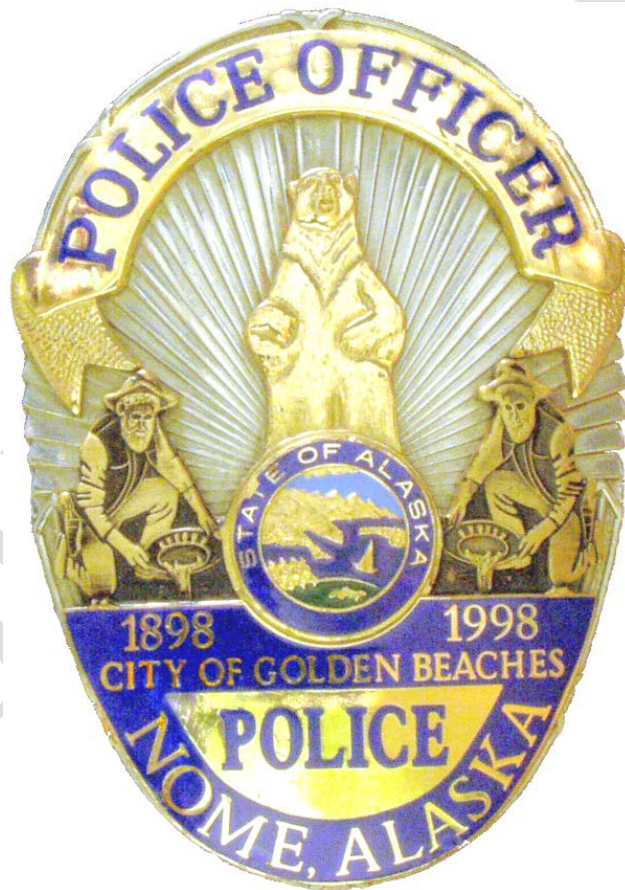


CITY OF NOME POLICE DEPARTMENT



Operating Procedures Manual

The copy of this manual for public viewing has been redacted consistent with AS40.25.120(a)(6)(E,F,G). Questions about specific policy should be directed to Chief John Papasodora, PO Box 1230/102 Greg Kruschek Avenue, Nome, AK 99762 (907)443-5262 or jpapasodora@nomealaska.org

Table of Contents

Revised 01/19/12

CHAPTER	TITLE	PAGE
1	Operating Procedures Manual	6
2	Authority and Organization of the Department	10
3	Police Protection	12
4	Organization	14
5	Command Division of the Nome Police Department (NPD)	16
101	Conduct	18
102	Uniform	28
103	Protocol and Courtesy	36
104	Display and Care of the Flag	38
105	Court Appearances	40
106	Personnel Files REDACTED	42
107	Work Hours, Leave, and Personnel Rules	44
108	Electronic Information, Computers, and Communications REDACTED	56
109	Department Investigations / Disciplinary Procedures REDACTED	64
110	Commendations and Awards	70
111	Training	72
112	Physical Conditioning	76
113	Vehicle Operation	78
114	Written Communications	82
115	Death Protocol / Commissioned Member	84
116	Psychological Service and Managing Critical Incidents	88
201	Traffic Enforcement	94
202	Emergency Vehicle Operation REDACTED	102
203	Vehicle Impound Procedures	112
301	Use of Force REDACTED	116
302	Use of Deadly Force Investigation and Review REDACTED	144
303	Police Canine Operations REDACTED	152

Table of Contents

Revised 01/19/12

CHAPTER	TITLE	PAGE
401	Major Incident Investigation REDACTED	160
402	Response to Disaster	164
403	Tactical Operations REDACTED	166
404	Search and Rescue Operations	170
405	Major Aircraft Accident Plan REDACTED	174
406	Riot and Unlawful Assembly REDACTED	176
407	Bioterrorism Response Procedures REDACTED	180
501	Domestic Violence REDACTED	184
502	Child Abuse REDACTED	202
503	Death Investigation Procedures REDACTED	212
504	VICAP	218
505	Missing Persons and Runaway Minors	220
506	Fire Investigation Procedures REDACTED	224
507	Violent Crimes Compensation	228
601	Interviews REDACTED	230
602	Polygraph Procedures REDACTED	234
603	Electronic Surveillance and Monitoring REDACTED	236
604	Arrest	238
605	Warrant Procedures	244
606	Transport of Persons in Custody	248
607	Emergency Care of Incapacitated Persons	250
701	Report Procedures	254
702	Property and Evidence Handling Procedures REDACTED	258
703	Public Information and Press Relations	266

Table of Contents

Revised 01/19/12

CHAPTER	TITLE	PAGE
801	Communicable Diseases	274
802	Sex Offender Registration	278
803	Foreign Nationals	280
804	Criminal Intelligence Information	284

REDACTED

Public Copy

Operating Procedures Chapter 1

Revised 01/19/12

1.010 NOTICE

The Department policies established in this manual are not intended, and should not be construed, to be used as evidence of the existence of any higher duty of safety or care than is otherwise provided by law. Rather, violation of procedures within this manual are to be used solely to form the basis for departmental administrative action.

1.020 GENERAL

A. Title of manual. This manual will be referred to as the OPERATING PROCEDURES MANUAL that may be abbreviated as OPM.

B. OPM may be superseded. The OPM is subordinate to statute, current collective bargaining agreement, administrative regulation or City Ordinance.

C. Revisions may be issued. Periodic reissues of the OPM will be made incorporating changes to the current edition. Interim revisions to the OPM will be made in the form of Directives. Employees are responsible for updating any copies of the OPM issued to them or in their custody, and for retaining any directives until superseded or rescinded.

D. Action by employee noting errors. Any employee observing omissions or contradictions in the OPM shall notify their supervisor, in writing, in order that corrections can be made in the next revision.

E. OPM applies to all employees. The OPM is applicable to all employees of the Department.

F. Employees required to be familiar with OPM. Employees of all sections within the Department are required to refer to and abide by the rules and policies set out in applicable sections of the OPM.

G. Organization of the OPM.

- | | | |
|----|--------------------|--|
| A. | SECTIONS 1-5 | Organization and Administration |
| 1. | SECTIONS 101-116 | Department Rules and Regulations |
| 2. | SECTIONS 201-203 | Vehicle Operations and Traffic Enforcement |
| 3. | SECTIONS 301-303 | Use of Force and Use of Force Investigations |
| 4. | SECTIONS 401 - 407 | Major Events Protocol |
| 5. | SECTIONS 501-507 | Investigative Procedures |
| 6. | SECTIONS 601-607 | Investigative Protocols |
| 7. | SECTIONS 701-703 | Report Procedures and Information Release |
| 8. | SECTIONS 801-804 | Miscellaneous Policies |

1.030 OTHER PROCEDURAL MANUALS

A. Additional procedural manuals may be developed. The establishment of the OPM does not preclude the development of procedural manuals for special needs or uses. The Police Chief may authorize the establishment of procedural manuals required for efficient operation. Current copies of all manuals developed under this section will be provided to the City Manager.

Operating Procedures Chapter 1

Revised 01/19/12

B. Department procedural manuals established for NPD:

1. APSIN/NCIC Security and Procedures
2. Department Report Writing Manual
3. Department Personnel Investigations Manual
4. Emergency Disaster Plans
5. Employee Background Investigation Manual
6. Search and Rescue Manual
7. Supervisor's Guide to Progressive and Constructive Discipline
8. Other manuals as designated by need.

1.040 DEFINITIONS

Bargaining Unit -- Any union or employee association recognized by the City as representing Department employees.

Commanding Officer -- A ranking officer with supervisory authority.

Commissioned Personnel -- Officers meeting the statutory definition of "Police Officer."

Department -- Nome Police Department.

Department Authorized Training -- Training approved and authorized by the Department.

Employee(s) -- All persons employed by the Department.

He, Him or His -- She, Her, or Hers when appropriate.

Man or Men -- Woman or Women when appropriate.

Member(s) -- Synonymous with employee(s).

Notebook(s) -- Department provided notebooks in either 6" x 8" or 4" x 6" sizes or personally purchased notebooks used by officers to keep notes.

Officer(s) -- Employee(s) of the Department responsible for enforcement of some or all City Ordinances and/or State laws including officers, sergeants and the Chief of Police except where specifically noted to the contrary.

Officer-In-Charge (OIC) -- An officer who, by written delegation of authority, directs work of another commissioned officer.

Personnel -- Synonymous with employee(s).

Ranking Officer -- An officer of the rank of Sergeant or above.

City -- City of Nome.

Operating Procedures Chapter 1

Revised 01/19/12

SOP -- Standard Operating Procedures.

Superior Officer -- Commanding officer of the rank of Lieutenant or above.

Supervisor -- A person who by rank, seniority, or delegation has the authority to direct the work of another.

1.050 RESTRICTIONS

No additions, changes or deletions to the OPM shall be made without prior approval of the Chief of Police.

Public Copy

Operating Procedures Chapter 2

Revised 01/19/12

AUTHORITY AND ORGANIZATION OF THE DEPARTMENT

This section sets out statutes that establish the jurisdiction and areas of responsibility of the Nome Police Department.

2.020 AUTHORITY

Under Alaska Statutes, the City of Nome has the authority and power to establish and enact a police department for the purpose of the protection of life and property. [AS 29.04.010] As such, the City has established the Nome Police Department, herein referred to as 'Department' to provide public safety services within all incorporated areas of the City.

2.030 ADMINISTRATION OF DEPARTMENT

A. *Delegation of functions.* The Chief of Police is the principal executive officer of the Nome Police Department and may assign the functions vested in the department to subordinate officers and employees.

B. *Establishment of regulations.* The City of Nome may adopt regulations consistent with law or rules established by the City of Nome municipal government. Such regulations may be enforced by the Chief of Police or his designee for the good order and function of the Department. Regulations may address:

1. the administration of the department;
2. the conduct of employees;
3. the distribution and performance of business; and
4. the custody, use and preservation of the records, documents, and property pertaining to department business.

C. *Executive may establish staff positions.* The Chief of Police may establish necessary subordinate positions, and consistent with City regulations, make appointments to these positions, and remove persons appointed, within the limitations of appropriations and subject to state personnel laws. Each person appointed to a subordinate position established by the principal executive officer is under the supervision, direction, and control of that executive officer.

D. *City Government assigns functions not assigned by law.* Administrative functions established by law that are not assigned by law shall be assigned by the city government to the entity that can most appropriately and effectively perform the activity.

G. *Executive may reorganize Department.* Subject to state and city personnel laws, regulations and collective bargaining agreements, the Chief of Police may, in the interest of improved management, abolish unnecessary offices and positions, transfer officers and employees between positions, and change the duties, titles, and compensation of existing offices and positions upon approval of the City government.

H. *Executive and members may only appear before City Government when called.* The principal executive officer of the department and each employee of the department may not appear before the City Government to present requests or information pertaining to appropriations or other matters unless called upon to do so by the City Council or Executive management of the City. The provisions of this paragraph do not apply to recognized union officials when acting in the scope of their union duties. **Department policy:** such requests of NPD members will be cleared or approved by the Chief of Police prior to any appearance.

Operating Procedures Chapter 3

Revised 01/19/12

POLICE PROTECTION

3.010 POWERS AND DUTIES OF THE NOME POLICE DEPARTMENT

A. Powers and duties of department and commissioned personnel. The Department and all commissioned personnel are charged with the enforcement of all criminal laws of the city and state, and have the power usually and customarily exercised by a peace officer of the city or state. Each commissioned officer may prevent crime, pursue and apprehend offenders, obtain legal evidence, institute criminal proceedings, execute any lawful warrant or order of arrest, make an arrest without warrant for a violation of law committed in his presence, and may cooperate with other law enforcement agencies in detecting crime, apprehending criminals, and preserving law and order in the State. [Ref. AS 18.65.080-085] Non Commissioned members are authorized to perform those duties as assigned by their position and in support of the public safety needs of the community.

B. Officers may command assistance. Commissioned members may command the assistance of any able-bodied person to accomplish the purposes listed in OPM Section 3.010 (A). During the time that assistance is required, the person is considered to be a member of the Department with the powers of a commissioned officer under OPM Section 3.010 (A). [Ref. AS 11.56.720]

C. Only lawful interference with rights or property permitted. Members may not interfere with the rights or property of any person, except in a lawful manner necessary for the prevention of crime or the capture and arrest of an offender.

Operating Procedures Chapter 4

Revised 01/19/12

ORGANIZATION

4.010 CHIEF OF POLICE

The Chief of Police is the appointed principal executive head of the Nome Police Department and is vested with full power and authority over the organization, administration, and discipline of the Department. The Chief of Police has the authority to appoint, promote, demote, suspend or dismiss members in accordance with provisions of City and State Personnel rules; applicable regulations; and in accordance with current collective bargaining agreements. The position has the authority to assign personnel and to determine policies of the Department in keeping with responsibilities defined by the City. The Chief may establish the uniform and equipment employed; the nature and character of recruitment and special training; and the general policy with respect to the use and employment of all members of the Department.

4.020 LIEUTENANT

The Lieutenant is deputy executive head of the Department, and shall, in the absence of the Chief of Police or at the Chief's discretion, administer functions relative to the protection of life and property in the City of Nome. The Lieutenant shall receive supervision from and be directly responsible to the Chief of Police, and in the Chief's legal absence, the Lieutenant shall assume the responsibilities of the Chief. As deputy executive head of the Department, the Lieutenant shall provide supervision as required through appropriate lines of authority, to ensure a high degree of efficiency and morale in subordinate personnel, utilizing modern methods of planning, organizing, staffing, directing, reporting, budgeting, recruiting, training, and leadership.

The Lieutenant has, upon approval of the Chief, the authority to appoint, promote, demote, suspend and/or dismiss members in accordance with provisions of City Personnel rules; applicable regulations; and in accordance with current collective bargaining agreements. The position has the authority to assign personnel to various duties in accordance the authority granted through this policy.

4.030 SERGEANT

The Sergeant is the first line supervisor responsible for the day-to-day supervision and direction of the patrol component of the department. Responsibilities of the Sergeant include the scheduling of personnel to fill required work shifts; supervision of personnel to insure compliance with policy, procedure, legal and ethical standards; commending personnel for exemplary service; discipline of personnel for negative performance; investigation of complaints against members of the department; and general supervisory and administrative functions that support efficient and effective delivery of police services. The Sergeant is subordinate to the Lieutenant in the command structure. In the absence of the Lieutenant, the Sergeant may act in the capacity of the Lieutenant with the endorsement of the Chief of Police.

4.040 INVESTIGATOR

The Police Investigator is a position defined by function and has no rank within the chain of command, however has supervisory authority over the distribution of tasks during major investigations. The Investigator is responsible for management of complex cases to include: homicide; sexual crimes; felony assault cases; domestic violence follow-up; missing persons cases; major property crimes such as theft and burglary; and other duties as assigned by the Chief of Police. The Investigator's function is to intensely focus police efforts on a high degree of quality control to promote solvability and proper documentation. The Investigator reports directly to the Chief of Police.

Operating Procedures Chapter 4

Revised 01/19/12

4.050 PATROL OFFICER

The Patrol Officer is the line mechanism of the department who delivers services directly to citizens. The patrol officer is responsible for responding to citizen complaints and reports of criminal behavior; assessing the fact pattern involved in the incident; determining the appropriate action based on policy, law and ethical enforcement standards; implementing action; documenting the action taken; and introducing the action to the legal system through interaction with the District Attorney and the Alaska Court System. On many occasions, a patrol officer may provide proactive and preventative services to discourage criminal acts and behavior as well as mediate disputes and circumstances that do not fall within the criminal enforcement model. The Patrol Officer is subordinate to the Sergeant and receives guidance, direction and supervision from the Sergeant.

04.060 NON COMMISSIONED PERSONNEL

Non Commissioned personnel are a vital component to public safety delivery and can work within the administrative section or within the communications/dispatch operations of the department. Non Commissioned positions include the Administrative Assistant, Communications Supervisor; and Communications Officers. The role of Non Commissioned personnel is to support the delivery of public safety services to the community by: receiving information from the public that an event has or is about to occur; determining the nature of the event; determining jurisdiction for the event; determining the appropriate public safety resource(s) needed to manage the event; notifying the appropriate resource; monitoring response; and conducting liaison with other service providers in the community to coordinate effective response and follow-up. Non Commissioned personnel are critical to response capability.

In addition to response, Non Commissioned personnel facilitate the flow of information from the department to other sectors within the criminal justice system; maintain the case filing system; manage physical facility needs; provide administrative support; and perform other duties as assigned by supervision or through the chain of command.

Communications personnel are subordinate to the Communications Supervisor who is subordinate to the Chief of Police or his/her designee. Administrative personnel are subordinate to the Chief of Police or his/her designee.

4.070 DEPARTMENTAL PROGRAMS

The Chief's Office supervises the programs and functions listed in this section. The Chief may assign or locate these functions anywhere in the Department and may delegate the supervision as needed for efficient functioning.

1. Field Training and Evaluation Program (FTEP) of recruit police officers;
2. In-service and continuing training covering refresher, updates, and advanced topics;
3. Coordination of grant applications, associated programs, and training/equipment projects for the Department;
4. Development of the long-range plans and objectives of the Department;
5. Determine trends in NPD resource needs and in making resource allocation decisions;
3. Collection and analysis of information to assist in formulating long and short-range plans within the Department;
4. Publication of the OPM; and
5. Development of departmental standards and procedures.

Operating Procedures Chapter 5

Revised 01/19/12

COMMAND DIVISION OF NOME POLICE DEPARTMENT

5.010 RESPONSIBILITY

The Nome Police Department (NPD) is charged with general law enforcement, prevention of crime, pursuit and apprehension of offenders, service of civil and criminal process, prisoner transportation, central communications and search and rescue when applicable. NPD serves as the central point for all public safety related dispatch for the City of Nome and frequently for events outside of the City limits.

5.020 ORGANIZATIONAL CHANGES

The Chief may create additional bureaus, services, sections, or units as deemed necessary to perform the functions of Department, upon approval by the City Government.

5.030 ENFORCEMENT RANKS

A. *Hierarchy of enforcement ranks.* The hierarchy and levels of authority of the enforcement ranks of the Department are listed below. Supervisor / subordinate roles for other job classes and for civilian employees are defined on Department organizational charts.

Chief

Lieutenant

Sergeant

Investigator

Officer

Recruit

B. *Determination of command hierarchy.* For the purposes of command hierarchy, authority shall be determined first by rank, second by length of service in rank.

5.040 LINE OF COMMAND

A. *Commanding Officer.* A commanding officer is any member of the Department designated by the Chief who, by virtue of his rank and/or authority, is senior in administrative responsibility within the Department.

B. *Chain of Command.* The Chief of Police shall designate the chain of command by establishing a chart of the Department's hierarchical organization.

C. *Member's Responsibility.* Each member of the Department is responsible to the next higher level of command.

5.050 GENERAL RESPONSIBILITIES OF COMMAND

Commanders and supervisors shall be responsible for:

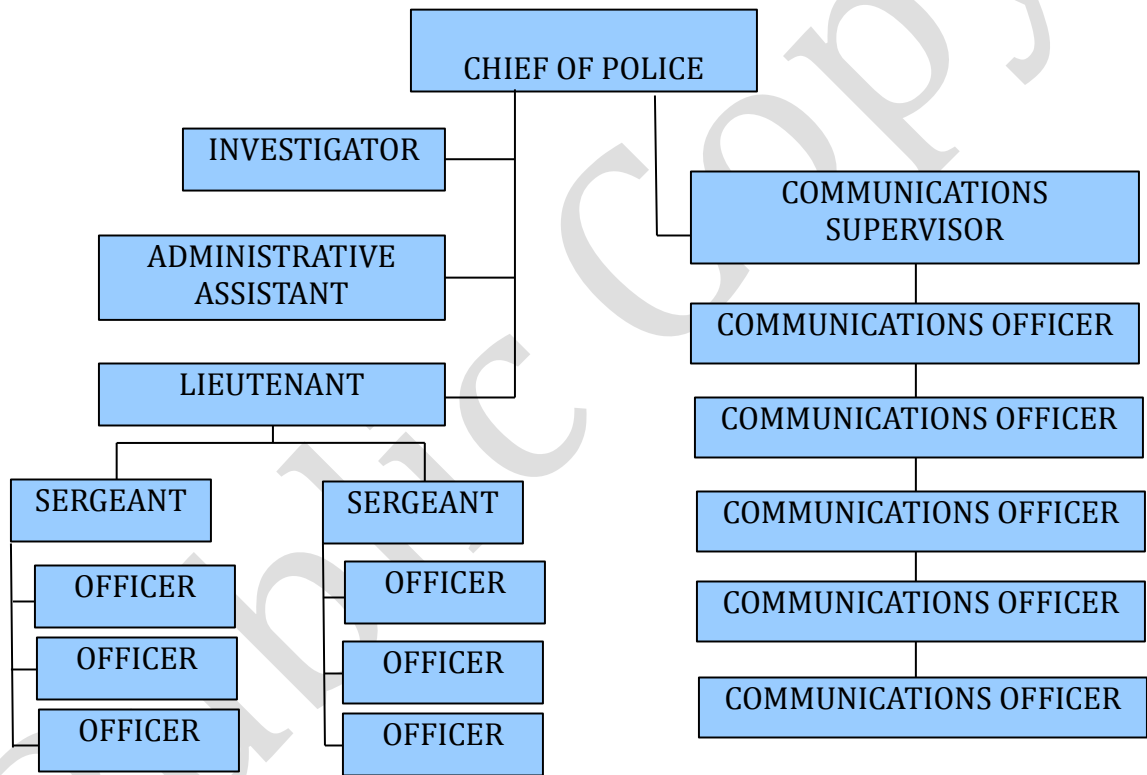
1. The efficient performance of their duties, and for the punctual attendance, appearance, good order, efficiency, and discipline of all members and employees under their command;
2. Determining whether subordinates are performing their duties in accordance with law, regulation, and department policy, and for taking action to correct any deficiencies detected;

Operating Procedures Chapter 5

Revised 01/19/12

3. Properly preparing, transmitting, filing, using, and preserving official reports, records, and correspondence originating within or received by their commands;
4. Observance of the rules and regulations, and the policies and procedures of the Divisions within the Department by all members and employees under their command;
5. The good order, care, and condition of City property and equipment that may be issued to them and to members of their command; and
6. The proper administration of the collective bargaining contracts affecting members of their command.

5.060 ORGANIZATIONAL CHART



CHAPTER 101

Revised 01/19/12

101.010 CONDUCT

A. *Conduct standards apply to all Department employees.* All of the ethical standards and rules expressed herein are inclusive, and together constitute the standards of conduct by which all employees of the Nome Police Department are to be governed. It shall be the duty of each employee to study and become familiar with the rules and regulations governing the organization and operation of the department, as well as the rules governing control and discipline.

B. *Professional standards of behavior apply.* The standards of conduct set out in this chapter do not prohibit every possible act that constitutes unacceptable behavior. Conduct that shocks the conscience or that violates generally recognized standards of professional behavior is forbidden.

C. *Reputation and effectiveness of the Department is effected by the conduct of its employees.* The reputation of the Nome Police Department is influenced to a large degree by public belief in the integrity of its employees. Such traits as loyalty, determination, alertness, intelligence, unselfishness, honesty, and high moral standards, are instantly appealing and respected. Each and every member is expected to make a dedicated effort to conduct their official life so that they will inspire the confidence and trust of the public. The good conduct and reputation of members of the Department help assure the cooperation and support of the public, the cooperation of other agencies, and the mutual cooperation of all employees which increases the effectiveness of the Department .

101.020 CANONS OF POLICE ETHICS

A. *Canons adopted by Department.* The Code and Canons of Ethics of the International Association of Chiefs of Police are adopted for the guidance of all Nome Police Department employees. The canons as adopted appear as OPM 101.020 B-L.

B. *Primary responsibility of job.* The primary responsibility of the police service and of the individual officer is the protection of the people of the United States through the upholding of their laws; chief among these is the Constitution of the United States and its amendments. The law enforcement officer always represents the whole of the community and it's legally expressed will, and is never the arm of any political party or clique.

C. *Limitation of authority.* The first duty of a law enforcement officer as upholder of the law is to know its bounds upon him in enforcing it. Because he represents the legal will of the community, be it local, state, or federal, he must be aware of the limitations and prescriptions which the people, through law, have placed upon him. He must recognize the wisdom of the American system of government, which gives to no man, groups of men, or institution, absolute power, and he must insure that he, as a prime defender of that system, does not subvert its character.

D. *Duty to be familiar with the law and with responsibilities of self and other public officials.* The law enforcement officer shall assiduously apply himself to the study of the principles of the laws which he is sworn to uphold. He will make certain of his responsibilities in the particulars of their enforcement, seeking aid from his superiors in matters of technicality or principle when they are not clear to him. He will make special effort to fully understand his relationship to other public officials, including other law enforcement agencies, particularly on matters of jurisdiction, both geographically and substantively.

E. *Utilization of proper means to gain proper ends.* The law enforcement officer shall be mindful of his responsibility to pay strict heed to the selection of means in discharging the duties of his office. Violations of law or disregard for public safety and property on the part of an officer are intrinsically wrong; they are self-defeating in that they instill in the public mind a like disposition. The employment of illegal means, no matter how worthy the end, is certain to encourage disrespect for the law and its officers. If the law is to be honored, it must first be honored by those who enforce it.

CHAPTER 101

Revised 01/19/12

F. Cooperation with public officials in the discharge of their authorized duties. The law enforcement officer shall cooperate fully with other public officials in the discharge of authorized duties, regardless of political affiliation or personal prejudice. He shall be meticulous, however, in assuring himself of the propriety under the law of such actions, and shall guard against the use of his office or person, whether knowingly or unknowingly, in any improper or illegal action. In any situation open to question, he shall seek authority from his superior officer, giving him a full report of the proposed service or action.

G. Private conduct. The law enforcement officer shall be mindful of his special identification by the public as an upholder of the law. Laxity of conduct or manner in private life, expression of either disrespect for the law or seeking to gain special privilege, reflects unfavorably upon the police officer and the police service. The community and the service require that the law enforcement officer lead the life of a decent and honorable man. Following the career of a policeman gives no man special perquisites. It does give the satisfaction and pride of following and furthering an unbroken tradition of safeguarding the American republic. The officer who reflects upon this tradition will not degrade it. Rather, he will so conduct his private life that the public will regard him as an example of stability, fidelity, and morality.

H. Conduct toward the public. The law enforcement officer, mindful of his responsibility to the whole community, shall deal with the individuals of the community in a manner calculated to instill respect for its laws and its police service. The law enforcement officer shall conduct his official life in such a manner as to inspire confidence and trust. Thus, he will be neither overbearing nor subservient, for no individual citizen has an obligation to stand in awe of him, nor a right to command him. The officer will give service where he can and require compliance with the law. He will do neither from a personal preference or prejudice, but rather as a duly appointed officer of the law discharging his sworn obligation.

I. Conduct in arresting and dealing with law violators. The law enforcement officer shall use his powers of arrest strictly in accordance with the law and with due regard to the rights of the citizen concerned. His office gives him no right to prosecute the violator, nor to mete out punishment for the offense. He shall at all times have a clear appreciation of his responsibilities and limitations regarding detention of the violator. He shall conduct himself in such a manner as will minimize the possibility of having to use force. To this end, he shall cultivate a dedication to the service of the people and the equitable upholding of their laws, whether in the handling of law violators or in dealing with the law abiding.

J. Gifts, favors, and gratuities. The law enforcement officer representing government bears the heavy responsibility of maintaining, through his own conduct, the honor and integrity of all government institutions. He shall therefore guard against placing himself in a position in which any person can expect special consideration, or in which the public can reasonably assume that special consideration is being given. Thus, he should be firm in refusing gifts, favors or gratuities, large or small, which can, in the public mind, be interpreted as capable of influencing his judgment in the discharge of his duties.

