic as well as the officers trained on the topic in the briefing training spreadsheet.

The supervisor conducting briefing is responsible for preparation of the materials necessary for a constructive briefing. After briefing, the supervisor will enter each officer's badge number that attended into the spread sheet under the topic that was covered that week.

Crime and Disaster Scene Integrity

403.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance in handling a major crime or disaster.

403.2 SEARCHES

Officers arriving at crime or disaster scenes are often faced with the immediate need to search for and render aid to victims, and to determine if suspects are present and continue to pose a threat. Once officers are satisfied that no additional suspects are present and/or there are no injured persons to be treated, those exigent circumstances will likely no longer exist. Officers should thereafter secure the scene and conduct no further search until additional or alternate authority for the search is obtained, such as consent or a search warrant.

403.2.1 CONSENT

When possible, officers should seek consent to search from authorized individuals. However, in the case of serious crimes or major investigations, it may be prudent to also obtain a search warrant. Consent as an additional authorization may be sought, even in cases where a search warrant has been granted.

403.3 FIRST RESPONDER CONSIDERATIONS

The following list generally describes the first responder's function at a crime or disaster scene. This list is not intended to be all-inclusive, is not necessarily in order and may be altered according to the demands of each situation, the availability of resources, capacity of personnel and totality of each circumstance:

- (a) Broadcast emergency information, including requests for additional assistance and resources.
- (b) Provide for the general safety of those within the immediate area by mitigating, reducing or eliminating threats or dangers.
- (c) Locate or identify suspects and determine whether dangerous suspects are still within the area.
- (d) Provide first aid to injured parties if it can be done safely.
- (e) Evacuate the location safely as required or appropriate.
- (f) Secure the inner perimeter with crime scene tape.
- (g) Protect items of apparent evidentiary value.
- (h) Secure an outer perimeter.
- (i) Identify potential witnesses.
- (j) Start a chronological log noting critical times and personnel allowed access.

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Crime and Disaster Scene Integrity

403.4 SCENE RESPONSIBILITY

The first officer at the scene of a crime or major incident is generally responsible for the immediate safety of the public and preservation of the scene. Officers shall also consider officer safety and the safety of those persons entering or exiting the area, including those rendering medical aid to any injured parties. Once an officer has assumed or been assigned to maintain the integrity and security of the crime or disaster scene, the officer shall maintain the crime or disaster scene until he/she is properly relieved by a supervisor or other designated person.

403.5 POLICY

It is the policy of the Urbana Police Department to secure crime or disaster scenes so that evidence is preserved, and to identify and mitigate the dangers associated with a major crime or disaster scene for the safety of the community and those required to enter or work near the scene.

Metropolitan Emergency Tactical Response Operations (METRO) Team

404.1 PURPOSE AND SCOPE

The METRO team is comprised of two specialized teams: the Crisis Negotiation Team and the Special Weapons and Tactics Team (SWAT). The unit has been established to provide specialized support in handling critical field operations where intense negotiations and/or special tactical deployment methods beyond the capacity of field officers appear to be necessary. The team is a multi-jurisdictional team consisting of officers from the Champaign County Sheriff's Office, Urbana, University of Illinois, Mahomet, Parkland College and Rantoul Police Departments.

404.1.1 SWAT TEAM DEFINED

A SWAT team is a designated unit of law enforcement officers that is specifically trained and equipped to work as a coordinated team to resolve critical incidents that are so hazardous, complex, or unusual that they may exceed the capabilities of first responders or investigative units including, but not limited to, hostage taking, barricaded suspects, snipers, terrorist acts and other high-risk incidents. As a matter of department policy, such a unit may also be used to serve high-risk warrants, both search and arrest, where public and officer safety issues warrant the use of such a unit.

404.2 LEVELS OF CAPABILITY/TRAINING

It shall be the policy of this department to participate in the METRO team and to provide the manpower, equipment and training necessary to remain a participating agency on the METRO team. It is understood that the METRO team has specific policies and procedures, which are reviewed and approved by the Sheriff and Chiefs of Police of all participating agencies. The METRO team policy manual governs the tactics and duties of member officers while under the direction of the METRO Team Commanders.

404.2.1 FORMAL AGREEMENT

The Sheriff and Police Chiefs from the participating agencies have entered into a written formal agreement that further lists the requirements and obligations of each agency. Additionally, the METRO Oversight Board has written policies and guidelines specifically for the operation of the METRO Team. For matters not covered by the Urbana Police METRO policy, the METRO agreement and policy manual shall have precedence.

404.2.2 METRO SWAT POLICY MANUAL

The METRO team policy manual covers organizational procedures addressing the following:

- (a) Locally identified specific missions the team is capable of performing. Team organization and function.
- (b) Personnel selection and retention criteria.
- (c) Training and required competencies.

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Metropolitan Emergency Tactical Response Operations (METRO) Team

- (d) Procedures for activation and deployment.

404.3 POLICY

The METRO Team Commanders and Team Leaders shall review the METRO Team training needs annually to ensure that training is conducted within team capabilities and policy.

404.3.1 POLICY CONSIDERATIONS

A needs assessment should be conducted to determine the type and extent of METRO team missions and operations appropriate to this department. The assessment should consider the team's capabilities and limitations and should be reviewed annually by the METRO Team Commander or his/her designee.

404.3.2 ORGANIZATIONAL PROCEDURES

Command and executive personnel are encouraged to attend training for managing the SWAT function at the organizational level to ensure personnel who provide active oversight at the scene of METRO Team operations understand the purpose and capabilities of the teams. Command personnel who may assume incident command responsibilities should attend SWAT or Critical Incident Commander course or its equivalent. METRO team command personnel should attend an ILETSB-certified SWAT commander or tactical commander course, or its equivalent.

404.3.3 OPERATIONAL PROCEDURES

METRO operations and procedures are outlined in the METRO guidelines. Training shall be coordinated by the METRO Commanders and Team leaders. Specific details of required training standards are listed in the METRO policy manual.

404.3.4 OPERATOR, SNIPER/OBSERVER, CHEMICAL AGENT RESPONSE TEAM MEMBER INITIAL TRAINING

All members of the METRO Team, with the exception of negotiators, shall attend a ILETSB certified basic SWAT course. Once that is complete, members of the Sniper/Observer Team and the Chemical Agent Response Team (CART) will receive additional certified training in that specialty discipline.

404.4 TRAINING NEEDS ASSESSMENT

The METRO Team will train monthly on various tactics outlined in the METRO guidelines and follow the METRO training objectives.

404.4.1 UNIFORM AND EQUIPMENT

METRO team members from this agency should wear uniforms that clearly identify team members as law enforcement officers. It is recognized that certain tactical conditions may require covert movement. Attire may be selected appropriate to the specific mission. METRO team members from this agency should be adequately equipped with personal protective equipment to meet the specific mission(s) identified by the agency. Weapons and equipment used by the METRO team should be agency issued or approved, including any modifications, additions or attachments.

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404.4.2 TRAINING SAFETY

Use of a designated safety officer should be considered for all tactical training.

404.4.3 SCENARIO BASED TRAINING

The METRO Team should participate in scenario-based training that simulates the tactical operational environment. Such training is an established method of improving performance during an actual deployment.

404.4.4 TRAINING DOCUMENTATION

Individual and team training conducted by operators from this Department shall be documented and records maintained by the Department's METRO Team Commander. Such documentation shall be maintained in the METRO Team's training file.

404.5 MANAGEMENT/SUPERVISION OF METRO SWAT TEAM

The METRO Team was established to provide a skilled and trained team which may be deployed during events requiring specialized tactics in such situations as cases where suspects have taken hostages and/or barricaded themselves as well as prolonged or predictable situations in which persons armed or suspected of being armed pose a danger to themselves or others.

The following procedures serve as directives for the administrative operation of Urbana officers who participate on the METRO Team.

404.5.1 SELECTION CRITERIA

The Urbana METRO Team Tactical Operator is assigned to the position based on criteria and standards published by the METRO Oversight Board and the METRO Inter-agency Agreement. The criteria include fitness levels, firearms proficiency, ability to function in a team environment, ability to respond well in changing situations, ability to maintain a positive attitude under stressful conditions, to be emotionally mature, ability to exercise good judgment and problem solve while remaining calm as well as existing specific training qualifications. Applicants for METRO team officer must meet the following minimum criteria:

- (a) Be a non probationary officer with at least two (2) years of law enforcement experience. Sergeants may remain on the team at the time of promotion, but are not allowed to apply for a new opening. Lieutenants are ineligible for any team membership outside of a command role.
- (b) Have acceptable performance on the METRO fitness and firearms qualifications and standards.
- (c) Attend 75 percent of all training and activations on an annual basis.
- (d) Be available to respond to call outs within a reasonable amount of time.
- (e) During the year prior of proposed date of appointment as METRO officer, have received no serious disciplinary action, and have exhibited no serious performance deficiencies.

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The Urbana METRO Team negotiator is assigned to the position based on criteria and standards published by the METRO Oversight Board and the METRO Inter-agency Agreement. The criteria include verbal communications skills, ability to respond well in changing situations, ability to maintain a positive attitude under stressful conditions, to be emotionally mature, with the capacity to absorb verbal abuse without reacting negatively, ability to exercise good judgment and problem solve while remaining calm as well as existing specific training qualifications. Applicants for METRO Team Negotiator must meet the following minimum criteria:

- (a) Have a minimum of two (2) years law enforcement experience.
- (b) Attend 75 percent of all training and activations on an annual basis.
- (c) Be available to respond to call outs within a reasonable amount of time.
- (d) During the year prior of proposed date of appointment as METRO negotiator, have received no serious disciplinary action, and have exhibited no serious performance deficiencies.

Once accepted and assigned to the METRO Team, all operational team members, regardless of rank or position, must maintain acceptable standards of performance as delineated in the METRO Inter-Agency Agreement. The consequences of the failure to maintain standards are outlined in the METRO guideline. The Urbana Police Department expects a minimum of a three (3) year commitment to the METRO team in exchange for the time and cost of any training for such a specialty position. That time period may be waived by the Chief of Police on a case by case basis. A team member may be removed from the team, without cause, when deemed necessary for the good of the team by a consensus of the Team Commanders and approved by the Urbana Chief of Police.

The Urbana Chief of Police may remove an Urbana METRO Team Member at his discretion at any time.

404.5.2 TEAM SUPERVISORS

Continual evaluation of a team member's performance and efficiency as it relates to the positive operation of the unit shall be conducted by the METRO Commanders. The performance and efficiency level, as established by the METRO Commanders, will be met and maintained by all METRO Team members. Any member of the METRO Team who performs or functions at a level less than satisfactory shall be subject to dismissal from the team in accordance with the procedure established in the METRO guidelines.

404.6 METRO TEAM ACTIVATION PROCEDURES

The following procedures serve as guidelines for the operational deployment of the METRO team. Generally, the Special Weapons and Tactics Team and the Crisis Negotiation Team will be activated together. It is recognized, however, that a tactical team may be used in a situation not requiring the physical presence of all of the Crisis Negotiation Team such as warrant service operations. This shall be at the discretion of the METRO Commander.

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404.6.1 SCENE ASSESSMENT

The supervisor in charge on the scene of a particular event will assess whether METRO is to respond to the scene. Upon final determination by the Shift Supervisor, he/she will notify the METRO Commander. The METRO Commander shall have the final determination if the METRO team will be activated.

404.6.2 TYPES OF ACTIVITIES THAT MAY CAUSE A METRO ACTIVATION

The following are examples of incidents which may result in the activation of the METRO team:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

404.6.3 MOBILIZATION OF METRO TEAM

The shift supervisor shall make the request for the METRO Team. The shift supervisor shall notify the METRO Commander. If unavailable, the Chief of Police, Deputy Chief of Police, or Lieutenant shall be notified. The shift supervisor will then notify the Patrol Lieutenant as soon as practical. The shift supervisor should advise the METRO Commander with as much of the following information which is available at the time:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

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- [REDACTED]
- [REDACTED]
- [REDACTED]

The METRO Commander or Chief shall then initiate the METRO call-out.

404.6.4 FIELD UNIT RESPONSIBILITIES

While waiting for the METRO team, field personnel should, if reasonably practicable:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

404.6.5 ON-SCENE COMMAND RESPONSIBILITIES

Upon arrival of the METRO team at the scene, the on-scene incident commander shall brief the METRO Commander and Team Leaders about the situation. Once the METRO Commander authorizes deployment, the METRO Commander will be responsible for the tactical portion of the operation. The on-scene incident commander shall continue supervision of outer perimeter security, support for the METRO team, and any other duties as assigned by the METRO team commander. The on-scene incident commander and the METRO Commander (or his/her designee) shall maintain communications at all times.

404.6.6 COMMUNICATION WITH METRO NEGOTIATORS

All of those persons who are non-METRO team personnel should refrain from any non-emergency contact or interference with any member of the negotiator unit during active negotiations. Negotiations require the utmost in concentration by involved personnel and, as a result, no one should interrupt or communicate with Negotiation team personnel directly. All non-emergency communications shall be channeled through the Negotiation Team Supervisor or his/her designee.

404.6.7 REPORT WRITING

A minimum of one of the responding Urbana team members will write a report indicating the details of the METRO response. Any team member involved in "use of force", including handcuffing, searching of suspects and all higher levels of force, or involved in the destruction of private

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property, or the discovery of evidence, or sustains an injury or injuries another person, will write a report documenting the circumstances that required or lead up to the force, destruction, discovery or injury. All METRO reports will be forwarded directly to the METRO Commander.

Hazardous Material Response

405.1 PURPOSE AND SCOPE

Hazardous materials present a potential harm to employees resulting from their exposure.

405.1.1 HAZARDOUS MATERIAL DEFINED

A hazardous material is a substance which by its nature, containment and reactivity, has the capability of inflicting harm during exposure. Hazardous materials are characterized as being toxic, corrosive, flammable, reactive, an irritant or strong sensitizer and thereby posing a threat to health when improperly managed.

405.2 HAZARDOUS MATERIAL RESPONSE

Employees may encounter situations involving suspected hazardous materials, such as at the scene of a traffic accident, chemical spill, or fire. When employees come into contact with a suspected hazardous material, certain steps should be taken to protect themselves and citizens.

The following steps should be considered at any scene involving suspected hazardous materials:

- (a) Attempt to identify type of hazardous substance. Identification can be determined by placard, driver's manifest or statements from the person transporting the material.
- (b) Notify the Fire Department.
- (c) Provide first-aid for injured parties if it can be done safely and without contamination.
- (d) Begin evacuation of the immediate area and surrounding areas dependent on substance. Voluntary evacuation should be considered; however depending on the substance, mandatory evacuation may be necessary.
- (e) For more specific procedures, refer to the internal web under Suspected Chemical/Biological Letters Procedure.

405.3 REPORTING EXPOSURE(S)

Department personnel who believe that they have been exposed to a hazardous material shall immediately report the exposure to a supervisor. Each exposure shall be documented by the employee in an employee memorandum that shall be forwarded via chain of command to the Commanding Officer. Should the affected employee be unable to document the exposure for any reason, it shall be the responsibility of the notified supervisor to complete the memorandum.

Injury or illness caused or believed to be caused from exposure to hazardous materials shall be reported the same as any other on-duty injury or illness in addition to a crime report or incident report.

405.3.1 SUPERVISOR RESPONSIBILITY

When a supervisor has been informed that an employee has been exposed to a hazardous material, he/she shall ensure that immediate medical treatment is obtained and appropriate action is taken to mitigate the exposure.

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Hazardous Material Response

To ensure the safety of employees, safety equipment is available through supervisory personnel. Safety items not maintained by the Department will be obtained through the Fire Department.

Hostage and Barricade Incidents

406.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for situations where officers have legal cause to contact, detain or arrest a person, and the person refuses to submit to the lawful requests of the officers by remaining in a structure or vehicle and/or by taking a hostage.

The scope of this policy is not intended to address all variables that officers encounter during their initial response or when a hostage or barricade situation has developed. This policy does not require or purport to recommend specific strategies or tactics for resolution as each incident is a dynamic and rapidly evolving event.

406.1.1 DEFINITIONS

Definitions related to this policy include:

Barricade situation - An incident where a person maintains a position of cover or concealment and ignores or resists law enforcement personnel, and it is reasonable to believe the subject is armed with a dangerous or deadly weapon.

Hostage situation - An incident where it is reasonable to believe a person is unlawfully held by a hostage-taker as security so that specified terms or conditions will be met or simply refuses to allow a person to leave on their own accord.

406.2 POLICY

It is the policy of the Urbana Police Department to address hostage and barricade situations with due regard for the preservation of life and balancing the risk of injury, while obtaining the safe release of hostages, apprehending offenders and securing available evidence.

406.3 COMMUNICATION

When circumstances permit, initial responding officers should try to establish and maintain lines of communication with a barricaded person or hostage-taker. Officers should attempt to identify any additional subjects, inquire about victims and injuries, seek the release of hostages, gather intelligence information, identify time-sensitive demands or conditions and obtain the suspect's surrender. An attempt should be made to document this in writing in order to pass the information along to other responding units

When available, department-authorized negotiators should respond to the scene as soon as practicable and assume communication responsibilities. Negotiators are permitted to exercise flexibility in each situation based upon their training, the circumstances presented, suspect actions or demands and the available resources.

406.3.1 EMERGENCY COMMUNICATIONS

Should circumstances at the scene permit, Department supervisors or negotiators may promptly contact the Office of the State Attorney for assistance in obtaining an ex parte order to intercept audio communications at the scene (725 ILCS 5/108B-3).

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Additionally, Department negotiators or individuals summoned by officers to provide assistance, may use an eavesdropping device, including a camera or audio device, during an ongoing hostage and barricade incident when such use is necessary to protect the safety of officers or members of the general public (720 ILCS 5/14-3(o)).

406.4 FIRST RESPONDER CONSIDERATIONS

First responding officers should promptly and carefully evaluate all available information to determine whether an incident involves, or may later develop into, a hostage or barricade situation.

The first responding officer should immediately request a supervisor's response as soon as it is determined that a hostage or barricade situation exists. The first responding officer shall assume the duties of the supervisor until relieved by a supervisor or a more qualified responder. The officer shall continually evaluate the situation, including the level of risk to officers, to the persons involved and to bystanders, and the resources currently available. Whoever it is determined to be the scene supervisor will fill the role of Incident Commander.

The handling officer should brief the arriving supervisor of the incident, including information about suspects and victims, the extent of any injuries, additional resources or equipment that may be needed, and current perimeters and evacuation areas. It is incumbent that the Incident Commander make a determination as soon as possible on whether or not they believe the METRO/SWAT team is needed so the notification process can begin.

406.4.1 BARRICADE SITUATION

Unless circumstances require otherwise, officers handling a barricade situation should attempt to avoid a forceful confrontation in favor of stabilizing the incident by establishing and maintaining lines of communication while awaiting the arrival of specialized personnel and trained negotiators. During the interim the following options, while not all-inclusive or in any particular order, should be considered:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

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- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

406.4.2 HOSTAGE SITUATION

Officers presented with a hostage situation should attempt to avoid a forceful confrontation in favor of controlling the incident in anticipation of the arrival of specialized personnel and trained hostage negotiators. However, it is understood that hostage situations are dynamic and can require that officers react quickly to developing or changing threats. The following options while not all-inclusive or in any particular order, should be considered:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

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- [REDACTED]
- [REDACTED]
- [REDACTED]

406.5 SUPERVISOR RESPONSIBILITIES

Upon being notified that a hostage or barricade situation exists, the supervisor should immediately respond to the scene, assess the risk level of the situation, establish a proper chain of command and assume the role of Incident Commander until properly relieved. This includes requesting a METRO Team response if appropriate and apprising the METRO Team Commander of the circumstances. In addition, the following options, listed here in no particular order, should be considered:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

406.6 CRISIS RESPONSE UNIT RESPONSIBILITIES

It will be the Patrol Division Commander or higher authority's decision, with input from the METRO Team Commander, whether to deploy the METRO Team during a hostage or barricade situation.

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Hostage and Barricade Incidents

Once the Patrol Division Commander or higher authority authorizes deployment, the METRO Team Commander or the authorized designee will be responsible for the tactical portion of the operation. The Incident Commander shall continue supervision outer perimeter security, media access and other logistical support for the METRO Team. The Incident Commander and the METRO Team Commander or the authorized designee shall maintain communications at all times.

406.7 REPORTING

Unless otherwise relieved by a supervisor or Incident Commander, the handling officer at the scene is responsible for completion and/or coordination of incident reports.

Response to Bomb Calls

407.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to assist members of the Urbana Police Department in their initial response to incidents involving explosives, explosive devices, explosion/bombing incidents or threats of such incidents. Under no circumstances should these guidelines be interpreted as compromising the safety of first responders or the public. When confronted with an incident involving explosives, safety should always be the primary consideration.

407.2 BOMB THREATS RECEIVED AT POLICE FACILITY

This procedure should be followed should a bomb threat call be received at the police facility.

407.2.1 BOMB THREATS RECEIVED BY TELEPHONE

The following questions should be asked if a bomb threat is received at the Police Department:

- When is the bomb going to explode?
- Where is the bomb?
- What kind of bomb is it?
- What does it look like?
- Why did you place the bomb?
- Who are you? (to avoid possible termination of the call this should be the last question asked)

During this time, document the following:

- Time of the call
- Exact words of the person as accurately as possible
- Estimated age and sex of the caller
- Speech patterns and/or accents
- Background noises

If the incoming call is received at the police facility on a recorded line, steps shall be taken to ensure that the recording is preserved in accordance with current department evidence procedures.

407.2.2 RESPONSIBILITIES

The employee handling the call shall ensure the Shift Supervisor is immediately advised and fully informed of the details. The Shift Supervisor will then direct and assign officers as required for coordinating a general building search or evacuation as he/she deems appropriate.

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Response to Bomb Calls

407.2.3 SEARCHES



407.3 POLICY

It is the policy of the Urbana Police Department to place a higher priority on the safety of persons and the public over damage or destruction to public or private property.

407.4 EXPLOSION/BOMBING INCIDENTS

When an explosion has occurred, there are multitudes of considerations which may confront the responding officers. As in other catastrophic events, a rapid response may help to minimize injury to victims, minimize contamination of the scene by gathering crowds, or minimize any additional damage from fires or unstable structures.

407.4.1 PRESERVATION OF EVIDENCE

As in any other crime scene, steps should immediately be taken to preserve the scene. The Shift Supervisor should assign officers to protect the crime scene area, which could extend over a long distance. Consideration should be given to the fact that evidence may be imbedded in nearby structures or hanging in trees and bushes.

407.4.2 CROWD CONTROL

Only authorized members with a legitimate need should be permitted access to the scene. Spectators and other unauthorized individuals should be restricted to a safe distance as is reasonably practicable given the available resources and personnel.

407.4.3 NOTIFICATIONS

When an explosion has occurred, the following people should be notified as appropriate:

- Fire department
- Bomb squad
- Additional department personnel, such as investigators and forensic services
- Patrol Division Commander
- Shift Supervisor
- Other law enforcement agencies, including local, state or federal agencies, such as the FBI and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
- Other government agencies, as appropriate

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Response to Bomb Calls

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

407.6 GOVERNMENT FACILITY OR PROPERTY

A bomb threat targeting a government facility may require a different response based on the government agency.

[REDACTED]

407.6.2 OTHER COUNTY OR MUNICIPAL FACILITY OR PROPERTY

If the bomb threat is against a county or municipal facility within the jurisdiction of the Urbana Police Department that is not the property of this department, the appropriate agency will be promptly informed of the threat. Assistance to the other entity may be provided as the Shift Supervisor deems appropriate.

407.7 PRIVATE FACILITY OR PROPERTY

When a member of this department receives notification of a bomb threat at a location in the City of Urbana, the member receiving the notification should obtain as much information as reasonably possible from the notifying individual, including:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

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Response to Bomb Calls

The member receiving the bomb threat information should ensure that the Shift Supervisor is immediately notified so that he/she can communicate with the person in charge of the threatened facility.

407.7.1 ASSISTANCE

The Shift Supervisor should be notified when police assistance is requested. [REDACTED]

Information and circumstances that indicate a reasonably apparent, imminent threat to the safety of either the facility or the public may require a more active approach, including police control over the facility.

Should the Shift Supervisor determine that the Department will assist or control such an incident, he/she will determine:

- (a) The appropriate level of assistance.
- (b) The plan for assistance.
- (c) Whether to evacuate and/or search the facility.
- (d) Whether to involve facility staff in the search or evacuation of the building.
 - 1. The person in charge of the facility should be made aware of the possibility of damage to the facility as a result of a search.
 - 2. The safety of all participants is the paramount concern.
- (e) The need for additional resources, including:
 - 1. Notification and response, or standby notice, for fire and emergency medical services.

Even though a facility does not request police assistance to clear the interior of a building, based upon the circumstances and known threat, officers may be sent to the scene to evacuate other areas that could be affected by the type of threat, or for traffic and pedestrian control.

Civil Commitments

408.1 PURPOSE AND SCOPE

This policy provides guidelines for when officers may place an individual under a civil commitment (405 ILCS 5/1-100 et seq.).

408.2 POLICY

It is the policy of the Urbana Police Department to protect the public and individuals through legal and appropriate use of the civil commitment process.

408.3 AUTHORITY

An officer responding to or handling a call involving a suspected civil commitment may take that person into custody and transport him/her to an approved mental health facility when the officer has reasonable grounds to believe the person is in need of immediate hospitalization to protect him/herself or others from physical harm (405 ILCS 5/3-606).

Upon arrival at the facility, the officer should complete the written petition for involuntary admission, which includes (405 ILCS 5/3-601):

- A detailed statement of the reason for the commitment, including observed signs and symptoms, a description of any acts, threats, other behavior or pattern of behavior, and the time and place of occurrence.
- The name and address of the spouse, parent, guardian, substitute decision-maker, if any, and close relative, or if none, the name and address of a known friend. If this information is unavailable, the officer shall state that diligent inquiry was made.

408.3.1 VOLUNTARY EVALUATION

If officers encounter an individual who may qualify for civil commitment, and the individual voluntarily consents to treatment, the officers should:

- (a) Transport the individual to the local facility of the individual's choosing that is able to conduct the evaluation and admit the person pursuant to a civil commitment.
- (b) Proceed with the civil commitment, to include completing a petition for involuntary admission.

408.3.2 MINORS

When a minor's parent or guardian is present, the officer shall follow the wishes of the parent or guardian. The officer should help connect the parent or guardian to appropriate resources and the officer may transport the minor to a local mental health or medical facility of the parent's choosing. The officer will not complete a petition for involuntary admission for the minor.

If the officer's investigation produces reasonable grounds that the minor is a risk of harm to self or others, and the officer believes the parent or guardian's plan of action does not adequately address this concern, the officer shall request a supervisor respond to the scene. If the supervisor

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deems the parents desired action endangers the child or other, an officer may take protective custody of the child and shall transport the child to a medical facility.

In the event the minor's parent is not present an officer may take a minor into custody and transport the minor to a medical facility when there is reasonable grounds to believe that the minor has a mental illness or emotional disturbance of such severity that hospitalization is necessary to protect him/herself or others from physical harm, and that the minor is likely to benefit from inpatient treatment (405 ILCS 5/3-503; 405 ILCS 5/3-504(b)).

Upon arrival at the facility, the officer will not complete the written petition for involuntary admission. The officer shall provide to a member of the medical staff:

- A detailed statement of the reason for the commitment, including a description of any acts or significant threats, and the time and place of occurrence, in writing if possible.
- The name, address and telephone number of any witness and family, to include parents and/or guardian.

Prior to clearing the call, the officer shall also make reasonable attempts to locate and notify a parent or guardian.

408.4 CONSIDERATIONS AND RESPONSIBILITIES

Any officer handling a call involving an individual who may qualify for a civil commitment should consider, as time and circumstances reasonably permit:

- (a) Available information that might assist in determining the cause and nature of the individual's action or stated intentions.
- (b) Conflict resolution and de-escalation techniques.
- (c) Community or other resources available to assist in dealing with mental health issues.

While these steps are encouraged, nothing in this section is intended to dissuade officers from taking reasonable action to ensure the safety of the officers and others.

If an individual meets the criteria for a civil commitment, and is suspected of committing minor crimes or creating other public safety violations, a civil commitment is preferred over an arrest.

408.5 TRANSPORTATION

Officers may transport individuals in a patrol vehicle, or request an ambulance respond to the scene to provide transport, and shall secure them in accordance with the Handcuffing and Restraints Policy. Officers who have reasonable cause to place an individual under a civil commitment shall not permit the individual to transport himself or herself from the scene nor will the officer allow a third party to provide the transportation. Should the detainee require transport in a medical transport vehicle and the safety of any person, including the detainee, requires the presence of an officer during the transport, Shift Supervisor approval is required before transport commences.

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408.6 TRANSFER TO APPROPRIATE FACILITY

Upon arrival at the facility, the officer will escort the individual into a treatment area designated by a facility staff member the officer should provide the staff member with the written petition for involuntary admission and remain present to provide clarification of the grounds for detention, upon request (405 ILCS 5/3-606).

Absent exigent circumstances, the transporting officer should not assist facility staff with the admission process, including restraint of the individual. However, if the individual is transported and delivered while restrained, the officer may assist with transferring the individual to facility restraints and will be available to assist during the admission process, if requested. Under normal circumstances, officers will not apply facility-ordered restraints.

408.7 DOCUMENTATION

The officer should complete a petition for involuntary admission, provide it to the facility staff member assigned to the individual and retain a copy of the petition for inclusion in the case report.

The officer should also provide a verbal summary to any evaluating staff member regarding the circumstances leading to the involuntary detention.

408.8 CRIMINAL OFFENSES

When an individual who may qualify for a civil commitment has committed a serious criminal offense that would normally result in an arrest and transfer to a jail facility, the officer should:

- (a) Arrest the individual when there is probable cause to do so.
- (b) Notify the appropriate supervisor of the facts supporting the arrest and the facts that would support the civil commitment.
- (c) Facilitate the individual's transfer to jail.
- (d) Thoroughly document in the related reports the circumstances that indicate the individual may qualify for a civil commitment.

In the supervisor's judgement, the individual may be taken into custody and transported to an appropriate mental health facility. The supervisor should consider the seriousness of the offense, the treatment options available, the ability of this department to regain custody of the individual, department resources (e.g., posting a guard) and other relevant factors in making this decision.

408.9 FIREARMS AND OTHER WEAPONS

Whenever an individual is taken into custody for a civil commitment, the handling officers should seek to determine if the individual owns or has access to any firearm or other deadly weapon. Officers should consider whether it is appropriate and consistent with current search and seizure law under the circumstances to seize any such firearms or other dangerous weapons (e.g., safekeeping, evidence, consent).

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Officers are cautioned that a search warrant may be needed before entering a residence or other place to search, unless lawful, warrantless entry has already been made (e.g., exigent circumstances, consent). A warrant may also be needed before searching for or seizing weapons.

The handling officers should further advise the individual of the procedure for the return of any confiscated firearm or other weapon that has been taken into custody.

408.9.1 RETURN OF CONFISCATED FIREARMS AND WEAPONS

Whenever the handling officer has cause to believe that the future return of any confiscated weapon might endanger the person or others, the officer should detail those facts and circumstances in a report. The report should be forwarded to the Criminal Investigation Division, which shall be responsible for contacting the Illinois State Police Firearms Services Bureau.

408.10 TRAINING

This department will endeavor to provide training approved by the Illinois Law Enforcement Training and Standards Board on interaction with mentally disabled persons, civil commitments and crisis intervention.

Notice to Appear or Summons Releases

409.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of the Urbana Police Department with guidance on when to release adults who are suspected offenders on a summons, notice to appear in court, or citation for a criminal offense, rather than having the person held in custody for a court appearance or on condition of pretrial release.

Additional release restrictions may apply to those detained for domestic violence, as outlined in the Domestic Violence Policy.

409.1.1 DEFINITIONS

Proper Identification - The review of a valid, government-issued identification that contains a photograph of the subject, and/or a review of law enforcement, state, or federal agencies/databases that would lead a reasonable officer to believe that the subject has provided accurate information regarding their true identity.

Poses a Threat - By action or presence, creates an environment of danger or harm to self or others. This must be articulable and can include suspected intent to inflict pain, injury, or cause fear of harm to others or their property. Articulable facts are based on behavior, statements, past conduct, etc.

409.2 RELEASE

An officer shall issue a citation to appear in lieu of arrest to an individual accused of any offense that is not a felony or Class A misdemeanor when the individual (725 ILCS 5/109-1):

- (a) Presents valid identification.
- (b) Does not reasonably appear to pose a threat to members of the community or any person.
- (c) Does not reasonably appear to have any obvious medical or mental health issues that pose a risk to the individual's safety.
- (d) Ceases the criminal activity after the issuance of the citation.

An officer may, when arresting an individual for an offense for which pretrial release may not be denied, release the individual without taking the individual before a court (725 ILCS 5/109-1). A notice to appear may also be issued for certain individuals arrested without a warrant (725 ILCS 5/107-12).

409.3 CONSIDERATIONS

In determining whether to cite and release a person when discretion is permitted, officers should consider:

- (a) The type of offense committed.
- (b) The known criminal history of the suspected offender.

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- (c) The ability to identify the suspected offender with reasonable certainty.
- (d) Whether there is any record of the individual failing to appear in previous cases or other articulable indications that the individual may not appear in court for this offense.
- (e) The individual's ties to the area, such as residence, employment or family.
- (f) Whether there is reasonable likelihood that criminal conduct by the individual will continue.
- (g) Shift activity level
- (h) Health/pandemic concerns (i.e. Covid-19)
- (i) Recommendation/request by county jail administrators

409.4 POLICY

The Urbana Police Department will consider its resources and its mission of protecting the community when exercising any discretion to release suspected offenders on a summons, notice to appear, or citation when authorized to do so.

Foreign Diplomatic and Consular Representatives

410.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that members of the Urbana Police Department extend appropriate privileges and immunities to foreign diplomatic and consular representatives in accordance with international law.

410.2 DIPLOMATIC IMMUNITY TABLE

Reference table on diplomatic immunity:

Category	Arrested or Detained	Enter Residence Subject to Ordinary Procedures	Issued Traffic Citation	Subpoenaed as Witness	Prosecuted	Recognized Family Members
Diplomatic Agent	No note b	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
Member of Admin and Tech Staff	No note b	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
Service Staff	Yes note a	Yes	Yes	Yes	No for official acts Yes otherwise note a	No immunity or inviolability note a
Career Consul Officer	Yes if for a felony and pursuant to a warrant note a	Yes note d	Yes	No for official acts Testimony may not be compelled in any case	No for official acts Yes otherwise note a	No immunity or inviolability
Honorable Consul Officer	Yes	Yes	Yes	No for official acts Yes otherwise	No for official acts Yes otherwise	No immunity or inviolability
Consulate Employee	Yes note a	Yes	Yes	No for official acts Yes otherwise	No for official acts Yes otherwise note a	No immunity or inviolability note a

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Int'l Org Staff note b	Yes note c	Yes note c	Yes	Yes note c	No for official acts Yes otherwise note c	No immunity or inviolability
Diplomatic- Level Staff of Missions to Int'l Org	No note b	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
Support Staff of Missions to Int'l Orgs	Yes	Yes	Yes	Yes	No for official acts Yes otherwise	No immunity or inviolability

Notes for diplomatic immunity table:

- (a) This table presents general rules. The employees of certain foreign countries may enjoy higher levels of privileges and immunities on the basis of special bilateral agreements.
- (b) Reasonable constraints, however, may be applied in emergency circumstances involving self-defense, public safety, or in the prevention of serious criminal acts.
- (c) A small number of senior officers are entitled to be treated identically to diplomatic agents.
- (d) Note that consul residences are sometimes located within the official consular premises. In such cases, only the official office space is protected from police entry.

410.3 DOCUMENTATION

All contacts with persons who have claimed privileges and immunities afforded foreign diplomatic and consular representatives should be thoroughly documented and the related reports forwarded to DOS.

410.4 ENFORCEMENT ACTION

If the DOS is not immediately available for consultation regarding law enforcement action, members shall be aware of the following:

- (a) Generally, all persons with diplomatic and consular privileges and immunities may be issued a citation or notice to appear. However, the person may not be compelled to sign the citation.
- (b) All persons, even those with a valid privilege or immunity, may be reasonably restrained in exigent circumstances for purposes of self-defense, public safety or the prevention of serious criminal acts.
- (c) An impaired foreign diplomatic or consular representative may be prevented from driving a vehicle, even if the person may not be arrested due to privileges and immunities.

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1. Investigations, including the request for field sobriety tests, chemical tests and any other tests regarding impaired driving may proceed but they shall not be compelled.
- (d) The following persons may not be detained or arrested, and any property or vehicle owned by these persons may not be searched or seized:
1. Diplomatic-level staff of missions to international organizations and recognized family members
 2. Diplomatic agents and recognized family members
 3. Members of administrative and technical staff of a diplomatic mission and recognized family members
 4. Career consular officers, unless the person is the subject of a felony warrant
- (e) The following persons may generally be detained and arrested:
1. International organization staff; however, some senior officers are entitled to the same treatment as diplomatic agents.
 2. Support staff of missions to international organizations
 3. Diplomatic service staff and consular employees; however, special bilateral agreements may exclude employees of certain foreign countries.
 4. Honorary consular officers

410.5 POLICY

The Urbana Police Department respects international laws related to the special privileges and immunities afforded foreign diplomatic and consular representatives assigned to the United States.

All foreign diplomatic and consular representatives shall be treated with respect and courtesy, regardless of any privileges or immunities afforded them.

410.6 CLAIMS OF IMMUNITY

If a member comes into contact with a person where law enforcement action may be warranted and the person claims diplomatic or consular privileges and immunities, the member should, without delay:

- (a) Notify a supervisor.
- (b) Advise the person that his/her claim will be investigated and he/she may be released in accordance with the law upon confirmation of the person's status.
- (c) Request the person's identification card, either issued by the U.S. Department of State (DOS), Office of the Chief of Protocol, or in the case of persons accredited to the United Nations, by the U.S. Mission to the United Nations. These are the only reliable documents for purposes of determining privileges and immunities.

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- (d) Contact the DOS Diplomatic Security Command Center at 571-345-3146 or toll free at 866-217-2089 , or at another current telephone number and inform the center of the circumstances.
- (e) Verify the immunity status with DOS and follow any instructions regarding further detention, arrest, prosecution and/or release, as indicated by the DOS representative. This may require immediate release, even if a crime has been committed.

Identity or immunity status should not be presumed from the type of license plates displayed on a vehicle. If there is a question as to the status or the legitimate possession of a Diplomat or Consul license plate, a query should be run via the National Law Enforcement Telecommunications System (NLETS), designating "US" as the state.

Rapid Response and Deployment

411.1 PURPOSE AND SCOPE

Violence that is committed in schools, workplaces and other locations by individuals or a group of individuals who are determined to target and kill persons and to create mass casualties presents a difficult situation for law enforcement. The purpose of this policy is to identify guidelines and factors that will assist responding officers in situations that call for rapid response and deployment.

411.2 POLICY

The Urbana Police Department will endeavor to prepare for rapid response to crisis situations, and to coordinate response planning with other emergency services as well as with those that are responsible for operating sites that may be the target of a critical incident.

Nothing in this policy shall preclude the use of reasonable force, deadly or otherwise, by members of the Department in protecting themselves or others from death or serious injury.

411.3 FIRST RESPONSE

If there is a reasonable belief that acts or threats by a suspect are placing lives in imminent danger, first responding officers should consider reasonable options to reduce, prevent or eliminate the threat. Officers must decide, often under a multitude of difficult and rapidly evolving circumstances, whether to advance on the suspect, take other actions to deal with the threat or wait for additional resources.

If a suspect is actively engaged in the infliction of serious bodily harm or other life-threatening activity toward others, officers should take immediate action, if reasonably practicable, while requesting additional assistance.

[REDACTED]

[REDACTED]

- [REDACTED]

- [REDACTED]

- [REDACTED]

- [REDACTED]

- [REDACTED]

- [REDACTED]

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Rapid Response and Deployment

411.4 TRAINING

The Training Officer should include rapid response to critical incidents in the department training plan.

411.5 CONSIDERATIONS

When dealing with a crisis situation members should:

- (a) Assess the immediate situation and take reasonable steps to maintain operative control of the incident.
- (b) Obtain, explore and analyze sources of intelligence and known information regarding the circumstances, location and suspect involved in the incident.
- (c) Attempt to attain a tactical advantage over the suspect by reducing, preventing or eliminating any known or perceived threat.
- (d) Attempt, if feasible and based upon the suspect's actions and danger to others, a negotiated surrender of the suspect and release of the hostages.

Immigration Violations

413.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to members of the Urbana Police Department relating to immigration and interacting with federal immigration officials.

413.2 POLICY

It is the policy of the Urbana Police Department that all members make personal and professional commitments to equal enforcement of the law and equal service to the public. Confidence in this commitment will increase the effectiveness of this department in protecting and serving the entire community and recognizing the dignity of all persons, regardless of their national origin or immigration status.

413.3 VICTIMS AND WITNESSES

To encourage crime reporting and cooperation in the investigation of criminal activity, all individuals, regardless of their immigration status, must feel secure that contacting or being addressed by members of law enforcement will not automatically lead to immigration inquiry and/or deportation. While it may be necessary to determine the identity of a victim or witness, members shall treat all individuals equally and not in any way that would violate the United States or Illinois constitutions.

413.4 DETENTIONS

An officer should not detain any individual, for any length of time, for a civil violation of federal immigration laws or a related civil warrant (5 ILCS 805/15).

No city employee or official or department or agency of the City of Urbana shall request information about or otherwise investigate or assist in the investigation of the citizenship or immigration status of any person unless such inquiry or the investigation is required by a court order or there is a connection between the information and an investigation into a violation of state or local criminal laws (5 ILCS 805/15).

413.5 ARREST NOTIFICATION TO IMMIGRATION AND CUSTOMS ENFORCEMENT

Generally, an officer should not notify federal immigration officials when booking arrestees at a jail facility. Any required notification will be handled according to jail operation procedures. No individual who is otherwise ready to be released should continue to be detained solely for the purpose of notification.

413.6 FEDERAL REQUESTS FOR ASSISTANCE

Requests by federal immigration officials for assistance from this department should be directed to a supervisor.

No member of the Urbana Police Department, unless presented with a federal criminal warrant or otherwise required by federal law, shall (5 ILCS 805/15):

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Immigration Violations

- (a) Participate in federal immigration enforcement operations, including offering collateral assistance such as the use of equipment, transporting individuals, or establishing a security or traffic perimeter.
- (b) Give federal immigration agents access, including by telephone, to any individual in the Urbana Police Department's custody.
- (c) Transfer any person into a federal immigration agent's custody.
- (d) Permit federal immigration agents the use of department facilities or equipment, including any agency electronic databases not available to the public, for investigative interviews or any other investigative or immigration enforcement purpose.
- (e) Enter into or maintain any agreement with any federal agency enforcing civil immigration violations granting direct access to any electronic database or other data-sharing platform maintained by the Urbana Police Department.
- (f) Provide to any federal immigration agent information not otherwise available to the public relating to an individual's release or contact information, or otherwise facilitate an immigration agent's apprehension or questioning of an individual for immigration enforcement.

413.7 INFORMATION SHARING

No member of this department will prohibit, or in any way restrict, any other member from doing any of the following regarding the citizenship or immigration status, lawful or unlawful, of any individual (8 USC § 1373; 5 ILCS 805/5):

- (a) Sending information to, or requesting or receiving such information from federal immigration officials
- (b) Maintaining such information in department records
- (c) Exchanging such information with any other federal, state, or local government entity

413.7.1 IMMIGRATION DETAINERS

No individual should be held based solely on a federal immigration detainer under 8 CFR 287.7 or any other hold request unless the person has been charged with a federal crime or the detainer is accompanied by a judicial warrant. Notification to the federal authority issuing the detainer should be made prior to the release (5 ILCS 805/15).

413.7.2 REPORTING TO THE ILLINOIS ATTORNEY GENERAL

The Criminal Investigation Division supervisor shall ensure that data regarding the number of requests for assistance from federal immigration authorities and of civil immigration detainees and warrants received is collected and provided to the Custodian of Records for required reporting to the Attorney General (see the Records Maintenance and Release Policy) (5 ILCS 805/25).

413.8 U VISA AND T VISA NONIMMIGRANT STATUS

Under certain circumstances, federal law allows temporary immigration benefits, known as a U visa, to victims and witnesses of certain qualifying crimes (8 USC § 1101(a)(15)(U)). The Criminal

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Investigation Division supervisor is designated to complete the law enforcement certification for a U visa.

Similar immigration protection, known as a T visa, is available for certain qualifying victims of human trafficking (8 USC § 1101(a)(15)(T)). The Criminal Investigation Division supervisor is designated to complete a law enforcement declaration for a T visa (5 ILCS 825/10).

Any request for assistance in applying for U visa or T visa status should be forwarded in a timely manner to the Criminal Investigation Division supervisor assigned to oversee the handling of any related case. The Criminal Investigation Division supervisor should:

- (a) Consult with the assigned investigator to determine the current status of any related case and whether further documentation is warranted.
- (b) Contact the appropriate prosecutor assigned to the case, if applicable, to ensure the certification or declaration has not already been completed and whether a certification or declaration is warranted.
- (c) Address the request and complete the certification or declaration, if appropriate, in a timely manner.
 1. The instructions for completing certification and declaration forms can be found on the U.S. Department of Homeland Security (DHS) website.
 2. There is a rebuttable presumption that a victim is helpful, has been helpful, or is likely to be helpful to the detection, investigation, or prosecution of a qualifying crime if the victim has not refused or failed to provide information or assistance (5 ILCS 825/10).
 3. The appropriate form should be completed within 90 business days of the request unless (5 ILCS 825/10):
 - (a) There is a written agreement with the victim or the victim's representative extending the time to complete the form.
 - (b) The victim is eligible for expedited completion of the form.
 4. Complete and reissue an appropriate form within 90 days of a request to reissue by a victim unless the circumstances of the victim require expedited completion (5 ILCS 825/10).
- (d) Ensure that any decision to complete, or not complete, a certification or declaration form is documented in the case file and forwarded to the appropriate prosecutor. Include a copy of any completed form in the case file.

The Criminal Investigation Division supervisor and any designee processing requests should receive periodic training regarding the requirements of 5 ILCS 825/10 (5 ILCS 825/25).

413.8.1 NON-DISCLOSURE OF IMMIGRATION STATUS

No member shall disclose the immigration status of the victim or the person requesting the certification form unless authorized in writing by the individual or as required by law (5 ILCS 825/10).

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413.8.2 PUBLICATION OF DECLARATION AND CERTIFICATION FORM PROCESS

The Criminal Investigation Division supervisor should make the department's procedures for certification requests publicly available for victims and their representatives (5 ILCS 825/10).

413.8.3 DENIAL OF CERTIFICATION

If certification is denied, the Criminal Investigation Division supervisor shall inform the victim or the victim's representative in writing of the reason for the denial and the opportunity to appeal the decision. The Criminal Investigation Division supervisor should respond to any appeals within 30 business days of receipt (5 ILCS 825/11).

413.8.4 U VISA AND T VISA DOCUMENTATION AND REPORTING

The Criminal Investigation Division supervisor shall collect written documentation regarding the number of requests that were (5 ILCS 825/20):

- (a) Received by the Urbana Police Department with the dates of receipt.
- (b) Granted and with the dates granted.
- (c) Denied and with the dates denied.

The Criminal Investigation Division supervisor or the authorized designee should ensure that the information collected regarding certification forms is transmitted in a timely manner to the Custodian of Records for annual reporting to the Illinois Attorney General.

413.9 TRAINING

The Training Officer shall ensure that all appropriate members receive immigration training.

Emergency Utility Service

414.1 PURPOSE AND SCOPE

The City Public Works Department has personnel available to handle emergency calls 24 hours per day. Calls for service during non-business hours are frequently directed to the Police Department. Requests for such service received by this department should be handled in the following manner.

414.1.1 ELECTRICAL LINES

City Public Works does not maintain electrical lines to street light poles. When a power line poses a hazard, an officer should be dispatched to protect against personal injury or property damage that might be caused by power lines. The appropriate utility company or Public Works should be promptly notified.

414.1.2 EMERGENCY NUMBERS

A current list of emergency personnel who are to be called for municipal utility emergencies is maintained by personnel at the front desk and by METCAD.

414.2 TRAFFIC SIGNAL MAINTENANCE

The City of Urbana maintains all traffic signals within the City, other than those maintained by the Illinois Department of Transportation or other unit of government.

414.2.1 OFFICER'S RESPONSIBILITY

Upon observing a damaged or malfunctioning signal, the officer will advise METCAD of the location and problem with the signal. The telecommunicator should make the necessary notification to the proper maintenance agency.

Aircraft Accidents

415.1 PURPOSE AND SCOPE

The purpose of this policy is to provide department members with guidelines for handling aircraft accidents.

This policy does not supersede, and is supplementary to, applicable portions of the Crime and Disaster Scene Integrity, Emergency Management Plan and Hazardous Material Response policies.

415.1.1 DEFINITIONS

Definitions related to this policy include:

Aircraft - Any fixed wing aircraft, rotorcraft, balloon, blimp/dirigible or glider that is capable of carrying a person or any unmanned aerial vehicle other than those intended for non-commercial recreational use.

415.2 POLICY

It is the policy of the Urbana Police Department to provide an appropriate emergency response to aircraft accidents. This includes emergency medical care and scene management.

415.3 ARRIVAL AT SCENE

Officers or other authorized members tasked with initial scene management should establish an inner and outer perimeter to:

- (a) Protect persons and property.
- (b) Prevent any disturbance or further damage to the wreckage or debris, except to preserve life or rescue the injured.
- (c) Preserve ground scars and marks made by the aircraft.
- (d) Manage the admission and access of public safety and medical personnel to the extent necessary to preserve life or to stabilize hazardous materials.
- (e) Maintain a record of persons who enter the accident site.
- (f) Consider implementation of an Incident Command System (ICS).

415.4 INJURIES AND CASUALTIES

Members should address emergency medical issues and provide care as a first priority.

Those tasked with the supervision of the scene should coordinate with the National Transportation Safety Board (NTSB) before the removal of bodies. If that is not possible, the scene supervisor should ensure documentation of what was disturbed, including switch/control positions and instrument/gauge readings.

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Aircraft Accidents

415.5 NOTIFICATIONS

When an aircraft accident is reported to this department, the responding supervisor shall ensure notification is or has been made to NTSB, the Federal Aviation Administration (FAA), and when applicable, the appropriate branch of the military.

Supervisors shall ensure other notifications are made once an aircraft accident has been reported. The notifications will vary depending on the type of accident, extent of injuries or damage, and the type of aircraft involved. When an aircraft accident has occurred, it is generally necessary to notify the following:

- (a) Fire department
- (b) Appropriate airport tower
- (c) Emergency medical services (EMS)

415.6 CONTROLLING ACCESS AND SCENE AUTHORITY

Prior to NTSB arrival, scene access should be limited to authorized personnel from the:

- (a) FAA.
- (b) Fire department, EMS or other assisting law enforcement agencies.
- (c) Coroner.
- (d) Air Carrier/Operators investigative teams with NTSB approval.
- (e) Appropriate branch of the military, when applicable.
- (f) Other emergency services agencies (e.g., hazardous materials teams, biohazard decontamination teams, fuel recovery specialists, explosive ordnance disposal specialists).

The NTSB has primary responsibility for investigating accidents involving civil aircraft. In the case of a military aircraft accident, the appropriate branch of the military will have primary investigation responsibility.

After the NTSB or military representative arrives on-scene, the efforts of this department will shift to a support role for those agencies.

If NTSB or a military representative determines that an aircraft or accident does not qualify under its jurisdiction, the on-scene department supervisor should ensure the accident is still appropriately investigated and documented.

415.7 DANGEROUS MATERIALS

Members should be aware of potentially dangerous materials that might be present. These may include, but are not limited to:

- (a) Fuel, chemicals, explosives, biological or radioactive materials and bombs or other ordnance.
- (b) Pressure vessels, compressed gas bottles, accumulators and tires.
- (c) Fluids, batteries, flares and igniters.

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- (d) Evacuation chutes, ballistic parachute systems and composite materials.

415.8 DOCUMENTATION

All aircraft accidents occurring within the City of Urbana shall be documented. At a minimum the documentation should include the date, time and location of the incident; any witness statements, if taken; the names of UPD members deployed to assist; other City resources that were utilized; and cross reference information to other investigating agencies. Suspected criminal activity should be documented on the appropriate crime report.

415.8.1 WRECKAGE

When reasonably safe, members should:

- (a) Obtain the aircraft registration number (N number) and note the type of aircraft.
- (b) Attempt to ascertain the number of casualties.
- (c) Obtain photographs or video of the overall wreckage, including the cockpit and damage, starting at the initial point of impact, if possible, and any ground scars or marks made by the aircraft.
 - 1. Military aircraft may contain classified equipment and therefore shall not be photographed unless authorized by a military commanding officer (18 USC § 795).
- (d) Secure, if requested by the lead authority, any electronic data or video recorders from the aircraft that became dislodged or cell phones or other recording devices that are part of the wreckage.
- (e) Acquire copies of any recordings from security cameras that may have captured the incident.

415.8.2 WITNESSES

Members tasked with contacting witnesses should obtain:

- (a) The location of the witness at the time of his/her observation relative to the accident site.
- (b) A detailed description of what was observed or heard.
- (c) Any photographs or recordings of the accident witnesses may be willing to voluntarily surrender.
- (d) The names of all persons reporting the accident, even if not yet interviewed.
- (e) Any audio recordings of reports to 9-1-1 regarding the accident and dispatch records.

415.9 MEDIA RELATIONS

The Public Information Officer (PIO) should coordinate a response to the media, including access issues, road closures, detours and any safety information that is pertinent to the surrounding community. Any release of information regarding details of the accident itself should be coordinated with the NTSB or other authority who may have assumed responsibility for the investigation.

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Depending on the type of aircraft, the airline or the military may be responsible for family notifications and the release of victims' names. The PIO should coordinate with other involved entities before the release of information.

Field Training

416.1 PURPOSE AND SCOPE

The Field Training Program is intended to provide a standardized program to facilitate the officer's transition from the academic setting to the actual performance of general law enforcement duties of the Urbana Police Department.

It is the policy of this department to assign all new police officers to a structured Field Training Program that is designed to prepare the new officer to perform in a patrol assignment possessing all skills needed to operate in a safe, skillful, productive and professional manner.

416.2 FIELD TRAINING OFFICER - SELECTION AND TRAINING

The Field Training Officer (FTO) is an experienced officer trained in the art of supervising, training and evaluating entry level and lateral police officers in the application of their previously acquired knowledge and skills.

416.2.1 SELECTION PROCESS

enforcement will be selected based on the following requirements:

- (a) Desire to be an FTO.
- (b) Minimum of two years of law enforcement experience.
- (c) Demonstrated ability as a positive role model.
- (d) Participate and pass an internal oral interview selection process.
- (e) Evaluation by supervisors and current FTOs.
- (f) Possess an ILETSB certificate.

416.2.2 TRAINING

An officer selected as an FTO shall successfully complete the department-approved FTO course prior to being assigned as an FTO.

416.3 FIELD TRAINING OFFICER PROGRAM SUPERVISOR

The Field Training Officer Program supervisor will be selected from the rank of sergeant or above by the Patrol Division Commander or their designee and shall when practical, have completed the ILETSB certified (40 hour) Field Training Officer's Course.

The responsibilities of the FTO Program Supervisor include the following:

- (a) Assignment of trainees to FTOs.
- (b) Conducting FTO meetings.
- (c) Maintain and ensure FTO/Trainee performance evaluations are completed.
- (d) Maintain and update the Field Training Manual.
- (e) Monitor individual FTO performance.

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- (f) Monitor the overall FTO Program.
- (g) Maintain liaison with FTO Coordinators of other agencies.
- (h) Maintain liaison with academy staff on recruit performance during the academy.
- (i) Develop ongoing training for FTOs.

The FTO Program supervisor will be required to successfully complete an ILETSB approved Field Training Officer's course, preferably within one year of appointment to this position.

416.4 TRAINEE DEFINED

Any entry level, lateral police officer, or person granted Conservators of the Peace Power newly appointed to the Urbana Police Department who has successfully completed an ILETSB training course.

416.5 REQUIRED TRAINING

Entry level officers shall be required to successfully complete the Field Training Program, generally consisting of a minimum of 10 weeks and four phases. The length of each phase will be dependant upon the performance of the trainee.

The training period for lateral officers may be modified depending on the trainee's demonstrated performance and level of experience, but shall consist of a minimum of eight weeks.

To the extent practicable, officers should be assigned to a variety of Field Training Officers, shifts and geographical areas during their Field Training Program.

416.5.1 FIELD TRAINING MANUAL

Each new officer will be directed to a digital issued Field Training Manual at the beginning of their Primary Training Phase. This manual is an outline of the subject matter and/or skills necessary to properly function as an officer with the Urbana Police Department. The manual is not intended to cover every contingency, but will be periodically reviewed and adjusted as appropriate. The officer shall become knowledgeable of the subject matter as outlined. He/she shall also become proficient with those skills as set forth in the manual.

The Field Training Manual will specifically cover those policies, procedures, rules and regulations enacted by the Urbana Police Department.

416.6 EVALUATIONS

Evaluations are an important component of the training process and shall be completed as outlined below.

416.6.1 FIELD TRAINING OFFICER

The FTO will be responsible for the following:

- (a) Complete and submit a digital evaluation on the performance of their assigned trainee to the FTO program supervisor on a daily basis.
- (b) Review the Daily Observation Report with the trainee each day.

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- (c)
- (d) Sign off all completed topics contained in the Field Training Manual, noting the method(s) of learning and evaluating the performance of their assigned trainee.

416.6.2 IMMEDIATE SUPERVISOR

The FTO program supervisor shall review and approve the DORs at the end of each week, they shall also complete a Weekly Summary (weekly) of the officer's progress. The supervisor will meet and discuss the weekly with the FTO and the officer.

- The weekly will contain both the officer's strengths and weaknesses.
- The weekly will contain suggestions on what the officer should work on and how to improve their performance.
- The supervisor should respond to as many calls as possible that the officer is assigned to so they can evaluate the officer's progress.
- Once the officer has completed the Field Training Program they will be on probation until they have completed six months of active solo patrol.
- During this time, a sergeant will be assigned to monitor their progress.

416.6.3 FIELD TRAINING ADMINISTRATOR

The Field Training Administrator will review and approve the Daily Trainee Performance Evaluations submitted by the FTO through the FTO program supervisor. The Field Training Coordinator shall report to the Field Training Commander to keep them apprised of the officer's progress and to make recommendations on moving the officer along, extended training or termination of the officer's status.

416.6.4 TRAINEE

At the completion of the Field Training Program, the trainee shall submit a confidential performance evaluation on each of their FTOs and on the Field Training Program.

416.6.5 FIELD TRAINING COMMANDER

The Deputy Chief of Police or their designee is the Field Training Commander. The Field Training Commander will be informed by the Field Training Coordinator of all new officers' performance and evaluations during the Field Training period. Any final decisions on a new officer's status will be made by the Field Training Commander with input from the Field Training Staff.

416.7 DOCUMENTATION

All documentation of the Field Training Program will be retained in the officer's training files and will consist of the following:

- (a) Daily Observation Reports or DORs.
- (b) End of phase evaluations and sergeant weekly evaluations.
- (c) Administrative communication directed to the file certifying that the trainee has successfully completed the required number of hours of field training.

Contacts and Temporary Detentions

417.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for temporarily detaining but not arresting persons in the field, conducting field interviews (FI) and pat-down searches, and the taking and disposition of photographs.

417.1.1 DEFINITIONS

Definitions related to this policy include:

Consensual encounter - When an officer contacts an individual but does not create a detention through words, actions, or other means. In other words, a reasonable individual would believe that his/her contact with the officer is voluntary.

Field interview (FI) - The brief detainment of an individual, whether on foot or in a vehicle, based on reasonable suspicion for the purpose of determining the individual's identity and resolving the officer's suspicions.

Field photographs - Posed photographs taken of a person during a contact, temporary detention, or arrest in the field. Undercover surveillance photographs of an individual and recordings captured by the normal operation of a Mobile Audio/Video (MAV) system, body-worn camera, or public safety camera when persons are not posed for the purpose of photographing are not considered field photographs.

Pat-down search - A type of search used by officers in the field to check an individual for dangerous weapons. It involves a thorough patting-down of clothing to locate any weapons or dangerous items that could pose a danger to the officer, the detainee, or others.

Reasonable suspicion - When, under the totality of the circumstances, an officer has articulable facts that criminal activity may be afoot and a particular person is connected with that possible criminal activity.

Temporarydetention - When an officer intentionally, through words, actions, or physical force, causes an individual to reasonably believe he/she is required to restrict his/her movement without an actual arrest. Temporary detentions also occur when an officer actually restrains a person's freedom of movement.

417.2 POLICY

The Urbana Police Department respects the right of the public to be free from unreasonable searches or seizures. Due to an unlimited variety of situations confronting the officer, the decision to temporarily detain a person and complete an FI, pat-down search, or field photograph shall be left to the officer based on the totality of the circumstances, officer safety considerations, and constitutional safeguards.

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417.3 FIELD INTERVIEWS

Based on observance of suspicious circumstances or upon information from investigation, an officer may initiate the stop of a person, and conduct an FI, when there is articulable, reasonable suspicion to do so. A person, however, shall not be detained longer than is reasonably necessary to resolve the officer's suspicion.

Nothing in this policy is intended to discourage consensual contacts. Frequent casual contact with consenting individuals is encouraged by the Urbana Police Department to strengthen community involvement, community awareness, and problem identification.

417.4 PAT-DOWN SEARCHES

Once a valid stop has been made, and consistent with the officer's training and experience, an officer may pat a suspect's outer clothing for weapons if the officer has a reasonable, articulable suspicion the suspect may pose a safety risk. The purpose of this limited search is not to discover evidence of a crime, but to allow the officer to pursue the investigation without fear of violence. Circumstances that may establish justification for performing a pat-down search include but are not limited to:

- (a) The type of crime suspected, particularly in crimes of violence where the use or threat of weapons is involved.
- (b) Where more than one suspect must be handled by a single officer.
- (c) The hour of the day and the location or area where the stop takes place.
- (d) Prior knowledge of the suspect's use of force and/or propensity to carry weapons.
- (e) The actions and demeanor of the suspect.
- (f) Visual indications which suggest that the suspect is carrying a firearm or other dangerous weapon.

Whenever practicable, a pat-down search should not be conducted by a lone officer. A cover officer should be positioned to ensure safety and should not be involved in the search.

417.5 FIELD PHOTOGRAPHS

All available databases should be searched before photographing any field detainee. If a photograph is not located, or if an existing photograph no longer resembles the detainee, the officer shall carefully consider, among other things, the factors listed below.

417.5.1 FIELD PHOTOGRAPHS TAKEN WITH CONSENT

Field photographs may be taken when the subject of the photograph knowingly and voluntarily gives consent.

417.5.2 FIELD PHOTOGRAPHS TAKEN WITHOUT CONSENT

Field photographs may be taken without consent only if they are taken during a detention that is based on reasonable suspicion of criminal activity, and the photograph serves a legitimate law enforcement purpose related to the detention. The officer must be able to articulate facts that

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reasonably indicate that the subject was involved in or was about to become involved in criminal conduct.

If, prior to taking a photograph, the officer's reasonable suspicion of criminal activity has been dispelled, the detention must cease and the photograph should not be taken.

All field photographs and related reports shall be submitted to a supervisor and retained in compliance with this policy.

417.5.3 DISPOSITION OF PHOTOGRAPHS

All detainee photographs must be adequately labeled and submitted to the Shift Supervisor with either an associated FI card or other memorandum explaining the nature of the contact. If an individual is photographed as a suspect in a particular crime, the photograph should be submitted as an evidence item in the related case, following standard evidence procedures.

If a photograph is not associated with an investigation where a case number has been issued, the Shift Supervisor should review and forward the photograph to the Services Division for inclusion into the Tyler database. These photographs will be purged as described in this policy.

When a photograph is taken in association with a particular case, the detective may use such photograph in a photo lineup. Thereafter, the individual photograph should be retained as a part of the case file. All other photographs will be kept by the Services Division in ARMS.

417.5.4 SUPERVISOR RESPONSIBILITIES

While it is recognized that field photographs often become valuable investigative tools, supervisors should monitor such practices in view of the above listed considerations. This is not to imply that supervisor approval is required before each photograph is taken.

Access to, and use of, field photographs shall be strictly limited to law enforcement purposes.

417.6 STOP RECEIPTS

Whenever an officer stops a person in a public place and pat-down searches the person or the person's property, the officer should issue a stop receipt providing the reason for the stop and containing the member's name and badge number (725 ILCS 5/107-14).

417.7 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an incident may become unavailable or the integrity of their statements compromised with the passage of time, officers should, when warranted by the seriousness of the case, take reasonable steps to promptly coordinate with an on-scene supervisor and/or criminal investigator to utilize available members for the following:

- (a) Identifying all persons present at the scene and in the immediate area.
 1. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, officers should attempt to identify the witness prior to his/her departure.

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- (b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by department members.

Shift Supervisors

418.1 PURPOSE AND SCOPE

Each patrol shift must be directed by supervisors who are capable of making decisions and communicating in a manner consistent with departmental policies, procedures, practices, functions and objectives. To accomplish this goal, a Sergeant heads each watch.

418.2 SHIFT SUPERVISOR RESPONSIBILITIES

1. Sergeants are the first line supervisors for officers and as such have the responsibility for the orderly and efficient operation. This includes proper morale and discipline and the enforcement of all department policies. Shift Supervisors responsibilities include but are not limited to the following:

- a. Shall direct and supervise all assigned subordinate personnel.
- b. Shall be present at the scene of major incidents or unusual occurrences, and to assume command and direct the activities of the officers at such scene until relieved by a higher authority.
- c. Shall handle calls for service when appropriate.
- d. Assist with general safety, security and cleanliness within areas utilized by the patrol division.
- e. Ensure that all reports filed on his/her Watch are read and approved to meet standards by a supervisor.
- f. Bear the ultimate responsibility for the welfare of all arrested persons (and their property) in custody of the Urbana Police Department.
- g. Cooperate and maintain good interdepartmental relations with other area law enforcement agencies.
- h. Be responsible for the efficient and timely provision of police service to the public and, insofar as possible, meeting the goals of prevention and detection of crime and the apprehension of offenders.
- i. Take primary responsibility for the welfare of juveniles with whom the Department comes into contact.
- j. Required to conduct inquiries into the majority of minor complaints against subordinates.
- k. Other duties as assigned.

Squad Car Video

419.1 PURPOSE AND SCOPE

The Urbana Police Department has equipped marked patrol cars with In Car Video (ICV) recording systems to provide records of events and assist uniformed officers in the performance of their duties by providing a visual and/or audio record of patrol-related activities when permitted by law (720 ILCS 5/14-3(h)). This policy provides guidance on the use of these systems.

419.2 OFFICER RESPONSIBILITIES

Prior to going into service, each officer will ensure that the ICV equipment is working properly. If officers determine that the equipment not working properly, they shall bring any problems to the attention of the shift supervisor as soon as possible.

Also prior to going into service, each officer will conduct a test of the ICV equipment. The test will include the testing of:

- (a) Automatic recording initiates when emergency lights are activated.
- (b) Brake sensor registers on the system when the brake is applied.
- (c) The officer's body worn camera is connected and registers on the system.
- (d) The siren sensor registers on the sensor when the siren is turned on.
- (e) The officer's body worn camera registers on the system when the record button on the mic is depressed.
- (f) Activation of the backseat microphone and camera.

419.2.1 SUPERVISOR RESPONSIBILITIES

Supervisors are responsible to ensure that officers are using all of the ICV equipment regularly.

419.2.2 EAVESDROPPING CONSIDERATIONS

Other than during enforcement stops, the recording of audio may violate state statute unless consent is granted. Therefore, at the onset of police/citizen contacts not categorized as enforcement stops, officers are encouraged to utilize the camera and audio mic and inform the person(s) that the contact is being recorded. For purposes of this policy, enforcement stops mean an action by a law enforcement officer in relation to enforcement and investigation duties, including but not limited to traffic stops, pedestrian stops, abandoned vehicle contacts, motorist assists, commercial motor vehicle stops, roadside safety checks, requests for identification, or responses to requests for emergency assistance.

419.2.3 DOCUMENTATION OF FAILURE TO RECORD USING ICV EQUIPMENT

If an incident occurs that would normally have been recorded but was not due to an equipment malfunction, that fact should be noted in the officers documentation on that incident.

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419.2.4 ICV EQUIPMENT SYSTEM SIGN-ON AND VIDEO RECORDING CLASSIFICATION

Officers shall utilize a sign-in and password to access the system and identify their recordings. Officers shall appropriately classify all video recorded. Officers are encouraged to classify the videos while in the squad car to more quickly identify what recordings belong to them.

419.2.5 CITIZEN INQUIRIES ABOUT ICV EQUIPMENT AUDIO RECORDING

Officers will inform citizens who inquire that a video/audio recording is being made. The officer should attempt to explain that the recording is to protect both the interests of the officer and the citizen. They are not required to terminate recording upon demand of the citizen if in compliance with this policy and/or statutes.

419.3 OFFICER RESPONSIBILITIES

The ICV system is designed to turn on whenever the unit emergency lights are activated, but may also be activated manually. The system remains on until turned off manually. The audio portion may be activated manually by each officer and is not independent of the video.

419.3.1 VIDEORECORDING OF PERSONS IN THE BACKSEAT OF SQUAD CARS

Officers shall video and audio record all persons seated in the backseat of a squad car.

419.3.2 VIDEORECORDING OF DUI INVESTIGATIONS

Shift supervisors and officers should endeavor to videorecord DUI driving behavior, field sobriety, and arrest. Shift supervisors are responsible to ensure that this is the practice among his/her subordinates.

419.3.3 ADJUSTMENT OF ICV EQUIPMENT TO CAPTURE EVENT

Reasonable efforts will be made to adjust the ICV equipment to capture the event. Officers shall wear their Body Worn Camera, which is the microphone for the ICV, on their person and ensure that the power is turned on when the camera is recording. Officers shall ensure that their Body Worn Camera is synced with the ICV equipment system in the squad in which the officer is assigned.

419.4 ACTIVATION OF THE ICV

Recordings may be reviewed so long as they are not being viewed or shown in an attempt to ridicule or embarrass any employee.

419.4.1 REQUIRED ACTIVATION OF ICV

This policy is not intended to describe every possible situation in which the ICV system may be used, although there are many situations where its use is appropriate. An officer may activate the system any time the officer believes it would be appropriate or valuable to document an incident.

In some circumstances it is not possible to capture images of the incident, due to conditions or the location of the camera. The ICV system should be activated as soon as practicable in any of the following situations:

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- (a) All field contacts involving actual or potential criminal conduct, within video or audio range:
 - 1. Traffic stops (to include, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops)
 - 2. Emergency responses
 - 3. Vehicle pursuits
 - 4. Suspicious vehicles
 - 5. Arrests
 - 6. Vehicle searches
 - 7. Physical or verbal confrontations or use of force
 - 8. Pedestrian stops
 - 9. DUI investigations including field sobriety tests
 - 10. Crimes in progress
 - 11. Responding to an in-progress call
 - 12. Disturbance of peace calls
 - 13. Offenses involving violence or weapons
- (b) All self-initiated activity in which an officer would normally notify METCAD
- (c) Any call for service involving a crime where the recorder may aid in the apprehension and/or prosecution of a suspect:
- (d) Any other contact that becomes adversarial after the initial contact, in a situation that would not otherwise require recording
- (e) Any other circumstance where the officer believes that a recording of an incident would be appropriate

419.4.2 CESSATION OF RECORDING

Once activated, the ICV system should remain on until the incident has concluded. For purposes of this section, conclusion of an incident has occurred when all arrests have been made, arrestees have been transported and all witnesses and victims have been interviewed. Recording may cease if an officer is simply waiting for a tow truck or a family member to arrive, or in other similar situations. The only exception to this is when a squad car is used to travel for administrative purposes, such as attending training, and the speed trigger has been activated.

