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## 1.2 Code of Ethics & Oath of Office



Supersedes:  
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Policy Affects:  
All Personnel

Brian A. Seastone  
Chief of Police

### Purpose and Summary

The purpose of this policy is to outline the required Oath of Loyalty, Oath of Honor and Codes of Ethics employees are required to take and maintain while employed with this department.

### Code of Ethics

All employees are required to sign and abide by a code of ethics. (CALEA 1.1.2)

All police officers are required to abide by the principles of the AZPOST Law Enforcement Code of Ethics. (CALEA 1.1.2)

Dispatchers are required to abide by the APCO Telecommunicator Code of Ethics.

All employees are required to abide by all University and Arizona Board of Regents policies and procedures.

### Law Enforcement

#### Oath of Honor

All UAPD employees shall follow and uphold the Law Enforcement Oath of Honor, as established by the International Association of Chiefs of Police.

#### Oath of Loyalty

Arizona state law requires that all UA employees affirm her or his allegiance to the United States and the State of Arizona by signing an Oath of Loyalty prior to commencing employment (UA Policy #109.0). Certified officers will have a copy placed in their regular training file as well as the officer's permanent personnel file. (CALEA 1.1.1) (IACLEA 2.1.2)

### Training

All personnel shall receive ethics training during their initial hiring and training and at a minimum biennially thereafter. (CALEA 1.1.2)

## **Violations**

Violations of the Code of Ethics by any employee of the department may result in disciplinary action(s) by UAPD and/or AZPOST. Violations of the Oath of Loyalty, Oath of Honor or code of conduct by employees may result in disciplinary action(s) by UAPD and/or The University of Arizona.

### **Law Enforcement Code of Ethics**

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

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

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

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

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

### **Arizona Oath of Loyalty**

***I, (employee name)do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution and laws of the State of Arizona, that I will bear true faith and allegiance to the same, and defend them against all enemies, foreign and domestic, and that I will faithfully and impartially discharge the duties of the office of (name of office) according to the best of my ability, so help me God (or so I do affirm).***

## **Public Safety Telecommunicators' Code of Ethics**

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

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

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

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

## **Law Enforcement Oath of Honor**

***On my honor, I will never betray my integrity, my character, or the public trust.***

***I will treat all individuals with dignity and respect and ensure that my actions are dedicated to ensuring the safety of my community and the preservation of human life.***

***I will always have the courage to hold myself and others accountable for our actions.***

***I will always maintain the highest ethical standards and uphold the values of my community, and the agency I serve.***

## 1.3 UAPD Mission, Priorities & Values



Supersedes:  
01 January 2019

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04 September 2019

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09 September 2019

Policy Affects:  
All Personnel

Brian A. Seastone  
Chief of Police

### Purpose and Summary

The purpose of this policy is to develop internal values and adhere to them as an organization in order to be effective and successful in fulfilling our mission.

The mission for a department is important for the employees and the community to which the department serves. (CALEA 12.2.1a, 33.7.1a)

### Our Mission

***To promote a safe and secure community through professional law enforcement, stewardship, education, engagement, and partnership.***

### Our Values

***INTEGRITY – Be honest, respectful and just.***

We follow the IACP Law Enforcement Code of Ethics. Integrity is the one value we each must own

***EXPLORATION – Be insatiably curious***

UAPD will constantly explore new possibilities to enhance our collaboration, engagement, partnerships, practices, and technology.

***INCLUSION – Harness the power of diversity***

We will seek opportunities to engage with individuals who have varied experiences, ideas and viewpoints, knowing that diverse perspectives make us stronger.

***ADAPTATION – Be open-minded and eager for what's next.***

We will be open-minded, responsive and eager to the needs and opportunity in our community.

***DETERMINATION – Bear Down.***

We are determined to strive for excellence.

***Compassion – Choose to care.***

As a law enforcement agency, we will perform our duties with compassion and care.

**Our Purpose**

Working together to expand human potential, explore new horizons and enrich life for all.

**Our Strategic  
Priorities**

We will:

- Promote a safe, healthy and inclusive environment.
- Make strategic investments that advance the University's mission.
- Foster a culture of leadership, innovation, and accountability.
- Cultivate relationships and strategic opportunities with University and community partners.
- Seek opportunities to increase effectiveness while reducing costs and complexity.

Continuously measure our progress and impact in advancing priorities

# 1.5 Concurrent Patrol Boundaries



Supersedes:  
23 January 2002

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Policy Affects:  
All Personnel

CALEA Standard: 2.1.1, 2.1.2

Brian A. Seastone  
Chief of Police

## Policy

The University of Arizona Police Department and the Tucson Police Department (TPD) will establish concurrent patrol boundaries to effectively facilitate the services provided by both departments to the University and Tucson communities. Concurrent patrol boundaries established will be subject to update and change to facilitate quality police services.

## Concurrent Patrol Boundaries

The concurrent patrol boundaries established are considered the Arizona Board of Regents Planning Boundary:

- Eighth Street to the south border of the street.
- Euclid Avenue to the west border of the street.
- Lester Street to the north border of the street.
- Campbell Avenue to the east border of the street

The Banner University Medical Center is the primary responsibility of TPD. UAPD is responsible for the academic buildings on the AHSC campus. These include:

- Cancer Center
- College of Nursing
- College of Medicine & Medical Library
- College of Public Health
- College of Pharmacy

The response and actions of UAPD officers regarding TPD calls for service and traffic accident investigation shall be governed by this policy, UAPD Operational Orders and any applicable Inter Governmental Agreements. (CALEA 2.1.1)

## Response To Criminal Calls

Each department is responsible for all Part 1 crimes occurring within its respective jurisdiction. (CALEA 2.1.2)

If UAPD dispatch or an officer receives a citizen's report of a crime and it is within the established concurrent patrol boundary, UAPD officers may respond. Once the type of situation is known, the officer may assume the investigation if it falls within the guidelines described in this policy or as directed by a supervisor or neutralize the situation and notify TPD for Part 1 crimes. (CALEA 2.1.2)

Dispatchers will, based on the information, make a decision as to jurisdiction. If in doubt and the crime is in-progress, or an immediate threat to life and safety, the dispatcher will dispatch an officer and make the on duty supervisor aware of the situation.

UAPD officers may respond to and investigate Part 2, 3, 4 and 5 crimes occurring within the concurrent patrol boundaries within the limitations of available resources.

Part 2 crimes of kidnapping, forgery and other sexual offenses will be handled by TPD. Any initial response to these crime scenes will be determined by the on duty TPD/UAPD supervisors. The same stipulations apply to TPD officers observing offenses within UAPD jurisdiction.

All Part 1, 2, 3, 4, 5 crimes occurring in a recognized fraternity/sorority housing or other UA properties outside concurrent patrol boundaries will be handled by UAPD. All noise complaints involving UA recognized Greek houses will be the responsibility of UAPD. TPD may be contacted to assist with applicable city codes if the Greek house resides in a neighborhood. Unrecognized Greek houses located within the UA planning boundaries will be handled by TPD.