K. Presentation of evidence. The law enforcement officer shall be concerned equally in the prosecution of the wrongdoer and the defense of the innocent. He shall ascertain what constitutes evidence and shall present such evidence impartially and without malice. In so doing, he will ignore social, political, and all other distinctions among the persons involved, strengthening the tradition of the reliability and integrity of an officer's word. The law enforcement officer shall take pains to increase his perception and skill of observation, mindful that, in many situations, his is the sole impartial testimony to the facts of the case.

L. Attitude toward profession. The law enforcement officer shall regard the discharge of his duties as a public trust and recognize his responsibility as a public servant. By diligent study and sincere attention to self-improvement, he shall strive to make the best possible application of science to the solution of crime, and in the field of human relationships, strive for effective leadership and public influence in matters affecting public safety. He shall appreciate the importance and responsibility of his office, and hold police work to be an honorable profession rendering valuable service to his community and his country.

CHAPTER 101

Revised 01/19/12

101.030 GENERAL RULES OF CONDUCT

A. *Employees to be courteous.* Employees, when dealing with the public and each other, shall be patient, courteous, and respectful. Employees shall be tactful in the performance of their duties, shall control their tempers, exercise the utmost patience and discretion, and not engage in argumentative discussions even in the face of provocation, and shall be attentive to citizens seeking assistance or information, or who desire to register complaints or give evidence.

B. *Statements by employees shall not belittle others.* Employees of the Department shall not intentionally make statements belittling the beliefs or teachings of another without legal basis for their utterances, nor shall they make statements that by their very utterance would bring discredit upon the Department through demonstration of a lack of compassion, tolerance, understanding, or thoughtfulness on the part of the employee. Employees shall not express any prejudice concerning race, religion, politics, national origin, lifestyle, or similar personal characteristics.

C. *Coarse language and gestures.* In the performance of their duties employees will not use coarse, violent, profane, insolent language or gestures,

D. *Prejudicial statements prohibited.* Employees shall not express any prejudice concerning race, sex, religion, politics, national origin, lifestyle, or similar personal characteristics.

E. *Employees to be punctual.* Employees shall regard punctuality in all their engagements and the diligent performance of their duties as a prime responsibility to the public.

F. *Employees to be impartial.* Employees shall be cognizant of their primary obligation to render impartial, efficient, and effective services to the public in the discharge of their duties, and to always regard their office as a public trust.

G. *Authority not to be used to secure personal advantage.* Employees shall administer their duties in a courteous, fair, just, impartial, and reasonable manner, according no one more reasonable treatment than others. They shall recognize the limitations of their authority, and at no time use the power or influence of their office or position for their own personal advantage.

H. *Employees responsible for city property.* Employees are responsible for loss or damage to city property due to their carelessness or negligence, and shall safeguard city property against loss or damage.

I. *Discriminatory behavior prohibited.*

1. The Department will not condone, permit, or tolerate, on the part of its employees, any kind of harassment of persons, whether employees, applicants, or members of the public, on the basis of sex, color, race, religion, national origin, age, handicap, marital status, change in marital status, pregnancy, or parenthood. Employees who knowingly permit, engage in, or instigate such harassment will be subject to disciplinary action up to and including dismissal.

2. The Nome Police Department subscribes to a policy of equality in the provision of services and the application of enforcement actions to all citizens. Decisions to arrest, file charges, or to deliver any service to a member of the public shall not be influenced by that person's race, sex, creed, employment, or political standing or beliefs.

CHAPTER 101

Revised 01/19/12

101.040 NEGLECT OF DUTY

A. *Neglect of duty.* Employees shall not engage in any activities or personal business that causes them to neglect or be inattentive to their assigned tasks, while in duty status.

B. *Reporting for duty.* Employees shall report for duty at the time and place required by assignment or orders, and shall be physically and mentally fit to perform their duties. They shall be properly equipped and cognizant of information required for the proper performance of duty so that they may immediately assume their duties.

Judicial subpoenas shall constitute an order to report for duty under this section.

C. *Fictitious illness or injury reports.* Employees shall not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive or attempt to deceive the Department as to the condition of their health.

If requested by the employer, an absence reported as "sick leave," shall be supported and verified through written documentation provided by a licensed physician.

D. *Sleeping on duty.* Employees shall remain awake while on duty. If unable to do so, and in danger of falling asleep, they shall report to a supervisor, who shall immediately release the employee from duty, placing the employee in appropriate leave status, pending further supervisory review and appropriate action.

E. *Absent without leave.* Employees, while on duty, shall not leave any post, assignment, duty, or their area without authorization from their supervisor.

101.050 FAILURE TO FOLLOW ORDERS

A. *Insubordination.* Employees shall promptly obey any lawful order of a superior officer, a commanding officer, an Officer-in-Charge (OIC), or a civilian supervisor. This includes orders relayed to an employee by another employee of the same or lesser classification, by any other member of the department, or by any reliable means.

B. *Failure to comply with directions.* Employees shall comply with department policies and with verbal or written directions, instructions, directives, manuals or memoranda or other communications from a supervisor, officer-in-charge, or superior officer.

C. *Truthfulness.* Employees responding to superiors or to questions posed during official investigations shall truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the Department that may be asked of them.

101.055 CONFLICTING OR ILLEGAL ORDERS

A. *Action of employee receiving conflicting orders.* Employees who are given an otherwise proper order which is in conflict with a previous order, rule, procedure, regulation, or directive, shall respectfully inform the supervisor issuing the order of the conflict. If the supervisor issuing the order does not alter or retract the conflicting order, the order shall stand. Under these circumstances, the responsibility for the conflict shall be upon the supervisor.

Employees shall obey the conflicting order and shall not be held responsible for disobedience of the order, rule, regulation, or directive previously issued.

CHAPTER 101

Revised 01/19/12

B. Action of employee receiving unlawful order. The recipient employee shall not obey any order which he knows, or should know, would require him to commit an unlawful act. If in doubt as to the legality of an order, the recipient employee shall request a conference with a higher authority, stating the reasons why he believes the order to be unlawful, or shall request the issuing supervisor to clarify and present a copy of the order in writing. A copy of the order is to be retained by the recipient employee.

101.060 FAILURE TO PERFORM DUTIES PROPERLY

A. Violation of rules. Employees shall not commit or omit acts that they know, or should know, would constitute a violation of any written rules, regulations, procedures, directives, or orders of the Department.

B. Departmental reports. Required reports, submitted by employees, will be truthful, complete, and submitted on time following established Department report writing procedures. No employee shall knowingly enter, or cause to be entered, any inaccurate, false, or improper information.

C. Processing property and evidence. Property or evidence which has been discovered, gathered, or received in connection with Departmental responsibilities will be processed in accordance with established Departmental procedures. Employees shall not convert to their own use, manufacture, conceal, falsify, destroy, remove, tamper with, or withhold any property or evidence.

D. Abuse of process. Employees shall not make formal false accusation of any charges including criminal or traffic offenses. Employees shall not knowingly make formal false accusations of employee misconduct.

E. Arrest, search, and seizure. Officers shall not make any arrest, search, or seizure which they know, or should know, is not in accordance with law and Departmental procedures.

F. Use of government equipment. Employees shall utilize Department or government equipment for its intended purpose, in accordance with established Department procedures, and shall not abuse, use negligently, negligently damage, or lose this equipment through acts of omission or commission. This equipment shall be maintained in proper order and any defect or hazardous condition will be reported to the employee's supervisor. Employees shall not use, nor shall they allow family members or other persons to use, government equipment for personal benefit or other non-city business purposes except where specifically allowed in law, regulation, or policy.

101.070 IMPROPER CONDUCT

A. Unbecoming conduct. Employees shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on the Department. Conduct unbecoming an employee shall include that which brings the Department into disrepute, or reflects discredit upon the employee as a member of the Department, or that which impairs the operations or efficiency of the Department or employee.

B. Personal conduct. Employees shall conduct their personal and business affairs in a manner that does not discredit or otherwise bring the department into disrepute or compromise the employee's ability to perform his or her duties.

C. Conformance to laws. Employees shall obey all the laws of the United States and of the state and local jurisdiction in which the employees are present.

1. A conviction of the violation of any law shall be PRIMA FACIE evidence of a violation of this section. Lack of a criminal complaint, or an acquittal of a violation of law, shall not preclude internal administrative investigation and disciplinary action.

CHAPTER 101

Revised 01/19/12

2. Employees are required to report arrests, indictments and/or convictions for misdemeanor or felony crimes to their supervisor immediately upon return to duty. Arrests, indictments and/or convictions shall be reported regardless of the jurisdiction in which the charges were made.

D. Cowardice. No officer shall shirk from danger or show cowardice.

E. Possession and use of drugs. Employees shall not possess or use any controlled substance in violation of Municipal, State, or Federal Law. When products containing a controlled substance are prescribed in the treatment of an employee by a licensed medical practitioner, their supervisor shall be notified immediately.

F. Use of alcohol.

1. Employees shall not consume intoxicating beverages while on duty, in or out of uniform, except in the performance of duty, and while acting under proper and specific orders from a superior officer. Employees shall not appear for duty or be on duty while under the influence of intoxicants.

Employees shall be exempt from this provision when attending Department approved functions, e.g., awards banquet.

2. Employees, while off duty, shall refrain from consuming intoxicating beverages to the extent that it results in behavior which discredits the Department or renders the employee unfit to report for the next regular tour of duty.

G. Use of tobacco.

1. Employees of the Department shall be aware of and obey the law in regards to smoking as outlined in AS 18.35.

2. Employees of the Department, while on official duty, shall not carry, either in hand or mouth, lit or unlit, a cigarette, cigar, pipe or chewing tobacco, when approaching a violator, in lending assistance to any person, while making contact with any member of the public, or when the possibility exists for them to make contact with the public.

H. Gifts, gratuities, bribes or rewards.

1. Employees shall not solicit or accept any gift (including money, tangible or intangible personal property, food, beverage, loan, promise, service or entertainment) from any person, business, or organization, for the benefit of the employee or the Department, if it may reasonably be inferred that the gift:

(a) Seeks to influence the performance or nonperformance of an official nature or duty. (Any incident of this type shall be immediately reported to the employee's supervisor).

(b) Has an interest that may be substantially affected, directly or indirectly, by the performance or nonperformance of an official duty.

2. Employees of this Department shall not accept any rewards or gifts which are the result of services rendered while on official duty, or as a result of official action, without the consent of their Chief.

CHAPTER 101

Revised 01/19/12

I. Abuse of position.

1. Employees shall not use their official position, official identification cards or badges:

(a) For personal or financial gain.

(b) For obtaining privileges not otherwise available to them, except in the performance of duty.

(c) For avoiding consequences of illegal acts, such as: relief from traffic ordinances, statutes, or regulations while operating privately owned vehicles.

2. Employees shall not lend to another person their identification cards or badges, or permit them to be photographed or reproduced, without the approval of the Chief.

J. Influence affecting persons or effecting results.

1. Any attempt by a member to bring influence to bear upon the Chief or members of the City for the purpose of securing promotion, transfer, or for personal interest, or to avoid the penalties for reprehensible action or conduct, shall be considered equivalent to insubordination and treated accordingly.

2. No member, while on official duty, will solicit or seek outside influence in the form of requests, letters, or petitions to be sent with the intent of influencing their superiors, the City Council, or the executive branch of government.

K. Advertisements, endorsements, and referrals.

1. Employees shall not recommend or suggest in any manner, except in the transaction of personal business, the employment or procurement of a particular product, professional or commercial service (such as an attorney, ambulance service, towing service, bondsman, mortician, etc.). In the case of ambulance or towing service, when such service is necessary, and the person needing the service is unable or unwilling to procure it or request assistance, employees shall proceed in accordance with established Departmental procedures.

2. Employees shall not endorse, sanction, or knowingly permit the use of their names, titles, ranks, or photographs, or generic title of "Nome Police Officer" to be used in connection with any advertisement or testimonial, without the written permission from the Chief's office.

L. Questionable associations. Employees shall avoid regular or continuous associations or dealings with persons whom they know, or should know, are under criminal investigation or indictment, or who have a reputation in the community or the Department for present involvement in felonious or criminal behavior, except as necessary to the performance of official duties, or where unavoidable because of other personal relationships of the employees.

M. Visiting prohibited establishments. Employees shall not knowingly visit, enter, or frequent a house of prostitution, gambling house, or establishment wherein the laws of the United States, the state, or the local jurisdiction are violated, except in the performance of duty. Employees are exempted from this policy when acting under proper and specific orders from a supervisor.

N. Gambling. Officers shall not engage or participate in any form of illegal gambling at any time, except in the performance of duty, and while acting under proper and specific orders from a supervisor.

CHAPTER 101

Revised 01/19/12

O. Public statements and appearances.

1. Employees shall not criticize or ridicule the Department, its policies, or other employees, by speech, writing, or other expressions, where such speech, writing, or other expression is defamatory, obscene, unlawful, impairs the operation or efficiency of the Department, or is made with reckless disregard for truth or falsity.
2. Employees shall not address public gatherings, appear on radio or television, prepare any articles for publication, act as correspondents to a newspaper or periodical, release or divulge investigative information, or any other matters of the Department while representing the Department in such matters, unless specifically authorized by Department policy.
3. Any official statements for public release concerning the affairs of the Department, e.g., organization changes, departmental policy, etc., which have not been released to the public, must be authorized by the Chief, or their designee.

P. Confidential departmental information.

1. Employees shall not release reports or information relative to any investigation except in accordance with the written instructions of the Nome Police Department relative to the confidentiality of certain records.
2. Employees shall not divulge information deemed confidential to any unauthorized person, whether obtained through the execution of Departmental duties or other means.
3. Employees shall not release any information pertaining to employees (personnel records) except in accordance with the written instructions of the Nome Police Department relative to the confidentiality of certain records. [Ref. AS 39.25.080]
4. Employees shall not divulge the identity of persons giving confidential information except as authorized by proper authority.

Q. Damaging information. Upon discovery, any information potentially damaging to the Department or its members, will be reported, via the appropriate channels, to a superior officer and the Chief of Police.

R. Statements in civil cases. In civil cases, statements concerning official Department business will not be given by employees to litigants or their attorneys without a court order and prior notification to a supervisor.

S. Protection of department documents. Employees shall not copy, alter, destroy, remove, or fail to safeguard any official record or document, except in accordance with established Department procedures.

T. Improper use of department records. Employees shall not make improper use of information contained in Department records. Employees violating this section may be subject to criminal prosecution and/or discipline, up to and including dismissal. Improper use of departmental information includes:

1. viewing departmental records without a legitimate business purpose for doing so (including for the purpose of satisfying curiosity);
2. obtaining information in violation of law, regulation, policy, procedure, or other rule;
3. release of records to any third party not legally entitled to the records;
4. release of records to any third party not authorized by policy or procedure to receive the records;

CHAPTER 101

Revised 01/19/12

5. release or use of records for personal gain, or to benefit or cause injury to a third party (including influencing political, electoral, or governmental decisions); and

6. release or use of records for financial gain.

U. *Treatment of prisoners.* Prisoners will be treated with respect and shall not be verbally, mentally, or physically abused. Force will only be used against persons in custody to the extent necessary to prevent escape or to assure compliance with lawful orders.

V. *Sexual contact by employees.* Employees shall not engage in sexual contact while on duty or while in City buildings or vehicles.

W. *Surreptitious recording of one employee by another.* No employee of the Department shall record another employee by any means without his or her knowledge

This provision does not apply to recordings: made by Department installed telephone line recorders; made by security cameras installed in Department facilities; made pursuant to court orders (e.g. Glass Warrants); or made during Department authorized criminal or administrative investigations.

101.080 INCOMPETENCE

Employees shall execute their duty to the best of their training and ability. An employee failing to carry out their duty in a competent manner after receiving training and having a reasonable opportunity to seek assistance or guidance shall be deemed incompetent and shall be subject to appropriate disciplinary action.

101.090 INTERACTION WITH OUTSIDE AGENCIES

Nothing in this policy restricts contacting another agency in the normal course of business. However, all interaction with outside agencies will be professional and conducted in such a manner as to foster a sound working relationship between the Nome Police Department and all other agencies with which we work. Hostile, rude or otherwise negative actions on the part of any NPD employee may subject the employee to discipline up to and including termination.

A. *District Attorney's Office.* Requests for written opinions from the Department of Law will be initiated through the Chief's office. There are no exceptions to this policy.

CHAPTER 102

Revised 01/19/12

UNIFORM

102.010 INTRODUCTION

A. Department to supply uniforms and equipment. The City shall provide commissioned members of with standard uniforms and equipment necessary to carry out the objectives and purposes of OPM Section 5.010. All issued property shall remain the property of the City.

B. Chief to prescribe necessary uniforms. The Chief will prescribe the uniform for members of NPD in accordance with current direction, regulation and collective bargaining agreements. The Chief may delegate responsibility for uniform selection to appropriate personnel.

C. Service without uniforms. The Chief may direct a commissioned member to serve without wearing a uniform.

102.020 GENERAL APPEARANCE STANDARDS

A. 13 AAC 65.010 adopted. "All officers on duty shall wear uniforms or other clothing in accordance with established department procedures. Brass, belts, shoes, uniform shirts and pants, and equipment must be clean and cared for properly. Except when acting under proper and specific orders from a superior officer, officers on duty shall maintain a neat, well-groomed appearance and shall maintain their hair according to the following standards: Natural hair must be clean, neat, and combed. Hair must not extend below the top of the shirt collar at the back of the neck when standing with the head in a normal posture. The bulk or length of the hair must not interfere with the normal wearing of all standard headgear. Wigs or hairpieces may be worn if they conform to the above standards for natural hair. Sideburns must be neatly trimmed and may not extend below a line drawn from the bottom of the ear to the bottom of the nose. Sideburns may not exceed 1 & 1/2" in width. Officers must be clean shaven. However, a mustache may be worn if it does not extend below the upper lip nor more than 1/2" beyond the corners of the mouth."

B. Non-uniformed attire. Officers, while on-duty or while attending training or other official functions when not required to be in uniform, will wear appropriate conservative business attire. This means sports coat, tie, and slacks (jeans are not authorized) for males; and dress, blouse and skirt or slacks, or suit for females. Supervisors may make exceptions for undercover assignments or for activities such as physical training or other assignments where neither uniform nor business attire is appropriate.

Civilian employees, while on-duty or attending training or other official functions, will wear clothing appropriate to the activity. Employees having contact with the public or acting as a department representative to other agencies or governments shall wear attire that presents a professional image.

102.030 UNIFORM ADMINISTRATION

A. Issuance of uniforms. Uniforms issued to officers will be receipted on the appropriate property transfer forms. Supervisors may authorize replacement of uniform or equipment items following the annual inventory or whenever an item becomes unserviceable due to damage or normal wear.

B. Surrender of uniforms upon termination. Upon separation of service, all issued equipment not expended or otherwise accounted for shall be returned to the Department in a serviceable and clean condition. A receipt shall be issued by the receiving station.

C. Annual uniform inventory required. Officers are required to complete a uniform/equipment inventory on an annual basis, due the first day of December.

102.040 WEARING OF THE UNIFORMS - GENERAL

A. *Compliance with policies required.* Each officer shall comply with policies pertaining to uniform attire.

B. *Changes to uniforms prohibited.* No alteration of design is permitted and nothing may be displayed or worn on the uniform except as prescribed in this chapter.

C. *Off-duty wear of uniforms by commissioned officer prohibited.* No uniform or part of the uniform may be worn while off duty or on leave. The Chief of Police may authorize exceptions for funerals, military functions or similar activities.

D. *Off-duty sworn personnel may use certain equipment.* Sworn Personnel may carry their issue or other approved handgun, credentials, handcuffs, OC spray, asp baton, or similar personally assigned equipment while off duty. Any officer armed while off duty must carry credentials. While in public, weapons or equipment will be carried concealed and OC spray canisters without built in discharge safety mechanisms will be carried only in holsters so equipped.

E. *Similar uniforms required.* Two or more officers appearing in uniform, in public, shall wear the same style uniform.

F. *Officers to wear uniform of the day.* The Chief of Police is authorized to designate the uniform of the day. Personnel in uniform shall dress according to the uniform of the day. Officers engaged in special duties or functions may be authorized a special uniform.

G. *Replacement of soiled uniforms.* Uniforms, equipment, or civilian attire which becomes badly soiled, torn, or otherwise ruined during official Department activities may be cleaned, repaired, or replaced at the expense of the Department upon prior written approval of the Chief or his superior.

H. *Stitching standards for cloth patches and insignia.* Stitching used to attach patches and cloth insignia to uniforms shall be neat, shall firmly attach the entire perimeter of the patch, and shall match the color of the portion of the patch stitched.

I. *Uniform brass, leather gear, and footwear to be clean and polished.* Brass or other metals worn with the uniform shall be clean and shined. Uniform leather gear will be kept clean, the leather polished, and any metal buckles or snaps will be shined. Footwear meeting the specifications in Section 102.160 (A) shall be clean and polished.

J. *Wearing of sunglasses.* Sunglasses of conservative size, color, and design may be worn with the uniform. Mirrored sunglasses are prohibited. Sunglasses shall be removed while indoors or during conversations with the public or a supervisor. Officers in uniform shall not hang sunglasses around their neck by retention straps.

K. *Taps on shoes prohibited.* Other than traction studs on winter footgear, no taps or cleats may be placed on the heels or toes of boots or shoes worn with the uniform.

L. *Mixing types of uniforms prohibited.* The mixing of different style uniform parts is prohibited.

M. *Hands not to be put in pockets.* Uniformed personnel will refrain from putting their hands in their pockets when contacting the public except as necessitated by inclement weather conditions.

N. *Wearing of gloves.* Officers are not to wear ventilated or finger-less gloves when contacting the public. Officers may wear plain black leather gloves during cold weather or appropriate arctic gloves, mittens, or gauntlets in severe weather conditions. When engaged in frisking subjects or conducting searches officers are permitted to wear blood borne pathogen or sharps resistant gloves (e.g. kevlar gloves). Such gloves are not to be worn during routine contacts with the public.

CHAPTER 102

Revised 01/19/12

O. Equipment to be provided by officer. Officers shall equip themselves with the following:

1. a watch of reasonable accuracy; and
2. footwear, with socks, appropriate to the apparel worn or meeting the uniform standards set out in this Chapter.

102.050 DUTY UNIFORM - NORMAL

Unless a different uniform of the day has been specified by the Chief or his designee, the normal duty uniform for officers is:

1. Uniform shirt with collar brass, patches, breast badge, name tag, and rank insignia if applicable.
2. Uniform pants and black belt [Ref. OPM 102.130];
5. Uniform shoes with black socks or winter footwear [Ref. OPM 102.160];
6. Raincoat, or utility jacket with patches, or parka with patches [Ref. OPM 102.080];
7. Sam Browne belt with required equipment [Ref. OPM 102.120]; and
8. Ballistic vest. [Ref. OPM 102.100]

102.060 JACKETS AND COATS

A. Cruiser jacket. NPD – Navy Blue

1. Cruiser jackets shall have shoulder patches located on the centerline of the left sleeve 1/2" below the shoulder seam and American flag patches positioned on the right sleeve 1/2" below the right shoulder seam and stars closest to the heart on the right sleeve. Loomed badges will be located on the left chest of the jacket in the same position as the badge appears on the uniform shirt.
2. Cruiser jackets will be worn one-half to fully zipped so as to present a neat appearance.

B. Rain coat. NPD – Navy Blue

The rain coat is worn without patches or brass. It may be worn open or closed.

CHAPTER 102

Revised 01/19/12

102.070 BALLISTIC VESTS

REDACTED

102.080 UNIFORM SHIRTS

A. *Long sleeve uniform shirt.* NPD- midnight blue

1. Long sleeve uniform shirts will be worn with all accrements. Shirts will be pressed with military creases. Sleeves are to be creased from the center of the epaulets. Long sleeve shirts will always be worn fully buttoned except for the last button at the collar.
2. NPD Shoulder patches will be centered on the crease of the left sleeve 1/2" below the shoulder seam. The American flag patch will be worn on the right sleeve 1/2" below the shoulder seam and with the stars closest to the heart.
3. Sergeants, will wear gold loomed stripes on both sleeves. They will be aligned on the centerline of the sleeve such that the point of the chevron is midway between the shoulder and the elbow.
4. NPD officers below the rank of Lieutenant will wear NPD collar brass. Collar brass shall be worn so that the letters are horizontal (parallel to the ground).
5. NPD Lieutenants and higher officers shall wear the small metal rank insignia on the collar. Collar rank bars, oak leaves, and eagles are to be placed inside the seams. Rank bars should be worn parallel to front stitching and 1/2" in from the edge of the collar. Eagles should be worn so that the wings are horizontal. The stem on oak leaf clusters should point towards the ground.
6. Pocket flaps will be secured. Nothing, other than pens or pencils, is to be carried in the shirt pockets. Any pens or pencils carried are to be completely concealed within the pocket (no clips exposed).
7. Brass or metal nametags will be centered above the right pocket with a 1/2" space between the top of the pocket and the bottom of the nametag.
8. NPD -- Years of service stars or bars shall be worn on the left sleeve of the shirt. Service bars shall be located 1/2" above cuff seam, just forward of the crease. Stars shall be located 1/2" above the cuff seam and shall progress from single, to side-by-side, to triangle, to square etc. Allow 1/8" of background around stars or bars. Stars equal five years of service and bars equal one year. Bars may only be worn for the first four years of service, after which only stars are to be worn. Only time spent with the Nome Police Department as a commissioned sworn officer will be counted for service insignia.
9. NPD Firearms Expert Insignia will be worn only by those persons who have qualified expert as outlined in OPM 107.110 D. This patch will be worn on the right sleeve 1/2" above cuff seam, just forward of the crease.

CHAPTER 102

Revised 01/19/12

102.090 BELTS

A. Sam Browne; All officers in uniform will carry at least the issue handgun, two full magazines of handgun ammunition, OC spray, handcuffs, and the ASP baton.

1. The handgun, keepers, and spare magazines, shall be carried on the belt in specific positions. The magazines shall be worn immediately adjacent to the buckle; the ASP baton will be worn on the side of the body opposite the handgun; the handgun will be worn aligned with the pants seam on the strong hand side of the body; and a pair of belt keepers will be placed immediately adjacent to the handgun (one in front, one behind).

2. The following required equipment may be positioned on the belt at the officer's discretion provided that the requirements of paragraph A.1. are met:

- handcuff case
- OC spray case
- ASP baton
- belt keeper(s)

3. The following optional items may be carried on the belt and may be arranged at the officer's discretion provided that the requirements of paragraph A.1. are met:

- portable radio
- phone
- key case
- knife case
- small flashlight
- flashlight ring
- second handcuff case
- other authorized special equipment

4. An officer may, at personal expense, substitute a double layer case designed to hold two sets of handcuffs in place of the issue single case or optional second handcuff case.

5. Officers may carry the OC spray (in the basket weave carrier) in an outside pocket of the jacket, parka, or vest as an alternative to carrying it on the uniform belt.

6. Trousers belt will have a plain brass buckle that does not protrude above or below the Sam Browne belt. Buckle-less trouser belts are permitted.

7. Any optional leather gear worn on the uniform belt shall be basket weave style consistent with Department issue.

B. Special exemption to wear of Sam Browne belt - Wearing of the Sam Browne belt is not required when working aboard vessels, skiffs, aircraft, or when operating snow machines if wear creates a hazardous situation or interferes with the operation of the equipment. This exemption is allowed only in exceptional circumstances of genuine need and is not a blanket exception applicable during all operations involving listed equipment. Under these conditions, the issue handgun or approved duty weapon may be worn in an issued holster. Handcuffs will be carried on the person of the officer.

C. Care of leather goods. If leather is wet, allow it to dry naturally. Do not apply heat. When leather is soiled, clean with saddle soap according to directions on container. Then apply warm neats foot oil sparingly. Allow the oil to soak in on both sides. Follow with a light coat of neutral shoe polish or Bianchi Leather Dressing and buff with a soft cloth.

CHAPTER 102

Revised 01/19/12

102.100 UNIFORM PANTS

Pants colors are determined by the Chief and consistent with uniform requirements. NPD pants are currently designated as solid midnight blue. Uniform pants are to be creased, pockets buttoned and worn with the belt buckle centered on the fly seam.