419.4.3 WHEN ACTIVATION IS NOT REQUIRED

Activation of the ICV system is not required when exchanging information with other officers or during breaks, lunch periods, when not in service or actively on patrol.

No member of this department may surreptitiously record a conversation of any other member of this department except with a court order or when lawfully authorized by the Chief of Police or the authorized designee for the purpose of conducting a criminal or administrative investigation.

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419.5 DOCUMENTING ICV USE

All video recordings will be transferred to the digital video recording archive via wireless connection. That digital video recording archive will be kept securely in the evidence area and only physically accessible to those with normal access to the evidence area. All ICV recordings will be retained for a minimum of 90 days after which time they may be erased, destroyed or recycled unless they are deemed evidence in any criminal, civil or administrative proceeding, in which case the recordings will only be destroyed in accordance with current retention laws (720 ILCS 5/14-3(h-15)).

419.5.1 COPIES OF VIDEO RECORDINGS

A copy of original video recordings may only be released in response to a valid court order or upon approval by the Chief of Police or his/her designee.

419.5.2 ICV RECORDINGS AS EVIDENCE

As all video recordings are transferred to the digital video recording archive, video recordings that are evidence should be classified as such. Officers shall identify video recordings in their reports also. If the video recording is associated with an incident that has a case number, the officers shall complete a paper evidence tag under the corresponding case number. The officer shall use the "video name" (The 10 character file name [e.g. 104919I.av]) Once complete, the tag is to be dropped in the evidence office evidence drop slot.

419.5.3 REQUESTS FOR COPIES OF RECORDINGS

Requests for copies of recordings shall be in writing (electronic mail) and sent to the evidence custodian. Officers shall not make copies of recordings for personal use without authorization. Recordings using either camcorders or ICV equipment are considered department property.

419.6 RECORDING MEDIA STORAGE AND INTEGRITY

Once submitted for storage, all recording media will be labeled and stored in a designated secure area. All recording media that is not booked as evidence will be retained for a minimum of 90 days and disposed of in compliance with the established records retention schedules (720 ILCS 5/14-3(h-15)).

419.6.1 ICV RECORDINGS AS EVIDENCE

Officers who reasonably believe that a ICV recording is likely to contain evidence relevant to a criminal offense, potential claim against the officer or against the Urbana Police Department should indicate this in an appropriate report. Officers should ensure relevant recordings are preserved.

419.7 CAMCORDER REQUIREMENTS

Officers should consider supplementing ICV equipment recordings with camcorder recordings on significant accident scenes and other appropriate citizen contacts, if a camcorder is available. Once a recording is initiated is should not be terminated until the contact has been terminated. Officers shall not intentionally tamper, erase or alter any recording or any tape unless it involves reusing a tape that has been held for a period of time and put back in use by the evidence

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custodian. Officers shall always configure the camera so that the date and time are displayed on the recording.

419.8 SYSTEM OPERATIONAL STANDARDS

- (a) ICV system vehicle installations should be based on officer safety requirements and the vehicle and device manufacturer's recommendations.
- (b) The ICV system should be configured to minimally record for 30 seconds prior to an event.
- (c) The ICV system may not be configured to record audio data occurring prior to activation.
- (d) Unless the transmitters being used are designed for synchronized use, only one transmitter, usually the primary initiating officer's transmitter, should be activated at a scene to minimize interference or noise from other ICV transmitters.
- (e) Officers using digital transmitters that are synchronized to their individual ICV shall activate both audio and video recordings when responding in a support capacity. This is to obtain additional perspectives of the incident scene.
- (f) With the exception of law enforcement radios or other emergency equipment, other electronic devices should not be used inside ICV-equipped law enforcement vehicles to minimize the possibility of causing electronic or noise interference with the ICV system.
- (g) Officers shall not erase, alter, reuse, modify or tamper with ICV recordings. Only a supervisor, ICV technician or other authorized designee may erase and reissue previous recordings and may only do so pursuant to the provisions of this policy.
- (h) To prevent damage, original recordings shall not be viewed on any equipment other than the equipment issued or authorized by the ICV technician.

419.9 ICV TECHNICIAN RESPONSIBILITIES

The ICV technician is responsible for:

- (a) Ordering, issuing, retrieving, storing, erasing and duplicating of all recorded media.
- (b) Verification of wireless downloaded media. Once collected, the ICV technician:
 - 1. Ensures it is stored in a secure location with authorized controlled access.
 - 2. Makes the appropriate entries in the chain of custody log.
- (c) Erasing of media:
 - 1. Pursuant to a court order.
 - 2. In accordance with established records retention policies, including reissuing all other media deemed to be of no evidentiary value.
- (d) Ensuring that an adequate supply of recording media is available.

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- (e) Managing the long-term storage of media that has been deemed to be of evidentiary value in accordance with the department evidence storage protocols and the records retention schedule.

419.10 TRAINING

All members who are authorized to use the ICV system shall successfully complete an approved course of instruction prior to its use. This will be conducted by field training officers for new officers.

419.11 SUPERVISOR RESPONSIBILITIES

Supervisors should determine if vehicles with non-functioning ICV systems should be placed into service. If these vehicles are placed into service, the appropriate documentation should be made, including notification of METCAD.

When an incident arises that requires the immediate retrieval of the recorded media (e.g., serious crime scenes, officer-involved shootings, department-involved collisions), a supervisor shall respond to the scene and ensure that the appropriate supervisor, ICV technician or crime scene investigator properly retrieves the recorded media. The media may need to be treated as evidence and should be handled in accordance with current evidence procedures for recorded media.

Mobile Digital Computer Use

420.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper access, use and application of the Mobile Digital Computer MDC system and dispatch application (ShieldForce), downloaded to department issued electronic communication devices, in order to ensure appropriate access to confidential records from local, state and national law enforcement databases, and to ensure effective electronic communications between department members and METCAD.

420.2 POLICY

Urbana Police Department members using the MDC or ShieldForce shall comply with all appropriate federal and state rules and regulations and shall use the MDC in a professional manner, in accordance with this policy.

420.3 RESTRICTED ACCESS AND USE

MDC use is subject to the Information Technology Use and Protected Information policies. As such, applications downloaded to department issued communication devices that share data with criminal justice agencies, such as ShieldForce, are also subject to the Information Technology Use and Protected Information policies.

Members shall not access the MDC system or the ShieldForce application if they have not received prior authorization and the required training. Members shall immediately report unauthorized access or use of the MDC or the ShieldForce application by another member to their supervisors or Shift Supervisors.

Use of the MDC system or the ShieldForce application to access law enforcement databases or transmit messages is restricted to official activities, business-related tasks and communications that are directly related to the business, administration or practices of the Department. In the event that a member has questions about sending a particular message or accessing a particular database, the member should seek prior approval from his/her supervisor.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing or any other inappropriate messages on the MDC system is prohibited and may result in discipline.

It is a violation of this policy to transmit a message or access a law enforcement database under another member's name or to use the password of another member to log in to the MDC system or the ShieldForce application unless directed to do so by a supervisor. Members are required to log off the MDC or secure the MDC when it is unattended. This added security measure will minimize the potential for unauthorized access or misuse.

420.3.1 USE WHILE DRIVING

Use of the MDC by the vehicle operator should generally be limited to times when the vehicle is stopped. When the vehicle is in motion, the operator should only attempt to read messages that are likely to contain information that is required for immediate enforcement, investigative or safety needs.

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Short transmissions, such as a license plate check, are permitted if it reasonably appears that it can be done safely. In no case shall an operator attempt to send or review lengthy messages while the vehicle is in motion. All use of the ShieldForce application while driving is subject to the Personal Communication Device policy (Policy 701).

420.3.2 DISPATCH FUNCTIONS AND STATUS CHANGES

The MDC system will not replace the dispatch function and routine calls will not be dispatched via the MDC. Some sensitive information may be sent via the MDC if it would enhance officer/citizen safety. All dispatched information sent via MDC shall be acknowledged on the radio. Shift Supervisors shall be notified when calls are made via the MDC. All traffic stops and unit status checks shall continue to be handled by radio. All hits received via an MDC shall be verified by METCAD.

420.3.3 EMERGENCY ACTIVATION ON MDC

Officers will depress the EMERGENCY button only if in dire need of assistance and unable to use the radio or believes it is necessary for a justifiable reason.

420.4 OPERATION

Routine LEADS inquiries and routine car to car traffic shall be made by MDC whenever possible. Officers should routinely check their e-mail each shift. Those using MDC's shall keep them clean and avoid spilling liquid or food into them. Officers are required to completely turn off MDC's at the end of their shift so as not to drain the squad car batteries. Officers should allow the "master power" switch to the docking stations to remain "on" so that MDC's can fully charge while squad cars are not in use. Officers can use the MDC to change duty status, but the officer is still required to clear all calls over the radio.

420.5 TRAINING

Employees shall not use MDCs or the ShieldForce application until properly trained and having been signed onto the system by the Tyler Mobile Manager. Field Training Officers shall instruct recruits on the use of the MDC.

420.6 DOCUMENTATION OF ACTIVITY

Except as otherwise directed by the Shift Supervisor or other department-established protocol, all calls for service assigned by a dispatcher should be communicated by voice over the police radio and electronically via the MDC unless security or confidentiality prevents such broadcasting.

MDC and voice transmissions are used to document the member's daily activity. To ensure accuracy:

- (a) All contacts or activity shall be documented at the time of the contact.
- (b) Whenever the activity or contact is initiated by voice, it should be documented by a dispatcher.
- (c) Whenever the activity or contact is not initiated by voice, the member shall document it via the MDC

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420.6.1 STATUS CHANGES

All status changes (e.g., arrival at the scene, meal periods, in service) will be transmitted over the police radio or through the MDC system. Members responding to in-progress calls should advise changes in status over the radio to assist other members responding to the same incident. Other status changes can be made on the MDC when the vehicle is not in motion. Members logged into the ShieldForce application are required to ensure their current status is logged in the application. Failure to do so could result in complications for the CAD system's proximity dispatch creating a delay in patrol response.

[REDACTED]

420.7 EQUIPMENT CONSIDERATIONS

The ShieldForce application shall only be installed on and used with department-issued electronic communication devices that are locked by a passcode. The device must use two-factor authentication to log into the ShieldForce application. The Deputy Chief of Operations will act as the custodian of the ShieldForce equipment device log by maintaining a list of devices that operate ShieldForce. The Deputy Chief of Operations will be responsible for the remote wiping of a device in the event the device is stolen, lost, or the employee is placed on administrative leave, up and including separation from the department. It is also the responsibility of the issued officer to immediately notify the Deputy Chief of Operations, through their chain of command, in the event the device has been compromised.

420.7.1 MALFUNCTIONING

Whenever possible, members will not use vehicles with malfunctioning MDCs. Whenever members must drive a vehicle in which the MDC is not working, they shall notify METCAD. It shall be the responsibility of the dispatcher to document all information that will then be transmitted verbally over the police radio.

[REDACTED]

Portable Audio/Video Recorders (Body Worn Cameras)

421.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of portable audio/video recording devices by members of this department while in the performance of their duties (50 ILCS 706/10-20). Portable audio/video recording devices include all recording systems whether body-worn, hand-held or integrated into portable equipment.

This policy does not apply to mobile audio/video recordings, interviews or interrogations conducted at any Urbana Police Department facility, authorized undercover operations, wiretaps or eavesdropping (concealed listening devices).

421.1.1 DEFINITIONS

Definitions related to this policy include (50 ILCS 706/10-10):

Body-worn camera or camera - An electronic camera system for creating, generating, sending, receiving, storing, displaying, and processing audiovisual recordings that may be worn about the person of a law enforcement officer.

Law enforcement-related activities - Activities in which the member is enforcing the law, including traffic or pedestrian stops, arrests, searches, interrogations, investigations, pursuits, and crowd and traffic control. It does not include tasks unrelated to the investigation of a crime such as participating in town halls or other community outreach; helping a child find their parents; providing death notifications; performing in-home or hospital well-being checks on the sick, elderly or persons presumed missing; or completing paperwork while alone, participating in training in a classroom setting, or only in the presence of another law enforcement officer.

In Uniform - A law enforcement officer who is wearing any officially authorized uniform designated by a law enforcement agency, or a law enforcement officer who is visibly wearing articles of clothing, a badge, tactical gear, gun belt, a patch, or other insignia that he or she is a law enforcement officer acting in the course of his or her duties.

Portable recorder or recorder - Either an audio-only recording device or a body-worn camera.

421.2 POLICY

The Urbana Police Department may provide members with access to portable recorders, either audio or video or both, for use during the performance of their duties. The use of recorders is intended to enhance the mission of the Department by accurately capturing contacts between members of the Department and the public (50 ILCS 706/10-15).

421.3 MEMBER PRIVACY EXPECTATION

All recordings made by members on any department-issued device at any time, and any recording made while acting in an official capacity of this department, regardless of ownership of the device

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it was made on, shall remain the property of the Department. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

421.4 MEMBER RESPONSIBILITIES

Prior to going into service, each uniformed member will be responsible for making sure that he/she is equipped with a portable recorder issued by the Department, and that the recorder is in good working order. If the recorder is not in working order or the member becomes aware of a malfunction at any time, the member shall promptly report the failure to his/her supervisor and obtain a functioning device as soon as reasonably practicable (50 ILCS 706/10-20). Uniformed members should wear the recorder in a conspicuous manner or otherwise notify persons that they are being recorded, whenever reasonably practicable.

Any member assigned to a non-uniformed position shall, when "in uniform" as defined above, carry an approved portable recorder while on-duty and may have contact with the public where an enforcement related activity may take place. Unless conducting a lawful recording in an authorized undercover capacity, non-uniformed members should wear the recorder in a conspicuous manner when in use or otherwise notify persons that they are being recorded, whenever reasonably practicable.

When using a portable recorder, the assigned member shall record his/her name, UPD identification number and the current date and time at the beginning and the end of the shift or other period of use, regardless of whether any activity was recorded. This procedure is not required when the recording device and related software captures the user's unique identification and the date and time of each recording.

Members should document the existence of a recording in any report or other official record of the contact, including any instance where the recorder malfunctioned or the member deactivated the recording. Members should include the reason for deactivation.

421.5 ACTIVATION OF THE AUDIO/VIDEO RECORDER

This policy is not intended to describe every possible situation in which the portable recorder should be used, although there are many situations where its use is appropriate. Members should activate the recorder any time the member believes it would be appropriate or valuable to record an incident.

Members wearing body-worn cameras and any clothing or any indication they are law enforcement shall have the body-worn camera turned on at all times while they are on-duty and are responding to calls for service or engaged in law enforcement-related activities (50 ILCS 706/10-20).

Other portable recorders should be activated in any of the following situations:

- (a) All enforcement and investigative contacts including stops and field interview situations
- (b) Traffic stops including, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops
- (c) Self-initiated activity in which an officer would normally notify METCAD

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- (d) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording

If exigent circumstances prevent an officer from turning on a body-worn camera when required, the camera shall be turned on as soon as practicable (50 ILCS 706/10-20).

Members shall not record interactions with confidential informants unless exigent circumstances exist or the informant has or is committing a crime (50 ILCS 706/10-20).

Members should remain sensitive to the dignity of all individuals being recorded and unless recording with a body-worn camera is required, exercise sound discretion to respect privacy by discontinuing recording whenever it reasonably appears to the member that such privacy may outweigh any legitimate law enforcement interest in recording. Requests by members of the public to stop recording should be considered using this same criterion. Recording should resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.

At no time is a member expected to jeopardize his/her safety in order to activate a portable recorder or change the recording media. However, the recorder should be activated in situations described above as soon as reasonably practicable.

421.5.1 SURREPTITIOUS USE OF THE PORTABLE RECORDER

Illinois law prohibits any individual from surreptitiously recording any conversation in which any party to the conversation has a reasonable belief that the conversation is private or confidential (720 ILCS 5/14-2).

However, officers using body-worn cameras are not prohibited from recording a private conversation if the person is provided notice of the recording and proof of that notice is captured on the recording. If exigent circumstances exist that prevent the officer from providing notice, notice must be provided as soon as practicable (50 ILCS 706/10-20).

Members shall not surreptitiously record another department member without a court order unless lawfully authorized by the Chief of Police or the authorized designee.

421.5.2 CESSATION OF RECORDING

Once activated, the portable recorder should remain on continuously until the member reasonably believes that the member's direct participation in the incident is complete or the situation no longer fits the criteria for activation. Recording may be stopped during significant periods of inactivity such as report writing or other breaks from direct participation in the incident.

Body-worn cameras shall be turned off when a victim, a witness, or a community member reporting a crime requests that the camera be turned off. The request should be captured on the recording. However, an officer may continue to record or resume recording a victim or witness if exigent circumstances exist or the officer has a reasonable articulable suspicion that the victim or witness has committed or is in the process of committing a crime. Under these circumstances, the officer should indicate on the recording the reason for continuing to record despite the request of the victim or witness (50 ILCS 706/10-20).

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Officers are permitted to turn off body-worn cameras while inside a patrol car equipped with Mobile Audio/Video (MAV). Cameras may also be turned off when the officer is not engaged in law enforcement-related activities, when completing paperwork alone or while only in the presence of another member, or when inside a correctional facility or courthouse with a camera system (50 ILCS 706/10-20).

421.6 PROHIBITED USE OF PORTABLE RECORDERS

Members are prohibited from using department-issued portable recorders and recording media for personal use and are prohibited from making personal copies of recordings created while on-duty or while acting in their official capacity.

Members are also prohibited from retaining recordings of activities or information obtained while on-duty, whether the recording was created with department-issued or personally owned recorders. Members shall not duplicate or distribute such recordings, except for authorized legitimate department business purposes. All such recordings shall be retained at the Department.

Members are prohibited from using personally owned recording devices while on-duty without the express consent of the Shift Supervisor. Any member who uses a personally owned recorder for department-related activities shall comply with the provisions of this policy, including retention and release requirements, and should notify the on-duty supervisor of such use as soon as reasonably practicable.

Recordings shall not be used by any member for the purpose of embarrassment, intimidation or ridicule.

421.7 REVIEW OF RECORDED MEDIA FILES

When preparing written reports, members should review their recordings, and use them as a resource. However, members shall not retain personal copies of recordings. Members should not use the fact that a recording was made as a reason to write a less-detailed report.

Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct or reports of meritorious conduct or whenever such recordings would be beneficial in reviewing a member's performance.

The supervisor of the recording member shall document in the report or other documentation if the supervisor or the recording member reviewed body-worn camera recordings prior to completing the report or other documentation.

No member shall have access to or review the member's own body-worn camera recordings or the body-worn camera recordings of another officer prior to completing reports or other documentation when the member:

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- (a) Has been involved in or is a witness to an officer-involved shooting, use of deadly force incident, or use of force incident resulting in great bodily harm.
- (b) Is ordered to write a report in response to or during the investigation of a misconduct complaint against the member.

If the member prepares a report related to the circumstances listed above, subject to a supervisor's approval, a member may file a supplemental report after viewing body-worn camera recordings. The member shall document in the supplemental report that the member reviewed recordings (50 ILCS 706/10-20).

Recorded files may also be reviewed:

- Upon approval by a supervisor, by any member of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation, or criminal investigation.
- Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.
- By media personnel with permission of the Chief of Police or the authorized designee.
- In compliance with a public records request, if permitted, and in accordance with the Records Maintenance and Release Policy.

All recordings should be reviewed by the Custodian of Records prior to public release (see the Records Maintenance and Release Policy). Recordings that unreasonably violate a person's privacy or sense of dignity should not be publicly released unless disclosure is required by law or order of the court.

421.8 BODY-WORN CAMERA COORDINATOR

The Chief of Police or the authorized designee should designate a coordinator responsible for (50 ILCS 706/10-20):

- (a) Identifying members who are assigned body-worn cameras.
- (b) Identifying members permitted to access recordings in order to redact, label, or duplicate recordings.
- (c) Ensuring body-worn cameras acquired on or after July 1, 2015, are equipped with pre-event recording of least the 30 seconds prior to camera activation and are capable of recording for a period of at least 10 hours.
- (d) Establishing procedures for:
 1. The care and maintenance of body-worn cameras, including reasonable efforts to be made by supervisors to correct or repair body-worn camera equipment upon notice from a member experiencing technical difficulties, failures, or problems with the equipment.
 2. Compliance with the Law Enforcement Officer-Worn Body Camera Act and guidelines established by the Illinois Law Enforcement Training and Standards Board (ILETSB) for the use of body-worn cameras.

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3. Security of recordings including access controls.
 4. Redacting, labeling, and duplicating recordings.
 5. Supervisor and member review of recordings.
- (e) Providing an annual report to the ILETSB pursuant to 50 ILCS 706/10-25.
- (f) Ensuring the Department uses authorized body-worn camera recording media (50 ILCS 706/10-10).
- (g) Designating members permitted to redact, label, or duplicate recordings (50 ILCS 706/10-20).

421.9 RETENTION OF RECORDINGS

All recordings other than those made with body-worn cameras shall be retained for a period consistent with the requirements of the organization's records retention schedule but in no event for a period less than 90 days unless the recordings are made a part of an arrest or the recordings are deemed evidence in any criminal, civil, or administrative proceeding and then the recordings must only be destroyed upon a final disposition and an order from the court (720 ILCS 5/14-3(h-15)).

421.9.1 RETENTION REQUIREMENTS FOR BODY-WORN CAMERA RECORDINGS

Recordings made on body-worn cameras shall be retained for 90 days. Recordings shall not be altered, erased, or destroyed prior to the expiration of the 90-day storage period. In the event any recording is altered, erased, or destroyed prior to the expiration of the 90-day storage period, the Chief of Police shall maintain a written record including the name of the individual who made such alteration, erasure, or destruction, and the reason for any such alteration, erasure, or destruction for one year (50 ILCS 706/10-20).

After the 90-day storage period, recordings must be destroyed unless any of the following occur (50 ILCS 706/10-20):

- (a) A formal or informal complaint has been filed.
- (b) The officer discharged a firearm or used force during the encounter.
- (c) Death or great bodily harm occurred to any person in the recording.
- (d) The encounter resulted in a detention or arrest other than a traffic stop resulting in only a minor traffic offense or a petty offense with a fine of more than \$1,000.
- (e) The officer is the subject of an internal investigation or otherwise being investigated for possible misconduct.
- (f) The supervisor of the officer, prosecutor, defendant, or court determines that the encounter has evidentiary value in a criminal prosecution.
- (g) The recording officer requests that the video be retained for official purposes related to the officer's official duties or believes that it may have evidentiary value in a criminal prosecution.

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Under these circumstances, the recording of the encounter shall not be altered or destroyed for two years. If the recording is used in a criminal, civil, or administrative proceeding, the recording shall not be destroyed except upon a final disposition and order from the court.

Recordings may be retained any time a supervisor designates the recording for training purposes and may be viewed by officers, in the presence of a supervisor or training instructor, for the purposes of instruction, training, or ensuring compliance with department policies.

421.9.2 RELEASE OF AUDIO/VIDEO RECORDINGS

Requests for the release of audio/video recordings shall be processed in accordance with the Records Maintenance and Release Policy.

Medical Marijuana

422.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of this department with guidelines for investigating the acquisition, possession, transportation, delivery, production, or use of cannabis under the Illinois Compassionate Use of Medical Cannabis Program Act (the Act) (410 ILCS 130/1 et seq.).

422.1.1 DEFINITIONS

Definitions related to this policy include (410 ILCS 130/10):

Authorized amount - No more than 2.5 ounces of usable cannabis unless the person has a Department of Public Health-approved quantity waiver for more than 2.5 ounces. The pre-mixed weight of cannabis used in making cannabis-infused products shall apply toward the authorized amount of cannabis.

Cardholder - A person who has been issued a valid registry identification card or valid provisional registration by the Department of Public Health (410 ILCS 130/55).

Dispensary - An organization or business that is registered by the Department of Financial and Professional Regulation to acquire medical cannabis from a registered cultivation center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to cardholders.

Medical use of cannabis - The acquisition, administration, delivery, possession, transfer, transportation, or use of cannabis to treat or alleviate a person's debilitating medical condition or symptoms associated with the debilitating medical condition.

Qualifying patient - A person who has been diagnosed by a physician, an advanced practice registered nurse, or a physician assistant as having a debilitating medical condition listed in 410 ILCS 130/10(h).

Registered designated caregiver - A person who has a valid registry identification card to assist a qualifying patient with the medical use of cannabis.

Registry identification card - A document issued by the Department of Public Health that identifies a person as a registered qualifying patient or registered designated caregiver.

Usable cannabis - The seeds, leaves, buds, and flowers of the cannabis plant. It does not include the stalks and roots of the plant or the weight of any non-cannabis ingredients combined with cannabis, such as ingredients added to prepare a topical administration, food, or drink.

422.2 POLICY

It is the policy of the Urbana Police Department to prioritize resources to avoid making arrests related to cannabis that the arresting officer reasonably believes would not be prosecuted by state or federal authorities.

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Illinois medical cannabis laws are intended to provide protection from arrest and prosecution to those who comply with the registration requirements of the law and who use, possess or provide care to mitigate the symptoms of certain chronic or debilitating medical conditions, or produce or deliver cannabis. However, Illinois medical cannabis laws do not affect federal laws and there is no medical exception under federal law for the possession or distribution of cannabis. The Urbana Police Department will exercise discretion to ensure laws are appropriately enforced without unreasonably burdening both those individuals protected under Illinois law and the resources of the Department.

422.3 INVESTIGATION

Investigations involving the possession, delivery, production or use of cannabis generally fall into one of two categories:

- (a) Investigations when no person makes a medicinal claim
- (b) Investigations when a medicinal claim is made by a cardholder

422.3.1 INVESTIGATIONS WITH NO MEDICINAL CLAIM

In any investigation involving the possession, delivery, production, or use of cannabis or drug paraphernalia where no person claims that the cannabis is used for medicinal purposes, the officer should proceed with a criminal investigation if the amount is greater than permitted for personal use of marijuana (410 ILCS 705/10-5). A medicinal defense may be raised at any time, so officers should document any statements and observations that may be relevant to whether the cannabis was possessed or produced for medicinal purposes.

422.3.2 INVESTIGATIONS INVOLVING A MEDICAL CARDHOLDER

No enforcement action should be taken when a person is in possession of, delivers, or uses cannabis or cannabis paraphernalia when the following amounts of cannabis are not exceeded (410 ILCS 130/25; 410 ILCS 130/10; 410 ILCS 705/10-5):

- (a) 2.5 ounces of cannabis obtained from a dispensary
- (b) More than 2.5 ounces of cannabis obtained from a dispensary if the person has a Department of Public Health-approved quantity waiver
- (c) Five plants more than 5 inches tall (unless properly licensed to possess more plants under a special license)

The total amount possessed between the patient and caregiver shall not exceed the patient's adequate supply.

Despite the existence of a valid registry identification card, if there is evidence that the conduct related to cannabis was not for the purpose of treating or alleviating the qualifying patient's medical condition or symptoms associated with the medical condition, a criminal investigation should occur (410 ILCS 130/25(a)-(d)).

Registered qualifying patients and their designated caregivers are required to possess their registry identification cards at all times when engaging in the medical use of cannabis (410 ILCS

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130/70). However, officers who reasonably believe that a person who does not have a registry identification card in his/her possession has been issued a card may treat the investigation as if the person has the card in his/her possession.

422.3.3 ADDITIONAL CONSIDERATIONS

Officers should consider the following when investigating an incident involving cannabis possession, delivery, production, or use (410 ILCS 130/25):

- (a) No person may be arrested solely for:
 - 1. Selling cannabis paraphernalia to a cardholder, if the person is employed and registered as a dispensing agent of a dispensary.
 - 2. Being in the presence or vicinity of the medical use of cannabis.
 - 3. Assisting a qualifying patient in possession of a registry identification card with the act of administering cannabis.
- (b) Cannabis, cannabis paraphernalia, illegal property, or interest in legal property that is possessed, owned, or used in connection with the medical use of cannabis may not be seized or forfeited. However, nothing in this policy prohibits cannabis exceeding the authorized amounts or unrelated to any cannabis that is possessed, manufactured, transferred, or used under the Act from being seized or forfeited
- (c) Possession of, or application for, a registry identification card or registration certificate does not itself constitute reasonable suspicion or probable cause to search, nor does it preclude the existence of other independent probable cause.
- (d) Because enforcement of medical cannabis laws can be complex, time consuming, and call for resources unavailable at the time of initial investigation, officers may consider submitting a report to the prosecutor for review, in lieu of making an arrest. This can be particularly appropriate when:
 - 1. The suspect has been identified and can be easily located at another time.
 - 2. The case would benefit from review by a person with expertise in medical cannabis investigations.
 - 3. Sufficient evidence, such as photographs or samples, has been lawfully obtained.
 - 4. There are any other relevant factors, such as available department resources and time constraints.
- (e) Registered cultivation centers and dispensaries, as well as their officers, agents, and employees, may not be searched or seized solely because they are a cultivation center or dispensary, or are officers, agents, or employees of such facilities.
- (f) Before proceeding with enforcement related to a cultivation center, officers should consider conferring with appropriate legal counsel or the medical department of the state police (410 ILCS 705/15-135).

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422.3.4 EXCEPTIONS

This policy does not apply to the following offenses. Officers may take enforcement action if the person (410 ILCS 130/30):

- (a) Undertakes any task under the influence of cannabis when doing so would constitute negligence, professional malpractice, or professional misconduct.
- (b) Possesses or uses cannabis:
 - 1. In a school bus, except as provided under 105 ILCS 5/22-33.
 - 2. On the grounds of any preschool, or primary, or secondary school, except as provided under 105 ILCS 5/22-33.
 - 3. In any correctional facility.
 - 4. In a vehicle, except that a person may possess medical cannabis if it is in a reasonably secured, sealed, container and is reasonably inaccessible while the vehicle is moving (see 625 ILCS 5/11-502.15 for how recreational marijuana may be transported in a motor vehicle).
 - 5. In a private residence that is used at any time to provide licensed child care or other similar social service care on the premises.
- (c) Uses cannabis:
 - 1. In any motor vehicle.
 - 2. In any place except a private residence where an individual could reasonably be expected to be observed by others, except as provided under 105 ILCS 5/22-33.
 - 3. Knowingly in close physical proximity to anyone under the age of 18, except as provided under 105 ILCS 5/22-33.
 - 4. As an active duty law enforcement officer, correctional officer, correctional probation officer, or firefighter.
 - 5. As a person with a school bus permit or a Commercial Driver's License (CDL).
- (d) Smokes medical cannabis in any place where smoking is prohibited under the Smoke Free Illinois Act.
- (e) Operates, navigates, or is in actual physical control of any motor vehicle, aircraft, or motorboat while using or under the influence of cannabis, in violation of Sections 11-501 and 11-502.1 of the Illinois Vehicle Code.
- (f) Uses or possesses cannabis if that person does not have a debilitating medical condition and is not a registered qualifying patient or registered designated caregiver.
- (g) Allows another person who is not allowed to use cannabis under the Act to use cannabis that a cardholder is allowed to possess.
- (h) Transfers cannabis to any person contrary to the provisions of the Act
- (i) Drives any vehicle in violation of Section 11-503 of the Illinois Vehicle Code (reckless driving).

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422.4 FEDERAL LAW ENFORCEMENT

Officers should provide information regarding a cannabis investigation to federal law enforcement authorities when it is requested by federal law enforcement authorities or whenever the officer believes those authorities would have a particular interest in the information.

422.5 PROPERTY AND EVIDENCE DIVISION SUPERVISOR RESPONSIBILITIES

The Property and Evidence Division supervisor should ensure that cannabis, drug paraphernalia or other related property seized from a person engaged or assisting in the use of medical cannabis is not destroyed. The Property and Evidence Division supervisor is not responsible for caring for live cannabis plants.

Upon the prosecutor's decision to forgo prosecution, or the dismissal of charges or an acquittal, the Property and Evidence Division supervisor should return to the person from whom it was seized any useable cannabis, plants, drug paraphernalia or other related property.

The Property and Evidence Division supervisor should not destroy cannabis that was alleged to be for medical purposes except upon receipt of a court order.

The Property and Evidence Division supervisor may release cannabis to federal law enforcement authorities upon presentation of a valid court order or by a written order of the Criminal Investigation Division supervisor.

Bicycle Patrol Unit

423.1 PURPOSE AND SCOPE

The Urbana Police Department has established the Bicycle Patrol Unit (BPU) for the purpose of enhancing patrol efforts in the community. Bicycle patrol has been shown to be an effective way to increase officer visibility in congested areas and their quiet operation can provide a tactical approach to crimes in progress. The purpose of this policy is to provide guidelines for the safe and effective operation of the patrol bicycle.

423.2 POLICY

Patrol bicycles may be used for regular patrol duty, traffic enforcement, parking control, or special events. The use of the patrol bicycle will emphasize their mobility and visibility to the community.

Bicycles may be deployed to any area at all hours of the day or night, according to Department needs and as staffing levels allow.

Requests for specific deployment of bicycle patrol officers shall be coordinated through the Bicycle Patrol Unit supervisor or the Shift Supervisor.

423.3 SELECTION OF PERSONNEL

Interested sworn personnel, who are off probation, shall submit a Memo to the Division commander outlining their interest in being a bike officer. The Division Commander and the Bike Patrol Coordinator will select officers based on some of the following:

- (a) Recognized competence and ability as evidenced by performance.
- (b) Good physical condition.
- (c) Willingness to perform duties using the bicycle as a mode of transportation

423.3.1 BICYCLE PATROL UNIT SUPERVISOR

The Bicycle Patrol Coordinator will be selected from the rank of sergeant by the Division Commander .

The Bicycle Patrol Coordinator shall have responsibility for the following:

- (a) Organizing bicycle patrol training.
- (b) Inspecting and maintaining inventory of patrol bicycles and program equipment.
- (c) Scheduling maintenance and repairs.
- (d) Evaluating performance of bicycle officer
- (e) Coordinating activities with the Divison Commander.
- (f) Other activities as required to maintain the efficient operation of the Bicycle Patrol Unit.

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Bicycle Patrol Unit

423.4 TRAINING

Participants in the program must complete an initial Department approved bicycle-training course after acceptance into the program. Bike officer must pass a course certified by the International Police Mountain Bike Association (IPMBA) or the Illinois Law Enforcement Training and Standards Board. The Chief of Police may approve a substitute course with standards essentially the same as the foregoing.

Officers may be sent to refresher courses when available.

423.5 UNIFORMS AND EQUIPMENT

Officers shall wear the department-approved uniform and safety equipment while operating the department bicycle. Safety equipment includes department-approved helmet, protective eyewear and approved footwear.

The bicycle patrol unit uniform consists of the standard short-sleeve uniform shirt or other department-approved shirt with department badge and patches and department-approved bicycle patrol pants or shorts.

Optional equipment includes jacket in colder weather, turtleneck shirts or sweaters when worn under the uniform shirt.

Bicycle patrol Officers shall carry the same equipment on the bicycle patrol duty belt as they would on a regular patrol assignment.

Officers will be responsible for obtaining the necessary forms, citation books and other department equipment needed while on bicycle patrol.

The Department will outfit some of the squad cars in the fleet in order to render them capable of using a bike rack for patrol and other transport.

423.6 CARE AND USE OF PATROL BICYCLES

Officers will be assigned a specially marked and equipped patrol bicycle, attached gear bag and front light system.

Every such bicycle shall be equipped with front and rear reflectors.

Bicycles utilized for uniformed bicycle patrol shall be equipped with a rear rack and/or saddle bag(s) sufficient to carry all necessary equipment to handle routine patrol calls including report writing, vehicle storage and citations.

Each bicycle gear bag shall include a first aid kit and tire pump. These items are to remain with/ on the bicycle at all times.

Each bicycle shall be equipped with an oscillating, rotating or flashing red and/or blue warning light that is visible from the front, sides, or rear of the bicycle (625 ILCS 5/12-215).

Bicycle Officers shall conduct an inspection of the bicycle and equipment prior to use to insure proper working order of the equipment. Officers are responsible for the routine care and maintenance of their assigned equipment (e.g., tire pressure, chain lubrication, overall cleaning).

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If a needed repair is beyond the ability of the bicycle officers, an email should be forwarded to the program supervisor for repair by an approved technician.

Each bicycle will have an annual scheduled maintenance to be performed by a department approved repair shop/technician.

At the end of a bicycle assignment, the bicycle shall be returned clean and ready for the next tour of duty.

Officers shall not modify the patrol bicycle, remove, modify or add components except with the expressed approval of the bicycle supervisor, or in the event of an emergency.

Vehicle bicycle racks are available should the officer need to transport the patrol bicycle. Due to possible component damage, transportation of the patrol bicycle in a trunk or on a patrol car push-bumper is discouraged.

Bicycles shall be properly secured when not in the officer's immediate presence.

423.7 OFFICER RESPONSIBILITY

Officers must operate the bicycle in compliance with the vehicle code under normal operation. Officers may operate the bicycle without lighting equipment during hours of darkness when such operation reasonably appears necessary for officer safety and tactical considerations. Officers must use caution and care when operating the bicycle without lighting equipment.

Officers operating an authorized emergency vehicle may park or stand, irrespective of the provisions of the Illinois Vehicle Code (625 ILCS); proceed past a red or stop signal or stop sign, but only after slowing down as may be required and necessary for safe operation; exceed the maximum speed limits so long as he/she does not endanger life or property; disregard regulations governing direction of movement or turning in specified directions (625 ILCS 5/11-205).

Citation Dismissal, Correction, and Voiding

424.1 PURPOSE AND SCOPE

This policy outlines the responsibility for citations, the procedure for dismissal, correction, and voiding of citations.

424.2 RESPONSIBILITIES

The Police Services Supervisor shall be responsible for the development and design of all Department citations in compliance with County standards, state law, or the Illinois Supreme Court.

The Services Division shall be responsible for the supply of all citations issued to employees of this department.

424.3 DISMISSAL OF CITATIONS

Employees of this department do not have the authority to dismiss a citation once it has been issued. Only the court has the authority to dismiss a citation that has been issued. All recipients of citations who request dismissal of a citation shall be referred to the appropriate court or prosecutor.

Should an officer determine that a citation should be dismissed in the interest of justice or where prosecution is deemed inappropriate, the officer may request the prosecutor to dismiss the citation after consultation with his/her supervisor.

424.4 VOIDING CITATIONS

Voiding a citation may occur when a citation has not been completed or where it is completed, but not issued. All copies of the citation shall be appropriately voided by writing the word VOID across the ticket and copies. The citation and copies shall then be forwarded to the Services Division.

424.5 CORRECTION OF CITATIONS

When a citation is issued and in need of correction, the officer issuing the citation shall submit the citation or copy and a memo requesting a specific correction to the State's Attorney's Office and his supervisor.

424.6 DISPOSITION OF CITATIONS

Supervisors shall review all citations before they are turned in to the Services Division. The citation copies shall then be filed with the Services Division.

Upon separation from employment with this department, all employees issued citations books shall return any unused citations to the Services Division.

Firearm Concealed Carry

425.1 PURPOSE AND SCOPE

This policy provides guidance for responding to situations involving individuals who possess concealed carry handgun licenses under the provisions of the Illinois Firearm Concealed Carry Act (430 ILCS 66/1 et seq.).

425.2 POLICY

The Urbana Police Department respects the rights of individuals to carry concealed handguns in compliance with the Illinois Firearm Concealed Carry Act. It is the policy of the Urbana Police Department to not unreasonably interfere with or discriminate against individuals who lawfully carry concealed handguns.

425.3 OFFICER RESPONSIBILITY

When an officer initiates an investigative stop, including a traffic stop, and determines that any persons contacted, including passengers, are in possession of concealed firearms and are license holders, the duration of the contact may only be extended by the amount of time reasonably necessary to verify the validity of the license or to verify that possession of the weapon is lawful, absent reasonable suspicion of other criminal activity.

If an officer reasonably believes a person is a clear and present danger because the person has engaged in verbally or physically threatening behavior (e.g., violent, suicidal or assaultive threats or actions), the officer shall report this information to the Illinois State Police (ISP) within 24 hours (430 ILCS 65/8.1). The fact that ISP has been notified and the manner of notification should be documented.

The officer should consider whether it is appropriate and consistent with current search and seizure law under the circumstances to seize any such firearms or other dangerous weapons (e.g., safekeeping, evidence, consent). Officers are cautioned that a search warrant may be needed before seizing weapons or entering a residence or other place to search, unless a lawful, warrantless entry has already been made (e.g., exigent circumstances, consent).

425.3.1 OFFICER SAFETY

If an officer reasonably believes it is necessary for the safety of anyone present, the officer may secure a firearm or direct that it be secured during any contact with a licensee lawfully carrying a firearm or non-resident lawfully transporting a firearm in a vehicle. The officer shall return the firearm to the person after it is determined they are not a threat to the safety of any person present unless they are being transported to another location for treatment, in which case the officer shall proceed as provided in the Firearms in Non-Custody Situations section of this policy (430 ILCS 66/10(h-1)).

425.4 FIREARMS IN CUSTODY SITUATIONS

No person shall be transported in a department vehicle or be brought into a department facility or other prohibited facility while armed. If no other reasonable accommodation for the firearm is

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available, officers should take possession of the firearm, safely secure it during transport and retain possession until the person is released. If the person is not released, the firearm will be submitted to the Property and Evidence Division as evidence or for safekeeping.

If a licensee's vehicle is towed and his/her firearm is in the vehicle, officers should handle the vehicle inventory in a manner that is consistent with the Vehicle Towing Policy. The officer should remove any firearms and submit them to the Property and Evidence Division for either safekeeping or evidence, whichever is appropriate for the circumstances.

If the firearm is locked in a storage container inside the vehicle and is not considered evidence, officers should ask the licensee whether they prefer to have the firearm secured for safekeeping in the Property and Evidence Division or left with the vehicle. If the licensee chooses to leave the firearm with the vehicle, his/her decision should be documented in the incident report or towed vehicle report.

The handling officer should provide a receipt, along with instructions for regaining possession of the firearm. Any firearm retained and stored for safekeeping shall be returned to the lawful owner, without fees, in accordance with the Property and Evidence Division Policy.

425.5 FIREARMS IN NON-CUSTODY SITUATIONS

If a licensee who is in lawful possession of a firearm is encountered under circumstances where they cannot adequately secure the firearm, (i.e., is incapacitated or being transported to the hospital for medical reasons), the officer should take reasonable steps to release the firearm to a responsible adult of the licensee's choosing. If such person is unavailable, or cannot lawfully possess the firearm, the firearm should be retained and submitted to the Property and Evidence Division for safekeeping.

The handling officer should provide a receipt, along with instructions for regaining possession of the firearm. Any firearm retained and stored for safekeeping shall be returned to the lawful owner, without fees, in accordance with the Property and Evidence Policy.

425.6 OBJECTIONS TO LICENSE APPLICATIONS

State law allows law enforcement agencies to file an objection to a license applicant when there is reasonable suspicion that the applicant is a danger to him/herself or others, or poses a threat to public safety (430 ILCS 66/15(a)). Any member who becomes aware of a license applicant who the member reasonably suspects is a danger to him/herself or others, or who poses a threat to public safety should promptly forward an incident report or a memorandum, as appropriate, to the Chief of Police or the authorized designee for approval and forwarding to ISP.

425.7 SURRENDER OR SEIZURE OF LICENSES

Members receiving a concealed carry license that has been voluntarily surrendered to the department because it has been revoked, suspended or denied shall provide the individual surrendering the license with a receipt and ensure that the license is forwarded to ISP (430 ILCS 66/70).

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Officers should seize concealed carry licenses when the officer serves an order of protection and the person served is known to possess a concealed carry license. A notification of the order and the license must be forwarded to ISP within seven days of the date the order was served (430 ILCS 66/70).

It is a misdemeanor for a person to fail to surrender a concealed carry license within 48 hours of receiving notice of the revocation, denial or suspension of the license. Officers observing a license in the possession of a person whose license has been revoked, suspended or denied should consider seizing the license as evidence, if there are articulable facts that establish the person was aware of the revocation, suspension or denial. If the license is seized as evidence, ISP should be notified as soon as practicable. A copy of the report should be forwarded to ISP.

Crisis Intervention Incidents

426.1 PURPOSE AND SCOPE

This policy provides guidelines for interacting with those who may be experiencing a behavioral health crisis. Interaction with such individuals has the potential for miscommunication and violence. It often requires an officer to make difficult judgments about a person's mental state and intent in order to effectively and legally interact with the individual.

426.1.1 DEFINITIONS

Definitions related to this policy include:

Behavioral Health - The overall condition of an individual's behavior and how the individual responds to, or processes a stimuli. A person can demonstrate negative behavioral health, and not be diagnosed with a mental illness.

Mental Illness - A person who is mentally ill suffers from a specific diagnoses described in Diagnostic and Statistical Manual of Mental Disorders (DSM) V.

Person in crisis - A person whose level of distress or behavioral health symptoms have exceeded the person's internal ability to manage his/her behavior or emotions. A crisis can be precipitated by any number of things, including an increase in the symptoms of mental illness despite treatment compliance; non-compliance with treatment, including a failure to take prescribed medications appropriately; or any other circumstance or event that causes the person to engage in erratic, disruptive or dangerous behavior that may be accompanied by impaired judgment.

426.2 POLICY

The Urbana Police Department strives to provide a consistently high level of service to all members of the community and recognize that persons in crisis may benefit from intervention. The Department will collaborate, where feasible, with behavioral health professionals to develop an overall intervention strategy to guide its members' interactions with those experiencing a behavioral health crisis. This is to ensure equitable and safe treatment of all involved.

426.3 SIGNS

Members should be alert to any of the following possible signs of behavioral health issues or crises:

- (a) A known history of mental illness
- (b) Threats of or attempted suicide
- (c) Loss of memory
- (d) Incoherence, disorientation or slow response
- (e) Delusions, hallucinations, perceptions unrelated to reality or grandiose ideas
- (f) Depression, pronounced feelings of hopelessness or uselessness, extreme sadness or guilt
- (g) Social withdrawal

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- (h) Manic or impulsive behavior, extreme agitation, lack of control
- (i) Lack of fear
- (j) Anxiety, aggression, rigidity, inflexibility or paranoia

Members should be aware that this list is not exhaustive. The presence or absence of any of these should not be treated as proof of the presence or absence of a behavioral health issue or crisis.

426.4 COORDINATION WITH MENTAL HEALTH PROFESSIONALS

The Chief of Police should designate an appropriate Division Commander to collaborate with behavioral health professionals to develop an education and response protocol. It should include a list of community resources, to guide department interaction with those who may be suffering from mental illness or who appear to be in a mental health crisis.

426.5 FIRST RESPONDERS

Safety is a priority for first responders. It is important to recognize that individuals under the influence of alcohol, drugs or both may exhibit symptoms that are similar to those of a person in a behavioral health crisis. These individuals may still present a serious threat to officers; such a threat should be addressed with reasonable tactics. Nothing in this policy shall be construed to limit an officer's authority to use reasonable force when interacting with a person in crisis.

Officers are reminded that behavioral health issues, behavioral health crisis and unusual behavior alone are not criminal offenses. Individuals may benefit from treatment as opposed to incarceration.

The Urbana Police Department has officers specially trained to respond to individuals in a behavioral health crisis. These officers make up the Crisis Intervention Team (CIT). Officers and supervisors should endeavor to have a CIT officer respond to situations where it is known, or reasonably should be known, that an individual is experiencing a behavioral health crisis. The responding CIT officer may be from UPD or another local police department. (Refer to the Champaign County CIT Response General Order for further direction regarding CIT response and expectations.)

An officer responding to a call involving a person in crisis should:

- (a) Promptly assess the situation independent of reported information and make a preliminary determination regarding whether a behavioral health crisis may be a factor.
- (b) Request available backup officers and specialized resources as deemed necessary and, if it is reasonably believed that the person is in a crisis situation, use conflict resolution and de-escalation techniques to stabilize the incident as appropriate.
- (c) If feasible, and without compromising safety, turn off flashing lights, bright lights or sirens.
- (d) Attempt to determine if weapons are present or available.

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- (e) Take into account the person's mental and emotional state and potential inability to understand commands or to appreciate the consequences of his/her action or inaction, as perceived by the officer.
- (f) Secure the scene and clear the immediate area as necessary.
- (g) Employ tactics to preserve the safety of all participants.
- (h) Determine the nature of any crime.
- (i) Request a supervisor, as warranted.
- (j) Evaluate any available information that might assist in determining cause or motivation for the person's actions or stated intentions.
- (k) If circumstances reasonably permit, consider and employ alternatives to force.

426.6 DE-ESCALATION

Officers should consider that taking no action or passively monitoring the situation may be the most reasonable response to a behavioral health crisis.

Once it is determined that a situation is a behavioral health crisis and immediate safety concerns have been addressed, responding members should be aware of the following considerations and should generally:

- Evaluate safety conditions.
- Introduce themselves and attempt to obtain the person's name.
- Be patient, polite, calm, courteous and avoid overreacting.
- Speak and move slowly and in a non-threatening manner.
- Moderate the level of direct eye contact.
- Remove distractions or disruptive people from the area.
- Demonstrate active listening skills (e.g., summarize the person's verbal communication).
- Provide for sufficient avenues of retreat or escape should the situation become volatile.

Responding officers generally should not:

- Use stances or tactics that can be interpreted as aggressive.
- Allow others to interrupt or engage the person.
- Corner a person who is not believed to be armed, violent or suicidal.
- Argue, speak with a raised voice or use threats to obtain compliance.

426.7 INCIDENT ORIENTATION

When responding to an incident that may involve mental illness or a behavioral health crisis, the officer should seek critical information from the individual, witness, family members or others who may possess the knowledge.. This includes:

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- (a) Whether the person relies on drugs or medication, or may have failed to take his/her medication.
- (b) Whether there have been prior incidents, suicide threats/attempts, and whether there has been previous police response.
- (c) Contact information for a treating physician or mental health professional.

Additional resources and a supervisor should be requested as warranted. County Mental Health to provide around the clock professional mental health support and services. With supervisory approval, Champaign County Mental Health may be called upon for the following purposes:

- Domestic violence matters where counseling of an urgent nature is necessary
- Attempted suicides
- Assistance with mentally ill persons
- Assisting persons with substance abuse
- Cases where the victim or any other person is obviously and urgently in need of trained counseling.

Crisis intervention is designed to provide emergency counseling and effective assistance to persons meeting the above criteria and freeing officers from these situations on a timely basis.

Officers should not leave a Champaign County Mental Health worker alone in a situation where obvious potential danger exists.

Officers should not leave the Champaign County Mental Health worker without fully briefing them on all of the details known to the officer. Officers should check back on the status of the worker.

426.8 SUPERVISOR RESPONSIBILITIES

A supervisor should be aware of any interaction with a person in crisis. Supervisors should:

- (a) Ensure appropriate and sufficient resources are sent to the scene.
- (b) Closely monitor any use of force, including the use of restraints, and ensure that those subjected to the use of force are provided with timely access to medical care.
- (c) Consider strategic disengagement. Absent an imminent threat to the public and, as circumstances dictate, this may include removing or reducing law enforcement resources or engaging in passive monitoring.
- (d) Ensure that all reports are completed and that incident documentation uses appropriate terminology and language.

426.9 INCIDENT REPORTING

Members engaging in any oral or written communication associated with a behavioral health crisis should be mindful of the sensitive nature of such communications and should exercise appropriate discretion when referring to or describing persons and circumstances.

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Members having contact with a person in crisis should keep related information confidential, except to the extent that revealing information is necessary to conform to department reporting procedures or other official mental health or medical proceedings.

The primary officer should complete appropriate reports and/or forms after the completion of each event. This includes a CIT form, which should be completed after each contact with an individual in crisis

In order to assist with collaboration with and coordination of behavioral health resources for the individual who was in crisis, Officers are encouraged to author a report even after circumstances where an officer would normally clear with a Field Interview Card.

426.9.1 DIVERSION

Officers should avoid arresting individuals for behavioral manifestations of behavioral health actions that are not criminal in nature. When mentally incompetent person commit crimes and they meet the emergency petition requirements, officers shall take them into custody under the Mental Health Act and transport them to a mental health facility for evaluation. If the medical personnel release the person and do not maintain custody, the person may be arrested and taken to the Correctional Center for incarceration. If the person is incarcerated officers shall obtain a signed release from the doctor releasing the person.

Officers always have the Notice to Appear options if the person is not committed to a facility but is in a condition that would prevent incarceration.

426.10 CIVILIAN INTERACTION WITH PEOPLE IN CRISIS

Civilian members may be required to interact with persons in crisis in an administrative capacity, such as dispatching, records request, and animal control issues.

- (a) Members should treat all individuals equally and with dignity and respect.
- (b) If a member believes that he/she is interacting with a person in crisis, he/she should proceed patiently and in a calm manner.
- (c) Members should be aware and understand that the person may make unusual or bizarre claims or requests.

If a person's behavior makes the member feel unsafe, if the person is or becomes disruptive or violent, or if the person acts in such a manner as to cause the member to believe that the person may be harmful to him/herself or others, an officer should be promptly summoned to provide assistance.

426.11 EVALUATION

The Division Commander designated to coordinate the crisis intervention strategy for this department should ensure that a thorough review and analysis of the department response to these incidents is conducted annually. The report will not include identifying information pertaining to any involved individuals, officers or incidents and will be submitted to the Chief of Police through the chain of command.

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426.12 TRAINING

Subject to available resources, the Department will provide training to department members to enable them to effectively interact with persons in crisis.

Training may include the ILETSB's training on crisis response (50 ILCS 705/10.17).

Medical Aid and Response

427.1 PURPOSE AND SCOPE

This policy recognizes that members often encounter persons in need of medical aid and establishes a law enforcement response to such situations.

427.2 POLICY

It is the policy of the Urbana Police Department that all officers and other designated members be trained to provide emergency medical aid and to facilitate an emergency medical response.

427.3 FIRST RESPONDING MEMBER RESPONSIBILITIES

Whenever practicable, members should take appropriate steps to provide initial medical aid (e.g., first aid, CPR, use of an automated external defibrillator (AED)) in accordance with their training and current certification levels. This should be done for those in need of immediate care and only when the member can safely do so (720 ILCS 5/7-15).

Prior to initiating medical aid, the member should contact METCAD and request response by Emergency Medical Services (EMS) as the member deems appropriate.

Members should follow universal precautions when providing medical aid, such as wearing gloves and avoiding contact with bodily fluids, consistent with the Communicable Diseases Policy. Members should use a barrier or bag device to perform rescue breathing.

When requesting EMS, the member should provide METCAD with information for relay to EMS personnel in order to enable an appropriate response, including:

- (a) The location where EMS is needed.
- (b) The nature of the incident.
- (c) Any known scene hazards.
- (d) Information on the person in need of EMS, such as:
 1. Signs and symptoms as observed by the member.
 2. Changes in apparent condition.
 3. Number of patients, sex, and age, if known.
 4. Whether the person is conscious, breathing, and alert, or is believed to have consumed drugs or alcohol.
 5. Whether the person is showing signs of extreme agitation or is engaging in violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics, and imperviousness to pain.

Members should stabilize the scene whenever practicable while awaiting the arrival of EMS.

Members should not direct EMS personnel whether to transport the person for treatment.

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427.4 TRANSPORTING ILL AND INJURED PERSONS

Except in extraordinary cases where alternatives are not reasonably available, members should not transport persons who are unconscious, who have serious injuries or who may be seriously ill. EMS personnel should be called to handle patient transportation.

Officers should search any person who is in custody before releasing that person to EMS for transport.

An officer should accompany any person in custody during transport in an ambulance when requested by EMS personnel, when it reasonably appears necessary to provide security, when it is necessary for investigative purposes or when so directed by a supervisor.

Members should not provide emergency escort for medical transport or civilian vehicles.

427.5 PERSONS REFUSING EMS CARE

If a person who is not in custody refuses EMS care or refuses to be transported to a medical facility, an officer shall not force that person to receive care or be transported. However, members may assist EMS personnel when EMS personnel determine the person lacks mental capacity to understand the consequences of refusing medical care or to make an informed decision and the lack of immediate medical attention may result in serious bodily injury or the death of the person.

In cases where mental illness may be a factor, the officer should consider proceeding with a civil commitment in accordance with the Civil Commitments Policy.

If an officer believes that a person who is in custody requires EMS care and the person refuses, he/she should encourage the person to receive medical treatment. The officer may also consider contacting a family member to help persuade the person to agree to treatment or who may be able to authorize treatment for the person.

If the person who is in custody still refuses, the officer will require the person to be transported to the nearest medical facility. In such cases, the officer should consult with a supervisor prior to the transport.

Members shall not sign refusal-for-treatment forms or forms accepting financial responsibility for treatment.

427.6 MEDICAL ATTENTION RELATED TO USE OF FORCE

Specific guidelines for medical attention for injuries sustained from a use of force may be found in the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Taser policies.

427.7 AUTOMATED EXTERNAL DEFIBRILLATOR (AED) USE

A member should use an AED only after the member has successfully completed a course of instruction in accordance with the standards of a nationally recognized organization or rules existing under the AED Act, 410 ILCS 4/20.

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AEDs shall only be used as instructed during training and according to the manufacturer's recommendations. This should include:

- (a) An assessment of an unconscious patient to include evaluation of the airway, breathing and circulation, and need for AED use.
- (b) An assessment of AED safety precautions to enable the administration of a shock without jeopardizing the safety of the patient, rescuers, or other nearby persons.
- (c) Recognition that an electrical shock has been delivered to the patient and that the defibrillator is no longer charged.
- (d) Rapid, accurate assessment of the patient's post-shock status.

427.7.1 AED USER RESPONSIBILITY

AED will be located in the Supervisor's vehicles. Following use of an AED, the device shall be cleaned and/or decontaminated as required. The electrodes and/or pads will be replaced as recommended by the AED manufacturer. Any member using an AED shall notify METCAD as soon as possible and request response by EMS (410 ILCS 4/20).

427.7.2 AED REPORTING

Any member using an AED will complete an incident report detailing its use.

427.7.3 AED TRAINING AND MAINTENANCE

The Training Officer shall ensure that the Urbana Police Department is equipped with at least one operational and functional AED and that all AED are appropriately maintained and tested (55 ILCS 5/3-6040; 65 ILCS 5/11-1-13; 410 ILCS 4/20).

Records of all maintenance and testing should be maintained in accordance with the established records retention schedule.

The Training Officer shall ensure that an adequate number of members receive training in the use of an AED (55 ILCS 5/3-6040; 65 ILCS 5/11-1-13; 410 ILCS 4/20).

427.8 ADMINISTRATION OF OPIOID OVERDOSE MEDICATION

Members may administer opioid overdose medication in accordance with protocol specified by the health care professional who prescribed the overdose medication for use by the member (20 ILCS 301/5-23).

427.8.1 OPIOID OVERDOSE MEDICATION USER RESPONSIBILITIES

Members who are qualified to administer opioid overdose medication, such as naloxone, should handle, store and administer the medication consistent with their training. Members should check the medication and associated administration equipment at the beginning of their shift to ensure they are serviceable and not expired. Any expired medication or unserviceable administration equipment should be removed from service and given to the Training Officer.

Any member who administers an opioid overdose medication should contact METCAD as soon as possible and request response by EMS.

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427.8.2 OPIOID OVERDOSE MEDICATION REPORTING

Any member administering opioid overdose medication should detail its use in an appropriate report.

427.8.3 OPIOID OVERDOSE MEDICATION TRAINING

The Training Officer should ensure training is provided to members authorized to administer opioid overdose medication that includes information and training on drug overdose prevention, recognition and the administration of an overdose antidote as provided in 20 ILCS 301/5-23.

427.9 FIRST AID TRAINING

Subject to available resources, the Training Officer should ensure officers receive periodic first aid training appropriate for their position.

427.10 SICK OR INJURED ARRESTEE

If an arrestee appears ill or injured, or claims illness or injury, he/she should be medically cleared prior to booking. If the officer has reason to believe the arrestee is feigning injury or illness, the officer should contact a supervisor, who will determine whether medical clearance will be obtained prior to booking.

If the jail or detention facility refuses to accept custody of an arrestee based on medical screening, the officer should note the name of the facility person refusing to accept custody and the reason for refusal, and should notify a supervisor to determine the appropriate action.

Arrestees who appear to have a serious medical issue should be transported by ambulance. Officers shall not transport an arrestee to a hospital without a supervisor's approval.

Nothing in this section should delay an officer from requesting EMS when an arrestee reasonably appears to be exhibiting symptoms that appear to be life threatening, including breathing problems or an altered level of consciousness, or is claiming an illness or injury that reasonably warrants an EMS response in accordance with the officer's training.

Public Recording of Law Enforcement Activity

428.1 PURPOSE AND SCOPE

This policy provides guidelines for handling situations in which members of the public photograph or audio/video record law enforcement actions and other public activities that involve members of this department. In addition, this policy provides guidelines for situations where the recordings may be evidence (50 ILCS 706/10-20).

428.2 POLICY

The Urbana Police Department recognizes the right of persons to lawfully record members of this department who are performing their official duties. Members of this department will not prohibit or intentionally interfere with such lawful recordings. Any recordings that are deemed to be evidence of a crime or relevant to an investigation will only be collected or seized lawfully.

Officers should exercise restraint and should not resort to highly discretionary arrests for offenses such as interference, failure to comply or disorderly conduct as a means of preventing someone from exercising the right to record members performing their official duties.

428.3 RECORDING LAW ENFORCEMENT ACTIVITY

Members of the public who wish to record law enforcement activities are limited only in certain aspects.

- (a) Recordings may be made from any public place or any private property where the individual has the legal right to be present (720 ILCS 5/14-2; 50 ILCS 706/10-20).
- (b) Beyond the act of photographing or recording, individuals may not interfere with the law enforcement activity. Examples of interference include, but are not limited to (50 ILCS 706/10-20):
 1. Inciting others to violate the law.
 2. Being so close to the activity as to present a clear safety hazard to the officers.
 3. Being so close to the activity as to interfere with an officer's effective communication with a suspect or witness.
 4. Engaging in any other action that could interfere with an officer's ability to maintain safety and control, secure crime scenes and accident sites, protect the integrity and confidentiality of investigations or protect the public safety and order.

428.4 OFFICER RESPONSE

Officers should promptly request a supervisor respond to the scene whenever it appears that anyone recording activities may be interfering with an investigation or it is believed that the recording may be evidence. Officers should wait for the supervisor to arrive when practicable before taking enforcement action or seizing any cameras or recording media, pursuant to this policy.

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Whenever practicable, officers or supervisors should give clear and concise warnings to individuals who are conducting themselves in a manner that would cause their recording or behavior to be unlawful. Accompanying the warnings should be clear directions on what an individual can do to be compliant; directions should be specific enough to allow compliance. For example, rather than directing an individual to clear the area, an officer could advise the person that he/she may continue observing and recording from the sidewalk across the street. In addition, at the conclusion of an interaction, if the individual requests further information, the officer should direct them to file a FOIA request.

If an arrest or other significant enforcement activity is taken as the result of a recording that interferes with law enforcement activity, officers shall document in a report the nature and extent of the interference or other unlawful behavior and the warnings that were issued.

428.5 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to the scene when requested or any time the circumstances indicate a likelihood of interference or other unlawful behavior.

The supervisor should review the situation with the officer and:

- (a) Request any additional assistance as needed to ensure a safe environment.
- (b) Take a lead role in communicating with individuals who are observing or recording regarding any appropriate limitations on their location or behavior. When practical, the encounter between the police and recording party should be recorded by other police officers who are present.
- (c) When practicable, allow adequate time for individuals to respond to requests for a change of location or behavior.
- (d) Ensure that any enforcement, seizure or other actions are consistent with this policy and constitutional and state law.
- (e) Explain alternatives for individuals who wish to express concern about the conduct of Department members, such as how and where to file a complaint.
- (f) Explain how to obtain further information about the interaction through a FOIA request.

428.6 SEIZING RECORDINGS AS EVIDENCE

Officers should not seize recording devices or media unless (42 USC § 2000aa):

- (a) There is probable cause to believe the person recording has committed or is committing a crime to which the recording relates, and the recording is reasonably necessary for prosecution of the person.
 - 1. Absent exigency or consent, a warrant should be sought before seizing or viewing such recordings. Reasonable steps may be taken to prevent erasure of the recording.
- (b) There is reason to believe that the immediate seizure of such recordings is necessary to prevent serious bodily injury or death of any person.
- (c) The person consents.

Civil Disputes

429.1 PURPOSE AND SCOPE

This policy provides members of the Urbana Police Department with guidance for addressing conflicts between persons when no criminal investigation or enforcement action is warranted (e.g., civil matters), with the goal of minimizing any potential for violence or criminal acts.

The Domestic Violence Policy will address specific legal mandates related to domestic violence court orders. References in this policy to “court orders” apply to any order of a court that does not require arrest or enforcement by the terms of the order or by Illinois law.

429.2 POLICY

The Urbana Police Department recognizes that a law enforcement presence at a civil dispute can play an important role in the peace and safety of the community. Subject to available resources, members of this department will assist at the scene of civil disputes with the primary goal of safeguarding persons and property, preventing criminal activity and maintaining the peace. When handling civil disputes, members will remain impartial, maintain a calm presence, give consideration to all sides and refrain from giving legal or inappropriate advice.

429.3 GENERAL CONSIDERATIONS

When appropriate, members handling a civil dispute should encourage the involved parties to seek the assistance of resolution services or take the matter to the civil courts. Members must not become personally involved in disputes and shall at all times remain impartial.

While not intended to be an exhaustive list, members should give considerations to the following when handling civil disputes:

- (a) Civil disputes tend to be confrontational and members should be alert that they can escalate to violence very quickly. De-escalation techniques should be used when appropriate.
- (b) Members should not dismiss alleged or observed criminal violations as a civil matter and should initiate the appropriate investigation and report when criminal activity is apparent.
- (c) Members shall not provide legal advice, however, when appropriate, members should inform the parties when they are at risk of violating criminal laws.
- (d) Members are reminded that they shall not enter a residence or other non-public location without legal authority including valid consent.
- (e) Members should not take an unreasonable amount of time assisting in these matters and generally should contact a supervisor if it appears that peacekeeping efforts longer than 30 minutes are warranted.

429.4 COURT ORDERS

Disputes involving court orders can be complex. Where no mandate exists for an officer to make an arrest for a violation of a court order, the matter should be addressed by documenting any apparent

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court order violation in a report. If there appears to be a more immediate need for enforcement action, the investigating officer should consult a supervisor prior to making any arrest.

If a person appears to be violating the terms of a court order but is disputing the validity of the order or its applicability, the investigating officer should document the following:

- (a) The person's knowledge of the court order or whether proof of service exists.
- (b) Any specific reason or rationale the involved person offers for not complying with the terms of the order.

A copy of the court order should be attached to the report when available. The report should be forwarded to the appropriate prosecutor. The report should also be forwarded to the court issuing the order with a notice that the report was also forwarded to the prosecutor for review.

429.4.1 STANDBY REQUESTS

Officers responding to a call for standby assistance to retrieve property should meet the person requesting assistance at a neutral location to discuss the process. The person should be advised that items that are disputed will not be allowed to be removed. The member may advise the person to seek private legal advice as to the distribution of disputed property.

Members should accompany the person to the location of the property. Members should ask if the other party will allow removal of the property or whether the other party would remove the property.

If the other party is uncooperative, the person requesting standby assistance should be instructed to seek private legal advice and obtain a court order to obtain the items. Officers should not order the other party to allow entry or the removal of any items. If there is a restraining or similar order against the person requesting standby assistance, that person should be asked to leave the scene or they may be subject to arrest for violation of the order.

If the other party is not present at the location, the member will not allow entry into the location or the removal of property from the location.

429.5 VEHICLES AND PERSONAL PROPERTY

Officers may be faced with disputes regarding possession or ownership of vehicles or other personal property. Officers may review documents provided by parties or available databases (e.g., vehicle registration), but should be aware that legal possession of vehicles or personal property can be complex. Generally, officers should not take any enforcement action unless a crime is apparent. The people and the vehicle or personal property involved should be identified and the incident documented.

429.6 REAL PROPERTY

Disputes over possession or occupancy of real property (e.g., land, homes, apartments) should generally be handled through a person seeking a court order.

First Amendment Assemblies

430.1 PURPOSE AND SCOPE

This policy provides guidance for responding to public assemblies or demonstrations.

430.2 POLICY

The Urbana Police Department respects the rights of people to peaceably assemble. It is the policy of this department not to harass, intimidate, discriminate against, or unreasonably interfere with persons engaged in the lawful exercise of their rights, while also preserving the peace, protecting life and preventing the destruction of property.

430.3 GENERAL CONSIDERATIONS

Individuals or groups present on the public way, such as public facilities, streets or walkways, generally have the right to assemble, rally, demonstrate, protest or otherwise express their views and opinions through varying forms of communication, including the distribution of printed matter. These rights may be limited by laws or ordinances regulating such matters as the obstruction of individual or vehicle access or egress, trespass, noise, picketing, distribution of handbills and leafleting, loitering and disorderly conduct. However, officers shall not take action or fail to take action based on the opinions being expressed.

Participant behavior during a demonstration or other public assembly can vary. This may include, but is not limited to:

- Lawful, constitutionally protected actions and speech.
- Civil disobedience (typically involving minor criminal acts).
- Rioting.

All of these behaviors may be present during the same event. Therefore, it is imperative that law enforcement actions are measured and appropriate for the behaviors officers may encounter. This is particularly critical if force is being used. Adaptable strategies and tactics are essential. The purpose of a law enforcement presence at the scene of public assemblies and demonstrations should be to preserve the peace, to protect life and prevent the destruction of property.

Officers should not:

- (a) Engage in assembly or demonstration-related discussion with participants.
- (b) Harass, confront or intimidate participants.
- (c) Seize the cameras, cell phones or materials of participants or observers unless an officer is placing a person under lawful arrest.

Supervisors should continually observe department members under their commands to ensure that members' interaction with participants and their response to crowd dynamics is appropriate.

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430.3.1 PHOTOGRAPHS AND VIDEO RECORDINGS

Photographs and video recording, when appropriate, can serve a number of purposes, including support of criminal prosecutions by documenting criminal acts; assistance in evaluating department performance; serving as training material; recording the use of dispersal orders; and facilitating a response to allegations of improper law enforcement conduct.

Photographs and videos will not be used or retained for the sole purpose of collecting or maintaining information about the political, religious or social views of associations, or the activities of any individual, group, association, organization, corporation, business or partnership, unless such information directly relates to an investigation of criminal activities and there is reasonable suspicion that the subject of the information is involved in criminal conduct.

Care should be taken to ensure that any simultaneous audio recording does not violate the Illinois Eavesdropping Act (720 ILCS 5/14-2; 720 ILCS 5/14-3).