### **Activity Monitored By UAPD Dispatch**

Dispatchers shall not assign city generated calls to UAPD from transmissions monitored on the TPD radio frequencies. UAPD dispatchers may inform UAPD personnel of crimes of violence in progress, a crime in progress, "Officer Needs Assistance" situations or serious traffic accidents near campus. The supervisor will coordinate any need for UAPD response.

Personnel monitoring a City call for service within the boundary does not mean the call becomes a UAPD call or automatic response by officers unless life and safety issues are in jeopardy or as directed by a supervisor. (CALEA 2.1.2)

### **Traffic Accidents**

UAPD officers may investigate traffic accidents occurring within the concurrent patrol boundaries on city streets, provided that the accident is not fatal or has life threatening injuries, or involves extensive damage subject to reconstruction or extensive follow up. Life threatening/fatal accident investigations occurring in TPD jurisdiction will be handled by TPD. (CALEA 2.1.2)



## **Traffic Enforcement**

UAPD's intent and philosophy is that enforcement of traffic laws provides for the enhanced safety of the University's faculty, staff, students and visitors during times of ingress and egress on campus. UAPD will proactively undertake appropriate traffic enforcement within and adjacent to the University planning boundaries and concurrent patrol boundaries.

UAPD officers may also take enforcement action regarding those traffic law violations outside of its normal patrol areas when appropriate to do so in order to promote traffic safety. (CALEA 2.1.2)

## **Agency Assist Reports**

When assisting TPD, all UA Officers will use the appropriate offense code "60.01" to complete the report

This agreement does not prevent TPD or UAPD from assuming any type of investigation that falls under their respective jurisdictions within concurrent patrol boundaries.

## **Crime Classifications**

The following UCR Crime Classifications are utilized for the purpose of this policy.

### **Part 1**

- Murder
- Sexual Assault
- Robbery
- Aggravated Assault
- Burglary
- Larceny/Theft
- Motor Vehicle Theft
- Arson

### **Part 2**

- Kidnapping
- Assault
- Forgery
- Criminal Damage
- Other Sexual Offenses
- DUI

### **Part 3**

- Lost and Found (Persons, Animals, Property)

### **Part 4**

- Accidents

### **Part 5**

- Miscellaneous

## 1.7 Support & Social Service Agencies



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Policy Affects:  
All Personnel

Brian A. Seastone  
Chief of Police

### Purpose and Summary *(CALEA 41.2.7b, 55.2.1)*

The purpose of this policy is to provide UAPD employees quick access to local support and social service agencies contact information. UAPD employees may encounter individuals who are in need of assistance and may need the support of local social and public services. The following list of agencies will assist the members of this department and others in directing individuals in need to these valuable resources.

### Crisis Intervention

Adult Protective Services <i>Abuse/neglect of older adults</i>	(602) 542-0010
Emerge! Center <i>Victims of domestic violence, 24 hours</i>	1(888) 428-0101
AZ Department of Child Safety	1(888)767-2445
OUR TOWN Family Center <i>Youth &amp; Families in crisis, 24 hours</i>	(520) 323-1708 ext.103
Southern AZ Center Against Sexual Assault <i>SACASA-Services for victims of sexual assault, 24 hours</i>	(520) 327-7273

### Emergency Assistance

American Red Cross <i>Disaster relief services, health &amp; safety</i>	(602) 336-6660
Community Food Bank <i>Emergency food boxes, Information &amp; Referral</i>	(520) 622-0525
UA Campus Health Service <i>Urgent Care, Counseling &amp; Psych Services</i>	(520) 621-6490
Primavera Services <i>Case Management, food, shelter for homeless men</i>	(520) 623-4300

The Haven <i>Substance abuse shelter and counseling</i>	(520) 623-4590
Jackson Employment Center <i>One Stop Center for Employment Employment training for homeless</i>	(520) 724-7300
The Salvation Army Family Services <i>Case Management, food, shelter, etc.</i>	(520) 792-1111
TMM Family Services <i>Clothing, housing, housewares</i>	(520) 322-9557
Tucson Urban League <i>Case Management, rent, utilities</i>	(520) 791-9522

### **Health related Services & Adaptive Devices**

American Cancer Society <i>Education and support services</i>	1(800) 227-2345
The Blake Foundation <i>Services for children &amp; adults</i>	(520) 327-1529
C.O.P.D. (TDD/Voice) <i>Hearing devices</i>	(520) 792-1906
El Pueblo Clinic <i>Family outpatient services</i>	(520) 573-0096
Southern Arizona AIDS Foundation	(520) 628-7223
United Community Health Center <i>Rural family health care services Wellness centers in rural areas</i>	(520) 407-5600

### **Counseling & Education**

Arizona's Children Association <i>Individual, family &amp; residential services</i>	(520) 622-7611
Catholic Social Services <i>General counseling</i>	(520) 623-0344
CODAC Behavioral Health Services <i>Substance abuse counseling</i>	(520) 327-4505
Jewish Family & Children's Services <i>General, services for severely mentally ill</i>	(520) 795-0300

Las Familias <i>Services for victims of child abuse &amp; their families</i>	(520) 327-7122
OASIS Program at Campus Health <i>Mediation (University of Arizona)</i>	(520) 626-2051
Pima County Adult Education Program <i>Basic literacy, GED preparation, English as a second language</i>	(520) 206-7330
Pima Prevention Partnership <i>Teen Court, Early Intervention, 12-17 year old youth</i>	(520) 791-2711
YWCA <i>Services for women</i>	(520) 884-7810

# 1.8 Victims' Rights



Supersedes: 08 October 2017	Revision: 02 May 2018	Effective: 11 May 2018
Policy Affects: All Personnel		

**Brian A. Seastone**  
Chief of Police

## Policy

Victims and witnesses shall be treated with fairness, dignity and compassion. UAPD will work closely with the Pima County Victim Services Program, Graham County Attorney's Office, university officials and other organizations to help victims of crime and those who have witnessed the criminal acts of others.

Victim rights notification will be made to all victims of felony and misdemeanor crimes as mandated by the Arizona Court of Appeals. No other aspects of the Victims' Bill of Rights are affected.

## Victim Rights

### Form *(CALEA 55.1.1e)*

The Victim Rights Form is a pamphlet developed and distributed by the Arizona Attorney General's Office. This form includes information for victims and witnesses and lists available services within the Tucson metropolitan area. This form is reviewed by the Arizona Attorney to ensure compliance with changes in this legislation, applicable court decisions and verification of services and telephone numbers.

## Victim

### Notification *(CALEA 55.1.1a)*

During preliminary investigations officers will provide at a minimum the following information to victims or witnesses:

- Information regarding applicable services such as counseling, medical attention, compensation programs, victim advocacy or emergency financial assistance *(CALEA 55.2.3a)*
- What steps to take should the suspect or accomplices or family threaten or otherwise intimidate them *(CALEA 55.2.3b)*
- The report number documenting their case and any subsequent steps that will be taken in processing their report *(CALEA 55.2.3c)*
- The telephone number they may call to report additional information or receive information about the status of their case *(CALEA 55.2.3d)*

As soon as possible after the detection of a criminal offense the victim may be contacted if it does not interfere with an investigation. This requires that officers provide this information upon learning of a criminal offense, not just where an arrest is made.