102.110 COVERALLS

A. NPD coveralls. The issue NPD coveralls may be worn when performing tasks where clothing may be damaged or destroyed (e.g. mechanical maintenance). The coverall may not be worn as a substitute for the uniform. Coveralls are worn without patches or insignia.

102.120 BDU (BATTLE DRESS UNIFORM) -- NPD

A. The battle dress uniform (BDU). The BDU consists of dark blue trousers and long sleeve shirt worn with the black baseball hat with the words "Nome Police" embroidered in gold on the front of the cap.

The BDU shirt shall be worn tucked inside the trousers allowing the use of keepers on the trousers belt to secure the Sam Browne belt or substitute nylon web gear. The BDU shirt shall be worn with either a dark blue undershirt (T-shirt) or dark blue turtleneck. The collar of the turtleneck may have "NPD" embroidered in gold thread (block letters, 3/4 inch high) on the left side.

The BDU shall be worn with boots meeting the standards set out in 102.160. BDU trousers shall be worn bloused over the top of the boots.

NPD winter coat (parka), cruiser jacket, rain gear or sweater may be used in conjunction with the BDU. All pocket flaps will be secured. Any items carried in the shirt or trouser pockets are to be completely concealed.

B. Wear of patches and insignia on the BDU. The BDU shirt will have the Nome Police Department shoulder patch centered on the left sleeve, 1/2 inch below the shoulder seam and the American flag patch on the centered on the right sleeve 1/2" below the shoulder seam and with the stars closest to the heart.

Embroidered patches with 3/4 inch uppercase gold or silver letters will be centered 1/2 inch over the left and right hand pockets. The patch over the right pocket will be embroidered with the Officer's name. The one over the left pocket will have the letters "N.P.D." An embroidered NPD breast 'loom' badge patch will be located above the embroidered patch over the left pocket positioned in the normal position for the breast badge.

Officers shall not wear N.P.D. collar brass. Sergeants and higher rank troopers shall wear the small metal rank insignia on the collar. Insignia placement shall be as described in OPM 102.110 B6. Subdued color insignias may be used with the BDU uniform. Other than the embroidered patches and the collar rank insignia for Sergeants and above, no other insignia, pins, badges, patches, collar brass or the like will be worn with the BDU.

C. When the BDU may be worn. The BDU may be worn when performing tasks where other clothing or regular duty uniforms may be damaged or destroyed. Activities appropriate for BDU wear include weapon qualifications, weapon cleaning or maintenance, vehicle cleaning or maintenance, and, during inclement weather or in dirty locations particularly likely to ruin other clothing, patrol or investigative tasks. Supervisors may allow BDU uniforms to be worn by personnel on a case-by-case basis under special circumstances. The BDU uniform is not a substitute for the normal uniform issue.

CHAPTER 102

Revised 01/19/12

102.130 UNIFORM FOOTWEAR

A. *Uniform footwear specifications.* Black footwear will be provided by all officers for uniform wear. If the footwear is a shoe it must be of smooth leather without stitching across or along toes. The uppers of boots can be of artificial materials (e.g., ballistic nylon) so long as the appearance is appropriate for the uniform. Whether boots or shoes, the toe area must be rounded and the heel must be less than 1 1/4" in height. Narrow-toed shoes or boots are not permitted.

B. *Extreme weather footwear.* During extreme cold weather, vapor barrier boots, snow mobile boots, or other appropriate footwear may be worn while on remote assignment or as authorized by a supervisor.

C. *Special footwear.* Officers on remote assignments, working aboard boats, or in other assignments where the uniform footwear is inadequate may substitute appropriate footwear. As much as possible such footwear should present an appearance consistent with the uniform worn. Special footwear will not be worn around the office or post. Footwear meeting uniform standards is required in those circumstances.

Public Copy

CHAPTER 103

Revised 01/19/12

PROTOCOL AND COURTESY

103.010 FLAG -- COURTESY

A. Members in uniform. Members in uniform shall salute all national colors not cased when carried on any public occasion.

B. Members not in uniform. Members passing uncased colors in civilian dress and covered will uncover holding the headdress at the left shoulder with the right hand. If uncovered, they will place right hand on left chest.

103.020 NATIONAL ANTHEM OF THE UNITED STATES -- COURTESY

A. Members in uniform. Whenever the National Anthem is played, all officers in uniform and not in formation shall render the hand salute. They shall stand at attention facing toward the colors, if colors are present; if not, they shall face the source of the music.

1. If in uniform outdoors, they shall salute at the first note of the Anthem, retaining the position of the salute until the last note of the Anthem.
2. If in uniform indoors and covered, they shall salute at the first note of the Anthem, retaining the position of salute until the last note of the Anthem.
3. If in uniform indoors and uncovered, they shall stand at attention until the last note of the Anthem.
4. If two uniformed officers are in a stopped vehicle when the colors pass or the National Anthem is played, the driver will sit at attention while the other officer alights, stands at attention, and salutes as prescribed. A single officer in a vehicle will alight, stand at attention, and salute as prescribed.

B. Members not in uniform. Members not in uniform and covered, shall uncover at the first note of the Anthem, holding the headdress at the left shoulder and so remain until the last note of the Anthem. If uncovered, they shall stand at attention and place their right hand on their left chest until the last note of the Anthem.

103.030 NATION ANTHEM OF OTHER COUNTRIES -- COURTESY

When the National Anthem of any other country is played on official occasions members in uniform shall stand at attention and if covered remain covered. If the member is not in uniform he will stand at attention and if covered he will uncover until the last note of the Anthem.

103.040 GOVERNMENT OFFICIAL -- COURTESY

A. Officers in uniform will salute the President/Governor/Other Dignitaries. Members in uniform shall salute the President of the United States, the Governor of the State of Alaska, and appropriate dignitaries should they pass or be met during ceremonial functions; e.g., parade, while on a platform or stage.

B. Addressing Government officials. Members shall address Government officials with their title; e.g., President, Governor, Senator, in public where others are present. When others are not present "Sir" or "Ma'am" as appropriate, is correct.

CHAPTER 103

Revised 01/19/12

C. Addressing other members of the department in public. Commissioned personnel shall address other members of the department, or members of other police departments, or military organizations using their rank when in public and in the presence of others. Commissioned personnel shall acknowledge ranking officers by answering "Yes sir" or "No sir" or "Yes ma'am" or "No ma'am" as appropriate when in public and in the presence of others.

103.050 MILITARY -- COURTESY

A. Boarding a military ship in uniform. When boarding military ships and in uniform, the hand salute will be rendered to the flag at the stern and returned to greeting personnel on board the ship.

B. Entering a military installation in uniform. When entering any military installation in uniform, military courtesy shall be observed and the hand salute returned to all who give it; e.g., guards on watch, etc.

103.060 OFFICER SAFETY EXCEPTION

The regulations in Sections 103.010 -- 050 of this chapter shall not apply when immediate duty requires full attention, and adhering to the policy would interfere with the officer's ability to carry out his duties or would place the officer or other persons in a hazardous situation.

CHAPTER 104

Revised 01/19/12

DISPLAY AND CARE OF THE FLAG

104.010 WHEN DISPLAYED

It is the universal custom to display the flag of the United States only from sunrise to sunset on buildings and on stationary flagstaffs in the open. The flag may be displayed at night upon special occasions or conditions. The flag should not be displayed on days when the weather is inclement.

104.020 HOW DISPLAYED

No other flag or pennant shall be placed above the flag of the United States if hanging on the same staff or pole. If the State Flag of Alaska is to be flown on the same staff, it will be placed below the United States flag and far enough below that the two do not touch. The flag, when carried in a procession with another flag or flags, should either be on the marching right, that is, the flag's own right, or if there is a line of other flags, in front of that line.

104.030 CARE OF THE FLAG

When the flag is raised or lowered, it should never touch anything beneath it, such as ground, floor, water, or merchandise. The flag should never be fastened, displayed, used, or stored in such a place or manner as will permit it to be easily torn, soiled, or damaged in any way. The flag shall always be folded and stored in the accepted traditional manner. The flag, when it is in such a condition that it is no longer a fitting emblem for display, should be destroyed in a dignified way, preferably by burning.

104.040 DEPARTMENTAL FLAGS

The Department may, with the approval of the Chief, adopt a department flag. When displayed outside, the flag will be placed on the same flagpole as the State of Alaska flag and will be positioned directly below it. The departmental flag may be displayed, when appropriate, at special functions such as parades, public safety banquets, etc. The care of the departmental flag will be the same as the United States flag.

CHAPTER 105

Revised 01/19/12

COURT APPEARANCES

105.010 MEMBERS SHALL ATTEND COURT

A. *Members are required to attend court when notified to do so.* Members who have been notified of a court appearance shall attend court at the time they are required to appear.

B. *Members required to be subpoenaed on civil cases.* Employees are prohibited from appearing as witnesses in civil cases, except in obedience to a subpoena or court order.

C. *Member's future conduct will not be influenced by the disposition of a case.* Members shall not allow personal feelings regarding the disposition of a case to influence their future conduct.

D. *Members will not refuse service of a subpoena.* No member shall refuse service of a subpoena whether civil or criminal.

E. *Protocol for members served with conflicting subpoenas.* When served with subpoenas for different courts requiring the member to appear at the same time, members shall honor the subpoena first received if from the same level court, otherwise the court of highest jurisdiction will be honored. Members in this situation will also advise the district attorneys in the cases of the situation.

F. *Members will notify the District Attorney's Office of scheduled leave or training.* Members will notify their local District Attorney's Office, in writing, of their scheduled leave, training, or other absences from their post area.

G. *Members to notify supervisor of subpoena affecting leave or training.* When a member receives a subpoena to appear in court and that appearance will affect approved annual leave, training, or other absences from his post area, the employee shall immediately notify his supervisor. The supervisor, through whatever means available, will ascertain if the date of the appearance can be changed; if not, the subpoena is to be honored.

105.020 PERSONAL APPEARANCE AND DEMEANOR

A. *Members will appear in court properly attired.* Members will appear in neat, conservative business-like fashion whether in uniform or civilian clothing. When in civilian attire, appropriate business attire will be worn. If worn, ties should be conservative being neither garish nor featuring cartoons or other distracting graphics. Do not wear anything that would distract the attention of the jurors from what is being said.

B. *Members will be polite and courteous.* Members will be polite and courteous throughout their testimony.

C. *Members shall be prepared to testify.* Members shall study their notes, diagrams, photographs, and reports prior to their testimony and be prepared to testify. The necessity to refer to notes or reports to "refresh" his memory should be kept to a minimum. The state/city attorney should be consulted prior to the trial so that the member may prepare his testimony with particular attention to those points which the attorney wants to emphasis and so that the member may clarify his report to the attorney. The member should also try to anticipate what the defense will be and have the appropriate answers ready.

CHAPTER 105

Revised 01/19/12

D. Members will display the appearance of impartiality. Around the courtroom, avoid any actions that would indicate an interest in securing a conviction such as questioning witnesses, consulting other officers, or prompting the prosecutor. Do this in another room. Do not give an outward appearance of dissatisfaction on decisions. Take the position of an impartial servant seeking only justice.

105.030 NON-DUTY RELATED COURT APPEARANCES

Employees who are required to appear in court for any hearing or trial that is personal in nature and not related to duty will make prior arrangements for leave with a supervisor and will not appear in uniform or armed.

Public Copy

CHAPTER 106

Revised 01/19/12

PERSONNEL FILES - REDACTED

Public Copy

CHAPTER 107

Revised 01/19/12

WORK HOURS, LEAVE, AND PERSONNEL RULES

107.010 APPLICATION OF CONTRACTS AND STATUTES

All members of the Department will apply current collective bargaining agreements, Federal and State Statutes, and regulations when dealing with personnel matters.

107.020 DUTY DAYS AND WORK HOURS

A. *The City will establish duty days and shift hours.* The City, through the Chief of Police will establish duty days and shift hours to meet the needs of the Department.

B. *Employees may be required to work overtime.* A supervisor may require an employee to work in excess of their normal work schedule.

107.030 HOLIDAYS

Employees may be required to work legal holidays. Employees required to work on their holiday will be compensated as required by contract.

107.040 SHIFT SCHEDULES

A. *All units will have a shift schedule.* All units of the Department will publish a written shift schedule listing all commissioned personnel and non-commissioned personnel.

B. *Shift schedule to contain certain minimum information.* The schedule must contain at least the following information for all commissioned personnel (including those on leave) assigned to a unit:

1. the name of the Unit or Section the schedule applies to;
2. the effective dates of the schedule;
3. the member's name (Not nicknames); and
4. the member's work hours, RDO's, and shift hours.

107.050 OVERTIME

A. *Supervisors will schedule work to minimize overtime.* Supervisors, with due consideration for the integrity of the Department's mission, will plan and schedule work, in accordance with collective bargaining agreements, to minimize the payment of overtime or compensatory time.

B. *Employees not be intimidated over compensation.* Employees shall not be intimidated in any manner in an attempt to convince the employee not to apply for compensation

CHAPTER 107

Revised 01/19/12

107.060 APPROVAL AND SCHEDULING OF LEAVE

A. All routine leave requests will be submitted in writing. All routine leave requests will be submitted in writing on a leave slip prior to the requested leave.

B. All routine leave requests will be approved prior to the beginning of the leave. All routine leave requests must be approved in writing by the member's supervisor prior to the beginning of the leave.

C. Supervisors are responsible for scheduling leave. Supervisors are responsible for leave scheduling which maintains satisfactory coverage and service throughout the year. Supervisors may approve/disapprove leave for specified periods and/or limit the number of members on leave at any one time.

D. Minimum amount of leave will be taken prior to the deadline. Members who are required to take a minimum amount of leave during the year will take the required leave prior to the deadline. Members will submit a request to take required leave at least sixty (60) days before the deadline.

E. Denial of scheduled leave. Scheduled leave may be denied if the employee has assigned cases or other work in a delinquent status. Prior to beginning approved leave, all assigned cases or other work must be cleared by a supervisor.

F. Conflicts between leave and court. When a member receives a subpoena to appear in court and that appearance will affect approved annual leave, training, or other absences from his post area, the employee shall immediately notify his supervisor. The supervisor will determine if the date of the appearance can be changed. If the conflict cannot be eliminated, the subpoena shall be honored.

107.070 PAYROLL ENTRY

Payroll entry, including supervisory approval will be completed by the payroll cutoff.

107.080 TIMELY COMPLETION OF ASSIGNMENTS

A. Employees required to complete assignments in timely manner. All employees are required to complete their assignments in a timely manner, as specified by manuals, or supervisor assignment.

B. Supervisors are responsible for subordinate's timely completion of assignments. It is the supervisor's responsibility to assure that subordinates assignments are reasonable, possible, practical, and are completed on time and as required by Department policies, rules, and procedures.

107.090 NOTIFICATION OF LOCATION

A. Officers required to provide itinerary while on annual leave. Commissioned officers who are on annual leave shall report the address(es) and phone number(s) where they may be contacted in case of an emergency.

B. Officers who are on duty shall notify dispatch of location. Commissioned officers who are on-duty will at all times accurately report their location, and whenever leaving their assigned vehicles, notify dispatch of their location and purpose for being at that location.

CHAPTER 107

Revised 01/19/12

107.100 TELEPHONES

Officers shall have telephones available, shall reasonably monitor those phones, and shall report any change of telephone number or address to their supervisor, superior officers, and other appropriate persons.

107.110 IDENTIFICATION CARDS

A. Officers to carry identification or badges at all times. All Departmental employees shall carry identification cards on their person at all times while engaged in official duties, except when impractical or dangerous to their safety or to an investigation. They shall furnish their name, rank, supervisor's name and badge number (if applicable) to any person requesting that information when they are on duty, or representing themselves as having an official capacity, except when the withholding of such information is necessary for the performance of their duties or is authorized by proper authority.

B. Photographs on identification cards. Commissioned and non-commissioned personnel are to appear in full uniform/authorized dress in the photograph displayed on their Department identification card. The only exception is for those individuals who are assigned to drug enforcement. Identification photographs for personnel assigned to drug enforcement investigation may be taken in appropriate business attire. Once these personnel are reassigned out of drug enforcement, a new identification card with a photograph in uniform will be obtained immediately.

C. Identification cards to be replaced every 36 months. Personnel are to obtain a new identification card at least every 36 months unless damage or loss require a shorter interval.

E. Supervisors to inspect identification cards. Supervisors shall inspect identification cards when performing personnel inspections. Identification cards will be inspected no less than once each year.

107.120 REQUESTS FOR ASSISTANCE

A. Employees will receive and act upon citizen requests for assistance. When any person requests assistance or advice, makes complaints or reports, whether by telephone, radio, in person, or in writing; employees of this Department, whether commissioned or civilian, will obtain all pertinent information in an official and courteous manner, and will properly and judiciously act upon the report in a manner consistent with established Departmental procedures.

B. Employees to make requested notification of incidents. Common courtesy and Department policy requires that employees will comply, where reasonably possible, with any citizen request to notify a spouse, friend, parent, or other desired contact, of an incident occurring.

107.130 LIMITED DUTY ASSIGNMENTS - REDACTED

CHAPTER 107

Revised 01/19/12

107.140 EMPLOYMENT OUTSIDE OF DEPARTMENT

A. *Outside employment restricted by Statute.* AS 39.52.170 states:

"Outside employment restricted. (a) A public employee may not render services to benefit a personal or financial interest or engage in or accept employment outside the agency which the employee serves, if the outside employment or service is incompatible or in conflict with the proper discharge of official duties. (b) public employee rendering services for compensation, or engaging in employment outside the employee's agency, shall report by July 1 of each year the outside services or employment to the employee's designated supervisor. During the year, any change in an employee's outside service or employment activity must be reported to the designated supervisor as it occurs. (c) The head of a principal executive department of the State may not accept employment for compensation outside the agency that the executive head serves."

B. *Department procedures for approval of outside employment.* Employees wishing to engage in off duty employment must submit a written request to the Chief of Police who will forward a recommendation to the City Manager after considering the length of absenteeism, the type of employment, and the impact upon the Department of the proposed employment.

The City Manager will then review the request, make recommendations, and return a timely notice of decision to the Employee via the Chief of Police.

C. *Prohibited types of off-duty employment.* Permission to engage in any of the following types of employment will not be granted to any employee of the Department:

1. investigations, guarding (including acting as a bouncer), process serving, collections, wrecker service, attorney, bail bond, or any service which may be construed as a conflict of interest;
2. any employment that may physically or mentally affect the employee's job performance or impair the operation and efficiency of the Department;
3. any employment that may require special consideration in scheduling the employee's regular duty hours; or
4. any employment that may bring discredit upon the employee or the Department, or impair the operation and efficiency of the Department.

Additionally, commissioned and partially commissioned officers will not be granted permission to engage in the following types of outside employment:

1. manufacture, sale or distribution of alcoholic beverages;
2. employment that may render the employee unavailable during an emergency; or
3. guiding or assistant guiding.

CHAPTER 107

Revised 01/19/12

107.150 SUBSCRIPTIONS, SOLICITATIONS, COLLECTIONS, PETITIONS

Unless prior written approval is obtained through appropriate channels, employees of this Department, while on official duty, shall not solicit **any** contributions, sell tickets, solicit donations, petitions, or subscriptions in **any** manner.

Approval may be granted for activities or benefits that are closely associated or supported by City government or law enforcement, such as: APOA, TORCH RUN, charitable campaigns, and local associations.

107.160 USE OF NOTEBOOKS

A. Officers required to keep notebooks. Officers are required to keep notebooks containing a chronological record of the officer's time and activities for activity report purposes, and as a reference in preparing reports. Chronological time entries and officer activities are found to be extremely beneficial and necessary for the protection of the officer during the investigation of citizen complaints.

Notebooks remain the responsibility of the officer and shall be retained for at least five (5) years. Officers may keep notebooks longer than five years if desired.

B. Notebooks are the property of the City. Notebooks kept by officers are the property of the City and are subject to inspection and seizure by supervisors. Upon retirement or termination officers are required to turn in their notebooks for the preceding five years to their Supervisor. Notebooks turned in will be placed in evidence for at least five years from the date of termination.

107.170 EQUIPMENT LOSS OR DAMAGE

Employees will take the following steps when Department equipment is lost, stolen, or damaged:

A. Action by employee. The employee responsible for the property shall provide immediate notification to his supervisor and, unless another report is specified elsewhere in the OPM, shall complete and submit to the his supervisor a Report of Lost -- Stolen -- Damaged Property within three working days;

B. Action by supervisor. The supervisor will complete the required section of the form and forward the report to his superior; and

C. Action by commander or section supervisor. The Chief of Police will review the report and immediately forward it to the City Manager for review.

107.180 NPD PERSONNEL BACKGROUND INVESTIGATIONS - REDACTED

107.190 SIGNING BATF FORMS

Employees of the Nome Police Department shall not sign or otherwise approve or endorse Bureau of Alcohol, Tobacco and Firearms (BATF) forms concerning obtaining or possession of any weapon or device that would not be otherwise legal to own. This is a Federal form based on a Federal regulation, thus it is the responsibility of Federal law enforcement agencies to determine if they will approve the forms. Persons requesting approval of BATF forms should be referred to the BATF, the FBI, or other appropriate Federal law enforcement agency.

CHAPTER 107

Revised 01/19/12

107.200 REQUESTS FOR FINGERPRINTING

Persons seeking certain types of employment in Alaska are required to submit fingerprints for a criminal background check. The Department will take fingerprints for members of the public in compliance with established fee schedules. (Note that persons seeking criminal background checks should be referred directly to the Alaska State Troopers.

107.210 USE OF PERSONAL FLOTATION DEVICES

NPD employees shall wear a personal flotation device (PFD) whenever they are operating open watercraft and anytime they are on deck on vessels. PFDs include float coats, mustang suits, inflatable PFDs, and any other USCG approved PFD.

107.220 USE OF DEPARTMENT NAME OR LETTERHEAD FOR PERSONAL PURCHASES

Employees are prohibited from making any purchases of items for personal use using the name or the official letterhead of the Nome Police Department without authorization of the Chief. This includes the purchase of weapons or any equipment that can only be sold to police or where a police discount is offered.

107.230 INVESTIGATION OF POLICE MISCONDUCT IN OTHER AGENCIES

A. Assistance to outside agencies. Officers should honor requests for investigative support or assistance from outside agencies. Such assistance should be provided promptly.

Requests for such assistance should come from the supervisory level of the outside agency and be made to the Chief of Police or supervisory level of NPD. The Chief will inform the City Manager of the request.

107.240 RECRUITMENT

A. Police Department recruitment efforts. It is the responsibility of every commissioned and non-commissioned member within the Department to assist in the recruitment of the most qualified individuals as public safety employees..

B. Minority Recruitment. The Nome Police Department is an equal opportunity employer and maintains a constant program of recruitment for women and minorities. Every employee should consider it a part of his/her job to recruit qualified prospective minority employees.

107.250 REWARD POLICY

Victims of crimes, or in some cases organizations or interested parties, may offer a reward for information leading to the arrest and conviction of the perpetrators of crimes. Reward programs may be totally independent of the police, a joint effort between the persons putting up the reward money and the police, or the money is put up and the police handle the entire matter. Department participation in reward programs will be at the discretion of the Chief of Police with the following stipulations:

1. the Officer involvement will be clearly outlined in a memorandum to the Chief and should include who is offering the reward, specifically what the reward is for, and specifically on what conditions or circumstances it will be paid; and

CHAPTER 107

Revised 01/19/12

2. in the event conditions of the reward are met but the person or organization offering the reward refuses to pay, immediately notify the potential reward recipient that the NPD cannot assist them in collection. Under those circumstances, the individual will be on his own and will either have to obtain an attorney and file a civil action or utilize the small claims court if appropriate.

107.260 PRESENTATION OF BADGES AND IDENTIFICATION TO RETIRED OFFICERS

A. Officers with twenty or more years of service. Officers retiring with twenty or more years of law enforcement service within the City of Nome will be presented with the full badge set and the 'retired' identification card.

B. Officers with between seventeen and twenty years of service. Officers retiring with between seventeen and twenty years of law enforcement service within the City of Nome will be presented with the flat badge and 'retired' identification card.

C. Officers with between ten and seventeen years of service. Officers retiring with between ten and seventeen years of law enforcement service within the City of Nome will be presented with the 'retired' identification card.

D. Definition of "law enforcement service with the City of Nome." For the purposes of this section and section only, the term "law enforcement service with the City of Nome" means the actual years of employment as a sworn peace officer with the City of Nome.

107.270 FINAL EVALUATION WITH EXTENDED ABSENCE

If an employee terminates or transfers after a long absence from the workplace that encompasses all or most of the current evaluation period the supervisor should complete an evaluation as follows:

1. it is not necessary to mark any of the rating boxes;
2. the performance narrative section should include a notation that the employee was not available for duty during all or the majority of the rating period and may include overall recommendation based on the employees past evaluations; and,
3. once the notation in (2) is included it is unnecessary to craft Work Habits, Interpersonal Relationships, Supervisory, or Goals sections.

107.280 FIREARM AND EQUIPMENT TURN-IN UPON TERMINATION

Upon termination of an Officer for any reason, any assigned equipment and firearms shall be returned and transferred to the supply or the armory.

CHAPTER 108

Revised 01/19/12

ELECTRONIC INFORMATION, COMPUTERS, AND COMMUNICATIONS

108.010 APPLICABILITY OF CHAPTER

The provisions of this Chapter apply to all information stored electronically on Department or City equipment or networks, transmitted electronically (e.g. voice, data, facsimile, video or other forms) by employees while on-duty or using Department or City equipment or infrastructure, and information accessed via Department or City computers or networks.

All employees of the Department and any volunteers working for the Department are bound by this policy. Violations of this chapter may lead to disciplinary action up to and including termination. Criminal sanctions may also apply to certain violations.

108.020 GENERAL RULES

A. *Equipment, resources, and information to be used only for business purposes.* Communications and computer equipment, network resources are to be used only for business purposes except where specific exceptions are provided. Information stored or transmitted electronically to be viewed or used only for legitimate business purposes

REDACTED – 108.020 B-E

108.030 USE OF COMPUTERS AND COMPUTERIZED INFORMATION

A. *Personal computer software.* With few exceptions, software used on personal computers is not owned by the user, but the right to use a particular number of copies is licensed by the purchaser. Violators of software licenses can be subject to criminal penalties and can subject their employers to significant civil liability. It is the policy of the City of Nome Police Department to respect all computer software copyrights and to adhere to the terms of all software licenses to which the Department is a party.

1. Employees may not duplicate any licensed software or related documentation for business or personal use unless the Department is expressly authorized to do so by agreement with the licensor.
2. Shareware software is copyrighted software that is distributed for a free trial period prior to payment of a licensing fee. It is the policy of the Department to pay shareware authors the fee requested for any shareware products that are in use on Department computers.
3. Any software for which proof of licensing (original disks, original manuals, or shareware receipts) cannot be demonstrated will be promptly removed from Department computers. Supervisory or technical support personnel encountering unlicensed software during maintenance or other activities are authorized to immediately delete such software from Department computers.
4. Personally owned software will not be installed on Departmental computers unless specifically authorized by the Chief of Police or his designee.

B. *Personal use of Department computers.* Members may not make personal use of Department computers while on-duty. With prior supervisory approval, employees may make off-duty personal use of Department computers for such purposes as the writing of academic papers or letters related to the professional development or advancement of the employee. Approved personal use of Department computers must not be for financial or material gain.

CHAPTER 108

Revised 01/19/12

C. Improper use of computerized information. Employees shall not make improper use of information contained in, or accessed through, Department computers. Employees violating this section may be subject to criminal prosecution, loss of computer access privileges, and/or discipline, up to and including dismissal. Improper use of computerized information includes:

1. viewing computerized records without a legitimate business purpose for doing so (including for the purpose of satisfying curiosity);
2. obtaining information in violation of law, regulation, policy, procedure, or other rule;
3. release of records to any third party not legally entitled to the records;
4. release of records to any third party not authorized by policy or procedure to receive the records;
5. release or use of records for personal gain, or to benefit or cause injury to a third party (including influencing political, electoral, or governmental decisions); and
6. release or use of records for financial gain.