430.4 UNPLANNED EVENTS

When responding to an unplanned or spontaneous public gathering, the first responding officer should conduct an assessment of conditions, including, but not limited to, the following:

- Location
- Number of participants
- Apparent purpose of the event
- Leadership (whether it is apparent and/or whether it is effective)
- Any initial indicators of unlawful or disruptive activity
- Indicators that lawful use of public facilities, streets or walkways will be impacted
- Ability and/or need to continue monitoring the incident

Initial assessment information should be promptly communicated to METCAD, and the assignment of a supervisor should be requested. Additional resources should be requested as appropriate. The responding supervisor shall assume command of the incident until command is expressly assumed by another, and the assumption of command is communicated to the involved members. A clearly defined command structure that is consistent with the Incident Command System (ICS) should be established as resources are deployed.

430.5 PLANNED EVENT PREPARATION

For planned events, comprehensive, incident-specific operational plans should be developed. The ICS should be considered for such events.

430.5.1 INFORMATION GATHERING AND ASSESSMENT

In order to properly assess the potential impact of a public assembly or demonstration on public safety and order, relevant information should be collected and vetted. This may include:

- Information obtained from outreach to group organizers or leaders.

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- Information about past and potential unlawful conduct associated with the event or similar events.
- The potential time, duration, scope, and type of planned activities.
- Any other information related to the goal of providing a balanced response to criminal activity and the protection of public safety interests.

Information should be obtained in a transparent manner, and the sources documented. Relevant information should be communicated to the appropriate parties in a timely manner.

Information will be obtained in a lawful manner and will not be based solely on the purpose or content of the assembly or demonstration, or actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability of the participants (or any other characteristic that is unrelated to criminal conduct or the identification of a criminal subject).

430.5.2 OPERATIONAL PLANS

An operational planning team with responsibility for event planning and management should be established. The planning team should develop an operational plan for the event.

The operational plan should generally consider/discuss the following:

- (a) Command assignments, chain of command structure, roles and responsibilities
- (b) Staffing and resource allocation
- (c) Management of criminal investigations
- (d) Designation of uniform of the day and related safety equipment (e.g., helmets, shields)
- (e) Deployment of specialized resources
- (f) Event communications and interoperability in a multi-jurisdictional event
- (g) Liaison with demonstration leaders and external agencies
- (h) Liaison with City government and legal staff
- (i) Media relations
- (j) Logistics: food, fuel, replacement equipment, duty hours, relief and transportation
- (k) Traffic management plans
- (l) First aid and emergency medical service provider availability
- (m) Prisoner transport and detention
- (n) Review of policies regarding public assemblies and use of force in crowd control
- (o) Parameters for declaring an unlawful assembly
- (p) Arrest protocol, including management of mass arrests
- (q) Protocol for recording information flow and decisions

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- (r) Rules of engagement, including rules of conduct, protocols for field force extraction and arrests, and any authorization required for the use of force
- (s) Protocol for handling complaints during the event

430.5.3 MUTUAL AID AND EXTERNAL RESOURCES

The magnitude and anticipated duration of an event may necessitate interagency cooperation and coordination. The assigned Incident Commander should ensure that any required memorandums of understanding or other agreements are properly executed, and that any anticipated mutual aid is requested and facilitated (see the Outside Agency Assistance Policy).

430.6 UNLAWFUL ASSEMBLY DISPERSAL ORDERS

If a public gathering or demonstration remains peaceful and nonviolent, and there is no reasonably imminent threat to persons or property, the Incident Commander should generally authorize continued monitoring of the event.

Should the Incident Commander make a determination that public safety is presently or is about to be jeopardized, he/she or the authorized designee should attempt to verbally persuade event organizers or participants to disperse of their own accord. Warnings and advisements may be communicated through established communications links with leaders and/or participants or to the group.

When initial attempts at verbal persuasion are unsuccessful, the Incident Commander or the authorized designee should make a clear standardized announcement to the gathering that the event is an unlawful assembly, and should order the dispersal of the participants. The announcement should be communicated by whatever methods are reasonably available to ensure that the content of the message is clear and that it has been heard by the participants. The announcement should be amplified, made in different languages as appropriate, made from multiple locations in the affected area and documented by audio and video. The announcement should provide information about what law enforcement actions will take place if illegal behavior continues and should identify routes for egress. A reasonable time to disperse should be allowed following a dispersal order.

The dispersal command should be given as follows:

"I am (rank and name), a police officer representing the Urbana Police Department. I am declaring this to be an unlawful assembly, which has alarmed and disturbed others. You are disturbing the public peace without authority of law.

Continuing to participate in this assembly will result in your arrest and prosecution for violations of the criminal code. We are ordering you to immediately disperse. Failure to comply could result in chemical and or less lethal munitions being deployed. We are directing you to leave."

- Upon completion of the dispersal command, provide instructions for the direction you want the crowd to leave.
- Allow a minimum of 5 minutes after the dispersal announcement before escalation unless emergency circumstances dictate.

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- Repeat the dispersal command twice if feasible.

430.7 USE OF FORCE

Use of force is governed by current department policy and applicable law (see the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device policies).

Individuals refusing to comply with lawful orders (e.g., nonviolent refusal to disperse) should be given a clear verbal warning and a reasonable opportunity to comply. If an individual refuses to comply with lawful orders, the Incident Commander shall evaluate the type of resistance and adopt a reasonable response in order to accomplish the law enforcement mission (such as dispersal or arrest of those acting in violation of the law). Control devices and conducted energy devices should be considered only when the participants' conduct reasonably appears to present the potential to harm officers, themselves or others, or will result in substantial property loss or damage (see the Control Devices and Techniques and the Conducted Energy Device policies).

Force or control devices, including oleoresin capsaicin (OC), should be directed toward individuals and not toward groups or crowds, unless specific individuals cannot reasonably be targeted due to extreme circumstances, such as a riotous crowd.

Any use of force by a member of this department shall be documented promptly, completely, and accurately in an appropriate report. The type of report required may depend on the nature of the incident.

430.8 ARRESTS

The Urbana Police Department should respond to unlawful behavior in a manner that is consistent with the operational plan. If practicable, warnings or advisements should be communicated prior to arrest.

Mass arrests should be employed only when alternate tactics and strategies have been, or reasonably appear likely to be, unsuccessful. Mass arrests shall only be undertaken upon the order of the Incident Commander or the authorized designee. There must be probable cause for each arrest.

If employed, mass arrest protocols should fully integrate:

- (a) Reasonable measures to address the safety of officers and arrestees.
- (b) Dedicated arrest, booking and report writing teams.
- (c) Timely access to medical care.
- (d) Timely access to legal resources.
- (e) Timely processing of arrestees.
- (f) Full accountability for arrestees and evidence.
- (g) Coordination and cooperation with the prosecuting authority, jail and courts (see the Notice to Appear or Summons Releases Policy).

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430.9 MEDIA RELATIONS

The Public Information Officer should use all available avenues of communication, including press releases, briefings, press conferences and social media to maintain open channels of communication with media representatives and the public about the status and progress of the event, taking all opportunities to reassure the public about the professional management of the event (see the Media Relations Policy).

430.10 DEMOBILIZATION

When appropriate, the Incident Commander or the authorized designee should implement a phased and orderly withdrawal of law enforcement resources. All relieved personnel should promptly complete any required reports, including use of force reports, and account for all issued equipment and vehicles to their supervisors prior to returning to normal operational duties.

430.11 POST EVENT

The Incident Commander should designate a member to assemble full documentation of the event, to include the following:

- (a) Operational plan
- (b) Any incident logs
- (c) Any assignment logs
- (d) Vehicle, fuel, equipment and supply records
- (e) Incident, arrest, use of force, injury and property damage reports
- (f) Photographs, audio/video recordings, METCAD records/tapes
- (g) Media accounts (print and broadcast media)

430.11.1 AFTER-ACTION REPORTING

The Incident Commander should work with City legal counsel, as appropriate, to prepare a comprehensive after-action report of the event, explaining all incidents where force was used including the following:

- (a) Date, time and description of the event
- (b) Actions taken and outcomes (e.g., injuries, property damage, arrests)
- (c) Problems identified
- (d) Significant events
- (e) Recommendations for improvement; opportunities for training should be documented in a generic manner, without identifying individuals or specific incidents, facts or circumstances.

430.12 TRAINING

Department members should receive periodic training regarding this policy, as well as the dynamics of crowd control and incident management. The Department should, when practicable, train with its external and mutual aid partners.

Chapter 5 - Traffic Operations

Traffic Function and Responsibility

500.1 PURPOSE AND SCOPE

The ultimate goal of traffic law enforcement is to reduce traffic collisions. This may be achieved through the application of such techniques as geographic/temporal assignment of personnel and equipment and the establishment of preventive patrols to deal with specific categories of unlawful driving behavior. Traffic enforcement techniques are based on accident data, enforcement activity records, traffic volume, and traffic conditions. This department provides enforcement efforts toward violations, not only in proportion to the frequency of their occurrence in accident situations, but also in terms of traffic-related needs.

500.2 TRAFFIC OFFICER DEPLOYMENT

Several factors are considered in the development of deployment schedules for officers of the Urbana Police Department. Traffic crash information provided by the Illinois Department of Transportation is a valuable resource for traffic accident occurrences and therefore officer deployment. Some of the factors for analysis include:

- Location
- Time
- Day
- Violation factors

All officers assigned to patrol or traffic enforcement functions will emphasize enforcement of accident causing violations during high accident hours and at locations of occurrence. All officers will take directed enforcement action on request, and random enforcement action when appropriate against violators as a matter of routine. All officers shall maintain high visibility while working general enforcement, especially at high accident locations.

Other factors to be considered for deployment are citizen requests, construction zones or special events.

500.2.1 SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP)

In an effort to reduce property damage and personal injury from vehicle crashes, the Department has initiated the Selective Traffic Enforcement Program (STEP). Officers assigned to STEP details will be directed to work high accident locations and other problem areas at days and times when traffic crashes are highest. The STEP program will be funded separately as the fines which are collected from the tickets written by officers assigned to STEP, pay for the program costs. Officers will be assigned to the STEP detail on a special detail sign-up basis. Specific locations and times shall be selected from accident data by the specially assigned STEP Coordinator.

The sign-up and mandatory assignments for the STEP program will be made in accordance with the current labor contract with the FOP. The STEP Coordinator is appointed by the Chief of Police to arrange the schedule and keep the statistics on the program. The STEP Coordinator shall

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monitor the schedule, reporting any AWOL, tardy or absent officers to their respective supervisors for disciplinary action if required.

Officers assigned to STEP patrol shall stop vehicles violating traffic laws, both City and State. Violations shall be ticketed. This includes seat belt, child restraint and insurance violations. Each officer completing a STEP detail, shall complete a STEP report which is forwarded to Services with the tickets issued. This report will be given to the STEP Coordinator for his/her data. The STEP Coordinator shall complete bi-annual reports on activity and forward it to the Chief of Police. The officer working a STEP detail shall be under the direct supervision of the on-duty Shift Supervisor. Officers assigned to STEP details should not be used for other calls for service unless absolutely necessary.

Officers working STEP who make criminal arrests should handle them as though they were working a regular shift.

500.3 ENFORCEMENT

Traffic enforcement will be consistent with applicable laws and take into account the degree and severity of the violation committed to include:

- (a) Speed violations.
- (b) Other hazardous violations.
- (c) Off-road vehicle violations.
- (d) Equipment violations.
- (e) Public carrier/commercial vehicle violations.
- (f) Violations committed by juveniles.
- (g) Violations committed by non-residents (out of area and/or state).
- (h) Newly enacted laws and/or regulations.
- (i) Violations resulting in traffic crashes.
- (j) Pedestrian and/or bicycle violations.
- (k) Legislators.
- (l) Military personnel.

This department does not establish ticket quotas. The number of citations issued by any officer shall not be used as criterion for evaluating officer overall performance, but the number of traffic stops completed, arrests, written warnings, and crime prevention measures are appropriate evaluation criterion (55 ILCS 5/5-1136; 65 ILCS 5/11-1-12).

Several methods are effective in the reduction of crashes:

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500.3.1 WARNINGS

Warnings or other non-punitive enforcement actions should be considered in each situation and substituted for arrests or citations when circumstances warrant, especially in the case of inadvertent violations.

500.3.2 CITATIONS

Citations may be issued when an officer believes it is appropriate. It is essential that officers fully explain the rights and requirements imposed on motorists upon issuance of a citation for a traffic violation. Officers should provide the following information at a minimum:

- (a) Explanation of the violation or charge.
- (b) Court appearance procedure including the optional or mandatory appearance by the motorist.
- (c) Notice of whether the motorist can enter a plea and pay the fine by mail or at the court.

500.3.3 PHYSICAL ARREST

Physical arrest can be made on a number of criminal traffic offenses outlined in the Vehicle Code or Criminal Code. These physical arrest cases usually deal with, but are not limited to:

- (a) Reckless homicide.
- (b) Felony and misdemeanor driving under the influence of alcohol/drugs.
- (c) Felony or misdemeanor hit-and-run.
- (d) Refusal to sign notice to appear.
- (e) Any other misdemeanor at the discretion of the officer, such as reckless driving with extenuating circumstances.

500.4 TRAFFIC STOPS

500.4.1 UNKNOWN RISK TRAFFIC STOPS

While every unknown-risk traffic stop is based on a unique set of circumstances that must be taken into account and may warrant reasonable deviation from the list below, general guidelines for conducting an unknown risk traffic stop include:

- (a) The officer should consider existing conditions including but not limited to road design and conditions, weather, lighting, and current traffic flow, to establish a safe environment for the traffic stop.
- (b) The officer should use the patrol vehicle's emergency lighting and other equipment, if necessary, to initiate the stop. Upon stopping, the patrol vehicle should be positioned in a way that affords protection to the officer and to the violator's vehicle during the stop.
- (c) Generally, the violator should be directed to pull to the far-right side of the roadway to stop. However, the officer should be prepared to deal with other situations.

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- (d) Upon initiating a traffic stop, the officer should notify METCAD of the location of the stop and the vehicle's registration state and number. The officer should not approach the violator's vehicle until METCAD has acknowledged the message.
- (e) The officer should approach with caution and take a position that allows effective communication with the driver, a view of any other occupant, and an avenue of tactical retreat if necessary.
- (f) Upon contacting the violator, the officer should remain courteous and professional, providing the violator with verbal identification and the reason for the stop. The officer should request the motorist's documentation.
- (g) The officer should provide the violator with information as to how to respond to the chosen enforcement action, if applicable.
- (h) The officer should end the contact once appropriate law enforcement action has been taken and there is no articulable reasonable suspicion that the occupants have committed, are committing, or are about to commit a further crime or offense.
- (i) The officer should assist the violator in pulling safely back into traffic.

500.4.2 HIGH-RISK TRAFFIC STOPS

While every high-risk traffic stop is based on a unique set of circumstances that must be taken into account and may warrant reasonable deviation from the list below, general guidelines for conducting a high-risk traffic stop include:

- (a) When planning a high-risk traffic stop, the officer shall notify METCAD, and describe the nature or reason for the stop. The officer shall provide METCAD with relevant information (e.g., vehicle description, registration number, and state, number of occupants, location, and direction of travel) and request adequate assistance to conduct the stop.
- (b) An officer should not individually initiate a high-risk traffic stop unless backup officers are not available in an appropriate amount of time or the urgency of the situation demands immediate action.
- (c) After selecting an appropriate stop location and adequate backup officers in position, the officer should signal the suspect to stop.
- (d) Officers should position their vehicles at a distance behind the suspect vehicle which provides opportunities for cover. In low-light situations, positioning should allow for illumination of the suspect vehicle's interior.
- (e) The officer initiating the stop, or the officer with the best view should issue verbal commands through the vehicle's public address system, if available. Only one officer should issue commands to the suspect vehicle's occupants.
- (f) Once the suspect vehicle has stopped, officers should exit their vehicles quickly and assume positions of cover.
- (g) Commands should be announced to the suspect vehicle operator to:
 - (a) Lower the windows
 - (b) Turn off the vehicle

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- (c) Put their hands up
- (d) Step out of the vehicle, with their hands up and the vehicle keys in their hand
- (e) Walk towards the officers
- (h) Using contact and cover, officers should handcuff, search, and secure the suspect. Other occupants should be similarly and separately commanded until all are handcuffed, searched, and secured.
- (i) With appropriate cover, officers should approach and inspect the suspect vehicle for additional occupants and/or threats before declaring the scene secure.

500.5 HIGH-VISIBILITY VESTS

The Department has provided American National Standards Institute (ANSI) Class II high-visibility vests to increase the visibility of department members who may be exposed to hazards presented by passing traffic, maneuvering or operating vehicles, machinery and equipment (23 CFR 655.601).

Although intended primarily for use while performing traffic related assignments, high-visibility vests should be worn at any time increased visibility would improve the safety or efficiency of the member.

500.5.1 REQUIRED USE

Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn at any time it is anticipated that an employee will be exposed to the hazards of approaching traffic or construction and recovery equipment. Examples of when high-visibility vests should be worn include traffic control duties, crash investigations, lane closures, and while at disaster scenes, or anytime high visibility is desirable. When emergency conditions preclude the immediate donning of the vest, officers should retrieve and wear the vest as soon as conditions reasonably permit. Use of the vests shall also be mandatory when directed by a supervisor.

Vests maintained in the investigation units may be used any time a plainclothes officer might benefit from being readily identified as a member of law enforcement.

500.5.2 CARE AND STORAGE OF HIGH-VISIBILITY VEST

High-visibility vests shall be maintained by each officer. Officers shall maintain a vest in a serviceable condition. Before going into service each employee shall they possess a serviceable high-visibility vest.

500.6 STOP RECEIPTS

Whenever an officer stops a motorist under 725 ILCS 5/107-14 and pat-down searches the person or the person's property, the officer should issue a stop receipt providing the reason for the stop and containing the member's name and badge number.

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500.7 SEIZURE OF ITEMS

Officers who reasonably believe that any certificate of title, registration card, permit, license, registration plate, license plate, disability license plate, parking decal or device, or registration sticker is fictitious or unlawfully issued shall seize such items for return of the items to the Secretary of State (625 ILCS 5/2-111).

Officers who reasonably believe that any certificate of title, registration card, permit, license, registration plate, license plate, disability license plate, parking decal or device, or registration sticker is expired, revoked, canceled, or suspended should not seize the items, but may issue appropriate citations to the individual who is using those items in violation of the Illinois Vehicle Code.

500.8 VEHICLE CHECKPOINTS

The Watch Commander should establish guidelines for roadside vehicle checkpoints based upon reasonable criteria (e.g., holidays, traffic injuries or fatalities, community requests). Operational decisions should be made by the supervising officer. Guidelines for checkpoints should include but are not limited to:

- (a) Reasonable location and duration.
- (b) Neutral criteria for stopping motorists.
- (c) Clear indicators of the official nature of the checkpoint.
- (d) Clearly identified officers and equipment.
- (e) Adequate safety precautions.
- (f) Minimal detention of motorists.
- (g) Advance public notice.

The policy concerning checkpoints should be consulted and adhered to prior to the implementation of any checkpoint.

500.8.1 CHECKPOINT IMPLEMENTATION

The following procedures should be used by the supervisor assigned to a checkpoint operation when implementing a checkpoint:

- (a) Establish the goal of the checkpoint, (e.g., DUI detection, seatbelt violations.)
- (b) Establish an operational plan that satisfies the guidelines as established by the Watch Commander.
- (c) Assign and notify the officers chosen to conduct the checkpoint.
- (d) Conduct an operational briefing prior to activation and communicate the operational plan and checkpoint goal.
- (e) Activate the checkpoint.
- (f) Track all contact and traffic that was not stopped.
- (g) Conduct an after-action debriefing when the checkpoint is concluded.

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- (h) Generate an after-action report detailing the contacts, arrests, contraband found, areas for improvement, and successes.

Traffic Crashes

501.1 PURPOSE AND SCOPE

This policy provides guidelines for responding to, investigating, and reporting traffic crashes.

501.2 TRAFFIC CRASH REPORTING

The Urbana Police Department responds to traffic accidents with some limitations. Certain conditions, as described in this policy, may vary the methodology of handling the calls. Reports shall be completed on a computer-based crash report writing system. Officers should inform the involved parties how to obtain information related to the the crash.

501.2.1 DESK REPORTS

The Urbana Police Department does not take desk reports. Normally there will be no report taken if there is minor property damage and the police were not called to the scene. If it is a hit and run, injuries resulted or a significant amount of property damage, supervisors shall assign officers to investigate.

501.3 REPORTING SITUATIONS

501.3.1 TRAFFIC CRASHES INVOLVING POLICE AND CITY VEHICLES

Supervisors shall follow the attached guidelines when determining who is responsible for investigating traffic accidents involving police vehicles in Urbana. [See attachment: Accident Chart.pdf](#) Supervisors may deviate from these guidelines if, in his/her judgment, circumstances dictate a change.

Photographs of the crash scene and vehicle damage shall be taken at the discretion of the officer investigating the crash or any supervisor.

The Patrol Supervisor shall notify the Patrol Commander about significant property damage or injury accidents. Additionally, they shall notify the CID Commander in those situations where CID is required as described in the attached guideline.

501.3.2 TRAFFIC CRASHES WITH POLICE DEPARTMENT EMPLOYEES

When an employee of this department, either on-duty or off-duty, is involved in a traffic crash within the jurisdiction of the Urbana Police Department resulting in a serious injury or fatality, the Watch Commander or the Shift Supervisor, should notify an allied agency, the County Sheriff, or the Illinois State Police for assistance.

The term serious injury is defined as any injury that may result in a fatality.

501.3.3 TRAFFIC CRASHES ON PRIVATE PROPERTY

Private property accident typically will not be investigated by the department. Officers will respond and investigate private property accidents if any of the following criteria exist:

- Fatality

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- Injury
- Hit and Run
- DUI related incident
- Reckless driving
- Drag racing
- Any accident that is significant enough that a vehicle cannot be driven from the scene
- Uninsured driver
- Supervisory judgment/discretion

501.3.4 TRAFFIC CRASHES ON ROADWAYS OR HIGHWAYS

Officers shall investigate traffic accidents involving:

- Fatality
- Personal injury
- Any alcohol or drug impairment
- Any damage over \$1,500 or where vehicles may not be driven away
- Any hazardous materials spill
- Hit and run accidents
- Incidents where a supervisor directs an accident report be taken

Investigating officers are required to issue citations that are warranted based on their investigation into the accident. This does not apply for accidents involving city vehicles. In cases of fatalities or extremely serious injuries the issuance of a traffic citation may be deferred.

501.3.5 ON SCENE TRAFFIC ACCIDENT PROCEDURES

Responding officers are responsible for the following issues present at the scene of most traffic accidents:

- Keep the situation from getting worse and protect the scene (including the use of reflective safety vests to improve the visibility of the officers at the scene)
- Attend to traffic direction and flow issues
- Proper placement of emergency vehicles, cones, roadway flares, or other devices if available to provide protection for members, the public, and the scene
- Locate participants and provide medical assistance as necessary
- Identify and locate any hazardous materials
- Arrange for towing of disabled vehicles
- Complete the Illinois Traffic Crash Report Form (SR1050)

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- Issue citations and make arrests as necessary
- Collect and preserve evidence as necessary
- Appropriately address disturbances between the parties

501.3.6 ACCIDENT REVIEW BOARD

The Chief of Police shall appoint an Accident Review Board. This Board shall meet and review every accident involving an Urbana Police Department vehicle. During the review, the Board determines whether or not the employee was "At Fault" and records that finding. It is then forwarded to the Deputy Chief. The Accident Review Board may recommend:

- No Action
- Appropriate discipline pursuant to the policy establishing such discipline*
- Rehabilitative efforts for the employee

*It should be noted, that the Board does NOT recommend specific discipline. They report their findings to the Chief via the chain of command, and the Chief makes the final determination based on factors he deems appropriate.

501.4 EMERGENCY ACCIDENT REPORTING POLICY

Rare circumstances occur where, due to weather or other conditions, the number of traffic accidents is too high for the immediate resources of the Department to handle. As a result, the Shift Supervisor has the authority under the following conditions, to declare an "Emergency Accident Policy" condition.

- Weather - The weather can produce conditions (such as ice) which results in a large number of accidents
- Number of Accidents - Only after the number of accidents rises to an unmanageable level may the Shift Supervisor implement this policy. It shall not be implemented in anticipation of large numbers of accidents.
- Notification - Once the decision has been made to implement the "Emergency Accident Policy," the Shift Supervisor shall notify METCAD, on-duty officers and the Patrol Commander.

Procedure

Once the "Emergency Accident Policy" is implemented, the on-duty supervisor will direct officers to continue to be dispatched to accidents; however, they are not required to write reports as obligated in Sections 2 and 3 above, if there are no injuries and the cars can be driven from the scene. The participants are directed to go to the station to pick up their report forms. Appropriate action should be taken for obvious hazardous conditions. If, in the opinion of the ranking supervisor on-duty, the numbers of accidents becomes so overwhelming that even relieving officers from the reporting requirements is not practical, he may notify METCAD to direct all non-injury accident participants to report to the station for their report forms. Officers would then only respond to personal injury

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accidents. Nothing herein shall prevent an officer from writing a report if he/she believes that it is necessary and gains permission from a supervisor.

501.4.1 SUPERVISORY DISCRETION

A supervisor may, if appropriate to the circumstances, request assistance from an allied agency, the County Sheriff, or the Illinois State Police for the investigation of any traffic crash.

501.5 INVESTIGATION

When a traffic crash meets minimum reporting requirements, the investigation should include, at a minimum:

- (a) Identification and interview of all involved parties.
- (b) Identification and interview of any witnesses.
- (c) A determination of whether a violation of law has occurred and the appropriate enforcement action.
- (d) Identification and protection of items of apparent evidentiary value.
- (e) Documentation of the incident as necessary (e.g., statements, measurements, photographs, collection of evidence, reporting) on the appropriate forms.

Vehicle Towing

502.1 PURPOSE AND SCOPE

This policy provides guidance related to vehicle towing. Nothing in this policy shall require a member of this department to tow a vehicle.

502.1.1 AUTHORITY

Urbana Police Officers have the authority to tow vehicles under both City traffic ordinances and state law. Officers and Command Officers shall be familiar with these laws and under which circumstances vehicles may be towed. These circumstances include but are not limited to:

- (a) Hazards to normal vehicular traffic - Vehicles left wholly or partially in roadways, alleys and normal traffic lanes, whether disabled or damaged by traffic accidents or illegally parked, shall be removed from the roadway by towing when either unattended or when the driver is unable to move the car.
- (b) Improperly parked - so as to create a hardship for another with a legal right to a parking space on City owned property.
- (c) Safeguard the vehicle - when the rightful owner or person in possession is unable to provide for the movement of the vehicle.
- (d) Specific parking violations - such as blocking access to fire station, unpaid parking tickets, etc.
- (e) Vehicle seized as evidence - cases where a vehicle or a major part thereof constitutes material evidence in a criminal matter, the vehicle may be towed and impounded.
- (f) Vehicle seized pursuant to forfeiture laws - Identified by State Statute.
- (g) Recovered stolen vehicles - recovered stolen vehicles which must be held for processing or for which the owner cannot immediately be located shall be towed and impounded.
- (h) Posted tow away zones - includes bagged meters and temporary signs erected by Public Works.
- (i) Limited impoundment for DUI arrest - Addressed in 625 ILCS, section 5. It is the policy of the Urbana police to impound vehicles for the authorized duration unless a supervisor authorizes otherwise.
- (j) Abandoned vehicles - as defined by State law and/or City ordinances; towed by the Parking Enforcement Section.
- (k) Vehicles impeding emergency access - When vehicles that are otherwise legally parked must be moved to allow emergency access in cases of fire, utility emergencies, they may be towed.
- (l) Rented spaces - for City owned reserved spaces such as on the street, parking deck, City Building, etc.
- (m) Arrested persons - Vehicles that have been operated by arrested persons shall be towed and impounded under the following general guidelines:

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1. Private property - When a vehicle is parked on private property and the person under control is arrested for an offense wherein full custody ensues, the person arrested shall be advised that the Department will not accept responsibility for the security of the vehicle and contents unless it is impounded, and that such impoundment shall be voluntary on the part of the arrestee and at his/her expense.
2. Public highway - As above, except that the officer(s) may impound any such vehicle pursuant to the Illinois vehicle Code. Such towing shall be undertaken unless the vehicle is legally parked and the arrestee waives liability on the part of the Department if it is left; OR if another driver licensed and unimpaired in any way, is present and authorized by the arrestee to remove the vehicle. This is all at the discretion of the officer.
3. All waivers sought under this section shall be knowing and intelligent. Such waivers shall be documented. Officers are under no requirement to allow arrested persons to move any vehicle.

502.2 POLICY

The Urbana Police Department will tow vehicles when appropriate and in accordance with the law.

502.2.1 BAGGED METERS

Officers are sometimes tasked to tow unauthorized vehicles parked at bagged meters. Generally, this requires the presence of the space renter with lease agreement in hand. There may be times when this is not practical (for example, outof- town construction company executes space rental agreement but foreman on-site is without a copy). Officers can verify by contacting the Public Works Facilities Manager's office and, in some cases, the Finance Department.

Whether a meter is bagged "No Parking" or "Reserved," someone with standing or apparent authority must be present to authorize the tow. This person could be the renter, a Parking Enforcement Officer aware of the bagging/posting arrangement, or the Public Works Employee with direct knowledge of the rental agreement. Once an officer secures identifying information, that person need not remain at the scene for the removal.

502.3 REMOVAL OF VEHICLES DUE TO HAZARD

When a vehicle should be towed because it presents a hazard, the owner or operator should arrange for the towing. Department members may assist by communicating requests through METCAD to expedite the process.

If the owner or operator is unable to arrange for towing and the vehicle presents a hazard, the vehicle may be towed at the direction of the department member (625 ILCS 5/4-203).

Vehicles that are not the property of the City should not be driven by department members unless it is necessary to move the vehicle a short distance to eliminate a hazard, prevent the obstruction of a fire hydrant or comply with posted signs.

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502.4 ARREST SCENES

Whenever the owner or operator of a vehicle is arrested, the arresting officer should provide reasonable safekeeping by leaving the vehicle secured and lawfully parked at the scene or, when appropriate, by having the vehicle towed, such as when the vehicle presents a traffic hazard or the vehicle would be in jeopardy of theft or damage if left at the scene.

Officers are not required to investigate whether alternatives to towing a vehicle exist after an arrest. However, a vehicle should not be towed if reasonable alternatives exist. When considering whether to leave a vehicle at the scene, officers should take into consideration public safety as well as the reasonable safety of the vehicle and its contents.

The following are examples of situations where a vehicle should not be towed:

- The vehicle can be legally parked, left in a reasonably secure and safe location and is not needed as evidence.
- The vehicle is parked on private property, on which the arrestee or owner is legally residing, or the property owner does not object to the vehicle being parked at that location.
- The arrestee or owner of the vehicle requests that it be released to a person who is present, willing and able to legally take control of the vehicle.
- The vehicle is legally parked and the arrestee or owner requests that it be left at the scene. In such cases the requester should be informed that the Department will not be responsible for theft or damages.

502.5 VEHICLES RELATED TO CRIMINAL INVESTIGATIONS

Officers should tow vehicles that are needed for the furtherance of an investigation or prosecution of a case, or that are otherwise appropriate for seizure as evidence. Officers should make reasonable efforts to return a recovered stolen vehicle to its owner rather than have it towed, so long as the vehicle is not needed for evidence.

502.6 RECORDS

Any time a vehicle is towed, a tow-in report, including an inventory shall be completed by the towing officer. Exceptions to the report requirement include:

- Accidents where the parties are present at the scene and the tow company information has been noted on an accident report. Hit and run accidents where there is an abandoned suspect vehicle require a tow report.
- Motorist assists where the owner/driver is present and a tow company is called at their request.

Original tow reports will be kept in the case jacket in the master records file. Copies of active tow reports are kept at the front counter for release purposes.

Officers towing a vehicle pursuant to City Ordinance 23-277 (Vehicles used in the commission of certain offenses) shall fill out the Vehicle Seizure & Impoundment Report tow-in report rather than the regular tow-in report.

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Services Division members shall ensure that pertinent data regarding a towed vehicle is promptly entered into the appropriate database.

Whenever a vehicle is repossessed or relocated and the Department is notified, the employee receiving the notification shall note the appropriate information on the relocation log at the front desk. This log should be checked prior to taking any stolen vehicle reports.

502.6.1 VEHICLE STORAGE REPORT

Department members towing a vehicle shall complete a vehicle tow report. The report should be submitted to the Services Division as soon as practicable after the vehicle is towed.

A copy of the vehicle tow report for a vehicle towed pursuant to 625 ILCS 5/4-202 or 625 ILCS 5/4-203 shall be provided to the tow service (625 ILCS 5/4-204).

502.6.2 NOTICE OF TOW

The Services Division should send a notice of tow to all registered owners, lienholders and others having a recorded interest in the vehicle within 48 hours, excluding weekends and holidays, but in no event shall the notice be sent later than 10 business days after the tow. Notice shall be sent to all such individuals by certified mail (625 ILCS 5/4-205). The notice shall include:

- (a) The name, address and telephone number of the Urbana Police Department.
- (b) The location where the vehicle is stored.
- (c) A description of the vehicle, including:
 - 1. Color.
 - 2. Manufacturer year.
 - 3. Make and model.
 - 4. License plate number and/or Vehicle Identification Number (VIN).
 - 5. Mileage.
- (d) The authority and purpose for the removal of the vehicle.
- (e) An explanation of the procedure for release of the vehicle and for obtaining a vehicle tow hearing.
- (f) A request for disposition for the vehicle and any information regarding a public sale of the vehicle, if applicable.

If the registered owner, lienholder or other persons having a recorded interest in the vehicle cannot be immediately determined, the notice shall be sent no later than two days after such determination can be made (625 ILCS 5/4-205).

502.6.3 RELEASE OF VEHICLE

Vehicles may be released only after there has been contact with the Police Department. Employees should not reveal the location where vehicles were towed until the owner arrives at the station and signs for the vehicle. For further on the release procedure, see the Front Desk

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Manuals. All releases must have the appropriate paperwork completed and requires the owner of the vehicle to provide photo ID.

Members of the public should not be directed to the Police impound lot to release a vehicle. To release a vehicle held at the impound lot, a contract tow service should be contacted to tow the vehicle to the city parking lot adjacent to the police department. This should only be done after the owner/designee arrives at the police department to take custody of the vehicle. Vehicles are NOT to be towed to the city lot and left to be picked-up at a later time/date.

502.7 TOWING SERVICES

Members shall not show preference among towing services that have been authorized for use by the Department. A rotation system established by the Department for tow services should be followed (625 ILCS 5/4-203.5).

502.7.1 TOW ROTATION LIST

The Deputy Chief of Police is responsible for ensuring that tow rotation lists to be used by department members when authorizing tows is established and maintained (625 ILCS 5/4-203.5). All complaints regarding the process for inclusion on a tow rotation list or the use of a tow rotation list shall be forwarded to the Chief of Police.

Members should only deviate from the rotation list in the following circumstances (625 ILCS 5/4-203.5):

- (a) A safety emergency justifies deviation.
- (b) The tow service next on the list is incapable of or not properly equipped for handling a specific task related to the tow that requires special skills or equipment.

Members should document the reason for any deviation.

Towing firms are prohibited from soliciting tows that have not been requested by a member or the owner or operator of a disabled vehicle. Members should tell any such tow operator who is present or arrives to leave the scene (625 ILCS 5/4-203.5).

502.8 VEHICLE INVENTORY

The contents of all vehicles towed at the request of department members shall be inventoried and listed on the inventory report. When reasonably practicable, photographs may be taken to assist in the inventory.

- (a) An inventory of personal property and the contents of open containers will be conducted throughout the passenger and engine compartments of the vehicle including, but not limited to, any unlocked glove box, other accessible areas under or within the dashboard area, any pockets in the doors or in the back of the front seat, in any console between the seats, under any floor mats and under the seats.
- (b) In addition to the passenger and engine compartments as described above, an inventory of personal property and the contents of open containers will also be conducted in any other type of unlocked compartments that are a part of the vehicle, including unlocked vehicle trunks and unlocked car top containers.

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- (c) Any locked compartments including, but not limited to, locked glove compartments, locked vehicle trunks, locked hatchbacks and locked car-top containers should be inventoried, provided the keys are available and released with the vehicle to the third-party towing company or an unlocking mechanism for such compartment is available within the vehicle.
- (d) Closed containers located either within the vehicle or any of the vehicle's compartments will be opened for inventory purposes if the container can be opened without damaging it.

Members should ask the occupants whether the vehicle contains any valuables or hazardous materials. Responses should be noted in the inventory report.

When practicable and appropriate, cash, jewelry or other small valuables located during the inventory process should be removed from the vehicle and given to the owner, or booked into property for safekeeping in accordance with the Property and Evidence Division Policy. A copy of the property record should be given to the person in control of the vehicle or, if that person is not present, left in the vehicle.

A copy of the vehicle inventory will be given to the tow truck operator.

These inventory procedures are for the purpose of protecting the vehicle owner's property, providing for the safety of department members and protecting the Department against fraudulent claims of lost, stolen or damaged property.

Towing a vehicle in order to perform an inventory should not be used as a pretext for an evidence search. Nothing in this policy prevents the towing of a vehicle that would occur for reasons independent of any suspicion that the vehicle may contain evidence if it is otherwise justified by law or this policy.

502.9 SECURITY OF VEHICLES AND RETRIEVAL OF PROPERTY

If the search of a vehicle leaves the vehicle or any property contained therein vulnerable to unauthorized entry, theft or damage, the department member conducting the search shall take such steps as are reasonably necessary to secure or protect the vehicle or property from such hazards.

Unless it would cause an unreasonable delay in towing the vehicle or create an issue of officer safety, reasonable accommodations should be made to permit the owner, operator or occupant to retrieve small items of value or personal need (e.g., cash, jewelry, cell phone, prescriptions) that are not considered evidence or contraband.

Members who become aware that a vehicle may have been towed by the Department in error should promptly advise a supervisor. Supervisors should approve, when appropriate, the release of the vehicle without requiring the owner or his/her agent to request a hearing to contest the tow.

502.10 TOWING OF VEHICLES FROM PRIVATE PROPERTY

Members of the Department should not tow or assist in towing vehicles from private property unless authorized by state and local law (625 ILCS 5/4-201 et. seq.).

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502.11 TOWING OF VEHICLES FROM PUBLIC PROPERTY

Vehicles abandoned on public property may be towed in accordance with 625 ILCS 5/4-203.

Impaired Driving

503.1 PURPOSE AND SCOPE

This policy provides guidance to those department members who play a role in the detection and investigation of driving under the influence (DUI).

503.2 POLICY

The Urbana Police Department is committed to the safety of the roadways and the community and will pursue fair but aggressive enforcement of Illinois's impaired driving laws.

503.3 INVESTIGATIONS

Officers should not enforce DUI laws to the exclusion of their other duties unless specifically assigned to DUI enforcement. All officers are expected to enforce these laws with due diligence.

The Urbana Police department will develop and maintain report forms with appropriate checklists to assist investigating officers in documenting relevant information and maximizing efficiency. Any DUI investigation will be documented using these forms. Information documented elsewhere on the form does not need to be duplicated in the report narrative. Information that should be documented includes, at a minimum:

- (a) The field sobriety tests (FSTs) administered and the results.
- (b) The officer's observations that indicate impairment on the part of the individual, and the officer's health-related inquiries that may help to identify any serious health concerns (e.g., diabetic shock).
- (c) Sources of additional information (e.g., reporting party, witnesses) and their observations.
- (d) Information about any audio and/or video recording of the individual's driving or subsequent actions.
- (e) The location and time frame of the individual's vehicle operation and how this was determined.
- (f) Any prior related convictions in Illinois or another jurisdiction.

503.4 FIELD TESTS

Officers will use approved field sobriety tests (FST) that they are trained on through the Police Training Institute (PTI), the Field Training Program and department approved training for evidentiary/court purposes. This does not preclude trained officers from conducting additional testing such as, but not limited to, inspecting pupils, modified Romberg, lack of convergence, pupil rebound, finger to nose, etc. for investigative purposes.

503.4.1 CANNABIS DUI

If an officer believes a driver is impaired solely or partly by cannabis, the officer should read the Cannabis DUI Warning to Motorist to the driver prior to the Standardized Field Sobriety Test (SFSTs). If the driver refuses to participate in the SFSTs and no probable cause is established,

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the officer shall document it in a report with the Cannabis DUI Warning to Motorist. If a driver consents to participate in the SFSTs, the officer should conduct the rest of the DUI investigation as trained to do.

503.5 CHEMICAL TESTS

A person implies consent under Illinois law to a chemical test or tests, and to providing the associated sample, under any of the following:

- (a) The arresting officer has probable cause to believe that the person was driving or in actual physical control of a vehicle while under the influence of alcohol, drugs, intoxicating compounds, or any combination thereof (625 ILCS 5/11-501.1).
- (b) The person is arrested for driving a vehicle involved in a motor vehicle accident resulting in personal injury or death of any person (625 ILCS 5/11-401).
- (c) The person was driving or in actual physical control of a vehicle and involved in a personal injury or fatality accident (625 ILCS 5/11-501.6).
- (d) The person is under the age of 21, was driving or in actual physical control of a vehicle, and the officer has probable cause to believe that the person has consumed any amount of an alcoholic beverage (625 ILCS 5/11-501.8).

Chemical tests shall be taken pursuant to the standards promulgated by the Department of State Police (625 ILCS 5/11-501.2(a)).

If a person withdraws this implied consent, or is unable to withdraw consent (e.g., the person is unconscious), the officer should consider implied consent revoked and proceed as though the person has refused to provide a chemical sample.

If an officer believes an arrestee is intoxicated by an otherwise legal inhalant, the officer should seize the inhalant container for evidence to be chemically tested (i.e. air cannister, paint thinner, etc.)

503.5.1 BREATH SAMPLES

The officer shall ensure that all devices used for the collection and analysis of breath samples have been properly serviced and tested. The officer will document in their report the dates of when the devices were last tested and certified.

Officers obtaining a breath sample should monitor the device for any sign of malfunction. Any anomalies or equipment failures should be noted in the appropriate report and promptly reported to the proper agency.

503.5.2 BLOOD SAMPLES

Only persons authorized by law to draw blood shall collect blood samples (625 ILCS 5/11-501.2(a)(2)). The blood draw should be witnessed by the assigned officer. No officer, even if properly certified, should perform this task.

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Officers should inform an arrestee that if they choose to provide a blood sample, a separate sample can be collected for alternate testing. Unless medical personnel object, two samples should be collected and retained as evidence, so long as only one puncture is required.

In a DUI cannabis or inhalant case, the officer should strive to obtain a blood sample within the first two hours from time of contact. If an officer is unable to collect the blood sample within the two hour time frame, the sample should still be collected as evidence. The blood sample shall be packaged, marked, handled, stored and transported as required by the testing facility. If inhalant use is suspected, the cannister should be sent to the state lab with the DUI kit. The officer will then notify the evidence technician that special testing is requested to compare the air in the blood vial to the suspected inhalant container.

If an arrestee cannot submit to a blood test because they have a bleeding disorder or has taken medication that inhibits coagulation, they shall not be required to take a blood test. Such inability to take a blood test shall not be treated as a refusal. However, that arrestee may be required to complete another available and viable test.

503.5.3 URINE SAMPLES

If a urine test will be performed, the person should be promptly transported to the appropriate testing site. The officer shall follow any directions accompanying the urine evidence collection kit.

Urine samples shall be collected and witnessed by an officer, medical personnel or jail staff member of the same sex as the person giving the sample. The arrestee should be allowed sufficient privacy to maintain his/her dignity, to the extent possible, while still ensuring the accuracy of the sample.

The sample shall be packaged, marked, handled, stored and transported as required by the testing facility.

503.5.4 STATUTORY NOTIFICATIONS

An officer requesting that a person submit to a chemical test, or to a field sobriety test during an investigation of driving while impaired by the use of cannabis, shall provide the person with the mandatory statutory warning.

If the person refuses to acknowledge in writing receipt of the warning regarding failure to submit to a chemical test, the officer shall document on the warning that the person refused to sign (See generally, 625 ILCS 5/11-501.1; 625 ILCS 5/11-501.6; 625 ILCS 5/11-501.8; 625 ILCS 5/11-501.9).

503.5.5 DESIGNATION OF CHEMICAL TESTS

The Watch Commander shall designate which type of chemical tests may be administered by officers.

Officers may generally administer up to two additional tests of urine or other bodily substance even if a blood or breath test, or both, has been administered (625 ILCS 5/11-501.1(a); 625 ILCS 5/11-501.6(a); 625 ILCS 5/11-501.8(a)).

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503.6 REFUSALS

When an arrestee refuses to provide a chemical sample during a DUI investigation, or to submit to field sobriety tests during an investigation of driving while impaired by the use of cannabis, officers should:

- (a) Advise the arrestee of the requirement to provide a sample or submit to field sobriety tests (see generally, 625 ILCS 5/11-501.1; 625 ILCS 5/11-501.6; 625 ILCS 5/11-501.8; 625 ILCS 5/11-501.9).
- (b) Audio- and/or video-record the admonishment and the response when it is practicable.
- (c) Document the refusal in the appropriate report.

503.6.1 STATUTORY NOTIFICATIONS UPON REFUSAL

Upon refusal to submit to a chemical test, or to submit to a field sobriety test during an investigation of a medical marijuana cardholder driving while impaired by the use of cannabis as required by law, officers shall personally serve the notice of statutory summary suspension or revocation upon the person and take possession of any state-issued license to operate a motor vehicle that is held by that person and issue the person a temporary driving permit (625 ILCS 5/11-501.1(f); 625 ILCS 5/11-501.9).

503.6.2 BLOOD SAMPLE WITHOUT CONSENT/UNCONSCIOUS PERSON

A blood sample may be obtained from a person who refuses a chemical test when any of the following conditions exist:

- (a) A search warrant has been obtained.
- (b) The officer can articulate that exigent circumstances exist. Exigency does not exist solely because of the short time period associated with the natural dissipation of alcohol or controlled or prohibited substances in the person's bloodstream. Exigency can be established by the existence of special facts such as a lengthy time delay in obtaining a blood sample due to a crash investigation or medical treatment of the person.
- (c) Exigent circumstances exist and the person was driving or in actual physical control of a vehicle while under the influence of alcohol, drugs, intoxicating compounds or any combination thereof and caused death or personal injury to another person (625 ILCS 5/11-501.2).
- (d) Should the suspect be unconscious, the officer may, without a warrant, order blood drawn from said person suspected of DUI. (US Supreme Court Decision-Mitchell vs. Wisconsin)

503.6.3 FORCED BLOOD SAMPLE

If an arrestee indicates by word or action that they will physically resist a blood draw, the officer should request a supervisor to respond.

The responding supervisor should:

- (a) Evaluate whether using force to obtain a blood sample is appropriate under the circumstances.

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- (b) Ensure that all attempts to obtain a blood sample through force cease if the person agrees to, and completes a viable form of testing in a timely manner.
- (c) Advise the person of his/her duty to provide a sample (even if this advisement was previously done by another officer) and attempt to persuade the individual to submit to such a sample without physical resistance.
 - 1. This dialogue should be recorded on audio and/or video when practicable.
- (d) Ensure that the blood sample is taken in a medically approved manner.
- (e) Ensure the forced blood draw is recorded on audio and/or video when practicable.
- (f) Monitor and ensure that the type and level of force applied appears reasonable under the circumstances.
 - (a) Unless otherwise provided in a warrant, force should generally be limited to handcuffing or similar restraint methods.
 - (b) In misdemeanor cases, if the arrestee becomes violent or more resistant, no additional force will be used and a refusal should be noted in the report.
 - (c) In felony cases, where force reasonably appears necessary to overcome the resistance to the blood draw may be permitted.
- (g) Ensure the use of force and methods used to accomplish the collection of the blood sample are documented in the related report.

If a supervisor is unavailable, officers are expected to use sound judgment and perform as a responding supervisor, as set forth above.

503.7 ARREST AND INVESTIGATION

503.7.1 PRELIMINARY BREATH SCREENING TEST

An officer having reasonable suspicion to believe that a person is DUI may, prior to arrest, request that the person provide a sample of his/her breath for a preliminary breath screening (PBS) test using a portable device approved by the State Police. The person may refuse the test, however, if a test is administered, the results may be used by the officer for the purpose of determining whether probable cause exists to require a chemical test as authorized by 625 ILCS 5/11-501.1 and 625 ILCS 5/11-501.2 (625 ILCS 5/11-501.5).

503.7.2 ADDITIONAL TESTING

A person submitting to a chemical test may have qualified medical personnel of his/her own choosing administer an additional chemical test (625 ILCS 5/11-501.2).

503.7.3 OFFICER RESPONSIBILITIES

If a person refuses to submit to a chemical test or submits to a test that discloses a prohibited alcohol or drug concentration, the officer shall immediately submit a sworn statement of such fact to the circuit court of venue and the Secretary of State (SOS) (625 ILCS 5/11-501.1(d)).

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Impaired Driving

If a medical marijuana card holder refuses to submit to field sobriety tests or submits to a test that discloses impairment by the use of cannabis, the officer shall immediately submit a sworn statement of such fact to the circuit court of venue and the SOS (625 ILCS 5/11-501.9(e)).

503.7.4 COLLISIONS

An officer having probable cause to believe that a motor vehicle driven by or in actual physical control of a person under the influence of alcohol, other drugs, or intoxicating compounds or any combination thereof has caused the death or personal injury of another person, shall request that the person submit to a chemical test (625 ILCS 5/11-501.2(c)(2)).

If the arrestee is involved in a collision and another person receives a severe personal injury or dies and the arrestee refuses a blood draw, the officer shall contact the on-call state's attorney to request a warrant for the blood draw.

503.7.5 REPORTING

The Services Commander shall ensure that the Department complies with all state reporting requirements pursuant to 20 ILCS 2630/5.

503.7.6 IMPOUNDMENT

An officer making an arrest for DUI should impound the vehicle driven by the arrestee. The impounded vehicle generally will be impounded for at least 12 hours, however, it may be released earlier to the registered owner if the arrestee is not the owner of the vehicle or if the arrestee gives permission to another valid driver to retrieve the vehicle for them. (625 ILCS 5/4-203).

503.8 SERVICES DIVISION RESPONSIBILITIES

The Police Services Supervisor will ensure that all case-related records are transmitted according to current records procedures and as required by the prosecuting attorney's office.

503.8.1 WARNING NOTIFICATION

The records division shall forward the warning notification and sworn report in accordance with 625 ILCS 5/11-501.1, 625 ILCS 5/11-501.6, 625 ILCS 5/11-501.8, and 625 ILCS 5/11-501.9.

503.9 ADMINISTRATIVE HEARINGS

The supervisor will ensure that all appropriate reports and documents related to administrative license suspensions are reviewed and forwarded to the Secretary of State (SOS).

Any officers who receive notice of required attendance to an administrative license suspension hearing should promptly notify the prosecuting attorney.

503.10 TRAINING

Officers will be trained in DUI investigations through the Police Training Institute and the Field Training Program. Additional training will be offered through department approved training when available.

Tire Deflation Devices (TDD)

504.1 POLICY

Vehicle pursuits are among the most hazardous functions performed by law enforcement. These acts can endanger citizens, officers, motorists, and the fleeing suspect and passengers. In an effort to save lives, prevent personal injury, reduce accidents, hazards and property damage, and minimize the potential for civil liability of a vehicle pursuit, the Urbana Police Department (herein referred to as the Department) will utilize tire deflation devices to slow fleeing vehicles.

504.2 PURPOSE

The purpose of this policy is to provide guidelines to officers utilizing tire deflation devices (TDD).

504.3 DEFINITIONS

- (a) **Tire Deflation Device** – a deployable tool used to terminate or reduce the speed of a vehicle fleeing from officers by embedding spikes into the tires of that vehicle causing controlled deflation of its tires and thereby reducing its speed, while allowing the driver to maintain control of the vehicle.
- (b) **Squad Car** – A police vehicle, either marked or unmarked, with emergency lighting, a siren, and an outside spotlight.
- (c) **Pursuit** - An active effort by a police officer, operating a police vehicle and utilizing emergency lights and siren, to apprehend the occupant(s) of a fleeing vehicle whose driver is resisting apprehension by increasing speed, maintaining high speeds, or otherwise disobeying traffic laws or attempting to elude the officer.
- (d) **Shift Supervisor** – The command officer who is responsible for field operations of the department at a particular time.

504.4 DEPLOYMENT RULES

- (a) Any officer who deploys a TDD shall be trained in proper deployment, use, and removal of the TDD from the roadway.
- (b) Explicit approval of the shift supervisor is required prior to the deployment of a TDD.
- (c) A TDD shall not be utilized on vehicles with fewer than four (4) wheels.
- (d) Whenever possible, officers should place their squad cars on the side of the road facing the same direction of the pursuit travel with all emergency lighting activated.
- (e) Whenever possible, at the commencement of deployment of a TDD, officers shall activate their in-car video and/or body worn cameras and endeavor to record the deployment and use of the TDD.
- (f) Officers shall allow for at least one full lane of travel, across which the TDD can be deployed. Officers shall not block all routes of escape, nor should they fully block the road. However, officers may position a squad car so as to funnel a fleeing vehicle in a particular route so as to increase the likelihood of a fleeing vehicle running over a TDD.

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Tire Deflation Devices (TDD)

- (g) Officers utilizing a TDD shall notify all officers engaged in a pursuit that a TDD has been deployed and specifically where so as to avoid unintended deflation of squad car tires. In order to prevent injury to the officer from oncoming vehicles, flying debris or other risks to safety, once the TDD has been deployed, officers shall utilize every piece of cover for protection from the fleeing vehicle as possible and practicable, except the squad car, and will endeavor to be as far from the roadway as possible.
- (h) Officers deploying a TDD are prohibited from being inside of their squad car during the deployment when the fleeing vehicle has not yet passed.
- (i) The deploying officer will immediately remove the TDD from the roadway. At the conclusion of the event, all missing spikes will be replaced and the entire unit will be inspected by the shift supervisor for damage. The deploying officer will immediately properly package the TDD, per the manufacturer's instructions, and return it to its storage location.

504.5 RESPONSIBILITY

The officer deploying the TDD is responsible for proper placement of the unit on the roadway. Care should be taken to avoid deploying it under the following circumstances:

- (a) Vehicles with fewer than 4 wheels – use prohibited
- (b) Roadways bounded by steep descending embankments – use prohibited
- (c) Areas of special activities or events – use prohibited
- (d) Curves or locations where the safety of oncoming traffic cannot be ensured i.e., blind hills and curves – use prohibited
- (e) Construction zones – use prohibited
- (f) School buses when children are on board – use prohibited
- (g) Any vehicle transporting hazardous materials – use prohibited

The officer deploying the TDD is required to complete a report on the details concerning the use of the TDD as described in this policy. Officers should be aware that any time the TDD is deployed, a vehicle, particularly a vehicle traveling at higher speeds, will lose some capability to effectively turn, stop, or accelerate. In making the risks of allowing a pursuit to continue or of discontinuing pursuit.

Supervisors authorizing and officers deploying a TDD should give careful consideration on the use of the TDD based on the information they have at the time of the request or order to deploy the TDD. Supervisors and officers have the authority to refrain from deploying the TDD if they deem it appropriate.

504.6 TRAINING

- (a) Only trained officers will deploy a TDD. The Department will make every attempt to provided training to all officers.

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Tire Deflation Devices (TDD)

- (b) The training will consist of viewing the TDD manufacturer's training video, review of this policy, and demonstration of deploying, utilizing cover, and repackaging the TDD unit.
- (c) The training will be documented by the Department training coordinator. The Department training coordinator will then ensure that the training is documented in the officer's training file. Officers shall periodically review the proper use of the TDD and this policy.

504.7 REPORTS

Any officer deploying a TDD shall prepare a written report of the incident. The report shall include the following information:

- (a) Name of supervisor authorizing deployment of TDD
- (b) Location TDD deployed
- (c) Physical surroundings of area where TDD was deployed
- (d) Effects TDD had on fleeing vehicle
- (e) What, if any, damage was caused to or by the TDD
- (f) Measures taken by the officer to remove the TDD from the road and to repackaging it

In any circumstance where a TDD is deployed and makes contact with a vehicle, officers shall:

- (a) Photograph TDD prior to replacement of missing spikes
- (b) Photograph the vehicle's tire and embedded spikes when and if the vehicle is located

504.8 USE OF TDD DURING INTER-JURISDICTIONAL PURSUITS

Supervisors are authorized to use the TDD during pursuits initiated by other agencies but are required to follow the Department's policy governing the use of a TDD. Supervisors are encouraged to consult with pursuing officers and/or supervisor from those other agencies if practicable.

Checkpoints

505.1 POLICY

The Urbana Police Department is committed to protecting the safety of both residents of and visitors to the City of Urbana. Due to the presence of the University of Illinois and the intersection of major interstates and highways in and surrounding the City of Urbana, the City has a high volume of vehicles traveling through the city limits in addition to its residential traffic. The Urbana Police Department recognizes the value of traffic safety checkpoints, emergency checkpoints, and informational checkpoints as effective tools in fulfilling both its obligations of law enforcement, protection of the public and promoting road and highway safety. It shall be the policy of the Urbana Police Department to utilize these tools from time to time on the highways, roads and streets in Urbana subject to the following guidelines and procedures.

It is also recognized that circumstances may arise where the Urbana Police Department may need to establish an emergency checkpoint for the purpose of stopping vehicles to thwart an imminent terrorist attack, to apprehend a dangerous criminal who is likely to flee by way of a particular route, to attempt to obtain information that might provide the identity and/or location of the perpetrator of recent crime, or for other unforeseeable and exigent circumstances that present an immediate risk to public safety.

505.2 PURPOSE

This policy shall establish guidelines for planning and performing traffic safety, emergency, and informational checkpoints.

505.3 DEFINITIONS

Traffic Safety Checkpoints - Blocking of a roadway or portion of a roadway by uniformed police personnel for the purpose of stopping vehicles in a predetermined manner to ascertain the safety of drivers on the roadway. These roadblocks are usually established for the purpose of ensuring roadway safety and often will be related to alcohol offenses or seatbelt checks.

Emergency Checkpoints – Blocking of a roadway or portion of a roadway by uniformed police personnel for the purpose of stopping vehicles to thwart an imminent terrorist attack, to apprehend a dangerous criminal who is likely to flee by way of a particular route, to attempt to obtain information that might provide the identity and/or location of the perpetrator of a recent crime, or to address other unforeseeable and exigent circumstances that present an immediate risk to public safety.

Informational Checkpoints – Blocking of a roadway or portion of a roadway by uniformed police personnel for the purpose of stopping vehicles to ask for the public's assistance in providing information to the police about a crime that has already occurred. The primary purpose of this type of checkpoint is for information gathering.

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Checkpoints

505.4 CHECKPOINT PLANNING

- (a) Traffic safety and informational checkpoints must serve a purpose that advances public safety, be planned in advance, and authorized by the Chief of Police or his designee.
- (b) Emergency checkpoints must serve a purpose and be authorized by the Chief of Police or his designee
- (c) The plan must be in writing (emergency checkpoint plans can be put in writing after the checkpoint) and state the following:
 - (a) Location
 - (b) Duration
 - (c) Manpower to be utilized at the checkpoint
 - (d) Manpower left for the normal patrol operations
 - (e) Other agencies that may be involved, if any
 - (f) Method of notification to the public regarding the checkpoint
 - (g) The formula for what cars will be stopped (e.g., every one, every third one, every fourth, etc.) and the target average duration of each motorist stopped (15-25 seconds)
- (d) Checkpoints will not be planned for a time or place that will interfere with other police functions such as stakeouts, parade routes, etc.
- (e) If another agency is involved in the checkpoint, additional authorization should be gained from its command officer, and they should be consulted in the planning whenever possible. If the Urbana Police Department is assisting another agency with their checkpoint, Urbana Police officers participating will follow the other agency's written plan. In the absence of a written plan by the other agency, the Urbana Police Department will formulate a written plan.
- (f) Traffic safety checkpoints shall occur at various times and locations. The same location should not be "overused," and no one portion of the city should host significantly more traffic safety checkpoints than other portions of the city.
- (g) Informational checkpoints shall occur at a time and location that have a likelihood of gathering information pertaining to a particular crime. Typically they will occur in the same area, at the same time of day, and reasonably soon after the specific crime occurred.
- (h) METCAD shall be notified as far in advance as possible for reservation of a radio channel and requesting of a dedicated telecommunicator regardless of which type of checkpoint is used.

505.5 SAFETY CONSIDERATIONS

The following safety issues should be considered when planning a checkpoint:

- Adequate personnel for type and location of checkpoint

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- Safety of officers and motorists in choosing location of checkpoint
- Safety vests for all personnel
- High visibility lighting

505.6 FOLLOW-UP REPORT

- (a) A follow-up report of the checkpoint shall be completed by the supervisor and provided to the Chief of Police detailing the following:
 1. Best estimate of number of vehicles stopped
 2. Any deviation from the plan that was necessary
 3. Number and list of arrests and their type
 4. Case number of the arrests (or arrest numbers, whichever is applicable)
 5. Anything worthy of note that occurred during the traffic safety checkpoint
- (b) A copy of the original plan should accompany the follow-up report.
- (c) Accompanying the supervisor's report shall be any offense arrest report that resulted from the checkpoint.

If the Department is not primarily responsible for a checkpoint, the follow-up report requirement is waived.

Traffic Procedures

506.1 PURPOSE AND SCOPE

This procedure provides guidance to members in the use of department-approved traffic management methods.

506.2 TRAFFIC DIRECTION AND CONTROL

506.2.1 MANUAL TRAFFIC DIRECTION

High-visibility vest should be worn in accordance with the Traffic Policy.

Department members assigned or authorized to control traffic should use the following uniform hand gestures to perform manual traffic direction.

- (a) **Stopping Traffic:** The member should extend the arm and index finger toward and look directly at the driver to be stopped until that driver is or appears to be aware of the member's gesture. The member should then raise the pointing hand at the wrist so that the palm is toward the person to be stopped, and hold the palm in this position until the person stops. To stop traffic from both directions, the member should repeat the procedure for traffic coming from the other direction and continue to maintain the raised arm and palm toward the previously stopped traffic.
- (b) **Starting traffic:** The member should stand with the member's shoulder and side toward the traffic to be started, extend the arm and index finger toward, and look directly at the driver to be started until that driver is or appears to be aware of the member's gesture. The member should then swing the pointing arm, with palm up, from the elbow through a vertical semicircle until the hand is adjacent to the chin. If necessary, the member should repeat until traffic begins to move. To start traffic from both directions, the member should repeat the procedure for traffic coming from the other direction.
- (c) **Right or left turn:** The member's extended arm, index finger, and gaze should first be directed toward the driver. The member should then swing the extended arm and index finger in the direction of the driver's intended turn.
- (d) **Use of flashlight:** A flashlight may be used to stop traffic. To stop traffic, the member should slowly swing the beam of light across the path of oncoming traffic. The beam should strike the pavement as an elongated spot of light. After the driver has stopped, the member should use hand gestures with the vehicle headlights to provide illumination.

The members should stop all traffic and address a dangerous condition with all traffic stopped.

506.2.2 CRASH SCENES

Members should refer to the Traffic Crashes Policy for additional guidance.

Additional guidelines should include as appropriate:

- (a) If a traffic crash results in traffic congestion, a member may request additional assistance, if available, to help with traffic control. Incidents occurring during heavy traffic periods on major streets resulting from a traffic crash and/or adverse road and

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weather conditions may also require the use of operation of temporary traffic control devices (e.g. barriers, cones, flares, traffic signals).

1. members should use uniform hand gestures for manual traffic direction to assist in the efficient and safe movement of vehicle and pedestrian traffic.
 2. Members should coordinate traffic direction with other members at the scene, if appropriate
- (b) Traffic may be stopped, rerouted, or restricted as necessary to ensure the safety of members, victims, and uninvolved motorists.

506.2.3 CRITICAL INCIDENT SCENES

- (a) Members providing traffic direction and control at critical incident scenes (e.g., fires, utility emergencies) should prevent unauthorized vehicles and pedestrians from entering the area and provide a safe arrival route for emergency vehicles.
- (b) The Department should coordinate its efforts with other emergency service agencies at fires, utility emergencies, or other scenes to provide crowd control and adequate safety measures for vehicle and pedestrian traffic.
- (c) Members should use temporary traffic control devices as necessary and should manually direct and control the flow of all traffic in accordance with this policy.
- (d) Members should contact a supervisor if additional assistance is needed at a location for any reason.

506.2.4 HAZARDOUS ROAD CONDITIONS

Hazardous road conditions due to weather, road damage, or other emergencies should be addressed as soon as practicable.

- (a) A member who locates or is assigned to investigate a hazardous road condition should use temporary traffic control devices if necessary to identify the hazard to the public, isolate it, and limit the public's ability to come into contact with or access the area.
- (b) A member who locates or is assigned to investigate a hazardous condition should assess the condition and request through the METCAD that notifications be made to appropriate authorities responsible for correcting the hazard. The telecommunicator should document the condition and all notifications that are made.
- (c) If a member needs assistance with isolating a hazard, the member may request additional members to the location.
- (d) If there are any questions regarding the proper isolation of a roadway hazard, members should contact their supervisor.
 1. Members should only use road flares when there is no risk of fire or explosion. Road flares should not be left unattended while burning. Any remnants left after a flare has been exhausted and allowed time to cool should be collected and disposed of properly.
- (e) A member should only clear from the location under one of the following circumstances:

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1. The hazardous condition has been corrected
2. The member is relieved by an appropriate authority who will conduct the repair, and traffic direction and control services are no longer needed.
3. The member is properly relieved by another member.
4. When authorized by a supervisor.

506.2.5 MANUAL OPERATION OF TRAFFIC CONTROL DEVICES

1. Members should only use road flares when there is no risk of fire or explosion. Road flares should not be left unattended while burning. Any remnants left after a flare has been exhausted and allowed time to cool should be collected and disposed of properly.

506.2.6 TEMPORARY TRAFFIC CONTROL DEVICES

Temporary traffic control devices (e.g., cones, signs, barricades) should be deployed using the procedures set forth in the most recent edition of the National Manual on Uniform Traffic Control Devices (MUTCD).

506.3 ESCORTS

Law enforcement escorts require the advanced approval of a patrol division lieutenant. Unless approved by a supervisor, officers shall not conduct emergency escorts.

Chapter 6 - Investigation Operations

Criminal Investigations for Patrol and CID

600.1 PURPOSE

This Policy outlines the basic investigative functions of the Department outside of the Criminal Investigations Division (CID) and how they work together with each other and with CID.

One of the primary goals of the Urbana Police Department is to locate and apprehend criminals. All members of the Urbana Police Department shall share this responsibility to one degree or another. While this is the primary goal of the Criminal Investigations Division, other members of the Department, particularly the Patrol Division, have a unique and critical role in criminal detection and apprehension. Most criminals are identified and arrests made by Patrol Officers. Other members of the Department also contribute to this goal by performing their duties as assigned and by being cognizant of their special responsibilities to report crime and to provide information when needed.

600.2 RESPONSIBILITY

All employees, regardless of their assignments, shall direct their efforts towards crime detection and apprehension. If information pertinent to a crime comes into their possession, they shall either act on it if it is within their power and authority, or pass it along to those with the appropriate power and authority. Employees shall not ignore crime. Employees are expected to report crimes when off duty pursuant to the policy covering off-duty action(s).

All officers assigned investigative cases shall pursue those cases diligently. If they are unable, it is incumbent upon them to discuss the issues with their supervisor. All employees shall complete and submit accurate documentation.

600.2.1 PRELIMINARY INVESTIGATION GENERAL RESPONSIBILITIES

Actions taken or not taken during preliminary investigations of crimes are crucial in the long run. The Urbana Police Department requires officers and supervisors who are conducting preliminary investigations to conduct them thoroughly, professionally and with detail. The emphasis should be on open-minded fact gathering.

Officers and supervisors who conduct preliminary investigations shall do so expeditiously and with care. They shall be thorough in all aspects of the investigation. Officers should conduct a preliminary investigation and document the steps they took so that anyone assigned to do follow-up investigations will not have to repeat what was done originally.

600.2.2 CRIME SCENE MANAGEMENT RESPONSIBILITIES

The preliminary responsibilities of officers when responding to crime scenes are:

- (a) Proceed promptly and safely to the scene
- (b) Aid the injured
- (c) Protect life and property
- (d) Determine whether a crime has occurred

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- (e) Apprehend offender(s)
- (f) Notify a supervisor if the situation dictates assistance from CID, a crime scene technician or additional officer

Officers shall maintain control of crime scenes and protect them from contamination, destruction or altering of evidence, etc. This may be done by establishing a perimeter by using crime scene barrier tape or by requesting enough assistance to physically establish a perimeter.

The officer should develop and collect information concerning the crime and the surrounding circumstances. This includes:

- (a) Noting conditions, events and remarks
- (b) Preserving and collecting evidence
- (c) Interviewing victim(s)

The officers responsible for investigating a crime shall attempt to locate, identify, and interview witnesses. This includes:

- (a) Actively soliciting information
- (b) Neighborhood/area canvass
- (c) Identifying potential sources of information
- (d) Separating witnesses

The officer involved in the investigation shall submit pertinent, accurate, thorough and legible reports in a timely manner.

600.2.3 PATROL SUPERVISOR RESPONSIBILITIES

Patrol supervisors shall be responsible for visiting the crime scenes. Upon arrival, they should be briefed by the officer. The supervisor should assess whether or not the CID commander should be notified. If so, the supervisor should be prepared to articulate specific details regarding the nature of the offense and what tasks are yet to be performed. The supervisor shall provide the officer with direction as to how the preliminary investigation should proceed. This advice may be based on call load and other supervisory responsibilities. The supervisor should review all pertinent reports filed on the case for accuracy and completeness.

600.3 FOLLOW-UP INVESTIGATIONS

Some cases require follow-up investigation. The type and amount of follow-up is determined by the officer and his supervisor until the case management process has reviewed and taken action. If the case is authorized for follow-up, the officer shall:

- (a) Review the case and identify all solvability factors present
- (b) Contact the victim/complainant as soon as possible to inform him/her of the status of the investigation and request any additional information
- (c) Review and analyze all previous reports compiled in the preliminary phase
- (d) Conduct additional interviews as needed

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- (e) Review departmental records
- (f) Seek additional information from other sources such as LEADS, NCIC, Secretary of State, criminal history, etc.
- (g) Seek information from informants, other police officers, probation and parole departments
- (h) Plan and conduct necessary searches
- (i) Identify and apprehend the offender(s)
- (j) Prepare additional reports for submission to the State's Attorney's Office
- (k) Consult with the prosecuting attorney for additional follow-up investigation as needed

600.3.1 IN PERSON LINE-UPS

An in-person line-up may be conducted on persons in custody. Line-ups are generally conducted by detectives and always occur at the Champaign County Correctional Center. All officers/detectives conducting an in-person line-up must follow the Criminal Investigations Division procedure for conducting an in-person line-up. All officers/detectives should also use the "in-person line-up" form. Refer to the Eyewitness Identification policy for more information.

600.3.2 PHOTO LINE-UPS

When investigating an offense and the officer has identified a suspect, a photo line-up may be conducted. Officers should use a department approved photo line-up form. Officers are required to comply with all pertinent statutes governing the manner in which photo line-ups are to be conducted. Refer to Eyewitness Identification policy for more information.

600.3.3 MUG SHOTS

The Urbana Police Department maintains pictures of arrestees. These photographs are maintained as documentary reference and as investigative aids. These photographs are stored in Tyler database; older photographs are archived.

600.3.4 PHOTO SHOW-UPS

A photo show-up is the showing of a photograph (usually a mug shot) of a suspect to a witness by itself and not with other photographs. This may only be done when the witness personally knows the suspect. Photo show-ups are only to be used to confirm identity of someone the witness already knows. Refer to Eyewitness Identification policy for more information.