The pamphlet provided by the Arizona Attorney General or other approved copy shall be used for the purpose of complying with the notification requirements.

If the victim is a business or corporation, no special action will be taken. Victims' rights information shall be made available to victims of crimes by distributing the Victim rights brochure approved by the Arizona Attorney General. The Director of UA Risk Management has been designated to receive victim rights notification where the University is a victim of crime.

### **Documentation of Notification** (CALEA 55.1.1a)

In all incidents where a felony or misdemeanor criminal offense has occurred and a victim has been identified (as defined above), the appropriate form/report shall be used to document the incident, as well as to document notice of victim rights.

### **Notification of Public** (CALEA 55.1.1c)

UAPD will inform the University community about the Rights and services afforded to Victims/Witness in Arizona through a variety of means:

- Campus Safety and Security Report: Included in each edition will be a statement concerning the Constitutional Rights of Victims and Witnesses and a list of available resources.
- UAPD website: The website contains statistics of reported crimes on campus and a statement that Arizona has a Victim/Witness Constitutional guarantee and contains list of available resources
- Personal Contact: Employees will advise Victims/Witnesses of crime of their specific Rights as guaranteed under the law and governing court cases. The information will be contained in a pamphlet issued by the Arizona Attorney General containing information about reporting emergencies, Rights guaranteed to Victims/Witnesses, 24/7 emergency telephone numbers for a point of contact concerning the case and to report any additional information. Also contained in the pamphlet is information concerning the case, such as the UAPD case number, suspect's status, and his/her initial appearance
- Employees may direct individuals to the UAPD website for resource information

## **Other Victims' Rights** (CALEA 55.1.1e)

Victims have the right to the following (upon request) by filling out the proper form and submitting it to the applicable prosecutor's office or court:

- To be notified of the date, time, and place of defendant's court hearings
- To be notified of the release or escape of the defendant
- To have any property taken in evidence returned, or to be given an explanation for any refusal to return such property
- To talk with the prosecutor before trial or a change of plea, and to be heard at any proceeding involving a plea agreement
- To have the court order the defendant to pay for restitution for economic losses directly related to the crime

Police officers are considered victims and will be given victim rights notices.

## **Victim/Witness Confidentiality** (CALEA 55.1.1b)

Victim and witness identity will remain confidential and will only be released by the Pima County Attorney's Office. Any public records request to UAPD through the Freedom of Information Act or the Arizona Public Records Law will be managed by UAPD Records and the record will be redacted as to not release the identity of a victim(s) or witness(s).

## **Child Victims and Witnesses**

In addition to the rights that have been provided for all crime victims and witnesses, UAPD will strive to ensure the following procedures for child victims and witnesses under the age of 18 are adhered to:

- Have all proceedings explained in a language which can be easily understood by the child
- Have, wherever possible, a secure waiting area provided for during court proceedings, and to have a support person stay with the child
- Not have the name, address, or photograph of the child victim or witness disclosed to anyone outside of the criminal justice system
- Allow an advocate to inform the court about the child's ability to understand to nature of the proceedings
- Allow an advocate to be present in court to provide emotional support to the child during testimony
- Inform the court as to the need to have other supportive persons present during the child's testimony
- Allow law enforcement agencies to enlist the services of other professional personnel such as Child Protective Services, Victim/Witness advocates, or other prosecutorial staff trained to interview child victims

There are additional requirements placed upon law enforcement when dealing with victims of crime. Additionally, there is a provision for victims of crime to recover damaged from individuals or governmental entities that intentionally or knowingly violate this legislation.

## **Response for Assistance**

Police officers and police aides will respond to and provide appropriate assistance to victims and witnesses of crimes. The appropriate type of assistance to be rendered is left to the discretion of the responding person. Assistance may include:

- Calming and reassuring the victim/witness
- Arranging for the return of property and evidence
- Locating shelter for abused individuals or calling Pima County Victim/Witness for follow-up through that agency

## **Assistance, Threats** *(CALEA 55.2.2)*

UAPD will contact the US Marshal's Service who is responsible for protective services in the event a victim or witness has been threatened or intimidated to the extent UAPD feels protective services is warranted or should be reviewed.

UAPD will refer all victim(s) or witness(s) not rising to the jurisdiction of the US Marshal's Service to the Dean of Students Office for students and Human Resources for employees.

UAPD will provide the victim(s) or witnesses(s) information for obtaining a Restraining Order through the Pima County Superior Court, Pima County Justice Court, Pima County Juvenile Court or the Tucson City Court.

## **Pima County Victim Services** *(CALEA 55.1.1d)*

Responding personnel are encouraged to utilize the services of the Victim Services Division of the Pima County Attorney's Office to aid and comfort individuals who may need crisis intervention for incidents:

- Of crime
- Serious injury
- Death
- Where a victim advocate is needed on scene to help victims and witnesses cope with a tragedy

Victim Services personnel will also assist officers with notification of next of kin in Pima County. Contact can be made through UAPD Dispatch. All questions or concerns of victims or witnesses that are not covered by the Victims' Rights Form shall be referred to the Pima County Victim Services Program.



## **Notification Procedure- No Arrest**

In an initial investigation if no arrest is made, a Victims' Rights Form shall be provided to all identifiable victims. All applicable lines and boxes on the face of the form will be filled out by the initial investigating officer prior to giving the form to the victim(s). After giving the victim(s) the form, service shall be indicated by checking the appropriate box on the case report regarding victims' rights. A notation shall also be made in the narrative indicating notification.

If the victim is not available or the report is taken over the telephone, officers shall document this fact in the narrative of the appropriate report. They shall complete the Victims' Rights Form in its entirety and write "mailed to victim/s" in the designated signature line. The form will be attached to the report and will be mailed to the victim/s by the Records Section.

## **Notification Procedure- Arrest** (CALEA 55.2.5)

Officers assisting in, or conducting an initial criminal investigation which results in an arrest related to the investigation shall fill out all applicable lines and boxes on the Victims' Rights Form and deliver it to all identifiable victims prior to the arrestee's initial court appearance:

- Officers shall document service of the form. If the form is delivered after the basic case has been written, service of the form shall be indicated in the synopsis section of the supplemental report.
- If the victim(s) is not available, officers shall document this by writing "No-VR" in the comments section of the case report. If the case has been turned in, this documentation shall occur in a supplemental report.
- Records will mail a Victims' Rights Form under all circumstances when the victim/s were not served at the time of arrest or follow up.
- On UAPD warrants, an officer will be assigned to make notification when a victim is identified. If notification cannot be made either in person or via telephone, the officer will write an addendum noting the facts, and Records personnel will then make the notification via mail.
- For arrest warrants from other jurisdictions the agency that issued the warrant will be responsible for making the notification to the victim(s). The officer making the arrest will supply dispatch with the appropriate information so they can notify the responsible agency.
- Notification will not be made if the arrest occurs between 2200 hours and 0700hours. This only applies to follow-up arrest(s). In such cases, the officer shall document the non-service in the "Comments" section of the case report or supplemental report.
- The notification should be made on the next regular shift by an officer.
- If contact cannot be made then Records will make the mail notification.