108.040 REDACTED

108.050 INTERNET ACCESS

A. Internet access is provided so that employees may conduct the city's business. This includes access to internet resources for the purposes of research, investigation, purchasing, or inter-governmental coordination.

B. There is no expectation of privacy in any internet access made using Department computers or networks. The URL of each site visited is recorded and may be reviewed by technical or supervisory staff without notice to the employee.

C. Access to certain internet resources prohibited. Other than for the purpose of investigating criminal or administrative violations, employees are prohibited from intentionally accessing any internet resource containing discriminatory, defamatory, harassing, or sexually explicit content.

D. Unintentional access to sites with prohibited content should be immediately reported to a supervisor. The site accessed, date and time, and circumstances should be part of the report to the supervisor.

E. Procedures for intentional access to prohibited content. Intentional access to sites with prohibited content for the purpose of criminal or administrative investigation should be pre-approved by a supervisor and recorded in the appropriate report indicating the sites visited, date and time, and reason for access.

108.060 SOCIAL NETWORKING - REDACTED

108.060 TELEPHONE PROCEDURES -- GENERAL

A. Answering phones. Telephones shall be answered promptly and courteously. General access numbers should be answered with the name of the Department. Commissioned members will identify themselves by rank and name when answering phones. EXAMPLE: 'Nome Police Department; Officer XXX; How can I help you?' Or 'Nome Police Dispatch; How can I help you?'

CHAPTER 108

Revised 01/19/12

B. Phone messages will be forwarded to on duty personnel as soon as practical. All messages for members not available to answer the phone will be delivered to the member as soon as practical. Members should be advised as soon as practical if a caller has been forwarded to their voice mail to facilitate the timely return of telephone calls.

C. Referral of callers to other numbers to be avoided. All reasonable efforts will be made to assist the caller without requiring them to place another call. If the caller is reporting a crime occurring outside the city of Nome; basic information and a call back number should be obtained and immediately forwarded to the other agency. The caller should be advised of this procedure.

D. Personal toll calls prohibited. Personal toll calls will not be charged to Department phones.

E. Standards for use of voice mail. Employees who have voice mail on their phones shall:

1. record a message that includes the identity of the person or office reached, an invitation to leave a message and instructions for reaching a human operator;
2. shall check voice messages at least once each day the employee is at the workplace; and
3. shall leave an explanatory message if the voice mail will not be checked for more than 3 days due to planned absence from the workplace.

Employees are encouraged, though not required, to update their messages daily (if appropriate) and to check their messages remotely if away from the office for a prolonged time while on-duty.

108.070 TELEPHONE PROCEDURES – DISPATCH - REDACTED

108.080 CELLULAR PHONE POLICY

A. Employees responsible for personal calls. Employees are required to reimburse the Department for charges resulting from personal local or toll calls made on Department cellular phones. Depending on the phone service contract this may require payment for all personal calls made from cellular phones or only for toll calls.

B. Proper use of city cellular telephones. City owned cellular telephones and other devices will not be used to transmit personal photos; lewd or improper images or text; or any other information that may be considered discriminatory, defamatory, unprofessional, political, or inflammatory.

C. Personally owned cell phone use. REDACTED

1 CHAPTER 108

Revised 01/19/12

08.090 RADIO PROCEDURES

A. *During routine traffic only authorized 10-code to be used.* When using NPD radio channels during routine communications all personnel will use the 10-code listed in OPM 108.090. No other codes are to be used. Messages which cannot be communicated clearly using the 10-code should be conveyed in plain English.

B. *Emergency communications to be plain-English.* During periods of declared emergency radio traffic, especially when multiple agencies may be involved, all transmissions on the emergency channel should be made in plain English. Dispatch should so instruct upon declaring an emergency channel.

C. *Transmissions to be brief.* All transmissions will be kept as brief as practical.

D. *Personnel to use assigned radio channels.* Personnel will utilize the specific channel assigned to them by Dispatch for the area or assignment which they are working. When moving from one area to another, Dispatch will provide new channel assignments on request.

E. *Radio use to comply with FCC regulations.* All personnel will conform to the rules established by the FCC when using radio equipment.

F. *Radios to be repaired only by authorized vendors.* Maintenance of Department owned radio equipment is the responsibility of the Department. Department personnel shall not repair, or attempt to repair, any City owned radio equipment.

CHAPTER 108

Revised 01/19/12

- G.** *10-code/designators and alpha code system to be used by NPD personnel.* - **REDACTED**

Public Copy

CHAPTER 109

Revised 01/19/12

DEPARTMENT INVESTIGATIONS AND DISCIPLINARY PROCEDURES

REDACTED

Public Copy

CHAPTER 110

Revised 01/19/12

COMMENDATIONS AND AWARDS

110.010 COMMENDATIONS AND FORMAL RECOGNITION

The Nome Police Department establishes the following formal commendations and awards. The recipient of each award, except for the Letter of Commendation, will receive a plaque commensurate with the award and a ribbon for uniform wear as appropriate.

A. Commendation for valor. Diligent performance of duty by a member of the Department in a perilous situation in which a life is saved, a serious crime prevented, a serious violent violator is arrested, or other similar event occurred as a result of the member actions. The deed performed must have been one of personal bravery or self-sacrifice beyond the call of duty, so conspicuous as to clearly distinguish the individual above his fellow officers and which involved the voluntary risk of the member's own life. This commendation is the only ribbon awarded where members may wear multiple awards on the formal uniform.

B. Commendation for bravery. Diligent performance of duty by a member of the Department in a hazardous situation in which the member was exposed to perils beyond the call of duty. The deed, while of lesser degree than that required for the Commendation for Valor, would also demonstrate conspicuous bravery involving personal hazard or danger.

C. Purple heart. During the performance of his duty, a member is seriously injured or killed as a result of the actions of another person.

D. Commendation for meritorious service. Performance of duty by a member of the Department in a hazardous situation where as a result of the member's action a crime is prevented, life or property is protected, or criminals apprehended.

E. Commendation for honorable service. Performance of duty or service by a member of the Department which does not fall into the above classifications but which distinguishes the member by exceptionally meritorious service in duties of great responsibility. This applies to a narrower range of positions and requires significant achievement and exceptional dedication to performance of normal duties. It is awarded to those who "go the extra mile."

F. Letter of commendation. Services rendered by a member of the Department, other agency, or citizen which does not fall within the above classifications, but which are worthy of mention for recognition of services.

G. Officer of the year. The Chief may select a member below the rank of Lieutenant who best typifies exemplary service to the citizens of the City of Nome based on consistent performance throughout the year.

H. Civilian Employee of the Year. The Chief of Police may select a civilian employee who best typifies exemplary service to the citizens of the City of Nome. Factors considered will be: consistent productivity in terms of quantity and quality; willingness to accept and complete assignments; and expertise and professionalism displayed during performance of duty.

I. Longevity. This ribbon is earned after completion of 10 years or more service as an Officer. In addition to the 10 years of service the member must have provided special expertise during this service by performing at least one of the following extra or special duties: Field Training Officer (FTO), Investigator, or Police Instructor.

CHAPTER 110

Revised 01/19/12

110.020 COMMENDATION FORM

The Commendation Form is used by any member of the Department to recognize any other member of the Department for exceptional service. The form is to be routed through the chain of command to the Chief of Police. The Chief may approve or disapprove the commendation as presented, may amend the commendation, or may recommend the employee for a higher commendation or award.

110.030 RECOMMENDATION PROCESS

A. Recommendations may be made by anyone. Recommendations for commendation of any Departmental personnel may be made by anyone having accurate information of an action worthy of special recognition.

B. Recommendations will be made in writing. Recommendations for commendations or awards will be made in writing and must include all pertinent details and names of witnesses.

C. Recommendations will be routed to the Chief of Police All recommendations will be routed to the NPD Chief of Police.

D. Presentation of awards and commendations. Awards and commendations will be presented at an appropriate time and place as designated by the Chief of Police.

110.040 ATTACHMENT: COMMENDATION FORM

CHAPTER 111

Revised 01/19/12

TRAINING

111.010 DEFINITIONS

After duty hours training - an assignment outside the trainee's regular work hours.

Formal training - Alaska Police Standards Council (APSC) certified training of eight hours or more.

Informal training - training of less than eight hours taught by an APSC certified instructor or by a person recognized as an expert in the subject matter.

Long term training - an assignment to a school, academy, or other training facility which extends beyond a period of 30 calendar days (but not to exceed two years).

Part-time training - an assignment which encompasses a part of trainee's regular hours, for any length of time.

Short term training - an assignment of 30 days or less.

111.020 GENERAL PROCEDURES

A. Training to benefit Department. Training is given to meet the department's need for scientific, professional, technical, mechanical, trade, clerical, fiscal, administrative or other skills. The training must be of necessary and direct value to the City and directly relevant to the trainee's occupation or training directly related to occupational advancement within the employee's occupational area.

B. Training approved by the Chief of Police. All training will be coordinated through the subordinate's supervisor and approved by the Chief of Police.

C. Training needs identified by Supervisors and Command Staff. A supervisor, who identifies a training need, will document the need and forward the documentation to the Chief. The Supervisor and the Chief will determine the most practicable solution to the need, which could be an in-house training/review session, in-service training, or a specialized training course. When the appropriate solution has been selected, the Supervisor, in consultation with the Chief, will develop or adopt a training program, obtain APSC certification, and implement the program.

D. Obtaining APSC credit for informal training. APSC training credit for informal training within the Department can be achieved by naming the subject(s), date(s) and time(s) of training, and the name(s) of the instructor(s); and by ensuring instructors are certified in the specific subjects they instruct.

E. Instructors to forward APSC paperwork. Principle instructors, or the Department official responsible for the coordination of a particular course of instruction, will ensure that each participant completes a course critique and will forward those critiques along with the course completion report (APSC F-6 form) to APSC.

F. Requests for self-funded on-duty training. In some cases training that would normally not be available to an employee may be authorized during regular duty hours if the employee initiates a request to pay for the training costs and to attend the training while on duty. Approval must be obtained from the Chief and any such training must have some apparent benefit the City of Nome and the employee's present or future responsibilities with the Department.

CHAPTER 111

Revised 01/19/12

G. Compensation during training. The type of compensation paid to employees depends upon the nature and classification of the training as follows:

1. Long term training - the trainee will receive his regular salary during the period of training. The Department may also pay all or part of the expenses associated with travel, tuition, fees, and necessary supplies. However, any employee assigned to full time training for which payment of expenses is authorized, shall sign a Training Agreement . When completed, this form is to be included in the employee personnel file. Salary and transportation costs are not subject to the provisions of the agreement.
2. Short term and part-time training - the trainee will receive up to his regular salary during the period of training. The Department may pay all or part of the expenses associated with travel, tuition, fees, and necessary supplies.
3. After duty hours training - the Department may pay all or part of the expenses associated with travel, tuition, fees, and necessary supplies.

111.040 RECORDING TRAINING

A. Training to be documented on official forms. Training received by members of the Department will be recorded on the appropriate form and entered into the Training Records System. The official training records forms are:

1. Course Record -- used to record a course or certification completed by more than one person;
2. Training/Certification Record -- used to record a course, certification, language, or special skill for a single individual;
3. Firearms Qualification Record -- used to record firearms qualifications scores for a single individual with one or more weapons; and
4. Supervised Firearms Qualification Record -- used to record firearms qualifications scores for multiple individuals using a single type of weapon during supervised qualification.
5. Fitness Testing Record -- used to record results of annual fitness testing of officers.

B. Responsibility for submission of training documentation. The responsibility for submission of training documentation depends upon whether the course is being sponsored or instructed by the Department.

1. Course sponsored or instructed by NPD personnel. If a course is organized or sponsored by NPD then it is the responsibility of the sponsor/instructor to complete a single "Course Record" listing all of the students. The sponsor or instructor is responsible to assure that this information is entered into APSIN.
2. Course provided outside the Department. If a course is not sponsored by the Department then it is the responsibility of the individual student(s) to complete and submit training documentation. Records can be submitted by individual students on the "Training/Certification Record." If more than one student attended the same training, they can submit a single "Course Record" listing multiple attendees.

Copies of any certificates of completion, certification documents, or diplomas should be attached to training record submissions for courses not sponsored by the Department.

CHAPTER 111

Revised 01/19/12

C. Retention of original training record submissions. Copies of training record forms submitted by individuals should be retained in the employee's field file.

111.050 ADVANCED MANAGEMENT TRAINING COURSES

This section covers attendance at the Federal Bureau of Investigation National Academy, the Southern Police Institute Administrative Officers Course, and similar training offered by other organizations. The Department recognizes that advanced training of this type is of great value to its commissioned managers and provides them with tools, knowledge, and skill essential to the modern police manager.

A. Declaring interest in advanced management training. Officers with the rank of Sergeant or higher may submit a written request for consideration to the Chief of Police. If the officer has a preference concerning training institution it should be expressed at this time.

B. Selection of officers for advanced management training. The selection of officers to attend advanced management training should be conducted according to this section. It is recognized, however, that special circumstances may dictate a deviation from these guidelines.

1. List Established -- a list of eligible officers in preference order will be established by the Chief. Candidates will be placed on the list in order based upon the preference criteria listed in (3). Openings for training will be offered to the officer at the top of the list first;
2. Eligibility -- officer must have the rank of Sergeant or greater, should plan on remaining with the Department for at least three years after graduation, must meet the entrance requirements of the institutions, and should have been rated as mid-acceptable or greater at each of the preceding two performance evaluations; and
3. List Position Preference -- officers will be placed up on the candidate list first by rank (higher first), and then by date their request to attend training is approved. Officers may be placed on the list by their superiors without making a written request.

C. Promotional preference of graduates. Successful completion of advanced management training (e.g., Southern Police Institute, FBI National Academy, or a university degree program) will be considered strongly when selecting officers for promotion to the rank of Lieutenant or higher. An officer who has voluntarily turned down the opportunity to attend advanced management training will be more heavily penalized than one who has never had the opportunity to attend such training.

111.060 COMPLIANCE WITH RULES

While at any training venue as a student, instructor, or visitor, employees must comply with applicable regulations and rules of conduct. Violation of these rules may subject an employee to disciplinary action including termination of employment.

CHAPTER 112

Revised 01/19/12

PHYSICAL CONDITIONING

112.010 INTRODUCTION

A. Officers are responsible for physical conditioning. Officers must maintain a level of physical conditioning sufficient to perform daily tasks with vigor, alertness, and only reasonable fatigue and must be capable of the high levels of exertion required to handle crisis and emergency situations. An officer's level of conditioning must be sufficient that they can maintain good judgment and make correct decisions during and after periods of physical exertion.

B. Biennial medical examinations required. Commissioned members are required to have a Department-paid medical examination once every two years. Examinations shall be completed, and the report delivered to the member's supervisor prior to the member's anniversary date of the year in which the examination is due.

C. Additional medical examination may be required. The Department may require additional medical examinations for reasonable cause to determine fitness for duty.

D. Physical conditioning testing. Officers must participate in annual testing to determine physical conditioning. This testing may be done in conjunction with training schools, shoots, and other similar occasions. Test results will be recorded on a Fitness Testing Record form and included in evaluation data.

112.020 FIT FOR DUTY AWARD

A. Officers may qualify to wear Fit-for-Duty award. Officers who score at least 80% on each of the standard physical conditioning tests set out in 112.020 (maximum number of push-ups, 1-minute sit-ups, 1.5 mile run) may wear the Fit-for-Duty award pin on their duty uniform in the manner described in OPM 102.090.

B. Annual qualification for award required. Officers must qualify to wear the Fit-for-Duty award annually. Officers not re-qualifying for the award within 14 months are no longer eligible to wear the award.

C. Unlimited Fit-for-Duty testing allowed. There is no limit to the number of times an officer may test for the Fit-for-Duty award.

112.030 TESTS TO DETERMINE PHYSICAL CONDITIONING

A. Conduct of tests. Testing to determine the physical conditioning of members will include the maximum number of push-ups, 1-minute sit-ups, and 1.5 mile run. Officers will pass the test if they score at or above the 50th percentile on each of the events as shown on the standards table in this chapter (OPM 112.040). The test sequence is push-ups, sit-ups, and the run.

B. Testing Supervision. Any NPD officer of the rank of sergeant or above may supervise physical conditioning testing. Testing will be performed in accordance with established instructions, which may be modified from time to time. These instructions will include, but are not limited to training venues, time limits, and exercise technique. If available, Supervisors must review any written and video instructions before testing. Supervisors shall limit the number of participants to the number the supervisor can personally supervise.

CHAPTER 112

Revised 01/19/12

C. Basis for standards. The Cooper Aerobic Standards will be used as the basis for the Department's physical conditioning test.

D. Excuses from testing. Officers having a temporary or permanent injury, or other medical condition that prohibits the completion of any of the physical conditioning testing events must obtain medical documentation from a qualified physician indicating in which events the officer cannot participate. With appropriate medical documentation, an officer will be excused from the requirement of completing that event.

112.040 PHYSICAL CONDITIONING ASSESSMENT

Category	Percentile	Maximum Push-Ups	1-Minute Sit-ups	1.5 Mile Run
NPD Minimum	50	32	32	14:29
Fit for Duty	80	45	40	12:42

****Scoring will be pass/fail unless the 80th percentile is achieved in all three events.**

CHAPTER 113

Revised 01/19/12

VEHICLE OPERATION

113.010 INTENT OF THIS CHAPTER

The Department policies established in this chapter are not intended, and should not be construed, to be used as evidence of the existence of any higher duty of safety or care than is otherwise provided by law. Rather, violations of this chapter are to be used solely to form the basis for departmental administrative action.

113.020 GENERAL PROVISIONS

A. Definitions As used in this Chapter

1. "Vehicle" means a motor vehicle that can be licensed to operate on the highways of the City. This includes cars, trucks, buses, vans, motor homes, motorcycles, etc. but excludes snow machines, three and four wheelers, and other vehicles not designed for operation on highways.

3. "Marked vehicle" means a vehicle with permanently installed visible markings identifying the vehicle as operated by a Nome Police Officer.

B. Vehicles to be used only for official business. A City officer or employee may not use or permit the use of a City-owned, leased, or rented vehicle except in the conduct of official business. A Department employee who violates the above provision will be subject to disciplinary procedures that may result in dismissal from employment.

Officers of the rank of Sergeant or above and members who are assigned to respond immediately upon notification, regardless of time of day or location, are consequently authorized the use of a City-owned as 'take-home' vehicles as resources allow.

C. Security of City vehicles and contents. Employees shall take reasonable precautions (such as removing keys, securing contents, and locking doors) to prevent theft or vandalism of vehicles and contents.

1. Items of value left in unattended City vehicles that for extended periods of time make those vehicles prime targets for theft or vandalism. Easily stolen items such as portable radios, cell phones, notebook computers, video cameras and the like are particularly subject to theft. Vehicles may also contain other items that may be damaged by extended exposure to the cold and/or moist conditions in a vehicle that is parked outdoors for an extended period.

2. All items of value that are not an integral, attached part of the vehicle, and any that may be damaged by environmental conditions shall be removed and stored in a secure location prior to leaving any City vehicle parked for an extended period.

3. Weapons of any kind should never be left in vehicles parked for extended periods and must be removed to secure storage.

D. Use of tobacco products prohibited in City vehicles. NPD employees are prohibited from using any form of tobacco product in City owned, leased, or rented vehicles.

CHAPTER 113

Revised 01/19/12

113.030 VEHICLE OPERATIONS

A. Operation to be prudent and lawful. Employees shall operate motorized equipment in a careful and prudent manner, and shall obey all laws and Departmental orders pertaining to such operations, unless specifically exempted. They shall operate their vehicles in a manner that demonstrates consideration for their own safety and the safety of others that may be using the roadway.

B. Seat belt use required. All occupants must wear seat belts if available while in any Department owned, leased, or operated vehicle. It is the responsibility of the vehicle operator to assure compliance with this provision.

C. Headlights to be used at all times. Employees shall use headlights at all times when operating motor vehicles. Officers engaged in surveillance or other activities where the use of headlights would jeopardize an enforcement activity are exempted from this provision.

D. Carrying civilians limited. Except during the normal course of duty, no civilian, other than a Department employee or person participating in a department related activity, may be transported in a Department operated vehicle unless specifically authorized by the operator's supervisor.

E. Actions before operation. Every operator of a Department owned, leased, or operated vehicle is responsible to check for proper operation of lights, brakes, horn, windshield wipers, and tires before operation. Officers, prior to operation, also shall thoroughly inspect vehicles for contraband items and assure that equipment provided, such as a police radio, weaponry, first aid kit, or spare ammunition, is present and operational.

F. Restrictions on civilian operators of marked vehicles. Non-commissioned personnel may not operate a marked vehicle unless:

1. a state of dire emergency exists;
2. it is required during maintenance; or
3. a civilian member is specifically directed to do so through authority of their office.

G. Pushing or pulling vehicles. Department vehicles may be used to move another vehicle when the location of the vehicle to be moved constitutes a significant hazard to life or property. This provision does not preclude Department vehicles not equipped specifically for pushing or pulling another vehicle from doing so where emergency circumstances constituting an immediate hazard to life exist.

1. No vehicle may be moved by a Department vehicle unless there is a suitable person available to steer or otherwise control the vehicle that is being moved.
2. It is the responsibility of the operator of the Department vehicle to ensure that movement of a vehicle can be accomplished without endangering others and that unnecessary property damage does not occur.
3. The distance that the vehicle may be moved shall be no greater than necessary to eliminate the hazard.

H. Use of warning lights while stopped. When stopped on or along a roadway emergency strobe lights, rotating beacons, or warning flashers should be activated as appropriate to warn other traffic that may be present.

CHAPTER 113

Revised 01/19/12

113.140 OFF ROAD VEHICLE OPERATIONS

A. Definition. Off road vehicles include motorcycles, snow machines, four and wheelers, track vehicles, and other such unenclosed vehicles designed for off road use.

B. Operation to comply with instructions and rules. Employees shall operate motorized equipment in compliance with manufacturer's instructions, and shall obey all laws and all Department policies pertaining to such operations. (See OPM 101.060 F *Use of Government Equipment*, for limitations on personal use of equipment.)

C. Operation to be safe and lawful. Off road vehicles will be operated in a safe, prudent, and lawful manner.

D. Employees to wear helmets while operating off-road vehicles. Except as provided in 801.160 E, any Department employee (commissioned or non-commissioned) operating an off road vehicle in the performance of their duties will wear an appropriate helmet designed to protect the wearer from head injuries associated with vehicle accidents.

E. Exemptions to helmet use. Employees are exempted from the requirement to wear helmets when operating off road vehicles under the following circumstances:

1. Existing weather conditions are such that the issued helmets do not allow for adequate protection from cold weather injuries. In these cases, appropriate cold weather head protection may be worn in place of or in addition to the helmet.
2. Personnel engaged in undercover operations are exempt from wearing the issued helmets if doing so is likely to compromise the investigation or mission.

CHAPTER 114

Revised 01/19/12

WRITTEN COMMUNICATIONS

114.010 GENERAL INFORMATION

A. *Correspondence concerning policy or procedure restricted.* Communication concerning policy or procedure may not be sent unless it is within the realm or responsibility of the sender.

B. *Inter-department correspondence must be routed to Chief of Police.* Communication to the executive level of another City, State or Federal government agency shall be drafted at the unit level or above and routed to the Chief for approval.

C. *Correspondence with Legislative or Executive branches restricted.* Without the Chief's approval, no correspondence with the City Executive Branch, State Legislature; Governor, or related staff; politicians; or the executive level of government is authorized using Department stationery or position. This is to prevent confusion between the Department's official position and the member's personal opinion and does not preclude an individual from corresponding as a private citizen.

D. *Author of forwarded correspondence to be notified in writing.* Whenever correspondence must be forwarded to another agency for a reply, the author will be notified in writing that his inquiry has been forwarded.

E. *Style for preparation of correspondence.* The Gregg Reference Manual, Eight Edition (1998) is the preferred style manual adopted by the Department. This style manual should be used to settle all issues of grammar, style, and punctuation except where they are specifically addressed in this Chapter.

114.020 MEMORANDUM

Memorandums will be used for informal communication within the Department and with other City/State Government agencies. Memos may be initiated by any NPD personnel. Where applicable, a copy is to be sent to Command personnel for review, or copied to the addressee's commander.

Memorandums should be prepared in modified block format, left margin aligned or fully justified. Memorandums printed on blank paper with laser printers must be a reasonable facsimile of the official City of Nome Police Department memorandum form.

114.030 LETTERS

A. *Formal correspondence.* Letters are formal correspondence to individuals or agencies and may be initiated by any NPD member except as restricted in Section 114.010 (C).

Letters will be prepared using current Departmental letterhead with the Chief's name printed or typed in the upper right hand corner of the stationery.

CHAPTER 114

Revised 01/19/12

B. Format of letters.

1. Letters will be prepared in modified block format, text left margin aligned or fully justified.
2. Letters will be signed by the originator indicating rank, position and agency unless the letter is addressed to the head of a governmental agency or contains information on policies or procedures, in which case it must be signed by command level personnel. Copies of all letters sent will be sent to the Chief and included in a correspondence file.

114.040 ROUTING CORRESPONDENCE

A. Copies of correspondence to command staff. If correspondence refers to policies or procedures copies must be sent to the Chief.

B. Copies of correspondence to be retained. Copies of all correspondence will be retained. This will normally be in appropriate reading files however those locations with appropriate facilities may retain electronic copies provided that off-site backup is provided. Copies of these files will be retained in accordance with approved records retention schedules.

C. Correspondence concerning cases to be filed with case. A copy of correspondence concerning cases should be filed with the original case file.

114.050 DIRECTIVES

A. Directives deal with policy or procedures. Directives are issued by the Chief or a designee to provide guidance on issues of policy or procedure to personnel under his command. Only the Chief may issue directives which modify the OPM or which deal with policy or procedures.

B. Directives to be sequentially numbered. Directives will be designated using the appropriate letter, year of issue, and sequence number and expire one year from the date of issue unless otherwise noted. Chief's directives will begin with C;

114.060 TYPING STANDARDS

The following standards shall apply to all Department typing:

1. all official typing will be letter perfect and without typographical errors;
2. typing will be proof-read for accuracy, correct grammar, and spelling prior to being returned to the originator;
3. the draft and/or instructions will be returned to the originator along with the typed document;
4. documents will not be prepared in all capitals unless specifically requested by the originator.

CHAPTER 115

Revised 01/19/12

DEATH PROTOCOL/DEPARTMENT MEMBER - REDACTED

Public Copy

CHAPTER 116

Revised 01/19/12

PSYCHOLOGICAL SERVICES AND CRITICAL INCIDENT DEBRIEFING

116.010 PSYCHOLOGICAL SERVICES - REDACTED

116.020 CRITICAL INCIDENT DEBRIEFING - GENERAL DESCRIPTION

A. Stress debriefing needed by participants in critical incidents. Research indicates that most officers involved in stressful situations (critical incidents) will experience immediate or delayed effects. These incident-specific effects (known as post-traumatic stress disorder) may be immediate or delayed, psychological or physical or a combination of the two. A person who has been involved in a critical incident needs to undergo a stress debriefing.

Intervention with a psychologist, psychiatrist, or a CISD team, within 72 hours of a critical incident provides the member a chance to verbalize personal concerns about the incident in a relaxed atmosphere.

B. Examples of critical stress incidents:

1. serious injury or death of a coworker in connection with Department operations;
2. suicide of a coworker;
3. mass casualties including those with major trauma and extensive extrication rescue time;
4. death of a child or violence to a child;
5. death following extraordinary rescue efforts;
6. incidents attracting highly unusual or critical news media coverage; or
7. any incident charged with profound emotion, unusual circumstances, distressing sights and sounds.

C. Critical incident debriefing is separate from other inquiries. All debriefings are separate and apart from administrative and criminal investigations. Members will be expected to cooperate with administrative investigations as per personnel rules and union contracts.