600.4 SPECIFIC INVESTIGATIVE INCIDENTS

There are special considerations for certain specific incidents that officers may encounter. The guidance offered is to be considered in addition to those general investigative standards established in the policy manual.

600.4.1 DEATH INVESTIGATION

Investigating deaths is of primary importance. Care should be taken to document every detail. Considerations include:

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- (a) Coroner
- (b) Detectives
- (c) Crime Scene Technician
- (d) Secured perimeter
- (e) Evidence of homicide, suicide, natural causes, or accidental death

600.4.2 ROBBERY

Robberies, by their violent nature and tendency to be reported quickly, have higher than normal danger for officers responding for preliminary investigations. Officers should:

- (a) Take care to note vehicles and persons leaving the area while enroute
- (b) Protect perishable evidence at the scene
- (c) If a business, attempt to locate and seize any video or pictures taken by security cameras
- (d) If a bank, notify the Federal Bureau of Investigation
- (e) Consider using a Crime Scene Technician

600.4.3 SEX CRIMES

Sex crimes are a wide ranging group of offenses that could have just occurred or occurred years prior. Officers should:

- (a) Arrange for medical assistance, to include a Sexual Assault Nurse Examiner (SANE) and/or Rape Advocacy, Counseling, and Education Services (RACES)
- (b) Attempt to determine the location of the offense
- (c) Notify CID
- (d) Seize clothing if appropriate
- (e) Determine whether or not offender is known to the victim
- (f) If the victim is under 18 and the allegation involves serious physical abuse or any sexual abuse, efforts should be undertaken to use the Children's Advocacy Center for obtaining a full statement

600.4.4 BURGLARY

Officers responding to burglaries that are in progress or have just occurred should exercise appropriate officer safety measures. In addition, they should consider:

- (a) Physical evidence
- (b) Neighborhood or area canvass
- (c) Gathering a complete list of stolen items, to include any identifying marks or numbers
- (d) Beware of insurance padding

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600.4.5 ARSON

The Urbana Fire Department has the technical investigative responsibility for arson investigations. However, the Urbana Police Department takes offense reports on the incidents and will work with the fire department as necessary. Detectives or fire investigators may be called to the scene to assist with interviews and other investigative tasks. The physical evidence is collected by either a crime scene technician or the fire department and ultimately is relinquished to the police department for storage.

See the "Arson and Assist Fire Protocol for Police" on the internal web for more procedure specifics.

600.4.6 THEFT

Theft is a common criminal offense. Below are four common types of theft.

Shoplifting

Retail theft calls usually originate from store personnel. Interview store personnel thoroughly and obtain a copy of any report(s) they author for their own retail purposes. In shoplifting cases, it is recommended that the best possible photograph(s) of the stolen merchandise (evidence) be taken in lieu of taking the actual physical items. Officers are encouraged to use the department cameras if at all possible to take these photographs. Officers do retain the ability, however, to seize the actual physical items if they determine it to be necessary, i.e. a very unique item or unique circumstances, etc. Be aware of other stolen property in the possession of the offender, or in the offender's vehicle, from other stores.

Internal Theft

Internal thefts have general guidelines to consider:

- (a) If the offender is caught in progress, officers will respond as with any other crime in progress
- (b) In cases where the theft or shortage is discovered afterward, a representative of the business will be directed to come to the station and meet with an officer. Whenever possible the representative should be the owner or manager
- (c) Under guidance of the reporting party, officers shall attempt to minimize the number of potential suspects.

Vehicle Theft

Officers should attempt to check the relocater list, tow book, repossession lists and other sources to avoid taking stolen vehicle reports on vehicles that have not actually been stolen. Officers should check the immediate areas where the car was last seen as well. Officers recovering stolen vehicles should take care to process the vehicle for physical evidence.

Drive-off Theft

Drive-off thefts occur when a person puts gasoline in a vehicle and leaves the store without paying for the gasoline. Drive-off reports will generally be taken as a desk report. The incident may be

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assigned to an officer for follow up if there is verified suspect information (such as a complete license plate number which matches the vehicle description and/or the location of the suspect/suspect vehicle is known).

600.4.7 DECEPTIVE PRACTICES

The Department is mindful of the amount of resources these investigations consume and the potential outcomes that may or may not arise from an investigation. The Department is also aware of the potential civil nature of these cases.

To provide guidance and ensure the collection of all necessary information, a packet entitled "Merchant Information on Deceptive Practices Reports" has been prepared and is located on the internal web. That packet contains specific procedures to be followed when dealing with checks that have been returned to the victim as either "Non-Sufficient Funds" (NSF) or Account Closed.

Criminal Investigations Division

601.1 POLICY

One of the primary goals of the Urbana Police Department is to locate and apprehend criminals. A group of specially trained officers and supervisors shall be formed and given the specific responsibility of investigating serious felony incidents and other salient criminal matters and activity, regardless of the time of day or day of the week. These officers will be assigned to a division of the police department and shall be known as the Criminal Investigations Division (CID).

CID shall coordinate and direct its efforts toward the completion of thorough and unified investigations. Responsibilities consist of responding to selected criminal offenses within the department's jurisdiction and conducting preliminary and follow-up investigations. Cooperation is also extended to other agencies having similar responsibilities.

601.2 ORGANIZATION AND STRUCTURE

CID is commanded by the CID commander. The division consists of the following personnel:

- Division Commander - Lieutenant
- Division Supervisor - Sergeant
- Detectives
- Juvenile Detective
- Civilian Financial Crimes Investigator
- Evidence Officer
- Division Administrative Assistant

601.2.1 WORK HOURS

The normal work week for CID members subject to collective bargaining agreements shall be outlined in the associated collective bargaining agreement. That being said, it will normally consist of business hours that coincide with business hours of other investigative agencies, the courts, and the State's Attorney's Office.

CID members will have holidays off as delineated in associated collective bargaining agreements. There will be some holidays that CID members will have the option to work pursuant to those collective bargaining agreements.

Civilian employees assigned to CID will work Monday-Friday and maintain typical business hours in order to coincide with business hours of other investigative agencies, the courts, and the State's Attorney's Office.

If a detective is assigned to an interagency task force or group by the Chief of Police, then the detective shall work the hours and assignments agreed to in the working arrangement with the outside group, pursuant to the associated collective bargaining agreement.

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601.2.2 ON-CALL DETECTIVES

The City of Urbana and the Fraternal Order of Police Labor contract outlines the conditions of being "on-call" in CID. This procedure will be followed as outlined in the labor contract. Detectives, who are on standby, shall be paid in accordance with the contract. All sworn members of CID shall participate in the on-call rotation with the exception of the CID commander. The rotation shall be determined after vacation has been selected by CID personnel. With the CID commander's approval, duty trades for standby time may be allowed.

Detectives who are on standby shall keep with them a cellular phone. When notified, they will contact the CID supervisor making the notification, the department, or METCAD as soon as possible and, if necessary, respond to the assigned location with 45 minutes after being contacted. The Department will provide a vehicle and a cellular telephone (or stipend) to expedite the notification and response process. The CID commander or their designee shall authorize the call out of the standby detective. They may deviate from the call out procedure if the cases involve an active investigation, serial offense already assigned to another detective, or other reason determined by the CID commander. Patrol supervisors may also directly notify the on-call detective if they are unable to reach a CID supervisor.

Detectives on standby must be mentally and physically fit for duty. They are held to all of the other requirements of the other officers when on duty. Detectives who are unable, or unavailable to respond to call-back for any reason, while on standby, shall notify a CID supervisor immediately. Detectives who fail to respond when called or contacted, or who respond in an unreasonable time or unacceptable manner, shall not be eligible to receive standby pay. Additionally, they may be subject to disciplinary action, including removal from CID.

601.3 NOTIFICATION OF CID SUPERVISOR

It is the responsibility of the patrol supervisor to notify the CID commander whenever criminal incidents of significance occur. Notification shall be made in a timely manner to facilitate the assignment of on-call detectives should such call back be necessary.

601.3.1 CID NOTIFICATION CRITERIA

Criminal incident of significance may include, but are not limited to:

- Deaths including murder, suicide, accidents, fatal traffic crashes, and other suspicious deaths
- Sexual assaults or abuse
- Home Invasion
- Armed robbery of a business or armed robbery where the victim was injured
- Aggravated battery involving serious injury; i.e. shooting, stabbing, or beating, etc.
- Kidnapping
- Explosive devices

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- Offenses with a continuing M.O. and any offense where there is known prior CID involvement
- In support of METRO SWAT for a barricaded subject or hostage situation
- The reception of intelligence concerning the impending occurrence of one of the above incidents
- Any other situation where, in the patrol supervisor's judgment and experience, the notification of the CID commander would be prudent

Case Management

602.1 PURPOSE

A critical element of a successful program of criminal investigation is the case management function. Utilizing the experience, training and knowledge of investigators under the supervision of a senior manager is viewed as the most effective method of case management for the Urbana Police Department. Those undertaking this task review every criminal case, determine solvability, make assignments, and work closely with Support Services to properly classify and close cases when necessary. The Case Management Supervisor (CMS) shall also serve as the operational linchpin between the investigative, patrol, support and prosecutorial functions.

This policy establishes the position of the Case Management Supervisor and outlines the responsibility, authority and duties of that position.

602.2 PROCEDURE

The case management supervisor is appointed by the Chief of Police as the Criminal Investigations Division Commander. The daily task of case management may be shared by members of the Criminal Investigations Division, although ultimate responsibility and authority shall remain with the case management supervisor. The entire framework of processing and reviewing reports and making follow-up assignments is known as the case management system and may be referred to simply as CMS.

602.2.1 DUTIES

The Case Management Supervisor shall:

- Review all department offense reports to ensure accuracy, completeness, and whether or not they meet the quality standards set by the Department
- Check and assign as necessary all status codes and other pertinent IUCR coding as required by the State of Illinois and the City computer system
- Determine whether follow up investigation is required on each report and if so, what type of investigation
- Determine who will be responsible for the follow up investigation
- Determine and monitor progress of those assignments
- Develop and maintain a computerized system of monitoring reviewed and assigned cases which facilitates information flow between Investigations, Patrol and Support Services
- Serve as a liaison between the State's Attorney's Office and the City Legal Department on prosecutorial matters. Included in this is the distribution of warrants
- Provide information as required to victims and others involved in crimes, other Department personnel and the press

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602.2.2 AUTHORITY

The CMS has the authority to assign cases to any sworn member of the Department for follow up. This includes the Evidence/Photo Technician. This also includes higher ranking Command Officers. Disputes between the CMS and other elements of the Department not in his/her chain of command shall be settled by the Deputy Chief or Chief of Police.

CMS has the authority to close cases without further investigation. Among other factors, CMS may consider:

- Known suspect identity
- Witnesses to the crime
- Significant physical evidence
- Suspect vehicle information
- Geographic home area of suspect
- Traceable stolen property
- Significant M.O. present
- Resource allocation considerations

CMS has the authority to open closed cases if new evidence becomes available.

602.2.3 SERVICES

The CMS shall work closely with the CID PSR, the Support Services Supervisor and the Support Services Division Commander in matters of report standards, required coding and classifications.

The CMS will produce documentation which will track the actions taken on each case.

602.2.4 EXCEPTIONS

CMS will not normally review certain classifications of reports. Generally, these include:

- Sex offender registrations
- Taxi applications
- Accidents
- Ticket only files
- Tow only reports

The Support Services Division Commander and CMS will agree on which report classes CMS will not regularly receive. This does not limit the Police Services Representatives distributing the reports to use judgment and give CMS a report it would not normally receive due to some unusual circumstances.

Asset Forfeiture

603.1 PURPOSE AND SCOPE

This policy describes the authority and procedure for the seizure, forfeiture and liquidation of property associated with designated offenses.

603.1.1 DEFINITIONS

Definitions related to this policy include:

Fiscal agent - The person designated by the Chief of Police to be responsible for securing and maintaining seized assets and distributing any proceeds realized from any forfeiture proceedings. This includes any time the Urbana Police Department seizes property for forfeiture or when the Urbana Police Department is acting as the fiscal agent pursuant to a multi-agency agreement.

Forfeiture - The process by which legal ownership of an asset is transferred to a government or other authority.

Forfeiture reviewer - The department member assigned by the Chief of Police who is responsible for reviewing all forfeiture cases and for acting as the liaison between the Department and the assigned attorney.

Property subject to forfeiture -

- (a) Profits, proceeds, property, etc. derived from or used for crimes set forth in 725 ILCS 5/124B-10 may be subject to forfeiture
- (b) Receipts obtained, and any interests in, claims against, receipts from, or property or rights resulting from calculated and gang criminal drug conspiracies (720 ILCS 570/405; 720 ILCS 570/405.2)
- (c) Profits, proceeds, property, etc. forfeitable through civil action under the Illinois Controlled Substances Act, the Cannabis Control Act, the Illinois Food, Drug and Cosmetic Act, or the Methamphetamine Control and Community Protection Act
- (d) Counterfeit trademark items and instrumentalities used for a violation of the Counterfeit Trademark Act (765 ILCS 1040/9)
- (e) Vehicles, vessels, or aircraft used with the knowledge and consent of the owner in the commission of, or in the attempt to commit any of the offenses identified in 720 ILCS 5/36-1
- (f) Illegal gambling devices or funds (720 ILCS 5/28-5)
- (g) Profits, proceeds, property, etc. derived or used to launder money or conduct unlawful financial transactions (720 ILCS 5/17-10.6; 720 ILCS 5/29B-5)
- (h) Any interest in any enterprise, real property, or personal property including money in violation of the Illinois Street Gang and Racketeer Influenced and Corrupt Organizations Law (720 ILCS 5/33G-6)
- (i) Any profits, proceeds, and property derived or used or intended for use in any manner to facilitate street gang related activity (740 ILCS 147/40)

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Seizure - The act of law enforcement officials taking property, cash, or assets that have been used in connection with or acquired by specified illegal activities.

603.2 POLICY

The Urbana Police Department recognizes that appropriately applied forfeiture laws are helpful to enforce the law, deter crime and reduce the economic incentive of crime. However, the potential for revenue should never compromise the effective investigation of criminal offenses, officer safety or any person's due process rights.

It is the policy of the Urbana Police Department that all members, including those assigned to internal or external law enforcement task force operations, shall comply with all state and federal laws pertaining to forfeiture.

603.3 ASSET SEIZURE

Property may be seized for forfeiture as provided in this policy.

603.3.1 PROPERTY SUBJECT TO SEIZURE

The following may be seized upon review and approval of a supervisor and in coordination with the forfeiture reviewer:

- (a) Property that is subject to forfeiture because it constitutes evidence of a crime and may be legally seized as part of a criminal investigation, search warrant, or by other court order.
- (b) Property seized without a court order when there is probable cause to believe that the property is subject to forfeiture, the property is seized under circumstances in which a warrantless seizure or arrest would be reasonable (i.e., property would be lost without immediate seizure), and the seizure is authorized by statute, as in:
 1. Seizure of vessels, vehicles, and aircraft under the Criminal Code of 2012 (720 ILCS 5/36-1.1).
 2. Money laundering (720 ILCS 5/29B-6).
 3. The Illinois Controlled Substances Act (725 ILCS 150/3.1).
 4. The Cannabis Control Act (725 ILCS 150/3.1).
 5. The Illinois Food, Drug and Cosmetic Act (410 ILCS 620/3.23; 725 ILCS 150/3.1).
 6. The Methamphetamine Control and Community Protection Act (725 ILCS 150/3.1).

Officers may request the Attorney General or any State's Attorney seek a court order to seize property when there is probable cause to believe that it may be subject to forfeiture upon a successful criminal prosecution (725 ILCS 5/124B-805; 725 ILCS 5/124B-150).

Whenever practicable, a court order for seizure prior to making a seizure is the preferred method.

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603.3.2 PROPERTY NOT SUBJECT TO SEIZURE

The following property should not be seized for forfeiture:

- (a) Cash and property that does not meet the statutory or State Attorney's current minimum forfeiture thresholds
- (b) If reasonably known to the officer, property held by a person known as an “innocent owner” or a “lender” who did not have knowledge or intent that would reasonably justify a seizure (720 ILCS 5/29B-17; 725 ILCS 5/124B-130; 725 ILCS 150/8)
- (c) Property that the officer reasonably believes would be excessive as it relates to the offense in question (720 ILCS 5/36-3.1; 725 ILCS 150/9.5)

603.4 PROCESSING SEIZED PROPERTY FOR FORFEITURE PROCEEDINGS

When property or cash subject to this policy is seized, the officer making the seizure should ensure compliance with the following (720 ILCS 5/36-1.2; 725 ILCS 150/3.2):

- (a) Complete the applicable seizure forms and present the appropriate copy to the person from whom the property is seized. If cash or property is seized from more than one person, a separate copy must be provided to each person, specifying the items seized. When property is seized and no one claims an interest in the property, the officer must leave the copy in the place where the property was found, if it is reasonable to do so.
- (b) Complete and submit a report and original seizure forms within 24 hours of the seizure, if practicable.
- (c) Forward the original seizure forms and related reports to the forfeiture reviewer within two days of seizure.

Officers who suspect property may be subject to seizure but are not able to seize the property (e.g., the property is located elsewhere, the whereabouts of the property is unknown, it is real estate, bank accounts, non-tangible assets) should document and forward the information in the appropriate report to the forfeiture reviewer.

603.5 MAINTAINING SEIZED PROPERTY

The Property and Evidence Division supervisor is responsible for ensuring compliance with the following:

- (a) All property received for forfeiture is reasonably secured and properly stored to prevent waste and preserve its condition (720 ILCS 5/36-1.3; 725 ILCS 150/3.3).
- (b) All property received for forfeiture is checked to determine if the property has been stolen.
- (c) All property received for forfeiture is retained in the same manner as evidence until forfeiture is finalized or the property is returned to the claimant or the person with an ownership interest.
- (d) Property received for forfeiture is not used unless the forfeiture action has been completed.

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603.6 FORFEITURE REVIEWER

The Chief of Police will appoint a forfeiture reviewer. Prior to assuming duties, or as soon as practicable thereafter, the forfeiture reviewer should attend a department-approved course on asset forfeiture.

The responsibilities of the forfeiture reviewer include:

- (a) Remaining familiar with forfeiture laws, particularly the Seizure and Forfeiture Reporting Act, the Drug asset Forfeiture Procedure Act, and the forfeiture policies of the State's Attorney and the Illinois State Police (5 ILCS 810/10 et seq.).
- (b) Serving as the liaison between the Department, the State's Attorney, and the Illinois State Police and ensuring prompt legal review of all seizures.
 1. Presentation for review should generally be accomplished as soon as practicable but within seven days of a seizure (720 ILCS 5/29B-8; 720 ILCS 5/29B-9; 720 ILCS 5/36-1.4; 720 ILCS 5/36-1.5; 725 ILCS 150/3.5; 725 ILCS 150/5).
 2. Presentation for review shall include a form 4-64 when required.
- (c) Making reasonable efforts to obtain training that includes best practices in pursuing, seizing, and tracking forfeitures.
- (d) Reviewing each seizure-related case and deciding whether the seizure is more appropriately made under state or federal seizure laws. The forfeiture reviewer should contact federal authorities when appropriate.
- (e) Ensuring that responsibilities, including the designation of a fiscal agent, are clearly established whenever multiple agencies are cooperating in a forfeiture case.
- (f) Ensuring that seizure forms are available and appropriate for department use.
- (g) Ensuring that those who may be involved in asset forfeiture receive training in the proper use of the seizure forms and the forfeiture process.
- (h) Reviewing each asset forfeiture case to ensure that:
 1. Written documentation of the seizure and the items seized is in the case file.
 2. Independent legal review of the circumstances and propriety of the seizure is made in a timely manner.
 3. Notice of seizure has been given in a timely manner to those who hold an interest in the seized property (720 ILCS 5/36-2.1; 720 ILCS 5/29B-10; 725 ILCS 150/4).
 4. Property is promptly released to those entitled to its return (720 ILCS 5/29B-25; 720 ILCS 5/36-2; 720 ILCS 5/36-6; 725 ILCS 150/9; 725 ILCS 150/13.1).
 5. All changes to forfeiture status are forwarded to any supervisor who initiates a forfeiture case.
 6. Any cash received is deposited with the fiscal agent.
 7. Assistance with the resolution of ownership claims and the release of property to those entitled is provided.

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8. Current minimum forfeiture thresholds are communicated appropriately to officers.
9. This policy and any related policies are periodically reviewed and updated to reflect current federal and state statutes and case law.
10. Inventories of seized property and their estimated value are forwarded to the Illinois State Police as appropriate (720 ILCS 5/29B-7; 720 ILCS 5/36-1.3; 725 ILCS 150/3.3).
 - (i) Ensuring that the process of selling or adding forfeited property to the department's regular inventory is in accordance with all applicable laws and consistent with the department's use and disposition of similar property.
 - (j) Upon completion of any forfeiture process, ensuring that no property is retained by the Urbana Police Department unless the Chief of Police authorizes the retention of the property for official use.
 - (k) Completing the required seizure reporting under 5 ILCS 810/10.
 - (l) Assisting the Auditor General when required (5 ILCS 810/15).

Forfeiture proceeds should be maintained in a separate fund or account subject to appropriate accounting control, with regular reviews or audits of all deposits and expenditures.

Forfeiture reporting and expenditures should be completed in the manner prescribed by the law and City financial directives.

603.7 DISPOSITION OF FORFEITED PROPERTY

Distribution and use of forfeited assets related to the Food, Drug and Cosmetic Act, Illinois Cannabis Control Act, Illinois Controlled Substances Act, and Methamphetamine Control and Community Protection Act should be conducted in accordance to the procedures set forth in the Drug Asset Forfeiture Procedure Act (410 ILCS 620/3.23; 720 ILCS 550/12; 720 ILCS 570/505; 720 ILCS 646/85; 725 ILCS 150/13.2).

Distribution and use of forfeited assets related to obscenity offenses should be conducted pursuant to the procedures set forth in 725 ILCS 5/124B-420.

Distribution and use of forfeited assets related to child pornography should be conducted pursuant to the procedures set forth in 725 ILCS 5/124B-505.

Distribution and use of forfeited assets related to computer and financial crimes should be conducted pursuant to the procedures set forth in 725 ILCS 5/124B-605.

No member of this department may use property that has been seized for forfeiture until the forfeiture action has been completed.

Informants

604.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the use of informants.

604.1.1 DEFINITIONS

Definitions related to this policy include:

Informant - A person who covertly interacts with other individuals or suspects at the direction of, request of, or by agreement with the Urbana Police Department for law enforcement purposes. This also includes a person agreeing to supply information to the Urbana Police Department for a benefit (e.g., a quid pro quo in the form of a reduced criminal penalty, money).

604.2 POLICY

The Urbana Police Department recognizes the value of informants to law enforcement efforts and will strive to protect the integrity of the informant process. It is the policy of this department that all funds related to informant payments will be routinely audited and that payments to informants will be made according to the criteria outlined in this policy.

604.3 USE OF INFORMANTS

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

604.3.3 INITIAL APPROVAL

Before using an individual as an informant, an officer shall compile sufficient information through a background investigation and experience with the informant in order to determine the suitability of the individual, including age, maturity and risk of physical harm, as well as any indicators of his/her reliability and credibility.

Members of this department should not guarantee absolute safety or confidentiality to an informant.

604.4 INFORMANT INTEGRITY

To maintain the integrity of the informant process, the following must be adhered to:

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- (a) The identity of an informant acting in a confidential capacity shall not be withheld from the Chief of Police, Division Commander, Street Crimes Unit supervisor or their authorized designees.
 - 1. Identities of informants acting in a confidential capacity shall otherwise be kept confidential.
- (b) Criminal activity by informants shall not be condoned.
- (c) Informants shall be told they are not acting as police officers, employees or agents of the Urbana Police Department, and that they shall not represent themselves as such.
- (d) The relationship between department members and informants shall always be ethical and professional.
 - 1. Members shall not become intimately involved with an informant.
 - 2. Social contact shall be avoided unless it is necessary to conduct an official investigation, and only with prior approval of the Street Crimes Unit supervisor.
 - 3. Members shall neither solicit nor accept gratuities or engage in any private business transaction with an informant.

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

- (h) Since the decision rests with the appropriate prosecutor, officers shall not promise that the informant will receive any form of leniency or immunity from criminal prosecution.

604.4.1 UNSUITABLE INFORMANTS

The suitability of any informant should be considered before engaging him/her in any way in a covert or other investigative process. Members who become aware that an informant is unsuitable will document the decision in file notes and mark the file "unsuitable" when appropriate.

[REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

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- [REDACTED]
- [REDACTED]
- [REDACTED]

604.5 INFORMANT PAYMENTS

No informant will be told in advance or given an exact amount or percentage for his/her service. The amount of funds to be paid to any informant will be evaluated against the following criteria:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

[REDACTED] with the Patrol Division Commander and recommend the type and level of payment subject to approval by the Chief of Police.

604.5.1 AUDIT OF PAYMENTS

The Street Crimes Unit supervisor or the authorized designee shall be responsible for compliance with any audit requirements associated with grant provisions and applicable state and federal law.

Quarterly, the Chief of Police or the authorized designee should conduct an audit of all informant funds for the purpose of accountability and security of the funds. [REDACTED]

604.5.2 REPORTING OF PAYMENTS

Each informant receiving a cash payment shall be advised of his/her responsibility to report the cash to the Internal Revenue Service (IRS) as income.

604.5.3 PAYMENT PROCESS

Approved payments to an informant should be in cash using the following process:

- (a) Payments of [REDACTED] and under may be paid in cash from a Street Crimes Unit buy/expense fund.
- (a) The Street Crimes Unit supervisor shall sign the voucher for cash payouts from the buy/expense fund.

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(b) To complete the payment process for any amount, the officer delivering the payment shall complete a cash transfer form. The cash transfer form shall include the following:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

■ [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

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Felony Investigation Discovery

605.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for proper management of discovery issues in homicide and “non-homicide felony” investigations as mandated by 725 ILCS 5/114-13.

605.2 INVESTIGATIVE MATERIALS

In every homicide investigation and “non-homicide felony” investigation conducted by the department, or when the Department participates in an investigation of a homicide or “non-homicide felony,” the Department shall exercise due diligence to provide to the State’s Attorney’s Office all investigative materials that have been generated or come into the possession of the department concerning the homicide or “non-homicide felony.”

Investigative materials include, but are not limited to, reports and memoranda. In homicide investigations, investigative materials also include field notes.

605.3 COMPLIANCE

The Criminal Investigations Division Commander shall implement appropriate procedures, including the periodic review of all homicide and “non-homicide felony” case files to ensure that all investigative materials and exculpatory evidence has been provided to the State’s Attorney’s Office.

The CID Police Services Representative (PSR) shall record in the ARMS database the tendering of investigative materials to the State’s Attorney’s Office. This will occur as part of the routine case management process.

The Department shall cooperate with all requests for investigative materials made by the State’s Attorney in a timely and efficient manner.

605.4 CONTINUING OBLIGATIONS

The duty to disclose exculpatory information under this policy continues throughout the course of the prosecution of the case, remains after a defendant’s conviction and until the fact finding proceedings, or the possibility of further proceedings, have ended.

Eyewitness Identification

606.1 PURPOSE AND SCOPE

This policy sets forth guidelines to be used when members of this department employ eyewitness identification techniques (725 ILCS 5/107A-2).

606.1.1 DEFINITIONS

Definitions related to the policy include:

Eyewitness identification process - Any field identification, live lineup or photographic identification.

Field identification - A live presentation of a single individual to a witness following the commission of a criminal offense for the purpose of identifying or eliminating the person as the suspect.

Live lineup - A live presentation of individuals to a witness for the purpose of identifying or eliminating an individual as the suspect.

Photographic lineup - Presentation of photographs to a witness for the purpose of identifying or eliminating an individual as the suspect.

606.2 POLICY

The Urbana Police Department will strive to use eyewitness identification techniques, when appropriate, to enhance the investigative process and will emphasize identifying persons responsible for crime and exonerating the innocent.

606.3 INTERPRETIVE SERVICES

Members should make a reasonable effort to arrange for an interpreter before proceeding with eyewitness identification if communication with a witness is impeded due to language or hearing barriers.

Before the interpreter is permitted to discuss any matter with the witness, the investigating member should explain the identification process to the interpreter. Once it is determined that the interpreter comprehends the process and can explain it to the witness, the eyewitness identification may proceed as provided for within this policy.

606.4 EYEWITNESS IDENTIFICATION PROCESS AND FORM

The Criminal Investigation Division supervisor shall be responsible for the development and maintenance of an eyewitness identification process for use by members when they are conducting eyewitness identifications.

The process should include appropriate forms or reports that provide (725 ILCS 5/107A-2):

- (a) The date, time and location of the eyewitness identification procedure.
- (b) The name and identifying information of the witness.

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- (c) The name of the person administering the identification procedure.
- (d) If applicable, the names of all of the individuals present during the identification procedure.
- (e) An instruction to the witness that it is as important to exclude innocent persons as it is to identify a perpetrator.
- (f) An instruction to the witness that the perpetrator may or may not be among those presented and that the witness is not obligated to make an identification.
- (g) If the identification process is photographic or live lineup, an instruction to the witness that the perpetrator may not appear exactly as he/she did on the date of the incident.
- (h) An instruction to the witness that the investigation will continue regardless of whether an identification is made by the witness.
- (i) Notice that if an audio/video recording of the lineup is made it will be of the persons in the lineup and the witness.
- (j) A signature line where the witness acknowledges that he/she understands the identification procedures and instructions.
- (k) A statement from the witness in the witness's own words describing how certain he/she is of the identification or non-identification. This statement should be taken at the time of the identification procedure.

The process and related forms should be reviewed at least annually and modified when necessary to ensure compliance with 725 ILCS 5/107A-2 and applicable judicial decisions. The Criminal Investigation Division supervisor shall prepare written guidelines setting forth when simultaneous lineups may be conducted rather than sequential lineups.

606.5 EYEWITNESS IDENTIFICATION

Members are cautioned not to, in any way, influence a witness as to whether any subject or photo presented in a lineup is in any way connected to the case. Members should avoid mentioning that:

- The individual was apprehended near the crime scene.
- The evidence points to the individual as the suspect.
- Other witnesses have identified or failed to identify the individual as the suspect.

In order to avoid undue influence, witnesses shall view suspects or a lineup individually and outside the presence of other witnesses (725 ILCS 5/107A-2). Witnesses should be instructed to avoid discussing details of the incident or of the identification process with other witnesses. Witnesses should be separated or monitored and the lineup administrator shall ensure that all eyewitnesses are monitored to prevent them from conferring with one another while waiting to view the lineup and during the lineup (725 ILCS 5/107A-2).

Whenever feasible, the eyewitness identification procedure shall be audio and/or video recorded and the recording should be retained according to current evidence procedures. If the witness

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refuses to allow a recording of the process, the refusal shall be recorded and the member shall document in the report that no recording was made and the reason (725 ILCS 5/107A-2).

606.5.1 PHOTO SHOW-UPS

A photo show-up is the showing of a known photo of a suspect to a witness by itself, not with other pictures. This may only be done when the witness personally knows the suspect. Photo show-ups are only to be used to confirm identity of someone the witness already knows.

606.6 DOCUMENTATION

A thorough description of the eyewitness process and the results of any eyewitness identification shall be documented in the case report (725 ILCS 5/107A-2). If practicable, an audio or video recording of the witness statements shall be made.

If a photographic lineup is utilized, the actual photographic lineup presented to the witness shall be included in the case report. In addition, the order in which the photographs were presented to the witness should be documented in the case report. If a live lineup is utilized, a photograph or other visual recording shall be included in the case report (725 ILCS 5/107A-2).

If an automated computer process or other similar device is used to conduct a photographic lineup, the results of that lineup, including the photographs displayed, will be saved in a manner that permits the process to be repeated and shall be made part of the case report.

606.7 PHOTOGRAPHIC LINEUP AND LIVE LINEUP CONSIDERATIONS

When practicable, the member composing the lineup and the member presenting the lineup shall not be directly involved in the investigation of the case (725 ILCS 5/107A-2). When this is not possible, the member presenting the lineup must take the utmost care not to communicate the identity of the suspect in any way.

When practicable, the member presenting a lineup to a witness shall not know which photograph depicts the suspect or which person in a live lineup is the suspect (e.g., randomly numbering photographs, shuffling folders, using a computer program).

Other persons or photos used in any lineup should bear similar characteristics to the suspect to avoid causing him/her to unreasonably stand out. In cases involving multiple suspects, a separate lineup should be conducted for each suspect. The suspects should be placed in a different order within each lineup.

606.7.1 ADDITIONAL CONSIDERATIONS

Members presenting a lineup shall also ensure that (725 ILCS 5/107A-2):

- (a) Only one suspect is presented in a photo lineup and a minimum of five filler photos is utilized.
- (b) When practicable there should be five filler subjects used in a live lineup. In no case will fewer than three filler subjects be used.
- (c) No writings or information related to the persons presented is visible or made known to the witness.

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- (d) If the witness requests to view a photograph or person again, he/she may do so, but only after first viewing each person or photograph.
- (e) If the witness identifies a person as the perpetrator, he/she shall not be provided with any information concerning the person until after the lineup is completed.
- (f) An automated computer program or other device may be used to display a photo lineup to an eyewitness provided the member administering the lineup cannot view the photos until completion of the lineup process.

606.8 FIELD IDENTIFICATION CONSIDERATIONS

Field identifications, also known as "show-ups", may be helpful in certain cases, where exigent circumstances make it impracticable to conduct a photo or live lineup identifications. When initiating a field identification, the officer should observe the following guidelines:

- (a) Obtain a complete description of the suspect from the witness.
- (b) Assess whether a witness should be included in a field identification process by considering:
 - 1. The length of time the witness observed the suspect.
 - 2. The distance between the witness and the suspect.
 - 3. Whether the witness could view the suspect's face.
 - 4. The quality of the lighting when the suspect was observed by the witness.
 - 5. Any other circumstances affecting the witness's opportunity to observe the suspect.
 - 6. The length of time that has elapsed since the witness observed the suspect.
- (c) If safe and practicable, the person who is the subject of the show-up should not be handcuffed or in a patrol vehicle.
- (d) When feasible, members should bring the witness to the location of the subject of the show-up, rather than bring the subject of the show-up to the witness.
- (e) The person who is the subject of the show-up should not be shown to the same witness more than once.
- (f) In cases involving multiple suspects, witnesses should only be permitted to view the subjects of the show-up one at a time.
- (g) The person who is the subject of the show-up should not be required to put on clothing worn by the suspect, to speak words uttered by the suspect or to perform other actions mimicking those of the suspect.

Brady Material Disclosure

607.1 PURPOSE AND SCOPE

This policy establishes guidelines for identifying and releasing potentially exculpatory or impeachment information (so-called *Brady* information) to a prosecuting attorney.

607.1.1 DEFINITIONS

Definitions related to this policy include:

Brady information -Information known or possessed by the Urbana Police Department that is both favorable and material to the current prosecution or defense of a criminal defendant.

607.2 POLICY

The Urbana Police Department will conduct fair and impartial criminal investigations and will provide the prosecution with both incriminating and exculpatory evidence, as well as information that may adversely affect the credibility of a witness. In addition to reporting all evidence of guilt, the Urbana Police Department will assist the prosecution by complying with its obligation to disclose information that is both favorable and material to the defense. The Department will identify and disclose to the prosecution potentially exculpatory information, as provided in this policy.

607.3 DISCLOSURE OF INVESTIGATIVE INFORMATION

Officers must include in their investigative reports adequate investigative information and reference to all material evidence and facts that are reasonably believed to be either incriminating or exculpatory to any individual in the case. If an officer learns of potentially incriminating or exculpatory information any time after submission of a case, the officer or the handling investigator must prepare and submit a supplemental report documenting such information as soon as practicable. Supplemental reports shall be promptly processed and transmitted to the prosecutor's office.

If information is believed to be privileged or confidential (e.g., confidential informant or attorney-client information, attorney work product), the officer should discuss the matter with a supervisor and/or prosecutor to determine the appropriate manner in which to proceed.

Evidence or facts are considered material if there is a reasonable probability that they would affect the outcome of a criminal proceeding or trial. Determining whether evidence or facts are material often requires legal or even judicial review. If an officer is unsure, the officer should address the issue with a supervisor.

Supervisors who are uncertain about whether evidence or facts are material should address the issue in a written memo to an appropriate prosecutor. A copy of the memo should be retained in the Department case file.

607.4 DISCLOSURE OF PERSONNEL INFORMATION

If a member of this department is a material witness in a criminal case, a person or persons designated by the Chief of Police shall examine the personnel file and/or internal affairs file of the

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officer to determine whether they contain *Brady* information. If *Brady* information is located the Champaign County State Attorney will be notified.

The person or persons designated by the Chief of Police should periodically examine the personnel files and/or internal affairs files of all officers who may be material witnesses in criminal cases to determine whether they contain *Brady* information. The obligation to provide *Brady* information is ongoing. If any new *Brady* information is identified, the prosecuting attorney should be notified.

607.5 INVESTIGATING BRADY ISSUES

If the Department receives information from any source that a member may have issues of credibility, dishonesty or has been engaged in an act of moral turpitude or criminal conduct, the information shall be investigated and processed in accordance with the Personnel Complaints Policy.

607.6 TRAINING

Department personnel should receive periodic training on the requirements of this policy.

Sexual Assault Investigations

608.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the investigation of sexual assaults. These guidelines will address some of the unique aspects of such cases and the effects that these crimes have on the victims (725 ILCS 203/15).

Mandatory notifications requirements are addressed in the Child Abuse and Adult Abuse policies.

608.1.1 DEFINITIONS

Definitions related to this policy include:

Sexual assault - Any of the following (725 ILCS 203/10):

- (a) Any crime or attempted crime defined in 720 ILCS 5/11-1.20 through 720 ILCS 5/11-1.60 of the Criminal Code of 2012
- (b) Any crime or attempted crime defined in sections 720 ILCS 5/12-13 through 720 ILCS 5/12-16 of the Criminal Code of 1961
- (c) Any act of nonconsensual sexual conduct or sexual penetration as defined in 720 ILCS 5/11-0.1 of the Criminal Code of 2012
- (d) Any act of nonconsensual sexual conduct or sexual penetration as defined in 720 ILCS 5/12-12 of the Criminal Code of 1961

Sexual Assault Response Team (SART) - A multidisciplinary team generally comprised of advocates; law enforcement officers; forensic medical examiners, including sexual assault forensic examiners (SAFEs) or sexual assault nurse examiners (SANEs) if possible; forensic laboratory personnel; and prosecutors. The team is designed to coordinate a broad response to sexual assault victims.

608.2 POLICY

It is the policy of the Urbana Police Department that its members, when responding to reports of sexual assaults, will strive to minimize the trauma experienced by the victims, and will investigate sexual assaults, pursue apprehension and conviction of perpetrators, and protect the safety of the victims and the community.

608.2.1 WRITTEN GUIDELINES

The Criminal Investigation Division supervisor should ensure that written procedures are in place for members responding to reports of sexual assaults or assigned to these investigations. These procedures shall be consistent with the Illinois Attorney General guidelines on response to, and investigation of, sexual assaults (725 ILCS 203/15).

608.3 QUALIFIED INVESTIGATORS

Qualified investigators should be available for assignment of sexual assault investigations. These investigators should:

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- (a) Have specialized training in, and be familiar with, interview techniques and the medical and legal issues that are specific to sexual assault investigations (50 ILCS 705/10.21).
- (b) Conduct follow-up interviews and investigation.
- (c) Present appropriate cases of alleged sexual assault to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and medical personnel as needed.
- (e) Provide referrals to therapy services, victim advocates and support for the victim.
- (f) Participate in or coordinate with the SART or other multidisciplinary investigative teams as applicable.

608.4 REPORTING

In all reported or suspected cases of sexual assault, a report should be written and assigned for follow-up investigation. This includes incidents in which the allegations appear unfounded or unsubstantiated.

608.4.1 REPORTING REQUIREMENTS

Written reports shall include to the extent reasonably known to the reporting member the following (725 ILCS 203/20):

- (a) The victim's name or other identifier
- (b) The victim's contact information
- (c) The time, date and location of the offense
- (d) Information provided by the victim
- (e) The suspect's description and name, if known
- (f) The names of persons with information relevant to the time before, during or after the offense, and their contact information
- (g) The names of medical professionals who conducted a medical forensic examination of the victim, and any information provided about the offense
- (h) Whether an Illinois State Police Sexual Assault Evidence Collection Kit was completed, the name and contact information for the hospital, and whether the victim consented to testing of the Evidence Collection Kit by law enforcement
- (i) Whether a urine or blood sample was collected and whether the victim consented to testing of a toxicology screen by law enforcement
- (j) Information the victim related to medical professionals during a medical forensic examination and which the victim consented to disclose to law enforcement
- (k) Other relevant information

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608.4.2 THIRD-PARTY COMPLAINTS

A written report shall be completed even if the information regarding a sexual assault or sexual abuse is reported by a third party, unless the third party fails to provide the following (725 ILCS 203/22):

- (a) His/her name and contact information
- (b) Affirmation that the victim of the sexual assault or sexual abuse gave consent to the third party to provide information about the sexual assault or sexual abuse

608.4.3 JURISDICTIONAL ISSUES

If the sexual assault investigation determines that the sexual assault occurred outside the jurisdiction of Urbana, the Shift Supervisor should ensure that the report is forwarded to the appropriate agency within 24 hours by fax or email (725 ILCS 203/20).

Within 24 hours of receiving a report from a law enforcement agency in another jurisdiction regarding a sexual assault that occurred in our jurisdiction, the Shift Supervisor should ensure that a written confirmation or receipt is sent by fax or email or delivered in person. The written confirmation shall contain the name and identifier of the officer who is confirming receipt of the report and a name and contact phone number that will be given to the victim (725 ILCS 203/20).

In all reported or suspected cases of sexual assault that may have occurred in another jurisdiction, a report should still be written and forwarded to the appropriate law enforcement agency within 24 hours unless the other agency promptly responds to the location of the initiating interview and takes responsibility for the investigation (725 ILCS 203/20). If an agency from the other jurisdiction responds to take responsibility for the investigation, the Urbana member who initially responded should report any statements obtained up until that point, relevant observations and the name and contact information of the member of the agency that is taking responsibility for the investigation.

608.5 RELEASING INFORMATION TO THE PUBLIC

In cases where the perpetrator is not known to the victim, and especially if there are multiple crimes where more than one appear to be related, consideration should be given to releasing information to the public whenever there is a reasonable likelihood that doing so may result in developing helpful investigative leads. The Criminal Investigation Division supervisor should weigh the risk of alerting the suspect to the investigation with the need to protect the victim and the public, and to prevent more crimes.

608.6 TRAINING

Training will be provided to (725 ILCS 203/20; 50 ILCS 705/10.21):

- (a) Members who are first responders. This includes:
 - 1. Initial response to sexual assaults.
 - 2. Legal issues.
 - 3. Victim advocacy.
 - 4. Victim's response to trauma.

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Sexual Assault Investigations

- (b) Qualified investigators, who should receive advanced training on additional topics. Advanced training should include:
1. Interviewing sexual assault victims.
 2. SART.
 3. Medical and legal aspects of sexual assault investigations.
 4. Serial crimes investigations.
 5. Use of community and other federal and state investigative resources, such as the Violent Criminal Apprehension Program (ViCAP).
 6. Techniques for communication with victims to minimize trauma.

608.7 VICTIM INTERVIEWS

The primary considerations in sexual assault investigations, which begin with the initial call to METCAD, should be the health and safety of the victim, the preservation of evidence, and preliminary interviews to determine if a crime has been committed and to attempt to identify the suspect.

Whenever possible, a member of the SART should be included in the initial victim interviews.

An in-depth follow-up interview should not be conducted until after the medical and forensic examinations are completed and the personal needs of the victim have been met (e.g., change of clothes, bathing). The follow-up interview may be delayed to the following day based upon the circumstances. Whenever practicable, the follow-up interview should be conducted by a qualified investigator.

No opinion of whether the case is unfounded should be included in a report.

No victim shall be compelled or required to submit to an interview (725 ILCS 203/20).

Victims shall not be asked or required to take a polygraph examination or any form of a mechanical or electrical lie detector test (34 USC § 10451; 725 ILCS 200/1).

Victims should be apprised of applicable victim's rights provisions, as outlined in the Victim and Witness Assistance Policy.

608.8 COLLECTION AND TESTING OF BIOLOGICAL EVIDENCE

Whenever possible, a SART member should be involved in the collection of forensic evidence from the victim. Victims should be permitted to have an advocate present during the medical evidentiary and physical examination whenever reasonably practicable. Victims may also have an additional person present for support during the examination (725 ILCS 120/4.6).

When the facts of the case indicate that collection of biological evidence is warranted, it should be collected regardless of how much time has elapsed since the reported assault.

If a drug-facilitated sexual assault is suspected, urine and blood samples should be collected from the victim as soon as practicable.

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Biological evidence from all sexual assault cases, including cases where the suspect is known by the victim, should be collected.

Victims who choose not to assist with an investigation, do not desire that the matter be investigated or wish to remain anonymous may still consent to the collection of evidence under their control. In these circumstances, the evidence should still be collected and stored appropriately.

608.8.1 MEMBER RESPONSIBILITIES

Members investigating sexual assaults or handling related evidence are further required to do the following (725 ILCS 203/30; 725 ILCS 202/10):

- (a) Take custody of sexual assault evidence as soon as practicable. Sexual assault evidence collected from a forensic examination shall be collected within five days after the completion of the exam.
- (b) Document the date and time the sexual assault evidence is picked up from a hospital and the date and time the sexual assault evidence was sent to a lab.
- (c) Prior to submitting forensic examination evidence for testing, obtain the appropriate written consent from the victim or authorized representative (410 ILCS 70/6.5(a)).
- (d) Document the date when consent was given by a victim to have the victim's forensic examination evidence tested.
- (e) Submit any sexual assault evidence for testing within 10 business days of the consent of the victim or authorized representative.
- (f) Not be present in the examination room during a medical examination, unless the victim is in custody and it is determined to be necessary for safety after consulting with the qualified medical care provider and the rape crisis advocate (77 Ill. Adm. Code 545.60; 77 Ill. Adm. Code 545.65).
- (g) Provide the victim with information about the Illinois State Police sexual assault evidence tracking system, including the victim's unique log-in information to access the system (725 ILCS 203/11).

Additional guidance regarding evidence retention and destruction is found in the Property and Evidence Division Policy.

608.8.2 RELEASE PROTOCOL

The Criminal Investigation Division supervisor shall ensure that a procedure is in place for responding to a victim who wants to sign a consent form for the release of sexual assault evidence for testing (725 ILCS 203/30).

608.8.3 DNA TEST RESULTS

Members investigating sexual assault cases should notify victims of the status and results of any DNA test (725 ILCS 203/35).

A SART member should be consulted regarding the best way to deliver biological testing results to a victim so as to minimize victim trauma, especially in cases where there has been a significant delay in getting biological testing results (e.g., delays in testing the evidence or delayed DNA

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databank hits). Members should make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as provided in the Victim and Witness Assistance Policy.

Members investigating sexual assault cases should ensure that DNA results are entered into databases when appropriate and as soon as practicable.

608.9 DISPOSITION OF CASES

If the assigned investigator has reason to believe the case is without merit, the case may be classified as unfounded only upon review and approval of the Criminal Investigation Division supervisor.

608.10 INVESTIGATIONS INVOLVING UPD OFFICERS

In accordance with Illinois statute, every officer-involved criminal sexual assault investigation that involves a law enforcement officer employed by the Urbana Police Department will be conducted by a law enforcement agency other than the Urbana Police Department. The investigating agency should utilize at least two (2) investigators that have completed specialized sexual assault and sexual abuse training approved by the Illinois Law Enforcement Training and Standards Board or similar training approved by the Department of State Police. The Urbana Police Department may still conduct an internal investigation into the allegation of a criminal sexual assault so long as that investigation does not interfere with the criminal investigation.

Warrant Service

609.1 PURPOSE AND SCOPE

This policy establishes guidelines for the planning and serving of arrest and search warrants by members of this department. It is understood that this policy cannot address every variable or circumstance that can arise in the service of a search or arrest warrant, as these tasks can involve rapidly evolving and unique circumstances.

This policy is intended to be used in conjunction with the Operations Planning and Deconfliction Policy, which has additional guidance on planning and serving high-risk warrants.

This policy is not intended to address the service of search warrants on locations or property already secured or routine field warrant arrests by patrol officers.

609.2 POLICY

It is the policy of the Urbana Police Department to balance the safety needs of the public, the safety of department members, privacy interests and other relevant factors when making decisions related to the service of search and arrest warrants.

609.3 OPERATIONS DIRECTOR

The operations director (see the Operations Planning and Deconfliction Policy) shall review all risk assessment forms with the involved supervisor to determine the risk level of the warrant service. This position is typically the Urbana Police Department METRO SWAT commander.

The operations director will also have the responsibility to coordinate service of those warrants that are categorized as high risk. The term high risk is defined in the Operations, Planning and Deconfliction policy. Deconfliction, risk assessment, operational planning, briefing and debriefing should follow guidelines in the Operations, Planning, and Deconfliction Policy.

609.3.1 OPERATIONS DIRECTOR VERIFICATION

The operations director shall verify the address of the warrant service and plans for children and vulnerable people.

609.4 SEARCH WARRANTS

Officers should typically receive authorization from a supervisor before preparing a search warrant application. The investigations division lieutenant is the initial point of contact for officers/investigators who are seeking a search warrant. If the CID lieutenant is not available, the CID sergeant should be consulted. Once authorization is received, the officer will prepare the affidavit and search warrant, consulting with the applicable prosecuting attorney as needed. If applicable, the officer/investigator will also complete the risk assessment form and submit it, along with the warrant affidavit, to the appropriate supervisor and/or the operations director for review and classification of risk (see the Operations Planning and Deconfliction Policy). The CID lieutenant will determine whether or not a risk assessment form will be completed. There are many aspects that should be considered in making this decision, but the standard should be whether or not there is

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an elevated risk and the likelihood of person(s) being present at the location of the warrant service. As a rule, a risk assessment is typically not needed when the warrant is to search inanimate objects (cellular phones, computers, vehicles, etc.) in the custody of the department or another public entity such as the impound lot or a tow yard.

The operations director will review the risk assessment along with any and all information pertaining to the service of the warrant. The operations director must take into consideration the risk involved in the service of the warrant.

609.5 NO KNOCK SEARCH WARRANTS

If the operations director believes the use of a "no-knock" search warrant is justified, the officer applying for the warrant will comply with all requirements as set forth in 725 ILCS 5/108-8. Those include:

- (a) Prior to entering the location described in the search warrant, a supervising officer will ensure that each participating member is utilizing a body worn camera and is following policies and procedures related to the Law Enforcement Body Worn Camera Act.
- (b) Steps were taken in planning the search warrant to ensure accuracy and plan for children or other vulnerable people on-site.
- (c) If an officer becomes aware the search warrant was executed at an address, unit, or apartment difference from the location listed on the search warrant, that member will immediately notify a supervisor who will ensure an internal investigation ensues.

609.6 ARREST WARRANTS

If an officer reasonably believes that serving an arrest warrant may pose a higher risk than commonly faced on a daily basis, the officer should complete the risk assessment form and submit it to the appropriate supervisor and/or the operations director for review and classification of risk (see the Operations Planning and Deconfliction Policy).

If the warrant is classified as high risk, service will be coordinated by the operations director. If the warrant is not classified as high risk, the supervisor should weigh the risk of entry into a residence to make an arrest against other alternatives, such as arresting the person outside the residence where circumstances may pose a lower risk.

609.7 WARRANT PREPARATION

An officer who prepares a warrant should ensure the documentation in support of the warrant contains as applicable:

- (a) Probable cause to support the search or arrest, including relevant dates and times to demonstrate timeliness and facts to support any request for nighttime or no-knock warrant execution.
 - 1. No-knock warrant applications shall be consistent with the requirements of state law (725 ILCS 5/108-8).
- (b) A clear explanation of the affiant's training, experience, and relevant education.

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- (c) Adequately supported opinions, when relevant, that are not left to unsubstantiated conclusions.
- (d) A nexus between the place to be searched and the persons or items central to the investigation. The facts supporting this nexus should be clear and current. For example, the affidavit shall explain why there is probable cause to believe that a particular person is currently residing at a particular location or that the items sought are present at a particular location.
- (e) Full disclosure of known or suspected residents at the involved location and any indication of separate living spaces at the involved location. For example, it should be disclosed that several people may be renting bedrooms at a single location, even if the exact location of the rooms is not known.
- (f) A specific description of the location to be searched (numerical address, location relative to other buildings, color, unique identifying features), including photographs of the location, if reasonably available.
- (g) A sufficient description of the items to be seized.
- (h) Full disclosure of any known exculpatory information relevant to the warrant application (refer to the Brady Material Disclosure Policy).

609.8 HIGH-RISK WARRANT SERVICE

The operations director or the authorized designee shall coordinate the service of warrants that are categorized as high risk and shall have sole authority in determining the manner in which the warrant will be served, including the number of officers deployed.

The member responsible for directing the service should ensure the following as applicable:

- (a) When practicable and when doing so does not cause unreasonable risk, video or photographic documentation is made of the condition of the location prior to execution of a search warrant. The images should include the surrounding area and persons present.
- (b) The warrant service, to include no-knock warrant service, is video-recorded when practicable and legal to do so under 720 ILCS 5/26-4. The warrant service may be audio-recorded if done in an open and conspicuous manner or with the consent of all parties (720 ILCS 5/14-2).
- (c) Evidence is handled and collected only by those members who are designated to do so. All other members involved in the service of the warrant should alert one of the designated members to the presence of potential evidence and not touch or disturb the items.
- (d) Reasonable efforts are made during the search to maintain or restore the condition of the location.
- (e) Persons who are detained as part of the warrant service are handled appropriately under the circumstances.
- (f) Reasonable care provisions are made for children and dependent adults (see the Child and Dependent Adult Safety Policy).

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- (g) A list is made of all items seized and a copy provided to the person in charge of the premises if present or otherwise left in a conspicuous place.
- (h) A copy of the search warrant is left at the location.
- (i) The condition of the property is documented with video recording or photographs after the search.

609.9 DETENTIONS DURING WARRANT SERVICE

Officers must be sensitive to the safety risks of all persons involved with the service of a warrant. Depending on circumstances and facts present, it may be appropriate to control movements of any or all persons present at a warrant service, including those who may not be the subject of a warrant or suspected in the case. However, officers must be mindful that only reasonable force may be used and weapons should be displayed no longer than the officer reasonably believes is necessary (see the Use of Force Policy).

As soon as it can be determined that an individual is not subject to the scope of a warrant and that no further reasonable suspicion or safety concerns exist to justify further detention, the person should be promptly released.

Officers should, when and to the extent reasonable, accommodate the privacy and personal needs of people who have been detained.

609.10 ACTIONS AFTER WARRANT SERVICE

The supervisor shall ensure that all affidavits, warrants, receipts, and returns, regardless of any associated cases, are filed with the issuing judge or magistrate as soon as reasonably possible, but in any event no later than any date specified on the warrant.

Officers shall notify a supervisor as soon as practicable if a warrant is executed at a location other than that listed in the warrant. Supervisors should take steps to arrange an internal investigation into the circumstances (725 ILCS 5/108-8).

609.11 OUTSIDE AGENCIES AND CROSS-JURISDICTIONAL WARRANTS

The operations director will ensure that cooperative efforts with other agencies in the service of warrants conform to existing mutual aid agreements or other memorandums of understanding and will work cooperatively to mitigate risks including, but not limited to, the following:

- Identity of team members
- Roles and responsibilities
- Familiarity with equipment
- Rules of engagement
- Asset forfeiture procedures

Any outside agency requesting assistance in the service of a warrant within this jurisdiction should be referred to the operations director. The director should review and confirm the warrant, including the warrant location, and should discuss the service with the appropriate supervisor from the other

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agency. The director should ensure that members of the Urbana Police Department are utilized appropriately. Any concerns regarding the requested use of Urbana Police Department members should be brought to the attention of the Chief of Police or the authorized designee. The actual service of the warrant will remain the responsibility of the agency requesting assistance.

If the operations director is unavailable, the Shift Supervisor should assume this role.

If officers intend to serve a warrant outside Urbana Police Department jurisdiction, the operations director should provide reasonable advance notice to the applicable agency, request assistance as needed and work cooperatively on operational planning and the mitigation of risks detailed in this policy.

Officers will remain subject to the policies of the Urbana Police Department when assisting outside agencies or serving a warrant outside Urbana Police Department jurisdiction.

609.12 MEDIA ACCESS

No advance information regarding warrant service operations shall be released without the approval of the Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the Media Relations Policy.

609.13 NO-KNOCK ENTRIES

No-knock entries are only authorized if a no-knock warrant has been obtained or if exigent circumstances arise at the scene such that knocking and announcing the officer's presence would create an imminent threat of physical violence to the officer or another person.

METRO Operations Planning and Deconfliction

610.1 PURPOSE AND SCOPE

This policy provides guidelines for planning, deconfliction and execution of high-risk operations.

Additional guidance on planning and serving high-risk warrants is provided in the Warrant Service Policy.

610.1.1 DEFINITIONS

Definitions related to this policy include:

High-risk operations - Operations, including service of search and arrest warrants and sting operations, that are likely to present higher risks than are commonly faced by officers on a daily basis, including suspected fortified locations, reasonable risk of violence or confrontation with multiple persons, or reason to suspect that persons anticipate the operation.

610.2 POLICY

It is the policy of the Urbana Police Department to properly plan and carry out high-risk operations, in order to provide coordination, enhance the safety of members and the public, decrease the risk of compromising investigations and prevent duplicating efforts.

610.3 OPERATIONS DIRECTOR

The Chief of Police will designate a member of this department to be the operations director. The Urbana Police Department's operations director is the METRO Swat Commander.

The operations director will develop and maintain a risk assessment form to assess, plan and coordinate operations. This form should provide a process to identify high-risk operations.

The operations director will review risk assessment forms with involved supervisors to determine whether a particular incident qualifies as a high-risk operation. The director will also have the responsibility for coordinating operations that are categorized as high risk.

610.4 RISK ASSESSMENT

The Risk Assessment form can be found on the internal web and is a starting point to determine the initial risk of an operation. The users of this form should not rely solely on the form to assess the risk of the operation.

610.4.1 RISK ASSESSMENT FORM PREPARATION

Officers assigned as operational leads for any operation that may qualify as a high-risk operation shall complete a risk assessment form.

When preparing the form, the officer should query all relevant and reasonably available intelligence resources for information about the subject of investigation, others who may be present and the involved location. These sources may include regional intelligence and criminal justice databases, target deconfliction systems, firearm records, commercial databases and property records. Where appropriate, the officer should also submit information to these resources.

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METRO Operations Planning and Deconfliction

610.4.2 RISK ASSESSMENT REVIEW

Officers will present the risk assessment form and other relevant documents (such as copies of search warrants and affidavits and arrest warrants) to their supervisor and the operations director or METRO Commander.

Involved officers and operations director shall confer and determine the level of risk. Supervisors should take reasonable actions if there is a change in circumstances that elevates the risks associated with the operation.

610.4.3 HIGH-RISK OPERATIONS

If the operations director, after consultation with the involved supervisor, determines that the operation is high risk, the operations director should:

- (a) Determine what resources will be needed at the location and contact and/or place on standby any of the appropriate or available resources (e.g. ambulance, etc.).
- (b) Contact the appropriate department members or other agencies as warranted to begin preparation.
- (c) Ensure that all legal documents such as search warrants are complete and have any modifications reasonably necessary to support the operation.
- (d) Coordinate the actual operation.

610.5 DECONFLICTION

Deconfliction is designed to identify persons and locations associated with investigations or law enforcement operations and alert participating agencies when others are planning or conducting operations in close proximity or time or are investigating the same individuals, groups or locations.

The officer who is the operations lead shall ensure the subject of investigation and operations information have been shared with local law enforcement agencies if an operation either crosses jurisdictions or is completely outside of the jurisdiction of the Urbana Police Department. This should occur as early in the process as practicable.

If any conflict is discovered, the supervisor will contact the involved jurisdiction and resolve the potential conflict before proceeding.

610.6 OPERATIONS PLAN

The operations director should ensure that a written operations plan is developed for all high-risk operations. Plans should also be considered for other operations that would benefit from having a formal plan.

610.6.1 OPERATIONS PLAN RETENTION

Since the operations plan contains intelligence information and descriptions of law enforcement tactics, it shall not be filed with the report. The operations plan shall be stored separately and retained in accordance with the established records retention schedule.

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METRO Operations Planning and Deconfliction

610.7 OPERATIONS BRIEFING

A briefing should be held prior to the commencement of any high-risk operation to allow all participants to understand the operation, see and identify each other, identify roles and responsibilities and ask questions or seek clarification as needed. Anyone who is not present at the briefing should not respond to the operation location without specific supervisory approval.

610.8 METRO SWAT PARTICIPATION

If the operations director determines that METRO SWAT participation is appropriate, the director and supervisors will work together to develop a written plan. The METRO SWAT supervisor shall assume operational control until all persons at the scene are appropriately detained and it is safe to begin a search. When this occurs, the METRO SWAT supervisor shall transfer control of the scene to the handling supervisor. This transfer should be communicated to the officers present.

610.9 MEDIA ACCESS

No advance information regarding planned operations shall be released without the approval of the Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the Media Relations Policy.

610.10 OPERATIONS DEBRIEFING

High-risk operations should be debriefed as soon as reasonably practicable. The debriefing should include as many participants as possible. This debrief may be separate from any METRO SWAT debriefing.

Forensic Genetic Genealogy

611.1 PURPOSE AND SCOPE

This policy provides guidance for the use of forensic genetic genealogy (FGG) to generate investigative leads.

611.1.1 DEFINITIONS

Definitions related to this policy include:

Combined DNA Index System (CODIS) - An FBI computer software program that operates deoxyribonucleic acid (DNA) profile databases for law enforcement use.

DNA typing laboratory - A laboratory that analyzes biological samples, including extracted DNA, in order to provide various DNA profile types. State or local crime labs are generally not equipped to provide single nucleotide polymorphism (SNP) DNA profiles; therefore, the use of private DNA typing laboratories is often necessary for FGG.

Extracted DNA - The DNA isolated from a biological sample remaining after previous DNA testing has been completed.

Forensic genetic genealogy (FGG) - The process of obtaining a SNP DNA profile from a biological sample collected during an investigation; uploading the profile to a genetic genealogy site for comparison to the consumer profiles in the site's database to identify genetic relatives; and using the identified genetic relationships, as well as traditional genealogy research, to generate investigative leads.

Genetic genealogist - A genealogist who uses DNA testing with traditional genealogical research methods to assist law enforcement or private clients in identifying biological relatives of an individual.

Genetic genealogy site - A database of DNA profiles voluntarily submitted by public consumers for the purpose of identifying genetic relatives. The availability of genetic genealogy sites for law enforcement use varies depending on their terms of service.

Short tandem repeat (STR) DNA profile - The results of DNA typing in a format that can be processed through CODIS and state DNA databases. This is the type of DNA used in conventional non-FGG law enforcement investigations.

Single nucleotide polymorphism (SNP) DNA profile - The results of DNA typing in a format that enables an unknown DNA sample to be compared to the DNA profiles maintained by a genetic genealogy site. This is the DNA type used in FGG.

611.2 POLICY

The Urbana Police Department use of FGG will be in coordination with the Champaign County State's Attorney's Office, the Coroner, Illinois State Police and other appropriate resources only in qualifying cases after reasonable conventional investigative methods have been pursued.

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Members will take reasonable steps to maintain the integrity of the FGG process and safeguard the privacy rights of individuals whose DNA profiles are analyzed.

611.3 CRITERIA FOR FGG USE

Before using FGG, the lead investigator should coordinate with the Criminal Investigations Division supervisor to determine whether the case meets the following requirements:

- (a) Biological evidence collected as part of the underlying investigation (or extracted DNA from the biological evidence) is available for additional testing and is reasonably believed to be attributable to:
 - 1. The perpetrator of an unsolved violent felony.
 - 2. The unidentified human remains of a suspected homicide victim.
- (b) All reasonable conventional investigative methods have been utilized and/or all reasonable investigative leads have been pursued (e.g., relevant case information entered in the National Missing and Unidentified Persons System (NamUs) and the Violent Criminal Apprehension Program (ViCAP) national database).
- (c) An STR DNA profile has been developed from the biological evidence collected in the case and, absent unusual circumstances, has been uploaded to CODIS and any applicable state DNA database for comparison with negative results.
- (d) Nothing shall prevent investigators from considering FGG as an option at the onset of an investigation after CODIS and other reasonable initial investigative steps have been taken.

611.4 COORDINATION

Once a preliminary determination has been made that a case may qualify for the use of FGG, the lead investigating member should consult with the appropriate prosecutor to address current and prospective legal issues and determine if a search warrant is required. In the case of unidentified human remains, the lead investigator should also consult with the Coroner.

611.5 SUBMISSION OF SAMPLE

The biological evidence or extracted DNA should be submitted to a reputable DNA typing laboratory approved by the Illinois State Police and the Champaign County State's Attorney's Office the Department in order to obtain a SNP DNA profile.

Once a SNP DNA profile has been obtained from the biological evidence or extracted DNA, the lead investigating member should arrange for it to be compared to the SNP DNA profiles contained in one or more genetic genealogy sites to identify possible genetic relatives. The lead investigator should work with a qualified genetic genealogist as needed during this process.

When submitting a SNP DNA profile for comparison, the lead investigator or the authorized designee (e.g., assigned genetic genealogist) shall notify the genetic genealogy site that the request for comparison is from a law enforcement agency and confirm that the site's terms of service permit FGG for the type of case being investigated. The use of the SNP DNA profile and any subsequent comparison shall be limited to the original underlying investigation.

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If at any time during the FGG process the case no longer meets the criteria for FGG use, the lead investigator should promptly notify the DNA typing laboratory, genetic genealogy site, and/or genetic genealogist to cease any further analysis and to return all evidence, data, and materials to the Department.

611.6 ANALYSIS OF FGG DATA

Once results of a comparison are received from a genetic genealogy site, the information should be evaluated by a genetic genealogist, who will assist the lead investigator in identifying potential investigative leads.

The lead investigator should promptly and diligently pursue each viable lead identified through the FGG process using traditional investigative methods, as appropriate, to:

- (a) Eliminate an individual as a potential suspect in the case.
- (b) Link an individual to the case as a potential suspect.
- (c) Identify human remains.

611.7 COLLECTION OF THIRD-PARTY DNA SAMPLE

If it is determined that a third-party DNA sample (i.e., from a person not likely to be a suspect in the investigation) should be collected and analyzed for FGG, consent from the third party should be obtained prior to collection.

If there is a reasonable belief that the integrity of the investigation would be compromised by seeking consent from the third party prior to collection, the lead investigator should consult with the prosecutor regarding applicable laws and procedures in both the jurisdiction of the investigation and the jurisdiction where the collection will occur, if different.

The use of a third-party DNA sample shall be limited to the original underlying investigation.

611.8 POST-IDENTIFICATION

Members shall not rely solely on FGG identification of a potential suspect for probable cause to make an arrest or obtain an arrest warrant. Unless there is sufficient evidence independent of the FGG data to support an arrest, a potential suspect identified through FGG should not be arrested until the suspect's identity is confirmed via confirmatory testing through the Illinois State Police.

Members shall not rely solely on FGG to identify human remains unless there is sufficient evidence independent of the FGG data to declare the identification or confirmation testing has been completed.

Confirmatory DNA testing should be conducted by collecting a known DNA sample from the potential suspect or, in the case of unidentified human remains, from a close biological relative. This known DNA sample should be submitted for comparison to the original unknown STR DNA profile through conventional methods (e.g., in CODIS).

The lead investigator should consult with the prosecutor to determine the appropriate method of obtaining a known DNA sample.

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Once the identity of a suspect or the identity of unidentified human remains has been confirmed through conventional DNA testing, the lead investigator should:

- (a) Consult with the prosecutor to evaluate the entire investigative file for consideration of criminal charges or further investigation.
- (b) If applicable, consult with the Coroner for an amendment to a certificate of death.

611.9 PRIVACY CONSIDERATIONS

Members should make reasonable efforts to respect and protect the privacy of non-suspect genetic relatives identified through the FGG process. The names and identifying information of any non-suspect genetic relatives should not be included in official reports, probable cause declarations, or affidavits for search warrants unless it is determined that this information is substantive for investigative purposes or to establish probable cause and should not be disclosed unless otherwise required by law or court order.

The lead investigator should formally request that the SNP DNA profile be removed from all genetic genealogy sites upon identity confirmation and should retain a copy of the request for department records. The lead investigator should request that all case-related records and data provided to, or generated by, a genetic genealogist during the FGG process be returned to the Department.

611.10 RETENTION OF DNA SAMPLES AND RELATED RECORDS

Genetic information, including any derivative profiles and genetic genealogy site user information, should be retained in accordance with the established records retention schedule. The lead investigator should coordinate with evidence technician and provide adequate notice to the appropriate prosecutor's office before destroying any profiles or data obtained from the FGG process.

See the Property and Evidence Division Policy for guidelines regarding biological evidence, including DNA samples.

Chapter 7 - Equipment

Department Owned and Personal Property

700.1 PURPOSE AND SCOPE

Department employees are expected to properly care for department property assigned or entrusted to them. Employees may also suffer occasional loss or damage to personal or department property while performing their assigned duty. Certain procedures are required depending on the loss and ownership of the item.

700.2 CARE OF DEPARTMENTAL PROPERTY

Employees shall be responsible for the safekeeping, serviceable condition, proper care, use and replacement of department property assigned or entrusted to them. An employee's intentional or negligent abuse or misuse of department property may lead to discipline including, but not limited to the cost of repair or replacement.

- (a) Employees shall promptly report through their chain of command, any loss, damage to, or unserviceable condition of any department issued property or equipment assigned for their use.
- (b) The use of damaged or unserviceable department property should be discontinued as soon as practical and replaced with comparable Department property as soon as available and following notice to a supervisor.
- (c) Except when otherwise directed by competent authority or required by exigent circumstances, department property shall only be used by those to whom it was assigned. Use should be limited to official purposes and in the capacity for which it was designed.
- (d) Department property shall not be thrown away, sold, traded, donated, destroyed, or otherwise disposed of without proper authority.
- (e) In the event that any Department property becomes damaged or unserviceable, no employee shall attempt to repair the property without prior approval of a supervisor.

700.3 FILING CLAIMS FOR PERSONAL PROPERTY

Claims for reimbursement for damage or loss of personal property must be made to the appropriate division commander. The shift supervisor or division commander will conduct an investigation into whether the employee followed proper procedures. A report shall address whether reasonable care was taken to prevent the loss or damage. Upon review by staff and a finding that no misconduct or negligence was involved, repair or replacement may be recommended by the Chief of Police or designee, who will then forward the claim to the Department's Administrative Assistant. The Department will not replace or repair luxurious or overly expensive items (jewelry, exotic equipment, etc.) that are not reasonably required as a part of work.

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700.4 LOSS OR DAMAGE OF PROPERTY OF ANOTHER

Officers and other employees intentionally or unintentionally may cause damage to the real or personal property of another while performing their duties. Any employee who damages or causes to be damaged any real or personal property of another while performing any law enforcement functions, regardless of jurisdiction, shall report it as provided below.

- (a) A verbal report shall be made to the employee's immediate supervisor as soon as circumstances permit.
- (b) A written report shall be submitted before the employee goes off duty or within the time frame directed by the supervisor to whom the verbal report is made.