## Citation

If the suspect is released on a citation, the victim will be given the Justice Court's address with the date and time indicated on the citation. Any deviation will be documented in the appropriate police report.

## Felony or Misdemeanor

### Bookings *(CALEA 55.2.5)*

If the suspect is to be booked and held for an initial appearance, the victim should be given:

- The Tucson address for the Pima County Justice Court is 240 N. Stone.
- For Graham County, Graham County Court, 800 Main Street, Safford, AZ.
- Arrests in Graham County will follow established policy for that jurisdiction. If the suspect is a juvenile, no information will be released and the victim should be referred to the appropriate prosecutor's office.
- Services such as counseling, medical, compensation, emergency financial assistance, and Pima County Victim Services. Much of this information can be found contained in the Victim/Witness pamphlet.

## Follow-Up Investigations

Follow-up investigation shall include (if necessary):

- Re-contact the victim/witness within a reasonable period of time to determine whether their needs are being met *(CALEA 55.2.4a)*
- Suggest University-related resources, such as Student Health, Dean of Students, Student Counseling Services, Counseling and Psychological Services
- Contacting the County Attorney for special precautions for the victim/witness
- Explaining procedures involved in prosecution, and the victim/witness role *(CALEA 55.2.4b)*
- Scheduling departmental line-ups, interviews, and other required appearances at the convenience of victims/witness, within reason *(CALEA 55.2.4c)*
- Returning victim property expeditiously where permitted by law or rules of evidence *(CALEA 55.2.4d)*
- Providing a victim advocate through Victim Services, if possible *(CALEA 55.2.4e)*
- Forwarding of incident and supplemental reports to the Pima County Attorney's Office, as needed. *(CALEA 55.2.4f)*

## **Follow-up Arrests**

Officers who arrest a subject during a follow-up investigation shall:

- Ensure that any identifiable victim(s) is notified of the arrest
- Notify the victim of the initial appearance date, time and location, prior to the initial court appearance of the arrestee. This should be done in person, or on the telephone and via the Victims' Rights Form.
- Indicate service of the form by writing "VR-Form Served" in the comments section of the case or supplemental report.
- Document if the victim is not available for service of the form in the narrative of the case or supplemental report. Records will mail the form to the victim(s). If no form is served, "NO-VR shall be written in the comment section of the case or supplemental report.

## 1.9 Indian Country Jurisdiction



Supersedes: NEW	Revision: NEW	Effective: 24 June 2019
Policy Affects: All Personnel		

Brian A. Seastone  
Chief of Police

### Policy

This policy is to provide knowledge and understanding about Indian Country jurisdiction, geographic boundaries, government and law enforcement to all department personnel. Indian Country tribes are unique, each with their own culture, history, language, and traditions. Knowledge and understanding about Indian Country Jurisdiction, geographic boundaries, government and law enforcement are essential for our department mission, public safety, collaborative operations, mutual aid, information, and intelligence exchange, and long-term mutually beneficial professional relationships.

When UAPD police actions involve an Arizona Indian Country Jurisdiction, officers will contact the police agency of jurisdiction, advise them of the actions to be taken, and request their assistance.

UAPD officers will notify their immediate supervisor and tribal police authorities IMMEDIATELY upon entering Indian Country jurisdiction for official purposes. If the tribal police authorities determine they want to assume jurisdiction, UAPD officers will exit Indian Country and complete an Employees' Report documenting the situation.

### Jurisdiction *(ALEAP 30.1b)*

There are three sovereign jurisdictions in the United States; Federal government, state government, and tribal government.

#### United States of America Jurisdiction Facts

- There are 573 federally-recognized tribes within the United States of America.
- 40% of tribes within the United States of America are considered Office of Self Governance (OSG), whereby they meet all conditions for self-governance operations (source: DOI, 2014).
- There are 3 million Native Americans who are citizens and reside within the United States of America (source: Census 2010).
- There are 66 million acres of land within Indian Country jurisdictions inside the United States of America.

## Jurisdiction facts; State of Arizona

- There are twenty-two Tribes located within Indian Country jurisdiction inside the State of Arizona; four are OSG.
  1. Ak-Chin Indian Community
  2. Cocopah Indian Tribe
  3. Colorado River Indian Tribes
  4. Fort McDowell Yavapai Nation
  5. Fort Mojave Indian Tribe
  6. Fort Yuma-Quechan Tribe
  7. Gila River Indian Community
  8. Havasupai Tribe
  9. Hopi Tribe
  10. Hualapai Tribe
  11. Kaibab Band of Paiutes
  12. Navajo Nation
  13. Pascua Yaqui Tribe
  14. Pueblo of Zuni
  15. Salt River Pima-Maricopa Indian Community
  16. San Carlos Apache Tribe
  17. San Juan Southern Paiute
  18. Tohono O'odham Nation
  19. Tonto Apache Tribe
  20. White Mountain Apache Tribe
  21. Yavapai-Apache Nation
  22. Yavapai-Prescott Indian Tribe
- 28% of the land within the State of Arizona is federally recognized tribal land within Indian Country jurisdictions.

### **Authority and Arrest Powers**

Many tribal governments have their own police agency that is capable of granting authority and arrest powers at a tribal, state and federal level, and are therefore capable of submitting cases to tribal, state and federal prosecutors. Eligible, trained and qualified Indian Country police officers may also arrest or cite and release offenders or violators through the federal court system utilizing the Central Violations Bureau (CVB) citation process. (*ALEAP 30.2b*)

Tribes or communities with Indian Country jurisdiction inside the State of Arizona may have a tribal or community constitution that establishes their police department and defines police powers.

- Pursuant to the provisions of their constitution, they may provide their Chief of Police authorization to delegate to persons qualified within the police department such authority as is necessary to carry out the functions and responsibilities of the police department.
- This authority, power, and responsibility of tribal police officers allow them to enforce city, municipality or town codes, laws, and ordinances.

- Police officers are issued identification cards which authorize power and authority.

Tribes or communities with Indian Country jurisdiction inside the State of Arizona who have an established police department may also have AZPOST-certified police officers by virtue of [\(ALEAP 30.2a\)](#)

- Arizona Revised Statutes (ARS), Chapter 38, Article 6, Authority of Peace Officers Outside Geographical Area of Agency, Section 13-3871, Authority of Peace Officers.
- Arizona Revised Statutes (ARS), Chapter 38, Article 6, Authority of Peace Officers Outside Geographical Area of Agency, Section 13-3874.A, Indian Police; Powers; Qualifications.
- Tribal or community police officers are also considered sworn Arizona peace officers through Arizona Peace Officer Standards and Training (AZPOST) when they meet the terms and conditions of ARS 13-3874.A and 41-1822.