D. Types of critical incident debriefing. There are five primary types of stress debriefings; descriptions follow.

1. On-scene/Near-scene debriefing provides the on-site officer(s) with support, encouragement, counseling, and evaluation;
2. Initial debriefing occurs shortly after the incident and provides a status report on the incident and related injuries;
3. Formal debriefing occurs within 72 hours of the incident and is a confidential non-judgmental meeting where the officer's feelings, involvement, thoughts and stress-related symptoms are discussed;
4. Follow-up debriefing deals with delayed or prolonged stress symptoms weeks or months after the incident; and

CHAPTER 116

Revised 01/19/12

5. Individual consults are one-to-one counseling sessions. (Requires a referral to a mental health professional.)

116.030 INITIATING A CRITICAL INCIDENT DEBRIEFING

A. Members involved in shooting to be placed on administrative leave. Any member involved in a shooting resulting in personal injury shall be removed from the scene by another officer/supervisor as soon as practical and shall return to the scene only if necessary and approved by Command authority. All other personnel at the scene shall be screened by the next level supervisor to determine whether they should be left on duty or given the rest of the shift off.

1. The member shall be debriefed in a non-threatening environment after a recovery time of approximately 72 hours. (The incident shall not be debriefed before the preliminary investigation.)
2. The officer shall be given administrative leave for a minimum period of (3) days. The period of administrative leave may be extended at the Chief's discretion.

Investigators may contact the officer during this period for purposes of the investigation.

3. The officer's supervisor shall be responsible for completion of the SOA Report of Occupational Injury or Illness (02-921).
4. The supervisor shall be responsible for alerting the CISD Team.

B. Certain members required to attend debriefing. Members involved in incidents resulting in serious injury or death of a coworker, mass casualties, or an officer involved shooting are required to attend at least one debriefing with the CISD Team.

1. The member will be advised as to the time and location for debriefing. Time spent attending debriefing will be scheduled duty time.
2. The Chief of Police will be notified immediately upon the request for debriefing of an Officer.
3. The debriefing team has no supervisory, advisory, medical, legal or other authority over the member, and the member is not required to follow their advice; however, it should be kept in mind that the team is made up of fellow public servants who may have experienced similar situations.

C. Any member may initiate critical incident debriefing. Any member who feels that he or she is in need of a critical incident debriefing may initiate a call to a CISD Team with or without advising his or her supervisor of the call. Members are responsible for identifying and recognizing significant incidents for which they or others may require debriefing. If the member initiates the call, the member will use personal time to attend the meeting.

D. Call out of CISD team. If CISD is needed, the affected member's immediate Supervisor will contact the nearest available CISD team and arrange for a preliminary debriefing as soon as possible after the member has been relieved from the scene. To request a critical incident debriefing contact the local contact for your area listed below or Anchorage Police Department Dispatch (786-8926) who maintains a statewide listing of CISD teams.

E. Department will cover cost of CISD team travel. If a member experiences a critical incident and there is no team available locally, the Department will cover the costs associated with critical incident stress debriefing to include team travel to an incident location if necessary.

F. Facilitation and participation in critical incident debriefing. Members participating in CISD or supervisors organizing a debriefing should keep the following factors in mind to assure a successful meeting.

1. If the Anchorage CISD Team is utilized they will provide a team of volunteers of at least 2 members, possibly 3, consisting of 1 mental health person, and 1-2 peer debriefing team members. This team will conduct the actual debriefing.
2. When required, the Department will provide the CISD Team with a place to conduct the debriefing, preferably a neutral location (school, church, large home, etc.) Chairs should be arranged in a circle.
3. Responders from any agency who participated in the critical incident may be invited to take part in the debriefing. Do not invite witnesses, the press, family members or other affected individuals. The CISD team leader should be made aware of interest expressed by any of the above groups.
4. All pagers, radios, and telephones should be turned off or left outside the debriefing room. If participants must be on call have emergency messages hand delivered.
5. The team coordinator is responsible for organizing any formal debriefings to ensure the quality of the debriefing and adherence to procedure.
6. The Team Leader will contact the Chief of Police, or designee, within 24 hours to determine the exact needs and coordinate the scheduling of the debriefing.
7. Team members will coordinate a time and location to meet prior to the debriefing to discuss the incident, available resource information and the approach to be used during the debriefing.
8. All information discussed during a debriefing shall be kept confidential and discussed only with attendees of the debriefing.
9. It is prohibited to make mechanical recordings or take written notes during a debriefing.
10. Presence of media personnel during debriefing is NOT AUTHORIZED.
11. Media affected by the incident shall be debriefed separately or referred to counseling.
12. Participants in critical incident stress debriefings who choose to speak to the media either before or after the debriefing should explain that they speak only for themselves.
13. Debriefing participants may speak to the media to educate them about CISD and the effects of stress.

116.040 MANAGING PERSONNEL AFTER CRITICAL INCIDENT –

REDACTED

CHAPTER 201

Revised 01/19/12

TRAFFIC ENFORCEMENT

201.010 INTRODUCTION

The safe and orderly movement of vehicles on the streets and highways of the City of Nome and State of Alaska is a prime concern of the Nome Police Department. Each year over one hundred persons die and thousands are injured on Alaska's highways. Enforcement of the traffic laws is a valuable tool in providing for the safety of the motoring public.

201.020 ADMINISTRATION OF TRAFFIC ENFORCEMENT

A. *NPD to manage traffic enforcement.* NPD Command will analyze accident trends and traffic enforcement efforts in the City, and based upon this analysis they will develop enforcement plans designed to increase traffic safety on the road and highways in the area.

B. *Department Radar Supervisors.* The Chief will appoint a member, commissioned or non-commissioned, to be the Radar Supervisor. The Radar Supervisor is responsible for coordinating the certification and repair of the radar units assigned to the Department with the certification and repair agency. The Department Radar Supervisor will maintain the certification and repair files of the radar units assigned to the Department. Department Radar Supervisors will also coordinate the certification and re-certification of the Department's members with the DPS Training Academy.

201.030 WARNINGS

A. *Verbal warnings.* Verbal warnings play an important role in the Departments overall traffic management plan. When it is deemed appropriate, a verbal warning may be given in lieu of a formal citation. Verbal warnings will be tracked to document enforcement activity.

201.040 ALASKA UNIFORM CITATION

The Alaska Uniform Citation (12-213 AUC), will be used to cite a violator for traffic violations. The violator will be requested to sign the form, however the violator is not required to sign the citation. If a violator refuses to sign the AUC the violator's copies should be served upon them, and their refusal to sign noted on the court and DA copies.

201.050 MISDEMEANOR SUMMONS AND COMPLAINT

The Alaska Uniform Citation (12-213 UAC) , may be used to cite for all misdemeanors either traffic or criminal. For service to be valid the suspect must sign the form promising to appear for traffic offenses for which there is not an established bail schedule. If the suspect refuses to sign you must either arrest the suspect or obtain a summons or an arrest warrant from the court. The suspect refusing to sign the AUC does not give you any additional arrest authority other than what is already in the statutes. (See OPM Chapter 604)(Ref. AS 12.25.190)

201.060 TRAFFIC STOPS

A. *Traffic stops will be made safely.* All traffic stops will be made in a manner that minimizes traffic disruption and avoids creating dangers for other traffic. Emergency vehicle operation will be conducted within compliance of OPM Chapter 202.

CHAPTER 201

Revised 01/19/12

B. Officers to make appropriate driver and vehicle checks. As appropriate to the circumstances of the traffic contact, officers are responsible for checking drivers for warrants and license status; vehicles for proper registration, VIN, and stolen status. When practical, these checks should include APSIN, NCIC and CrimeStar.

C. Members will not advise violators how to plea to the citation. Violators should be advised that they must respond to the citation and what their options are. Violators will not be coerced, threatened, intimidated, encouraged or discouraged to take a particular option. This includes suggesting that if the violator contests the citation the citation will be amended to another violation.

D. Members will not accept fines for violations. Under no circumstances will members accept payment of bail by violators cited for traffic infractions. This includes offers to mail or otherwise convey the bail to the court

201.070 TRAFFIC RADAR OPERATION

A. Members must be certified prior to issuing citations based on radar. Prior to using traffic radar for enforcement a member shall complete the prescribed training course, complete a practical examination, and pass a written test to obtain a radar certification. Without current certification, an officer may not issue a radar supported AUC. Radar certifications are good for three years, after which an officer must be recertified.

B. Radar units and tuning forks to be certified. Radar units must be certified annually, and tuning forks semi-annually. The Department Radar Supervisor is responsible for seeing that certifications are accomplished.

C. Members must review the instruction manual. Prior to use, members must review the instruction manual for the model radar unit assigned to them or that they are using.

D. Positioning of radar antenna. Radar antennas shall be mounted and positioned as directed by the manufacturer, and as directed in NPD radar training.

E. Operation of traffic radar. Traffic citations supported by radar will not be issued except when the auto-lock function is disengaged; any alarm is disabled (or speed set to 99 mph); visual speed estimation and identification of the violator was made prior to verification of speed by the radar unit; the operator was able to recognize a valid Doppler tone from the radar; and, if the radar is being operated in moving mode, that the patrol speed indicated by the radar was verified against the vehicle speedometer.

F. Malfunctioning radar will be taken out of service. Any radar found to be responding improperly shall be immediately taken out of service and written notification made to the Department Radar Supervisor detailing the specifics of the malfunction.

G. Malfunctioning speedometer will be repaired. When operating radar in moving mode, Officers shall compare the speed shown by the radar unit with the speedometer. If a deviation greater than +/- 3 mph is observed the Officer shall arrange for the speedometer to be checked against another radar unit and for its repair if the deviation is confirmed. No citations will be issued based upon radar in moving mode when in a vehicle with a faulty speedometer.

CHAPTER 201

Revised 01/19/12

201.080 DRIVING WHILE UNDER THE INFLUENCE ENFORCEMENT

A. *Field sobriety tests should always be offered to DUI suspects.* Whenever practical, officers shall offer field sobriety tests to DUI suspects. However, officers will consider the location; the suspect's condition; and the safety of the officer, the suspect, and passing traffic when deciding when and where to conduct field sobriety tests.

B. *Officers will be certified prior to conducting breath testing.* Only officers currently certified in the operation of the breath testing instrument being used will conduct the breath testing of a DUI suspect.

C. *Attorney contact with the suspect.* If during the observation period prior to administering the breath test the suspect requests to contact an attorney, reasonable efforts will be made to contact the attorney. All recording devices will be turned off during their conversation. If the suspect cannot be observed and be given privacy, e.g. a room with a large window, the attorney will be advised of that fact prior to giving the phone to the suspect. Any conversation between the attorney and the suspect which is overheard cannot be used against the suspect.

D. *Administration of a chemical test of blood or breath without consent.* AS 28.35.035 authorizes an officer to administer a chemical test of blood or breath to determine alcohol content, without the persons consent, under specific circumstances. Arrangements should be made with a local medical facility establishing procedures and paper work requirements for taking a sample of blood, prior to the need for such a procedure. Procedures should also be established regarding where the sample will be tested. A second tube of the blood sample, drawn at the same time, should be maintained as evidence to allow the defendant to have the sample independently tested at a later date.

201.090 PORTABLE BREATH TESTS (PBT)

A. *PBT to be offered only after field sobriety tests are completed.* In those locations where the PBT is used it will be the last test offered to the driver in the field. Officers will not offer the suspect a PBT and make the decision to arrest or not to arrest the suspect absent other evidence of intoxication.

B. *Prerequisites for requiring a driver to take a PBT.* Only drivers contacted for moving violations, as the result of a motor vehicle accidents, or for operating a motor vehicle with an open alcoholic container will be required to give a sample of their breath. (In those cases where the driver refuses to give a breath sample, a AUC will be issued for "Failure to take a preliminary breath test". [Ref. AS 28.35.031(b)]

C. *Required advisement.* Prior to offering the PBT, the driver must be advised that refusal to take the test may be used against him/her in a civil or criminal action arising out of the incident and that a refusal is an infraction with a maximum possible fine of \$300.

D. *Refusal is not an offense for which an arrest can be made.* If the driver refuses to give a PBT breath sample, issue a UAC for "failure to take a preliminary breath test." You cannot arrest a driver for refusing this test. [Ref. AS 28.35.031(b)]

E. *Non-arrested drivers who test higher than "0.05" will be discouraged from driving.* If an officer, after administering field sobriety tests and a PBT which indicates a blood alcohol level between .05 and .08, determines that a driver will not be arrested he shall strongly discourage the driver from operating a motor vehicle. The officer may allow the driver to make other transportation arrangements and may facilitate these as appropriate.

CHAPTER 201

Revised 01/19/12

F. PBT results will be placed on the back of the citation. If driver submitted to a PBT but was not arrested, the result will be noted on the back of the officer's copy of any AUC that is issued as a result of the contact.

G. The results of any PBT will be reflected in the case report. Any time a PBT is used in the investigation of an incident for which a case report is completed, the results and the time of the test will be included in the report.

201.100 SEAT BELTS AND CHILD RESTRAINTS

A. Seat belt and child restraint citations. It is the policy of the Department that unless extenuating circumstances exist, citations for failure to use seat belts or child restraints will be issued whenever members observe violations or determine through investigation that violations occurred.

B. Belt and child restraint citations at motor vehicle crashes. Motor vehicle crashes qualify as a primary reason for contact and therefore citations for failure to wear seat belts or child restraints may be issued at crashes in compliance with 201.100 (A).

201.110 MOTOR VEHICLE CRASH INVESTIGATION

A. Response to reported accidents. Whenever possible a NPD member will respond to every motor vehicle crash reported for the purpose of determining whether the crash qualifies for investigation.

B. When crash reports are mandatory. Members will complete a motor vehicle crash report on every crash occurring on public streets or highways where there is an injury or fatality, major damage making any vehicle inoperable, significant damage to buildings or traffic control equipment, or a person is charged with a criminal traffic violation as a result of the crash.

Nothing in this subsection prohibits the preparation of crash reports in cases not meeting these mandatory reporting requirements.

C. When crash reports will not be prepared. Motor vehicle crashes occurring on private property will not be investigated unless they involve a fatality, an injury requiring medical attention, or a criminal traffic offense.

D. Participant's crash report. Drivers of vehicles involved in crashes reported to the Department in compliance with AS 28.35.080, but not investigated, will be instructed to complete a participant's crash report, Form 12-209 within 48 hours of the accident.

E. Fatal crash reports to be sent to FARS within ten days. Copies of fatal crash reports will be sent to the Fatal Accident Reporting System (FARS) representative at Department of Transportation, Highway Safety Planning Office within ten days of the crash. If the report is incomplete a partial or draft report may be submitted.

201.115 HAZARDOUS MATERIALS SPILL NOTIFICATION

The following guidelines will be followed while investigating motor vehicle accidents and other incidents in which oil, gasoline, or other hazardous materials are spilled.

CHAPTER 201

Revised 01/19/12

A. Automotive product spills of 10 gallons or less. Spills of oil, gasoline, anti-freeze, gear lube, diesel, or other fluids normally associated with motor vehicles, in a quantity estimated to be 10 gallons or less that have not drained away from the road right-of-way and do not threaten to enter any water or drainage system, should be removed by the responding tow truck operator. If no tow truck is utilized, a person designated by the spiller must remove the material. If the person responsible for the spill is unable or unwilling to remove the material, the Department of Environmental Conservation (DEC) must be contacted for removal. DEC will bill the responsible party.

B. Notification to DOT if roadway damaged or blocked. In cases where the roadway needs immediate attention before reopening and other sources are not readily available, the Department of Transportation or the Nome Department of Public Works may be notified based upon who has jurisdiction. The investigating Officer must furnish the name and address of the spiller to the Superintendent of the Department of Transportation (DOT) District Maintenance and Operations office responsible for that area and/or to the Director of Nome Public Works.

C. Notification to DEC of large spills or spills into waters. The Alaska Department of Environmental Conservation (DEC) should be requested to respond to the scene of all major hazardous material spills such as tank truck accidents, leaking rail tank cars, etc. When spills of hazardous materials in any amount are estimated to be in excess of 10 gallons occur or in which any water system or drainage is threatened, the investigating Officer should immediately furnish NPD Dispatch with the following information to be passed onto the Department of Environmental Conservation:

1. Location, estimated size, and type of material involved in the spill;
2. Information as to type of water system or drain system threatened by spilled material; and,
3. Name, address, and telephone number of individual or company responsible for the spill.

201.120 REIMBURSEMENT FOR DUI INVOLVED CRASH RESPONSE

The Department will seek reimbursement (authorized under AS 28.35.030 (m)) for costs incurred in responding to motor vehicle crashes caused by persons subsequently charged with DUI. Other EMS services may also be authorized to obtain reimbursement, however, NPD will not include EMS costs in any requests. The Nome Volunteer Ambulance Service is able to request reimbursement as authorized by law.

A. Crashes to be reported for reimbursement. For the purposes of this section all crashes reportable under OPM 201.110 B; plus similar crashes occurring on private property are to be reported for reimbursement.

B. Officers will report time responding to DUI involved accidents in case reports. Officers will report the elapsed time from when they are dispatched to a DUI involved crash to the time they clear the scene of the crash.

C. Officers will include cost statement in reports. If a person is charged with DUI, and his/her actions contributed to a motor vehicle crash, the investigating officer will note in the last paragraph of the synopsis of the investigative report a statement in the following form:

"Based on my investigation, the defendant's actions contributed to a motor vehicle accident. Per AS 28.35.030(m), upon conviction the court shall order the defendant to pay the Nome Police Department \$100 for their emergency response to the scene of the motor vehicle accident. This represents the average cost per incident for response by NPD during the previous year."

CHAPTER 201

Revised 01/19/12

D. Payment to be made through Courts. Any court ordered payments under this statute should be made through the Court System. Persons appearing at NPD facilities and wishing to make such payments should be directed to make their payments through the Court.

E. NPD to compute cost annually. The NPD shall compute the average cost of response to DUI involved motor vehicle crashes by January 15th of each year and make this information available to officers who are responsible for investigating motor vehicle crashes.

201.130 TINTED WINDOWS

A. Medical certificates accepted. A medical certificate issued by a physician licensed to practice in this state, any other state, or province of Canada will satisfy the requirements of 13 AAC 04.223 (c)(2).

B. Warnings may be issued. Drivers of vehicles that are operated in violation of window tinting regulations may be issued a warning, however this does not preclude enforcement action, including issuance of an AUC if the violation is not corrected.

201.140 COMMERCIAL VEHICLE ENFORCEMENT

A. Alaska Commercial Vehicle Enforcement (ACVE) unit. The unit operates under the direction of the Department of Transportation. The unit is responsible for conducting or coordinating inspections and secondary size and weight enforcement activity statewide. The unit is also responsible for collecting data of all reportable accidents involving commercial vehicle.

B. Notification of Accidents involving commercial vehicles. The Commercial Vehicle Enforcement Unit will be notified as soon as possible by TWIX, FAX, email, or telephone of all crashes involving commercial vehicles that result in serious injuries or fatalities.

C. Assistance in investigating commercial vehicle crashes. An officer may request assistance from the unit in investigating an crash involving a commercial vehicle. An ACVE inspector may be sent to the scene or other location to assist in the technical examination of the commercial vehicle involved in the crash.

D. The Commercial Motor Vehicle Accident Supplement. The commercial vehicle motor vehicle accident supplement which is formatted on a 12-200 will be completed by the investigating Officer or Inspector and attached to the report a copy of which will be sent to the ACVE unit in Anchorage.

E. Inspection of commercial vehicles. Members who conduct inspections of commercial vehicles will complete an Alaska Commercial Driver/Vehicle Inspection Report, Form 12-197. The completed forms will be routed to the ACVE unit in Anchorage without delay.

F. Weighing of commercial vehicles. Members who weigh commercial vehicles will complete an ACVE weigh record, Form 12-199. The completed forms will be routed to the ACVE unit in Anchorage without delay.

G. Placing a commercial vehicle out of service. Members who place a commercial vehicle out of service will complete an Out of Service Sticker, Form 12-198, and attach the sticker to the out of service vehicle.

CHAPTER 201

Revised 01/19/12

H. *Citing the driver of a commercial vehicle transporting hazardous materials.* Members who cite the driver of a commercial vehicle, that is transporting hazardous materials, for a moving violation will indicate on the citation form that the violator was operating a commercial vehicle transporting hazardous materials. The citation will also indicate a mandatory court appearance.

201.150 TRAFFIC ENFORCEMENT BY NON-PATROL MEMBERS

Aggressive enforcement of traffic regulations is the primary tool of the Department in improving safety in the City and on the state's highways. All fully commissioned members of the Department are expected to engage in traffic enforcement. Plain clothes and staff officers are expected to take traffic enforcement actions while traveling in appropriately equipped vehicles during the course of their duties, and shall participate in or special patrol efforts when scheduled to do so.

201.160 USE OF IN-CAR VIDEO SYSTEMS

A. *In-car video to be wired to emergency lights.* Video cameras mounted in patrol vehicles will be hot-wired to the emergency lights as provided for in the unit assembly. A quick disconnect plug may be used to facilitate removing the mount from the vehicle, as needed.

B. *In-car video to be used for all traffic stops.* When a camera is installed and operational, it will be utilized for all traffic stops. The power switch will be in the "auto" position so as to activate the camera when the emergency lights are activated. This does not preclude the Officer from activating the camera prior to the emergency lights should he/she desire to start recording earlier.

C. *Storage of recordings.* Recordings shall be stored for a minimum of 14 days. After 14 days, if the material on the recording is not needed, the recording will be deleted. Recordings of evidentiary value (DWI, reckless driving, etc.) will be processed and stored appropriately as evidence.

D. *Camera to be secured when car parked.* The video camera will be removed from the mount and secured out of sight any time the vehicle is parked for an extended period of time.

CHAPTER 202

Revised 01/19/12

EMERGENCY VEHICLE OPERATIONS - REDACTED

Public Copy

CHAPTER 203

Revised 01/19/12

VEHICLE IMPOUND PROCEDURES

203.010 AUTHORITY

A. Authority to impound vehicles. Officers, or officially designated Department employees, may impound vehicles that are:

1. being driven while unsafe [Ref. AS 28.05.091];
2. without license plates or other evidence of registration [Ref. 13 AAC 02.345(b)(2)];
3. reported as stolen or taken without the owner's consent [Ref. 13 AAC 02.345(b)(1)];
4. found or presumed abandoned [Ref. AS 28.11.030];
5. falsely registered or without evidence of registration [Ref. 13 AAC 02.345(b)(2)];
6. having removed, defaced, or altered identification numbers [Ref. AS 28.05.091];
7. the vehicle is a traffic hazard (13 AAC 02.345(a));
8. the vehicle is parked in violation of 13 AAC 02.340-372 [Ref. 13 AAC 02.345(a)]; or
9. the vehicle is interfering with snow removal or road maintenance [Ref. 13 AAC 02.340/345(a)].

B. When the driver of a vehicle is arrested, the vehicle must be removed. If arrested, a driver may have the vehicle removed immediately by someone else or by a towing company. If the driver cannot or will not designate someone to take charge of the vehicle it will be impounded. [Ref. 13 AAC 02.345(c)]

C. If the vehicle is evidence or contains evidence of a crime it may be impounded. If there is probable cause to seize the vehicle as evidence of a crime or because it contains evidence of a crime it may be impounded.

203.020 GENERAL INFORMATION

A. When the owner of the vehicle is responsible for the towing and storage fees. The owner of the vehicle is responsible for the impound fee and storage fees unless the vehicle was impounded for investigation. The owner of the vehicle is also responsible for the impound fee and storage fees if the vehicle was impounded for investigation relating to the vehicle being involved in a collision with a person. [Ref. AS 28.05.091, AS 28.11.010, AS 28.35.070, 13 AAC 02.345(d)]

B. When the Department is responsible for the towing and storage fees. The Department is responsible for the impound fee if the vehicle is impounded for investigation, other than investigation of a collision with a person. The Department is responsible for the storage fees of a vehicle impounded for investigation until the owner is notified that the vehicle may be released.

CHAPTER 203

Revised 01/19/12

C. Only the investigating officer may release a vehicle impounded for investigation. Only the investigating officer or in his absence, his supervisor shall be allowed to release a vehicle that was impounded for investigation. The investigating officer shall be responsible for the release of the vehicle including notification of the owner and the towing company. See OPM Section 203.080.

D. Officer responsible for protection of property. The officer storing an impounded vehicle at a NPD facility is responsible to see that the vehicle is adequately protected from resulting damage. It is the responsibility of the officer to bring concerns about potential damage to stored vehicles to the attention of their supervisor.

203.030 ABANDONED VEHICLES

A. Presumption of abandonment. The definition of a vehicle presumed to be abandoned is found in AS 28.11.020.

B. Removing abandoned vehicles from private property. Peace officers are not required to remove abandoned vehicles from private property, but they may make the determination to do so. If an officer elects to impound a vehicle from private property he will obtain a written statement from the complainant. That statement will include that the complainant: is the property owner or person in lawful possession or control of the property, that the vehicle has been on the property for longer than twenty-four hours, and that he wants it removed. [Ref. AS 28.11.030]

C. Owners of abandoned vehicles to receive notice of opportunity of a hearing. Within 30 days of impoundment, notice of the opportunity for a hearing must be given to the owner and lien holder. [Ref. AS 28.11.040]

203.040 TRAFFIC HAZARDS

A. Traffic hazards defined. A vehicle is a traffic hazard when it "is left on the roadway or under circumstances which obstruct the normal movement of traffic." [Ref. 13 AAC 02.345(a)]

B. When traffic hazards will be removed. Traffic hazards will be removed as soon as practicable.

C. Traffic hazards will be photographed and diagrammed prior to removal. Officers shall photograph and diagram vehicles that are a traffic hazard prior to the vehicle's removal. Members will record the diagram and all other pertinent information in their notebooks and preserve the photographs per policy.

D. Contact with the owner should be attempted prior to removal. If the owner is not present, officers should attempt to have the vehicle's registered owner contacted to arrange for "immediate" removal of the hazard. If the owner is present, or has been contacted, and wishes to designate a towing service, the request shall be honored unless a more expedient removal is necessary. Officers shall document all attempts to contact the owner in their notebook.

E. Vehicles interfering with road maintenance will be removed immediately. Vehicles parked illegally and interfering with road maintenance shall be "immediately" impounded to a place of safekeeping.

F. Removal of vehicles that are parked illegally but are not traffic hazards. It is not the policy of the Department to impound vehicles that are simply parked illegally. If the vehicle is not a traffic hazard, abandoned, interfering with snow removal, or interfering with road maintenance, members will contact their supervisor prior to impounding an illegally parked vehicle.

CHAPTER 203

Revised 01/19/12

203.050 IMPOUND PROCEDURES

A. All vehicles will be checked for stolen status using the VIN prior to impounding. An officer impounding a vehicle will make a want or stolen check and a registration check using the vehicle's VIN and license plate number prior to impounding the vehicle.

B. Dispatch to be notified of impound. Officers will notify the dispatch center that the vehicle is being impounded and provide dispatch with the vehicle's description and location.

C. Dispatch will enter the vehicle into APSIN. Dispatch will immediately enter the vehicle in to APSIN as being impounded.

D. Inventory of the vehicle's contents. Officers will complete a detailed inventory of the contents of a vehicle when they impound it. Officers are not required to open closed containers or locked compartments. The containers should be listed on the inventory. If officers do not inspect locked compartments they should note that fact in their notebooks.

E. Storage and release of personal property from vehicle. Personal property may remain in an impounded vehicle until after investigative examinations have been completed. Sensitive items (e.g., cash, weapons, valuable jewelry, etc.) will normally be removed from the vehicle and placed in an evidence storage facility for safekeeping per Department procedures until claimed by the owner or their authorized representatives.

If the vehicle impounded is involved in a death or criminal case, the investigating officer will obtain written authorization from the DA or court prior to authorizing the release of the vehicle or personal property.

203.060 IMPOUND REPORT FORM 12-218

A. When a vehicle is impounded an Impound Report Form, 12-218, will be completed. Officers shall complete an Impound Report Form, 12-218, when a vehicle is impounded. This form will be completed as outlined the Report Writing Manual with a copy to both the Department and the person storing the vehicle.