700.4.1 DAMAGE BY PERSON OF ANOTHER AGENCY

If employees of another jurisdiction cause damage to real or personal property belonging to the City, it shall be the responsibility of the employee present or the employee responsible for the property to make a verbal report to his/her immediate supervisor as soon as circumstances permit. The employee shall submit a written report before going off duty or as otherwise directed by the supervisor.

These written reports, accompanied by the supervisor's written report, shall promptly be forwarded to the appropriate Division Commander.

Personal Communication Devices

701.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of mobile telephones and communication devices, whether issued or funded by the Department or personally owned, while on-duty or when used for authorized work-related purposes.

This policy generically refers to all such devices as Personal Communication Devices (PCDs) but is intended to include all mobile telephones, personal digital assistants (PDAs), wireless-capable tablets, and similar wireless two-way communications and/or portable internet-access devices. PCD use includes but is not limited to placing and receiving calls, text messaging, blogging and microblogging, emailing, using video or camera features, playing games, and accessing sites or services on the internet.

701.2 POLICY

The Urbana Police Department allows members to utilize department-issued or funded PCDs and to possess personally owned PCDs in the workplace, subject to certain limitations. Any PCD used while on- or off-duty for business-related purposes, or reasonably associated with work-related misconduct, will be subject to monitoring and inspection consistent with applicable law and this policy.

Additionally, the use of a PCD either on-duty or after duty hours for business-related purposes, or reasonably associated with work-related misconduct, may subject the member and the member's PCD records to civil or criminal discovery or disclosure under applicable public records laws.

Members who have questions regarding the application of this policy or the guidelines contained herein are encouraged to seek clarification from supervisory staff.

701.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to any communication accessed, transmitted, received, or reviewed on any PCD issued or funded by the Department and shall have no expectation of privacy in their location should the device be equipped with location-detection capabilities. This includes records of all keystrokes or web-browsing history made on the PCD. The fact that access to a database, service, or website requires a username or password will not create an expectation of privacy if it is accessed through department PCDs or networks (see the Information Technology Use Policy for additional guidance).

Members have no expectation of privacy regarding any communications while using a personally owned PCD for department-related business or when the use reasonably implicates work-related misconduct.

701.4 PERSONALLY OWNED PCD

Members may carry a personally owned PCD while on-duty, subject to the following conditions and limitations:

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- (a) Permission to carry a personally owned PCD may be revoked if it is used contrary to provisions of this policy.
- (b) The Department accepts no responsibility for loss of or damage to a personally owned PCD.
- (c) The PCD and any associated services shall be purchased, used, and maintained solely at the member's expense.
- (d) Members will have a reduced expectation of privacy when using a personally owned PCD in the workplace and have no expectation of privacy with regard to any department business-related communication.
 - 1. Use of a personally owned PCD for work-related business constitutes consent for the Department to access the PCD to inspect and copy the work-related data (e.g., for litigation purposes, public records retention and release obligations, internal investigations).
 - 2. Use of and data within a personally owned PCD may be discoverable in cases when there is reason to believe it is associated with work-related misconduct.
 - 3. Searches of a personally owned PCD by the Department should be limited to those matters reasonably associated with the work-related business or work-related misconduct.
- (e) The device shall not be utilized to record or disclose any department business-related information outside of the department and for work-related communications, including photographs, video, or the recording or transmittal of any information or material obtained or made accessible as a result of employment or appointment with the Department, without the express authorization of the Chief of Police or the authorized designee.
- (f)
- (g) All work-related documents, emails, photographs, recordings, and other public records created or received on a member's personally owned PCD should be transferred to the Urbana Police Department and deleted from the member's PCD as soon as reasonably practicable but no later than the end of the member's shift.

Except with prior express authorization from their supervisors, members are not obligated or required to carry, access, monitor, or respond to electronic communications using a personally owned PCD while off-duty unless they receive a stipend from the City. If a member is in an authorized status that allows for appropriate compensation consistent with policy or existing collective bargaining agreements, or if the member has prior express authorization from their supervisor, the member may engage in department business-related communications. Should members engage in such approved off-duty communications or work, members entitled to compensation shall promptly document the time worked and communicate the information to their supervisors to ensure appropriate compensation. Members who independently document off-duty department-related business activities in any manner shall promptly provide the Department with a copy of such records to ensure accurate recordkeeping.

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701.5 USE OF PCD

The following protocols shall apply to all PCDs that are carried while on-duty or used to conduct department business:

- (a) A PCD shall not be carried in a manner that allows it to be visible while in uniform unless it is in an approved carrier.
- (b) All PCDs in the workplace shall be set to silent or vibrate mode.
- (c) A PCD may not be used to conduct personal business while on-duty except for brief personal communications (e.g., informing family of extended hours). Members shall endeavor to limit their use of PCDs to authorized break times unless an emergency exists.
- (d) Members may use a PCD to communicate with other personnel in situations where the use of radio communications is either impracticable or not feasible. PCDs should not be used as a substitute for, as a way to avoid, or in lieu of regular radio communications.
- (e) Members are prohibited from taking pictures, audio or video recordings, or making copies of any such picture or recording media unless it is directly related to official department business. Disclosure of any such information to any third party through any means requires the express authorization of the Chief of Police or the authorized designee.
- (f) Members will not access social networking sites for any purpose that is not official department business. This restriction does not apply to a personally owned PCD used during authorized break times.
- (g) Using PCDs to harass, threaten, coerce, or otherwise engage in inappropriate conduct with any third party is prohibited. Any member having knowledge of such conduct shall promptly notify a supervisor.

701.6 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors include, but are not limited to:

- (a)
- (b) Monitoring, to the extent practicable, PCD use in the workplace and taking prompt corrective action if a member is observed or reported to be improperly using a PCD.
 - 1. An investigation into improper conduct should be promptly initiated when circumstances warrant.
 - 2. Before conducting any administrative search of a member's personally owned device, supervisors should consult with the Chief of Police or the authorized designee.

701.7 USE WHILE DRIVING

The use of a PCD while driving can adversely affect safety, cause unnecessary distractions and present a negative image to the public. Officers operating emergency vehicles while performing

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official duties should restrict the use of these devices to matters of an urgent nature and should, where practicable, stop the vehicle at an appropriate location to use the PCD.

Except in an emergency, members who are operating vehicles that are not equipped with lights and siren shall not use a PCD while driving unless the device is specifically designed and configured to allow hands-free use (625 ILCS 5/12-610.2). Hands-free use should be restricted to business-related calls or calls of an urgent nature.

701.8 OFFICIAL USE

Members are reminded that PCDs are not secure devices and conversations may be intercepted or overheard. Caution should be exercised while utilizing PCDs to ensure that sensitive information is not inadvertently transmitted. As soon as reasonably possible, members shall conduct sensitive or private communications on a land-based or other department communications network.

Vehicle Maintenance

702.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that department vehicles are appropriately maintained.

702.2 DEFECTIVE VEHICLES

When a department vehicle becomes inoperative or in need of repair that affects the safety of the vehicle, that vehicle shall be removed from service for repair. Proper documentation shall be promptly completed by the employee who first becomes aware of the defective condition, describing the correction needed. The paperwork shall be promptly forwarded to vehicle maintenance for repair.

702.2.1 VEHICLE REPAIRS

Shift Supervisors may authorize minor emergency services and repair of squad cars during their shift when replacement cars are not available. Repairs shall be limited to items such as flat tires, replacing headlights, fan belts, radiator hoses, etc.

702.2.2 DAMAGE OR POOR PERFORMANCE

Vehicles that may have been damaged or perform poorly shall be removed from service for inspections and repairs as soon as practicable.

702.2.3 SEVERE USE

Vehicles operated under severe-use conditions, which include operations for which the vehicle is not designed or that exceed the manufacturer's parameters, should be removed from service and subjected to a safety inspection as soon as practicable. Such conditions may include rough roadway or off-road driving, hard or extended braking, pursuits or prolonged high-speed operation.

702.2.4 REMOVAL OF WEAPONS

All firearms, weapons and control devices shall be removed from a vehicle and properly secured in the department armory prior to the vehicle being released for third party maintenance, service or repair.

702.3 VEHICLE EQUIPMENT

Certain items shall be maintained in all department vehicles.

702.3.1 PATROL VEHICLES

Officers shall inspect the patrol vehicle at the beginning of the shift and ensure that the following equipment, at a minimum, is present in the vehicle:

- Mobile Data Computer
- Mobile Audio Video recording device
- 2 ticket book containers (warnings and citations)
- 3 Orange Traffic Cones

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- 1 fully charged fire extinguisher
- 1 set of Ankle Cuffs
- 1 Nylon ankle hobble
- 1 Roll Crime Scene Barricade Tape
- 1 Ice Scraper
- 1 Push Broom
- 1 Evidence collection kit (paper sacks, laytex gloves, needle tubes, specimen cup, ziplock bags)
- Insurance Card
- Key ring (LRC, 704 Glover, Traffic Box, Stop Sign, Public works, etc.)
- Gas card
- Automatic External Defibrillator (unmarked supervisor's vehicles)
- Ballistic Shield with Carrier bag (unmarked supervisor's vehicles)
- Less Lethal Shotgun and Less Lethal Ammunition (unmarked supervisor's vehicles)
- Extra ammunition for pistols (unmarked supervisor's vehicles)
- Smoke Canisters (unmarked supervisor's vehicles)
- Breaching Ram (unmarked supervisor's vehicles)
- Hooligan Bar (unmarked supervisor's vehicles)
- Cell Phone and charger (unmarked supervisor's vehicles)
- Key for parking "boot" (unmarked supervisor's vehicles)

702.3.2 EMERGENCY EQUIPMENT

Patrol vehicles used in general patrol service shall be conspicuously marked and:

- (a) Be equipped with a siren, in operational order.
- (b) Be equipped with emergency lights, in operational order.
- (c) The operator shall have constant communications with METCAD.

Unmarked vehicles used for patrol shall require the same equipment.

702.4 VEHICLE REFUELING

Absent emergency conditions or supervisor approval, patrol vehicles shall not be placed into service with less than one-quarter tank of fuel. Patrol vehicles shall only be refueled at the authorized location.

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702.5 WASHING OF VEHICLES

All units shall be kept clean at all times and weather conditions permitting, shall be washed as necessary to enhance their appearance. Generally, only one marked unit should be at the car wash at the same time unless approved by a supervisor. Employees using a vehicle shall remove any trash or debris at the end of their shift. Confidential material should be placed in a designated receptacle provided for the shredding of this matter.

702.6 OPERATION AND CARE OF DEPARTMENT VEHICLES

- Employees shall drive Department vehicles in a careful and prudent manner and obey all laws and Department Policies pertaining to such operation.
- When situations require parking in a restricted or prohibited area, vehicles will be parked in such a way as to reduce unnecessary interference with the movement of traffic.
- An employee must immediately report to a supervisor any suspension or other loss of driving privileges.
- Personnel assigned to operate a Department vehicle will be responsible for the proper use and care of that vehicle.
- Employees will check their assigned vehicles for damage and the presence and functioning of necessary equipment. Any deficiencies shall be reported to the appropriate supervisor.
- All patrol division officers are to do pre-tour-of-duty inspections and properly complete Vehicle Maintenance Logs. Problems discovered are to be noted in the logs and reported via e-mail to the designated person(s).
- Serious problems that may affect the safe and legal operation of the vehicle should be reported to a supervisor immediately. Such a vehicle should then be "deadlined" and noted as such on the Vehicle Status Board in the Patrol area. Officers and supervisors share this responsibility. The officer taking the vehicle out of service should leave notice inside the car so that other officers are aware the vehicle should not be driven.
- Standard equipment in or on the vehicle will not be changed, altered or removed from the vehicle without prior approval from the employee's supervisor.
- Any employee who, while operating or riding in a Department vehicle, has reason to believe that the vehicle may be in need of inspection or repair from "bottoming out," bumping into an object, scraping, hitting a curb or otherwise subjected to conditions that would lead a reasonable person to believe that the vehicle may be in need of repair, shall immediately report the same to his/her supervisor.
- The on-duty use of Department vehicles will be limited to normal work duties, court, training, travel to schools, and transportation for maintenance and repairs. Personal use of squad cars is prohibited without authorization of a supervisor. Those employees with assigned take-home vehicles may use the cars for personal use when traveling to and from home within the guidelines established by the City Administrative Policy.
- Except in emergency field situations or on traffic stops, employees shall not permit the engine of the vehicle to run while the vehicle is unattended with the key in the

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ignition. Where security may be an issue, vehicles will not be parked unless the key is removed. Vehicles shall not be left running when the temperature is over 32 degrees.

- Employees and all passengers shall use seat belts as required by the Illinois Vehicle Code.
- Police vehicles shall not be used to pull other vehicles. Officers may utilize attached push bumpers to push vehicles out of traffic only when necessary.
- Employees will not use their assigned Department vehicles for jumping other cars.
- When taking a supervisor's car out of service, all special equipment shall be removed and placed into another car to ensure availability when needed.
- It is the responsibility of Field Supervisors to promote compliance with this policy.

702.7 POLICY

The Urbana Police Department will service department vehicles to ensure they remain operational and maintain their appearance, as resources allow.

702.8 GENERAL DUTIES

Members are responsible for assisting in maintaining department vehicles so that they are properly equipped, properly maintained and properly refueled and present a clean appearance.

Vehicle Use

703.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of accountability to ensure department vehicles are used appropriately. This policy provides guidelines for on- and off-duty use of department vehicles and shall not be construed to create or imply any contractual obligation by the City of Urbana to provide assigned take-home vehicles.

703.2 POLICY

The Urbana Police Department provides vehicles for department-related business and may assign patrol and unmarked vehicles based on a determination of operational efficiency, economic impact to the Department, tactical deployments and other considerations.

703.3 OPERATION OF DEPARTMENT VEHICLES

1. Employees shall drive Department vehicles in a careful and prudent manner and obey all laws and Department Policies pertaining to such operation.
2. An employee must immediately report to a supervisor any suspension or other loss of driving privileges.
3. Personnel assigned to operate a Department vehicle will be responsible for the proper use and care of that vehicle. Employees will check their assigned vehicles for damage and the presence and functioning of necessary equipment. Any deficiencies shall be reported to the appropriate supervisor.
4. Any employee who, while operating or riding in a Department vehicle, has reason to believe that the vehicle may be in need of inspection or repair from "bottoming out," bumping into an object, scraping, hitting a curb, or otherwise subjected to conditions that would lead a reasonable person to believe that the vehicle may be in need of repair, shall immediately report the same to his/her supervisor.
5. Except in emergency field situations or on traffic stops, employees shall not permit the engine of the vehicle to run while the vehicle is unattended with the key in the ignition. Where security may be an issue, vehicles will not be parked unless the key is removed. Vehicles shall not be left running when the temperature is over 32 degrees unless precipitation is causing ice, snow, or other buildups. Vehicles containing canines will be exempt from this section.
6. Employees and all passengers shall use seat belts as required by the Illinois Vehicle Code.
7. Employees should fuel shared vehicles prior to returning them at the end of a shift.
8. Police vehicles will not be used to push or pull other vehicles.
9. Employees will not use their assigned Department vehicles for jumping other cars, except that a police supervisor may use jumper cables for starting another squad car. In doing so, care must be taken to ensure electronic equipment – especially the mobile data computer – is turned off and protected from surges, shorting, etc.

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10. It is the responsibility of Field Supervisors to promote compliance with this Policy.

703.4 USE OF VEHICLES

703.4.1 MARKED POLICE VEHICLES

The Urbana Police Department will maintain a fleet of marked vehicles for normal patrol operations. These will normally be uniform in color and insignia designated by the Chief of Police, to include the words "POLICE" or "URBANA POLICE" and appropriate logos variously placed on the cars. Squad cars should be numbered to better facilitate maintenance and record-keeping.

Marked squad cars will typically be equipped with red and blue flashing or strobe lighting, as well as auxiliary lights; spotlights controlled from within; segregated prisoner transport compartments which are lockable by the officers and shield them from the arrestees; radios for local and State Police communications; mobile data computers, video cameras, and sirens. The Patrol Commander will also designate what supplies and additional equipment should be carried within the trunks or passenger compartments for routine law enforcement activities or emergency responses.

The Urbana Police canine officer will normally be assigned a specially outfitted squad car which will bear Urbana Police markings similar to marked squad cars. It will be outfitted with emergency lighting and a siren unit. The canine vehicle will have the appropriate communication systems (radios and computers), similar to other squad cars. Additionally, the car will be outfitted for the canine's safety, as appropriate and required by state law.

703.4.2 SHIFT ASSIGNED VEHICLES

Members who use a fleet vehicle as part of their work assignment shall ensure that the vehicle is properly checked out, according to current procedures, prior to taking it into service. If for any reason during the shift the vehicle is exchanged, the member shall ensure that the exchanged vehicle is likewise properly noted.

Members shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of the shift. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

703.4.3 UNSCHEDULED USE OF VEHICLES

Members utilizing a City-owned fleet vehicle for any purpose other than their regularly assigned duties shall first notify the Shift Supervisor of the reason for use and a notation will be made on the vehicle board indicating the operator's name and reason why next to the vehicle number. This section does not apply to members permanently assigned an individual vehicle (e.g., command staff, detectives), who regularly use the vehicle on an unscheduled basis as part of their normal assignment.

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703.4.4 INSPECTIONS

Members shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of their shifts. Any previously unreported damage, mechanical problems, unauthorized contents, or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

The interior of any vehicle that has been used to transport any person other than a member of this department should be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized or personal items have not been left in the vehicle. When transporting any suspect, prisoner, or arrestee, the transporting member shall search all areas of the vehicle that are accessible by the person before and after that person is transported. All department vehicles are subject to inspection and/or search at any time by a supervisor without notice and without cause. No member assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

703.4.5 SECURITY AND UNATTENDED VEHICLES

Unattended vehicles should be locked and secured at all times. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging). Officers who exit a vehicle rapidly in an emergency situation or to engage in a foot pursuit must carefully balance the need to exit the vehicle quickly with the need to secure the vehicle.

Members shall ensure all weapons are secured while the vehicle is unattended.

703.4.6 MOBILE DIGITAL COMPUTER

Members assigned to vehicles equipped with a Mobile Digital Computer (MDC) shall log onto the MDC with the required information when going on-duty. If the vehicle is not equipped with a working MDC, the member shall notify METCAD. Use of the MDC is governed by the Mobile Digital Computer Use Policy.

703.4.7 VEHICLE LOCATION SYSTEM

Some vehicles in the Urbana Police Department fleet are equipped with a vehicle location system.

703.4.8 KEYS

Members approved to operate marked patrol vehicles should be issued a copy of the key as part of their initial equipment distribution. Members who are assigned a specific vehicle should be issued keys for that vehicle. Members shall not duplicate keys. The loss of a key shall be promptly reported in writing through the member's chain of command.

703.4.9 ALCOHOL

Members who have consumed alcohol are prohibited from operating any department vehicle unless it is required by the duty assignment (e.g., task force, undercover work). Regardless of assignment, members may not violate state law regarding vehicle operation while intoxicated.

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703.4.10 PARKING

Except when responding to an emergency or when urgent department-related business requires otherwise, members driving department vehicles should obey all parking regulations at all times. Department vehicles should be parked in assigned stalls. Members shall not park privately owned vehicles in stalls assigned to department vehicles or in other areas of the parking lot that are not so designated unless authorized by a supervisor.

703.4.11 ACCESSORIES AND/OR MODIFICATIONS

There shall be no modifications, additions or removal of any equipment or accessories without written permission from the assigned vehicle program manager.

703.4.12 CIVILIAN MEMBER USE

Civilian members using marked emergency vehicles shall ensure that all weapons have been removed before going into service. Civilian members shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

703.5 INDIVIDUAL MEMBER ASSIGNMENT TO VEHICLES

Department vehicles may be assigned to individual members at the discretion of the Chief of Police. Vehicles may be assigned for on-duty and/or take-home use. Assigned vehicles may be changed at any time. Permission to take home a vehicle may be withdrawn at any time.

The assignment of vehicles may be suspended when the member is unable to perform his/her regular assignment.

703.5.1 ON-DUTY USE

Vehicle assignments shall be based on the nature of the member's duties, job description and essential functions, and employment or appointment status. Vehicles may be reassigned or utilized by other department members at the discretion of the Chief of Police or the authorized designee.

703.5.2 UNSCHEDULED TAKE-HOME USE

Circumstances may arise where department vehicles must be used by members to commute to and from a work assignment. Members may take home department vehicles only with prior approval of a supervisor and shall meet the following criteria:

- (a) The circumstances are unplanned and were created by the needs of the Department.
- (b) Other reasonable transportation options are not available.
- (c) The member lives within a reasonable distance (generally not to exceed a 60-minute drive time) of the Urbana City limits.
- (d) Off-street parking will be available at the member's residence.
- (e) Vehicles will be locked when not attended.
- (f) All firearms, weapons and control devices will be removed from the interior of the vehicle and properly secured in the residence when the vehicle is not attended, unless the vehicle is parked in a locked garage.

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703.5.3 ASSIGNED VEHICLES

Assignment of take-home vehicles shall be based on the location of the member's residence; the nature of the member's duties, job description and essential functions; and the member's employment or appointment status. Residence in the City of Urbana is a prime consideration for assignment of a take-home vehicle. Members who reside outside the City of Urbana may be required to secure the vehicle at a designated location or the Department at the discretion of the Chief of Police.

Department members shall sign a take-home vehicle agreement that outlines certain standards, including, but not limited to, how the vehicle shall be used, where it shall be parked when the member is not on-duty, vehicle maintenance responsibilities and member enforcement actions.

Members are cautioned that under federal and local tax rules, personal use of a City vehicle may create an income tax liability for the member. Questions regarding tax rules should be directed to the member's tax adviser.

703.5.4 ENFORCEMENT ACTIONS

When driving a take-home vehicle to and from work outside of the jurisdiction of the Urbana Police Department or while off-duty, an officer shall not initiate enforcement actions except in those circumstances where a potential threat to life or serious property damage exists (see the Off-Duty Law Enforcement Actions and Law Enforcement Authority policies). Officers may render public assistance when it is deemed prudent (e.g., to a stranded motorist). Officers driving take-home vehicles shall be armed, appropriately attired and carry their department-issued identification. Officers should also ensure that department radio communication capabilities are maintained to the extent feasible.

703.5.5 MAINTENANCE

Members are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles. Cleaning and maintenance supplies will be provided by the Department. Failure to adhere to these requirements may result in discipline and loss of vehicle assignment. The following should be performed as outlined below:

- (a) Members shall make daily inspections of their assigned vehicles for service/maintenance requirements and damage.
- (b) It is the member's responsibility to ensure that his/her assigned vehicle is maintained according to the established service and maintenance schedule.
- (c) All scheduled vehicle maintenance and car washes shall be performed as necessary at a facility approved by the department supervisor in charge of vehicle maintenance.
- (d) The Department shall be notified of problems with the vehicle and approve any major repairs before they are performed.
- (e) When leaving the vehicle at the maintenance facility, the member will complete a vehicle repair card explaining the service or repair, and leave it on the seat or dash.
- (f) All weapons shall be removed from any vehicle left for maintenance.

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- (g) Supervisors shall make, at a minimum, monthly inspections of vehicles assigned to members under their command to ensure the vehicles are being maintained in accordance with this policy.

703.6 UNMARKED VEHICLES

Unmarked vehicles are assigned to various divisions and their use is restricted to the respective division and the assigned member, unless otherwise approved by a supervisor.

703.7 DAMAGE, ABUSE AND MISUSE

When any department vehicle is involved in a traffic crash or otherwise incurs damage, the involved member shall promptly notify a supervisor. Any traffic crash report shall be filed with the agency having jurisdiction (see the Traffic Crash Reporting Policy). Damage to any department vehicle that was not caused by a traffic crash shall be immediately reported during the shift in which the damage was discovered, documented in memorandum format and forwarded to the Shift Supervisor. An administrative investigation should be initiated to determine if there has been any vehicle abuse or misuse.

703.8 TOLL ROAD USAGE

Law enforcement vehicles while performing emergency services or duties are not required to pay toll road charges (605 ILCS 10/19). Members operating department vehicles for any reason other than in the discharge of their official duties shall pay the appropriate toll charge or utilize the appropriate tollway transponder. Members may submit a request for reimbursement from the City for any toll fees incurred in the course of official business.

703.9 ATTIRE AND APPEARANCE

When operating any department vehicle while off-duty, members may dress in a manner appropriate for their intended activity. Whenever in view of or in contact with the public, attire and appearance, regardless of the activity, should be suitable to reflect positively upon the Department.

Respirator Protection Program

704.1 POLICY

The Urbana Police Department recognizes that officers may be called upon to respond to incidents involving nuclear, biological or chemical agents. Within the bounds of available resources, it is the policy of the Urbana Department to establish the Respirator Protection Program in order to provide for the protection of officers in an incident involving nuclear, biological or chemical weapons. Pursuant to this policy, the Department shall make respirators available to every officer.

704.2 PURPOSE

The purpose of this policy is to outline the process of issuing, training and use of protective respirators.

704.3 DEFINITIONS

Air Purifying Respirator (APR) - A respirator to be used in toxic environments where the breathable level of oxygen is known to be insufficient. Air-purifying respirators are designed to protect the wearer for short periods ONLY.

Escape-only Respirator- A respirator intended to be used only for emergency exit.

Fit Test- A test to ensure that an issued respirator is the proper size for the wearer and that an air tight seal is achieved between their face and the respirator in order to determine a correct respirator size and fit.

Licensed Health Care Professional (LHCP) - Includes medical doctor, registered nurse, paramedic, or EMT.

NBC – Nuclear, Biological or Chemical.

N95 Mask - A fluid resistant, disposable respirator with a filter efficiency level of 95% or greater against particulate aerosols free of oil when tested against a 0.3 micron particle.

Qualitative Fit Test (QLFT) - A pass/fail test to assess the adequacy of respirator fit that relies on the individual's response to a test agent.

Quantitative Fit Test (QNFT)- An assessment of respirator fit by numerically measuring the amount of leakage into the respirator.

Respirator Administrator – Manager responsible for overseeing the respirator program.

704.4 RESPONSIBILITY

The Chief of Police is responsible to ensure that:

- The Respirator Protection Program is instituted and enforced.
- An operational and appropriate respirator and canister is available for every officer.
- Each officer has the appropriate training and testing pursuant to this directive.

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Respirator Protection Program

- The agency is in full compliance with pertinent Illinois Department of Labor and OSHA regulations.

The Respirator Administrator is responsible for:

- Being familiar with this policy and have the appropriate training and understanding of the use of the respirators.
- Developing training and testing regimen which meets the appropriate State and Federal requirements and ensuring that it is followed.
- Maintaining medical (if necessary), training, equipment and testing records.

Officers are responsible for ensuring that:

- They have a full understanding of the use of the respirators and the requisite skills necessary to use them when necessary.
- They have a full understanding of this policy and its requirements for APR use.
- The equipment is kept in good working order by following all maintenance procedures.

704.5 SELECTION OF EQUIPMENT

Respirators, and supporting equipment, should be NIOSH-approved when possible.

The Department will select an appropriate APR, cannister and N95 mask to be used by officers.

704.6 FIT TESTING

- At the time of initial issuance and thereafter on an annual basis, a respirator fit testing shall be used to determine the ability of each member to obtain a satisfactory fit with the issued APR and the N95 mask.
- Fit testing will be conducted by a trained individual who can be from either the police or fire department.
- Fit testing will be conducted using either a qualitative or quantitative method.
- A written record of the fit testing will be completed and maintained by the Respirator Administrator.
- Any facial hair, which may interfere with a clean seal between the user's face and the respirator's face-piece, is prohibited.

704.7 USE OF THE RESPIRATOR

Each member of METRO SWAT and Mobile Field Force will be issued the following equipment:

- One respirator
- One filter canister
- One carrier
- N95 may be available for voluntary use

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Respirator Protection Program

704.7.1 PRESCRIPTION EYEWEAR

- Use of prescription eyeglasses is not allowed for use with an APR respirator.
- Officers who wear prescription eyeglasses to correct their normal vision, will be provided with monacle inserts for the respirator that have been made to the individual's eyewear prescription by an optometrist of the department's choosing, at no cost to the individual. Officers who need monacle inserts for their respirators will make arrangements with the program administrator for production of the inserts to their prescription.

704.7.2 SUBSTITUTION

Officers may not substitute any equipment or use, apply or affix any non-departmentally issued accessories or items to the APR's.

704.7.3 LIMITATIONS ON RESPIRATOR USE

- The respirator shall not be used for fire fighting or other oxygen deficient environments.
- The APR is maintained in police storage and any supervisor can authorize its usage.
- The N95 may be available for use during an Avian Pandemic outbreak or other biological emergency.

704.7.4 PRECAUTIONS

- Whenever an officer reasonably believes that an imminent threat of a nuclear, biological, or chemical nature exists he/she should put on the respirator along with the canister that was provided with it.
- Canisters are to remain in their sealed bag until needed.
- After putting the respirator on, the employee should ensure that it has a proper seal by performing a negative pressure test as demonstrated in training.
- If possible, employees should remove themselves from the area of the threat before taking off the respirator.
- If the employee is unable to be removed from the threat area, it is imperative that the respirator remains intact and properly seals the face throughout the duration of the incident.
- N95 masks may be used whenever the state or local health department has issued an alert that a pandemic flu outbreak or other biological emergency has occurred.

704.8 CLEANING

Employees shall be responsible for cleaning the APR after each use and replacing any used filters. Additionally, they are responsible for the issued APR's and supporting equipment and shall report any problems or maintenance issues to the Respirator Administrator as soon as possible.

704.9 TRAINING

- All personnel issued a Respirator shall be trained prior to its use.

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Respirator Protection Program

- Training shall cover the proper use of the respirators, including:
 - Putting the respirator on
 - Putting the canister on the respirator
 - Taking off the respirator
 - Storage of the respirator
 - Proper care and cleaning
 - The capabilities and limitations of the APR and the supporting equipment
- Refresher training shall be conducted periodically.

Chapter 8 - Support Services

Crime Analysis

800.1 PURPOSE AND SCOPE

Crime analysis should provide currently useful information to aid operational personnel in meeting their tactical crime control and prevention objectives by identifying and analyzing methods of operation of individual criminals, providing crime pattern recognition, and providing analysis of data from field interrogations and arrests. Crime analysis can be useful to the Department's long range planning efforts by providing estimates of future crime trends and assisting in the identification of enforcement priorities.

800.2 DATA SOURCES

Crime analysis data is extracted from many sources including, but not limited to:

- Crime reports
- Booking information
- Field Interview cards
- Parole and Probation records
- Computer Aided Dispatch data
- Mobile Capture and Reporting Computer System
- Illinois Traffic Crash Report SR 1050

800.3 CRIME ANALYSIS FACTORS

The following minimum criteria should be used in collecting data for Crime Analysis:

- Frequency by type of crime
- Geographic factors
- Temporal factors
- Victim and target descriptors
- Suspect descriptors
- Suspect vehicle descriptors
- Modus operandi factors
- Physical evidence information

800.4 CRIME ANALYSIS DISSEMINATION

For a crime analysis system to function effectively, information should be disseminated unless impractical, hazardous, or in conflict with operations, to the appropriate units or persons on a timely basis. Information that is relevant to the operational and tactical plans of specific line units should be sent directly to them. Information relevant to the development of the Department's strategic

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Crime Analysis

plans should be provided to the appropriate staff units. When information pertains to tactical and strategic plans, it should be provided to all affected units.

800.5 BRIEFING

As crime patterns or trends are identified, the Criminal Investigations Division Commander shall brief the Chief of Police.

METCAD

801.1 PURPOSE AND SCOPE

The basic function of the communications system is to satisfy the immediate information needs of the law enforcement agency in the course of its normal daily activities and during emergencies. The latter situation places the greatest demands upon the communications system and tests the capability of the system to fulfill its functions. Measures and standards of performance are necessary to assess the effectiveness with which any department, large or small, uses available information technology in fulfillment of its missions.

801.1.1 FCC COMPLIANCE

Urbana Police Department radio operations shall be conducted in accordance with Federal Communications Commission (FCC) procedures and guidelines.

801.2 COMMUNICATION OPERATIONS

This department provides 24-hour telephone service to the public for information or assistance that may be needed in emergencies. The ability of citizens to telephone quickly and easily for emergency service is critical. This department provides access to the 9-1-1 system for a single emergency telephone number. This department has two-way radio capabilities providing continuous communication between METCAD and the officers.

801.3 RADIO COMMUNICATIONS

Operations are more efficient and officer safety is greatly enhanced when dispatchers, supervisors, and fellow officers know the status of officers, their locations and the nature of cases.

801.3.1 OFFICER IDENTIFICATION

Identification systems are based on factors such as beat assignment and officer identification numbers. Employees should use the entire call sign when initiating communication with the telecommunicator. The use of the call sign allows for a brief pause so that the telecommunicator can acknowledge the appropriate unit. Employees initiating communication with other agencies shall use their entire call sign. This requirement does not apply to continuing conversation between the mobile unit and telecommunicator once the mobile unit has been properly identified.

Property and Evidence Division

802.1 PURPOSE AND SCOPE

This policy provides for the proper collection, storage, and security of evidence and other property. Additionally, this policy provides for the protection of the chain of evidence and those persons authorized to remove and/or destroy property.

802.2 DEFINITIONS

Property - Includes all items of evidence, items taken for safekeeping, lost or found property and abandoned property.

Evidence- Includes items taken or recovered in the course of an investigation that may be used in the prosecution of a case. This includes photographs and latent fingerprints.

Safekeeping - Includes the following types of property:

- Property obtained by the Department for safekeeping such as a firearm
- Personal property of an arrestee not taken as evidence
- Property taken for safekeeping under authority of a law

Lost or Found Property - Includes property found by an employee or citizen that has no apparent evidentiary value and where the owner cannot be readily identified or contacted.

Abandoned Property - Includes property found by an employee or citizen that appears to be intentionally left or discarded by the owner.

802.3 COLLECTION OF EVIDENCE BY OFFICERS

While the detection of crimes and the apprehension of offenders are of primary importance, gathering the evidence for a successful prosecution is oftentimes a critical element of criminal investigations. Officers of the Urbana Police Department are encouraged to collect pertinent physical evidence whenever possible and practical. When collected, processed and analyzed properly, physical evidence becomes not only a crucial element of fact finding, but of law enforcement as a profession. The Department also realizes that the demand for police staffing resources exceeds the amount of time required to collect and process all possible physical evidence on every case.

- (a) Usefulness - The usefulness of the evidence and not the seriousness of the offense is the most important factor affecting the decision on what evidence will be collected, although the severity of the crime should be considered. Usefulness is determined by the likelihood of being able to identify an offender on the basis of the evidence collected and of the weight that such evidence might have on the determination of the guilt or innocence of the offender. In most cases, the following items should be collected as evidence:
1. fruits of the crime such as property taken from the scene by the offender
 2. items brought to the scene by the offender

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3. clothing worn by the victim or the suspect in a sexual assault or the clothing worn by the victim or suspect in an aggravated battery case where there may be blood or other bodily substances
 4. any item of contraband
 5. any item found in a squad car or in the station that may have been concealed by a subject in custody and that may have evidentiary value
- (b) Evidence Not Normally Collected - Due to limitations in storage space, staffing, department and laboratory resources, and other factors, officers may forego collecting evidence on misdemeanor cases for which no suspect is likely to be identified and for which no evidence that might subsequently identify the suspect is available. Further, evidence potential on misdemeanors and to a lesser extent, felonies, may become superfluous if the existence of other types of evidence is sufficient.
1. Shoplifting/retail theft cases present a problem to the police department in regards to consuming large amounts of storage space and having limited legal value in later proceedings. Therefore, in shoplifting/retail theft cases, it is recommended that a decent photograph(s) of the stolen merchandise (evidence) be taken in lieu of taking the actual physical item(s). Officers do retain the discretion, however, to seize the actual physical items if they determine it to be necessary, e.g. a very unique item, extensive criminal history of the offender, etc.

802.4 PROPERTY HANDLING

Any employee who first comes into possession of any property, shall retain such property in his/her possession until it is properly tagged and placed in the designated property locker or storage room along with the property form. Care shall be taken to maintain the chain of custody for all evidence.

Where ownership can be established as to found property with no apparent evidentiary value, such property may be released to the owner without the need for booking. The property form must be completed to document the release of property not booked and the owner shall sign the form acknowledging receipt of the item(s).

802.4.1 PROPERTY BOOKING PROCEDURE

All property must be booked before the employee goes off-duty unless otherwise approved by a supervisor and stored in a secured, temporary location. Items of collected evidence shall be secured in available lockers, provided they are not too large for the lockers. Large/oversized items should be handled according to the evidence technician's direction. Oversized items may be secured in the Evidence Processing Room. Items too large for that may be stored in the Department storage garage at 704 S. Glover. Employees booking property shall observe the following guidelines:

- Complete the property/evidence section of a report describing each item of property/evidence, listing all serial numbers, owner's names, finder's names, and other identifying information or markings.
 - An explanation of how the property came into the employee's possession should be included in the narratives of the report.

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802.4.2 EXPLOSIVES

Officers who encounter a suspected explosive device shall promptly notify their immediate supervisor or the Shift Supervisor. The bomb squad will be called to handle explosive-related incidents and will be responsible for the handling, storage, sampling and disposal of all suspected explosives.

Explosives will not be retained in the police facility. Only fireworks that are considered stable and safe and road flares or similar signaling devices may be booked into property. All such items shall be stored in proper containers and in an area designated for the storage of flammable materials.

802.4.3 STORAGE AREAS

The evidence technician shall maintain secure permanent storage areas for the storage, auditing, and retrieval of property or evidence in department possession, consistent with this policy.

The evidence technician shall also designate secure temporary storage lockers for members to temporarily place and store property or evidence until the evidence technician can move it to permanent storage.

Each temporary storage locker shall be secured with the locking mechanism provided on the property or evidence locker. Only the evidence technician shall have access to the locker key.

Members shall notify the evidence technician if the temporary storage lockers are at capacity or if the property size or composition makes it impossible to adequately secure the item inside.

Only authorized personnel shall have access to areas used for the storage of evidence and property unless escorted into the areas by authorized personnel. All access shall be documented.

802.5 DIGITAL EVIDENCE RECORDED BY OFFICERS

Officers handling and submitting recorded and digitally stored evidence from digital cameras and audio or video recorders will comply with these procedures to ensure the integrity and admissibility of such evidence.

802.5.1 COLLECTION OF DIGITAL EVIDENCE

Once evidence is recorded, it shall not be erased, deleted, or altered in any way, unless as described and noted below. All photographs taken will be preserved regardless of quality, composition, or relevance. Video and audio files will not be altered in any way.

802.5.2 SUBMISSION OF DIGITAL MEDIA

The following are procedures for the submission of digital media from cameras or other recorders:

- (a) The recording media shall be brought to the Evidence Processing Room (EPR) as soon as practicable for submission into evidence. Cameras shall be returned to the EPR so the evidence technician may download the digital photographs.
- (b) The evidence technician will transfer the data using appropriate media. Once they have verified that the data has transferred, the technician will erase and format the media for re-use.

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- (c) Officers and investigators requiring a copy of the digital files may request them from the evidence technician.

802.5.3 PRESERVATION OF DIGITAL EVIDENCE

- (a) Only evidence technicians or other trained personnel are authorized to copy original digital media that is held as evidence. The original digital media shall remain in evidence and shall remain unaltered.
- (b) Digital images that are enhanced to provide a better quality photograph for identification and investigative purposes must only be made from a copy of the original media.
- (c) If any enhancement is done to the copy of the original, it shall be noted in the corresponding incident report.

802.6 PACKAGING OF PROPERTY

Rules for packaging evidence may vary depending on the evidence itself. However, the following are basic guidelines that can be applied to all items seized as evidence:

- (a) Whenever practicable, evidence should be sealed in packaging. This may be plastic, paper bag, butcher block paper, or box. If an item is damp, it should always be secured in a paper-based container, not plastic, due to concerns regarding molding and other similar issues.
- (b) Evidence packaging should be initialed by the officer securing the item.
- (c) Tags should be secured to all property, with items of evidence receiving an evidence tag and safekeeping items receiving a property tag. Please note that tags are the 'gateway' to the Tyler database property record system, and they must be done in order to ensure proper storage and later retrieval.

802.6.1 PROPERTY PACKAGING - SPECIAL CONCERNS

Certain special guidelines are below:

- (a) Narcotics - Prior to packaging and if the quantity allows, a presumptive test should be made. The results of this test shall be included in the officer's report.
- (b) Firearms - Ensure they are unloaded and made temporarily inoperable by placing a zip-tie or other item through the barrel and breech. Firearms shall be booked separately from ammunition.
- (c) Flammable liquids/gases - Due to safety concerns, these items shall be photographed, an estimate made of the quantity, and then disposed of. Consult with the evidence technician in order to determine the most appropriate method of disposal.
- (d) Wet items - All wet evidence, including items with bodily fluids on them, such as blood or semen stains, shall be air dried prior to booking.
- (e) Recovered bicycles - recovered bikes shall be processed according to the procedure on the internal web.

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- (f) Money - Currency collected by officers and seized as evidence (including suspected counterfeit currency) must be carefully counted in order to ensure accuracy and to protect the officers and the Department from charges of malfeasance. Prior to placing money into evidence, two officers, one being a supervisor, must count the money in the presence of the other. The two officers shall then initial the evidence bag and seal it. The money may then be placed into an evidence locker and the key dropped; both officers shall witness this entire procedure. Documentation of the counting procedure should be included in the officer's supplemental report. Money should be packaged in clear plastic, so it can be seen and verified to actually be money at later audits and inventories. Also, money should be packaged separately from other contents typically found in pockets, like keys and lip balm.
- (g) City property - Unless connected to a known criminal case, City property (e.g. street signs) should be released directly to the appropriate City department. No formal booking is required. In cases where no responsible person can be located, the property should be booked for safekeeping in the normal manner.

Other specialized procedures have been memorialized on the internal website; please refer to that resource for those procedures.

802.7 RECORDING OF PROPERTY

The evidence technician receiving custody of evidence or property shall record his/her signature, the date the property was received, and where the property will be stored on the property's evidence tag.

Any changes in the location of property held by the Urbana Police Department shall be noted on the evidence tag and in the Tyler property database.

802.8 PROPERTY CONTROL

Each time the evidence technician receives property or releases property to another criminal justice person or agency, they shall enter this information on the evidence tag and in the Tyler database.

802.8.1 RESPONSIBILITY OF OTHER PERSONNEL

Every time property is released or received, an appropriate entry on the evidence tag shall be completed to maintain the chain of possession.

Requests for lab analysis for items shall be made via the Case Management System.

802.8.2 TRANSFER OF EVIDENCE TO CRIME LABORATORY

The transporting employee will check the evidence out of property, indicating the date on the evidence tag. A corresponding entry will be made in the Tyler property database.

Any necessary lab forms will be completed as necessary and per procedures in place at the time as per the receiving lab.

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The evidence technician will ensure that Illinois State Police Sexual Assault Evidence Kits are submitted to an approved laboratory in conformance with the rules set forth in 20 Illinois Administrative Code 1255.10 et seq.

802.8.3 STATUS OF PROPERTY

The temporary release and the subsequent return of property for justified purposes (e.g. investigation, lab, court, etc.) shall be documented on the evidence tags and in Tyler. Other receipts or forms may be used as needed.

802.8.4 AUTHORITY TO RELEASE PROPERTY

The evidence technician, working under the authority of the Criminal Investigation Division, shall authorize the disposition or release of all evidence and property coming into the care and custody of the Department.

802.8.5 RELEASE OF PROPERTY

All reasonable attempts shall be made to identify the rightful owner of found property or evidence not needed for an investigation.

Release of property shall be made upon reasonable and satisfactory proof of ownership or right to possession.

With the exception of firearms and other property specifically regulated by statute (e.g. found money), found property and property held for safekeeping shall be held for a minimum of six months. During such period, department personnel shall attempt to contact the rightful owner by telephone and/or mail when sufficient identifying information is available. Property not held for any other purpose and not claimed within six months after notification (or receipt, if notification is not feasible) may be disposed of. Items of significant value (more than \$100) should be auctioned to the highest bidder at a properly published public auction. If such property is not sold at auction or otherwise lawfully claimed, the Chief of Police may donate property valued at less than \$100, and the donation is approved by the Department governing body, to a registered Illinois charitable organization. It may also be transferred to the government of which the law enforcement agency is a branch. If such property is not sold at auction or otherwise lawfully claimed, it may be offered or sold at a subsequent public auction without notice. The final disposition of all such property shall be fully documented in related reports or other documentation, including receipts and Tyler database entries (765 ILCS 1030/3).

Proceeds of the sale of the property at public auction, less reimbursement of the reasonable expenses of custody thereof, shall be deposited in the city/county treasury (765 ILCS 1030/4).

An evidence technician shall release the property upon proper identification being presented by the owner for which an authorized release has been received. A signature of the person receiving the property shall be recorded on the property receipt.

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802.8.6 DISPUTED CLAIMS TO PROPERTY

Occasionally more than one party may claim an interest in property being held by the Department, and the legal rights of the parties cannot be clearly established. Such property shall not be released until one party has obtained a valid court order or other undisputed right to the involved property.

All parties should be advised that their claims are civil and in extreme situations, legal counsel for the Department may wish to file an Interpleader in court to resolve the disputed claim (735 ILCS 5/2-409).

802.8.7 RELEASE OF FIREARMS

Any firearm held for safekeeping shall be returned to the person from whom it was obtained or to the lawful owner upon presentation of a valid Illinois Firearm Owner's Identification card (FOID) or concealed carry license, provided the person is lawfully entitled to possess the firearm (430 ILCS 65/2).

Firearms seized as evidence shall only be returned when approved by the Criminal Investigations supervisor and the prosecutor's office or as otherwise ordered by the court. Seized firearms shall only be released to the lawful owner and only upon presentation of a valid FOID card or concealed carry license, provided the person is lawfully entitled to possess the firearm (430 ILCS 65/2).

Prior to return of a firearm, the Illinois State Police prohibited persons portal or LEADS system should be accessed to confirm that the person's FOID card is not revoked or suspended and is not surrendered (20 ILCS 2605/2605-304).

802.8.8 DOMESTIC VIOLENCE AND CONCEALED CARRY MATTERS

Any weapon seized in a domestic violence or concealed carry investigation shall be returned to the person from whom it was seized when it is no longer needed for evidentiary purposes, unless the court orders otherwise or the weapon was reported stolen. Weapons not returned shall be disposed of as provided in 720 ILCS 5/24-6 (750 ILCS 60/304(c)).

802.8.9 MENTAL HEALTH COMMITMENT MATTERS

The Department shall maintain possession of any firearm received from a mental hospital that admitted a patient pursuant to any of the provisions of the Mental Health and Developmental Disabilities Code for a minimum of 90 days. After that time, the firearm may be disposed of pursuant to 720 ILCS 5/24-6(b).

802.8.10 CRIMINAL MATTERS

A weapon seized and confiscated pursuant to court order under 720 ILCS 5/24-6 shall be retained for at least 90 days. At the expiration of such period, the firearm or other weapon may be processed for disposal in accordance with applicable law. A stolen weapon seized and confiscated pursuant to court order should be returned to the person entitled to possess it when it is no longer needed as evidence and as allowed by law (720 ILCS 5/24-6).

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802.8.11 FIREARMS RESTRAINING ORDERS

Any firearm, ammunition, or firearms part seized pursuant to a firearms restraining order shall be returned to the person from whom it was seized upon the expiration of the period of safekeeping, unless the court orders otherwise. Items not returned shall be disposed of as provided in 430 ILCS 67/35 or 430 ILCS 67/40.

802.8.12 REVOKED AND SURRENDERED FOID CARDS

The evidence technician should accept a revoked FOID card surrendered by the cardholder and provide a receipt. After confirming through the Illinois State Police prohibited persons portal that a surrendered FOID card has been revoked by the Illinois State Police, the FOID card shall be destroyed. The fact that the revoked FOID card has been destroyed and the date of its destruction should be documented and communicated to the Illinois State Police. If the surrendered FOID card has not been revoked, it shall be returned to the cardholder (430 ILCS 65/9.5; 20 ILCS 2605/2605-304).

It is a misdemeanor for a person to fail to surrender a FOID card within 48 hours of receiving notice of its revocation. Officers observing a FOID card in the possession of a person whose FOID card has been revoked should consider seizing the FOID card as evidence, if there are articulable facts that establish the person was aware of the revocation. If the FOID card is seized as evidence, the Illinois State Police should be notified as soon as practicable. A copy of the report should be forwarded to the Illinois State Police.

802.8.13 ASSAULT WEAPONS AND RELATED ITEMS

The Department shall maintain possession of any assault weapon and related item surrendered to it by the owner as required by law (720 ILCS 5/24-1.9; 720 ILCS 5/24-1.10; 20 Ill. Adm. Code 1230.10; 20 Ill. Adm. Code 1230 App. A). If the owner is allowed by law to repossess a surrendered item, the Department should return it to them in the same condition as when it was surrendered. If the owner is not allowed by law to repossess a surrendered item, the Department, at the owner's request, may transfer it to a person or business with a federal firearms license specified by the owner (20 Ill. Adm. Code 1230.10). A surrendered item may be destroyed only as allowed by law (20 Ill. Adm. Code 1230.15; 20 Ill. Adm. Code 1230.50; 20 Ill. Adm. Code 1230.65).

Before an assault weapon or related item is returned to the owner who surrendered it or transferred to another person, the Criminal Investigation Division will confirm the person's identity and eligibility to possess it. The Criminal Investigation Division supervisor or authorized designee will document that information on the property control card (20 Ill. Adm. Code 1230.65).

802.9 DISPOSITION OF PROPERTY

All property not held for evidence in a pending criminal investigation or proceeding, and held for six months or longer where the owner has not been located or fails to claim the property, may be disposed of in compliance with existing laws and current practices.

General rules for disposing of property seized as evidence are as follows:

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- If the offender is found guilty, disposal is permitted 30 days after the finding and no appeal is filed. Consultation with the State's Attorney's Office records or personnel should be done prior to disposal.
- If there is a court order pursuant to a legal action as to the disposition of the property, then the evidence technician shall follow the court order. Once the case is completed, the evidence, unless it is contraband, may be returned to the owners. If the owner is unknown, it will be disposed of as unclaimed property.
- Illinois law allows police departments to photograph and release items of evidence prior to trial under certain circumstances. Those circumstances will be analyzed on a case-by-case basis with guidance coming from the State's Attorney's Office.
- Alcoholic beverages and food items will be disposed of appropriately.
- Firearms and other dangerous weapons will be destroyed by either a melting or cutting process until they are made unusable.
- Drugs will be incinerated. At least two persons shall witness the incineration of drugs and/or weapons and sign the release forms.
- All other property shall be disposed of by whatever method is appropriate, which may mean simply placing into the garbage or being destroyed before placement into the garbage, unless the property is realistically usable by the Department.

802.9.1 EXCEPTIONAL DISPOSITIONS

The following types of property shall be destroyed or disposed of in the manner, and at the time prescribed by law, unless a different disposition is ordered by a court of competent jurisdiction:

- Weapons declared by a court for safekeeping, not to exceed one year (725 ILCS 165/2)
- Confiscated property or evidence obtained for violation of the Wildlife Code (520 ILCS 5/1.25)
- Confiscated property or evidence obtained for violation of the Fish and Aquatic Life Code (515 ILCS 5/1-215)
- Gambling devices (720 ILCS 5/28-5)
- Vehicles, vessels, aircraft, or component parts (625 ILCS 5/4-107)
- Narcotics and drugs (720 ILCS 646/85; 720 ILCS 570/505; 720 ILCS 550/12; 210 ILCS 150/18)
- Drug paraphernalia (720 ILCS 600/5)
- Property seized for money laundering (720 ILCS 5/29B-1)
- Abandoned, lost, stolen, or unclaimed property (765 ILCS 1030/1; 765 ILCS 1030/2)
- Counterfeiting equipment
- Destructive devices

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802.9.2 UNCLAIMED MONEY

Money found or seized under circumstances supporting a reasonable belief that such property was abandoned, lost or stolen or otherwise illegally possessed that remains in the Department's possession for over 6 months may be deposited in the treasury of the City of Urbana. The Department shall make reasonable inquiry and efforts to identify and notify the owner or other person entitled to possession, prior to the conversion of money to the City (765 ILCS 1030/0.01 et seq.).

802.9.3 DISPOSITION OF COURT SEIZED PROPERTY

Evidence seized upon service of a search warrant or other court order shall be retained until final disposition of the investigation or upon further directions of the court.

802.9.4 UNUSED MEDICATIONS

Unused prescription medications of a deceased individual collected at the scene of a death investigation should be disposed of in compliance with 210 ILCS 150/17 or other state- or federally-approved drug disposal program (210 ILCS 150/18).

If an autopsy is performed as part of the death investigation, no medication shall be disposed of until after receipt of the toxicology report (210 ILCS 150/18(h)).

802.10 DISPOSITION OF BIOLOGICAL EVIDENCE

The evidence technician shall preserve, subject to a continuous chain of custody, any physical evidence in his/her possession or control that is reasonably likely to contain forensic evidence, including biological material secured in relation to a trial, and with sufficient documentation to locate that evidence (725 ILCS 5/116-4(a)).

802.10.1 RETENTION PERIODS

Biological evidence shall be retained for the following periods (725 ILCS 5/116-4):

- (a) Permanently if a death sentence is imposed
- (b) Until the completion of the sentence for a homicide offense as set forth in 720 ILCS 5/9-1 et seq.
- (c) Until the completion of the sentence, including any period of supervised release, for any conviction for an offense set forth in:
 - 1. 720 ILCS 5/11-1.20 (Criminal Sexual Assault)
 - 2. 720 ILCS 5/11-1.30 (Aggravated Criminal Sexual Assault)
 - 3. 720 ILCS 5/11-1.40 (Predatory Criminal Sexual Assault of a Child)
 - 4. 720 ILCS 5/11-1.50 (Criminal Sexual Abuse)
 - 5. 720 ILCS 5/11-1.60 (Aggravated Criminal Sexual Abuse)
- (d) Seven years following any conviction for any felony for which the defendant's genetic profile may be taken and submitted for comparison in a forensic DNA database (725 ILCS 5/116-4(b))

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- (e) All other biological evidence shall be retained for the minimum period established by law, the minimum period established by the Property and Evidence Division supervisor, or the expiration of any sentence imposed related to the evidence, whichever time period is greater

802.10.2 REQUEST FOR DESTRUCTION OF EVIDENCE PRIOR TO END OF RETENTION PERIOD

After a judgment of conviction is entered but prior to the end of the statutory retention period, the Department may petition the court to allow destruction of evidence when the evidence:

- (a) Has no significant value for forensic analysis and should be returned to its rightful owner.
- (b) Has no significant value for forensic analysis and is of a size, bulk, or physical character not usually retained by the Department and cannot practically be retained.
- (c) Is no longer needed because of the death of the defendant (does not apply if a sentence of death was imposed).
- (d) The court allows the defendant the opportunity to take reasonable measures to remove or preserve portions of the evidence for future testing (725 ILCS 5/116-4(d)).

The Department shall give notice of any such petition to the defendant or the defendant's estate and the defendant's attorney of record.

No evidence shall be disposed of until 30 days after the entry of a court order granting the petition and until the time period for any appeal has lapsed, or any appeal has concluded, whichever is longer.

802.11 INSPECTIONS OF THE EVIDENCE ROOM

- (a) At least quarterly, the supervisor of the evidence custodian shall make an inspection, including unannounced inspections, of the evidence storage facilities and practices to ensure adherence to appropriate policies and procedures.
- (b) Audits of evidence held by the Department shall be conducted annually by a Division Commander (as appointed by the Chief of Police).
- (c) Whenever a change is made in the evidence technician position, an inventory of all evidence/property shall be made, records are correct and properly annotated. This process will be conducted by the newly appointed evidence technician and a designee of the chief of police.
- (d) Unannounced inspections of evidence/property storage areas shall be conducted at least twice per year as directed by the chief of police.

Services Division

803.1 PURPOSE AND SCOPE

This policy establishes the guidelines for the operational functions of the Urbana Police Department Services Division. The policy addresses department file access and internal requests for case reports.

803.1.1 NUMERICAL FILING SYSTEM

Case reports are filed numerically within the Services Division by Services Division personnel.

Reports are numbered beginning with a "U", then commencing with the last two digits of the current year followed by a sequential number beginning with 00001 starting at midnight on the first day of January of each year. As an example, case number U24-00001 would be the first new case beginning January 1, 2024.

The case report number or arrest number shall be assigned to each person arrested for an Illinois Uniform Crime Reporting (IUCR) offense.

803.2 FILE ACCESS AND SECURITY

The security of files in the Services Division must be a high priority and shall be maintained as mandated by state or federal law. All case reports including but not limited to initial, supplemental, follow-up, evidence, and any other reports related to a police department case, including field interview (FI) cards, criminal history records, and publicly accessible logs, shall be maintained in a secure area within the Services Division, accessible only by authorized members of the Department. Access to case reports or files when Services Division staff is not available may be obtained through the Shift Supervisor.

The Services Division will also maintain a secure file for case reports deemed by the Chief of Police as sensitive or otherwise requiring extraordinary access restrictions.

803.2.1 ORIGINAL CASE REPORTS

Generally, original case reports shall not be removed from the Services Division. Should an original case report be needed for any reason, the requesting department member shall first obtain authorization from the Police Services Supervisor. All original case reports removed from the Services Division shall be recorded on a designated report check-out log which shall be the only authorized manner by which an original case report may be removed from the Services Division.

All original case reports to be removed from the Services Division shall be photocopied and the photocopy retained in the file location of the original case report until the original is returned to the Services Division. The photocopied report shall be shredded upon return of the original report to the file.

803.2.2 COURT FILES

The Services Division shall be responsible for preparing files with all necessary documents for court appearances. In no case should original documents be sent to court unless specifically

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required by subpoena. If a subpoena is issued for an original document, a copy of the subpoena shall be placed in the appropriate Services Division file and the requirements of the Original Case Reports subsection of this policy shall be followed.

803.2.3 JUVENILE RECORDS

Juvenile records in hard copy form, including fingerprints and photographs, shall be clearly marked as "Juvenile," separated from adult records, and stored in locked receptacles within the Services Division under the supervision of the Police Services Supervisor. Computerized juvenile records shall be categorized as "Juvenile" within the records management system and access shall be restricted to authorized members via password.

803.3 EXPUNGEMENTS

When the Court Order is received, the Support Services Supervisor or designee shall process the expungement, coordinating as necessary with City Legal for timely objections. The Support Services Supervisor will cause all records and files to be searched and the material described in the court order to be removed. This includes copies, personal computer records, Tyler entries, evidence, paper files, etc. The Support Services Supervisor will review the completed checklist, the court order, the expunged material, and other related paperwork to ensure that all records have been removed. They shall contact the petitioner in writing by certified mail, return receipt requested, personal delivery and return the expunged material. Failing that, all the expunged material shall be shredded. The Support Services Supervisor shall keep a file with the Court Order and the receipts for the mailing and documentation that the expungement process took place in a secured area.

803.4 CITY LICENSES

The Support Services Division processes and/or assists in the processing of City liquor, itinerant merchant, and taxi licenses.

803.5 LEADS/NCIC

The LEADS/NCIC entries, messages, and validations are maintained by the Support Services Division. The Support Services Supervisor (or designee) shall be the LEADS Agency Coordinator.

803.6 TRAFFIC MONTHLY REPORT/CODING

Support Services is responsible for coding of all traffic accident reports prior to submission to the Illinois Department of Transportation. In addition, Support Services is responsible for downloading accident reports into CARFAX, per the police department's agreement with them.

803.7 NATIONAL INCIDENT-BASED REPORTING SYSTEM REPORTS

The National Incident-Based Reporting System submission to the State shall be the responsibility of the Support Services Division Commander. They shall coordinate with the Information Services Division of the Executive/IT Department to ensure that this submission is made.

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803.8 ARREST LOG

A daily arrest log shall be printed and kept at the front desk. This log shall include all arrests, traffic tickets and juvenile detentions. The juveniles' names shall not print on this log.

803.9 RECAP AND MEDIA REPORT

A dayshift PSR shall post a copy of the Tyler press report on the City's public website. They shall also print out a copy which shall be available at the front desk.

803.10 BACKGROUND CHECKS FOR OTHER AGENCIES

Records checks for other governmental agencies are processed by PSRs. Authority must be granted by the Services Division Commander or designee for each agency. Examples include, the Department of Defense, the Housing Authority, other police agencies, etc. No background check for employment or housing shall proceed without a signed waiver.

803.11 POLICY

It is the policy of the Urbana Police Department to maintain department records securely, professionally, and efficiently.

803.12 RESPONSIBILITIES

803.12.1 POLICE SERVICES SUPERVISOR

The Chief of Police shall appoint and delegate certain responsibilities to a Police Services Supervisor. The Police Services Supervisor shall be directly responsible to the Administration Division Commander or the authorized designee.

The responsibilities of the Police Services Supervisor include but are not limited to:

- (a) Overseeing the efficient and effective operation of the Services Division.
- (b) Scheduling and maintaining Services Division time records.
- (c) Supervising, training, and evaluating Services Division staff.
- (d) Maintaining and updating a Services Division procedure manual.
- (e) Ensuring compliance with established policies and procedures.
- (f) Supervising the access, use, and release of protected information (see the Protected Information Policy).
- (g) Establishing security and access protocols for case reports designated as sensitive, where additional restrictions to access have been implemented. Sensitive reports may include but are not limited to:
 1. Homicides.
 2. Cases involving department members or public officials.
 3. Any case where restricted access is prudent.

803.12.2 SERVICES DIVISION

The responsibilities of the Services Division include but are not limited to:

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- (a) Maintaining a records management system for case reports.
 - 1. The records management system should include a process for numbering, identifying, tracking, and retrieving case reports.
- (b) Entering case report information into the records management system.
 - 1. Modification of case reports shall only be made when authorized by a supervisor.
- (c) Providing members of the Department with access to case reports when needed for investigation or court proceedings.
- (d) Maintaining compliance with federal, state, and local regulations regarding reporting requirements of crime statistics.
- (e) Maintaining compliance with federal, state, and local regulations regarding criminal history reports and auditing.
- (f) Identifying missing case reports and notifying the responsible member's supervisor.
- (g) Establishing a process for collecting and submitting data to appropriate federal data collection authorities (e.g., FBI National Use-of-Force Data Collection, U.S. Department of Justice's National Law Enforcement Accountability Database), as applicable, for the following types of occurrences:
 - 1. Officer suicides
 - 2. Officer misconduct
 - 3. Uses of force
 - 4. Officer deaths or assaults
 - 5. Crime incidents
 - 6. Deaths in custody

803.13 CONFIDENTIALITY

Services Division staff has access to information that may be confidential or sensitive in nature. Services Division staff shall not access, view, or distribute, or allow anyone else to access, view, or distribute any record, file, or report, whether in hard copy or electronic file format, or any other confidential, protected, or sensitive information except in accordance with the Records Maintenance and Release and Protected Information policies and the Services Division procedure manual.

Firearm Handling As Evidence

804.1 PURPOSE AND SCOPE

The primary purpose of this policy is to provide guidelines for the proper and safe handling of firearms as evidence.

804.2 PROCEDURE

Any firearm coming into the possession of the Urbana Police Department as evidence, found property, etc., will be processed in the following manner:

804.2.1 PRELIMINARY FIREARM EXAMINATION

- (a) Always keep the muzzle pointed in a safe direction. Be sure the firearm is in an unloaded condition. This includes removal of the ammunition source (e.g., the detachable magazine, contents of the tubular magazine) as well as the chamber contents.
- (b) If the firearm is corroded shut or in a condition that would preclude inspection of the chamber contents, treat the firearm as if it is loaded. Make immediate arrangements for a firearms examiner or other qualified examiner to render the firearm safe.
- (c) Accurately record/document the condition of the gun when received. Note the positions of the various components such as the safeties, cylinder, magazine, slide, hammer, etc. Accurately record/document cylinder chamber and magazine contents. Package the ammunition separately.
- (d) If the firearm is to be processed for fingerprints or trace evidence, process before any serial number restoration is attempted, if needed.
- (e) Take photographs of the firearm to record the condition and any other marking(s) that may be destroyed after subsequent handling.

804.2.2 PROPERTY BOOKING PROCEDURE

Any employee taking possession of a firearm shall book the firearm into property following standard procedures (See policy 802). The employee booking the firearm shall indicate on the property form if serial numbers have been removed or obliterated.

804.2.3 EVIDENCE TECHNICIAN RESPONSIBILITIES

The evidence technician receiving a firearm may arrange for the firearm to be transported to a state or federal crime lab for processing as needed. Exemplar bullets and cartridge cases from the firearms, depending upon acceptance criteria and protocol, may also be transported to a state or federal crime lab for processing as needed. Proper chain of evidence shall be maintained and observed at all times.

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Firearm Handling As Evidence

804.2.4 DOCUMENTATION

Case reports are prepared in order to document the chain of custody and the initial examination and handling of evidence from the time it is received/collected until it is released.

This report must include a record of the manner in which and/or from whom the firearm was received. This may appear on the request form or property form depending on the type of evidence.

804.2.5 FIREARM TRACE

[ETrace](#), which is an Internet based firearms tracing and analysis website offered by ATF, may be used to trace firearms information depending on the circumstances of the case. UPD has officers trained in NIBIN (National Integrated Ballistic Information Network) which is an information network that allows the capture and comparison of ballistic evidence, specifically shell casings. Ballistic evidence may be entered into NIBIN by a certified member of UPD.

Information Release

805.1 POLICY

The Urbana Police Department recognizes that information must flow between agencies involved in the criminal justice system in order to provide effective service. Additionally, the Department recognizes the need to cooperate with the media, public, and other interested agencies with regard to releasing information. The Department has an interest in the public education of facts surrounding particular events, trends, crime, and crime prevention. However, there are restrictions and needs which require some information to be kept confidential. The Department's policy is to attempt to strike an appropriate balance between the two needs.

805.2 PURPOSE

This policy outlines the basic function and authority of providing information to the public and other criminal justice organizations, including legal processes, statistical requests, media releases, and public appearances.

805.3 PROCEDURE

Confidentiality

Unless otherwise authorized by this policy manual, law, or a commanding officer, all employees shall consider all Department records as confidential and not disclose any information outside of the Department. Such unauthorized disclosure will be grounds for discipline, up to and including termination. Nothing herein shall prohibit the sharing of information for field operations purposes either between officers at Urbana or between Urbana and other police agencies.

Public Information Function

The responsibility of providing information outside the Department is a shared function of the Chief of Police and the three Divisions.

- Chief of Police – The Chief of Police has the ultimate authority in the Department to release any information.
- Patrol Division – The Patrol Division is generally involved in the release of public information about daily operational issues. This includes but is not limited to, exchanging crime and tactical information on the street with other police departments, supervisors making basic media comments at the scenes of significant events (accidents, weather, lost children, etc.), and assisting media in covering routine news stories at scenes of incidents and special speaking assignments.
- Investigations Division – The Investigations Division has the primary responsibility to discuss specific crimes with the media. CID staff also exchanges information with other criminal justice agencies, gathers and appropriately disseminates intelligence, and directs the Crime Stoppers program. They also prepare and distribute news releases and respond to crime specific media inquiries.
- Support Services Division – The majority of reports released from the Department comes from the Support Services Division. Copying reports for insurance companies,

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other departments, crime statistics, and other such activities are a daily responsibility of the Services Division.

Crime and Other Police Statistics

Responsibility - The Support Services Division Commander is responsible for the crime analysis function. In that role they shall:

- Provide analysis of crimes and trends for the rest of the Department
- Provide crime statistics to the media and other interested parties such as researchers, citizens, and other agencies
- Provide the necessary monthly reports on Department activity

Dissemination - Analysis of crime and police activity may be disseminated at the discretion of the Support Services Division Commander. They may require a written request for requests for crime and police activity statistics. The request shall specifically state what information is required and the parameters of the data search; the ramifications of FOIA should be considered when addressing these types of requests.

Speeches and Other Public Appearances

Speeches - Other than court appearances, all public speeches given by employees where they represent themselves as members of the Department or could be considered acting on behalf of the Department, shall be previously authorized by the Chief of Police or their designee.

Articles - Employees shall not write public articles for any publication where they purport to speak for the Department without first notifying the Chief of Police

Supervisor Review of Media Report Before Public Release

Tyler software produces a daily summary of police activity for media and public distribution; this summary is known as the media report. Patrol supervisors are required to review each media report before allowing it to be released. The primary objective of the supervisor review is to ensure that nothing inappropriate is released to the media and the public. Along with the media release and the accident reports, it is merely a daily posting of police activity. The general rule is that everything should be released with few exceptions, although the judgment and experience of the supervisor may allow for deviations. Those exceptions include, but are not limited to:

- Incident reports created and filed specifically for internal investigative purposes of the Police or other City Departments or other governments.
- Incidents where the synopsis improperly releases suspect or victim information that is not otherwise outlined in the media report or where it is written in an unprofessional manner and/or below acceptable Department standards. In either of these cases, the supervisor should have the synopsis fixed by either the PSR or the officer before the media report going out.
- Incidents, where the investigation is on-going and releasing information, could compromise the investigation. (i.e., confidential on-going drug activity) Additionally, any incident where the reporting officer requests "no press."

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- All death investigations should be "no pressed" and all information concerning them should come from the Investigations Commander.

If the reviewing supervisor has any question as to whether or not a specific report should be released, they should check with any Division Commander.

Individual Right to Access and Review

Every citizen has a right to review their criminal history record. This record is collected, maintained, and disseminated by the State Central Repository at the Illinois Bureau of Identification. The individual's right to access and review applies only to the records maintained by the State and does not apply to local original and criminal justice agency records. The detailed instructions concerning this process are outlined in the "Rules and Regulations Governing Individual Right to Access and Review Criminal History Information" manual which is maintained by the Services Division.

Illinois Freedom of Information Act

Please refer to the Freedom of Information Act Policy for details on FOIA requests made under its authority.

Criminal Justice Agencies

Copies of reports may be supplied to other bona fide criminal justice agencies. This includes police departments, State's Attorneys, Court Services, probation/parole, Corrections, Department of Children and Family Services, Illinois Attorney General, etc. All reports distributed to these agencies shall be entered into a secondary dissemination file as directed by the Support Services Commander.

Subpoenas & Court Orders

Any subpoena or court order should be promptly provided to the records supervisor for review and proper processing. While a subpoena or court order may ultimately be subject to compliance, it may not automatically require the release of the requested information. Department employees are encouraged to seek out guidance from the City's Legal Division.

The information or parts of information requested must be reviewed to determine if the subpoena or court order seeks information protected from disclosure.

Juvenile Reports

Due to statutory restrictions regarding the release of certain information about juveniles, when a FOIA request, order, subpoena, or any other record for a juvenile report is received, a copy shall be forwarded to the Services Division Commander and the City Legal Department. They will coordinate the appropriate response. All juvenile reports provided to anyone but DCFS, the Youth Assessment Center, and the State's Attorney's Office shall be reviewed by the Services Division Commander or the primary juvenile detective before release and shall be logged in the secondary dissemination log within Tyler.