Tribes or communities with Indian Country jurisdiction within the State of Arizona who have established a police department may also have federally-sworn police officers by virtue of [\(ALEAP 30.2c\)](#)

- United States of America Criminal Code (USC), Title 18 – Crimes and Criminal Procedure, Chapter 53 – Indians, Section 1151 – Indian Country Defined.
- United States of America Criminal Code (USC), Title 18 – Crimes and Criminal Procedure, Chapter 53 – Indians, Section 1152 – Laws Governing.
- United States of America Criminal Code (USC), Title 18 – Crimes and Criminal Procedure, Chapter 53 – Indians, Section 1153 – Offenses Committed in Indian Country.
- United States of America Criminal Code (USC), Title 25 – Indians, Chapter 30 – Indian Law Enforcement Reform, Section 2803 – Law Enforcement Authority.

### **Warrants** [\(ALEAP 30.3a/b\)](#)

Many tribal governments have courts that issue arrest warrants and search warrants that their own police agencies have the authority and arrest powers to arrest and serve. Many of these agencies have the authority to enter into ACJIS and CJIS systems (NCIC and ACIC computer systems).

### **Mutual Aid** [\(ALEAP 30.4\)](#)

Many Tribal Governments have mutual aid agreements, Memorandums of Agreement (MOA), Memorandums of Understanding (MOU) or Inter-Governmental Agreements (IGA) that provide guidelines, operations, staffing, and resources.

[https://dema.az.gov/sites/default/files/Final\\_AZ\\_Mutual\\_Aid\\_Compact.pdf](https://dema.az.gov/sites/default/files/Final_AZ_Mutual_Aid_Compact.pdf)

## **Extradition** (ALEAP 30.5a/b)

Many Tribal Governments have extradition processes from Indian Country jurisdiction to state jurisdiction, state jurisdiction to Indian Country jurisdiction, the law, procedures, and available resources. Extraditions and these warrants can be entered by the Indian Country jurisdiction police department into ACJIS and CJIS systems.

## **Exclusion** (ALEAP 30.6)

Many tribal governments have exclusion processes from Indian Country jurisdiction of persons whose presence is detrimental to the peace, health or morals of their community or who violate the laws of their community. Eligible, trained and qualified Indian Country jurisdiction police departments may also arrest or cite and release such offenders or violators through the federal court system utilizing the Central Violations Bureau (CVB) Citation Process.

## **Court Orders** (ALEAP 30.7)

Many tribal governments have courts that issue orders including but not limited to restraining orders, orders of protection and emergency orders of protection. Tribal governments receive authorization by the Tribal Law and Order Act (federal code), which carries full faith and credit among Indian Country courts and jurisdiction.

## **Indian Country and Interstate Domestic Violence** (ALEAP 30.8)

Persons who enter or leave Indian Country are subject to federal prosecution for a violation of the following:

- Unites States of America Criminal Code (USC), Title 18 – Crimes and Criminal Procedure, Chapter 110A – Domestic Violence and Stalking, Section 2261 – Interstate domestic violence, and Chapter 2261A – Stalking.

## **CJI Systems and Public Safety Access Points**

Many tribal governments have their own police agency who:

- Have their own Criminal Justice Information System (CJIS) portal and Public Safety Access Point (PSAP) communication centers. (ALEAP 30.9a)
- Operate their own Sex Offender Registration and Notification System (SORNA) that provides data to the National Sex Offender Registration System (NSORS). (ALEAP 30.9b)

## **Information Sharing Systems** (ALEAP 30.10)

Many tribal governments who have their own police agency may belong to a Fusion Center, assign staff to a Fusion Center, and/or participate in or with other information sharing networks or systems.

- Examples include Arizona Counter Terrorism Center (ACTIC) and the East Valley Gang and Criminal Information Fusion Center (EVGCIFC).

**Training** (*ALEAP 30.1a, 30.11*)

All department personnel will receive training upon initial hire and periodically updated training about Indian Country Jurisdiction; includes specific information about tribal sovereign jurisdiction, jurisdictional boundaries, governments, constitutions, courts, police, authority, operations, and powers.



## 2.1 Code of Conduct



Supersedes: 15 October 2020	Revision: 03 November 2020	Effective: 03 November 2020	Brian A. Seastone Chief of Police
Policy Affects: All Personnel			

### Purpose and Summary

The purpose of this policy is to provide a code of conduct for employees of the University of Arizona Police Department. The examples that follow throughout this document shall not be construed to be all-inclusive.

#### ***UAPD Employee Code of Conduct (CALEA 26.1.1)***

***As members of the University community and law enforcement professionals, we shall serve and protect our community through exceptional service, professionalism, integrity, compassion, respect, and cooperation. We shall perform our duties without prejudice or personal bias and will employ our core values in our duties.***

***We will abide by all federal and state laws, rules and regulations of the University of Arizona, the Arizona Board of Regents and the UAPD.***

### Standard of Conduct

All UAPD members will:

- Conduct their professional and private lives in a manner as to avoid adverse reflection upon themselves as members of the Department. Certified officers are required to abide by the established police code of ethics in addition to the departmental code of conduct.
- Treat superiors, subordinates, and associates with fairness and respect and shall be courteous and civil at all times in their relationships with one another.
- Be courteous and orderly in their dealings with the public. They shall perform their duties professionally, avoiding harsh, violent, profane or insolent language and shall remain calm regardless of provocation to do otherwise.
- Treat— all individuals fairly and impartially.
- Consider the operations and official business of the department to be confidential. They will not discuss these matters with anyone outside the department except in accordance with departmental procedures.

- Use due care and not misuse or abuse department equipment or subject such equipment to unnecessary risk of theft. Any loss or damage to departmental property shall be immediately reported to the on-duty supervisor both verbally and followed up in writing. Any employee guilty of neglect or willful damage of such property may, at the discretion of the Chief of Police or as recommended by a Board of Inquiry, be responsible for the cost of its replacement, repair (total or partial) in addition to any disciplinary action.

### **Obedience to Orders**

All members of the Department shall obey all lawful orders issued by a superior. (CALEA 12.1.3)

No superior shall knowingly issue any order which is in violation of any law, ordinance or Departmental rule or regulation.

No member is required to obey any order which is unlawful according to federal, state or local laws. If in doubt as to the lawfulness of an order, the member shall request the issuing officer to clarify the order or confer with a higher authority.

The deliberate refusal of any member to obey a lawful order given by a superior shall constitute insubordination and may be subject to disciplinary action.

### **Unjust or Improper Orders**

Members who are given an order which they feel to be unjust or contrary to rules, regulations or policies must first obey the order to the best of their ability and then may proceed to appeal as prescribed.