B. The towing service operator will sign the form as a receipt. The officer should complete the form, sign it, and have the towing service operator sign it in receipt of the vehicle and contents.

C. Form will be error free. No corrections, cross outs, or erasures are allowed on this form.

D. Routing of the form. The original will be maintained at NPD, a copy is attached to the vehicle, a copy is given to the towing service operator, and a copy to the vehicle's owner or driver if they are present. If the owner or driver is not present when the vehicle is impounded that copy will be sent to the registered owner via certified mail.

203.080 RELEASE PROCEDURES

A. Vehicles not impounded for investigation. If the vehicle was not impounded for investigation, the owner only needs to bring proof of ownership to the towing company, pay the impound and storage fees, and the vehicle will be released to them.

CHAPTER 203

Revised 01/19/12

B. Vehicles impounded for investigation. If the vehicle was impounded for investigation, the vehicle will only be released after written release by the investigating officer or his supervisor is obtained. The owner will be required to sign the property form and the department will pay all associated costs.

C. Officers are required to notify owners when the vehicle may be released. Investigating officers are required to notify the owner of vehicles impounded for investigation when the vehicle may be released. Investigating officers will complete a new 12-218 clearly indicating that the new form is for releasing the vehicle. Investigating officers will document the efforts to contact the owner in their notebooks.

203.090 TOWING SERVICES

A. The minimum requirements to be on the rotational list. The following will be the minimum requirements a towing service must have to be on the Department's rotational lists:

1. A current State of Alaska Business License for operating a towing service.

Public Copy

CHAPTER 301

Revised 01/19/12

USE OF FORCE - REDACTED

Public Copy

CHAPTER 302

Revised 01/19/12

USE OF DEADLY FORCE INVESTIGATION AND REVIEW - REDACTED

Public Copy

CHAPTER 303

Revised 11/1/11

POLICE CANINE OPERATIONS – REDACTED

Public Copy

CHAPTER 401

Revised 01/19/12

MAJOR INCIDENT INVESTIGATION - REDACTED

Public Copy

CHAPTER 402

Revised 01/19/12

RESPONSE TO DISASTER

402.010 DISASTER -- DEFINITION

For the purposes of this chapter, a disaster is a natural or man-made calamity, or a civil unrest incident requiring response by the Department that threatens the safety of large numbers of people or large amounts of property.

402.020 RESPONSE TO DISASTERS

A. Initial response to disaster.

1. Upon learning of a disaster the lead supervisor will assign personnel to appraise the situation so that notification may be made to department and other authorities.
2. The first officer to arrive at the scene shall evaluate the situation and report their findings and any requests for necessary equipment or assistance.
3. Dispatch should be notified immediately of the emergency. The initial report will usually indicate the immediate equipment needs and the course of action to follow. Follow-up reports should be made regularly and as significant developments occur.
4. If a disaster plan covering the incident is available, the department response should comply with guidelines and procedures set out in the plan.

B. Action by off-duty members. Upon learning of a major disaster, members are responsible for immediately contacting the Department..

If unable to achieve contact via telephone, they shall do so in person, if possible.

C. Member allowed to assure safety of family. If the disaster threatens the security of a member's family, the member shall be allowed reasonable time to provide for their safety. Members in this situation will notify the Department of this need and proceed in an expeditious manner.

402.030 USE OF INCIDENT COMMAND SYSTEM

The Incident Command System (ICS) will be used for the management of all major incidents. In the early stages of a response, some functions may be omitted and several of these functions may be combined under one position. If the mission becomes more complex, the need to designate specific functions for personnel becomes necessary. The more complex the mission, the greater the need for highly trained individuals in these positions.

CHAPTER 403

Revised 01/19/12

TACTICAL OPERATIONS - REDACTED

Public Copy

CHAPTER 404

Revised 01/19/12

SEARCH AND RESCUE OPERATIONS

404.010 PURPOSE

To establish responsibility, authority, operational, and administrative procedures for search and rescue (SAR) activities within the State of Alaska and subdivision of the City of Nome.

404.020 SAR RESPONSIBILITY

A. Statutory authority for search and rescue. With the exception of land under control of the National Park System, overall statewide responsibility for incidents of Search and Rescue within the State of Alaska has been given to the Alaska Department of Public Safety, Division of Alaska State Troopers pursuant to AS 18.60.120.

This responsibility may be delegated to organizations within the State of Alaska who, by their nature, are better equipped to engage in Search and Rescue activity in a given environment or are mandated through the National Search and Rescue Plan to provide specific SAR services to state and local agencies. These agencies include, but are not limited to the Coast Guard Rescue Coordination Center located in Juneau and the Alaska Air National Guard Rescue Coordination Center located at Ft. Richardson, in Anchorage.

The Alaska Department of Public Safety, Division of Alaska State Troopers has the responsibility to enact regulations necessary to carry out the legislative mandates set forth in AS 18.60.120 through AS 18.60.175. Under these statutes the Department is responsible for search and rescue efforts and provides for the coordination of various resources needed to ensure the search mission is handled in the most effective manner. Funding for SAR expenses is part of the annual budget of the Department. The AST Statewide SAR Coordinator has the final authority and responsibility for producing the required reports, supporting the development and maintenance of local and statewide SAR resources, monitoring operations and coordinating all SAR functions.

Other state agencies and local governments have no legislative authority or mandate to conduct search and rescue activity, yet many perform this service as a practical matter. Local law enforcement agencies, fire departments, and certain state agencies are often the first contacted when a person becomes the subject of a search and rescue. The extent of local governments' responsibility relating to the health and safety of their citizens is perceived as their authority to mount local search and rescue operations.

B. Delegation of SAR responsibility. Certain agencies have been delegated authority to conduct search and rescue operations pursuant to Memorandum of Understanding (MOU) with the Department. In navigable waterways, the United States Coast Guard Rescue Coordination Center has the primary responsibility for search efforts. In the event of a search and rescue for missing or downed aircraft, the Alaska Air National Guard Rescue Coordination Center has primary responsibility. In any area under control of the National Park Service, the NPS has primary responsibility. The Alaska State Troopers retain primary responsibility for search in the event of a ground-based search and rescue not otherwise delegated by MOU.

404.030 SAR COORDINATOR

A. Statewide SAR Coordinator. The AST Statewide Search and Rescue Coordinator has statewide responsibility for all search and rescue activities controlled by the Nome Police Department pursuant to AS 18.60.120. Contact may be made through MATCOM dispatch at 907-352-5401.

CHAPTER 404

Revised 01/19/12

404.040 TYPES OF INCIDENTS QUALIFYING AS SAR

A. Missing persons. Persons who have failed to return to a designated location may require search and rescue procedures.

B. Mentally incapacitated persons who become lost or disoriented. The very young or elderly frequently wander away and become lost. Immediate actions should be taken to limit the search zone.

C. Injured persons with a known location. Persons who become injured in areas inaccessible to normal vehicle traffic may require coordinated rescue.

C. Incidents indicating disappearance and unknown circumstances. The procedures when investigating a disappearance will comply with SAR protocols.

404.050 RESPONSE TO FIRST NOTICE OF SAR INCIDENT

A. A SAR is an emergency. A search and rescue operation is an emergency. Actions shall be taken immediately to insure timely response to the search incident. Any search effort shall be performed in the safest manner possible with a sense of "controlled urgency." The SAR Coordinator or his designee shall insure there is proper coordination of resources from first notice to the completion of the search mission regardless of outcome.

B. Immediate notice to responsible agency. Upon notification by any source of a missing person(s) to the Nome Police Department, an assessment shall be made to determine the agency central to the coordination effort as detailed in SECTION 404.020 B. The First Notice information shall then be provided to this agency in the most expeditious manner. Actions resulting from the first notice shall be dictated by the SAR Pre-Plan established for involved post.

C. Rescue efforts to begin immediately. Efforts to find a lost or missing person shall be taken up immediately upon first notice. This shall include initial investigation to validate the potential search, notification of proper department personnel to include the Chief and local resources as directed.

404.060 INVESTIGATIVE PROTOCOL

A. Incident Command System. All SAR activity will be managed using ICS.

B. Forms to be used. Forms will include standard ICS forms as well as:

1. Lost Person Questionnaire
2. Incident Log
3. Incident Goals and Objectives
4. Team Assignment and Briefing
5. Team De-Briefing

C. Missing Person Cases. Missing person cases will be managed using the **MISSING PERSON CHECKLIST**

CHAPTER 404

Revised 01/19/12

404.060 USE OF PRIVATE AIRCRAFT FOR SAR

The use of private aircraft in search and rescue will be coordinated through AST and the local Civil Air Patrol or directly by the State Troopers. If private aircraft are needed to support a search and rescue operation, and none are available through the Civil Air Patrol, then charter aircraft will be used. Deviation from this policy will be considered only in extreme emergencies and only with pre-approval of AST.

Public Copy

CHAPTER 405

Revised 01/19/12

MAJOR AIRCRAFT INCIDENT PLAN

405.010 INTRODUCTION

This chapter describes the responsibilities of the agencies and personnel involved in the response to a major aircraft incidents. It also provides guidelines and suggestions for organization of the response, care and treatment of injured persons, safeguarding the scene, handling of deceased persons, and handling of personal effects of those involved.

405.020 NOME AIRPORT INCIDENTS - AGENCY RESPONSIBILITIES

A. State of Alaska, DOT. The State of Alaska, Department of Transportation has exclusive jurisdiction on all events occurring within the Nome Airport boundaries.

B. National Transportation Safety Board (NTSB). The NTSB Bureau of Aviation Safety is responsible for the investigation of civil aircraft accidents. They have specialist trained in the reconstruction of aircraft and the determination of crash causes.

NTSB will not assume responsibility for treatment or transportation of injured, removal of deceased victims, or the recovery and safeguarding of personal effects. These tasks are the responsibility of the civil agencies having jurisdiction over the crash site.

The NTSB may request assistance in the investigation of a crash through the Chief of Police.

C. Alaska State Troopers. The Alaska State Troopers have law enforcement jurisdiction within the fenced area of the Nome Airport. The Alaska State Troopers are responsible for preserving the scene for NTSB investigators for airport incidents, and recovery/identification of deceased victims.

D. Nome Police Department. The Nome Police Department's primary responsibilities are related to aiding the injured and crowd control. NPD will provide assistance to AST as requested and as resources allow.

405.030 PRE-DISASTER PREPARATION

All members of NPD should become familiar with the SOA/DOT Disaster Plans for the Nome Airport. The plan defines the role of NPD in events involving the airport. All Airport incidents will comply with the published plan.

All off-airport incidents will be managed using MAJOR EVENT PROTOCOLS

405.040 USE OF INCIDENT COMMAND SYSTEM

The Incident Command System (ICS) will be used for the management of all major incidents.

CHAPTER 405

Revised 01/19/12

405.050 RESPONSE TO AIRCRAFT CRASH – NON AIRPORT INCIDENT

A. Aid to injured persons. Rescue of injured persons is the highest priority at the crash scene. If it is necessary to alter the scene by damaging or disassembling the aircraft in the course of rescuing injured persons, note (and photos if possible) should be taken of the condition of the aircraft before it was disturbed.

B. Provide scene security. Appropriate steps should be taken to keep unauthorized persons out of the crash scene. It may be advisable to establish a checkpoint through which all persons entering the scene must pass. Assistance in providing perimeter security may be available from other resource providers.

Efforts should be made to minimize the disturbance of the scene. The position and condition of wreckage can provide important clues to the cause of the accident.

C. Recovery of deceased persons. In general, bodies should not be removed until permission to do so has been received from the NTSB investigators AND the State Medical Examiner's Office (SMEO). Prior to moving remains, their position and condition should be thoroughly documented by diagramming and photographing the scene. Remains should be numbered starting from those farthest from the aircraft. The remains must be clearly labeled with the identifying number. If remains are in a seat note should be taken of any seat number. Personal identification should remain with the remains when they are shipped to the morgue.

D. Recovery of personal effects and property. Personal effects and property should be removed from the scene and transported to the temporary morgue. Personal effects should be handled as little as possible as fingerprints recovered from such items may be used to identify victims.

The victim identification number should be clearly visible on the outside of body bags or other containers holding remains.

E. Identification of victims. If the incident is within the NPD jurisdiction, copies of the airline manifest should be obtained as soon as possible. As remains are identified they should be clearly labeled. The FBI Disaster Team is available to assist in the identification of mass casualties.

F. Remote crash site. In the event that a crash occurs off the highway system transportation of responders to the scene, support for persons at the scene, and transportation of remains and property back from the scene become especially complex. In the event that members must respond to a remote area they must be equipped with clothing and equipment appropriate to the location and season.

CHAPTER 406

Revised 01/19/12

RIOT AND UNLAWFUL ASSEMBLY - REDACTED

Public Copy

CHAPTER 407

Revised 01/19/12

BIOTERRORISM RESPONSE PROCEDURES - REDACTED

Public Copy

CHAPTER 501

Revised 01/19/12

DOMESTIC VIOLENCE

501.010 INTRODUCTION

The Nome Police Department has an important role in preventing, deterring, and reducing family violence. The problem of domestic violence cuts across all racial, cultural, and economic lines and results in the destruction of families, damage to communities, and physical and emotional problems for victims. The Department recognizes that intentional, purposeful acts of physical abuse by one family member against another are serious criminal offenses that cannot be condoned or tolerated.

Alaska law requires a police officer to make an arrest for most acts of domestic violence. It is the policy of the Nome Police Department to actively employ this provision and to make arrests whenever authorized when incidents of domestic violence are encountered.

This chapter establishes guidelines and procedures to be followed in responding to incidents of domestic violence with the goals of reducing the incidence and severity of domestic violence by establishing arrest policies conforming to law; affording maximum protection and support to victims of domestic violence through a coordinated program of law enforcement and victim assistance; ensuring that law enforcement services are as available in domestic violence cases as they are in other criminal cases; promoting officer safety by ensuring that officers are as fully prepared as possible to respond to domestic calls; and reducing the number of police interventions required for any particular household.

501.020 CHIEF OF POLICE RESPONSIBILITIES

A. Chief of Police is responsible for domestic violence response. The Nome Chief of Police is responsible for assuring that domestic violence incidents occurring in areas under their jurisdiction are handled in accordance with statute, regulation, and department policy.

Department SOPs may be established that take into account the availability of local resources and personnel to investigate, intervene, de-escalate and prosecute reported cases of domestic violence. Any SOP relating to response to domestic violence incidents must be approved by the Chief of Police.

501.030 DOMESTIC VIOLENCE OFFENSES DEFINED

A. AS 18.66.990 domestic violence offenses. AS 18.66.990 defines a domestic violence offense as a crime under AS 11.41 (murder, manslaughter, criminally negligent homicide, assault, reckless endangerment, stalking, kidnapping, custodial interference, sexual assault, sexual abuse of a minor, incest, unlawful exploitation of a minor, indecent exposure, robbery, extortion, and coercion), AS 11.46.300-310 (burglary), AS 11.46.320-330 (trespassing), AS 11.46.400-430 (arson and criminally negligent burning), AS 11.46.480-486 (criminal mischief), AS 11.56.810 (terroristic threatening), AS 11.56.740 (violating a domestic violence order), AS 11.56.745 (interfering with a report of a crime involving domestic violence), AS 11.56.750-755 (unlawful contact), or AS 11.61.120(a)(2)-(4)(harassment) when the victim is a household member.

Household members include:

1. adults or minors who are **CURRENT OR FORMER SPOUSES**;
2. adults or minors who **LIVE TOGETHER OR HAVE LIVED TOGETHER**;
3. adults or minors who are **DATING OR WHO HAVE DATED**;

CHAPTER 501

Revised 01/19/12

4. adults or minors who are **ENGAGED IN OR WHO HAVE ENGAGED IN A SEXUAL RELATIONSHIP;**

5. adults or minors who are **RELATED TO EACH OTHER UP TO THE FOURTH DEGREE OF CONSANGUINITY**, whether of the whole or half blood or by adoption (Generally parents, grandparents, aunts, uncles, and first cousins. Consanguinity is counted up to the common relative and then down again; thus a parent is the first degree, a grandparent the second degree, an aunt the third degree, and so on.);

6. adults or minors who are **RELATED OR FORMERLY RELATED BY MARRIAGE;**

7. **PERSONS WHO HAVE A CHILD OF THE RELATIONSHIP;** or

8. **MINOR CHILDREN OF A PERSON IN A RELATIONSHIP** described under 1-7..

B. Violations based upon Domestic Violence Writs and Protective Orders. Several criminal violations are based upon the violation of conditions set out in domestic violence writs or protective orders. These include:

1. certain violations of domestic violence writs issued under AS 25.35.010(b) or 25.35.020 (prior to July 1, 1996) are separate criminal offenses [Ref. AS 11.56.740(a)(2)];
2. violations of provisions listed in AS 18.66.100 (c)(1)-(7) for protective orders issued under AS 18.66.100 - 180 are a separate offense under AS 11.56.740(a)(1). The provisions listed in AS 18.66.100 (c)(1)-(7) are:
 - a. threatening to commit or committing domestic violence, stalking, or harassment;
 - b. telephoning, contacting or otherwise communicating directly or indirectly with the petitioner;
 - c. removal and exclusion from the petitioner's residence, regardless of ownership;
 - d. staying away from the residence, school, place of employment of the petitioner, or any other specified place frequented by the petitioner or any household member;
 - e. entering a propelled vehicle possessed or occupied by the petitioner;
 - f. using or possessing a deadly weapon; or
 - g. not surrendering a firearm owned or possessed by the respondent.
3. Criminal Trespass in the Second Degree -- AS 11.46.330. Enter or remain upon premises or in a propelled vehicle in violation of a domestic violence writ;
4. Harassment -- AS 11.61.120 Communicating directly or indirectly with a person in violation of a domestic violence writ; and
5. Misconduct Involving Weapons in the First Degree -- AS 11.61.200(a)(8) during First or Second degree Trespass in violation of a Protective Order or a Domestic Violence Writ possesses a deadly or defensive weapon other than an ordinary pocketknife.

C. Stalking -- AS 11.41.260-270. A person commits stalking when they "knowingly engage in a course of conduct that recklessly places another person in fear of death or physical injury, or in fear of the death or physical injury of a family member." Stalking in the second degree is a Class A Misdemeanor. Stalking in the first degree is a Class C Felony and results when a person commits stalking in violation of a protective order or domestic violence writ or with certain other aggravating factors.

CHAPTER 501

Revised 01/19/12

501.040 REPORTING INCIDENTS OF DOMESTIC VIOLENCE - REDACTED

**501.050 NOME POLICE EMPLOYEES AS VICTIM OF DOMESTIC VIOLENCE
REDACTED**

**501.060 NOME POLICE EMPLOYEE AS SUSPECT, DEFENDANT, OR
RESPONDANT IN DV CASE - REDACTED**

501.070 RESPONSE TO DOMESTIC VIOLENCE CALLS - REDACTED

Public Copy

CHAPTER 502

Revised 01/19/12

CHILD ABUSE

502.010 INTENT OF THIS CHAPTER

This policy reflects the Department's zero tolerance approach to child abuse and neglect in Alaska. The Department recognizes its important role in responding to crimes committed against children in Alaska, which include child sexual abuse, physical abuse, exploitation, and neglect. The problem of child abuse cuts across all racial, cultural, and economic lines and impacts all areas of our society especially its young victims. The Department recognizes that the abuse and neglect of children is a serious crime that cannot be condoned or tolerated. Some cases of child abuse occur inside the family setting with Domestic Violence laws and policies also directing the response of law enforcement.

This chapter establishes guidelines and procedures to be followed in responding to incidents of child abuse or neglect with the goals of reducing the incidence and severity of child abuse by establishing investigative policies conforming to law; affording maximum protection and support to victims of child abuse and neglect through a coordinated program of law enforcement and victim assistance; to ensure that child abuse and neglect cases are immediately and properly investigated; assuring that law enforcement services are as available in child abuse cases as they are in other criminal cases; coordinating the response by law enforcement and Office of Children's Services (OCS) to child abuse and neglect cases to reduce the duplication of investigative steps and allow each discipline to work in a multidisciplinary team setting so that investigations will compliment and not interfere with each other.

502.020 INFORMATION

A. Definitions As used in this Chapter

1. Child -- means a person under 18 years of age.
2. Child abuse or neglect -- means the physical injury or neglect, mental injury, sexual abuse, sexual exploitation, or maltreatment of a child under the age of 18 by a person under circumstances that indicate that the child's health or welfare is harmed or threatened thereby; in this paragraph "mental injury" means an injury to the emotional well-being, or intellectual or psychological capacity of a child, as evidenced by an observable and substantial impairment in the child's ability to function.
3. Child care provider -- means an adult individual, including a foster parent or an employee of an organization, who provides care and supervision to a child for compensation or reimbursement
4. Sexual exploitation -- allowing, permitting, encouraging, or engaging in activity prohibited by AS 11.41.455(a), unlawful exploitation of a minor, by a person responsible for the child's welfare.

B. Statutes related to child abuse. Statutes to reference are:

AS 11.41.434 through AS 11.41.460 ; AS 11.51.100-110
AS 11.51.130 Contributing to the delinquency of a minor
AS 11.61.123 Indecent Viewing or Photography
AS 11.61. 125-127 Distribution and possession of child pornography
AS 47.17.020 Person required to Report
AS 47.17.022 Training
AS 47.17.025 Duties of Public Authorities
AS 47.17.290 Definitions.

CHAPTER 502

Revised 01/19/12

Note: other crimes under AS 11.41 may apply. (i.e. murder, manslaughter, criminally negligent homicide, assault, reckless endangerment, stalking, kidnapping, sexual assault and coercion)

502.030 ALASKA'S INTERDEPARTMENTAL CHILD ABUSE AGREEMENT (1998)

A. *Child Abuse Agreement establishes policy.* The Alaska Interdepartmental Child Abuse Agreement (AICAA) establishes a policy for mutual cooperation and coordination between the Departments of Law, Public Safety, Health and Social Services, Education, Community and Regional Affairs and Corrections in the investigation of reported cases of child sexual abuse. (See attachment C) Each agency has agreed to develop written internal policies and procedures for responding to reports of child sexual abuse. NPD will participate and continuously provide child abuse investigation training to Officers with an emphasis on forensic interviewing techniques, cultural awareness, victimology, evidence collection and preservation, perpetrator interview and interrogation strategies and other relevant investigative techniques.

Additional agreements may be established to coordinate a multidisciplinary response to all forms of child abuse and neglect. Members of this team may include representatives from law enforcement, social services, medical providers, child advocacy centers, education, and corrections.

B. *Chief of Police responsibilities under AICAA.* The Chief of Police will work with all involved agencies to develop formalized, specific and published working agreements in conformity with the AICAA. The Chief may appoint a Coordinator to assist in the establishment and coordination of multidisciplinary teams to deal with child abuse.

The Chief should ensure that local protocols to investigate, intervene and prosecute child abuse cases take into account the geography of the area and the social services available. The Chief must review any department Standard Operating Procedure (SOP) dealing with child abuse or neglect.

The responsibility of the Chief of Police, or his designee, within the Department area is to:

1. ensure that NPD fulfills its statutory and policy obligations;
2. monitor the activities of individual multidisciplinary teams;
3. review reports of child abuse, suggest follow-up etc.;
4. support individual teams with technical assistance and manpower;
5. act as regional liaison for agencies involved with AICAA;
6. forward intelligence data to the DPS Criminal Intelligence Unit;
7. establish and maintain statistical data concerning reported child abuse cases; and
8. coordinate Department training and equipment requirements.

CHAPTER 502

Revised 01/19/12

**502.040 CONFIDENTIALITY OF OCS PROTECTIVE SERVICES REPORTS
(PSR) - REDACTED**

502.050 RESPONSE TO REPORTS OF CHILD ABUSE - REDACTED

Public Copy

CHAPTER 503

Revised 01/19/12

DEATH INVESTIGATION PROCEDURES - REDACTED

Public Copy

CHAPTER 504

Revised 01/19/12

VICAP – REDACTED

Public Copy

\

CHAPTER 505

MISSING PERSONS AND RUNAWAY MINORS

505.010 DEFINITIONS

Definitions as used in this chapter:

Adult Missing Person - a person 18 years of age or older who is reported missing under mysterious circumstances, a failure to reach a destination in a reasonable amount of time, or an inexplicable separation from a traveling companion.

Juvenile Missing Person - a person under the age of 18 who is missing and is not classed as a runaway due to their past history and/or stability.

Juvenile Runaway - a person under the age of 18 reported missing by a family member or legal guardian and who is known to have a history of running away or has shown indications of avoiding their legal guardian.

Missing Person/Search and Rescue - A person unaccounted for at the conclusion of a search and rescue operation. (Until the person is found, either alive or deceased, their record will be retained in the missing persons database.)

**505.020 MISSING PERSONS REPORT AND INVESTIGATION PROCEDURES
REDACTED**

CHAPTER 506

Revised 01/19/12

FIRE INVESTIGATION PROCEDURE - REDACTED

Public Copy

CHAPTER 601

Revised 01/19/12

INTERVIEWS - REDACTED

Public Copy

CHAPTER 602

Revised 01/19/12

POLYGRAPH PROCEDURES - REDACTED

Public Copy

CHAPTER 603

Revised 01/19/12

ELECTRONIC SURVEILLANCE AND MONITORING - REDACTED

Public Copy

CHAPTER 604

Revised 01/19/12

ARREST

604.010 GENERAL INFORMATION ON ARREST

A. Conditions constituting arrest. The following elements must be present to constitute an arrest:

1. the seizure or restraint of a person, either actual or constructive, must be for the purpose of taking the person before the court for the administration of law;
2. the arresting person must be acting under actual or assumed authority for taking a person into custody;
3. the actual taking into custody, or detention of a person, either by force or by the persons acquiescence to control, resulting in restraint of the person's movements and loss of liberty (an officer making a statement to the accused that he or she is under arrest does not meet this criteria); and
4. the person must understand that he is under arrest and in the control and custody of the person making the arrest.

B. Brief detention does not constitute arrest. The brief investigative stop of a person for the purpose of issuing a citation, or for investigating suspicious activities do not constitute arrest. Officers having questions of when investigative stops constitute arrest should seek legal advice.

C. Warrant arrests. Any police officer may serve an arrest warrant issued by a judge or magistrate who has been given probable cause supported by oath and affirmation. It is not necessary to have the warrant in your possession; knowledge of its existence is sufficient. Although a copy of the warrant does not have to be given to the accused immediately, this should be done as soon as practical.

D. Arrest without a warrant. Arrests can be made without a warrant:

1. when the crime was committed in the presence of the person making the arrest;
2. for felony offenses, for DUI within 8 hours of an accident, for Domestic Violence offenses; or when a magistrate is not available within a 25 mile radius; or
3. for escape in the fourth degree (AS 11.56.330) for persons who have walked away from residential centers and halfway houses.

E. Avoidance of double jeopardy. A person cannot be charged with a second offense arising from the same course of conduct. Officers must pay particular attention to this issue when considering misdemeanor charges in cases where the conduct could also support felony charges. If the person is convicted of the misdemeanor charges they cannot later be charged with a felony for the same conduct (Grady v. Corbin, 47 Crim.L.Rptr.). This situation arises most often in traffic accidents where there has been a serious injury or death and where a plea to a misdemeanor DUI charge prevents a later assault or manslaughter charge based on the same circumstances. Contact the DA for advice in these situations.

CHAPTER 604

Revised 01/19/12

604.020 RESPONSIBILITIES OF OFFICER MAKING ARREST

A. Force authorized only as in OPM 301. The use of force used in making an arrest must be in compliance with policy set out in OPM Chapter 301.

B. Prisoner transport provisions apply upon arrest. Upon arrest of a person the provisions of OPM 606 apply. Particular attention should be paid to Section 606.010 dealing with escort responsibilities, restraint of prisoners, and search of prisoners.

C. Arresting officer responsible to secure defendant's property. It is the responsibility of the arresting officer to secure personal property in the possession of the arrested person. Officers are also responsible for securing real property or vehicles when encountered during an arrest.