Information/Press Release

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All information released through media reports, interviews, or press releases shall be made per this policy and applicable state and federal laws. A written press release may be authorized at the discretion of the shift supervisor, the investigator in charge of a particular case, the Services Division Commander, Deputy Chief of Police, or the Chief of Police. Employees shall not comment on an incident once a press release has been issued. Press releases are most often used when:

- A report is incomplete or the investigating officer is unavailable on an important or newsworthy event
- Some details of an important case could jeopardize the investigation if released
- There is a high volume of requests for information concerning a newsworthy event
- There is important information that the Department wishes to disseminate among the news media and the public

Accident Reports

Basic accident reports are public records and are to be made available at the front desk.

Original Reports

Original reports are not to be removed from the Services area unless permission is first obtained by the Chief of Police or his designee.

Report Copy Dissemination

General: The general rule is that no copy of a report may leave the building without going through the Support Services Division. The Support Services Division Commander shall develop a system to monitor and control the dissemination of reports. All employees are obligated to obey these regulations and procedures.

Reports Available: Some reports will be made available to the press and public at the Department and various versions will be available online. These reports include:

- Recap Book
- Media Reports
- Accident Book

The Media Reports shall be updated routinely and reviewed by a Shift Supervisor before its release. Officers shall not offer unapproved reports for the news media to review.

Field Media Relations

Members of the news may not resist, obstruct, or oppose any officer in the lawful execution of a legal duty. The presence of the news media at a field incident, the taking of pictures (still or video), or the asking of questions relative to the incident do not constitute unlawful interference. The media has a right to photograph and report events occurring on public property. Members of the news media may be asked to produce their credentials. Denial of access to crime scenes or other restricted areas is generally a necessity. Members of the media apprehended for violating

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the law shall be dealt with in the same manner as any other violator. Officers should not encourage the taking of pictures of suspects when they are in public areas. Officers shall not pose a person in custody for the press.

Command Post Operations

When a Field Command Post or the City Emergency Operating Center has been established, officers shall make no media comments but rather direct members of the media to the established spokesperson.

News Conferences

All news conferences must be authorized by the Chief of Police or their designee.

Expungement and Sealing Records

Expungement and sealing orders received by the Department shall be reviewed for appropriate action by the Custodian of Records or Freedom of Information Officer. The Custodian of Records or Freedom of Information Officer shall expunge such records as ordered by the court. Records may include but are not limited to, a record of arrest, investigation, detention, or conviction. Once expunged, members shall respond to any inquiry as though the record did not exist (20 ILCS 2630/5.2).

Records Maintenance and Release

806.1 PURPOSE AND SCOPE

This policy provides guidance on the maintenance and release of department records. Protected information is separately covered in the Protected Information Policy.

806.2 POLICY

It is the policy of the Department to promote transparency and accountability. However, these interests must be weighed against the needs and restrictions to keep some information confidential. The Department's policy is to attempt to strike an appropriate balance between the two needs under the parameters of the Illinois Freedom of Information Act (FOIA).

Department records will be subject to inspection and release pursuant to requests as delineated in the Illinois Freedom of Information Act (5 ILCS 140) or as otherwise established by federal or state law.

The Department is not obligated to create, maintain or prepare any public record that was not maintained or prepared prior to the effective date of the Illinois Freedom of Information Act, except as required by law.

806.3 CUSTODIAN OF RECORDS RESPONSIBILITIES

The Chief of Police shall designate a Custodian of Records and Freedom of Information Officer who may be, but are not required to be, the same person. The responsibilities of the Custodian of Records include but are not limited to (5 ILCS 140/3.5; 5 ILCS 140/4; 5 ILCS 140/5; 5 ILCS 179/35):

- (a) Managing the records management system for the Department, including the retention, archiving, release, and destruction of department public records.
- (b) Maintaining and updating the department records retention schedule, including:
 1. Identifying the minimum length of time the Department must keep records.
 2. Identifying the Department division responsible for the original record.
- (c) Establishing rules regarding the inspection and copying of department public records as reasonably necessary for the protection of such records.
- (d) Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.
- (e) Establishing rules regarding the processing of subpoenas for the production of records.
- (f) Ensuring a current schedule of fees for public records as allowed by law is available.
 1. No fees shall be charged for the first 50 pages of copies as per 5 ILCS 140/6(b).
 2. Fees charged for copying public records shall be limited to the actual cost of duplication or publication.

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3. The cost of search, examination, review, and the redaction and separation of exempt from nonexempt information will not be assessed.
- (g) Ensuring the prominent display at the department's headquarters of information that conveys the department's mission, budget, office locations, number of employees, and an organizational chart that depicts the department structure and the relationship of the Department to City government. This information also needs to be available on the department or City website.
 - (h) Ensuring information identifying the department's Freedom of Information Officer, the categories of available records, and the process for requesting public records, including the address for submitting requests, will also be displayed.
 - (i) Working with the Freedom of Information Officer to develop a list of documents or categories of records that the Department shall immediately disclose upon request.
 - (j) Promptly remediating any deficiencies in the department's Freedom of Information Officer's public records management activities.
 - (k) Expeditiously advising the Chief of Police of any denials of public records requests, issues associated with the processing of records requests, and requests that may involve potentially sensitive or newsworthy matters.
 - (l) Consulting with the Chief of Police in the event further information is needed regarding the appropriate response to a records request.
 - (m) Submitting monthly reports to the Illinois State Police (ISP) regarding arrest-related deaths, firearm discharges by members (including pointing of firearms in the direction of a person), hate crimes, domestic crimes, index crimes, school incidents, incidents involving persons in mental health crisis, and use of force. The report should include information and data required by the Uniform Crime Reporting Act (50 ILCS 709/5-12).
 - (n) Submitting a quarterly report to the ISP that includes incident-based information on any criminal homicide pursuant to 50 ILCS 709/5-15.
 - (o) Submitting an annual report on body-worn cameras to the Illinois Law Enforcement Training and Standards Board (50 ILCS 706/10-25).
 - (p) Establishing a procedure for an individual to access, review, and confirm the expungement of civil law citations issued to the individual for violations of 720 ILCS 550/4(a) or 720 ILCS 600/3.5(c) (20 ILCS 2630/5.2).
 - (q) Establishing procedures for the protection of Social Security information pursuant to the Identity Protection Act and proper filing and posting of appropriate policy and procedures (5 ILCS 179/35).
 1. The procedures should include proper collection, handling, dissemination, and access restrictions of information that contains Social Security numbers.
 - (r) Submitting an annual report regarding the number of requests for assistance from federal immigration authorities and of civil immigration detainers and warrants received to the Illinois Attorney General (5 ILCS 805/25).

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- (s) Submitting an annual report regarding the number and processing of requests for U visas and T visas to the Illinois Attorney General (5 ILCS 825/20).
- (t) Submitting a report to the ISP regarding verified incidents involving firearms or drugs in a school or on property controlled by a school (105 ILCS 5/10-27.1A; 105 ILCS 5/10-27.1B).

806.4 RELEASE RESTRICTIONS

Examples of release restrictions include:

- (a) Personal identifying information, including an individual's photograph; Social Security and driver identification numbers; name, address, and telephone number; and medical or disability information that is contained in any driver's license record, motor vehicle record, or any department record, including traffic crash reports, is restricted except as authorized by the Department, and only when such use or disclosure is permitted or required by law to carry out a legitimate law enforcement purpose (18 USC § 2721; 18 USC § 2722).
- (b) Private information, including but not limited to unique identifiers such as Social Security numbers, driver's license numbers, employee identification numbers, biometric identifiers, personal financial information, passwords or access codes, medical records, home or personal telephone numbers, home address, personal email addresses, or personal license plates (5 ILCS 140/7(1)(b); 5 ILCS 140/2(c-5)).
- (c) Confidential information involving confidential informants, intelligence information, information that would endanger the safety of any person involved, or information that would endanger the successful completion of an investigation (5 ILCS 140/7).
 - 1. Analysis and conclusions of investigating officers (5 ILCS 140/7(1)(f)).
- (d) The identity of child victims and adult victims of criminal sexual offenses unless authorized by court order (725 ILCS 190/3; 725 ILCS 191/10).
- (e) Reports of elder abuse and neglect (320 ILCS 20/8).
- (f) Records regarding juveniles under 18 years of age (705 ILCS 405/1-7; 705 ILCS 405/5-905).
- (g) Department records that would obstruct an ongoing investigation or pending administrative enforcement proceeding (5 ILCS 140/7).
- (h) Information contained in personnel and other public records that would constitute an unwarranted invasion of personal privacy, in which the individual's right to privacy outweighs any legitimate interest in obtaining the information.
 - 1. The disclosure of personal information that bears on the public duties of employees of this department shall not be considered an invasion of personal privacy (5 ILCS 140/7(1)(c)).
 - 2. The disclosure of employee performance evaluations is prohibited (820 ILCS 40/11).

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- (i) Records that were created exclusively in anticipation of potential litigation, which would not be subject to discovery or which may be subject to an attorney-client privilege involving this department (5 ILCS 140/7(1)(m)).
- (j) Any record relating to vulnerability assessments, security measures, and response policies or plans (5 ILCS 140/7(1)(v)).
- (k) Body-worn camera recordings as provided in the Law Enforcement Officer-Worn Body Camera Act (5 ILCS 140/7.5).
- (l) Certain records requested by a person committed to the Department of Corrections or a county jail (5 ILCS 140/7).
- (m) Information prohibited from disclosure under the Seizure and Forfeiture Reporting Act (5 ILCS 140/7.5).
- (n) Information including but not limited to evidence and records in the state-wide tracking system pursuant to the Sexual Assault Evidence Submission Act (5 ILCS 140/7.5).
- (o) Names and all identifying information relating to an employee, communications, notes, records, and reports arising out of a peer support counseling session under the First Responders Suicide Prevention Act (5 ILCS 140/7.5).
- (p) Information reported to the Illinois Criminal Justice Information Authority regarding in-custody deaths that is deemed by the Authority to be privileged or protected under state or federal law (730 ILCS 210/3-5).
- (q) Records or reports accessed from the ISP prohibited persons portal or LEADS system regarding persons whose Firearm Owner's Identification (FOID) cards have been revoked or suspended (5 ILCS 140/7.5; 20 ILCS 2605/2605-304).
- (r) Any report or information received under the Student Confidential Reporting Act program (5 ILCS 140/7).
- (s) Information contained in an affidavit or application for an endorsement as provided in the Protect Illinois Communities Act (5 ILCS 140/7.5; 720 ILCS 5/24-1.9).
- (t) Automated license plate reader (ALPR) information requested for the purpose of enforcing laws restricting access to reproductive health care services or laws that permit the detention or investigation of a person due to immigration status (5 ILCS 140/7; 625 ILCS 5/2-130).
- (u) Information related to lawful health care (e.g., location information, health records) under the Lawful Health Care Activity Act (5 ILCS 140/7.5; 735 ILCS 40/28-10; 735 ILCS 40/28-11).

806.5 ARREST RECORDS

Arrest report information that identifies an individual, any charges, time and location of arrest, name of the investigating agency, and, if the individual is incarcerated, the time and date the individual was transferred from department custody shall be furnished as soon as practicable but in no event later than 72 hours after arrest (5 ILCS 140/2.15; 110 ILCS 12/15).

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Information concerning an arrest must be made available to the news media for inspection and copying absent specific exceptions. The information shall be made available as soon as practicable but in no event later than 72 hours after arrest (5 ILCS 160/4a; 50 ILCS 205/3b).

If the request is made by a criminal defendant or an authorized representative (including attorneys), then the Illinois State's Attorney, City Attorney, Illinois Attorney General, local prosecutor, or the courts, as applicable, should be promptly notified.

Persons requesting conviction information should be directed to the ISP.

806.5.1 REQUESTS TO RETRACT OR DELETE ARREST RECORDS

Requests from a Chief of Police, county Sheriff or State's Attorney to delete or retract arrest records of individuals mistakenly identified should be forwarded to the Custodian of Records for handling (5 ILCS 160/17; 50 ILCS 205/4).

806.6 SECURITY BREACHES

Members who become aware that any Urbana Police Department system containing personal information may have been breached should notify the Custodian of Records as soon as practicable.

The Custodian of Records shall (815 ILCS 530/10):

- (a) Ensure notice of any breach of the security of personal information is given to the appropriate individuals/entities any time there is a reasonable belief that an unauthorized person has acquired personal information, as defined in 815 ILCS 530/5, stored in any department information system.
- (b) Cooperate with the appropriate individuals/entities by providing the date or approximate date of the breach and identifying any steps taken or that will be taken relating to the breach.

Protected Information

807.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the access, transmission, release and security of protected information by members of the Urbana Police Department. This policy addresses the protected information that is used in the day-to-day operation of the Department and not the public records information covered in the Records Maintenance and Release Policy.

807.1.1 DEFINITIONS

Definitions related to this policy include:

Protected information - Any information or data that is collected, stored or accessed by members of the Urbana Police Department and is subject to any access or release restrictions imposed by law, regulation, order or use agreement. This includes all information contained in federal, state or local law enforcement databases that is not accessible to the public.

807.2 POLICY

Members of the Urbana Police Department will adhere to all applicable laws, orders, regulations, use agreements and training related to the access, use, dissemination and release of protected information.

807.3 RESPONSIBILITIES

The Chief of Police shall select a member of the Department to coordinate the use of protected information.

The responsibilities of this position include, but are not limited to (20 Ill. Adm. Code 1240.90):

- (a) Ensuring member compliance with this policy and with requirements applicable to protected information, including requirements for the National Crime Information Center (NCIC) system, National Law Enforcement Telecommunications System (NLETS), Illinois Secretary of State records and the Illinois Law Enforcement Agencies Data Systems (LEADS).
- (b) Developing, disseminating and maintaining procedures that adopt or comply with the U.S. Department of Justice's current Criminal Justice Information Services (CJIS) Security Policy.
- (c) Developing, disseminating and maintaining any other procedures necessary to comply with any other requirements for the access, use, dissemination, release and security of protected information.
- (d) Developing procedures to ensure training and certification requirements are met.
- (e) Resolving specific questions that arise regarding authorized recipients of protected information.

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- (f) Ensuring security practices and procedures are in place to comply with requirements applicable to protected information.

807.4 ACCESS TO PROTECTED INFORMATION

Protected information shall not be accessed in violation of any law, order, regulation, user agreement, Urbana Police Department policy or training. Only those members who have completed applicable training and met any applicable requirements, such as a background check, may access protected information, and only when the member has a legitimate work-related reason for such access (20 Ill. Adm. Code 1240.50).

Unauthorized access, including access for other than a legitimate work-related purpose, is prohibited and may subject a member to administrative action pursuant to the Personnel Complaints Policy and/or criminal prosecution (20 ILCS 2630/7; 20 Ill. Adm. Code 1240.50).

807.4.1 PENALTIES FOR NON-COMPLIANCE OR MISUSE OF RECORDS

The Department of State Police may suspend all or any portion of LEADS service without prior notification as the result of an agency's non-compliance with laws, rules, regulations, or procedures. The Director of State Police may suspend all or part of LEADS service for agency for violations of LEADS laws, rules regulations, or procedures (20 Ill. Adm. Code 1240.110).

It is a Class A misdemeanor to furnish, buy, receive, or possess LEADS information without authorization by a court, statute, or case law (20 ILCS 2630/7).

807.5 RELEASE OR DISSEMINATION OF PROTECTED INFORMATION

Protected information may be released only to authorized recipients who have both a right to know and a need to know (20 Ill. Adm. Code 1240.50; 20 Ill. Adm. Code 1240.80).

A member who is asked to release protected information that should not be released should refer the requesting person to a supervisor or to the Police Services Supervisor for information regarding a formal request.

Unless otherwise ordered or when an investigation would be jeopardized, protected information maintained by the Department may generally be shared with authorized persons from other law enforcement agencies who are assisting in the investigation or conducting a related investigation. Any such information should be released through the Services Division to ensure proper documentation of the release (see the Records Maintenance and Release Policy).

Protected information, such as Criminal Justice Information (CJI), which includes Criminal History Record Information (CHRI), should generally not be transmitted by radio, cellular telephone or any other type of wireless transmission to members in the field or in vehicles through any computer or electronic device, except in cases where there is an immediate need for the information to further an investigation or where circumstances reasonably indicate that the immediate safety of officers, other department members or the public is at risk.

Nothing in this policy is intended to prohibit broadcasting warrant information.

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807.6 SECURITY OF PROTECTED INFORMATION

The Chief of Police will select a member of the Department to oversee the security of protected information.

The responsibilities of this position include, but are not limited to:

- (a) Developing and maintaining security practices, procedures and training.
- (b) Ensuring federal and state compliance with the CJIS Security Policy and the requirements of any state or local criminal history records systems (20 Ill. Adm. Code 1240.50).
- (c) Establishing procedures to provide for the preparation, prevention, detection, analysis and containment of security incidents including computer attacks.
- (d) Tracking, documenting and reporting all breach of security incidents to the Chief of Police and appropriate authorities.

807.6.1 MEMBER RESPONSIBILITIES

Members accessing or receiving protected information shall ensure the information is not accessed or received by persons who are not authorized to access or receive it (20 Ill. Adm. Code 1240.80). This includes leaving protected information, such as documents or computer databases, accessible to others when it is reasonably foreseeable that unauthorized access may occur (e.g., on an unattended table or desk; in or on an unattended vehicle; in an unlocked desk drawer or file cabinet; on an unattended computer terminal) (20 Ill. Adm. Code 1240.50).

807.6.2 MAINTENANCE AND TECHNICAL SERVICES

The personnel security requirement for a LEADS agency requires conformance with 20 Ill. Adm. Code 1240.50. Generally, no person may provide maintenance or technical services at or near LEADS equipment unless they are of good character and have not been convicted of a felony or a crime involving moral turpitude under the laws of this or any other jurisdiction. Any person may have his/her authority to provide maintenance or technical services at or near LEADS equipment denied if he/she is charged with a felony or a crime involving moral turpitude under the laws of this or any other jurisdiction (20 Ill. Adm. Code 1240.50(3)).

807.6.3 PROTECTION OF LEADS DATA

LEADS data shall not be included on the violator's copy of any citation that is not delivered by hand to the violator. This specifically includes citation copies left on an unattended vehicle, a building or any other place where the violator is not present to receive the citation. LEADS data will continue to be included on other copies of the citation that are kept by the employee and/or the Department (18 USC § 2721 through 18 USC § 2725).

807.7 TRAINING

All members authorized to access or release protected information shall complete a training program that complies with any protected information system requirements and identifies

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authorized access and use of protected information, as well as its proper handling and dissemination.

Computers, Mobile Communication Devices, and Digital Evidence

808.1 PURPOSE AND SCOPE

This policy establishes procedures for the seizure, storage and analysis of computers, mobile communication devices, digital cameras, digital recorders, and other electronic devices that are capable of storing digital information. All evidence seized or processed pursuant to this policy shall be done so in compliance with clearly established search and seizure provisions.

808.2 SEIZING COMPUTERS AND RELATED EVIDENCE

Computer equipment requires specialized training and handling to preserve its value as evidence. Officers should be aware of the potential to destroy information through careless or improper handling, and, whenever possible, only those trained should physically handle the device. For those not trained, evidence collection on the device should be limited to observations, photographing, and documenting. When others must seize a computer and accessories, the following steps should be taken:

- (a) Photograph each item, front and back, specifically including cable connections to other items. Look for a phone line or cable to a modem for internet access.
- (b) Do not overlook the possibility of the presence of physical evidence on and around the hardware relevant to the particular investigation such as fingerprints, biological or trace evidence, and/or documents.
- (c) If the computer is off, do not turn it on.
- (d) If the computer is on, do not shut it down normally, and do not click on anything or examine any files.
 1. Photograph the screen, if possible, and note any programs or windows that appear to be open and running.
 2. Disconnect the power cable from the back of the computer or, if a laptop or portable notebook-style computer, disconnect any power cable from the case and remove the battery.
- (e) Handle and transport the computer and storage media with care so that potential evidence is not lost.
- (f) Lodge and tag all computer items as per normal procedures. Do not store computers where normal room temperature and humidity is not maintained.
- (g) At minimum, officers should document the following in related reports:
 1. Where the computer was located and whether or not it was in operation.
 2. Who was using it at the time.
 3. Who claimed ownership
 4. If it can be determined, how it was being used.

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- (h) In most cases when a computer is involved in criminal acts and is in the possession of the suspect, the computer itself and all storage devices (hard drives, tape drives, and disk drives) should be seized along with all media. Accessories (printers, monitors, mouse, scanner, keyboard, cables, software and manuals) should not be seized unless as a precursor to forfeiture or they are capable of storing data.

808.2.1 BUSINESS OR NETWORKED COMPUTERS

If the computer belongs to a business or is part of a network, it may not be feasible to seize the entire computer. Cases involving networks require specialized handling. Officers should contact a certified forensic computer examiner for instructions or a response to the scene. It may be possible to perform an on-site inspection, or to image the hard drive only of the involved computer. This should only be done by someone specifically trained in processing computers for evidence.

808.2.2 FORENSIC EXAMINATION OF COMPUTERS

If an examination of the contents of a computer's hard drive or any other storage media is required, forward the following items or information to a computer forensic examiner:

- (a) Copy of report(s) involving the computer.
- (b) Description of the circumstances authorizing the search (e.g. consent, search warrant, etc.).
- (c) Suggestions and items for which to search (e.g. photographs, financial records, e-mail, documents).

808.3 SEIZING DIGITAL STORAGE MEDIA

Digital storage media, including hard drives, should be seized and stored in a manner that will protect them from damage. An exact duplicate of the hard drive may ultimately be made using a forensic computer and a forensic software program by someone trained in the examination of computer storage devices for evidence.

- (a) If the media has a write-protection tab or switch, it should be activated.
- (b) Do not review, access, or open digital files prior to submission. If the information is needed for immediate investigation, request the department's computer forensic examiner to copy the contents to an appropriate form of storage media.
- (c) Many kinds of storage media can be erased or damaged by magnetic fields. Keep all media away from magnetic devices, electric motors, radio transmitters, or other sources of magnetic fields.
- (d) Do not leave storage media where they would be subject to excessive heat such as in a parked vehicle on a hot day.
- (e) Use protective packaging to secure the media.

808.4 SEIZING MOBILE COMMUNICATION DEVICES

Mobile communication devices such as cell phones, tablets, or other hand-held devices connected to any communication network must be handled with care to preserve evidence that may be on the device including messages, stored data and/or images.

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- (a) Officers should not, as a matter of routine, attempt to access, review or search the contents of such devices prior to examination by a forensic expert. Unsent messages can be lost, data can be inadvertently deleted, and incoming messages can override stored messages. However, this does not preclude officers from ever searching contents of such devices: circumstances and resources may warrant such action.
- (b) Do not turn the device on or off. The device should be isolated from any network. The preferred methods to accomplish this 'isolation' is to put the device into "airplane mode" or by removing the SIM card. As a last resort, the device may be placed in a solid metal container such as a paint can or in a Faraday bag to prevent the device from sending or receiving information from its host network.
- (c) When seizing devices, also seize the charging units.

Animal Control

809.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for Urbana Police Department personnel in dealing with animal-related calls for service, and to set forth procedures regarding animal control services, the handling of injured animals, and the abatement of animal nuisances.

809.2 ANIMAL CONTROL RESPONSIBILITY

The City of Urbana has contracted with Champaign County Animal Control (CCAC) to provide animal control services in the City of Urbana. They are primarily responsible for all animal-related problems and animal cruelty calls for service. CCAC personnel have the authority to issue Notices to Appear (NTA) for violations of City of Urbana animal ordinances.

809.3 OFFICER RESPONSIBILITY

During hours when the CCAC Animal Control Wardens (ACW) are off-duty, or if they are otherwise unavailable, animal-related calls for service may be handled by an on-duty Urbana Police Officer. Officers will respond to animal-related calls for service including, but not limited to: reports of animal cruelty, vicious animals, animal bite reports involving domestic animals, and calls involving injured animals. Officers will complete a report if necessary, and take all appropriate action.

Officers will not respond to reports of domesticated animals running at large (stray animals) unless the animal is vicious.

809.3.1 ANIMAL CRUELTY COMPLAINTS

During the hours when CCAC wardens are on duty, they will handle all calls of animal cruelty.

When CCAC Wardens are off duty, an Urbana Police Officer shall conduct a preliminary investigation on all reports of animal cruelty and forward the information to Champaign County Animal Control for follow-up. Officers shall not hesitate to take any immediate actions deemed necessary. A Champaign County Animal Control Warden may be requested to assist with the investigation, when appropriate, for the purpose of handling the disposition of any animal(s) associated with the case (510 ILCS 70/10).

Violators may have their animals seized, in accordance with the law, and issued a Notice to Appear, or arrested for a violation of State anti-cruelty statutes.

809.3.2 STRAY ANIMALS

Champaign County Animal Control shall handle cases of domestic animals running at large. If a citizen takes custody of a domestic animal running at large, the citizen will be asked to keep the animal until a Champaign County Animal Control Warden can pick it up.

If an Urbana Police Officer takes possession of a domestic animal, they should attempt to identify the owner. If the owner is identified, the officer shall return the animal to the owner and complete a report if necessary. They may issue an NTA if appropriate. If the owner is not identified, the officer

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will transport the domestic animal to the Champaign County Animal Control facility and secure it there. The officer shall complete the necessary paperwork and forward the information to CCAC.

809.3.3 ANIMAL BITE REPORTS

If a domesticated animal bites a person (or another domesticated animal), and the animal is a stray, every effort shall be made to capture and impound the animal immediately (510 ILCS 5/13).

During hours when CCAC Wardens are on duty, they will handle all calls for service concerning animal bites.

When CCAC Wardens are off duty, an Urbana Police Officer shall respond. If the officer feels that they themselves may be in danger from the animal, they should request a CCAC Warden respond.

All domestic animal bites shall be documented with a report.

If a person is bitten by a domesticated animal, the animal shall be taken to the Champaign County Animal Control facility unless these three conditions are met:

- The animal is vaccinated and the owner has the proper paperwork.
- The animal is properly registered.
- The bite occurred on the owner's property.

It will ultimately be up to the officer's discretion on whether the owner can keep the animal under quarantine. If the owner is allowed to keep the animal, a report shall be forwarded to Champaign County Animal Control for follow up.

Small domesticated animals (other than cats and dogs) can be left with the owner, who will have the responsibility to quarantine the animal.

809.3.4 PUBLIC NUISANCE CALLS RELATING TO ANIMALS

During hours when CCAC Wardens are on duty, they will handle all calls for service concerning animal-related public nuisances.

When CCAC Wardens are off duty, an Urbana Police Officer may be dispatched to address animal-related public nuisance calls. It will ultimately be up to the shift supervisor whether or not an officer will respond.

Officers shall obtain and forward to Champaign County Animal Control as much information as possible regarding the nature of the complaint: complainant's name, animal owner information (if possible), location of problem, etc. The officer will complete a report and NTA if warranted.

In the event responding officers cannot fulfill urgent requests for service because the animal is difficult or dangerous to handle, the shift supervisor may approve calling out Champaign County Animal Control..

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809.3.5 BATS

Only personnel from Champaign County Animal Control shall handle calls involving bats(including after hours calls). Champaign County Animal Control should be notified for all bites involving bats.

809.3.6 RELEASE OF IMPOUNDED ANIMALS

All animals that are impounded at the Champaign County Animal Shelter shall not be released without a Release of Property Receipt from the Champaign County Animal Control facility, and after the issuance of any applicable City NTA.

809.4 DECEASED ANIMALS

Deceased animals on public property will be removed and properly disposed of by a certified and licensed company that is contracted through the City. Officers and citizens should contact the front desk if they come across deceased animals. The Police Services Representative or officer working the front desk will contact the approved company, and advise them of the location and description of the deceased animal. The approved company will be responsible for the disposal of the animal by the next business day.

Large deceased animals, such as deer, that are on public property, will be removed by Urbana Public Works.

Urbana Police Officers, and Champaign County Animal Control Wardens, will not remove dead animals.

809.5 INJURED ANIMALS

When any injured domesticated animal is brought to the attention of a member of this agency, all reasonable attempts shall be made to contact the owner or responsible handler. When the owner or responsible handler cannot be located, and the animal is not an immediate danger to the community, it shall be taken directly to a licensed veterinarian for necessary medical services (510 ILCS 70/12).

- (a) (a) During normal business hours, Champaign County Animal Control will be responsible for transporting the animal to an authorized veterinary care clinic.
- (b) After business hours, the animal should be taken to the authorized Veterinary Emergency and Critical Care Services Clinic. If feasible, an Urbana Police Officer may transport the animal. If not, Champaign County Animal Control should be contacted.
- (c) The only exception to the above is when the animal is an immediate danger to the community, or the owner of the animal is identified and takes responsibility for the injured animal.
 - (a) When the need to kill a seriously injured or dangerous animal is necessary, the Firearms and Qualification Policy shall be followed. The decision to dispose of a seriously injured animal will rest with the on-duty supervisor.

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- (d) When handling dead or injured domesticated animals, department employees shall attempt to identify and notify the owner of the final disposition of the animal.
- (e) Each incident shall be documented, at minimum, to include the name of the reporting party and veterinary hospital and/or person to whom the animal is released. If Champaign County Animal Control is off duty, the information will be forwarded to CCAC for follow-up.

Injured wildlife should be referred to one of the following locations, depending upon available resources and type of animal: A local rehabilitator, preserve or wildlife care center, a shelter by the Anti-Cruelty Society, Illinois Society for the Prevention of Cruelty to Animals (ASPCA), or the Illinois Department of Natural Resources.

- (a) Injured wildlife may be briefly held and transported to wildlife rehabilitators licensed by the State of Illinois. In addition, migratory birds may be taken only to rehabilitators who are in possession of the appropriate Federal permits issued by the United States Fish and Wildlife Service (USFWS).
- (b) The driver of a vehicle involved in a deer accident may take possession of the dead animal. If the driver does not want the deer, any Illinois resident may claim it (17 Illinois Administrative Code 750.10).
- (c) Officers may destroy seriously injured wildlife that are posing a danger to others or are so badly injured that to allow the suffering to be prolonged would be cruel. This may only be done with the consent and approval of the Shift Supervisor.

809.5.1 USE OF FORCE ON VICIOUS ANIMALS

A Champaign County Animal Control Warden may be called out to assist officers in capturing a vicious animal. If the animal is threatening harm to a human being (or other domestic animals), and cannot be captured, officers may defend themselves or others with necessary force. This must be done safely and carefully, and if time allows, by first obtaining the permission of the Shift Supervisor.

809.6 POST-ARREST PROCEDURES

Sometimes, Urbana Police Officers may need to arrest a person who is responsible for caring for an animal. The Officer should make a reasonable effort to ensure that animals or pets under an arrestee's care will be adequately provided for after that person is in custody. This is only required when there is no one to care for the animal, and the arrestee is expected to be in custody for a time period longer than would reasonably allow him/her to properly care for the animal.

Relatives or neighbors may be contacted, with the owner's consent, to care for the animals. If no one can be found, Champaign County Animal Control should be notified to assist.

809.6.1 MISCELLANEOUS

If an officer takes custody of an animal, it shall be secured at the Champaign County Animal Control facility. Officers who pick up animals are responsible for cleaning their Department vehicles afterward.

Jeanne Clery Campus Security Act

810.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines to ensure this department fulfills its obligation in complying with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act).

810.2 POLICY

The Urbana Police Department encourages accurate and prompt reporting of all crimes and takes all such reports seriously (20 USC § 1092 (f)(1)(C)(iii)). Reports will be accepted in person.

It is the policy of the Urbana Police Department to comply with the Clery Act. Compliance with the Clery Act requires a joint effort between the Urbana Police Department and the University of Illinois Police Department.

The Urbana Police Department will assist the University of Illinois Police Department in any way practicable, including forwarding reports and incidents under the Clery Act, so that the University of Illinois can complete a full and accurate report.

810.3 RECORDS COLLECTION AND RETENTION

The Police Services Supervisor, or designee, is responsible for maintaining Urbana Police Department statistics and when asked, forwarding the information to the U of I Police Department:

- (a) Statistics concerning the occurrence of the following criminal offenses reported to this department, in or on non-campus buildings or property, and on public property including streets, sidewalks and parking facilities within the campus or immediately adjacent to and accessible from the campus (20 USC § 1092 (f)(1)(F)(i)):
 1. Murder
 2. Sex offenses, forcible or non-forcible
 3. Robbery
 4. Aggravated assault
 5. Burglary
 6. Motor vehicle theft
 7. Manslaughter
 8. Arson
 9. Arrests or persons referred for campus disciplinary action for liquor law violations, drug-related violations and weapons possession
- (b) These records will be kept by the U of I Police Department for the duration outlined in the Clery Act.

School Resource Officers

811.1 PURPOSE AND SCOPE

A formal School Resource Officer (SRO) program was developed in conjunction with Urbana School District #116 staff to provide a variety of educational resources to the school community, provide law enforcement information and advice to students and parents, and provide a positive law enforcement presence in the school community. The school environment is a community unto itself; however, it remains an integral part of the larger community and society in general. Although the members of the school community are younger, the code of conduct in both communities remains the same. SROs should understand they are working in an educational environment and will work to instill a positive learning climate. When law enforcement action is taken, it will be done in the same unbiased and impartial manner as in the community at large.

811.1.1 POLICY

The police department is committed to enhancing the safety of students and faculty on campuses located in the department's jurisdiction by forming partnerships with the school administrators, faculty members, and students.

811.2 CHAIN OF COMMAND

The Services Division Lieutenant will supervise the SROs. Notwithstanding the foregoing, the Chief of Police reserves the right to make supervisory assignments consistent with the operational needs of the Department.

811.3 SCHOOL RESOURCE OFFICER QUALIFICATIONS, SELECTION, AND TRAINING

Officers appointed as SROs should be selected using criteria that includes, but is not limited to:

- (a) The ability of the officer to foster an optimal learning environment and educational community
- (b) Whether the officer has specialized training in:
 1. Child and adolescent development
 2. De-escalation and conflict resolution techniques with children and adolescents
 3. Behavioral health disorders in children and adolescents
 4. Alternatives to arrest and other juvenile justice diversion strategies
 5. Behavioral threat assessment methods

Officers appointed as SROs should be provided with SRO modeled training, such as provided by the National School Resource Officer Association (NASRO). The department should endeavor to maintain and continue training for SROs that incorporate updated models and information concerning best practices for SROs.

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811.4 ROLE OF SRO - TRIAD MODEL

The primary mission of the SRO is to maintain a safe learning environment and to build positive relationships with the school community. The SRO Program embraces the National Association of School Resource Officer TRIAD concept which adheres to the roles of Teacher, Informal Counselor, and Law Enforcement Officer.

811.4.1 TEACHER - FORMAL INSTRUCTION AND PRESENTATION

Teaching may be in the form of classroom instruction, public educational instruction, or in-service school staff instruction. SRO in-class instruction will only occur under the supervision of a certified teacher. Instruction should be made available to these groups on any topic concerning the police, law, legal processes, crime prevention, courts, drug use, or other topics as appropriate. Whenever possible, officers shall follow class outlines approved by school personnel.

811.4.2 INFORMAL COUNSELOR - INFORMAL COUNSELING/CONSULTATION

SROs will provide information to school faculty concerning legal issues, as they relate to the school community. Such issues may include, but are not limited to, laws, consequences of infractions of the law, various aspects of the criminal justice system, availability of legal, educational, and mental health resources within the community, and police operations. SROs are expected to consult with school faculty concerning issues relating to the school community. Within the limits of state law and other applicable guidelines, SROs may discuss with school administration any activity of that school's students, which may affect the safety and welfare of the school members and community. SROs should work closely with district and school staff to solve problems, and are expected to make necessary referrals to support and resource agencies when appropriate. Referrals should be made when the need for professional attention is identified and/or when legal assistance is needed beyond the officer's scope. SROs should maintain a current list of referral services and support agencies. The intent of informal counseling shall not preclude the necessity for SROs to complete appropriate police reports if criminal offense information is developed. SROs will not create or maintain unofficial files on students based on non-criminal school conduct, speculation, or affiliation with other students.

811.4.3 LAW ENFORCEMENT OFFICER

On-duty SROs shall be the reporting officers for criminal acts that occur when they are on an assigned campus when possible and appropriate. SROs will take appropriate police action to enforce local and state laws on the school campus. All arrests will be made pursuant to current departmental policy. SROs are encouraged to seek alternatives to enforcement actions they might normally take in other field situations. SROs shall be alert to intelligence information regarding criminal activity involving the school community. This information shall be shared with the appropriate resources (other police agencies, Patrol Division, Investigations Division, etc.). All Police Officers should strive to maintain contact with available resources to ensure they are aware of criminal activity involving the school community. Information involving pertinent juvenile activity should be forwarded to the appropriate SRO.

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811.5 SRO LAW ENFORCEMENT ACTIVITIES

- A. SROs shall follow department policy, procedure and training on matters of immediate incident interventions, the investigation of suspected criminal activity, arrests, affiliated actions related to incident reports, performance at special events or details.
- B. SROs are specifically prohibited from enforcing student discipline rules, policies and procedures. The school district has primary responsibility to maintain order in the school environment. SROs may, however, refer matters of student discipline to school officials to handle. This does not, however, prevent a SRO from independently investigating student conduct which involves violations of law.
- C. SRO shall not conduct or participate in searches of students or their belongings in school disciplinary matters unless their assistance is requested by a school authority. Under these circumstances, this request would be deemed a search by a school employee for Fourth Amendment purposes.
- D. SROs should not be involved in interviews of students conducted by school authorities unless requested by a school authority. Their purpose in becoming involved should focus on the safety and security of members of the school community.
- E. SROs should be involved in the development of school safety plans.
- F. SROs should be sensitive to student's privacy when taking law enforcement actions.

811.6 COORDINATION WITH SCHOOL DISTRICT

- A. The current principal at each school will serve as the point of contact for his/her school for the SRO. On a daily basis, SROs will collaborate with school and district administrators on many issues, including the disposition of various situations they may encounter.
- B. The SRO has the ultimate responsibility to carry out their duties as police officers, as expressed and interpreted through the Urbana Police Department chain of command. SROs are expected to take law enforcement and safety intervention actions, both with and without referral from school staff, when appropriate. These actions should be to ensure the immediate safety of persons in the school environment.
- C. If a situation arises where a SRO is involved in a physical altercation or restrains a school district student, the SRO shall provide a brief written summary to school district administration or building principal. A copy of the police report will meet this requirement. Secondary dissemination should be recorded by the department.
- D. If a SRO requests additional law enforcement officers for assistance on school district property, they will as soon as practicable advise the building principal or designee. This can be accomplished either verbally or through written correspondence.
- E. SROs are obligated to complete criminal investigations, interviews and arrests in accordance with all applicable federal and state laws and in keeping with all departmental policies.

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811.6.1 SROS TO COMPLY WITH SCHOOL DISTRICT POLICIES

- A. SROs shall inform the building principal or designee when he/she seek to question a student on a criminal matter, as soon as practicable after taking a law enforcement action, and before serving a search warrant or subpoena.
- B. SROs are not authorized to conduct interviews of minor students without permission of the student's parent(s)/guardian(s) unless legal process is presented or in an emergency situation. In circumstances where the student's parent/guardian is unable to come to the school, the school may designate a school staff member to act in place of the parent/guardian. Interviews should be conducted in private settings.
- C. SROs shall not remove minor students from the school campus unless the SRO has arrested the student, either with a warrant or upon establishing probable cause for an arrest, or by placing the student in temporary protective custody. The SRO shall provide the building principal or designee with a brief report, when requested, when a minor student is removed from the school campus for the above described arrest or protective custody.
- D. SROs shall not request that any school district employee act as any agent of the SRO or other law enforcement officer in any interview.
- E. SROs shall comply with all applicable laws, regulations, and policies concerning the searches of person and property while acting as a SRO. SROs shall provide a brief to the school district report concerning any search of a school student or staff member.

811.6.2 SRO ACCESS TO STUDENT RECORDS

SROs may have access to certain student records or information to the extent allowed under various laws and district policies (FERPA, ISSRA, etc.). However, access to these records is not guaranteed simply because of a criminal investigation of a student's activity not related to the school.

811.7 REPORTS AND WRITTEN DOCUMENTATION

SROs will, from time to time, author various reports, field interview cards, or memorandum as related to their performance as an SRO. Those documents will satisfy any requirement by the school district for written reports. SROs will normally submit their reports to SRO supervisor for approval at the end of their shift. If circumstances dictate, any supervisor may approve and route reports. If the report includes an arrest, they must be approved and forwarded to a supervisor the same day as the arrest.

Chapter 9 - Custody

Custodial Searches

900.1 PURPOSE AND SCOPE

This policy provides guidance regarding searches of individuals in custody. Such searches are necessary to eliminate the introduction of contraband, intoxicants or weapons into the Urbana Police Department or the Champaign County Jail facility. Such items can pose a serious risk to the safety and security of department members, individuals in custody, contractors and the public.

Nothing in this policy is intended to prohibit the otherwise lawful collection of trace evidence from an individual in custody.

900.1.1 DEFINITIONS

Definitions related to this policy include:

Custody search - An in-custody search of an individual and of his/her property, shoes and clothing, including pockets, cuffs and folds on the clothing, to remove all weapons, dangerous items and contraband.

Physical body cavity search - A search that includes a visual inspection and may include a physical intrusion into a body cavity. Body cavity means the stomach or rectal cavity of an individual, and the vagina of a female person.

Strip search - A search that requires an individual to remove or rearrange some or all of his/her clothing to permit a visual inspection of the underclothing, breasts, buttocks, anus or outer genitalia. This includes monitoring an individual who is changing clothes, where his/her underclothing, buttocks, genitalia or female breasts are visible.

900.2 POLICY

All searches shall be conducted with concern for safety, dignity, courtesy, respect for privacy and hygiene, and in compliance with policy and law to protect the rights of those who are subject to any search.

Searches shall not be used for intimidation, harassment, punishment or retaliation.

900.3 FIELD AND TRANSPORTATION SEARCHES

An officer should conduct a custody search of an individual immediately after his/her arrest, when receiving an individual from the custody of another, and before transporting a person who is in custody in any department vehicle.

Whenever practicable, a custody search should be conducted by an officer of the same sex as the person being searched. If an officer of the same sex is not reasonably available, a witnessing officer should be present during the search.

900.4 STRIP SEARCHES

No individual in temporary custody at any Urbana Police Department facility shall be subjected to a strip search unless there is reasonable suspicion based upon specific and articulable facts to

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believe the individual has a health condition requiring immediate medical attention or is concealing a weapon or contraband. Factors to be considered in determining reasonable suspicion include, but are not limited to:

- (a) The detection of an object during a custody search that may be a weapon or contraband and cannot be safely retrieved without a strip search.
- (b) Circumstances of a current arrest that specifically indicate the individual may be concealing a weapon or contraband.
 - 1. A felony arrest charge or being under the influence of a controlled substance should not suffice as reasonable suspicion absent other facts.
- (c) Custody history (e.g., past possession of contraband while in custody, assaults on department members, escape attempts).
- (d) The individual's actions or demeanor.
- (e) Criminal history (i.e., level of experience in a custody setting).

Inmates who have not been arraigned and remanded by the court to the custody of this department and are being held for a traffic, regulatory or misdemeanor offense that does not involve weapons or a controlled substance, shall only be subject to a modified strip or strip search for weapons or controlled substances (725 ILCS 5/103-1).

No transgender or intersex individual shall be searched or examined for the sole purpose of determining the individual's genital status. If the individual's genital status is unknown, it may be determined during conversations with the person, by reviewing medical records, or as a result of a broader medical examination conducted in private by a medical practitioner (28 CFR 115.115).

900.4.1 STRIP SEARCH PROCEDURES

Strip searches at Urbana Police Department facilities shall be conducted as follows (28 CFR 115.115; 725 ILCS 5/103-1):

- (a) Written authorization from the Shift Supervisor shall be obtained prior to the strip search.
- (b) All members involved with the strip search shall be of the same sex as the individual being searched.
- (c) All strip searches shall be conducted in a professional manner under sanitary conditions and in a secure area of privacy so that it cannot be observed by those not participating in the search. The search shall not be reproduced through a visual or sound recording.
- (d) Whenever possible, a second member of the same sex should also be present during the search, for security and as a witness to the finding of evidence.
- (e) Members conducting a strip search shall not touch the breasts, buttocks or genitalia of the individual being searched.
- (f) The primary member conducting the search shall prepare a written report to include:

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1. The facts that led to the decision to perform a strip search.
 2. The reasons less intrusive methods of searching were not used or were insufficient.
 3. The written authorization for the search, obtained from the Shift Supervisor.
 4. The name of the individual who was searched.
 5. The name and sex of the members who conducted the search.
 6. The name, sex and role of any person present during the search.
 7. The time and date of the search.
 8. The place at which the search was conducted.
 9. A list of the items, if any, that were recovered.
 10. The facts upon which the member based his/her belief that the individual was concealing a weapon or contraband.
- (g) No member should view an individual's private underclothing, buttocks, genitalia or female breasts while that individual is showering, performing bodily functions or changing clothes, unless he/she otherwise qualifies for a strip search. However, if serious hygiene or health issues make it reasonably necessary to assist the individual with a shower or a change of clothes, a supervisor should be contacted to ensure reasonable steps are taken to obtain the individual's consent and/or otherwise protect his/her privacy and dignity.
- (h) A copy of the strip search report shall be provided to the individual subject to the search.

900.5 PHYSICAL BODY CAVITY SEARCH

Physical body cavity searches shall be subject to the following (725 ILCS 5/103-1):

- (a) No individual shall be subjected to a physical body cavity search without written approval of the Shift Supervisor and only upon a search warrant. A copy of any search warrant and the results of the physical body cavity search shall be included with the related reports and made available, upon request, to the individual or authorized representative (except for those portions of the warrant ordered sealed by a court).
- (b) A physical body cavity search shall be conducted either by or under the supervision of a physician.
- (c) Except for the physician conducting the search, persons present must be of the same sex as the individual being searched. Only the necessary department members needed to maintain the safety and security of the medical personnel shall be present.
- (d) Privacy requirements, including restricted touching of body parts and sanitary condition requirements, are the same as required for a strip search.
- (e) All such searches shall be documented, including:

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1. The facts that led to the decision to perform a physical body cavity search of the individual.
 2. The reasons less intrusive methods of searching were not used or were insufficient.
 3. The Shift Supervisor's approval.
 4. A copy of the search warrant.
 5. The time, date and location of the search.
 6. The medical personnel present.
 7. The names, sex and roles of any department members present.
 8. Any contraband or weapons discovered by the search.
- (f) A copy of the written authorization shall be retained and shall be provided to the individual who was searched or other authorized representative upon request.

900.6 GENDER IDENTITY OR EXPRESSION CONSIDERATIONS

If an individual who is subject to a strip search or physical body cavity search has a gender identity or expression that differs from their sex assigned at birth, the search should be conducted by members of the same gender identity or expression as the individual, unless the individual requests otherwise.

900.7 JUVENILES

No juvenile should be subjected to a strip search or a physical body cavity search at the Department.

The Chief of Police or the authorized designee should establish procedures for the following:

- (a) Safely transporting a juvenile who is suspected of concealing a weapon or contraband, or who may be experiencing a medical issue related to such concealment, to a medical facility or juvenile detention facility as appropriate in the given circumstances
 1. Procedures should include keeping a juvenile suspected of concealing a weapon under constant and direct supervision until custody is transferred to the receiving facility.
- (b) Providing officers with information identifying appropriate medical and juvenile detention facilities to which a juvenile should be transported for a strip or body cavity search

Nothing in this section is intended to prevent an officer from rendering medical aid to a juvenile in emergency circumstances (see the Medical Aid and Response Policy for additional guidance).

Chapter 10 - Personnel

Evaluation of Employees

1000.1 PURPOSE AND SCOPE

The Department's employee performance evaluation system is designed to record work performance for both the Department and the employee, providing recognition for good work and developing a guide for improvement.

1000.2 POLICY

The Urbana Police Department utilizes a performance evaluation report to measure performance and to use as a factor in making personnel decisions that relate to promotion, reassignment, discipline, demotion, and termination. The evaluation report is intended to serve as a guide for work planning and review by the supervisor and employee. It gives supervisors a way to create an objective history of work performance based on job standards.

The Department evaluates employees in a non-discriminatory manner based upon job-related factors specific to the employee's position, without regard to an actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

1000.3 FULL TIME PROBATIONARY PERSONNEL

Civilian personnel are on probation for 12 months before being eligible for certification as permanent employees. An evaluation is completed monthly for all full-time civilian personnel during the probationary period.

Sworn personnel are on probation for 6 months following completion of FTO program before being eligible for certification as permanent employees. Probationary officers are evaluated daily, weekly and monthly during the probationary period.

1000.4 FULL-TIME PERMANENT STATUS PERSONNEL

Permanent employees are subject to three types of performance evaluations:

Regular - An Employee Performance Evaluation shall be completed once each year by the employee's immediate supervisor on the anniversary of the employee's date of hire except for employees who have been promoted in which case an Employee Performance Evaluation shall be completed on the anniversary of the employee's date of last promotion.

Transfer - If an employee is transferred from one assignment to another during an evaluation period and less than six months have transpired since the transfer at the time the evaluation is due, then the evaluation shall be completed by the current supervisor with input from the previous supervisor.

Special - A special evaluation may be completed any time the rater and the rater's supervisor feel one is necessary due to employee performance that is deemed less than standard. Generally, the special evaluation will be the tool used to demonstrate those areas of performance deemed less

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than standard when follow-up action is planned (action plan, remedial training, retraining, etc.). The evaluation form and the attached documentation shall be submitted as one package.

1000.4.1 RATINGS

When completing the Employee Performance Evaluation, the rater will place a checkmark in the column that best describes the employee's performance.

Space for written comments is provided at the end of the evaluation in the rating supervisor comments section. This section allows the rater to document the employee's strengths, weaknesses, and suggestions for improvement. A rating under any job dimension marked other than "Meets Standards" shall be substantiated in the rater comments section.

1000.5 EVALUATION INTERVIEW

When the supervisor has completed the preliminary evaluation, arrangements shall be made for a private discussion of the evaluation with the employee. The supervisor should discuss the results of the just completed rating period and clarify any questions the employee may have. If the employee has valid and reasonable objections to any of the ratings, the supervisor may make appropriate changes to the evaluation. Areas needing improvement and goals for the upcoming evaluation period should be identified and discussed. The supervisor should also provide relevant counseling regarding advancement, specialty positions and training opportunities.

1000.6 EVALUATION REVIEW

After the supervisor finishes the discussion with the employee, the signed performance evaluation is forwarded to the rater's supervisor (Division Commander). The Division Commander shall review the evaluation for fairness, impartiality, uniformity, and consistency and place any comments needed on the evaluation. The evaluation will be returned to the supervisor for the appropriate signature. The employee will sign the evaluation last and place any comments in the section provided. The Division Commander shall evaluate the supervisor on the quality of ratings given.

1000.7 EVALUATION DISTRIBUTION

The original performance evaluation shall be maintained in the employee's personnel file for the tenure of the employee's employment. A copy will be offered to the employee.

Special Assignments and Promotions

1001.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for promotions and for making special assignments within the Urbana Police Department.

1001.2 PROMOTIONAL REQUIREMENTS

Requirements and information regarding any promotional process are available at the Department of Human Resources.

1001.2.1 PROMOTIONAL PROCESS

The Chief of Police or their designee should coordinate with the Human Resources Department to develop a written promotional process for both sworn and non-sworn positions, which may include:

- (a) Describing the elements to be used in the promotion process.
- (b) Providing eligible employees with a written announcement of the promotion process.
- (c) Review of results for each element of the promotion process.
- (d) A minimum requirement for years of service or time in rank/grade requirement for a promotion.
- (e) Ensuring all elements used in the promotional process are job-related.

1001.2.2 ELIGIBILITY LISTS

If eligibility lists are used, the Chief of Police or their designee should develop criteria and procedures for developing each list in compliance with applicable federal, state, and city rules/policies, which should specify:

- (a) A system for ranking eligible employees on the lists.
- (b) The duration of the lists.
- (c) A system for selecting names from the lists.

1001.3 POLICY

The Urbana Police Department determines assignments and promotions in a non-discriminatory manner based upon job-related factors and candidate skills and qualifications. Assignments and promotions are made by the Chief of Police.

1001.4 SPECIAL ASSIGNMENT POSITIONS

The following positions are considered special assignments and not promotions:

- (a) METRO SWAT operator
- (b) METRO SWAT negotiator
- (c) Detective
- (d) Bicycle Patrol officer

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- (e) Canine handler
- (f) Accident investigator
- (g) Field Training Officer
- (h) School Resource officer
- (i) Street Crimes Detective
- (j) Firearms Instructor

1001.4.1 GENERAL REQUIREMENTS

The following requirements should be considered when selecting a candidate for a special assignment:

- (a) Off probation
- (b) Possession of or ability to obtain any certification required by the Illinois Law Enforcement Training and Standards Board (ILETSB) or law
- (c) Exceptional skills, experience, or abilities related to the special assignment

1001.4.2 EVALUATION CRITERIA

The following criteria will be used in evaluating candidates for a special assignment:

- (a) Presents a professional, neat appearance
- (b) Expresses an interest in the assignment
- (c) Demonstrates the following traits:
 1. Emotional stability and maturity
 2. Stress tolerance
 3. Sound judgment and decision-making
 4. Personal integrity and ethical conduct
 5. Leadership skills
 6. Initiative
 7. Adaptability and flexibility
 8. Ability to conform to department goals and objectives in a positive manner
- (d) Possesses skills necessary for success in the position (e.g. attention to detail for a detective)

1001.4.3 SELECTION PROCESS

The selection process for special assignments will include an administrative evaluation as determined by the Chief of Police to include:

- (a) Supervisor recommendations - Each supervisor who has supervised or otherwise been involved with the candidate will be asked to submit a recommendation.

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1. The supervisor recommendations will be submitted to the Division Commander for whom the candidate will work.
- (b) Division Commander interview - The Division Commander will schedule interviews with each candidate.
 1. Based on supervisor recommendations and those of the Division Commander after the interview, the Division Commander will submit his/her recommendations to the Chief of Police.
- (c) Assignment by the Chief of Police.

The selection process for all special assignment positions may be waived for temporary assignments, emergency situations, training, and at the discretion of the Chief of Police.

Grievance Procedure

1002.1 PURPOSE AND SCOPE

It is the policy of this department that all grievances be handled quickly and fairly without discrimination against employees who file a grievance whether or not there is a basis for the grievance. Our Department's philosophy is to promote a free verbal communication between employees and supervisors.

1002.2 PROCEDURE

All grievances will be handled as outlined in the current Illinois FOP Labor Council contract and the current AFSCME contract.

Anti-Retaliation

1003.1 PURPOSE AND SCOPE

This policy prohibits retaliation against members who identify workplace issues, such as fraud, waste, abuse of authority, gross mismanagement or any inappropriate conduct or practices, including violations that may pose a threat to the health, safety or well-being of members.

This policy does not prohibit actions taken for nondiscriminatory or non-retaliatory reasons, such as discipline for cause.

These guidelines are intended to supplement and not limit members' access to other applicable remedies. Nothing in this policy shall diminish the rights or remedies of a member pursuant to any applicable federal law, provision of the U.S. Constitution, law, ordinance or collective bargaining agreement.

1003.2 POLICY

The Urbana Police Department has a zero tolerance for retaliation and is committed to taking reasonable steps to protect from retaliation members who, in good faith, engage in permitted behavior or who report or participate in the reporting or investigation of workplace issues. All complaints of retaliation will be taken seriously and will be promptly and appropriately investigated.

1003.3 RETALIATION PROHIBITED

No member may retaliate against any person for engaging in lawful or otherwise permitted behavior; for opposing a practice believed to be unlawful, unethical, discriminatory or retaliatory; for reporting or making a complaint under this policy; or for participating in any investigation related to a complaint under this or any other policy.

Retaliation includes any adverse action or conduct, including but not limited to:

- Refusing to hire or denying a promotion.
- Extending the probationary period.
- Unjustified reassignment of duties or change of work schedule.
- Real or implied threats or other forms of intimidation to dissuade the reporting of wrongdoing or filing of a complaint, or as a consequence of having reported or participated in protected activity.
- Taking unwarranted disciplinary action.
- Spreading rumors about the person filing the complaint or about the alleged wrongdoing.
- Shunning or unreasonably avoiding a person because he/she has engaged in protected activity.

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Anti-Retaliation

1003.4 COMPLAINTS OF RETALIATION

Any member who feels he/she has been retaliated against in violation of this policy should promptly report the matter to any supervisor, command staff member, Chief of Police or the City Personnel Manager.

Members shall act in good faith, not engage in unwarranted reporting of trivial or minor deviations or transgressions, and make reasonable efforts to verify facts before making any complaint in order to avoid baseless allegations. Members shall not report or state an intention to report information or an allegation knowing it to be false, with willful or reckless disregard for the truth or falsity of the information or otherwise act in bad faith.

Investigations are generally more effective when the identity of the reporting member is known, thereby allowing investigators to obtain additional information from the reporting member. However, complaints may be made anonymously. All reasonable efforts shall be made to protect the reporting member's identity. However, confidential information may be disclosed to the extent required by law or to the degree necessary to conduct an adequate investigation and make a determination regarding a complaint. In some situations, the investigative process may not be complete unless the source of the information and a statement by the member is part of the investigative process.

1003.5 SUPERVISOR RESPONSIBILITIES

Supervisors are expected to remain familiar with this policy and ensure that members under their command are aware of its provisions.

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring complaints of retaliation are investigated as provided in the Personnel Complaints Policy.
- (b) Receiving all complaints in a fair and impartial manner.
- (c) Documenting the complaint and any steps taken to resolve the problem.
- (d) Acknowledging receipt of the complaint, notifying the Chief of Police via the chain of command and explaining to the member how the complaint will be handled.
- (e) Taking appropriate and reasonable steps to mitigate any further violations of this policy.
- (f) Monitoring the work environment to ensure that any member making a complaint is not subjected to further retaliation.
- (g) Periodic follow-up with the complainant to ensure that retaliation is not continuing.
- (h) Not interfering with or denying the right of a member to make any complaint.
- (i) Taking reasonable steps to accommodate requests for assignment or schedule changes made by a member who may be the target of retaliation if it would likely mitigate the potential for further violations of this policy.

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1003.6 COMMAND STAFF RESPONSIBILITIES

The Chief of Police should communicate to all supervisors the prohibition against retaliation.

Command staff shall treat all complaints as serious matters and shall ensure that prompt actions take place, including but not limited to:

- (a) Communicating to all members the prohibition against retaliation.
- (b) The timely review of complaint investigations.
- (c) Remediation of any inappropriate conduct or condition and instituting measures to eliminate or minimize the likelihood of recurrence.
- (d) The timely communication of the outcome to the complainant.

1003.7 WHISTLE-BLOWING

The Illinois Whistleblower Act protects an employee who, with reasonable cause to believe the information communicated discloses a violation of a law, rule, or regulation (740 ILCS 174/1 et seq.):

- (a) Provides information to a government or law enforcement agency, in a judicial or administrative hearing, or testifies before a legislative body.
- (b) Refuses to participate in an activity that would result in a violation of a law, rule, or regulation.
- (c) Engages in any other act or omission if the employee is disclosing or attempting to disclose public corruption or wrongdoing.

Retaliation is also prohibited against any employee who reports, cooperates in an investigation conducted by an individual responsible for receiving and investigating complaints of misconduct, reviewing the performance of the department's members, and/or the integrity of the City's operations and programs involving, or testifies in a proceeding or prosecution regarding, improper government action (50 ILCS 105/4.1).

Members who believe they have been the subject of retaliation for engaging in such protected behaviors should promptly report it to a supervisor. Supervisors should refer the complaint to the Deputy Chief of Police for investigation pursuant to the Personnel Complaints Policy.

1003.8 RECORDS RETENTION AND RELEASE

All documentation of investigations will be maintained in accordance with the established records retention schedules.

1003.9 TRAINING

All members should receive periodic refresher training on the requirements of this policy.

Reporting of Arrests, Convictions, and Court Orders

1004.1 PURPOSE AND SCOPE

The purpose of this policy is to describe the notification requirements and procedures that members must follow when certain arrests, convictions, and court orders restrict their ability to perform the official duties and responsibilities of the Urbana Police Department. This policy will also describe the notification requirements and procedures that certain retired officers must follow when an arrest, conviction, or court order disqualifies them from possessing a firearm.

1004.2 DOMESTIC VIOLENCE CONVICTIONS AND RESTRAINING ORDERS

Illinois and federal law prohibit individuals convicted of certain offenses and individuals subject to certain court orders from lawfully possessing a firearm. Such convictions and court orders often involve allegations of the use or attempted use of force or threatened use of a weapon on any individual in a domestic relationship (e.g., spouse, cohabitant, parent, child) (18 USC § 922; 720 ILCS 5/24-1.1).

All members are responsible for ensuring that they have not been disqualified from possessing a firearm by any such conviction or court order and shall promptly report any such conviction or court order to a supervisor, as provided in this policy.

Officers are prohibited from carrying a firearm if they are currently the subject of a domestic violence protection order (750 ILCS 60/214).

1004.3 OTHER CRIMINAL CONVICTIONS

Any person convicted or found guilty, or having entered a plea of guilty or of nolo contendere to any of the offenses described in 50 ILCS 705/6.1 is prohibited from being a peace officer in the State of Illinois (50 ILCS 705/6.1). Any person who has been convicted of a felony is prohibited from possessing a firearm (720 ILCS 5/24-1.1). This prohibition applies regardless of whether the guilt was established by way of a verdict, guilty plea, or nolo contendere plea.

Convictions of certain state or federal violations, including other provisions, such as probation or conditions of pretrial release, may place restrictions on an employee's ability to fully perform the duties of the job or restrict possessing firearms (720 ILCS 5/32-10; 720 ILCS 550/10; 725 ILCS 5/110-10).

Moreover, while legal restrictions may or may not be imposed by statute or by the courts upon conviction of any criminal offense, criminal conduct by members of this department may be inherently in conflict with law enforcement duties and the public trust.

1004.3.1 DRIVER'S LICENSE

Employees with duties that include operation of a motor vehicle shall at all times have in their immediate possession a valid driver's license with the proper classification of vehicle they operate.

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- Employees with duties that include operation of a motor vehicle who become aware that their driver's license is invalid for any reason shall immediately notify the Chief of Police in writing through the chain of command.
- On an annual basis, the Support Services Division Commander will cause an inquiry to be run on the driver's license of every employee with duties that include operation of a motor vehicle to verify validity.

1004.4 REPORTING PROCEDURE

All members of this department and all retired officers with an identification card issued by the Department shall promptly notify their immediate supervisor (or the Chief of Police in the case of retired officers) in writing of any past or current criminal arrest or conviction regardless of whether or not the matter is currently on appeal and regardless of the penalty or sentence, if any.

All members and all retired officers with an identification card issued by the Department shall further promptly notify their immediate supervisor (or the Chief of Police in the case of retired officers) in writing if the member or retiree becomes the subject of a domestic violence restraining order or similar court order.

Any member whose criminal conviction unduly restricts or prohibits that member from fully and properly performing his/her duties may be disciplined including, but not limited to, being placed on administrative leave, reassignment and/or termination.

Any member failing to provide prompt written notice pursuant to this policy shall be subject to discipline.

1004.4.1 ILLINOIS LAW ENFORCEMENT TRAINING AND STANDARDS BOARD NOTIFICATION

In the event of an arrest, conviction, finding of guilty, plea of guilty, or plea of nolo contendere disposition of any of the specified sections in 50 ILCS 705/6.1, the Chief of Police shall report such disposition to the Illinois Law Enforcement Training and Standards Board (ILETSB).

It is the duty and responsibility of every full-time and part-time police officer to report to both the ILETSB within 14 days and also to the officer's Chief of Police of the arrest, conviction, finding of guilty, or plea of guilty, for an offense identified in 50 ILCS 705/6.1, as well as any name change, change in employment, and filing of any criminal indictment or charges against the officer for the offenses (50 ILCS 705/8.1).

Any full-time or part-time police officers who knowingly make, submit, cause to be submitted, or file a false or untruthful report to ILETSB must have their certificate or waiver either immediately decertified or revoked. Members shall notify the ILETSB on the prescribed form within seven days of becoming aware of the following alleged violations by an officer (50 ILCS 705/6.3):

- (a) An act that would constitute a felony or misdemeanor that could serve as basis for automatic decertification, whether or not the officer was criminally prosecuted, and whether or not the officer's employment was terminated.
- (b) Excessive use of force.

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- (c) Failure to intervene whether by action or omission.
- (d) Tampering with or directing another individual to tamper with a dash camera or body worn camera, or data from such devices for the purpose of concealing, destroying, or altering potential evidence.
- (e) During the reporting, investigation, or prosecution of a crime, engaging in perjury, making a false statement, or knowingly tampering with or fabricating evidence.
- (f) Engaging in any unprofessional, unethical, deceptive, or deleterious conduct or practice harmful to the public.

Members are additionally required to notify their supervisor upon becoming aware of the above alleged conduct as soon as practicable (50 ILCS 705/6.3).

1004.5 POLICY

The Urbana Police Department requires disclosure of member arrests, convictions, and certain court orders to maintain the high standards, ethics, and integrity in its workforce, and to ensure compatibility with the duties and responsibilities of the Department.

Drug- and Alcohol-Free Workplace

1005.1 PURPOSE AND SCOPE

The purpose of this policy is to establish clear and uniform guidelines regarding drugs and alcohol in the workplace (41 USC § 8103).

1005.2 POLICY

It is the policy of this department to provide a drug- and alcohol-free workplace for all members.

1005.3 GENERAL GUIDELINES

Alcohol and drug use in the workplace or on department time can endanger the health and safety of department members and the public. Such use shall not be tolerated (41 USC § 8103).

Members who have consumed an amount of an alcoholic beverage or taken any medication, or combination thereof, that would tend to adversely affect their mental or physical abilities shall not report for duty. Affected members shall notify the Shift Supervisor or appropriate supervisor as soon as the member is aware that he/she will not be able to report to work. If the member is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the member is adversely affected while on-duty, he/she shall be immediately removed and released from work (see Work Restrictions in this policy). Employees who are off-duty, but in uniform shall not drink any alcoholic beverages. Officers, when off duty, shall not drink an alcoholic beverage to an extent that results in the commission of an obnoxious or offensive act that may bring discredit upon the Department.

1005.3.1 USE OF MEDICATIONS

Members should not use any medications that will impair their ability to safely and completely perform their duties. Any member who is medically required or has a need to take any such medication shall report that need to the member's immediate supervisor prior to commencing any on-duty status.

1005.3.2 POSSESSION, USE, OR BEING UNDER THE INFLUENCE OF CANNABIS

Possession, use, or being under the influence of cannabis is prohibited and may lead to disciplinary action.

1005.4 MEMBER RESPONSIBILITIES

Members shall report for work in an appropriate mental and physical condition. Members are prohibited from purchasing, manufacturing, distributing, dispensing, possessing, or using controlled substances or alcohol on department premises or on department time (41 USC § 8103). The lawful possession or use of prescribed medications or over-the-counter remedies is excluded from this prohibition.

Members who are authorized to consume alcohol as part of a special assignment shall not do so to the extent of impairing on-duty performance.

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Members shall notify a supervisor immediately if they observe behavior or other evidence that they believe demonstrates that a fellow on-duty member is impaired due to drug or alcohol use.

Members are required to notify their immediate supervisors of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction (41 USC § 8103).

1005.5 EMPLOYEE ASSISTANCE PROGRAM

There may be available a voluntary employee assistance program to assist those who wish to seek help for alcohol and drug problems (41 USC § 8103). Insurance coverage that provides treatment for drug and alcohol abuse also may be available. Employees should contact the Department of Human Resources, their insurance providers or the employee assistance program for additional information. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to performance problems.

1005.6 WORK RESTRICTIONS

If a member informs a supervisor that he/she has consumed any alcohol, drug or medication that could interfere with a safe and efficient job performance, the member may be required to obtain clearance from his/her physician before continuing to work.

If the supervisor reasonably believes, based on objective facts, that a member is impaired by the consumption of alcohol or other drugs, the supervisor shall prevent the member from continuing work and shall ensure that he/she is safely transported away from the Department.

1005.7 REQUESTING SCREENING TESTS

Sworn employees may be required to submit to screening tests for drugs or alcohol pursuant to the rules set forth in the Illinois FOP Labor Council contract, Section 21.3 Drug and Alcohol Testing and Evaluation Permitted.

1005.8 COMPLIANCE WITH THE DRUG-FREE WORKPLACE ACT

No later than 30 days following notice of any drug statute conviction for a violation occurring in the workplace involving a member, the Department will take appropriate disciplinary action, up to and including dismissal, and/or requiring the member to satisfactorily participate in a drug abuse assistance or rehabilitation program (41 USC § 8104).

1005.9 CONFIDENTIALITY

The Department recognizes the confidentiality and privacy due to its members. Disclosure of any information relating to substance abuse treatment, except on a need-to-know basis, shall only be with the express written consent of the member involved or pursuant to lawful process.

The written results of any screening tests and all documents generated by the employee assistance program are considered confidential medical records and shall be maintained in the member's confidential medical file in accordance with the Personnel Records Policy.

Scheduled Approved Leave

1006.1 PURPOSE

The Department has established this Policy to ensure the efficient and effective usage of law enforcement personnel and resources. By establishing this policy, the Department is attempting to balance the needs of the Department for staffing purposes with the benefits earned by the employees for their work. The Department is committed to allowing employees to use their benefits in a time and manner preferred by the employee, however, it is the mandate of the Department to protect and serve the public. Having adequate staff resources on each shift is critical to fulfilling that mandate. Accordingly, the safety of the public, as well as the safety of other officers and employees, will be taken into consideration when determining whether or not a request for use of certain types of benefit time is granted.

1006.2 VACATION

Supervisors and officers shall be considered separately for vacation. Vacation time can only be taken in 4-hour blocks to start and in one-hour increments for blocks exceeding 4 hours. Only one employee of each rank from each shift may be off on vacation at the same time. Vacation time should be requested and will be granted as outlined in the collective bargaining agreement.

1006.2.1 VACATION ROUNDS

Most department employees are subject to the sign-up schedule. Once a sign-up has begun, the department divisions shall conduct vacation scheduling as outlined in the Fraternal Order of Police (FOP) and American Federation of State, County, and Municipal Employees (AFSCME) contracts.

All employees will take part in two rounds of vacation selections. The vacation round offerings shall be in the order of seniority in rank. The days requested shall be contiguous. Once the most senior has requested vacation or passed, then the offer moves to the next in seniority and so on until everyone has had an opportunity. Each subsequent request for vacation shall be for days not selected.

1006.2.2 POLICE SERVICES REPRESENTATIVES

All PSR's will be allowed to take 24 hours of their allotted vacation time as special vacation each fiscal year in the following manner; special vacation hours requested off at the beginning of an employee's shift must be requested for approval no less than 60 minutes prior to the start of the affected shift. If the employee is already working his/her shift and requests special vacation hours for time off during the same shift, this time restriction does not apply. If the 24 hour maximum is not used in the fiscal year, it will not be allowed to be carried over to the next fiscal year.

Nothing in this section shall supercede previously outlined procedures in the Front Desk Manual from being followed when utilizing special vacation hours.

1006.2.3 NON-UNION EMPLOYEES

Non-Union Employees not specifically outlined here, have vacation arrangements.

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1006.3 COMPENSATORY TIME

Compensatory time can only be scheduled off once the employee has earned the time and employees shall not schedule compensatory time off in anticipation of earning the time prior to its requested use. The use, or request, of compensatory time prior to the compensatory time being accrued is grounds for discipline. Compensatory time should be requested and will be granted, as outlined in the FOP or AFSCME collective bargaining agreements.