A member receiving an unlawful, unjust or improper order shall, at first opportunity, report in writing, via an Employee's Report, to the Chief of Police through the official channel. This report shall contain the facts of the incident and the action taken. Appeals for relief from such orders may be made at the same time.

### **Conflicting Orders**

Orders will be countermanded, or conflicting orders will be issued only when reasonably necessary for the good of the department. Upon receipt of an order conflicting with any previous order or instruction, the member affected shall advise the person issuing the second order of this conflict.

Responsibility for countermanding the original instruction then rests with the individual issuing the second order. (CALEA 12.1.3)

## **Prohibited Activity On Duty**

Members are prohibited from engaging in the following activities while on duty:

- Sleeping
- Loitering
- Conducting private business
- Carrying any articles which distract from the proper performance of police duty
- Doing homework or studying for classes not associated with a work-related class/project (except during designated break times with supervisory approval)
- Engaging in any business transaction with any person in police custody or during an official police contact
- Any activity that detracts from the mission of UAPD

## **Attendance, Tardy, and Reporting for Duty**

Regular attendance is required to support UAPD's ability to effectively provide quality service and accomplish its goals to the University community. It is each supervisor's responsibility to monitor and determine whether an employee is maintaining regular attendance while considering the factors outlined in this policy.

Employees shall be punctual in reporting for duty at their assignment, work-related and or training detail. Unless otherwise directed, members shall report to daily roll call or duty assignment at the time and place specified and remain at their assignment and on duty until their scheduled end of shift, or in extenuating cases, properly relieved by another employee, or until dismissed by a supervisor or as previously directed.

Failure to maintain regular attendance or tardy for any assignment is subject to disciplinary action. Employees shall document the reason for tardiness and time late shall be submitted by the employee using an Employee's Report.

- Uniformed members shall be properly uniformed and equipped and prepared to immediately respond to any call for service while attending roll call. They shall give careful attention to all orders and information provided and available to them
- Non-uniformed members shall be professionally dressed and prepared to begin work at their scheduled time

Employees knowing of any unscheduled absence due to illness or other issues shall notify Dispatch as soon as possible and no less than two (2) hours before the beginning of the employee's next scheduled shift. The Dispatcher shall notify the on-duty supervisor and email the absence notice containing the reason for the absence to the employee's supervisor.

- If the employee calling in is a police officer, police aide, or dispatcher the on-duty supervisor will ensure that proper coverage is available for the employee's respective shift. If the employee's absence places the staffing limits below the staffing minimum, the supervisor shall make notification to the respective team, unit supervisor or Lieutenant to ensure adequate coverage.

### **Misrepresentation and/or Falsification**

No member shall, in an official capacity, willfully misrepresent any matter, sign any false official statement or report, commit perjury or give false testimony before any court, grand jury, board, commission, official hearing or departmental inquiry.

### **Acceptance of Gifts, Gratuities, Fees, Loans or Rewards**

Employees shall not accept any gifts, gratuities, loans, fee, or other items of value, the acceptance of which might tend to influence directly or indirectly the actions of the employee or any other members or employees in any matter of police business, or which might cast an adverse reflection on the department.

Members shall not accept nor solicit any gifts, gratuities, loans, or rewards directly or indirectly, from any person who is:

- Liable for arrest
- In custody
- After discharge from custody

Employees are prohibited from buying or selling anything of value from or to any:

- Complainant/victim
- Witness
- Defendant/prisoner
- Any other person involved in a case which has come to their attention or which arose out of their Departmental employment except as may be specifically authorized by the Chief of Police

### **Failure to Report for Duty**

- Failure to report to duty on time may be deemed neglect of duty and is subject to disciplinary action.
- Failure to report for work, without proper notification, for three (3) consecutive days shall be deemed voluntary termination.

## **Use of Alcohol, Intoxicants or Drugs**

Members shall not report for or be on duty under the influence of intoxicants/drugs or be unfit for duty because of their excessive use. No member shall use any medication or other drugs, on duty prescribed by their physician, for treatment that renders them unfit for duty due to its side effects. Employees are prohibited from using illegal drugs/narcotics.

Members shall not drink or purchase any alcoholic beverage while on duty or in uniform when off duty. No officer in plain clothes shall drink or purchase any alcoholic beverage while on duty except when necessary in the performance of duty and then only with the prior written approval of the Chief of Police or designee. Members receiving permission to drink alcoholic beverages on duty shall do so in a manner that does not prohibit them from taking necessary police action.

All members shall use discretion during off duty, with the use of any use of alcohol or drug to avoid activity that discredits them, the department or renders the member unfit to report for their next regular tour of duty or special assignment.

No member shall store or bring into any police facility or vehicle alcoholic beverages, controlled substances, narcotics or hallucinogens except for an official police purpose. Items held as evidence shall be properly stored and identified according to the current policy.

## **Recording of Department Employees**

No member shall use any device to record another member without the other's knowledge, except in the parameters of the Body-Worn Camera and Mobile Video polices.

## **Smoking and Tobacco Use**

UAPD employees shall abide by the University of Arizona smoking and tobacco policy. This policy applies to all UA facilities and UAPD vehicles. The UA policy is available online.

## **Contributions**

No contribution or subscription shall be made by any member for the benefit of the department or a department member without the consent of the Chief of Police.

## **Criticism of Department**

Members shall not publicly criticize or ridicule the department, its policies or other members by talking, writing or expressing in any other manner, where such action is:

- Defamatory
- Obscene
- Unlawful
- Tends to impair the operation of the department by interfering with its efficiency, interfering with the ability of supervisors to maintain discipline, or having been made with reckless disregard for truth or falsity

## **Consorting**

Members of the Department will avoid personal associations with persons who have an open and notorious reputation in the community for felonious criminal or immoral behavior, except in the discharge of their official duties. Exceptions may be granted by the Chief of Police.

Members shall not solicit a person's identification for personal reasons or fraternize on or off duty with victims, complainants or any person contacted during discharge of official duties. No official document shall be used to contact a person for personal reasons

## **Reporting Violations**

Department employees knowing of other employees violating any laws, policies and procedures, standards of the department, or disobeying orders, shall report the violation to the Chief of Police by Employee's Report through the chain of command. If reporting on someone in your immediate chain of command, the employee may bypass the regular chain and go to the next level in the chain to make the report.