D. Defendant has right to contact attorney. A defendant must be given reasonable opportunity to call an attorney upon request [Ref. AS 12.25.150 and Criminal Rule 5(b)]. The defendant may make local calls on Department phones however, any long distance calls must be made collect. An Officer can use reasonable means to prevent the transmission of information by the defendant that could cause evidence to be destroyed prior to search or the issuance of warrants. Attorneys are allowed to immediately visit with a person in custody at the request of the defendant or the defendant's family or friends.

E. Defendant to be arraigned within 24 hours. Defendants must be brought before a judge or magistrate within 24 hours of the arrest. Prior to the arraignment, a criminal complaint must have been filed alleging the criminal violation.

604.030 CITATIONS IN LIEU OF ARREST

A. Officer may issue citations for certain misdemeanors. AS 12.25.180 provides that an officer may issue a citation (AUC) for a misdemeanor offense in lieu of arrest unless:

1. the person does not furnish satisfactory evidence of identity;
2. the officer has reasonable and probable cause to believe the person is a danger to self and others;
3. the crime is one involving violence to another person or to property; or
4. the person asks to be taken before a magistrate or judge.

B. Officer to give minimum of five-day notice of court appearance. Officers who cite persons for misdemeanor offenses are required to give that person at least five days notice of the appearance date. [Ref. AS 12.25.190]

C. Defendant must sign certain citations. AS 12.25.190 requires that for the AUC (citation) to be valid the defendant must sign at least one copy of the citation as a written promise to appear in court; except that signatures are not required on citations issued:

1. for motor vehicle, traffic, or fish and game citations for which a bail schedule has been established;
2. for failure to post alcohol warning signs where alcoholic beverages are sold under AS 04.21.065;
3. for smoking in violation of AS 18.35.300-305 [Ref. AS 18.35.341];

CHAPTER 604

Revised 01/19/12

4. for crimes committed in parks and recreational facilities supervised by DNR cited under AS 41.21.960;
or

5. for littering citations issued under AS 46.06.080.

D. Citations must be on AUC. Form 12-213 AUC Alaska Uniform Citation will be the only form that will be used to cite persons for misdemeanors.

604.040 NOTIFICATION TO PARENTS OF JUVENILES CITED FOR MISDEMEANORS AND VIOLATIONS

Parental involvement with juveniles involved in minor criminal misbehavior can be critical to preventing escalating criminality among the young. Notification of the parents of juveniles cited, especially for alcohol or drug violations, is a positive way that NPD can encourage such parental involvement.

A. Notice required when juveniles cited for alcohol or drug violations. An officer issuing a criminal citation to a juvenile who has been involved in an alcohol or drug activity is responsible for contacting the juvenile's parents. The officer issuing the citation may make the notification personally or through dispatch.

At a minimum the notice to the parent will include the circumstances of the contact, the alleged violations, whether a citation to appear in court was issued, and an explanation of why and to whom the juvenile was released.

This notice requirement does not apply to routine traffic citations. Officers issuing non-alcohol or drug related criminal citations to juveniles are encouraged, but not required to make parental contact.

B. Notice by dispatch to include officer contact information. If dispatch makes the parental notification, the officer's name will be given as a point of contact in the event the parent has any questions. If the parent would like to speak with the Officer at that time, dispatch will relay that information to the Officer or shift supervisor, and as soon as practical, the Officer will make a follow-up phone call to the parent to answer any questions.

C. Release of minors who have consumed alcohols. A person under the age of 18 who has been consuming alcohol will only be released to a parent, guardian, or responsible adult (with approval of the parent/guardian).

D. Release of persons under the age of 21 who have been consuming alcohol. It is strongly recommended that persons under the age of 21 who have been consuming alcohol are released to a sober third party and/or taken to a place of safety.

604.050 PRIVATE PERSONS ARRESTS

A. NPD to respond to citizen's arrest cases. Whenever practical NPD will respond to reports of arrests made by private persons.

B. Officer responsible for confirming probable cause. When a member is confronted with a person who wishes to make a private person arrest, the member will determine that the private person has probable cause for felony and misdemeanor offenses and that if the crime is a misdemeanor that the crime was committed in their presence.

CHAPTER 604

Revised 01/19/12

The determination of probable cause may include confirming investigations, such as field sobriety or PBT testing, by the Officer. The decision to arrest or not is made by the investigating officer.

C. Persons to be released if arrest unlawful. If the member determines that the arrest was unlawful or if he is unable to confirm the existence of probable cause he will insure that the person detained is released.

D. Person making arrest must sign form. All persons who make a private persons arrest must complete and sign an "Arrest by Private Person" form and provide a written statement detailing the probable cause for any stop and arrest for the investigating Officer.

604.060 ARREST OF MILITARY PERSONNEL

A. Press release information can be released to military. When the military requests information concerning the arrest of a member of the military service they may be granted full access to any press release that has been prepared concerning the incident.

B. Case reports disseminated per OPM 206. Copies of case reports concerning military personnel will be released as provided under OPM 206. Requests for reports where prosecution is pending should be made to the appropriate District Attorney who may release a copy of the report to the Military Police upon request. When prosecution is not pending, NPD will provide a copy of the report to the Military Police upon request per OPM 703.

604.070 ARREST OF INJURED PERSONS

A. NPD liable for cost of medical treatment. NPD is required to pay for the treatment of injured or ill prisoners who are in custody. Officers should carefully consider the necessity of arresting a person who is injured or in need of immediate medical treatment. If the person does not present a danger to others, and is not a flight risk, the officer should consider putting off the arrest until after the person is released from a medical facility. When possible, members should consult their supervisor before arresting injured persons.

B. Arraignment of person confined to medical facilities. If an arrested person is confined to a medical facility and cannot be transported to court for arraignment, a magistrate will have to conduct the hearing telephonically or by coming to the facility. Once the arraignment is complete, the prisoner is remanded to the Department of Corrections who should be notified so they can send a guard to the facility to relieve the Officer.

C. Actions when injuries caused by NPD. If the prisoner's injuries were caused by a member's actions, or occurred while the prisoner is in department custody, the member shall:

1. immediately notify their supervisor of the prisoner's injuries and follow up with a memorandum explaining the circumstances involved in the prisoner receiving the injuries; and
2. inform the medical facility to bill NPD for treatment.

CHAPTER 605

Revised 01/19/12

WARRANT PROCEDURES

605.010 APPLICABILITY OF CHAPTER

This chapter applies to the administration and service of warrants ordering the arrest or seizure of persons. These include arrest warrants, parole warrants, bench warrants, "traffic" warrants, Governor's warrants, and other similar orders. Not covered by this section are search warrants or similar orders.

605.020 ACTIONS UPON SERVICE OF WARRANT BY OFFICER

A. Notice to agency holding warrant required. After a person is arrested on a warrant it is the responsibility of the arresting officer to insure notification is made to APSIN and the agency responsible for entering the warrant into APSIN / NCIC. This notification should be made by APSIN message and/or NCIC transaction. A printed record of the transmissions should be retained.

B. Return of warrant to court required. After service of a warrant issued by an Alaska court the officer must insure that a return of service is made to the arraigning court. If the warrant was issued by the local court the original warrant should be returned to that court. If the original warrant is held by an agency out of the local area, the officer should return a copy or facsimile of the warrant to the local court. (It is the court's responsibility to transfer the returned warrant and court files between involved courts.)

605.030 ADMINISTRATIVE CONTROL OF WARRANTS AND CONDITIONS OF RELEASE AND PROBATION

A. Filing of warrants, conditions of release and probation. NPD will maintain a manual or computerized accounting system which can produce an alphabetical listing of warrants, conditions of release or conditions of probation. This information will remain current and confirmed prior to arrest whenever possible.

B. Served warrants to be immediately removed from APSIN and NCIC. When a warrant held by the Department is served within Alaska by a member, or notification is received that the warrant has been served in another Alaska jurisdiction, any APSIN and NCIC entries for that specific warrant must be immediately removed. A TWIX will be immediately sent to the agency holding the original warrant, listing the warrant number, whom it was served by, the date, time, and location of service. When a wanted person is arrested outside the State of Alaska as a "fugitive from justice" based upon an Alaska warrant, the Alaska warrant may be removed from NCIC by the originating agency when the agency which entered the warrant record is officially advised that the wanted person is in the custody of the outside agency. Upon the wanted person's return to Alaska the APSIN warrant entry shall be cleared.

605.040 ACCEPTING BAIL FOR WARRANTS.

Bail will not be received or accepted for any warrant. The person will be remanded under normal procedures and the warrant cleared at AMCC.

CHAPTER 605

Revised 01/19/12

605.050 ARREST OF FUGITIVES FROM OTHER STATES

A. Arrest of fugitives from other states. A fugitive from another state can be arrested and held by this state when either a Fugitive From Justice or Governor's Warrant is issued by this state; however, if an outside agency contacts NPD and advises that the fugitive is wanted on a serious felony charge and the matter is timely, the person can be taken into custody prior to securing a Fugitive From Justice Warrant from the District Attorney. [Ref. AS 12.70.130]

It is mandatory for the out-of-state requesting agency to provide enough information for the fugitive complaint to be drawn up by either the District Attorney or NPD. They must also immediately forward certified copies of their warrant and complaint, or indictment, photographs, and fingerprints to the NPD office handling the case.

B. Arrests based upon NCIC "hits." When a "hit" is made on an NCIC check, NCIC will provide the suspect's name, sex, race, place of birth, DOB, weight, height, hair and eye color, social security number, miscellaneous identification numbers, and the name of the originating agency, department, division, city, and state issuing the warrant. If after reviewing this information, the officer believes that this is a valid hit on the person he was checking, the following procedures should be followed:

1. Contact the originating/wanting agency and determine the current status of the warrant, and if extradition authorized from Alaska. The officer may not hold an individual while the officer checks on extradition. Extradition status is needed immediately.
2. If the warrant is current and extradition is confirmed, and probable cause exists as to the identity of the suspect, the person may be arrested and incarcerated as a "Fugitive From Justice." Fugitive arrests are handled like any other warrant arrest. The subject is taken directly to jail, an ATN is assigned, and the remand is completed with the NCIC "NIC/W" number and bail amount as set by the original court.

C. Information required if extradition is authorized. If extradition from Alaska is authorized by the originating/wanting agency the following information should be obtained:

1. warrant number, date, charge, bail, and classification (misdemeanor or felony);
2. any miscellaneous information, e.g., dangerous, escape risk, etc.;
3. originating/wanting agency's extradition instructions; and
4. Name and rank/position of person contacted. (Required for filing the fugitive complaint.)

D. Documentation required from originating/wanting agency. Once an out-of-state fugitive has been identified, whether they are in custody or free pending completion of a Fugitive from Justice Complaint, advise the originating/wanting agency to immediately send a certified copy of the warrant, complaint, photograph(s), fingerprints, and written confirmation that they will extradite.

CHAPTER 605

Revised 01/19/12

E. Preparation of Fugitive from Justice Complaint. No person will be arrested and held only on the basis of an NCIC "hit", certified copy of a warrant, complaint, or indictment from another state. When a fugitive has been arrested based upon any of these documents the documentation should be provided to the to the local District Attorney who will prepare a Fugitive From Justice Complaint and Warrant.

In the probable cause paragraph of the Fugitive from Justice Complaint, note by what means the defendant was identified by the officer; e.g., driver's license photograph, name, defendant's statement, social security number, physical description, police photograph, or fingerprints.

The last paragraph of the complaint should be: "This complaint and the arrest warrant issued in conjunction with it are filed seeking commitment of the accused to custody for a time that will enable the arrest of the accused to be made under a warrant of the Governor of the State of Alaska. Except as provisions of AS 12.70.160 may apply, the commitment sought shall be for no more than 30 days."

F. Documentation to be forwarded to Judicial Services. The arresting officer will forward a copy of the complaint, police report, and all computer messages to the Alaska State Troopers Judicial Services office that will be handling the extradition.

Public Copy

CHAPTER 606

Revised 01/19/12

TRANSPORT OF PERSONS IN CUSTODY

606.010 GENERAL PRISONER ESCORT RESPONSIBILITIES

A. Officer responsible for safety of prisoner and public. An officer having custody of a prisoner is responsible for protecting any prisoner in his care from harm, for protecting the public from harm caused by the prisoner, and for delivering the prisoner as required. The officer is responsible for assuring that the prisoner is searched for weapons prior to travel and as necessary during transport, and to use restraints as necessary to prevent the escape of the prisoner, harm to the prisoner, and harm to others.

B. Officer responsible for search of prisoners. An officer arresting a person or taking control of a person already in custody is responsible for searching the person, clothing, and items carried by the person, for any weapons or other items which could aid the person's escape.

C. Prisoners to be kept under direct supervision at all times. Prisoners must be accompanied and kept under surveillance by the escort at all times that they are not in a jail or holding facility.

D. Officer to restrain prisoner. Persons in custody shall be mechanically restrained in a humane manner. Restraints should be appropriate to the potential danger posed by the person and may include handcuffs, security cuffs, belly chains, leg irons, lead chains, or other devices. Officers who fail to restrain a prisoner who subsequently escapes, who harms himself, or who harms another will be deemed to have been in violation of this section unless they can demonstrate a business or safety necessity for the failure to restrain.

E. Receiver to be notified of medical conditions or other dangers. An officer delivering a prisoner to an institution or to another officer shall provide notice of any known injuries, medical conditions, required medications, or other circumstances representing dangers to the prisoner. All medication given to a prisoner will be logged and the receiving institution notified of the time, date, and quantity given to the prisoner.

606.020 SECURING PRISONERS DURING MEDICAL EXAMINATIONS

A prisoner should remain in restraints during medical or mental examinations. The use of leg irons is recommended if handcuff removal is necessary for medical procedures.

If a doctor insists that restraints be removed, or that the escort leave the room, do so **ONLY** if: the doctor is made aware of potential personal risk; and all exits, including windows large enough to squirm through, can be guarded. The escort will remain outside the exit, alert for trouble, during the entire examination period. If two escorts are used, they will be positioned to guard all potential exits.

If the above conditions cannot be met, and the doctor insists on privacy with the prisoner, the prisoner will be handcuffed securely to an examining table, or a solid piece of furniture that cannot be easily dismantled or pulled through a possible escape exit.

Unless a medical emergency exists requiring immediate treatment, an escorting officer should consider canceling the examination if he is unable to assure the security of the prisoner and the safety of medical personnel.

CHAPTER 607

Revised 01/19/12

EMERGENCY CARE OF INCAPACITATED PERSONS

607.010 DETENTION AND TRANSPORT OF MENTALLY INCAPACITATED PERSONS

A. Authority for detention of mentally incapacitated persons. Alaska Statute AS 47.30 governs the handling and care of the mentally disturbed. Most NPD detentions come under AS 47.30.700, ExParte Order of the Court (subject not represented) and AS 47.30.705, Emergency Custody by an Officer.

B. Emergency mental health detention. AS 47.30.705 states, in part, "A peace officer ... who has probable cause to believe that a person is gravely disabled or is suffering from mental illness and is likely to cause serious harm to self or others of such immediate nature that considerations of safety do not allow initiation of involuntary commitment procedures under AS 47.30.700, may cause the person to be taken into custody and delivered to the nearest evaluation facility. ..."

When a patient's condition requires police protection to ensure that no person is harmed, or an emergency detention situation exists, and other appropriate escort personnel are unavailable, NPD may provide escort services.

1. For an emergency detention for evaluation, only individuals taken into custody by NPD members will be transported by NPD.
2. Transportation of incapacitated persons being held under emergency detention by NPD is the responsibility of NPD or in certain circumstances, the Alaska State Troopers via the Department of Health and Social Services.

C. Any peace officer may serve ExParte Orders. Service of ExParte Orders for taking into custody and transporting incapacitated persons located within the city limits may be accomplished by the Nome Police or the Alaska State Troopers.

Normally, these persons will be taken into custody at the request of Norton Sound Regional Hospital Behavioral Health Unit and should be transported to that facility per the order. However, at times the order will be for transportation to the Alaska Psychiatric Hospital (APH) in Anchorage. In the latter case, the officer will be referred to the Division of Mental Health who will determine to which facility the patient should be transported, and who will make required travel authorizations, and payment approvals. (Ref: AS 47.30.870)

D. Prisoner transport rules do not apply to incapacitated persons. Persons taken into custody for transport to mental health facilities are patients, not prisoners; therefore, good judgment should be used when determining the nature and extent of restraints used. Officers must assure the safety of the patient and assure that the patient does not harm others.

607.020 EMERGENCY DETENTION PROCEDURES

A. Incapacitated persons must be immediately transported to hospital. When an individual is taken into emergency custody, transportation to the nearest hospital must occur immediately. The member who transports the individual must complete an Application for Examination and should contact a mental health professional with admitting privileges and be interviewed (by telephone if necessary) by that professional.

CHAPTER 607

Revised 01/19/12

B. Statements supporting probable cause required. If probable cause for emergency custody of a person is based solely on statements of others, the member will obtain written statements from those individuals and copies of those statements will accompany the patient to the hospital.

C. Patients can be housed in jail only if hospital is unavailable. Incapacitated persons must be held in hospitals if available. Only if a hospital is unavailable can a mental health patient be held in a jail. Local hospitals will be considered unavailable only if the hospital is completely full; or hospital personnel, with NPD assistance, are unable to secure the person using adequate restraints.

1. A jail can be used for protective custody when one of the above conditions exists, but the member should obtain a signed statement from the head of the hospital documenting the unavailability of the hospital; and upon arrival at the jail, contact a mental health professional and provide proper security until a mental health professional arrives and contacts a Judge.
2. If the member has sufficient probable cause to bring a criminal charge against the patient and does so, the jail can be used without any of the above conditions being met.
3. If a person is taken into custody pursuant to an ExParte court order for a 72-hour evaluation, the above steps are unnecessary. (Ref. AS 47.30.700)

D. Admitting incapacitated persons without a court order. If a member brings a patient to a hospital without a court order, contact should be made with the Emergency Room Doctor and a Psychiatrist who should complete the member's Application for Examination, and be interviewed by the Psychiatrist, at least telephonically, before leaving the hospital. The applicant forms are available at the Admissions Desk at all hospitals. If the examining Psychiatrist believes the person is mentally ill and either dangerous or gravely disabled, they will make arrangements for admission or transportation.

CHAPTER 607

Revised 01/19/12

607.040 TITLE 47 AND TREATMENT/SERVICES FOR INTOXICATED PERSONS AND PERSONS INCAPACITATED BY ALCOHOL OR DRUGS

A. Authority for detention of persons incapacitated by alcohol or drugs. AS 47.37.170(B) A person who appears to be incapacitated by alcohol or drugs in a public place shall be taken into protective custody by a peace officer or a member of the emergency service patrol and immediately brought to an approved public treatment facility, an approved private treatment facility, or another appropriate health facility or service for emergency medical treatment. If no treatment facility or emergency medical service is available, a person who appears to be incapacitated by alcohol or drugs in a public place shall be taken to a state or municipal detention facility in the area if that appears necessary for the protection of the person's health or safety. However, emergency protective custody under this subsection may not include placement of a minor in a jail or secure facility.

607.050 EMERGENCY DETENTION PROCEDURES

A. Incapacitated persons must be released to a caretaker or responsible party. Persons incapacitated by alcohol or drugs can be transported to: the person's home or the home of a friend or relative, an approved public treatment facility, an approved private treatment facility, or another appropriate health facility. However, an incapacitated person shall not be released unless released into the care and custody of a person capable of insuring the welfare of the subject and willing to do so.

B. Safety of persons and personnel.

(1) A peace officer or a member of the emergency service patrol, in detaining a person and in taking the person to a treatment facility, an emergency medical service, or a detention facility, is taking the person into protective custody and the officer or patrol member shall make reasonable efforts to provide for and protect the health and safety of the detainee.

(2) In taking a person into protective custody, a detaining officer, a member of the emergency service patrol, or a detention facility official may take reasonable steps for self-protection, including a full protective search of the person of a detainee.

(3) Protective custody does not constitute an arrest and no entry or other record may be made to indicate that the person detained has been arrested or charged with a crime, except that a confidential record may be made that is necessary for the administrative purposes of the facility to which the person has been taken or that is necessary for statistical purposes where the person's name may not be disclosed.

C. Incapacitated persons must be immediately transported to hospital. When an individual is taken into protective custody, transportation to the nearest hospital must occur immediately. The member who transports the individual must complete an Application for Examination stating the reasons for taking the person into protective custody and the need for evaluation.

CHAPTER 607

Revised 01/19/12

D. Medical screening required for incapacitated persons taken into protective custody. Upon completion of the Application for Examination, a medical provider will make a determination of whether the incapacitated individual should be admitted for medical treatment or be transported for protective hold and detoxification. If the incapacitated person is to be held on a protective hold, they will be transported to the nearest correctional facility where they will be transferred to the custody of the Department of Corrections. Correctional personnel will be provided proof of medical evaluation at the time of transfer.

E. Notification of next-of-kin. If a person is admitted to an approved facility due to incapacitation by drugs or alcohol, every attempt shall be made to notify family or next of kin of the disposition of the person.

F. Disposition of incapacitated persons taken into protective custody. A person taken to a detention facility may be detained only

- (1) until a treatment facility or emergency medical service is made available,
- (2) until the person is no longer intoxicated or incapacitated by alcohol or drugs, or
- (3) for a maximum period of 12 hours, whichever occurs first.

CHAPTER 701

Revised 01/19/12

REPORT PROCEDURES

701.010 GENERAL REQUIREMENTS

A. Officers required to make timely submission of reports. Officers shall complete reports necessary to close cases as expeditiously as practical.

B. Supervisors are responsible for case closure and investigation. It is the supervisor's responsibility to assure that commissioned employee's cases are up to date and investigated to a logical conclusion. Supervisors may set report completion deadlines for their subordinates.

C. Case reports to be completed. It is the responsibility of the employee and his supervisor to assure that when an employee is reassigned, or terminates, all outstanding cases are completed and evidence is dealt with to the supervisor's satisfaction.

D. Transferring case within unit. Supervisors may transfer cases within their units as needed to facilitate case completion or to balance workloads.

E. Reassigning case in RMS. Whenever a case is reassigned, the RMS case management entry will be updated to reflect the new responsible officer and/or unit. The supervisor reassigning the case is responsible for assuring this is completed.

701.020 CASE NUMBERS

Case numbers will be obtained from the records management system (RMS) according to the following rules:

1. A single case number will be drawn to document each call for service (CFS) received from a member of the public or a non-NPD agency;
2. Any criminal activity or emergency situation (accident, disaster, SAR, etc.) discovered by a member of the department will receive a case number; and
3. The following specialized activities will receive a case number for activity tracking purposes:
 - Motor vehicle crashes
 - Warrant arrests
 - Protective custody
 - Motorist assists
 - Service of Writs

701.030 PENDING CASE FILES

A. Officers to maintain pending case files. Each officer will keep all of his open cases in a pending case file. These files shall contain draft or completed reports, statements, notes, or other case preparation materials. Supplements shall be placed in the pending file as they are prepared. Pending case files will be organized with cases in numeric order.

B. Pending case file shall be accessible to supervisor. All pending case files will be readily available for inspection by supervisors or officers-in-charge. This is to facilitate both review of cases and to allow other officers to contribute to or take over cases when the responsible officer is unavailable, units may establish communal pending files where officers are required to keep their pending reports.

CHAPTER 701

Revised 01/19/12

C. Entries required in pending file. Officers shall complete and print a copy of the CFS and place it in the pending file prior to the conclusion of the shift on which the case was assigned. Supervisors may grant exceptions to this policy to avoid overtime or due to other special circumstances. Officers granted exceptions shall comply fully by the end of their next scheduled shift.

701.040 PREPARATION OF CASE REPORTS

A. Assigned Officer responsible for preparation of case report. The Officer assigned a case is responsible for the completion of the case report in accordance with the standards set out in the Report Writing Manual or other applicable Department guides. The Officer is responsible for retaining copies of materials submitted for typing or for recreating materials lost. Handling of video recordings, audio recordings, and other evidentiary case materials is detailed in OPM Chapter 702.

B. All reports required to be approved by supervisor. Upon completion, every case report will be submitted to the responsible officer's supervisor for approval. The supervisor may approve the report as is, or return it to the submitting officer for additional investigation, correction of report format or coding, or grammatical or stylistic correction.

C. Case forms required to be legible. All submitted forms, whether handwritten, typewritten, or computer generated are required to be clearly readable and free from errors. Handwritten forms shall be completed in ink.

D. Reports to comply with manual. Case reports submitted by members shall comply with the NPD Report Writing Manual.

E. Reports to be submitted on approved forms. Case reports must be submitted only on forms approved by the Chief of Police.

F. Transcriptions to be reviewed. Following transcription of dictated reports or recorded interviews the submitting officer will review the materials for accuracy.

701.050 DEPARTMENTAL CASE FILES AND ARCHIVAL STORAGE

The original copy of closed cases will be retained in active files for a period of one year. Cases placed in this file will be filed by month in numerical order. When that month's cases are a year old they shall be archived.

Original cases may be held longer than one year in the active file if it is a major unsolved cases or cases pending appeal or civil action, if authorized by the Chief of Police.

701.060 SPECIAL ROUTING OF AIRCRAFT ACCIDENT REPORTS

Send copies of all reports related to aircraft accidents to the following address:

National Transportation Safety Board
701 "C" Street
Box 11
Anchorage, Alaska 99513

CHAPTER 701

Revised 01/19/12

701.080 CASES INVOLVING CONTROLLED SUBSTANCES

A. *Special reports for cases involving controlled substances.* Cases involving drug violations require the following special procedures:

1. Property Report -- The weight of the controlled substance involved in will be reported in the "size" block. Also, indicate street value of the controlled substance under "value." Officers may submit requests to have the controlled substance weighed and analyzed at the State of Alaska Scientific Crime Detection Laboratory (SCDL) by submitting the appropriate forms and following established evidence handling protocols.
2. "Log Only" Cases -- In those instances where no report or other action is anticipated the officer is encouraged to place a short (25 words or less) synopsis in the comments section of the case record.
3. When a report involving illegal drug/alcohol offenses is completed a copy of the report will be forwarded to the local AST/SDEU office who will forward the information to the DPS Criminal Intelligence Unit.

B. *Required notice to AST/SDEU of illegal drug / alcohol cases.* Department personnel assigned cases involving drugs or illegal alcohol shall notify the local AST Statewide Drug Enforcement Unit office and shall cooperate with and/or coordinate their investigations with SDEU. Department personnel must be aware of the potential loss of additional evidence or failure to connect co-conspirators if timely coordination does not occur with SDEU.

701.090 REPORTING HATE CRIMES

The Nome Police Department is interested in documenting and thoroughly investigating hate crimes. An assessment of hate crimes is necessary to accurately determine the scope of the problem and to identify needs for training and public education.

A. *Definition of hate crime.* A hate crime is any criminal offense committed against a person or property that is motivated, in whole or in part, by the offender's bias against a person's race, religion, ethnic or national origin, or sexual orientation.

B. *Use of offense code to identify hate crimes.* Any incident meeting the definition of a hate crime that comes to the attention of an officer shall be recorded in the RMS under the appropriate code classification.

C. *Investigative reports required on hate crimes.* An investigative report will be completed on any incident that meets the definition of a hate crime. The report shall reflect the specific details of the incident including any known motivation or bias of the perpetrator(s). When practical, evidence of hate crimes should be thoroughly documented with the use of video and/or still recordings

701.100 PHOTO LINEUP ADVISORY FORM

All witnesses asked to view a photo lineup including driver's license photos shall read and sign the advisory form. Persons viewing the lineup at the same time can sign on the same form. Persons viewing at a different time should sign a different form. Upon completion of the viewing the completed form shall be placed in a manila envelope which is affixed to the back of the photo lineup folder.

CHAPTER 701

Revised 01/19/12

701.120 ATTACHMENTS

Photo Lineup Advisory Form

PHOTO LINEUP DISCLAIMER AND ADVISEMENT

Case Number _____

The photographic lineup you are about to view is made up of photos selected by similar physical characteristics. The persons in the photographs are not necessarily suspects, not necessarily under investigation for the commission of any crime, nor do they necessarily have criminal backgrounds.