1006.4 PERSONAL LEAVE

Personal leave must be taken in 1-hour blocks. Personal leave should be requested and will be granted as outlined below.

1006.5 FUNERAL LEAVE

Employees, who have funeral leave benefits, shall notify the on duty shift supervisor of the death of their family member as soon as possible. Employees, upon request, will be excused for up to three (3) consecutive calendar days for the purpose of attending the funeral, (AFSCME employees may be excused two (2) additional days per contract) as outlined in the FOP contract (Section 18.2) and AFSCME contract (Section 11.3) and the City of Urbana Policy (3.13).

1006.6 LODGE LEAVE AND PENSION LEAVE

Lodge Leave - FOP Lodge members who attend official Lodge functions, may be granted Lodge leave pursuant to the negotiated contract.

Pension Leave - Employees who are members of the Urbana Police Pension Board may be granted time off for Pension Board activities.

1006.7 SICK LEAVE

Employees earn sick leave at a rate established by the labor contracts and the City Administrative Policy. Sick leave documentation procedures are dependent on the specific employee and the arrangements under which he/she is covered. Employees are required to call in no less than 60 minutes prior to the beginning of their shift to utilize sick leave.

1006.8 MILITARY LEAVE

Employees who are members of the military shall be allowed the time off to attend to those duties without damage to an employee's rank or seniority. For further on military leave, see the City Administrative Policy.

Employees who are required as part of their military obligation to attend two (2) or more weeks of annual training will be excused from work for that time period. For each day of annual training the employee would have worked at the department, the employee will receive the difference between the normal rate of pay and the pay they receive from the military for that period. In order to facilitate payment of the amount due from the City, the employee shall submit, to the Chief of Police prior to the training, documentation stating the amount of pay they shall receive for such training. If the employee wishes to receive a regular paycheck from the City, he/she shall endorse his/her military paycheck to the City. The City shall then present the employee with his/her regular paycheck.

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1006.9 JURY DUTY

Upon being summoned for jury duty, an employee shall notify his/her Division Commander and provide a copy of the notice. Employees summoned for jury duty will be placed on an 8-hour day, 40 hour week schedule, Monday through Friday for the duration of the assigned jury term. This includes patrol personnel working a 12-hour schedule. The employee's workday shall begin at the reporting time mandated in the jury duty notice. If the employee is excused from jury duty for any portion of the day, the employee shall return to the Department, report to the Watch Commander or other appropriate supervisor and be assigned to their regular duty to complete the eight-hour work day. Employees shall receive their regular paychecks for the time they are serving jury duty. They shall sign over their jury duty check to the City for this privilege.

1006.10 DUTY INJURY

When an on duty injury occurs, the employee is required to immediately report the injury to his/her supervisor. The supervisor is required to follow the provisions as outline in the On Duty Injuries policy. Injured officers will sometimes work in a light duty capacity until they are cleared for regular duty by a doctor.

1006.11 LEAVES OF ABSENCE

Leaves of absence, either paid or unpaid, are granted at the sole discretion of the Chief of Police. All requests for those leaves shall be in writing to the Chief. Granting of such leaves will be pursuant to Civil Service Rules, labor contract arrangements, and City Administrative Policy.

1006.12 ADMINISTRATIVE LEAVE

Officers may be placed on paid administrative leave at the discretion of any Command Officer, subject to immediate review by the Chief of Police. The Chief of Police may place any employee on unpaid administrative leave pursuant to policies in the labor contracts, Civil Service Rules, and City Administrative Policy.

In some instances when an officer is placed on administrative leave, he/she no longer have arrest authority and do not represent the department. In these instances, the officer shall submit his/her ID card, badge, issued weapons and building keys.

1006.13 TRAINING/SCHOOLS

Employees may be given paid time off to attend schools or training sessions. This is at the discretion of the Chief of Police or his/her designee.

1006.14 FAMILY MEDICAL LEAVE ACT

Family Medical Leave Act as guaranteed by law shall be available to employees pursuant to the City Administrative Policy, which can be found in Section 3.4A of the City of Urbana Policy and Procedure Manual.

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1006.15 HOLIDAYS

Employees covered by the Fraternal Order of Police contract and the AFSCME contract will follow procedures as spelled out in their respective contracts in relation to holidays. Those employees not covered by contract will follow the City of Urbana procedure in relation to holidays.

1006.16 SNOW DAYS

Employees of the police department are expected to be at work regardless of the weather conditions. It is precisely inclement and hazardous weather conditions when police services are required most.

If weather conditions exist which, in the opinion of the Mayor requires that non-essential employees leave early, he/she may authorize their dismissal. In the event the Mayor institutes the closing of city offices in this manner, then the Chief of Police or his designee will determine which UPD employees are non-essential.

Non-essential personnel will be notified of official City closings and will be paid for the amount of time that they would have worked had City offices and departments not closed. However, if an individual has previously been approved leave or vacation on the day of the official closure that individual will be required to use that approved leave for the day.

Non-closure of City offices and departments: Employees are expected to make every reasonable effort to report to work as scheduled in emergency events. However, individual circumstances vary greatly, and employees are expected to use their own judgment to avoid serious risks when traveling to and from work. When delayed, employees are expected to make reasonable efforts to report to work as soon as possible, unless otherwise excused by their supervisors. Supervisors are expected to utilize their discretion reasonably and humanely in relation to this policy. Employees who will be late or absent because of emergency events shall contact their supervisors as soon as possible.

Absences due to emergency events may be addressed in the following manner, as applicable:

- Employees may be authorized to make up the time absent through an alternate work schedule within the same pay period of the absence.
- Employees may utilize accrued compensatory, vacation or personal leave to remain in pay status. If the employee does not have paid benefit time, the employee may elect to not be paid for the time missed.

1006.17 AWARDING TIME OFF (FIRST AND SECOND REQUESTS)

First and second requests will be allowed as outlined in the FOP or AFSCME collective bargaining agreements. All benefit leave, outside of the first and second-round selection shall be granted no more than thirty days in advance and will be granted on a first-come, first-serve basis. Once a request for the use of benefit time has been approved in accordance with this policy, such benefit time shall not be re-categorized or re-classified into another time of benefit time. The second request may only be approved at the beginning of, or during the specific shift during which the request is to potentially occur. Except for an extenuating circumstance, second requests should

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not be granted for an entire shift..Recruit officers are an exception to the first and second-round requirements as they do not count in minimum staffing. They are required to obey the rules in the Field Training Manual concerning time off. The Chief of Police has the right to deny any use of benefit time if granting such time would substantially jeopardize the safety of officers or the general public.

Sick Leave

1007.1 PURPOSE AND SCOPE

This policy provides general guidance regarding the use and processing of sick leave. The accrual and terms of use of sick leave for eligible employees are detailed in the City personnel manual or applicable collective bargaining agreement.

This policy is not intended to cover all types of sick or other leaves. For example, employees may be entitled to additional paid or unpaid leave for certain family and medical reasons as provided for in the Family and Medical Leave Act (FMLA) (29 USC § 2601 et seq.) or the Illinois Employee Sick Leave Act (820 ILCS 191/1 et seq.).

1007.2 POLICY

It is the policy of the Urbana Police Department to provide eligible employees with a sick leave benefit.

1007.3 USE OF SICK LEAVE

Sick leave is intended to be used for qualified absences. Sick leave is not considered vacation. Abuse of sick leave may result in discipline, denial of sick leave benefits, or both.

Employees on sick leave shall not engage in other employment or self-employment or participate in any sport, hobby, recreational activity or other activity that may impede recovery from the injury or illness (see the Outside Employment Policy).

1007.3.1 NOTIFICATION

All members should notify the Shift Supervisor or appropriate supervisor as soon as they are aware that they will not be able to report to work and no less than one hour before the start of their scheduled shifts. If, due to an emergency, a member is unable to contact the supervisor, every effort should be made to have a representative for the member contact the supervisor.

Upon return to work, members are responsible for ensuring their time off was appropriately accounted for, and for completing and submitting the required documentation describing the type of time off used and the specific amount of time taken.

1007.4 EXTENDED ABSENCE

Members absent from duty for more than three consecutive days may be required to furnish a statement from a health care provider supporting the need to be absent and/or the ability to return to work. Members on an extended absence shall, if possible, contact their supervisor at specified intervals to provide an update on their absence and expected date of return.

Nothing in this section precludes a supervisor from requiring, with cause, a health care provider's statement for an absence of three or fewer days.

1007.5 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors include, but are not limited to:

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- (a) Monitoring and regularly reviewing the attendance of those under their command to ensure that the use of sick leave and absences is consistent with this policy.
- (b) Attempting to determine whether an absence of four or more days may qualify as family medical leave and consulting with legal counsel or the Department of Human Resources as appropriate.
- (c) Addressing absences and sick leave use in the member's performance evaluation when excessive or unusual use has:
 - 1. Negatively affected the member's performance or ability to complete assigned duties.
 - 2. Negatively affected department operations.
- (d) When appropriate, counseling members regarding excessive absences and/or inappropriate use of sick leave.
- (e) Referring eligible members to an available employee assistance program when appropriate.

Communicable Diseases

1008.1 PURPOSE AND SCOPE

This policy provides general guidelines to assist in minimizing the risk of department members contracting and/or spreading communicable diseases.

1008.1.1 DEFINITIONS

Definitions related to this policy include:

Communicable disease - A human disease caused by microorganisms that are present in and transmissible through human blood, bodily fluid, tissue, or by breathing or coughing. These diseases commonly include, but are not limited to, hepatitis B virus (HBV), HIV and tuberculosis.

Exposure - When an eye, mouth, mucous membrane or non-intact skin comes into contact with blood or other potentially infectious materials, or when these substances are injected or infused under the skin; when an individual is exposed to a person who has a disease that can be passed through the air by talking, sneezing or coughing (e.g., tuberculosis), or the individual is in an area that was occupied by such a person. Exposure only includes those instances that occur due to a member's position at the Urbana Police Department. (See the exposure control plan for further details to assist in identifying whether an exposure has occurred.)

1008.2 POLICY

The Urbana Police Department is committed to providing a safe work environment for its members. Members should be aware that they are ultimately responsible for their own health and safety.

1008.3 EXPOSURE PREVENTION AND MITIGATION

1008.3.1 GENERAL PRECAUTIONS

All members are expected to use good judgment and follow training and procedures related to mitigating the risks associated with communicable disease. This includes, but is not limited to (29 CFR 1910.1030; 820 ILCS 219/25):

- (a) Stocking disposable gloves, antiseptic hand cleanser, CPR masks or other specialized equipment in the work area of department vehicles, as applicable.
- (b) Wearing department-approved disposable gloves when contact with blood, other potentially infectious materials, mucous membranes and non-intact skin can be reasonably anticipated.
- (c) Washing hands immediately or as soon as feasible after removal of gloves or other PPE.
- (d) Treating all human blood and bodily fluids/tissue as if it is known to be infectious for a communicable disease.
- (e) Using an appropriate barrier device when providing CPR.
- (f) Using a face mask or shield if it is reasonable to anticipate an exposure to an airborne transmissible disease.

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- (g) Decontaminating non-disposable equipment (e.g., flashlight, control devices, clothing and portable radio) as soon as possible if the equipment is a potential source of exposure.
 - 1. Clothing that has been contaminated by blood or other potentially infectious materials shall be removed immediately or as soon as feasible and stored/decontaminated appropriately.
- (h) Handling all sharps and items that cut or puncture (e.g., needles, broken glass, razors, knives) cautiously and using puncture-resistant containers for their storage and/or transportation.
- (i) Avoiding eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses where there is a reasonable likelihood of exposure.
- (j) Disposing of biohazardous waste appropriately or labeling biohazardous material properly when it is stored.

1008.3.2 IMMUNIZATIONS

Members who could be exposed to HBV due to their positions may receive the HBV vaccine and any routine booster at no cost (29 CFR 1910.1030; 820 ILCS 219/25).

1008.4 POST EXPOSURE

1008.4.1 REPORTING REQUIREMENTS

The supervisor on-duty shall investigate every exposure or suspected exposure that occurs as soon as possible following the incident. The supervisor shall ensure the following information is documented (29 CFR 1910.1030; 820 ILCS 219/25):

- (a) Name of the member exposed
- (b) Date and time of incident
- (c) Location of incident
- (d) Potentially infectious materials involved and the source of exposure (e.g., identification of the person who may have been the source)
- (e) Work being done during exposure
- (f) How the incident occurred or was caused
- (g) PPE in use at the time of the incident
- (h) Actions taken post-event (e.g., clean-up, notifications)

The supervisor shall advise the member that disclosing the identity and/or infectious status of a source to the public or to anyone who is not involved in the follow-up process is prohibited. The supervisor should complete the incident documentation in conjunction with other reporting requirements that may apply (see the Occupational Disease and Work-Related Injury Reporting Policy).

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1008.4.2 INITIAL POST-EXPOSURE STEPS

Members who experience an exposure or suspected exposure shall:

- (a) Begin decontamination procedures immediately (e.g., wash hands and any other skin with soap and water, flush mucous membranes with water).
- (b) Obtain medical attention as appropriate.
- (c) Notify a supervisor as soon as practical.

1008.4.3 MEDICAL CONSULTATION, EVALUATION AND TREATMENT

Department members shall have the opportunity to have a confidential medical evaluation immediately after an exposure and follow-up evaluations as necessary.

The ECO should request a written opinion/evaluation from the treating medical professional that contains only the following information (29 CFR 1910.1030; 820 ILCS 219/25):

- (a) Whether the member has been informed of the results of the evaluation.
- (b) Whether the member has been notified of any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.

No other information should be requested or accepted by the ECO.

1008.4.4 SOURCE TESTING

Testing a person for communicable diseases when that person was the source of an exposure should be done when it is desired by the exposed member or when it is otherwise appropriate. Source testing is the responsibility of the ECO. If the ECO is unavailable to seek timely testing of the source, it is the responsibility of the exposed member's supervisor to ensure testing is sought.

Source testing may be achieved by:

- (a) Obtaining consent from the individual.
- (b) Contacting the Department of Public Health or local health authority and providing information regarding the circumstances of the exposure to determine if the appropriate authority will request consent from the person to submit to testing (77 Ill. Adm. Code 690.1380).
- (c) In cases of possible exposure to infectious diseases, including HIV, by having a health care provider or health facility test the source of the exposure pursuant to 410 ILCS 305/7 and/or 410 ILCS 312/10.

Since there is the potential for overlap between the different manners in which source testing may occur, the ECO is responsible for coordinating the testing to prevent unnecessary or duplicate testing.

The ECO should seek the consent of the individual for testing and consult the City Attorney to discuss other options when no statute exists for compelling the source of an exposure to undergo testing if he/she refuses.

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1008.4.5 COUNSELING

The Department shall provide the member, and his/her family if necessary, the opportunity for counseling and consultation regarding the exposure (29 CFR 1910.1030; 820 ILCS 219/25).

1008.5 CONFIDENTIALITY OF REPORTS

Medical information shall remain in confidential files and shall not be disclosed to anyone without the member's written consent (except as required by law) (29 CFR 1910.1030; 820 ILCS 219/25). Test results from persons who may have been the source of an exposure are to be kept confidential as well.

1008.6 EXPOSURE CONTROL OFFICER

The Services Division commander is designated as the Exposure Control Officer (ECO). The ECO shall develop an exposure control plan that includes:

- (a) Exposure prevention and decontamination procedures.
- (b) Procedures for when and how to obtain medical attention in the event of an exposure or suspected exposure.
- (c) The provision that department members will have no-cost access to the appropriate personal protective equipment (PPE) (e.g., gloves, face masks, eye protection, pocket masks) for each member's position and risk of exposure.
- (d) Evaluation of persons in custody for any exposure risk and measures to separate them.
- (e) Compliance with all relevant laws or regulations related to communicable diseases, including:
 1. Reporting known and suspected cases of reportable communicable diseases to the local health authority (77 Ill. Adm. Code 690.200).
 2. Acting as, or appointing a person as the designated officer to receive reports from the local health authority. The designated officer will be trained to carry out the duties described in 77 Ill. Adm. Code 690.200 regarding the procedures for follow-up after occupational exposures to specific diseases.
 3. The mandates of the Illinois Occupational Safety and Health Act (820 ILCS 219/1 et seq.).
 4. Responding to requests and notifications regarding exposures covered under the Ryan White law (42 USC § 300ff-133; 42 USC § 300ff-136).
 5. Responding to exposure notifications from hospitals to which members have transported a patient (210 ILCS 85/6.08).
 6. Exposure control mandates in 29 CFR 1910.1030 (820 ILCS 219/25; 56 Ill. Adm. Code 350.700).

The ECO should also act as the liaison with the Illinois Department of Labor (IDOL) and may request voluntary compliance inspections. The ECO should periodically review and update the exposure control plan and review implementation of the plan.

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1008.7 TRAINING

All members shall participate in training regarding communicable diseases commensurate with the requirements of their position. The training (29 CFR 1910.1030; 820 ILCS 219/25):

- (a) Shall be provided at the time of initial assignment to tasks where an occupational exposure may take place and at least annually after the initial training.
- (b) Shall be provided whenever the member is assigned new tasks or procedures affecting his/her potential exposure to communicable disease.
- (c) Should provide guidance on what constitutes an exposure, what steps can be taken to avoid an exposure and what steps should be taken if a suspected exposure occurs.

Smoking and Tobacco Use

1009.1 PURPOSE AND SCOPE

This policy establishes limitations on the use of tobacco products by employees and others while on-duty or while in Urbana Police Department facilities or vehicles.

1009.2 POLICY

The Urbana Police Department recognizes that tobacco use is a health risk and can be offensive to other employees and to the public. It is the policy of the Urbana Police Department to prohibit and/or restrict the use of tobacco by employees while on-duty or at any time the employee is acting in an official capacity for the Department.

1009.3 EMPLOYEE USE

Any tobacco use by employees is prohibited anytime employees are in public view representing the Department. Smoking is not permitted inside of any department facility, office, or vehicle. It shall be the responsibility of each employee to ensure that no person under his/her supervision smokes inside department facilities and vehicles.

1009.4 ADDITIONAL PROHIBITIONS

No employee shall smoke, even if out of public view in any public place, child/adult day care center, health care facility or within 15 feet of any entrance or any other location described under the Smoke Free Illinois Act (410 ILCS 82/15).

Personnel Complaints

1010.1 PURPOSE AND SCOPE

The purpose of this procedure is to provide guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members and employees of this department.

1010.1.1 PERSONNEL COMPLAINTS DEFINED

Formal Complaint - A written complaint that requires automatic referral to the administrative review process. All formal complaints against sworn peace officers shall be signed by the complainant describing the alleged misconduct. The Internal Affairs Coordinator and/or the Human Rights and Equity Officer (HREO) or their designee shall seek a completed complaint form from the complainant if one is not obtained during the initial process. Nothing in this policy prohibits the department from instituting an investigation without an outside complainant.

Informal Complaint / Inquiry - A complaint that may be resolved at the supervisory level of the employee in question. These are generally inquiries of citizens concerning a procedure or enforcement action. These complaints are most often resolved by providing the person with additional information about a topic of concern. The person inquiring shall be offered the opportunity to make a formal complaint if they are not satisfied with the information that they have received.

Chief's Inquiry - A preliminary review of an incident as requested by the chief of police. The nature of the inquiry is typically an informal request for information or assistance directed at the chief of police by a member of the community. These incidents might initiate a formal complaint or internal investigation.

A disagreement over a matter of law (e.g. probable cause for arrest, search and seizure issues, contesting a traffic violation, etc.) is not grounds for initiating a personnel complaint. Complaining persons should be advised that this is a matter for adjudication by the proper court system.

1010.2 POLICY

The Urbana Police Department takes seriously all complaints regarding the service provided by the Department and the conduct of its members.

The Department will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and local law, municipal and county rules and the requirements of any collective bargaining agreements.

It is also the policy of this department to ensure that the community can report alleged misconduct without concern for reprisal or retaliation.

1010.2.1 AVAILABILITY OF COMPLAINT FORMS

Personnel complaint forms are available through the following resources;

- Upon request at the front desk of the Urbana Police Department.

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- Through the City of Urbana website
- Through the City of Urbana Human Rights and Equity Officer

1010.2.2 SOURCE OF COMPLAINTS

The following applies to the source of complaints:

- A department employee becoming aware of alleged misconduct shall immediately notify a supervisor.
- A supervisor shall initiate a complaint based upon observed misconduct or receipt from any source alleging misconduct of an employee which, if true, could result in disciplinary action.
- Tort claims and lawsuits may generate a personnel complaint

1010.2.3 ACCEPTANCE OF COMPLAINTS

An alleged victim, an alleged victim's legal guardian, parent or personal representative, or any individual having personal knowledge of alleged officer misconduct shall have standing to file a complaint. Personal knowledge shall mean being an eye or ear witness to an incident involving alleged officer misconduct.

A complaint must be submitted in writing on an Urbana Police Action Citizen Complaint Form within 45 days of the date of the incident giving rise to the complaint, unless the complainant is physically unable to file a complaint because he or she has been hospitalized, incarcerated or called to active military duty. In such a case, the complaint must be filed within 15 calendar days of the date the person becomes physically able to file or is no longer incarcerated or in military service. The alleged victim, or the complainant's parent, guardian or legal representative must sign the complaint.

Completed complaint forms should be submitted to the HREO or designee either by mail or email. The complaint forms are available online. Should a complaint be submitted at the front desk, the shift supervisor should generally attempt to meet with all persons that wish to file a complaint. The supervisor should review the complaint form for completeness and to answer any questions that the complainant might have. The complaint form and any attached materials shall be forwarded to the Office of the Chief of Police.

Complaints from individuals who exhibit evidence of debilitating symptoms of alcohol or drug intoxication will not be accepted until such time that the complainant has attained full sobriety. Shift Supervisors will take into account the nature and severity of the complaint and the extent to which the intoxication would interfere with proper investigation.

1010.2.4 NOTIFICATIONS

Persons filing a formal complaint will receive written confirmation that the complaint has been received and is being investigated from the HREO.

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1010.3 COMPLETION OF INVESTIGATIONS

Complaints will be investigated pursuant to the Internal Investigation policy and a written report will be prepared outlining the following information:

- (a) Summary of the complaint or alleged misconduct
- (b) Statements of all parties to the incident (if appropriate)
- (c) A description of the incident
- (d) Observations of the investigator
- (e) Physical evidence that may exist

Every investigation, whether it be an internal investigation, formal complaint, or chief's inquiry shall ultimately record the category or categories of the nature of the allegation(s) regardless of the final determination of validity. The chief of police shall make the final determination of the proper classification. The designated categories are as follows:

- (a) Excessive Force
- (b) Abuse of Authority
- (c) Ethnic Slurs or Biased Policing
- (d) Improper Arrest
- (e) Improper Search
- (f) Free Speech
- (g) Free Assembly
- (h) Other Civil Rights Violations
- (i) Any Allegation/Complaint at the discretion of the Chief of Police
- (j) Missing Court
- (k) Loss of Department Equipment
- (l) Loss of Citizen property
- (m) Failure to Provide Police Services
- (n) Paperwork Issues
- (o) Dress and Personal Appearance
- (p) Operational Procedures
- (q) Discharge of Firearms (animals/negligent)
- (r) Conduct Unbecoming

The conclusion of the process will be structured and will provide information to all participants in the process. The investigating supervisor will report observations discovered in the investigation. The Chief of Police will make a final determination of findings. The potential findings may be:

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- (a) **Proper Conduct** - The investigation indicates that the act or acts complained of did occur but were justified, lawful, and proper.
- (b) **Improper Conduct** - One or both: The investigation disclosed sufficient evidence to clearly prove the allegations made in the complaint, and/or the investigation failed to sustain the original complaint, but revealed evidence of misconduct not part of the original complaint.
- (c) **Policy Failure** - The investigation reveals that the alleged act did occur, however, the employee was acting in accordance with established Department procedures.
- (d) **Insufficient Evidence** - There is insufficient evidence to either prove or disprove the allegations made in the complaint.
- (e) **Unfounded Complaint** - Investigation indicates that the act or acts complained of did not occur or did not involve Department employees.

1010.4 ADMINISTRATIVE SEARCHES

Assigned lockers, storage spaces and other areas, including desks, offices and vehicles, may be searched as part of an administrative investigation upon a reasonable suspicion of misconduct.

Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio or other document or equipment.

1010.5 ADMINISTRATIVE LEAVE

When a complaint of misconduct is of a serious nature, or when circumstances indicate that allowing the accused to continue to work would adversely affect the mission of the Department, the Chief of Police or the authorized designee may temporarily assign an accused employee to administrative leave. Any employee placed on administrative leave:

- (a) May be required to relinquish any department badge, identification, assigned weapons and any other department equipment.
- (b) Shall be required to continue to comply with all policies and lawful orders of a supervisor.
- (c) May be temporarily reassigned to a different shift, generally a normal business-hours shift, during the investigation. The employee may be required to remain available for contact at all times during such shift, and will report as ordered.

1010.5.1 RETENTION OF PERSONNEL COMPLAINTS

All formal personnel complaints shall be maintained in accordance with document retention schedules and/or applicable state law. Discipline resulting from a sustained complaint shall be maintained in the employee's personnel file pursuant to the appropriate collective bargaining agreements and applicable state law. Complaints which are unfounded, exonerated or not sustained shall be maintained by the HREO.

Seat Belts

1011.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of seat belts and child restraints. This policy will apply to all members operating or riding in department vehicles.

1011.1.1 DEFINITIONS

Definitions related to this policy include:

Child restraint system - An infant or child passenger restraint system that meets Federal Motor Vehicle Safety Standards (FMVSS) and Regulations set forth in 49 CFR 571.213 and 625 ILCS 25/4.

1011.2 WEARING OF SAFETY RESTRAINTS

All members shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased or rented by this department, while on- or off-duty, or in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all other occupants, including those who are not members of the Department, are also properly restrained.

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations where, due to unusual circumstances, wearing a seat belt would endanger the department member or the public. Members must be prepared to justify any deviation from this requirement.

1011.3 TRANSPORTING SUSPECTS, PRISONERS OR ARRESTEES

Suspects, prisoners and arrestees should be in a seated position and secured in the rear seat of any department vehicle with a prisoner restraint system or, when a prisoner restraint system is not available, by seat belts provided by the vehicle manufacturer. The prisoner restraint system is not intended to be a substitute for handcuffs or other appendage restraints.

Prisoners in leg restraints shall be transported in accordance with the Handcuffing and Restraints Policy.

In addition, if you are transporting any person who is not an employee of the city, ride along, intern or otherwise serving a purpose in an Urbana Police vehicle, you shall remove or cause to remove all of their belongings and hold them for safekeeping until they are either returned to the person being transported or given to a person that you are transferring custody to. These items should include all items kept inside any pocket or pouch such as wallets, currency, cellular phones, etc. Items of clothing are typically not of concern unless the officer can articulate and officer safety issue.

Officers shall not leave suspects, prisoners or arrestees unattended in a department or city owned vehicle unless there is an immediate officer or public safety issue that the officer must address.

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1011.4 INOPERABLE SEAT BELTS

Department vehicles shall not be operated when the seat belt in the driver's position is inoperable. Persons shall not be transported in a seat in which the seat belt is inoperable.

Department vehicle seat belts shall not be modified, removed, deactivated or altered in any way, except by the vehicle maintenance and repair staff, who shall do so only with the express authorization of the Chief of Police.

Members who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

1011.5 POLICY

It is the policy of the Urbana Police Department that members use safety and child restraint systems to reduce the possibility of death or injury in a motor vehicle crash.

1011.6 TRANSPORTING CHILDREN

Child passengers shall be transported using an approved child restraint system in compliance with 625 ILCS 25/4.

Rear seat passengers in a cage-equipped vehicle may have reduced clearance, which requires careful seating and positioning of seat belts. Due to this reduced clearance, and if permitted by law, children and any child restraint system may be secured in the front seat of such vehicles provided this positioning meets federal safety standards and the vehicle and child restraint system manufacturer's design and use recommendations. In the event that a child is transported in the front seat of a vehicle, the seat should be pushed back as far as possible and the passenger-side airbag should be deactivated. If this is not possible, members should arrange alternate transportation when feasible.

1011.7 VEHICLES MANUFACTURED WITHOUT SEAT BELTS

Vehicles manufactured and certified for use without seat belts or other restraint systems are subject to the manufacturer's operator requirements for safe use.

1011.8 VEHICLE AIRBAGS

In all vehicles equipped with airbag restraint systems, the system will not be tampered with or deactivated, except when transporting children as written elsewhere in this policy. All equipment installed in vehicles equipped with airbags will be installed as per the vehicle manufacturer specifications to avoid the danger of interfering with the effective deployment of the airbag device.

Body Armor

1012.1 PURPOSE AND SCOPE

The purpose of this policy is to provide law enforcement officers with guidelines for the proper use of body armor.

1012.2 POLICY

It is the policy of the Urbana Police Department to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for the observance of officer safety procedures.

1012.2.1 INTERNS AND RIDEALONGS POLICY

[REDACTED]

1012.3 ISSUANCE OF BODY ARMOR

The Field Training Unit Supervisor shall ensure that body armor is issued to all officers when the officer begins service at the Urbana Police Department and that, when issued, the body armor meets or exceeds the standards of the National Institute of Justice.

The Department shall establish a body armor replacement schedule, in consultation with the Deputy Chief of Police, and ensure that replacement body armor is issued pursuant to this schedule or whenever the body armor becomes worn or damaged to the point that its effectiveness or functionality has been compromised.

The Department will repair or replace any body armor damaged in the line of duty or rendered unserviceable because of normal wear and tear.

If body armor is damaged and requires repair or replacement as a result of any of the following conditions, the officers will be responsible for all costs associated with the repair or replacement of the body armor:

- (a) Failure to properly maintain body armor
- (b) Damage caused by an officer's negligence
- (c) Damage that occurs when not in the line of duty
- (d) Theft or loss of the body armor as a result of the officer's negligence
- (e) Due to weight loss or gain

Upon discontinuation of employment, officers shall return body armor to the Department.

1012.3.1 USE OF SOFT BODY ARMOR

Generally, the use of body armor is required subject to the following:

- (a) Officers shall only wear the most currently issued agency-approved body armor.

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- [REDACTED]
 - [REDACTED]
 - [REDACTED]
- [REDACTED]
- [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
- [REDACTED]
- [REDACTED]

1012.3.2 INSPECTIONS OF BODY ARMOR

Supervisors should ensure that body armor is worn and maintained in accordance with this policy through routine observation and periodic inspections.

1012.3.3 CARE AND MAINTENANCE OF SOFT BODY ARMOR

Soft body armor should never be stored for any period of time in an area where environmental conditions (e.g., temperature, light, humidity) are not reasonably controlled (e.g., normal ambient room temperature/humidity conditions), such as in automobiles or automobile trunks.

Soft body armor should be cared for and cleaned pursuant to the manufacturer's care instructions provided with the soft body armor. The instructions can be found on labels located on the external surface of each ballistic panel. The carrier should also have a label that contains care instructions. Failure to follow these instructions may damage the ballistic performance capabilities of the armor. If care instructions for the soft body armor cannot be located, contact the manufacturer to request care instructions.

Soft body armor should not be exposed to any cleaning agents or methods not specifically recommended by the manufacturer, as noted on the armor panel label.

Soft body armor should be replaced in accordance with the manufacturer's recommended replacement schedule.

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1012.3.4 WARRANTY PERIODS

All body armor shall be replaced before or at the expiration of the warranty at the Department's expense (50 ILCS 712/10).

1012.4 FIELD TRAINING UNIT SUPERVISOR RESPONSIBILITIES

The Field Training Unit Supervisor should:

- (a) Monitor technological advances in the body armor industry for any appropriate changes to Department approved body armor.



- (c) Provide training that educates officers about the safety benefits of wearing body armor.

1012.5 FUNDING

The Rangemaster should coordinate with other Urbana officials as appropriate to ensure grant funding is sought as appropriate (50 ILCS 712/10). The Rangemaster should also ensure that Department procedures are not in conflict with the terms of any applicable grant.

Personnel Records

1013.1 PURPOSE AND SCOPE

This policy governs maintenance and access to personnel records. Personnel records include any file maintained under an individual member's name. The city human resources department will maintain personnel files.

1013.2 POLICY

It is the policy of this department to maintain personnel records and preserve the confidentiality of personnel records pursuant to the Constitution and the laws of Illinois (5 ILCS 140/7).

1013.3 DEPARTMENT FILE

The department file shall be maintained as a record of a person's employment/appointment with this department. The department file should contain, at a minimum:

- (a) Personal data, educational and employment history or similar information.
- (b) Election of employee benefits.
- (c) Personnel action reports reflecting assignments, promotions and other changes in employment/appointment status. These should be permanently retained.
- (d) Original performance evaluations. These should be permanently maintained.
- (e) Discipline records
- (f) Commendations and awards.
- (g) Any other information, the disclosure of which would constitute an unwarranted invasion of personal privacy.

1013.4 MEMBER ACCESS TO OWN PERSONNEL RECORDS

Any member may request access to their own personnel records during the normal business hours of those responsible for maintaining such files twice in a calendar year or as otherwise provided in a collective bargaining agreement. The Department will grant the inspection within seven working days. The Department shall, upon written request of the member, mail or email a copy of any requested records to the member (820 ILCS 40/2).

Any member seeking the removal or correction of any item from their personnel records shall file a written request to the Chief of Police through the chain of command. The Department may remove or correct any such item if appropriate, or within 30 days provide the member with a written explanation of why the contested item will not be removed. If the contested item is not removed from the file, the member's request and the written response from the Department shall be retained with the contested item in the member's corresponding personnel record as long as the contested item is a part of the file (820 ILCS 40/6).

A member who is involved in a current grievance against the Department may designate in writing a representative of the member's union or collective bargaining unit or other representative

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to inspect the member's personnel record which may have a bearing on the resolution of the grievance (820 ILCS 40/5).

Members may be restricted from accessing files containing any of the following information (820 ILCS 40/10):

- (a) An ongoing internal affairs investigation to the extent that it could jeopardize or compromise the investigation pending final disposition or notice to the member of the intent to discipline
- (b) Confidential portions of internal affairs files that have not been sustained against the member
- (c) Criminal investigations involving the member
- (d) Letters of reference concerning employment/appointment, licensing, or issuance of permits regarding the member
- (e) Any portion of a test document, except the cumulative total test score for either a section of the test document or for the entire test document
- (f) Materials used by the Department for staff management planning, including judgments or recommendations concerning future salary increases and other wage treatments, management bonus plans, promotions, and job assignments, or other comments or ratings used for department planning purposes
- (g) Information of a personal nature about a person other than the member if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy
- (h) Records relevant to any other pending claim between the Department and the member that may be discovered in a judicial proceeding

1013.5 RETENTION AND PURGING

Unless provided otherwise in this policy, personnel records shall be maintained in accordance with the established records retention schedule.

- (a) During the preparation of each member's performance evaluation, all personnel complaints and disciplinary actions should be reviewed to determine the relevancy, if any, to progressive discipline, training, and career development. Each supervisor responsible for completing the member's performance evaluation should determine whether any prior sustained disciplinary file should be retained beyond the required period for reasons other than pending litigation or other ongoing legal proceedings.
- (b) If a supervisor determines that records of prior discipline should be retained beyond the required period, approval for such retention should be obtained through the chain of command from the Chief of Police.
- (c) Records related to complaints, investigations, and adjudications of police misconduct shall be permanently retained and may not be destroyed (50 ILCS 205/25).

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1013.5.1 SPECIFIC RETENTION REQUIREMENTS

Unless provided otherwise in this policy, the following records shall be maintained (56 Ill. Adm. Code 320.140):

- (a) Member payroll records, including name, address, occupation, wages, records of wages and other forms of compensation, dates of hire, promotion and dates of pay increases shall be maintained in accordance with applicable document retention schedule.
- (b) Personnel records, including qualifications for hire, records of promotion, transfer, discipline, certifications, evaluations, written job offers and any available explanations of member compensation shall be maintained in accordance with applicable document retention schedule.

1013.6 DIVISION FILE

Division files may be separately maintained internally by a member's supervisor for the purpose of completing timely performance evaluations. The Division file may contain supervisor comments, notes, notices to correct and other materials that are intended to serve as a foundation for the completion of timely performance evaluations.

1013.7 INTERNAL AFFAIRS FILE

Internal affairs files shall be maintained under the exclusive control of the Deputy Chief of Police in conjunction with the office of the Chief of Police. Access to these files may only be approved by the Chief of Police or the Deputy Chief of Police.

These files shall contain the complete investigation of all formal complaints of member misconduct, regardless of disposition. Investigations of complaints that result in the following findings shall not be placed in the member's department file but will be maintained in the internal affairs file:

- (a) Not sustained
- (b) Unfounded
- (c) Exonerated

1013.8 TRAINING FILE

An individual training file shall be maintained by the Training Officer for each member. Training files will contain records of all training; original or photocopies of available certificates, transcripts, diplomas and other documentation; and education and firearms qualifications. Training records may also be created and stored remotely, either manually or automatically.

- (a) The involved member is responsible for providing the Training Officer or immediate supervisor with evidence of completed training/education in a timely manner.
- (b) The Training Officer or supervisor shall ensure that copies of such training records are placed in the member's training file.

1013.9 MEDICAL FILE

A medical file shall be maintained separately from all other personnel records and shall contain all documents relating to the member's medical condition and history, including but not limited to:

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- (a) Materials relating to a medical leave of absence, including leave under the Family and Medical Leave Act (FMLA).
- (b) Documents relating to workers' compensation claims or the receipt of short- or long-term disability benefits.
- (c) Fitness-for-duty examinations, psychological and physical examinations, follow-up inquiries and related documents.
- (d) Medical release forms, doctor's slips and attendance records that reveal a member's medical condition.
- (e) Any other documents or materials that reveal the member's medical history or medical condition, including past, present or future anticipated mental, psychological or physical limitations.

1013.10 SECURITY

Personnel records should be maintained in a secured location and locked either in a cabinet or access-controlled room. Personnel records maintained in an electronic format should have adequate password protection.

Personnel records are subject to disclosure only as provided in this policy, the Records Maintenance and Release Policy or according to applicable discovery procedures.

Nothing in this policy is intended to preclude review of personnel records by the City Administrator, City Attorney or other attorneys or representatives of the City in connection with official business.

1013.10.1 REQUESTS FOR DISCLOSURE

Any member receiving a request for a personnel record shall promptly notify the Custodian of Records, FOIA Officer or other person charged with the maintenance of such records.

Upon receipt of any such request, the responsible person shall notify the affected member as soon as practicable that such a request has been made.

The responsible person shall further ensure that an appropriate response to the request is made in a timely manner, consistent with applicable law. In many cases, this may require assistance of available legal counsel.

All requests for disclosure that result in access to a member's personnel records shall be logged in the corresponding file.

1013.10.2 RELEASE OF PERSONNEL INFORMATION

The Department may release any factual information concerning a disciplinary investigation if the member who is the subject of the investigation (or the member's representative) publicly makes a statement that is published in the media and that the member (or representative) knows to be false. The disclosure of such information, if any, shall be limited to facts that refute any such false statement.

Department Recognition Awards

1014.1 PURPOSE AND SCOPE

The Urbana Police Department believes that the desire for recognition is a motivation that may be utilized to increase the effectiveness of the Department. Commendation and praise are effective tools of leadership which can be utilized to achieve the Department's stated goal of promoting a positive disciplinary process which encourages employees to perform to the best of their ability. It is the policy of the Department that official recognition of exemplary performance will be afforded those employees who have brought honor to themselves and the Department.

1014.2 AWARDS COMMITTEE

The Awards Committee will consist of three employees of this department. Both sworn officers and civilian employees will be included on the committee. One alternate committee member will be selected to replace the existing committee members in the event one of the primary members is considered for an award. Record keeping will be in compliance with the Awards Committee Protocol found on the internal web. The Awards Committee will be appointed by the Chief of Police.

1014.3 "JOHN E. LOCKARD" OFFICER OF THE YEAR NOMINATIONS

The following criteria will be used to select the "John E. Lockard Officer of the Year" award recipient:

- Any police officer in permanent non-probationary employment status within this department is eligible for consideration.
- Performance of Duty: The officer consistently performs their duties in a professionally acceptable manner. They are familiar with statutory requirements and offense elements of the Criminal Code, Code of Criminal Procedure, Juvenile Court Act, and Vehicle Code. Further, the officer is familiar and complies with department policies, procedures, rules and regulations and performs their duty without close supervision.
- Organizational Philosophy: Consistently adheres to and practices the Mission Statement of the Urbana Police Department.
- Demeanor: Is favorably distinguished from their peers in the manner in which they interact with others; and whose conduct reflects favorably on themselves, the department, and the City of Urbana.
- Self-Improvement Efforts: Strives continually to be better informed, seeks self-improvement opportunities, encourages others, and takes advantage of every opportunity to improve their ability to be more professionally competent.
- Personnel File: The Chief of Police will provide the Selection Committee any letters of recognition/awards. No officer will be eligible for this award if a letter of reprimand (or greater form of discipline) was received during the selection year.

1014.3.1 JOHN E. LOCKARD OFFICER OF THE YEAR SELECTION

The following method of selection will be used:

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- Any department member may nominate any other police officer by submitting their name and a written statement supporting the nomination. The nomination must be consistent with the aforementioned criteria. The nomination will be forwarded through the nominated officer's supervisor who will verify the pertinent comments regarding the nominee's performance. All nominations must be forwarded via e-mail to the Chief of Police.
- The Awards Committee will recommend the award recipient to the Chief of Police after reviewing each nomination and casting a ballot if necessary with a simple majority ruling.

1014.3.2 CIVILIAN EMPLOYEE OF THE YEAR SELECTION

The following method of selection will be used:

- Any department member may nominate a non-commissioned employee by submitting their name and a written statement supporting the nomination. The nomination must be consistent with the aforementioned criteria. All nominations must be forwarded through your supervisor via e-mail to the Chief of Police.
- The Awards Committee will recommend the award recipient to the Chief of Police after reviewing each nomination and casting a ballot if necessary with a simple majority ruling.

1014.4 MANNER OF RECOGNITION

The employee selected for this award will be recognized in the following manner:

- A certificate of recognition to be placed in the employee's personnel file.
- A plaque presented at a reception to honor the Officer/Employee of the Year.
- Attend and participate in various functions/ceremonies as deemed appropriate.

1014.5 OTHER DEPARTMENT AWARDS

Special performance by an employee of this department requires special recognition. Although it is often difficult to distinguish performance which is "above and beyond" the call of duty, from performance that is merely keeping with professional police action, an effort to make such a distinction will be made pursuant to these guidelines. In addition to an award for Officer/Employee of the Year, awards may also be presented to any employee of this department for the Department Certificate of Merit, Commendation Award, Lifesaving Award, Heroism Award and Valor Award.

1014.5.1 SELECTION METHOD

Any employee may recommend any other employee for department awards by submitting their name and a written statement supporting the recommendation. The recommendation must be consistent with the following criteria. The recommendation will be forwarded through the recommending employee's supervisor, who will verify the pertinent comments regarding the employee's performance. All recommendations must be forwarded via e-mail to the Chief of Police. The recommendations should be submitted in a timely fashion.

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The Awards Committee will recommend the certificate recipient(s) to the Chief of Police after reviewing the recommendation and casting a ballot if necessary with a simple majority ruling.

1014.6 CERTIFICATE OF MERIT

A Certificate of Merit may be awarded to any employee for any of the following reasons:

- An officer or employee who performs above or beyond their assigned duties in a single event or series of events.
- Extraordinary service to the community either on or off duty which brings honor to the department.

1014.7 COMMENDATION AWARD

A Commendation Award may be awarded to an employee for any of the following reasons:

- Exceptional performance of duty directed toward solving a significant problem on an employee's beat or other area of responsibility.
- Exceptional performance of duty which has been particularly instrumental in apprehending a dangerous or notorious criminal, or solving a significant criminal investigation.

1014.8 LIFE SAVING AWARD

A Life Saving Award, upon the approval of the Chief of Police, may be awarded to any employee of this department who is responsible for saving a human life.

1014.9 HEROISM AWARD

A Heroism Award, upon the approval of the Chief of Police, may be awarded to an employee of this department who demonstrates heroic and courageous behavior on or off duty that was responsible for saving life or property under extreme or dangerous conditions.

1014.10 VALOR AWARD

A Valor Award, upon approval of the Chief of Police, may be awarded to any employee of this department who demonstrates conspicuous gallantry and intrepidity under hazardous circumstances and at great risk to their life and safety above and beyond the call to duty while engaged in a volatile or violent event.

1014.11 MANNER OF RECOGNITION

All award recipients will receive a letter from the Chief of Police recognizing their accomplishments and one of the following:

- (a) Certificate of Merit - A framed certificate.
- (b) Commendation Award - A blue and silver chest ribbon.
- (c) Life Saving Award- A red and white chest ribbon and medal.
- (d) Heroism Award- A blue and gold chest ribbon and medal.
- (e) Valor Award - A red, white and blue chest ribbon and neck order.

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Department Recognition Awards

1014.12 DISPLAY OF AWARDS

Any ribbon presented to a sworn officer is authorized for wear with the departmental uniform. The ribbon will be displayed 1/4 inch (centered) above the name tag unless more than one ribbon is awarded. In the event an officer is awarded more than one recognized award, the Valor Award will be worn closest to the heart with the remaining awards affixed directly next to the Valor Award. Subsequent awards will be recognized by affixing a star to the respective award. In addition, anyone receiving the Medal of Valor neck order may wear it anytime the class A uniform is worn.

Civilian employees will be awarded a lapel pin that is authorized for wear with any attire.

1014.13 CERTIFICATE OF APPRECIATION

Presented to any individual (not affiliated with the Urbana Police Department) who meets the following criteria:

- Repeatedly and significantly assists the Urbana Police Department personnel in fulfilling their Mission Statement.
- Any individual who performs a single act, without regard to his or her safety, and is instrumental in assisting police personnel in the performance of their duties.

Fitness for Duty

1015.1 PURPOSE AND SCOPE

All officers are required to be free from any physical, emotional, or mental condition which might adversely affect the exercise of peace officer powers. The purpose of this policy is to ensure that all officers of this department remain fit for duty and able to perform their job functions.

1015.2 EMPLOYEE RESPONSIBILITIES

- (a) It shall be the responsibility of each member of this department to maintain good physical condition sufficient to safely and properly perform essential duties of their position.
- (b) Each member of this department shall perform the member's respective duties without physical, emotional, and/or mental constraints.
- (c) During working hours, all employees are required to be alert, attentive, and capable of performing their assigned responsibilities.
- (d) Any employee who feels unable to perform the employee's duties shall promptly notify a supervisor. In the event that an employee believes that another employee is unable to perform the employee's duties, such observations and/or belief shall be promptly reported to a supervisor.

1015.3 SUPERVISOR RESPONSIBILITIES

- (a) A supervisor observing an employee, or receiving a report of an employee who is perceived to be, unable to safely perform his/her duties due to a physical or mental condition shall take prompt and appropriate action in an effort to resolve the situation.
- (b) Whenever feasible, the supervisor should attempt to ascertain the reason or source of the problem and in all cases a preliminary evaluation should be made in an effort to determine the level of inability of the employee to perform his/her duties.
- (c) In the event the employee appears to be in need of immediate medical or psychiatric treatment, all reasonable efforts should be made to provide such care.
- (d) In conjunction with the Shift Supervisor or employee's available Division Commander, a determination should be made whether or not the employee should be temporarily relieved from their duties.
- (e) The Chief of Police shall be promptly notified in the event that any employee is relieved from duty.

1015.4 NON-WORK-RELATED CONDITIONS

Any employee suffering from a non-work-related condition that warrants a temporary relief from duty may be required to use sick leave or other paid time off (PTO) in order to obtain medical treatment or other reasonable rest period.

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Fitness for Duty

1015.5 WORK-RELATED CONDITIONS

Any employee suffering from a work-related condition that warrants a temporary relief from duty shall be required to comply with personnel rules and guidelines for processing such claims.

Upon the recommendation of the Shift Supervisor or unit supervisor and concurrence of a Division Commander, any employee whose actions or use of force in an official capacity result in death or serious injury to another may be temporarily removed from regularly assigned duties and/or placed on paid administrative leave for the well-being of the employee and until such time as the following may be completed:

- (a) A preliminary determination that the employee's conduct appears to be in compliance with policy.
- (b) If appropriate, the employee has had the opportunity to receive necessary counseling and/or psychological clearance to return to full duty.

1015.5.1 CRITICAL INCIDENTS

Any employee involved in a critical incident may be temporarily removed from regularly assigned duties and/or placed on paid administrative leave for the wellbeing of the employee and until such time as the following may be completed:

- A preliminary determination that the employee's conduct appears to be in compliance with policy and legal standards.
- The employee has had the opportunity to receive necessary counseling and/or psychological clearance to return to full duty.

1015.6 PHYSICAL AND PSYCHOLOGICAL EXAMINATIONS

Any time the City has a reasonable basis to question the physical or psychological or mental fitness of an officer, the City has the authority to require the employee to undertake a physical, psychiatric or psychological evaluation to determine fitness for duty as outlined in the collective bargaining agreement between the Illinois FOP Labor Council and the City of Urbana in Article 9.

1015.6.1 PHYSICAL AND PSYCHOLOGICAL EXAMINATIONS EXPENSE

If an employee is required to undergo a physical and/or psychological examination pursuant to this policy, it shall be at no cost to the employee.

1015.7 LIMITATION ON HOURS WORKED

Absent emergency operations or exigent circumstances members should not work more than:

- 16 hours in one day (24 hour) period or
- 30 hours in any two-day (48 hour) period or
- 84 hours in any seven-day (168 hour) period

Except in very limited circumstances members should have a minimum of eight hours off between shifts. Supervisors should give consideration to reasonable rest periods and are authorized to deny overtime or relieve to off-duty status any member who has exceeded the above guidelines.

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Fitness for Duty

Limitations on the number of hours worked apply to shift changes, shift trades, rotation, holdover, training, general overtime and any other on or off-duty work assignments including, but not limited to, work authorized by the department under the Outside Employment Policy.

1015.8 REVOCATION OR SEIZURE OF FIREARM OWNER'S IDENTIFICATION CARD

Possession of a Firearm Owner's Identification Card (FOID) is not a condition of continued employment if the officer's FOID is revoked or seized, because the officer has been a patient of a mental health facility and the officer has not been determined to pose a clear and present danger to him/herself or others as determined by a physician, clinical psychologist, or qualified examiner (50 ILCS 725/7.2).

1015.8.1 DOCUMENTATION

If a determination is made that an officer poses a clear and present danger to him/herself or others, such determination shall be documented in the officer's medical file (50 ILCS 725/7.2).

Meal Periods, Breaks, Restricted Leave

1016.1 PURPOSE AND SCOPE

This policy regarding meals and breaks is superseded by the affected employee's collective bargaining agreement. If not covered in the employee's collective bargaining agreement, this policy shall conform to and be guided by the policy governing all City employees that has been established by the City Administrator (820 ILCS 140/3).

1016.1.1 MEAL PERIODS

Sworn employees shall remain on duty subject to call during meal breaks. All other employees are not on call during meal breaks unless directed otherwise by a supervisor. All sworn employees will receive a 30 minute paid meal period in accordance with the collective bargaining contract. Uniformed officers shall take their breaks within the City limits unless on assignment outside of the City.

Non sworn employees, such as Police Services Representatives will receive a 30 minute unpaid meal period in accordance with the AFSCME contract.

1016.1.2 BREAKS

Non sworn employees will receive two 15-minute breaks for every eight hours of continuous work.

1016.2 RESTRICTED LEAVE

Employees upon request may use up to one hour of paid leave or more if authorized by the collective bargaining agreement to donate blood every 56 days (820 ILCS 149/10).

Employees with the approval of a supervisor are entitled to take up to two hours of paid leave to vote (10 ILCS 5/17-15).

Lactation Breaks

1017.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding reasonable accommodations for lactating members.

1017.2 POLICY

It is the policy of the Urbana Police Department to provide, in compliance with federal and state law, reasonable accommodations for lactating members. This includes break time and appropriate facilities to accommodate any member desiring to express breast milk for the member's nursing child for up to one year after the child's birth (29 USC § 218d; 42 USC § 2000gg-1; 29 CFR 1636.3; 820 ILCS 260/10; 820 ILCS 260/15).

1017.3 LACTATION BREAK TIME

A rest period should be permitted each time the member requires a lactation break (29 USC § 218d; 42 USC § 2000gg-1; 29 CFR 1636.3). In general, lactation breaks that cumulatively total 30 minutes or less during any four-hour work period or major portion of a four-hour work period would be considered reasonable. However, individual circumstances may require more or less time.

Lactation breaks, if feasible, should be taken at the same time as the member's regularly scheduled rest or meal periods.

Members desiring to take a lactation break shall notify the dispatcher or a supervisor prior to taking such a break. Such breaks may be reasonably delayed if they would unduly disrupt department operations (820 ILCS 260/10; 775 ILCS 5/2-102).

Once a lactation break has been approved, the break should not be interrupted except for emergency or exigent circumstances.

1017.4 PRIVATE LOCATION

The Department will make reasonable efforts to accommodate members with the use of an appropriate room or other location to express milk in private. Such room or place should be in proximity to the member's work area and shall be other than a bathroom or toilet stall. The location must be shielded from view, free from intrusion from coworkers and the public, and otherwise satisfy the requirements of federal and state law (29 USC § 218d; 42 USC § 2000gg-1; 29 CFR 1636.3; 820 ILCS 260/15).

Members occupying such private areas shall either secure the door or otherwise make it clear to others that the area is occupied with a need for privacy. All other members should avoid interrupting a member during an authorized break, except to announce an emergency or other urgent circumstance.

Authorized lactation breaks for members assigned to the field may be taken at the nearest appropriate private area.

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Lactation Breaks

1017.5 STORAGE OF EXPRESSED MILK

Any member storing expressed milk in any authorized refrigerated area within the Department shall clearly label it as such and shall remove it when the member's shift ends.

Payroll Records

1018.1 PURPOSE AND SCOPE

This policy provides the guidelines for completing and submitting payroll records of department members who are eligible for the payment of wages.

1018.2 POLICY

The Urbana Police Department maintains timely and accurate payroll records.

1018.3 RESPONSIBILITIES

Members are responsible for the accurate completion and timely submission of their payroll records for the payment of wages. Supervisors are responsible for approving the payroll records for those under their command.

1018.4 TIME REQUIREMENTS

Members who are eligible for the payment of wages are paid on a scheduled, periodic basis, generally on the same day or date each period, with certain exceptions, such as holidays. Payroll records shall be completed and submitted to Administration as established by the City payroll procedures.

1018.5 RECORDS

The Administration Division Commander shall ensure that accurate and timely payroll records are maintained for a minimum of five years (56 Ill. Adm. Code 320.140).

Overtime Compensation Requests

1019.1 PURPOSE AND SCOPE

It is the policy of the Department to compensate non-exempt salaried employees who work authorized overtime either by payment of wages or by the allowance of accrual of compensatory time off as provided in the personnel manual or as agreed and in effect through any applicable collective bargaining agreement. In order to qualify for either, the employee must complete and submit a request for overtime payment as soon as practical after overtime is worked.

1019.1.1 DEPARTMENT POLICY

Because of the nature of police work and the specific needs of the Department, a degree of flexibility concerning overtime policies must be maintained. Non-exempt employees are not authorized to volunteer work time to the Department. All requests to work overtime shall be approved in advance by a supervisor. If circumstances do not permit prior approval, then approval shall be sought as soon as practical during the overtime shift and in no case later than the end of shift in which the overtime is worked. The individual employee in some circumstances may request compensatory time in lieu of receiving overtime payment. However, the employee may not exceed 201 hours of compensatory time for non exempt sworn officers and 120 hours for civilian employees in a calendar year.

1019.2 REQUEST FOR OVERTIME COMPENSATION

Employees shall submit all overtime compensation requests to their immediate supervisors as soon as practicable for verification and forwarding to the Administration Division. Failure to submit a request for overtime compensation in a timely manner may result in discipline.

1019.2.1 EMPLOYEES RESPONSIBILITY

Employees shall complete the requests immediately after working the overtime and enter the request according to the requirements of their division. Officers will properly complete the request with the required narrative justification.

1019.2.2 SUPERVISORS RESPONSIBILITY

The supervisor who verifies the overtime earned shall verify that the overtime was worked before approving the request. After the entry has been made on the employee's time sheet, the overtime payment request is reviewed to the employee's supervisor for final approval.

1019.2.3 SUPERVISOR'S ABILITY TO GRANT OVERTIME

The Chief of Police shall allow Division Commanders, Sworn Supervisors and Civilian Supervisors the authority to grant overtime under conditional and/or exigent situations.

Exigent situations include:

- When community safety conditions are such that emergency responses would go unanswered
- Emergency call-back situations

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Overtime Compensation Requests

Conditional Circumstances

- In-custody arrests and juveniles taken into protective custody
- Report writing connected with an immediate or next shift need to present same to the State's Attorney or other authorized criminal justice agency such as DCFS (and the Clerical overtime required to process the reports)
- Report writing when the officer involved is scheduled for immediate days off or extended training
- Evidence processing
- Face sheets of reports which were not completed due to heavy activity during the watch
- Immediate need for fulfilling mutual aid agreements
- Minimum staffing as outlined in that Policy
- Incidents likely to arouse much public scrutiny so that a completed report will assist in satisfying unanswered questions such as the propriety of police actions
- Other conditions not described but justified in writing to the Chief of Police
- Overtime accumulated pursuant to investigative call back
- Field Training Officer (FTO)/Recruit Officer training and/or documentation situations
- Other overtime is authorized under certain circumstances. These include:
 - Authorized range shoots
 - In-service or department-wide training
 - Metropolitan Emergency Tactical Response Operations (METRO) team activations
 - Selective Traffic Enforcement Program (STEP) details
 - Court appearances
 - Other contract required overtime activity
 - Required overtime as defined by law

1019.2.4 DIVISION COMMANDERS RESPONSIBILITY

Division Commanders are responsible for approving payroll to the Administrative Division.

1019.3 ACCOUNTING FOR OVERTIME WORKED

Employees are to record the actual time worked in an overtime status. In some cases, the collective bargaining agreement provides that a minimum number of hours will be paid. In these cases the supervisor will ensure that the actual time worked and the minimum overtime payment is recorded.

1019.3.1 ACCOUNTING FOR PORTIONS OF AN HOUR

When accounting for less than a full hour, time worked shall be rounded up to the nearest half of an hour and will be paid or compensated in half hour increments.

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1019.3.2 VARIATION IN TIME REPORTED

Where two or more employees are assigned to the same activity, case, or court trial and the amount of time for which payment is requested varies from that reported by the other officer, the Shift Supervisor or other approving supervisor may require each employee to include the reason for the variation on the back of the overtime payment request.

1019.3.3 BILLABLE DETAILS

Overtime details that are contracted or paid through an outside party, officers will only be eligible to take the overtime in pay.

Outside Employment

1020.1 PURPOSE AND SCOPE

To avoid actual or perceived conflicts of interest for departmental employees engaging in outside employment, all employees shall obtain written approval from the Chief of Police prior to engaging in any outside employment. Approval of outside employment shall be at the discretion of the Chief of Police in accordance with the provisions of this policy.

1020.1.1 DEFINITIONS

Employment- Employment does not include non-security volunteer work for charitable organizations

Contract Employment- Any employment that is conditioned on the actual or potential use of law enforcement authority by the officer. This type of employment is often referred to as "billable" details

Regular Off-Duty Employment- Any employment that will not normally require the use or potential use of law enforcement powers by the off-duty employee.

Private Security Off-Duty Employment- Employment for a private organization that is conditioned on the actual or potential use of law enforcement skills and knowledge by the police officer employee.

1020.2 OBTAINING APPROVAL

No member of this department may engage in any outside employment without first obtaining prior written approval of the Chief of Police. Failure to obtain prior written approval for outside employment or engaging in outside employment prohibited by this policy may lead to disciplinary action.

To obtain approval for outside employment, the employee must complete an Outside Employment Application which shall be submitted to the employee's immediate supervisor. The application will then be forwarded through channels to the Chief of Police for consideration, along with any applicable comments or review of work history provided by the submitting supervisor or any other supervisor having information which should be legitimately considered as factors for approval or rejection.

So long as there are no issues with an employee's work performance, conflicts of interest, or other extenuating circumstances, most Outside Employment Applications will be approved.

If approved, the employee will be provided with a copy of an approved permit. Unless otherwise indicated in writing on the approved permit, a permit will be valid through the end of the calendar year in which the permit is approved, except in cases where the permit is revoked as allowed for elsewhere in this policy, prior to the end of the calendar year. Any employee seeking to renew a permit shall submit a new Outside Employment Application in a timely manner.

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Any employee seeking approval of outside employment, whose request has been denied, shall be provided with a written reason for the denial of the application at the time of the denial.

1020.2.2 REVOCATION/SUSPENSION OF OUTSIDE EMPLOYMENT PERMITS

Any outside employment permit may be revoked or suspended under the following circumstances:

- (a) When an employee's performance at this department is evaluated by a supervisor as needing improvement to reach an overall level of competency, the Chief of Police may, at his/her discretion, revoke any outside employment permit(s). That revocation will stand until the employee's performance has been reestablished at a satisfactory level and his/her supervisor recommends reinstatement of the outside employment permit.
- (b) When included as a term or condition of sustained discipline.
- (c) When an employee's conduct or outside employment conflicts with the provisions of department policy, the permit may be suspended or revoked.
- (d) When an employee is unable to perform at a full duty capacity due to an injury or other condition, any previously approved outside employment permit may be subjected to similar restrictions as those applicable to the employee's full time duties until the employee has returned to a full duty status.

1020.3 PROHIBITED OUTSIDE EMPLOYMENT

The Department expressly reserves the right to deny any Outside Employment Application submitted by an employee seeking to engage in any activity which:

- (a) Involves time demands that would render performance of the employee's duties for this department less efficient.
- (b) Employment that presents a potential conflict of interest between duties of police officers and duties for the secondary employer. Some examples of employment representing a conflict of interest include, but are not limited to:
 1. Employment that assists the case preparation for the defense in any criminal action.
 2. Officers who work for a business or labor group that is on strike.
- (c) Employment that does not constitute a threat to the status or dignity of law enforcement as a professional occupation. Examples of such employment include, but are not limited to employment involving the sale, manufacture or transport of alcoholic beverages or gaming as the principal business.

1020.3.1 PRIVATE SECURITY - OFF DUTY EMPLOYMENT

Private security employment where the officer is providing security services will be regulated by the Department. Officers working this type of employment must have prior approval from the Department. The officer must obtain a signed Outside Employment Application prior to performing the work. The following conditions apply:

- (a) The officer shall not utilize police authority during the performance of security employment when acting in furtherance of the employer's interests unless the nature

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of an officer's actions during a particular event dictates he is performing an official law enforcement act.

- (b) The officer may utilize any Department-owned equipment during the performance of security employment except for any Urbana police uniform attire, including raid jackets or raid vest carriers.
- (c) The secondary employer and the officer shall bear the burden of insurance, worker's compensation and liability issues unless the nature of an officer's actions during a particular event dictates he is performing an official law enforcement act.
- (d) The officer will not be entitled to duty-injury leave for injuries that occur during the course of such employment unless the nature of an officer's actions during a particular event dictates he is performing an official law enforcement act.
- (e) The officer shall not identify themselves as a police officer during such employment when acting in furtherance of the employer's interests unless the nature of an officer's actions during a particular event dictates they are is performing an official law enforcement act.

Officers should not invoke their status as a police officer as a matter of routine during security employment. It should be the exception, not the rule. Officers are encouraged to call on-duty police when encountering situations requiring law enforcement authority and action. Officers may intervene, however, when a serious crime has occurred. This action should be reserved for when immediate intervention is necessary.

If the employee agrees in writing to such conditions, the Chief of Police shall routinely approve such off-duty employment. The Officer is also required to notify the secondary employer of the above conditions. Permission for a police employee to engage in outside employment may be revoked where it is determined that such outside employment is contrary to the interest of the Urbana Police Department.

1020.3.2 BROKERING

Requests for police-type services as described in the contract employment section will be directed to the Chief of Police. The Chief of Police will determine whether the Department will provide the service. The Department will NOT broker secondary employment.

On Duty Injuries

1021.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding the timely reporting of occupational diseases, mental health issues and work-related injuries.

1021.1.1 DEFINITIONS

Definitions related to this policy include:

Occupational disease or work-related injury or illness - Any accidental injury or disease arising out of and in the course of the employment or which has become aggravated and rendered disabling as a result of the exposure of the employment (820 ILCS 310/1(d)).

1021.2 POLICY

The Urbana Police Department will address occupational diseases, applicable mental health issues and work-related injuries appropriately, and will comply with applicable state workers' compensation requirements (820 ILCS 310/1 et seq.).

1021.3 RESPONSIBILITIES

1021.3.1 MEMBER RESPONSIBILITIES

Any member sustaining any occupational disease or work-related injury shall report such event as soon as practicable, but within 24 hours, to a supervisor, and shall seek medical care when appropriate (820 ILCS 310/6(c)).

1021.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor learning of any occupational disease or work-related injury should ensure the member receives medical care as appropriate.

Supervisors shall ensure that required workers' compensation documents are completed and forwarded promptly. Any related Citywide disease- or injury-reporting protocol shall also be followed.

Supervisors shall complete the State of Illinois Employer's First Report of Injury form (Form IC 45) and the Supervisor's Report of Injury form.

1021.3.3 DIVISION COMMANDER RESPONSIBILITIES

The Division Commander who receives a report of an occupational disease or work-related injury should review the report for accuracy and determine what additional action should be taken. The report shall then be forwarded to the Chief of Police, the City's risk management entity and the Administration Division Commander to ensure any required Illinois Department of Labor reporting is made as required in the injury and illness prevention plan identified in the Injury and Illness Prevention Policy.

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On Duty Injuries

1021.3.4 CHIEF OF POLICE RESPONSIBILITIES

The Chief of Police shall review and forward copies of the report to the Department of Human Resources. Copies of the report and related documents retained by the Department shall be filed in the member's confidential medical file.

1021.4 SETTLEMENT OFFERS

When a member sustains an occupational disease or work-related injury that is caused by another person and is subsequently contacted by that person, his/her agent, insurance company or attorney and offered a settlement, the member shall take no action other than to submit a written report of this contact to his/her supervisor as soon as possible.

1021.4.1 NO SETTLEMENT WITHOUT PRIOR APPROVAL

No less than 10 days prior to accepting and finalizing the settlement of any third-party claim arising out of or related to an occupational disease or work-related injury, the member shall provide the Chief of Police with written notice of the proposed terms of such settlement. In no case shall the member accept a settlement without first providing written notice to the Chief of Police. The purpose of such notice is to permit the City to determine whether the offered settlement will affect any claim the City may have regarding payment for damage to equipment or reimbursement for wages against the person who caused the disease or injury, and to protect the City's right of subrogation, while ensuring that the member's right to receive compensation is not affected.

1021.5 OTHER DISEASE OR INJURY

Diseases and injuries caused or occurring on-duty that do not qualify for workers' compensation reporting shall be documented on the designated report of injury form, which shall be signed by a supervisor. A copy of the completed form shall be forwarded to the appropriate Division Commander through the chain of command and a copy sent to the Administration Division Commander.

Unless the injury is extremely minor, this report shall be signed by the affected member, indicating that he/she desired no medical attention at the time of the report. By signing, the member does not preclude his/her ability to later seek medical attention.

Personal Appearance Standards

1022.1 PURPOSE AND SCOPE

This policy provides guidelines for the personal appearance of members of the Urbana Police Department. Requirements for department uniforms and civilian attire are addressed in the Uniform Regulations Policy.

1022.1.1 RESPONSIBILITY

The Chief of Police is authorized to establish personal appearance standards for Departmental employees. Command Officers and other supervisors shall enforce these standards as established in this policy. Officers and other employees shall adhere to these standards without having to be forced by supervisors.

1022.2 GROOMING

Unless otherwise stated and because deviations from these standards could present officer safety issues, the following appearance standards shall apply to all members, except those whose current assignment would deem them not applicable, and where the Chief of Police has granted exception.

1022.2.1 HAIR

Uniformed Officers

Hair shall be clean, neatly trimmed or arranged, and of a natural hair color. Hairstyles with shaved designs in the scalp are prohibited. Hair adornments shall be primarily for the purpose of securing the hair and must present a professional image.

Hairstyles for male department members must not extend below the top edge of a uniform or dress shirt collar while assuming a normal stance.

When working a field assignment, hairstyles for female department members must not extend below the bottom edge of a uniform or dress shirt collar while assuming a normal stance. Longer hair shall be worn up or in a tightly wrapped braid or ponytail that is secured to the head above the bottom edge of the shirt collar.

Plainclothes Officers

Hair standards for plainclothes assignments shall be in accordance with contemporary societal norms and is subject to the approval of the appropriate Command Officer.

1022.2.2 MUSTACHES

Mustaches shall not extend below the corners of the mouth or beyond the natural hairline of the upper lip and shall be short and neatly trimmed.

1022.2.3 SIDEBURNS

Sideburns shall not extend below the bottom of the outer ear opening (the top of the earlobes) and shall be trimmed and neat.

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1022.2.4 FACIAL HAIR

Facial hair must be kept clean, neatly trimmed, and present a conservative, professional appearance with clean borders. Facial hair that presents any sort of faddish appearance is prohibited, including patches or clumps. No portion of the facial hair may be exceptionally longer than the rest and the length shall not exceed 1/2 inch, nor be kept so short that it would be considered stubble, except when it is being initially grown out. The neck must remain clean shaven.

All officers who have facial hair shall keep shaving items in their locker so that they can shave with short notice in case the use of a gas mask is required.

1022.2.5 FINGERNAILS

Fingernails shall be clean and neatly trimmed to a length that will not present a safety concern. The color of fingernail polish shall present a professional image.

1022.2.6 PERSONAL HYGIENE

All members must maintain proper personal hygiene. Examples of improper personal hygiene include, but are not limited to, dirty/soiled clothing (to include vest carriers), dirty fingernails, bad breath, body odor, and dirty or unkempt hair. Any member who has a condition due to a protected category (e.g., race, physical disability) that affects any aspect of personal hygiene covered by this policy may qualify for an accommodation and should report any need for an accommodation to the Chief of Police.

1022.3 STATE LAW EXEMPTIONS

Members who seek an exemption to this policy protected by law (e.g., culturally protective hairstyles) should generally be accommodated (775 ILCS 5/1-102; 775 ILCS 5/1-103; 775 ILCS 5/2-102). A member with an exemption may be ineligible for an assignment if the individual accommodation presents a security or safety risk. The Chief of Police should be advised any time a request for such an accommodation is denied or when a member with an exemption is denied an assignment based on a safety or security risk.

1022.4 RELIGIOUS ACCOMMODATION

The religious beliefs and needs of department members should be reasonably accommodated. Requests for religious accommodation should generally be granted unless there is a compelling security or safety reason and denying the request is the least restrictive means available to ensure security or safety. The Chief of Police should be advised any time a request for religious accommodation is denied.

Those who request to wear headscarves, simple head coverings, certain hairstyles or facial hair for religious reasons should generally be accommodated absent unusual circumstances.

1022.5 POLICY

Urbana Police Department members shall maintain their personal hygiene and appearance to project a professional image that is appropriate for this department and for their assignments. Department personal appearance standards are primarily based on safety requirements,

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appearance conformity, and the social norms of the community served, while considering matters important to members of the Department.