## **Disciplinary Action**

Departmental personnel who violate any UAPD, University or Arizona Board of Regents policies are subject to disciplinary action. See *UAPD Policy 24.2*

The following list includes, but is not limited to, those offenses for which disciplinary action may be taken whether the employee is on duty or off duty:

- Malfeasance
- Nonfeasance
- Misconduct
- Incompetence/inefficiency

- Dereliction or neglect of duty
  - Absence from duty without leave, to include court, training, and other work-related requirements
  - Sleeping on duty
  - Feigning sickness or injury to avoid duty
  - Any act or omission constituting a violation of any of the provisions of the Department Rules, Regulations and Procedures Manual, Department order or operations order
- Cowardice
- Tardiness
- Failure to observe applicable rules and regulations or to cooperate reasonably with superiors, fellow officers, or other employees
- Commission of a crime (civil traffic violations do not constitute a crime for the purpose of this policy)
- Unlawful use of drugs or narcotics
- Habitual and excessive use of alcohol or other substances which adversely affects the department or the employee's job performance
- Integrity issues
  - Falsification of reports, records, or communications
  - Stealing, altering, forging, or tampering with any kind of police records, reports, equipment or citations
  - Failure to report honestly and accurately all facts pertaining to an investigation or other matter of concern to the department
  - Willful or neglectful mistreatment of a prisoner
  - Aiding or permitting a prisoner to escape
  - Untruthfulness
  - Appropriating any lost, found, stolen, Departmental or evidentiary property
  - Accepting or soliciting a bribe
  - Security violations to include inappropriate access or use of ACJIS information, criminal history, departmental systems, software, records or reports
  - Conducting unauthorized investigations
- Insubordination
  - Failure to comply with written or verbal orders
  - Failure to cooperate reasonably with supervisors
- Abuse or loss of property entrusted to an individual
- Conduct unbecoming an officer or an employee, either while on or off-duty, which is detrimental to the service
- Malingering
- Careless or negligent handling of firearms
- Violation of laws, ordinances, University rules, policies and regulations
- Taking part in activities that would discredit the University or Department, or disrupt, diminish or otherwise jeopardize the public trust

Certified officers are also subject to administrative action by AZPOST for violations of established AZPOST regulations. In all instances, except those dictated by

AZPOST for certified officers, the department shall use the disciplinary system established by the University of Arizona Human Resources Department.

## **Reporting to Supervisors**

Members shall:

- Keep their supervisors informed of any unusual activity, situation or problem with which the department would logically be concerned
- Submit an Employee's Report, via the chain of command to the Chief of Police any time the employee is:
  - Involved as a witness or victim in an incident under investigation by another law enforcement agency
  - Becomes aware they are a suspect in an incident under investigation by another law enforcement agency
  - Identified as a plaintiff or defendant in any civil action resulting from official activity as a department member
  - Contacted by a law enforcement agency related to civil or criminal traffic violation(s). This includes verbal warnings.

Supervisors shall enter the Employees Report into Guardian Tracking after it has been signed.

## **Police Action While Off-Duty**

Arizona Revised Statutes states that a certified officer is an officer at all times, whether on or off duty. The department has elected to restrict an off-duty officer's involvement to the following situations:

- When the officer believes action is immediately necessary to safeguard life or prevent serious injury to him/herself or others
- The officer is confronted with a situation where without taking immediate action a person suspected of committing a crime fleeing from the scene might not be apprehended or identified
- By not taking immediate action, the officer believes that evidence of a felony would be/could be destroyed
- Inadvertently encounters a crime in progress

When taking action off duty Officers will:

- Immediately identify themselves as police officers and produce their departmental commission card and badge, as soon as possible.
- Report the off-duty police action to the agency of jurisdiction.
- As soon as practical, contact the on-duty UAPD supervisor and give a detailed accounting of the incident.



- Submit an Employee's Report and any other required documentation within the next regularly scheduled workday or as directed by a supervisor to the Chief of Police

The on-duty supervisor is responsible for making a timely notification to the chain of command concerning off duty actions.

## **Personnel Identification**

All UAPD personnel are provided an official department identification containing their job classification and status as a civilian or police officer.

Members shall present their departmental identification when asked to do so by any member of the public, another law enforcement agency or other circumstances guided by policy.

- Certified personnel shall present their badges and identification card when asked to do so when engaged in official department business or other circumstances as guided by policy.
- Civilian personnel shall present their identification card when asked to do so when engaged in official departmental business or other circumstances as guided by policy

Any time an employee accesses secured areas within the facility on or off duty they will display their identification card at all times. Employees in uniform do not need to display their identification card while inside the facility.

The Chief of Police may impose further restrictions to extend to the secured areas of the department to include the surrounding outside grounds as necessary.

## **Business Cards**

Business cards are issued by the department and will be used by members in conjunction with official business.

## **Answering Telephone Calls**

Employees answering calls directed to UAPD's main number, 520-621-8273 or 911 will identify to the caller they have reached the University of Arizona Police Department. (CALEA 22.1.8c)

## **Court Preparation & Court Appearance**

All members shall be properly prepared for their testimony, to include arranging for evidence, paperwork and other materials necessary.

Employees shall wear appropriate business attire for any court appearance. See *UAPD Policy 25.1-Uniforms* for dress code requirements.

If a member cannot attend court, the employee is responsible for notifying the Court of the intended absence. Employees are responsible for advising the court if a court notice conflicts with duty schedule, vacation or other commitments.

### **Testifying for a Defendant**

Any member subpoenaed to testify for the defense in any criminal action or hearing shall ensure their supervisor is notified, via Employee's Report, in addition to notifying the office of the appropriate prosecuting agency; County Attorney, District Attorney, Attorney General, U.S. Attorney or other prosecuting entity upon receipt of the subpoena.

### **Court Conflicts**

If an employee is notified of a court case that conflicts with another court, the preference for court appearances shall be:

1. Federal
2. Superior Court to include Grand Jury
3. Justice Court
4. Municipal Court
5. Another agency's case outside Pima County/Graham County (for MGIO officers)

The officer shall be responsible for making the proper notifications to the respective Courts/prosecutors or attorneys in a timely manner for any conflicts or inability to appear as scheduled.

### **Official Information**

UAPD personnel taking classes at the university or elsewhere shall not use, without approval, information contained in official files of the UAPD for the purpose of making reports, written or oral or for use in any other academic project without prior approval of the Chief of Police.

No member of the department may respond to any requests for information regarding crime trends, statistics, or any other type of information contained in the official files of UAPD unless a request is of an official nature for the use of University officials. All requests for information by students, staff, faculty or other persons not officials of the university, shall be directed to the Chief of Police or his designee.

The UAPD publishes an annual report found at [www.uapd.arizona.edu](http://www.uapd.arizona.edu) which may be quoted, as well as all the current crime statistics as reported to UAPD via the Uniform Crime Report or the Consolidated Monthly Report.

Any crime statistics published by the department are considered public information and may be distributed at any time. Informational sheets are available through the Commander in charge of crime prevention.

### **Labor Activity**

No member in uniform will enter any building, structure or premises where persons have been placed to indicate a labor dispute in progress, except as necessary in the performance of duty as required.

### **Strike or Work Stoppage**

Members shall not engage in or conduct a work stoppage or strike. The term "strike" means:

***The concerted failure to report for duty, the willful absence from one's position, the stoppage of work, or the abstinence in whole or in part from the full, faithful and proper performance of the duties of employment, for the purpose of inducing, influencing, or coercing a change in the condition, or compensation, or rights, privileges, or obligations of employment.***

The technique of "sick call," "blue flu" or "mass resignation" is specifically included in the definition of a "strike" under this definition. Employees taking part in such activities are subject to disciplinary action.