Investigating Officer Date / Time _____

I have been read the above advisement and understand that the use of these photographs should not reflect upon the reputation of character of the persons I am about to view.

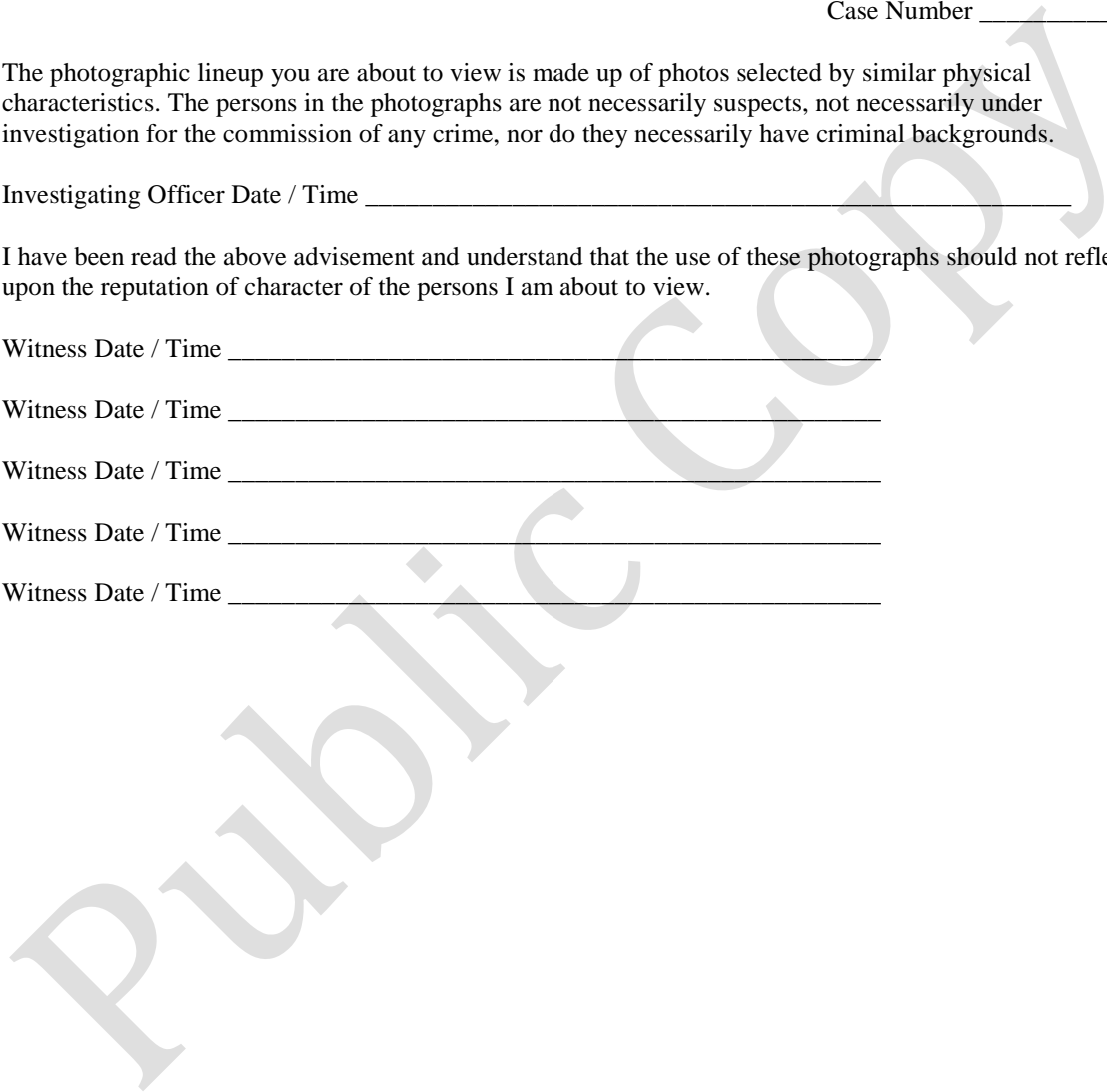
Witness Date / Time _____

Witness Date / Time _____

Witness Date / Time _____

Witness Date / Time _____

Witness Date / Time _____



CHAPTER 702

Revised 01/19/12

PROPERTY AND EVIDENCE HANDLING PROCEDURES - REDACTED

Public Copy

CHAPTER 703

Revised 01/19/12

PUBLIC INFORMATION AND PRESS RELATIONS

703.010 GENERAL INFORMATION

A. Department responsibility to inform the public. The Nome Police Department has a responsibility to inform the public of their involvement in activities and matters relating to public safety and to **not release** information that could jeopardize the rights or reputations of innocent people, or hinder any criminal investigation or prosecution.

B. Information released only as authorized. Employees shall release information only as authorized by procedure or in response to court order. Employees intentionally releasing information or records in any form in violation of policy, or those inadvertently releasing protected information through negligence, shall be subject to discipline.

C. Supervisors responsible for release of information to press. Supervisors shall make press releases containing appropriate details concerning matters of interest available to the public by providing such information to the media.

D. Media access to be equal. Any information released to a media outlet shall be made available to all news media facilities in the area. No preferential treatment will be given.

E. Public appearances are encouraged. All personnel are encouraged to appear before schools, military, civic, sport, and other groups as representatives of the Department to promote respect and trust between the public and the Department. Such appearances must receive prior approval from the Chief of Police or his designee.

703.020 PRESS RELEASES

A. NPD responsible for release of "hard" press releases. NPD shall make weekly press releases on significant events including, but not limited to, reported offenses; injury or fatal accidents; arrests; search and rescue missions; drug seizures; Department activities; incidents affecting public safety; and other information requested by local news media. All supervisors are responsible for reviewing press releases for accuracy, detail, grammar, spelling, appropriateness, and compliance with this chapter.

Information may be released to the public for the purposes of assisting an investigation or alerting the public to a safety or crime problem. Such information releases must take into account the Victim Rights Act of 1991. Releases seeking public assistance should clearly indicate who is to be contacted and if there are reward programs that apply.

Although references to evidence are not generally acceptable, the public may be asked for assistance in locating evidence or information necessary to the investigation.

B. Release of information concerning criminal incidents. Information concerning criminal incidents or investigations may be released to the news media provided that no information which would be prejudicial in any resultant prosecution is included. In general, details of the incident or investigation such as the type of crime, location, dates and times of the incident and report; the identity of the investigating agency, and newsworthy aspects of the investigation of a non-prejudicial nature such as the number or identity of officers involved and the duration of the investigation may be released.

CHAPTER 703

Revised 01/19/12

C. Release of Victim Name(s). Victim names, including those of juveniles, may be released if such information will not embarrass or endanger the person(s) involved; if a victim is deceased and next-of-kin have been notified; and providing that such release complies with the provisions of the Victim Rights Act of 1991. (Ref. OPM 703.040)

D. Release of information concerning suspects. Suspect names may be released when identity has been established and where public assistance in apprehending the person is desired; or where there is reason to believe that the suspect presents a substantial risk to an individual or to the public interest.

Descriptions, sketches, or other information intended to identify, or lead to the apprehension of a suspect, may be released.

E. Release of information concerning defendants. Information concerning persons arrested or charged with a crime may be released only if accompanied by the following disclaimer: "These charges are merely an accusation and the defendant is presumed innocent until and unless proven guilty." This disclaimer can be pre-printed on press release forms. The following information can generally be released concerning arrested persons:

1. the defendant's name (adults only, except that the names of juveniles charged with traffic or fish and game offenses will be released [Ref. AS 47.10.010 G]), age, residence city, and occupation;
2. the nature of the charge on which the arrest was made;
3. if an arrest has been made, the fact, time, and place of arrest; and
4. the identity of arresting officers or agencies, and the length of the investigation.

F. Release of information concerning juveniles. Special rules apply as indicated below.

1. Information concerning juvenile defendants is not normally released unless the juvenile is prosecuted as an adult. Juveniles are always prosecuted as adults for violations of traffic statutes and regulations, and for Fish and Game statutes and regulations. If a matter involving a juvenile is referred to the District Court for arraignment (as is the case with DWI, Reckless Driving, DWLR, traffic citations, etc.) then information concerning that offense may be released. Releases concerning juvenile defendants shall comply with paragraph D.
2. There is no prohibition in law to the release of information on juveniles who are the victims of non-criminal incidents such as hunting accidents, search and rescue operations, or accidental injury (including from motor vehicle accidents). The names of juvenile victims may be released if such information will not embarrass or endanger the person(s) involved; if a victim is deceased and next-of-kin have been notified; and providing that such release complies with the provisions of the Victim Rights Act of 1991. [Ref. OPM 703.040]
3. The names of juvenile runaways may be released only after consent is obtained from the parent or guardian allowing the release as an aid in gaining public assistance in locating the juvenile.
4. In situations where questions arise as to the legality or advisability of releasing the names of any juvenile, the information should be withheld and the question referred to the supervisory chain of command.

CHAPTER 703

Revised 01/19/12

F. Release of information concerning witnesses (including non-victim complainants). Unless the identity of a witness (including non-victim complainants) is already public knowledge, or must be released to facilitate the recovery of a victim or evidence, the name of witnesses (or non-victim complainants) will not ordinarily be released. Release of the address, business address, or telephone number of a witness to a crime is prohibited by the Victim Rights Act of 1991. Officers will not comment to the media on whether particular witnesses have made statements nor will they reveal the substance of any statements made.

G. Information not to be released. The following types of information should not be released:

1. information that is speculative or will be harmful or prejudicial to any person, investigation, case, or the city;
2. gratuitous characterizations of any involved person as, for example, a "sex maniac", "depraved character", "street person", "druggie", or "gangster";
3. the names of deceased victims whose next of kin have not been notified;
4. the existence or nature of any physical evidence likely to be presented at a future trial except that which has been revealed in a public document, such as a complaint or information; or
5. any information known, or which reasonably should be known, to be inadmissible in future court proceedings.

H. Information not be released until trial or conviction. Information in the listed categories shall not be released prior to trial or conviction. Following a trial or conviction, previously restricted information in categories 1, 4, 5 and 6 (below) may be included in press releases.

1. information concerning the sentence, or possible sentence;
2. opinions as to the character, credibility, expected testimony, or reputation of a suspect, witness, or other involved person; or the existence, if any, of a prior criminal record;
3. opinions as to the guilt or innocence of a defendant;
4. information concerning examinations, or the results of examinations, which the defendant or suspect may have taken or refused;
5. the existence, contents, or absence of a confession, admission, or statement by an accused person or suspect, or that person's refusal or failure to make such statements; or
6. a defendant's reenactment of a crime or the fact that he may have shown investigators where a weapon, loot, or other evidence was located.

CHAPTER 703

Revised 01/19/12

703.030 PRESS ACCESS TO INCIDENT SCENES

A. Press allowed access to incident scenes. Members of the press may take photographs or interview persons present at crime, accident, or disaster scenes so long as they do not interfere with rescue or investigative efforts, or enter private places not normally open to the public.

Members of the press shall not be allowed to enter, or remain in, areas where a life safety hazard may exist, until the danger to persons is removed or abated.

B. Press access during service of search warrants. Employees shall not permit members of the press to enter private premises (such as residential dwellings or private offices) which officers have entered pursuant to a search warrant.

C. Press subject to lawful orders. The press may not resist, obstruct, or oppose an officer in the lawful execution of a legal duty, but they can photograph or report events occurring on public property. Officers may require journalists to show their press credentials.

Officers may order the press to remain in public places or outside areas closed for investigation or rescue efforts. Orders issued to members of the press to leave a part of a scene should be clear and should be acknowledged by the member of the press before enforcement action is taken.

If you must deny access to a crime scene during processing or evidence collection, explain to the journalist why such access is being denied; once processing is complete, allow access if otherwise permissible. Journalists apprehended for violating the law will be dealt with in the same manner as any other violator.

D. Photographing suspects, defendants, or scenes. Members shall not pose, set up, or otherwise influence the media in regard to photographing a suspect, defendant or crime scene. The media cannot be prevented from taking photographs while they are in public places such as streets, parking lots, and public areas of buildings.

703.040 INFORMATION PROTECTED UNDER THE VICTIM RIGHTS ACT

The Victim Rights Act of 1991 (AS 12.61.100-150) restricts public (including press) access to certain information contained in our files, press releases, and in court documents. Although the Act does not apply to oral communications, it is the policy of the Department that protected information will not be released in any form.

A. Protected information that may not be released.

1. The residence address, business address, or telephone number(s) of any victim or witness to any crime. This applies to crimes only, not to violations or infractions that carry no jail time.
2. The name of the victim of the following crimes:

AS 11.41.300(a)(1)(c) Kidnapping for purposes of sexual assault

AS 11.41.410 Sexual Assault -- First Degree

AS 11.41.420 Sexual Assault -- Second Degree

AS 11.41.425 Sexual Assault -- Third Degree

AS 11.41.434 Sexual Abuse of a Minor -- First Degree

AS 11.41.436 Sexual Abuse of a Minor -- Second Degree

CHAPTER 703

Revised 01/19/12

- AS 11.41.438 Sexual Abuse of a Minor -- Third Degree
- AS 11.41.440 Sexual Abuse of a Minor -- Fourth Degree
- AS 11.41.450 Incest
- AS 11.41.455 Unlawful Exploitation of a Minor
- AS 11.41.460 Indecent Exposure

3. However, victim names may be released to facilitate the recovery of a missing victim or to conduct necessary investigation of the crime.

B. Release of records containing protected information.

1. Police reports or other records may be released to the public only after they have been examined for the presence of protected information and any protected information has been deleted or made unreadable.
2. Press releases may not contain any protected information. Supervisors approving press releases will insure that they do not contain the names of sexual assault victims, and that no victim or witness address information is given.
3. The release of police reports to insurance companies does not constitute a release of protected information and is not restricted under the act.

C. Required Court Certification.

1. The Court System requires that officers filing documents (including criminal complaints, misdemeanor citations, and search warrants) sign the following certification:

CERTIFICATION

I certify that this document and its attachments do not contain (1) the name of a victim of a sexual offense listed in AS 12.61.140 or (2) a residence or business address or telephone number of a victim of or witness to any crime unless it is the address used to identify the place of the crime or it is an address or telephone number in a transcript of a court proceeding and disclosure of the information was ordered by the court.

2. Officers can sign the forms in good faith, and will be in compliance with the Victim Rights Act, if the complaint or other document does not contain:
 - a. the address or telephone number of any victim or witness (other than the defendant), unless the address is necessary to identify the place of the crime; or
 - b. in kidnapping or sex cases, the name of the victim, but instead uses initials to identify the person. In general, if the victim is a minor, you must also use initials to identify the minor's parent or guardian.
3. When it is necessary to specify the location of a crime in documents prepared for the Court it is recommended that phrases such as "the residence of [victim's name or initials]" be substituted for the actual address.
4. Officers submitting documents containing protected information are responsible for notifying the court clerk of its inclusion.

CHAPTER 703

Revised 01/19/12

703.050 RELEASE OF REPORTS AND RECORDS TO LAW ENFORCEMENT AGENCIES

Reports and records concerning investigations may be released to any law enforcement agency with an official need for the information. Law enforcement agencies include federal, state, and local police departments, prosecutors, and probation or parole officers.

703.060 RELEASE OF REPORTS OR RECORDS TO NON-LAW ENFORCEMENT REQUESTERS

A. Restrictions applying to parties involved in civil actions involving the City. Persons who are parties to civil actions involving the city may not receive records directly from the Department, but must make the appropriate request through the court or legal counsel.

B. Limitations on release of case reports to non-law enforcement requesters. Except in response to a subpoena, a court order, or as authorized in paragraphs E, F, and G of this section, NPD case reports will not be released to non-law enforcement requesters unless authorized by the Chief. Non-law enforcement requesters not qualifying for case reports under these provisions should be instructed to make a written request to the NPD Chief of Police indicating the report desired and their reasons for the request.

The Chief may release reports to non-law enforcement requesters upon determining that they have a legitimate interest in the report; that the identities of juveniles, and information protected under the Victim Rights Act of 1991 (Ref. OPM 703.040) has been excised; and providing that none of the following conditions exist.

1. prosecution or appeal are pending;
2. the case involves a juvenile as either a suspect or defendant;
3. the records will disclose the identity of a confidential source;
4. the records will disclose confidential techniques and procedures for law enforcement investigations and prosecutions;
5. the records will disclose guidelines for law enforcement investigations and prosecutions where disclosure could reasonably be expected to risk circumvention of the law (e.g., "drug profiles");
6. disclosure could reasonably be expected to endanger the life or physical safety of an individual; or
7. disclosure would "constitute an unwarranted invasion of the personal privacy of a suspect, defendant, victim, or witness."

C. Requests for driver's license photos. Driver's license photographs may not be released to the public or press except where the person has been kidnapped or is otherwise missing and believed to be in danger, or if the person is wanted on a warrant.

D. Requests for drivers' records. Drivers' records are confidential and private and may not be released except to the driver, a person authorized by them to receive the information, or to other law enforcement agencies. [Ref. AS 28.15.151]

CHAPTER 703

Revised 01/19/12

E. Requests for motor vehicle crash reports. Crash reports may be released to those: who were involved in the crash, their heirs or successors; or to those whose property was involved in the crash, or their authorized agent, such as their attorney, insurance adjuster, or insurance company.

Employees may orally confirm to an insurance adjuster, insurance company, or attorney that a motor vehicle crash report exists listing their client as an involved party. The existence or absence of photographs may also be released.

F. Witnesses may obtain copies of their own statements. Witnesses may receive copies of interview synopsis paragraphs and transcriptions of their own statements.

G. Victims may obtain copies of reports. Victims of crimes reported in case reports, their heirs or successors, their attorneys, their insurance adjusters, or their insurance companies may receive copies of case reports provided that the names, addresses, and telephone numbers of all persons except the victim and any defendants are blacked out of the report.

Public Copy

CHAPTER 801

Revised 01/19/12

COMMUNICABLE DISEASES - REDACTED

Public Copy

SEX OFFENDER REGISTRATION

802.010 INTRODUCTION

The State of Alaska began requiring convicted sex offenders to register in January 1996. AS 12.63.010 requires all offenders convicted of a sex offense in Alaska or in any other jurisdiction who are physically present in the state to register. Sex offenders have seven days from being released from an in-state correctional facility, or convicted but not incarcerated, or upon arriving in Alaska to register (if they are under supervision, 14 days if they are not under supervision).

802.020 SEX OFFENDER REGISTRY

To implement this law the Department of Public Safety established the Sex Offender Central Registry Office in the Permits and Licensing Unit. The Sex Offender Central Registry Office is located at 5700 E. Tudor Road, Anchorage, AK 99507 and may be contacted at 269-5511.

802.030 REGISTRATION

A. Initial registration of sex offender. Sex offenders must complete the initial registration in person. The registration process involves a department member or member of a police department ensuring that the registration form is completed properly and taking the person's photograph and fingerprints. There are instructions for completing the process in the Sex Offender Registration packet. Registration packets may be obtained from the Sex Offender Central Registry Office.

802.040 DISSEMINATION OF REGISTRY INFORMATION

A. Public queries of the Sex Offender Registry. A private person may request information from the Sex Offender Central Registry Office. A query may be made by name, street, zip code, or city. The fee for each query is \$10.00. The fee is non-refundable, if there are no matches to the query request the person will not receive a refund. If there is a response or responses based on the person's query the person will be provided a report or reports by the Sex Offender Central Registry Office. These reports will be mailed from the Sex Offender Central Registry Office.

B. Reports made to the public. The information in a report includes the offenders: name and aliases; their birth date; their mailing and residence addresses; the name and address of their employer; a list of the sex offenses that they have been convicted of that require registration; and a photograph of the registrant.

802.050 ENFORCEMENT

A. APSIN/RMS sex offender indicators. Those persons who have been identified in APSIN as convicted sex offenders and who should register are flagged using a "S" in the new "SOR" field. Those persons who have complied and are registered will have a "R" in the SOR field. This information is located on the "Basic Person" screen in APSIN and may also be indicated in the NPD RMS database.

B. Actions upon field contact with sex offender. If an offender is contacted and it is determined that the offender has not registered, the offender should be issued an Alaska Uniform Citation (AUC) charging the offender with AS 11.56.840, Failure to Register as a Sex Offender.

CHAPTER 802

Revised 01/19/12

SEX OFFENDER REGISTRATION

1. The probable cause section of the AUC should include information that the offender knowingly has not registered as a sex offender as required by AS 12.63.010, which is based on any or all of the following:
 - a. APSIN indicates the offender is a convicted sex offender and "Should" register;
 - b. the offender has been advised to register and has not complied, confirmed by the APSIN entry;
 - c. statements made by the offender; and/or
 - d. other relevant probable cause supporting the charge.
2. If the offender states he has registered and APSIN indicates he has not by showing only a "S" in the SOR field, an advisement should be entered in APSIN and a complete Field Interview conducted. An APSIN administrative message should be sent to the Sex Offender Central Registry Office asking for confirmation of the registration. If it is determined the offender has not registered, the offender should be re-contacted and issued the AUC for failure to register.
3. The Nome Police Department and the Department of Law's primary goal is getting the sex offender to comply with AS 12.63.010, the Sex Offender Registration Law. If an offender is summoned into court and at arraignment the offender brings proof of registration, the possibility exists the "Failure to Register" charge would then be dismissed by the District Attorney. This should be conveyed to the offender when the AUC is issued.

C. Pro-Active enforcement for failing to register. The Chief of Police may assign an officer or officers to attempt to contact individuals who are SOR non-compliant.

1. If the person is contacted and it is determined the person has failed to register in violation of the law, enforcement action will be taken as indicated in sub-section B.
2. If it is determined that the person named on the list is not subject to the registration law, a message indicating that information will be sent to the Sex Offender Central Registry Office.

CHAPTER 803

Revised 01/19/12

FOREIGN NATIONALS

803.010 INTRODUCTION

A. Treatment of foreign nationals governed by international treaties. International treaties require that certain information be supplied to consular officers concerning the arrest and/or detention of nationals of that country.

B. Legal status of "diplomatic agents." Diplomatic agents, their family members, and their administrative and technical staff cannot be arrested or detained and their property or residence cannot be entered or searched. They enjoy complete immunity and cannot be prosecuted no matter how serious the offense. (There are no diplomatic agents resident in Alaska and contact with them is unlikely.)

C. Legal status of "consular officials." Consular officials have "official and functional immunity" and can be arrested only for felony offenses and then only with a warrant. After arrest the defendant can attempt to prove that he was on official business and argue that his special immunity protects him from prosecution. The family members of consular officials have no special immunity from arrest, detention, or search.

D. 24 hour diplomatic status help line. The State Department maintains a 24-hour help desk that can confirm the diplomatic status of individuals claiming to have immunities at (202) 647-1641. This help desk will also accept reports of AUCs and other violations alleged to have been committed by persons with diplomatic status.

E. State Department law enforcement help desk. The State Department Assistant Legal Advisor for Consular Affairs provides attorneys who are available to assist local law enforcement on questions regarding diplomatic law. They are available during east coast business hours at (202) 647-1074.

803.020 DETENTION OF FOREIGN NATIONALS

A. Detainee right to consular notification. Members who arrest, imprison, or otherwise detain a foreign national must inform the detainee of their right to have their government notified of the detention. If the detainee requests notification the member will contact the appropriate consulate or embassy without delay and shall create a written record of the contact in the case report. Current phone numbers for consulates and embassies may be obtained from the State Department help line listed in Section 803 010 (D).

B. Mandatory consular notification for citizens of certain countries. When a citizen from any of the countries listed in this section are arrested, imprisoned, or otherwise detained consular notification is mandatory and will be carried out by the member regardless of the wishes of the detainee. Members will document the notification in their case report. Countries requiring mandatory notification:

Albania, Anguilla, Antigua, Armenia, Azerbaijan, Bahamas, Barbados, Belarus, Belize, Bermuda, British Virgin Islands, Brunei, Bulgaria, Caicos, China (People's Republic), Costa Rica, Cyprus, Czech Republic, Dominican Republic, Fiji, Gambia, Georgia, Ghana, Grenada, Guyana, Hong Kong, Hungary, Jamaica, Kazakhstan, Kiribati, Kuwait, Kyrgyzstan, Malaysia, Malta, Mauritius, Moldova, Mongolia, Monserrat, Nigeria, Philippines, Poland, Romania, Russian Federation, St. Kitts and Nevis, St. Lucia, St. Vincent and Grenadines, Seychelles, Sierra Leone, Singapore, Slovakia, Taiwan (Republic of China), Tajikistan, Tanzania, Tonga, Trinidad and Tobago, Turkmenista, Turkey, Tuvalu, Ukraine, United Kingdom, Uzbekistan, Zambia, Zimbabwe

CHAPTER 803

Revised 01/19/12

C. Consular access to prisoners. Subject to local laws and regulations consular officers have the right to visit their nationals who are detained to converse and correspond with them and to arrange for their legal representation. A foreign consular officer should not be allowed to take actions expressly opposed by the person detained.

D. District Attorney to be notified of detention of foreign nationals. The District Attorney shall be notified when a foreign national is arrested or otherwise detained. In addition to the usual information concerning the incident and charges they should also be advised of the person's citizenship, whether consular notification has been made, immigration status (e.g., resident alien, visitor's visa, etc.), alien registration number, and the date and port of entry into the United States.

E. INS notification of arrest of foreign nationals. When a foreign national is arrested the Immigration and Naturalization Service should be contacted during business hours at (907)271-3104 or after hours through their answering service at (907) 267-9413. Upon completion a copy of the case report should be sent to INS at:

U.S. Immigrations and Naturalization Service
ATTN: Investigations Section
620 ENPD 10th Avenue, Suite 102
Anchorage, AK 99501

803.030 REQUESTS FOR ASYLUM BY FOREIGN NATIONALS

A. Notification of asylum requests. Requests for asylum are handled by the Immigration and Naturalization Service, the Federal Bureau of Investigation, or the U.S. State Department depending upon the particular circumstances. Upon receipt of a request for asylum from a foreign national, members should immediately notify the INS duty officer at (907)271-3104 (days) or (907)267-9413 (after hours). If INS is unavailable notification should be made to the FBI or the State Department.

The member making the notification should be prepared to describe any documents carried by the person; their reason for seeking asylum; what, if any, foreign authorities are aware of the request; and information on any criminal charges pending against the asylum seeker.

B. Protection from harm for asylum seekers. Unless there is reason to believe that the asylum seeker is in need of physical protection they should be directed to go to the INS office at 620 E10th Avenue, Anchorage. If the asylum seeker is in need of physical protection it will be provided. If necessary, force may be used to prevent the forcible repatriation of the asylum seeker.

C. Inquiries by foreign authorities. Any inquiries from interested foreign authorities will be met by the senior officer present with a response that the case has been referred to headquarters for instructions.

CHAPTER 803

Revised 01/19/12

803.040 FBI HAS CONCURRENT JURISDICTION WHERE FOREIGN OFFICIAL IS VICTIMIZED

On October 24, 1972, President Nixon signed an act for the protection of foreign officials and official guests of the United States. The act gives the FBI concurrent jurisdiction in serious crimes in which a foreign official is the victim. These crimes include murder, conspiracy to murder, wounding, imprisoning, offering violence, intimidating, coercing, threatening, or harassing a foreign official or guest, and from obstructing a foreign official in the performance of his duties.

Members will immediately notify the FBI (907)276-4441, when investigating any of these crimes where the victim is a foreign official or official guest.

803.050 NOTICE REQUIRED WHEN AUC ISSUED TO FOREIGN DIPLOMAT

The U.S. State Department should be notified at (202) 647-1512 when an AUC is issued to a foreign diplomat. If sufficient cause is shown the diplomatic driver's license of the violator can be revoked.

Public Copy

CHAPTER 804

Revised 01/19/12

CRIMINAL INTELLIGENCE INFORMATION - REDACTED

Public Copy