1022.6 APPEARANCE

1022.6.1 JEWELRY

For the purpose of this policy, jewelry refers to rings, earrings, nose rings, necklaces, bracelets, wristwatches, and tie tacks or tie bars. Jewelry shall present a professional image and may not create a safety concern for the department member or others. Jewelry that depicts racial, sexual, discriminatory, gang-related, or obscene language is not allowed.

- (a) Necklaces shall not be visible above the shirt collar.
- (b) Earrings shall be small and worn only in or on the earlobe.
- (c) One ring or ring set may be worn on each hand of the department member. No rings should be of the type that would cut or pose an unreasonable safety risk to the member or others during a physical altercation, if the member is assigned to a position where that may occur.
- (d) One small bracelet, including a bracelet identifying a medical condition, may be worn on one arm.
- (e) Wristwatches shall be conservative and present a professional image.
- (f) Tie tacks or tie bars worn with civilian attire shall be conservative and present a professional image.
- (g) A single nose ring post with a plain, metal ball post head is authorized. Loops or posts with stones are not authorized.

1022.6.2 TATTOOS

At no time while the member is on-duty or representing the Department in any official capacity shall any offensive tattoo or body art be visible. Examples of offensive tattoos include but are not limited to those that exhibit or advocate discrimination; those that exhibit gang, supremacist, or extremist group affiliation; and those that depict or promote drug use, sexually explicit acts, or other obscene material.

A committee of representatives from the following groups will decide whether or not a tattoo is deemed offensive and must be covered.

- Human Resources
- Union Board Member
- Police Department Management
- City Legal

Tattoos on the face or above the collarbone are prohibited or must be covered while on duty. If an officer has a tattoo above the collarbone at the time of employment, the tattoo may be

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"grandfathered in" and as long as it is deemed not offensive or overtly visible, it does not have to be covered. Those tattoos can not be enhanced in any way upon employment with the City of Urbana.

1022.6.3 BODY PIERCING OR ALTERATION

Body piercing (other than earlobes) or alteration to any area of the body that is visible while on-duty or while representing the Urbana Police Department in any official capacity, that is a deviation from normal anatomical features and that is not medically required, is prohibited. Such body alteration includes, but is not limited to:

- (a) Tongue splitting or piercing.
- (b) The complete or transdermal implantation of any material other than hair replacement (i.e., foreign objects inserted under the skin to create a design or pattern).
- (c) Abnormal shaping of the ears, eyes, nose, or teeth (i.e., enlarged or stretched out holes in the earlobes).
- (d) Branding, scarification, or burning to create a design or pattern.

1022.6.4 DENTAL ORNAMENTATION

Dental ornamentation that is for decorative purposes and that is not medically required is prohibited while on-duty or while representing the Urbana Police Department in any official capacity. Such ornamentation includes, but is not limited to:

- (a) Objects that are bonded to front teeth.
- (b) Gold, platinum or other veneers or caps used for decorative purposes.
- (c) Orthodontic appliances that are colored for decorative purposes.

1022.6.5 GLASSES AND CONTACT LENSES

Eyeglasses and sunglasses shall be conservative and present a professional image. Contact lenses with designs that change the normal appearance of the eye and that are not medically required are prohibited while on-duty or while representing the Urbana Police Department in any official capacity.

1022.6.6 COSMETICS AND FRAGRANCES

Cosmetics shall be conservative and present a professional image. Use of cologne, perfume, aftershave lotion, and other items used for body fragrance shall be kept to a minimum.

1022.6.7 UNDERGARMENTS

Proper undergarments shall be worn as necessary for reasons of hygiene and general appearance standards.

Uniform Regulations

1023.1 PURPOSE AND SCOPE

The uniform policy of the Urbana Police Department is established to ensure that uniformed officers will be readily identifiable to the public through the proper use and wearing of department uniforms. Employees should refer to the uniform manual and other associated departmental policies:

- Department Owned and Personal Property
- Body Armor
- Grooming Standards

The approved uniform list is maintained in the uniform manual and periodically updated by the Uniform Committee and the Chief of Police or their designee. That list should be consulted regarding authorized equipment and uniform specifications. The uniform manual also provides information on how to properly wear and maintain department approved uniforms. Unless the uniform manual specifically authorizes a piece and style of uniform apparel or equipment, it should be considered not approved.

The Urbana Police Department will provide uniforms for all employees required to wear them at the time of hire. Officers receive a yearly uniform allowance as agreed upon in the respective employee group's collective bargaining agreement.

1023.2 WEARING AND CONDITION OF UNIFORM AND EQUIPMENT

Police employees wear the uniform to be identified as the law enforcement authority in society. The uniform also serves an equally important purpose to identify the wearer as a source of assistance in an emergency, crisis or other time of need.

- (a) All uniform personnel shall maintain their uniforms and equipment in a serviceable condition and shall be ready at all times for immediate use. Uniforms shall be neat and clean.
- (b) All peace officers of this department shall possess and maintain at all times, a serviceable uniform and the necessary equipment to promptly perform uniformed field duty.
- (c) Personnel shall wear only the uniform specified for their rank and assignment.
- (d) The uniform is to be worn in compliance with the specifications set forth in the department's approved uniform list that is maintained separately from this policy.
- (e) All supervisors will perform periodic inspections of their personnel to ensure conformance to these regulations.
- (f) Civilian attire shall not be worn in combination with any distinguishable part of the uniform.
- (g) Uniforms are only to be worn while on duty, while in transit to or from work, for court, or at other official department functions or events.

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- (h) Employees are not to purchase or drink alcoholic beverages while wearing any distinguishable part of the uniform.
- (i) Mirrored sunglasses will not be worn with any Department uniform.
- (j) Visible jewelry, other than those items listed below, shall not be worn with the uniform unless specifically authorized by the Chief of Police or their designee.
 1. Wrist watch.
 2. Wedding ring(s), class ring, or other ring of tasteful design. A maximum of one ring/set may be worn on each hand.
 3. Medical alert bracelet.
 4. Earrings

Officers are required, at all times, to conduct themselves with the dignity and decorum that the people of the City expect of those that serve them. Officers shall button shirt sleeve cuffs on long sleeved shirts and not more than the top front button of a uniform shirt unbuttoned.

1023.2.1 DEPARTMENT ISSUED IDENTIFICATION

The Department issues each employee an official department identification card bearing the employee's name, identifying information and photo. Whenever on duty or acting in an official capacity representing the department, employees not in uniform shall display their department issued identification in a courteous manner to any person upon request and as soon as practical. Officers working specialized assignments may be excused from the possession and display requirements when directed by their Division Commander.

1023.2.2 REQUIRED EQUIPMENT ON DUTY BELT

All duty gear shall be a ballistic nylon. All holsters for uniform use shall be issued or approved by the Department. All gear on the belts must conform to the black ballistic nylon standard. All holders, whether required or not, shall hold their contents securely and not expose them to unnecessary display. All cases and holders worn on the belt shall in good condition and cleaned when necessary.

The following items shall be worn when in uniform either on the duty belt or in a pouch on a vest carrier:

- Department issued or approved holster and duty weapon
- Handcuff case and at least one set of handcuffs
- Magazine Holders - At least two magazines are required
- Approved Radio Holder and assigned Radio (belt clips prohibited)
- Expandable baton and holder
- Oleoresin Capsicum (OC) container and holder
- Personal Bloodborne Pathogens Kit (minimum of latex gloves)

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- Handcuff key
- Flashlight case or ring and flashlight

The following items may be worn as well::

- Knife case and knife
- Utility Tool Case: Utility tools, such as a Leatherman tool.
- Key Holders
- Other items approved by the Division Commander

If an officer chooses to carry a knife, it shall be carried in compliance with the firearms policy in Chapter 3.

1023.3 UNIFORM CLASSES

The uniform classes are described in detail in the Urbana Police Uniform Manual. The following are general descriptions of the different uniform classes. See the uniform manual for specifically approved apparel and/or equipment

- The Formal Dress uniform shall be worn at ceremonial occasions such as funerals or other events as designated by the Chief of Police. The formal dress uniform is authorized for wear by the Chief of Police, Deputy Chief of Police, Lieutenants, and members of the Honor Guard. Generally, it consists of dark blue blouse, white uniform shirt, black tie, dark blue Class A uniform pants, high gloss black shoes, black leather belt with gold buckle, badge, and gold name plate. Officers are exempt from wearing body armor in a formal dress uniform.
- The Class A uniform is to be worn on special occasions such as funerals, graduations, ceremonies, or as directed. The Class A uniform may also be worn while on patrol. Generally, it consists of a long sleeve shirt, class A uniform pants, uniform hat, black tie, metal badge, metal name plate, black leather shoes or boots, and duty gear.
- The Class B uniform is to be worn for everyday patrol work. Generally, it consists of a long or short sleeve shirt with embroidered badge and name (first initial and last name) which may be worn with an open collar, and a black crew style t-shirt, cargo/utility pants, black shoes or boots of either leather or nylon type material, and duty gear. The class B uniform may be worn with either under shirt body armor or a external body armor carrier.

1023.3.1 SPECIALIZED UNIT UNIFORMS

The Chief of Police may authorize special uniforms to be worn by officers in specialized units such as Canine Team, SWAT, Bicycle Patrol, Motor Officers and other specialized assignments.

1023.3.2 FOUL WEATHER GEAR

The uniform manual lists the authorized uniform jacket and rain gear.

1023.3.3 HEADGEAR

The Uniform Manual lists the authorized uniform headgear. Generally, those items include:

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- (a) Uniform hat - The winter cover shall be worn when the officer is wearing long sleeves. The summer cover shall be worn when the officer is wearing short sleeves.
- (b) Winter hat - either hat with earflaps and a fold up bill or a plain black stocking hat with or without "UPD" embroidered in yellow stitching. Stocking hats shall have no other marks, logos, designs, or colored fabric.
- (c) Baseball hat - Only authorized for Class B utility uniform. The hat may only be worn with the bill of the hat facing forward.
- (d) Head Bands - Only for female officers and shall be either black or Navy blue. Headbands will have minimal logos on them.

1023.3.4 OUTERWEAR

The Uniform Manual lists the authorized uniform outwear. Generally it consists of either a heavy winters coat, light jacket, raincoat, or sweater. Black leather or nylon style gloves are approved but shall not obstruct the use of an officer's firearm.

1023.3.5 T-SHIRTS

T-shirts worn under uniforms shall only be black, crew neck style, and visible across the open collar. The sleeves shall not protrude from beneath the shirt sleeve. T-shirts worn under the formal and informal dress uniform shall be white, crew neck style.

1023.3.6 CIVILIAN STAFF UNIFORMS

Police Service Representatives assigned to front desk duties, either in patrol or investigations, shall wear the uniform approved by the Services Division Commander. The Support Services Supervisor, Department Secretary, and other civilian employees shall wear acceptable business attire.

1023.4 INSIGNIA AND PATCHES

- (a) Shoulder Patches - The authorized shoulder patch supplied by the Department shall be machine stitched to the sleeves of all uniform shirts and jackets, three-quarters of an inch below the shoulder seam of the shirt and be bisected by the crease in the sleeve.
- (b) Service stripes - Service stripes and other indicators for length of service shall be worn on all long sleeved shirts. They shall be machine stitched onto the uniform. The bottom of the service stripe shall be sewn the width of one and one-half inches above the cuff seam with the rear of the service stripes sewn on the dress of the sleeve. The stripes are to be worn on the left sleeve only. One service stripe shall be worn for every 5 years of completed service.
- (c) The regulation nameplate, or an embroidered first initial and last name, shall be worn at all times while in uniform. The nameplate shall display the employee's first initial and last name. The nameplate shall be worn and placed above the right pocket located in the middle, bisected by the pressed shirt seam, with equal distance from both sides of the nameplate to the outer edge of the pocket.

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- (d) Field Training Officers - Field Training Officers shall wear a single blue chevron with "FTO" centered on each sleeve of shirts and coats no more than one-quarter inch below the department shoulder patch.
- (e) Badge - The department issued badge, or an authorized embroidered badge, must be worn and visible at all times while in uniform.
- (f) Rank Insignia - The designated insignia indicating the employee's rank must be worn at all times while in uniform. The Chief of Police may authorize exceptions.

1023.4.1 MOURNING BADGE

Officers shall wear a black mourning band across the uniform badge whenever directed by the Chief of Police or designee and for the duration specified.

1023.5 PLAINCLOTHES SWORN EMPLOYEES

All plainclothes officers shall dress in business casual attire (polo shirts and casual dress pants). The clothing and footwear shall be clean and neat. Employees may wear clothing with minimal advertising logos. All deviations from the dress code are subject to the Division Commander or higher authority.

Sworn officers assigned to special duty or details may deviate from the dress code by the nature of the assignment and at the discretion of their supervisor. On-call detectives responding to duty shall not appear in athletic clothing or shorts. Officers assigned to the Street Crimes Unit may wear normal civilian attire of a casual nature.

Variations from this order are allowed at the discretion of the Chief of Police or designee when the employee's assignment or current task is not conducive to the wearing of such clothing. No item of civilian attire may be worn on duty that would adversely affect the reputation of the Urbana Police Department or the morale of the employees.

When attending court or any other public hearing, employees shall wear business attire (shirt and tie). Officers may also appear in uniform. When attending training, employees shall dress in accordance with standards required by the training.

1023.6 POLITICAL ACTIVITIES, ENDORSEMENTS, AND ADVERTISEMENTS

Unless specifically authorized by the Chief of Police, Urbana Police Department employees may not wear any part of the uniform, be photographed wearing any part of the uniform, utilize a department badge, patch or other official insignia, or cause to be posted, published, or displayed, the image of another employee, or identify himself/herself as an employee of the Urbana Police Department to do any of the following:

- (a) Endorse, support, oppose, or contradict any political campaign or initiative.
- (b) Endorse, support, oppose, or contradict any social issue, cause, or religion.
- (c) Endorse, support, or oppose, any product, service, company or other commercial entity.

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- (d) Appear in any commercial, social, or non-profit publication, or any motion picture, film, video, public broadcast, or any website.

1023.7 OPTIONAL EQUIPMENT - MAINTENANCE, AND REPLACEMENT

- (a) Any of the items listed in the uniform manual shown as optional shall be purchased totally at the expense of the employee. No part of the purchase cost shall be offset by the Department for the cost of providing the Department issued item.
- (b) Maintenance of optional items shall be the financial responsibility of the purchasing employee. For example, repairs due to normal wear and tear.
- (c) Replacement of items listed in this order as optional shall be done as follows:
 1. When the item is no longer functional because of normal wear and tear, the employee bears the full cost of replacement.
 2. When the item is no longer functional because of damage in the course of the employee's duties, it shall be replaced following the procedures for the replacement of damaged personal property pursuant to the Department Owned and Personal Property Policy.

1023.8 UNAUTHORIZED UNIFORMS, EQUIPMENT AND ACCESSORIES

Urbana Police Department employees may not wear any uniform item, accessory or attachment unless specifically authorized in the uniform manual and or by the Chief of Police or designee.

Urbana Police Department employees may not use or carry any safety item, tool or other piece of equipment unless specifically authorized in the uniform manual and or by the Chief of Police or designee.

1023.9 UNIFORM COMMITTEE

The Uniform Committee was formed to assist the chief of police in creating and maintaining uniform and grooming standards for the department. The Uniform Committee was charged with maintaining a manual that outlines the department approved standards in all aspects of uniform purchase and wear. The Uniform Committee shall meet periodically to ensure the manual is up to date with the current department approved uniform. The Uniform Committee will be chaired by a police lieutenant with the assistance of a sergeant. The committee will be staffed by no less than three other people made up of both officers and investigators.

Department employees requesting modifications to the uniform manual shall send a request to one of the Uniform Committee members via email. The request should outline what the employee is asking to be changed as well as a recommendation. The committee will meet and discuss the recommended change and forward their recommendation to the chief of police for consideration.

Department Badges

1024.1 PURPOSE AND SCOPE

The Urbana Police Department badge and uniform patch as well as the likeness of these items and the name of the Urbana Police Department are property of the Department and their use shall be restricted as set forth in this policy.

1024.2 POLICY

The uniform badge shall be issued to department members as a symbol of authority and the use and display of departmental badges shall be in strict compliance with this policy. Only authorized badges issued by this department shall be displayed, carried or worn by members while on duty or otherwise acting in an official or authorized capacity.

1024.2.1 FLAT BADGE

Sworn officers, with the written approval of the Chief of Police may purchase, at his/her own expense, a flat badge capable of being carried in a wallet. The use of the flat badge is subject to all the same provisions of departmental policy as the uniform badge.

- (a) Should the flat badge become lost, damaged, or otherwise removed from the officer's control, they shall make the proper notifications as outlined in the Department Owned and Personal Property Policy.
- (b) An honorably retired officer may keep their flat badge upon retirement.
- (c) The purchase, carrying or display of a flat badge is not authorized for non-sworn personnel.

1024.2.2 CIVILIAN PERSONNEL

Badges and departmental identification cards issued to non-sworn personnel shall be clearly marked to reflect the position of the assigned employee (e.g. Civilian Investigator).

- (a) Non-sworn personnel shall not display any department badge except as a part of their uniform and while on duty, or otherwise acting in an official and authorized capacity.
- (b) Non-sworn personnel shall not display any department badge or represent themselves, on or off duty, in such a manner that would cause a reasonable person to believe that they are a sworn peace officer.

1024.2.3 RETIREE UNIFORM BADGE

Upon honorable retirement employees, may purchase their assigned duty badge for display purposes. It is intended that the duty badge be used only as private memorabilia as other uses of the badge may be unlawful or in violation of this policy.

1024.3 UNAUTHORIZED USE

Except as required for on-duty use by current employees, no badge designed for carry or display in a wallet, badge case or similar holder shall be issued to anyone other than a current or honorably retired peace officer.

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Department Badges

Department badges are issued to all sworn employees and civilian uniformed employees for official use only. The department badge, shoulder patch or the likeness thereof, or the department name shall not be used for personal or private reasons including, but not limited to, letters, memoranda, and electronic communications such as electronic mail or web sites and web pages.

The use of the badge, uniform patch and department name for all material (printed matter, products or other items) developed for department use shall be subject to approval by the Chief of Police.

Employees shall not loan their department badge or identification card to others and shall not permit the badge or identification card to be reproduced or duplicated.

1024.4 HAT BADGE

Upon employment an officer will be issued a hat badge. This badge will be displayed when the officer is in uniform and wearing a department approved hat. Upon the time of separation or retirement the hat badge is to be returned to the department.

Temporary Modified-Duty Assignments

1025.1 PURPOSE AND SCOPE

This policy establishes procedures for providing temporary modified-duty assignments. This policy is not intended to affect the rights or benefits of employees under federal or state law, City rules, and current memorandums of understanding or collective bargaining agreements. For example, nothing in this policy affects the obligation of the Department to engage in a good faith, interactive process to consider reasonable accommodations for any employee with a temporary or permanent disability or limitation that is protected under federal or state law.

1025.2 POLICY

Subject to operational considerations, the Urbana Police Department may identify temporary modified-duty assignments for employees who have an injury or medical condition resulting in temporary work limitations or restrictions. A temporary assignment allows the employee to work, while providing the Department with a productive employee during the temporary period.

1025.2.1 DEFINITIONS

Light Duty - Means a temporary, limited term assignment not requiring performance of the full range of duties associated with the regular job classification. Light duty also may be termed as modified-duty assignments.

1025.3 GENERAL CONSIDERATIONS

Priority consideration for temporary modified-duty assignments will be given to employees with work-related injuries or illnesses that are temporary in nature. Employees having disabilities covered under the Americans with Disabilities Act (ADA), Victims' Economic Security and Safety Act, or the Illinois Human Rights Act (820 ILCS 180/5; 775 ILCS 5/1-101 et seq.) shall be treated equally, without regard to any preference for a work-related injury.

No position in the Urbana Police Department shall be created or maintained as a temporary modified-duty assignment.

Temporary modified-duty assignments are a management prerogative and not an employee right. The availability of temporary modified-duty assignments will be determined on a case-by-case basis, consistent with the operational needs of the Department. Temporary modified-duty assignments are subject to continuous reassessment, with consideration given to operational needs and the employee's ability to perform in a modified-duty assignment.

The Chief of Police or the authorized designee may restrict employees working in temporary modified-duty assignments from wearing a uniform, displaying a badge, carrying a firearm, operating an emergency vehicle or engaging in outside employment, or may otherwise limit them in employing their peace officer powers.

Temporary modified-duty assignments shall generally not exceed a cumulative total of 1,040 hours in any one-year period.

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Temporary Modified-Duty Assignments

1025.3.1 LIGHT-DUTY SCHEDULES

The schedules of employees assigned to light duty for a duty injury must be jointly accepted by the department and the officer. If no schedule is agreed upon, the officer will work their regularly assigned hours. An agreement on the schedule shall be approved before each pay period begins.

The schedules of employees assigned to light duty for an off-duty injury may be adjusted to suit medical appointments or Department needs at the discretion of the Division Commander.

On-duty injury or illness: If the Department has no appropriate light duty activity for the employee that meets the physician's restrictions, the employee with a duty-related injury or illness shall not be allowed to work and shall not have any time deducted from their sick or other leave balances.

Off-duty injury or illness: If the Department has no appropriate light duty activity for the employee that meets the physician's restrictions, the employee with the non-duty related injury or illness will not be allowed to work and will be required to use sick leave or other allowable benefit time.

1025.4 PROCEDURE

Employees may request a temporary modified-duty assignment for short-term injuries or illnesses.

Employees seeking a temporary modified-duty assignment should submit a written request to their Division Commanders or the authorized designees. The request should, as applicable, include a certification from the treating medical professional containing:

- (a) An assessment of the nature and probable duration of the illness or injury.
- (b) The prognosis for recovery.
- (c) The nature and scope of limitations and/or work restrictions.
- (d) A statement regarding any required workplace accommodations, mobility aids or medical devices.
- (e) A statement that the employee can safely perform the duties of the temporary modified-duty assignment.

The Division Commander will make a recommendation through the chain of command to the Chief of Police regarding temporary modified-duty assignments that may be available based on the needs of the Department and the limitations of the employee. The Chief of Police or the authorized designee shall confer with the Department of Human Resources or the City Attorney as appropriate.

Employees injured off duty will be allowed to perform temporary modified-duty assignments at the discretion of the Chief of Police.

1025.4.1 PERMANENT DISABILITIES

Employees who are considered by a physician to be permanently unable to perform the duties of their original job will not be allowed to work light duty.

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Temporary Modified-Duty Assignments

1025.4.2 LIMITATIONS

Light duty assignments are a management prerogative and not an employee right. Light duty assignments shall be subject to continuous re-assessment dependent upon Department need and the employee's ability to perform in a light-duty capacity.

An injured employee may be offered a light-duty position outside of their normal assignment or duties if it becomes available, but the employee shall be given the option to either accept the position or continue to draw on applicable sick leave, worker's compensation, or disability accounts as applicable.

- (a) If an employee cannot adequately perform in a light-duty assignment, such assignment may be modified or terminated.
- (b) The lack of Department needs or a change in priorities may result in the employee's removal from or modification of a light-duty assignment
- (c) The Department may place conditions as deemed appropriate upon any light-duty assignment.

1025.5 ACCOUNTABILITY

Written notification of assignments, work schedules and any restrictions should be provided to employees assigned to temporary modified-duty assignments and their supervisors. Those assignments and schedules may be adjusted to accommodate department operations and the employee's medical appointments, as mutually agreed upon with the Division Commander.

1025.6 MEDICAL EXAMINATIONS

Prior to returning to full-duty status, employees shall be required to provide certification from their treating medical professionals stating that they are medically cleared to perform the essential functions of their jobs without restrictions or limitations.

The Department may require a fitness-for-duty examination prior to returning an employee to full-duty status, in accordance with the Fitness for Duty Policy.

1025.7 PREGNANCY

If an employee is temporarily unable to perform regular duties due to a pregnancy, childbirth, or a related medical condition, the employee will be treated the same as any other temporarily disabled employee (42 USC § 2000e(k)). A pregnant employee shall not be involuntarily transferred to a temporary modified-duty assignment.

If notified by an employee or the employee's representative regarding limitations related to pregnancy, childbirth, or related medical conditions, the Department should make reasonable efforts to provide an accommodation for the employee in accordance with federal and state law. The accommodation should be provided without unnecessary delay, as appropriate (42 USC § 2000gg-1; 29 CFR 1636.3; 29 CFR 1636.4; 775 ILCS 5/2-102; 56 Ill. Admin. Code 2535.100 et seq.).

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Temporary Modified-Duty Assignments

1025.7.1 NOTIFICATION

Pregnant employees should notify their immediate supervisors as soon as practicable and provide a statement from their medical providers identifying any pregnancy-related job restrictions or limitations. If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted in accordance with the City's personnel rules and regulations regarding family and medical care leave.

1025.8 PROBATIONARY EMPLOYEES

Probationary employees who are assigned to a temporary modified-duty assignment may have their probation extended by a period of time equal to their assignment to temporary modified duty.

1025.9 OUTSIDE WORK PROHIBITED

Employees on light duty status may not participate in any outside of Department endeavor, activity or employment which requires the employee to perform activities prohibited by the light duty restrictions.

Employee Speech, Expression and Social Networking

1026.1 PURPOSE AND SCOPE

This policy is intended to address issues associated with employee use of social networking sites and to provide guidelines for the regulation and balancing of employee speech and expression with the needs of the Department.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech or expression that is protected or privileged under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit an employee from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or officer associations, about matters of public concern, such as misconduct or corruption.

Employees are encouraged to consult with their supervisor regarding any questions arising from the application or potential application of this policy.

1026.1.1 APPLICABILITY

This policy applies to all forms of communication including but not limited to film, video, print media, public or private speech, use of all Internet services, including the World Wide Web, email, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, video and other file sharing sites.

1026.2 POLICY

Public employees occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of this department. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that employees of this department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Urbana Police Department will carefully balance the individual employee's rights against the department's needs and interests when exercising a reasonable degree of control over its employees' speech and expression.

1026.3 SAFETY

Employees should consider carefully the implications of their speech or any other form of expression when using the Internet. Speech and expression that may negatively affect the safety of the Urbana Police Department employees, such as posting personal information in a public forum, can result in compromising an employee's home address or family ties. Employees should therefore not disseminate or post any information on any forum or medium that could reasonably be anticipated to compromise the safety of any employee, an employee's family or associates. Examples of the type of information that could reasonably be expected to compromise safety include:

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- Disclosing a photograph and name or address of an officer who is working undercover.
- Disclosing the address of a fellow officer.
- Otherwise disclosing where another officer can be located off-duty.

1026.4 PROHIBITED SPEECH, EXPRESSION AND CONDUCT

To meet the department's safety, performance and public-trust needs, the following are prohibited unless the speech is otherwise protected (for example, an employee speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or officer associations, on a matter of public concern):

- (a) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the Urbana Police Department or its employees.
- (b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Urbana Police Department and tends to compromise or damage the mission, function, reputation or professionalism of the Urbana Police Department or its employees. Examples may include:
 1. Statements that indicate disregard for the law or the state or U.S. Constitution.
 2. Expression that demonstrates support for criminal activity.
 3. Participating in sexually explicit photographs or videos for compensation or distribution.
- (c) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the employee as a witness. For example, posting statements or expressions to a web site that glorify or endorse dishonesty, unlawful discrimination or illegal behavior.
- (d) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the employees of the Department. For example, a statement on a blog that provides specific details as to how and when prisoner transportations are made could reasonably be foreseen as potentially jeopardizing employees by informing criminals of details that could facilitate an escape or attempted escape.
- (e) Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics as adopted by the Urbana Police Department.
- (f) Use or disclosure, through whatever means, of any information, photograph, video or other recording obtained or accessible as a result of employment with the Department for financial or personal gain, or any disclosure of such materials without the express authorization of the Chief of Police or the authorized designee.

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Employee Speech, Expression and Social Networking

- (g) Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of department logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identifies the Urbana Police Department on any personal or social networking or other website or web page, without the express authorization of the Chief of Police.
- (h) Accessing web sites for non-authorized purposes, or use of any personal communication device, game device or media device, whether personally or department-owned, for personal purposes while on-duty, except in the following circumstances:
 1. When brief personal communication may be warranted by the circumstances (e.g., inform family of extended hours).
 2. During authorized breaks; such usage should be limited as much as practicable to areas out of sight and sound of the public and shall not be disruptive to the work environment.

Employees must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any web page or website maintained by the employee (e.g., social or personal website).

1026.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

While employees are not restricted from engaging in the following activities as private citizens or as authorized members of a recognized bargaining unit or officer associations, employees may not represent the Urbana Police Department or identify themselves in any way that could be reasonably perceived as representing the Urbana Police Department in order to do any of the following, unless specifically authorized by the Chief of Police:

- (a) Endorse, support, oppose or contradict any political campaign or initiative.
- (b) Endorse, support, oppose or contradict any social issue, cause or religion.
- (c) Endorse, support or oppose any product, service, company or other commercial entity.
- (d) Appear in any commercial, social or nonprofit publication or any motion picture, film, video, public broadcast or on any web site.

Additionally, when it can reasonably be construed that an employee, acting in his/her individual capacity or through an outside group or organization (e.g., bargaining group), is affiliated with this department, the employee shall give a specific disclaiming statement that any such speech or expression is not representative of the Urbana Police Department.

Employees retain their right to vote as they choose, to support candidates of their choice and to express their opinions as private citizens, including as authorized members of a recognized bargaining unit or officer associations, on political subjects and candidates at all times while off-duty. However, employees may not use their official authority or influence to interfere with or affect the result of an election or a nomination for office. Employees are also prohibited from directly or

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indirectly using their official authority to coerce, command or advise another employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes (5 USC § 1502)).

1026.5 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to e-mails, texts or anything published or maintained through file-sharing software or any Internet site (e.g., Facebook, MySpace) that is accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

1026.5.1 PERSONAL ONLINE ACCOUNTS

The Department shall not request, require or coerce any applicant or employee to divulge any username, password or related account information in order to gain access to the applicant or employee's personal online account, nor shall the Department demand access in any manner to an applicant or employee's account or profile on a personal online account (820 ILCS 55/10).

Members may be required to share specific content that has been reported to the Department, without requesting or requiring members to provide access to their personal online account, as set forth in 820 ILCS 55/10.

1026.6 CONSIDERATIONS

In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the Chief of Police or authorized designee should consider include:

- (a) Whether the speech or conduct would negatively affect the efficiency of delivering public services.
- (b) Whether the speech or conduct would be contrary to the good order of the Department or the efficiency or morale of its members.
- (c) Whether the speech or conduct would reflect unfavorably upon the Department.
- (d) Whether the speech or conduct would negatively affect the member's appearance of impartiality in the performance of his/her duties.
- (e) Whether similar speech or conduct has been previously authorized.
- (f) Whether the speech or conduct may be protected and outweighs any interest of the Department.

1026.7 TRAINING

Subject to available resources, the Department should provide training regarding employee speech and the use of social networking to all members of the Department.

Illness and Injury Prevention

1027.1 PURPOSE AND SCOPE

The purpose of this policy is to establish an ongoing and effective plan to reduce the incidence of illness and injury for members of the Urbana Police Department, in accordance with the requirements of 820 ILCS 219/20 and 56 Ill. Adm. Code 350.20.

This policy specifically applies to illness and injury that results in lost time or that requires medical treatment beyond first aid. Although this policy provides the essential guidelines for a plan that reduces illness and injury, it may be supplemented by procedures outside the Policy Manual.

This policy does not supersede, but supplements any related Citywide safety efforts.

1027.2 POLICY

The Urbana Police Department is committed to providing a safe environment for its members and visitors and to minimizing the incidence of work-related illness and injuries. The Department will provide tools, training and safeguards designed to reduce the potential for accidents, injuries and illness. It is the intent of the Department to comply with all laws and regulations related to occupational safety.

1027.3 ILLNESS AND INJURY PREVENTION PLAN

The Services Lieutenant is responsible for developing an illness and injury prevention plan that shall include:

- (a) Workplace safety and health training programs.
- (b) Regularly scheduled safety meetings.
- (c) Posted or distributed safety information.
- (d) A system for members to anonymously inform management about workplace hazards.
- (e) Establishment of a safety and health committee that will:
 1. Meet regularly.
 2. Prepare a written record of safety and health committee meetings.
 3. Review the results of periodic scheduled inspections.
 4. Review investigations of accidents and exposures.
 5. Make suggestions to command staff for the prevention of future incidents.
 6. Review investigations of alleged hazardous conditions.
 7. Submit recommendations to assist in the evaluation of member safety suggestions.
 8. Assess the effectiveness of efforts made by the Department to meet applicable standards.
- (f) Establishing a process to ensure illnesses and injuries are reported as required under 56 Ill. Adm. Code 350.250 et seq. Notification is required within eight hours after the

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death of any employee, and within 24 hours of an in-patient hospitalization of one or more employees, or an amputation or loss of an eye (29 CFR 1904.39; 56 Ill. Adm. Code 350.410).

1027.4 SERVICES LIEUTENANT RESPONSIBILITIES

The responsibilities of the Services Lieutenant include but are not limited to:

- (a) Managing and implementing a plan to reduce the incidence of member illness and injury.
- (b) Ensuring that a system of communication is in place that facilitates a continuous flow of safety and health information between supervisors and members. This system shall include:
 - (a) New member orientation that includes a discussion of safety and health policies and procedures.
 - (b) Regular member review of the illness and injury prevention plan.
- (c) Ensuring that all safety and health policies and procedures are clearly communicated and understood by all members.
- (d) Taking reasonable steps to ensure that all members comply with safety rules in order to maintain a safe work environment. This includes but is not limited to:
 - (a) Informing members of the illness and injury prevention guidelines.
 - (b) Recognizing members who perform safe work practices.
 - (c) Ensuring that the member evaluation process includes member safety performance.
 - (d) Ensuring department compliance to meet standards regarding the following (820 ILCS 219/25; 56 Ill. Adm. Code 350.700):
 - (a) Communicable diseases (29 CFR 1910.1030)
 - (b) Personal protective equipment (PPE) (29 CFR 1910.132 et seq.)
 - (c) Respiratory protection (29 CFR 1910.134)
 - (d) Emergency Action Plan (29 CFR 1910.38)
 - (e) Notices furnished and required by the Illinois Division of the Occupational Safety and Health (OSHA) (56 Ill. Adm. Code 350.30)
- (e) Making available a form to document inspections, unsafe conditions or work practices, and actions taken to correct unsafe conditions and work practices.
- (f) Making available a form to document individual incidents or accidents.
- (g) Making available a form to document the safety and health training of each member. This form will include the member's name or other identifier, training dates, type of training, and training providers.
- (h) Conducting and documenting a regular review of the illness and injury prevention plan.

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1027.5 SUPERVISOR RESPONSIBILITIES

Supervisor responsibilities include but are not limited to:

- (a) Ensuring member compliance with illness and injury prevention guidelines and answering questions from members about this policy.
- (b) Training, counseling, instructing, or making informal verbal admonishments any time safety performance is deficient. Supervisors may also initiate discipline when it is reasonable and appropriate under the Standards of Conduct Policy.
- (c) Establishing and maintaining communication with members on health and safety issues. This is essential for an injury-free, productive workplace.
- (d) Completing required forms and reports relating to illness and injury prevention; such forms and reports shall be submitted to the Services Lieutenant.
- (e) Notifying the Services Lieutenant when:
 - (a) New substances, processes, procedures, or equipment that present potential new hazards are introduced into the work environment.
 - (b) New, previously unidentified hazards are recognized.
 - (c) Occupational illnesses and injuries occur.
 - (d) New and/or permanent or intermittent members are hired or reassigned to processes, operations, or tasks for which a hazard evaluation has not been previously conducted.
 - (e) Workplace conditions warrant an inspection.

1027.6 HAZARDS

All members should report and/or take reasonable steps to correct unsafe or unhealthy work conditions, practices or procedures in a timely manner. Members should make their reports to a supervisor (as a general rule, their own supervisors).

Supervisors should make reasonable efforts to correct unsafe or unhealthy work conditions in a timely manner, based on the severity of the hazard. These hazards should be corrected when observed or discovered, when it is reasonable to do so. When a hazard exists that cannot be immediately abated without endangering members or property, supervisors should protect or remove all exposed members from the area, except those necessary to correct the existing condition.

Members who are necessary to correct the hazardous condition shall be provided with the necessary protection.

All significant actions taken, and dates they are completed, shall be documented on a hazards and correction record form. This form should be forwarded to the Services Lieutenant via the chain of command.

The Services Lieutenant will take appropriate action to ensure the illness and injury prevention plan addresses potential hazards upon such notification.

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1027.7 INVESTIGATIONS

Any member sustaining any work-related illness or injury, as well as any member who is involved in any accident or hazardous substance exposure while on-duty, shall report such event as soon as practicable to a supervisor. Members observing or learning of a potentially hazardous condition are to promptly report the condition to their immediate supervisors.

A supervisor receiving such a report should personally investigate the incident or ensure that an investigation is conducted. Investigative procedures for workplace accidents and hazardous substance exposures should include:

- (a) A visit to the accident scene as soon as possible.
- (b) An interview of the injured member and witnesses.
- (c) An examination of the workplace for factors associated with the accident/exposure.
- (d) Determination of the cause of the accident/exposure.
- (e) Corrective action to prevent the accident/exposure from reoccurring.
- (f) Documentation of the findings and corrective actions taken.

Additionally, the supervisor should proceed with the steps to report an on-duty injury, as required under the Occupational Disease and Work-Related Injury Reporting Policy, in conjunction with this investigation to avoid duplication and ensure timely reporting.

1027.8 TRAINING

The Services Lieutenant should work with all members, including supervisors, with training on general and job-specific workplace safety and health practices.

1027.9 RECORDS

Records and training documentation relating to illness and injury prevention will be maintained in accordance with the established records retention schedule.

Line-of-Duty Deaths

1028.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of the Urbana Police Department in the event of the death of a member occurring in the line of duty and to direct the Department in providing proper support for the member's survivors.

The Chief of Police may also apply some or all of this policy for a non-line-of-duty member death, or in situations where members are injured in the line of duty and the injuries are life-threatening.

1028.1.1 DEFINITIONS

Definitions related to this policy include:

Line-of-duty death - The death of an officer during the course of performing law enforcement-related functions while on- or off-duty, or a civilian member during the course of performing assigned duties.

For an officer, a line-of-duty death includes death that is the direct and proximate result of a personal injury sustained in the line of duty (34 USC § 10281).

Survivors - Immediate family members of the deceased member, which can include spouse, children, parents, other next of kin, or significant others. The determination of who should be considered a survivor for purposes of this policy should be made on a case-by-case basis given the individual's relationship with the member and whether the individual was previously designated by the deceased member.

1028.2 POLICY

It is the policy of the Urbana Police Department to make appropriate notifications and to provide assistance and support to survivors and coworkers of a member who dies in the line of duty.

It is also the policy of this department to respect the requests of the survivors when they conflict with these guidelines, as appropriate.

1028.3 INITIAL ACTIONS BY COMMAND STAFF

- (a) Upon learning of a line-of-duty death, the deceased member's supervisor should provide all reasonably available information to the Shift Supervisor.
 1. Communication of information concerning the member and the incident should be restricted to secure networks to avoid interception by the media or others (see the Public Information Officer section of this policy).
- (b) The Shift Supervisor should ensure that notifications are made in accordance with the Officer-Involved Shootings and Deaths and Major Incident Notification policies as applicable.
- (c) If the member has been transported to the hospital, the Shift Supervisor or the authorized designee should respond to the hospital to assume temporary responsibilities as the Hospital Liaison.

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- (d) The Chief of Police or the authorized designee should assign members to handle survivor notifications and assign members to the roles of Hospital Liaison (to relieve the temporary Hospital Liaison) and the Department Liaison as soon as practicable (see the Notifying Survivors section and the Department Liaison and Hospital Liaison subsections in this policy).
- (e) Refer to "Recommended Procedures for Line of Duty Deaths or Serious Injuries" found on the internal website.
- (f) Under no circumstances should an employee of UPD make initial contact with the deceased or injured's family unless directed by a commanding officer. Once all of the proper notifications are made, then employees are encouraged to support the family.

1028.4 NOTIFYING SURVIVORS

Survivors should be notified as soon as possible in order to avoid the survivors hearing about the incident in other ways.

The Chief of Police or the authorized designee should review the deceased member's emergency contact information and make accommodations to respect the member's wishes and instructions specific to notifying survivors. However, notification should not be excessively delayed because of attempts to assemble a notification team in accordance with the member's wishes.

The Chief of Police, Shift Supervisor, or the authorized designee should select at least two members to conduct notification of survivors, one of which may be the Department chaplain.

Notifying members should:

- (a) Make notifications in a direct and compassionate manner, communicating as many facts of the incident as possible, including the current location of the member. Information that is not verified should not be provided until an investigation has been completed.
- (b) Determine the method of notifying surviving children by consulting with other survivors and taking into account factors such as the child's age, maturity, and current location (e.g., small children at home, children in school).
- (c) Plan for concerns such as known health concerns of survivors or language barriers.
- (d) Offer to transport survivors to the hospital, if appropriate. Survivors should be transported in department vehicles. Notifying members shall inform the Hospital Liaison over a secure network that the survivors are on their way to the hospital. Notifying members should remain at the hospital while the survivors are present.
- (e) When survivors are not at their residences or known places of employment, actively seek information and follow leads from neighbors, other law enforcement, postal authorities, and other sources of information in order to accomplish notification in as timely a fashion as possible. Notifying members shall not disclose the reason for their contact other than a family emergency.
- (f) If making notification at a survivor's workplace, ask a workplace supervisor for the use of a quiet, private room to meet with the survivor. Members shall not inform the

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workplace supervisor of the purpose of their visit other than to indicate that it is a family emergency.

- (g) Offer to call other survivors, friends, or clergy to support the survivors and to avoid leaving survivors alone after notification.
- (h) Assist the survivors with meeting child care or other immediate needs.
- (i) Provide other assistance to survivors and take reasonable measures to accommodate their needs, wishes, and desires. Care should be taken not to make promises or commitments to survivors that cannot be met.
- (j) Inform the survivors of the name and phone number of the Survivor Support Liaison (see the Survivor Support Liaison section of this policy), if known, and the Department Liaison.
- (k) Provide their contact information to the survivors before departing.
- (l) Document the survivors' names and contact information, as well as the time and location of notification. This information should be forwarded to the Department Liaison.
- (m) Inform the Chief of Police or the authorized designee once survivor notifications have been made so that other Urbana Police Department members may be apprised that survivor notifications are complete.

1028.5 NOTIFYING DEPARTMENT MEMBERS

Supervisors or members designated by the Chief of Police are responsible for notifying department members of the line-of-duty death as soon as possible after the survivor notification is made. Notifications and related information should be communicated in person or using secure networks and should not be transmitted over the radio.

Notifications should be made in person and as promptly as possible to all members on-duty at the time of the incident. Members reporting for subsequent shifts within a short amount of time should be notified in person at the beginning of their shifts. Members reporting for duty from their residences should be instructed to contact their supervisors as soon as practicable. Those members who are working later shifts or are on days off should be notified by phone as soon as practicable.

Members having a close bond with the deceased member should be notified of the incident in person. Supervisors should consider assistance (e.g., peer support, modifying work schedules, approving sick leave) for members who are especially affected by the incident.

Supervisors should direct members not to disclose any information outside the Department regarding the deceased member or the incident.

1028.6 LIAISONS AND COORDINATORS

The Chief of Police or the authorized designee should select members to serve as liaisons and coordinators to handle responsibilities related to a line-of-duty death, including but not limited to:

- (a) Department Liaison.

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- (b) Hospital Liaison.
- (c) Survivor Support Liaison.
- (d) Wellness Support Liaison.
- (e) Funeral Liaison.
- (f) Mutual aid coordinator.
- (g) Benefits Liaison.
- (h) Finance coordinator.

Liaisons and coordinators will be directed by the Department Liaison and should be given sufficient duty time to complete their assignments.

Members may be assigned responsibilities of more than one liaison or coordinator position depending on available department resources. The Department Liaison may assign separate liaisons and coordinators to accommodate multiple family units, if needed. The Department should consider seeking assistance from surrounding law enforcement agencies to fill liaison and coordinator positions, as appropriate.

1028.7 PUBLIC INFORMATION OFFICER

In the event of a line-of-duty death, the department's PIO should be the department's contact point for the media. As such, the PIO should coordinate with the Department Liaison to:

- (a) Collect and maintain the most current incident information and determine what information should be released.
- (b) Instruct department members to direct any media inquiries to the PIO.
- (c) Prepare necessary press releases.
 - 1. Coordinate with other entities having media roles (e.g., outside agencies involved in the investigation or incident).
 - 2. Disseminate important public information, such as information on how the public can show support for the department and deceased member's survivors.
- (d) Arrange for community and media briefings by the Chief of Police or the authorized designee as appropriate.
- (e) Respond, or coordinate the response, to media inquiries.
- (f) If requested, assist the member's survivors with media inquiries.
 - 1. Brief the survivors on handling sensitive issues such as the types of questions that reasonably could jeopardize future legal proceedings.
- (g) Release information regarding memorial services and funeral arrangements to department members, other agencies, and the media as appropriate.
- (h) If desired by the survivors, arrange for the recording of memorial and funeral services via photos and/or video.

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The identity of deceased members should be withheld until the member's survivors have been notified. If the media have obtained identifying information for the deceased member prior to survivor notification, the PIO should request that the media withhold the information from release until proper notification can be made to survivors. The PIO should notify media when survivor notifications have been made.

1028.8 DEPARTMENT OFFICE CHAPLAIN

The Department chaplain may serve a significant role in line-of-duty deaths. Chaplain duties may include but are not limited to:

- Assisting with survivor notifications and assisting the survivors with counseling, emotional support, or other matters, as appropriate.
- Assisting liaisons and coordinators with their assignments, as appropriate.
- Assisting department members with counseling or emotional support, as requested and appropriate.

Further information on the potential roles and responsibilities of the chaplain is in the Chaplains Policy.

1028.9 INVESTIGATION OF THE INCIDENT

The Chief of Police should make necessary assignments to conduct thorough investigations of any line-of-duty death and may choose to use the investigation process outlined in the Officer-Involved Shootings and Deaths Policy.

Investigators from other agencies may be assigned to work on any criminal investigation related to line-of-duty deaths. Partners, close friends, or personnel who worked closely with the deceased member should not have any investigative responsibilities because such relationships may impair the objectivity required for an impartial investigation of the incident.

Involved department members should be kept informed of the progress of the investigations and provide investigators with any information that may be pertinent to the investigations.

Succession Planning

1030.1 SUCCESSION PLANNING

Succession planning is a critical leadership tool for ensuring our agency's organizational growth and continuity by eliminating substantial gaps in our institutional memory, knowledge, and leadership through strategic (planned) placement of key personnel. Our police organization's succession development plan is self-investment and pre-planning for the future, both near and far. Losing staff members could create a variety of adverse organizational dynamics such as:

- Loss of experience and knowledge
- A diminished capacity to maintain a desired internal culture
- A decreased ability to mentor, educate, and influence personnel
- A deficit in talent and the loss of expertise toward program (collateral duty) oversight and producing specific work
- A sharp reduction in networking capabilities and beneficial industry contacts

Used in conjunction with, and subject to, all applicable rules, laws, policies, and regulations (e.g. Civil Service Rules, City Code or Policies, state or federal law, and collective bargaining agreements), the Succession Planning Talent Development (SPTD) program is offered at the sole discretion of the Chief of Police, and is intended to provide interested and qualifying police officers opportunities to develop the skills necessary to be an effective leaders. It is an entirely voluntary program, and participation in the program is not required for eligibility for promotion.

The goal of this policy and the SPTD program is to assist in a continual review of our agency for leadership talent. Succession planning offers a process to provide interested officers training, mentoring, and support that be assist in preparation for critical roles within the organization when vacancies occur.

Lastly, our succession development plan will serve to maintain an organizational state of readiness for occurrences creating a short-term or intermediate need for positions to be filled by officers who are ready, willing, and able to assume the role as capable and effective leaders.

1030.1.1 SUCCESSION DEVELOPMENT PLAN COORDINATOR

The Deputy Chief of Police, or other Command Staff member, will serve as the Succession Development Plan Coordinator (SDPC) to manage and carry out the objectives of the program. Minimally, the SDPC will:

- Organize and provide program oversight (ensure total program top-down commitment)
- Survey department staff to identify approximate separation dates
- Serve as a liaison between all parties involved in the program
- Facilitate training, meetings, scheduled events, and delivery of approved learning agenda

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- Create and maintain program records
- Continually update training opportunities and development resources
- Provide regular updates and program status to the Chief of Police

1030.1.2 COMMAND STAFF MEETINGS

On a quarterly basis, a portion of the regularly scheduled command staff meetings will include a discussion related to the succession development plan, which will include:

- Current status and updates presented by the SDPC
- Overview of meetings, training, and mentoring completed, since the last meeting
- Determining the most relevant subject matter for development

1030.1.3 SUCCESSION PLAN TALENT DEVELOPMENT - IDENTIFYING INTERESTED EMPLOYEES

Succession Plan Talent Development - Identifying Interested Officers

- Officers may submit a memo of interest to the SDPC detailing their interest in being considered for succession development.
- A minimum of non-probationary status as a police officer
- The officer's last two performance evaluations must meet standards
- Selection for SPTD shall be based upon the overall collective appraisal by Command Staff. Selection criteria may include
 - The diversity of assignments and experience (core competencies)
 - Performance evaluations
 - Discipline history
 - Formal education and training
 - Demonstrated interest in advancement
 - A pattern of conduct and behavior indicating appropriate and respectful interactions with civilians and co-workers that supports the mission and goals of the Department and City.
- Staff members may submit a memo of interest to the SDPC detailing their interest in being considered for succession development
- Supervisors may request to have an officer considered for succession development between command staff meetings by submitting a memo/email documenting the reasons to the SDPC

1030.2 DEVELOPMENT TRAINING FOR POLICE OFFICERS INTERESTED IN ADVANCEMENT

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1030.2.1 SERGEANT-FOR-A-DAY PROGRAM

When a patrol shift has both sergeants scheduled and operational needs allow, officers in the SPTD program and selected by the SCPC or their designee will be given the opportunity to serve as an on-duty sergeant for an entire shift. The acting sergeant will be continually shadowed by one of the scheduled shift sergeants who will serve as a guide and assist the acting sergeant throughout the shift. The shift should meet minimum staffing requirements without counting the officer serving as the acting sergeant. The acting sergeant will conduct pre-shift briefing, briefing training, approve written work, answer questions, respond to calls in a sergeant's capacity, and supervise personnel. Officers selected for this program may participate twice during a 6-month shift sign-up, as operations and manning allow, within the discretion of the SDPC or designee.

1030.2.2 SUCCESSION DEVELOPMENT SUGGESTED TRAINING - POLICE OFFICER

As budgetary, operational, staffing and availability allow, training and educational opportunities will be offered to officers in the SPTD program. Examples of the opportunities that may be offered include:

- Rookie to Retirement - Street Cop Training
- Writing courses
- Regular Law and Search and Seizure updates
- NIMS
- Lead Homicide Investigator
- Verbal Judo/Verbal Persuasion Review
- Officer Wellness courses
- Sex Crimes Investigation courses
- Juvenile Officer Certification courses
- First Line Supervisor courses
- Supervisor Liability courses

1030.2.3 SDPC SUBJECT MATTER BRIEFINGS

As operational and staffing allows, the SDPC will schedule briefings to provide in-service training and coaching for officers in the SPTD program. Subject matter may include, but are not limited to:

- The role of a sergeant
- Understanding of risk management
- Discipline: positive, progressive, and negative
- Introduction to investigations operations
- Introduction to the services division

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Note: The subject matter will change for each officer as needed so as not to duplicate the information.

1030.3 DEVELOPMENT TRAINING FOR OFFICERS INTERESTED IN ADVANCEMENT

1030.3.1 SUCCESSION DEVELOPMENT SUGGESTED TRAINING - SERGEANT

As budgetary, operational, staffing, and availability allow, training and educational opportunities will be offered to officers in the sergeants' level SPTD program. Examples of programs that may be offered include:

- Breach Point Leadership - MTU 12
- Leadership and Resiliency - MTU 12
- Taking the Lead - MTU 12
- Confronting the Toxic Officer - MTU 12
- Risk Management for Supervisors - MTU 12
- The Adaptive Supervisor - MTU 12
- Any certification as a trainer for a course or skill - MTU 12
- Field Training Officer - MTU 12
- NIMS

1030.3.2 SDPC SUBJECT MATTER BRIEFINGS

As operational and staffing allows, the SDPC will schedule briefings to provide in-service training and coaching for officers in the SPTD program. Subject matter may include, but are not limited to:

- The role of a lieutenant
- Internal affairs investigations
- Writing proposals and budgets
- Working lunch with the Deputy Chief of Police: administrative expectations
- Scanning and forecasting
- Best practices in training and developing your staff

Note: The subject matter will change for each officer as needed so as not to duplicate the information.

1030.4 DEVELOPMENT TRAINING FOR SERGEANTS INTERESTED IN ADVANCEMENT

1030.4.1 SUCCESSION DEVELOPMENT SUGGESTED TRAINING - LIEUTENANT

As budgetary, operational, staffing, and availability allow, training and educational opportunities will be offered to officers in the sergeants' level SPTD program. Examples of programs that may be offered include:

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- Northwestern University School of Staff and Command
- Federal Bureau of Investigation National Academy
- Public Information Officer Training - College of DuPage
- Engagement That Meets the Mission - ILETSB
- Background Investigations
- Internal Investigations
- NIMS

1030.4.2 SDPC SUBJECT MATTER BRIEFINGS

As operational and staffing allows, the SDPC will schedule briefings to provide in-service training and coaching for officers in the SPTD program. Subject matter may include, but are not limited to:

- The role of a deputy chief
- Internal affairs investigations
- Department budget

Working lunch with the Chief of Police: administrative expectations

1030.5 DEVELOPMENT TRAINING FOR LIEUTENANTS INTERESTED IN ADVANCEMENT

1030.5.1 SUCCESSION DEVELOPMENT SUGGESTED TRAINING - DEPUTY CHIEF OF POLICE

As budgetary, operational, staffing, and availability allow, training and educational opportunities will be offered to officers in the sergeants' level SPTD program. Examples of programs that may be offered include:

- Northwestern University Executive Management Program
- NIMS

1030.5.2 DEPARTMENT HEAD TO SECOND IN COMMAND MENTORSHIP

At the chief's discretion, they will regularly set aside and dedicate specific periods of time with the deputy chief of police to identify the key components of their role as chief. These informal coaching periods will consist of:

- A conceptual overview of the job, including advice, direction, and sharing of ideas.
- Providing the deputy chief of police with the chief's insight, mind-set, decision-making rationale, and reasoning behind how they command the organization and the preferred methods they use.

Secondly, through these mentorship efforts, the chief can expose the deputy chief of police to:

- The tangible mechanics of his job and day-to-day responsibilities.

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- The deputy chief of police will gain insight to the chief's routine, network, contacts/information sources, budget, protocols, and benefit from the chief's shared experience.

The deputy chief of police will also be made aware of how to maneuver through the political environment and administratively side-step the common pitfalls and landmines that are concerns for municipal department heads.

1030.6 ACTING CHIEF OF POLICE PROTOCOL

The following protocols shall be followed for administrative absences to ensure police operations run smoothly and efficiently:

Planned absence by the Chief of Police

The Deputy Chief of Police shall be designated to serve as the acting Chief of Police

Unplanned absence by the Chief of Police

The Deputy Chief of Police will serve as the acting Chief of Police at the City Administrator's discretion.

Planned absence by the Chief of Police and Deputy Chief of Police

The Chief will designate who will serve as the acting Chief before their absence.

Unplanned absence by the Chief of Police and Deputy Chief of Police

Designation for the acting Chief of Police shall be made by the City Administrator.

In the Department's effort toward succession development and planning and at the Chief's discretion, a topical instructional protocol may be established for lieutenants who may be called upon to serve as the acting Chief of Police during emergencies or unplanned absences by the Chief and the Deputy Chief. This protocol will be maintained as a living document being updated and modified as needed and will minimally consider of the Chief's instructions, mandates, notification requirements, and parameters of the lieutenant's responsibilities in the Chief and Deputy Chief's absence. This protocol will serve as a "to-do" list of sorts to ensure the organization runs smoothly and safely. The Deputy Chief will briefly review and discuss this protocol with lieutenants, as needed, during command staff meetings to ensure it is clear and understood by staff.

Attachments

Accident Matrix.pdf

Agency**Accident Type****Responsibility**

Other police agency has a traffic accident in Urbana or an accident occurs as a direct result of another agency's pursuit.	The damage is minor and both vehicles can be driven away or very minor "complaint of pain" type injury.	Urbana Supervisor (unless the other agency's policy directs otherwise)
	The vehicles cannot be driven from the scene due to significant damage, OR there is significant personal injury.	Urbana Supervisor with assistance from CID (unless the other agency's policy directs otherwise)
Urbana Police vehicle has a traffic accident in Urbana or an accident occurs as a direct result of an Urbana Police pursuit.	The damage is minor and both vehicles can be driven away.	Urbana Supervisor (If the driver is a Sergeant and no other supervisor is available, then a supervisor from a jurisdiction with concurrent jurisdiction should complete the report such as UIPD, CCSO or ISP)
	The vehicles cannot be driven from the scene due to significant damage and there are no injuries to anyone but the officer.	A supervisor from a jurisdiction with concurrent jurisdiction should complete the report with assistance from an Urbana Supervisor.
	There is significant personal injury to the officer or there is more than "complaint of pain" injury to anyone besides an Urbana employee.	Illinois State Police with assistance from Urbana CID
Urbana Police Vehicle outside of Urbana or an accident occurs as a direct result of an Urbana Police pursuit.	Minor or major	The police jurisdiction where the accident occurred will determine who investigates
City of Urbana vehicle	The damage is minor and both vehicles can be driven away or very minor "complaint of pain" type injury.	Urbana Police Officer with Supervisor present
	There is significant personal injury to the employee or there is more than "complaint of pain" injury to anyone besides an employee.	Urbana Police Supervisor possibly with assistance from CID depending on the judgment of the supervisor at the scene.

**OIS procedures for blood and urine
collection FINAL 04042022.pdf**



Richard Surles
Interim Chief of Police

Urbana Police Department

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UPD procedure on Officer Involved Shooting incidents Pertaining to Officer Blood/Urine Collection

This document will outline the procedure for sworn Urbana police officers that are ordered to submit to drug and alcohol testing following their involvement in an Officer Involved Shooting (OIS) incident.

Pursuant to 50 ILCS 727/1-25, any law enforcement officer who discharges their firearm causing injury or death to a person during the performance of their official duties shall be required to submit to drug and alcohol testing as soon as practicable after the OIS, but no later than by the end of the officer's shift. This requirement is also documented in UPD policy 305. Governing language also exists in the FOP contract in section 21.3.

Should an officer employed by the Urbana Police Department be involved in a shooting incident that mandates chemical testing, the officer should be escorted to Carle Hospital by a member of the Urbana Police Department. Following medical triage/intake procedures by hospital staff, the officer will be ordered to submit to blood and urine testing consisting of two (2) standard Illinois State Police DUI kits. A companion officer may be present during the collection, depending on the wishes of the involved officer. A supervisor (sergeant or above) shall be present during blood and urine collection.

After the blood and urine is collected and properly sealed in the evidence collection kits, the supervisor will take control of both kits and bring them to the Urbana Police Department. The supervisor will make arrangements with command level staff (Lieutenant or above) to have both kits placed in refrigerated evidence storage within the evidence vault at the Urbana Police Department. At no time will the kits be left unattended or within any common area at the Urbana Police Department or the UPD evidence processing room. The entire chain of custody will be documented in an official UPD report.

One kit will be sent to the ISP Springfield lab for testing. The kit will be tested in accordance with standard ISP forensic science lab testing for DUI kits. The second kit will be held at the Urbana Police Department until such time that the officer requests the second kit be sent for testing. The second kit will not be sent for testing until the results for the first kit have come back. If no request for the second kit to be tested is made, it will be held at UPD.

OIS incidents in Champaign County are typically investigated by the Champaign County Multi-Jurisdictional Investigative Team (CCMJIT). If the CCMJIT responds to investigate the OIS incident prior to the collection of blood/urine, the CCMJIT member may intercede and collect the DUI evidence kits. Similarly, if at some point in the investigative phase the CCMJIT determines that the kits are to be stored somewhere other than the UPD evidence vault, the kits will be turned over to the appropriate CCMJIT member agency for proper storage.

If the officer is incapacitated from trauma associated with the UOF incident or some other reason, and therefore is unable to voluntarily provide blood and urine, DUI kits will not be utilized. UPD will take other steps necessary to obtain pertinent medical records from Carle that will have recorded findings of drug and alcohol screenings conducted during standard medical procedures. This might involve having the officer later sign a medical release form allowing UPD to obtain medical records of the officer during their treatment from the OIS incident.

It is worth noting that the use of a DUI evidence collection kit is in no way meant to suggest that the officer is under the influence of anything. The kit is simply standard equipment that is recognizable to both hospital staff, law enforcement officers, and ISP forensic scientists. It allows for standardized collection that is familiar to all involved parties. An OIS incident is a traumatic experience for everyone involved, and use of standardized testing kits is meant to make the necessary collection and subsequent testing of bodily fluids as simple and routine a matter as can be expected in such a situation.

Should the officer refuse to submit to blood/urine testing, a sample will not be collected absent a valid search warrant. A refusal to either provide the sample or later sign a release allowing UPD to obtain pertinent medical records will subject the officer to potential discipline, up through and including termination as a refusal would violate 50 ILCS 727/1-25 and UPD policy 305.

(50 ILCS 727/1-25)

Sec. 1-25. Drug and alcohol testing.

(a) As used in this Section, "officer-involved shooting" means any instance when a law enforcement officer discharges his or her firearm, causing injury or death to a person or persons, during the performance of his or her official duties or in the line of duty.

(b) Each law enforcement agency shall adopt a written policy regarding drug and alcohol testing following an officer-involved shooting. The written policy adopted by the law enforcement agency must include the following requirements:

(1) each law enforcement officer who is involved in an officer-involved shooting must submit to drug and alcohol testing; and

(2) the drug and alcohol testing must be completed as soon as practicable after the officer-involved shooting but no later than the end of the involved officer's shift or tour of duty.

(Source: P.A. 100-389, eff. 8-25-17.)

Org Chart 07282020.jpg

Accident Chart.pdf

Agency	Accident Type	Responsibility
Other police agency has a traffic accident in Urbana or an accident occurs as a direct result of another agency's pursuit.	The damage is minor and both vehicles can be driven away or very minor "complaint of pain" type injury.	Urbana Supervisor (unless the other agency's policy directs otherwise)
	The vehicles cannot be driven from the scene due to significant damage, OR there is significant personal injury.	Urbana Supervisor with assistance from CID (unless the other agency's policy directs otherwise)
Urbana Police vehicle has a traffic accident in Urbana or an accident occurs as a direct result of an Urbana Police pursuit.	The damage is minor and both vehicles can be driven away.	Urbana Supervisor (If the driver is a Sergeant and no other supervisor is available, then a supervisor from a jurisdiction with concurrent jurisdiction should complete the report such as UIPD, CCSO or ISP)
	The vehicles cannot be driven from the scene due to significant damage and there are no injuries to anyone but the officer.	A supervisor from a jurisdiction with concurrent jurisdiction should complete the report with assistance from an Urbana Supervisor.
	There is significant personal injury to the officer or there is more than "complaint of pain" injury to anyone besides an Urbana employee.	Illinois State Police with assistance from Urbana CID
Urbana Police Vehicle outside of Urbana or an accident occurs as a direct result of an Urbana Police pursuit.	Minor or major	The police jurisdiction where the accident occurred will determine who investigates
City of Urbana vehicle	The damage is minor and both vehicles can be driven away or very minor "complaint of pain" type injury.	Urbana Police Officer with Supervisor present
	There is significant personal injury to the employee or there is more than "complaint of pain" injury to anyone besides an Urbana employee.	Urbana Police Supervisor possibly with assistance from CID depending on the judgment of the supervisor at the scene.

PoliceChart.JPG

accident_matrix_02-01-12.pdf

Traffic Crash Matrix

The Traffic Crash Matrix below indicates the general level of discipline to be issued when handling preventable traffic crashes caused by Urbana Police Department employees. Aggravating and mitigating factors shall be considered when reviewing a preventable traffic crash for discipline. The Sunset Rule application applies to any occurrence within the matrix and is calculated from the date of the crash. Disciplinary documents in personnel files shall remain as per guidelines in the FOP contract and Directives, and removal time frames shall be calculated from the date of issuance.

“Preventable” Traffic Crash Types	Written Warning	Notice To Correct	Letter of Reprimand	Suspension	Sunset Rule
Minor property damage w/ no injury	1st	2nd	3rd	4th	1 Year
Moderate property damage w/ no injury		1st	2nd	3rd	1 ½ Years
Significant property damage w/ no injury			1st	2nd	2 Years
Minor Injury to UPD employee irrespective of damage		1st	2nd	3rd	3 Years
Minor injury to anyone involved other than UPD employee irrespective of damage		1st	2nd	3rd	4 Years
Significant Injury to UPD employee irrespective of damage			1st	2nd	4 Years
Significant Injury to anyone involved except UPD employee irrespective of damage				1st	4 Years
Significant Property Damage with multiple injuries or at least one significant injury.				1st	4 Years

Traffic Citations: may be issued to UPD officers, once the Accident Review Board has determined the accident was preventable in any on duty traffic crash. The Assistant Chief of Police will issue the traffic citation after consulting with the employee’s Division Commander.

Property Damage Definitions

Minor Property Damage: damage to any one vehicle or other property is less than \$1,500.

Moderate Property Damage: damage to any one vehicle or other property is more than \$1,500 but less than \$4,000.

Significant Property Damage: damage to any one vehicle or other property is more than \$4,000.

Injury Definitions

Minor Injury: defined as in the IDOT “Illinois Traffic Crash Report SR1050” instruction manual for (Type B) or non-incapacitating injury: “Any injury, other than a fatal or incapacitating injury, which is evident to observers at the scene of the crash. Inclusions: lumps on the head, abrasions, bruises, and minor lacerations.” Additionally, for UPD employees, this definition includes the employee being unable to perform at a full duty status for up to three work days due to injuries sustained.

Significant Injury: defined as in the IDOT “Illinois Traffic Crash Report SR1050” instruction manual for (Type A) or incapacitating injury: “Any injury, other than a fatal injury, which prevents the injured person from walking, driving or normally continuing the activities he/she was capable of performing before the injury occurred. Inclusions: severe lacerations, broken/distorted limbs, skull injuries, chest injuries and abdominal injuries.” Additionally, for UPD employees, this definition includes the employee being unable to perform at a full duty status for four or more work days due to injuries sustained.

(Last revised February 1, 2012)

Changes to Use of Force Reviews 01102024 FINAL.pdf

MEMORANDUM

**URBANA POLICE
DEPARTMENT**

To: All Sworn Personnel
From: Deputy Chief Richard Surles
Date: January 10, 2024
Re: Use of Force Investigation and Review Procedural Changes – 2024 UPDATE

General

Administrative review of use of force, at all levels, is intended to correct deficiencies, provide training, and ensure accountability for all officers. This oversight is critical to ensuring that members act lawfully, appropriately, and consistently with training and policy.

With Chief Boone's arrival came many conversations about UPD policies, procedures, and practices. That understandably included conversations focused on the use of force and the administrative review of uses of force. Through those conversations, a new methodology was developed for the collection of data, administrative review of incidents, audits of uses of force, and the incorporation of the existing use of force committee into the overall process.

Use of Force Data Collection Form via DepartmentWare

The department recently published directions concerning the use of a new form to collect use of force data via DepartmentWare. The form is intended to be easy to complete but provides substantive data that is both more quickly collected and more easily analyzed. As Lt. Smysor has already directed, all uses of force should be documented on this form. This does not reduce or eliminate the requirement for a use of force to be documented in the narrative of a police report. This form is intended to supplement information contained in a police report.

Work Flow for Use of Force Collection Form

Upon completion of the original and any required supplemental use of force collection forms from involved officers, use of force forms should be directed to their immediate supervisor, who will most often be their shift sergeant. The receiving supervisor will review the incident for adherence to policy, training, and well-formulated/effective tactics. Should the reviewing supervisor find any aspect of the use of force lacking from a policy, training, or tactics perspective, they will document their concerns. If there are no concerns, that too will be documented. Either way, the use of force form will then be directed to the next level of supervision, typically the division lieutenant. They, too, will review the incident. Again, if they note any aspect of the incident lacking from a policy, training, or tactics perspective they will document their concerns.

Should both supervisors identify no issues related to the use of force from a policy, training, and tactics perspective, the incident will be considered reviewed and administratively closed. However, if any supervisor takes note of a potential deficiency from a policy, training, or tactics perspective the matter will then be forwarded to a deputy chief and the use of force committee for review and recommendation. The incident will then be submitted to the chief of police for a final review and determination.

Use of Force Committee Composition

As delineated in 301.4.1, the use of force committee will be chaired by a Deputy Chief of Police Investigations and Administrative Support. The committee will be comprised of all officers with the rank of lieutenant or deputy chief. As per city resolution, a civilian will be incorporated into the use of force committee. The committee will have access to subject matter experts such as control tactics, firearms, TASER, OC, baton, and de-escalation instructors. The committee will meet on an as-needed basis and when convened by the chair.

Practices Continued

In August 2020, the department enacted several changes to how use of force incidents would be reviewed for adherence to departmental expectations. These changes persist.

Reviews of Use of Force by Supervisors

- Supervisors will continue the use of body-worn camera video for administrative reviews of the use of force at multiple levels of review.
- Use of force reports shall continue to be completed by the officer using force before they leave duty for regular days off. The only exception to this will be in critical uses of force and approved on a case-by-case basis.
- The Use of Force Committee will meet in person, as needed, to review cases and the review of specific incidents shall include, at minimum, the most pertinent body-worn camera (BWC) video.

Use of Force Incidents – Case Management Considerations

- Officers shall report a use of force to supervisors as soon as reasonably practicable.
- Officers shall report all uses of force by completing the necessary documentation and forms as discussed above. Additionally, officers shall continue to mark the case management system (CMS) sheet indicating the incident involved the use of force.
- The CID sergeant or lieutenant will be solely responsible for reviewing all use of force reports as part of their daily CMS duties.
- Detectives will not review use of force reports as part of their daily CMS duties. If no CID sergeant or lieutenant is present, the services division lieutenant or deputy chief of police shall review the case.
- The reviewing CID supervisor will notify a deputy chief if an incident was a use of force and the necessary documentation was not completed.

Use of Force Incidents Triggering External Investigation from Multi-Jurisdictional Investigation Team

On incidents where the Champaign County Multi-Jurisdictional Investigations Team is activated the following will occur:

- Officers will follow the instructions of supervisory staff regarding the specific manner in which they will report the incident (i.e., reports vs. interviews).
- The Team will conduct their criminal investigation according to established protocols.

- Upon conclusion of the criminal investigation, the matter will be referred back to the Department for an administrative investigation of the incident.
- Upon completion of the administrative investigation, the matter will be referred to the Urbana Police Department Use of Force Committee for review.

Continued Regular Administrative Review of BWC Video by Supervisors

Sergeants shall review BWC videos for officers and detectives they supervise and lieutenants for sergeants they supervise will randomly review on a monthly basis at least three BWC videos from the five categories listed below:

- Traffic Stop
- Arrest
- Code Run
- Citizen Contact
- Miscellaneous

Reviews by both Patrol and CID sergeants and lieutenants shall be documented using the body camera review form in DepartmentWare. Failure to review required videos will subject the responsible supervisor to potential discipline.

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