### **Debts**

Members shall make a sincere and reasonable effort to pay their debts promptly.

### **Loitering**

All members on duty or in uniform shall not enter taverns, theaters, or other places except to perform a police task. Members may eat in a restaurant where alcoholic beverages are sold but may not drink alcoholic beverages while in uniform.

### **Gambling**

No form of gambling as defined by state statutes shall be permitted in the UAPD building, or other property owned or leased by the University.

## Social Media

The use of social media is a popular activity; however, employees must be mindful of the negative impact of inappropriate or unauthorized postings upon individuals, the Department and its relationship with the community. This section applies to personal social media and does not apply to departmental social media accounts.

Employees having personal web pages or other types of internet postings shall not place or allow photographs or depictions of themselves dressed in uniform and/or displaying official identification, patches or badges, or in any other way, either directly or indirectly, identify themselves as an employee of the department without approval by the Chief of Police.

If an employee uses social media to express a personal opinion on a police-related issue, that employee shall state that the views and opinions expressed are the employee's personal ones and not those of the Department.

An employee seeking approval to use references to the department on a personal web site, web page, or other public forum, shall submit a request for approval to the Chief of Police via the chain of command.

- The request shall describe the proposed reference and purpose
- A list of the reference(s) and any media to be used shall be provided
- A printed layout of the entire web page, posting, or site shall be provided
- The employee will receive an approval or denial of the request
- Any changes made to a previously approved posting must be submitted for re-consideration

No sexual, violent, racial, ethnically derogatory material, comments, pictures, artwork, video or other reference may be posted along with any department approved reference.

- Employees shall not post any material on the internet that brings discredit to or may adversely affect the efficiency or integrity of the Department
- Employees should consider the possible adverse consequences of internet postings, such as future employment, cross-examination in criminal cases, and public as well as private embarrassment

The Chief of Police/designee must approve photographs, videos, depictions, or reference to the department, training, activities, or work-related assignments prior to being posted on social media sites.

Employees shall exercise good judgment and demonstrate personal accountability when choosing to participate in social networking sites. The use of these types of sites while on duty shall be restricted to official department business only.

Photographs or other depictions of Department uniforms, badges, patches, or marked units, as well as photos inside the UAPD or crime scenes, shall not be posted on internet sites without the approval of the Chief of Police.

All employees shall treat the official business of the department as confidential. No employee shall release, either directly or indirectly, information concerning crimes, accidents, or violations of ordinances or statutes to persons outside the Department.

Violations of this policy may result in disciplinary action.

Employees who post photos, comments, etc. of other department employees must inform and seek approval from the employee(s) before posting the same.

Any employee becoming aware of or having knowledge of a posting or of any web site or a web page in violation of the provisions of this policy shall notify his/her supervisor immediately.

Sites deemed inappropriate, whether an employment association or not, bringing discredit to this department or to a UAPD employee, or promoting misconduct, whether on or off duty, may be investigated criminally or administratively.

### **Call Back and Standby Status**

During "off-duty" time, members of the Department shall be subject to call-back to duty or standby status as deemed necessary by the Chief of Police.

### **Maintenance of Telephone and Address**

All members of the department shall maintain a telephone. Certified officers and other personnel who are assigned departmental cell phones or provided allowances for cell phones may use that number as their official telephone. All members shall have a permanent local address on file with the Office of The Chief of Police.

Department members shall inform the Office of the Chief of Police via Employee's Report, within 24 hours of any change of address or telephone number. The Office of the Chief of Police will coordinate the changes on the official UAPD roster and notify Communications and the Business Office

### **Department Telephones**

The use of departmental telephones is restricted to official business. No member shall make or cause to be made long-distance telephone calls charged to the department which not work-related. If a long-distance personal call is necessary;

the employee making the call is responsible for writing an Employee's Report through the Chain of Command identifying the telephone number from where the call was made, date, time and the number called. When the next telephone bill is received the employee will be responsible for reimbursement for the call.

## **Departmental Cell Phones**

All certified personnel and certain civilian personnel are authorized and issued departmental cell phones or provided a stipend to conduct departmental business on their personal cell phones. Issued cell phones are intended for official department business only. On rare occasions, the department recognizes the need for personnel to receive/make personal calls or text messages while on duty when no other means of contact is available. In all such cases, personnel are accountable for this use.

Personnel who are exempt or are on call back status are required to answer their cell phones and text messages at all times except when on excused time off.

Department personnel are required to:

- Carry their issued cell phones on and off duty except when on excused time off.
- Answer their issued cell phone and text messages while on duty.
- Answer their phones and texts when they are "on-call" or on stand-by status.

Department members are not compensated for carrying a cell phone while off duty. If assigned to standby status the applicable UA policy for stand-by pay will be applied. Employees will be compensated when required to respond to calls or text messaging as outline above and if the call results in:

- Work time in excess of eight (8) minutes, at which time the employee will be compensated for 15 minutes of compensatory time, for the first 15 minutes and in 15-minute increments thereafter per payroll policy
- Return to duty which will be compensated beginning when the officer confirms they are in transit to duty and as required by UA Policy

Persons issued cell phones may provide their numbers to other persons to facilitate official department business. While cell phones are individually assigned, they remain the property of the department.

Issued cell phone numbers may be disclosed by the department if reasonable to do so. The department has access to the full phone history for each phone.

Department personnel shall take all reasonable precautions to protect any confidential phone numbers or other information they maintain on their cell phones from unauthorized access. Failure to do so may result in disciplinary action and

cost to the officer for actions needed to mitigate the disclosure of confidential information. Department issued cell phones shall be locked, when not in use if they have that capability.

Department issued cell phones may be used to photograph on-duty activities when no other camera is available. Duty related photographs will not be copied or stored for personal use.

University policy and state law prohibit text messaging while a vehicle they are operating is in motion. Personnel shall bring the vehicle to a full and complete stop before beginning and sending a text message. The only exception will be if the vehicle is equipped with a hands-free device or voice recognition for text messages.

If a department cell phone is lost, damaged or stolen on duty or off duty, an Employee's Report shall be submitted through the chain of command. A replacement device will be provided after contacting the Business Affairs Division. The individual damaging or losing the cell phone may be required to pay a replacement fee determined by contract after review of the circumstances of the damage or loss by the Division Commander.

### **Departmental E-mail & Voice Mail Accounts**

Departmental e-mail accounts must be used in accordance with established University policy available online at [www.uits.arizona.edu](http://www.uits.arizona.edu)

Users should exercise extreme caution in using e-mail to communicate confidential, private or sensitive matters and should not assume any e-mail is private or confidential. Email messages are subject to disclosure.

Users may not access, use or disclose personal or confidential information without appropriate authorization and must take necessary precautions to protect the confidentiality of personal or confidential information encountered in the performance of their duties or service.

All employees are required to check email and voice mail at the beginning and again prior to the end of each shift.

### **Damaged or Inoperative Property or Equipment**

Members shall notify their immediate supervisor or the on-duty supervisor of any defects or hazardous conditions existing in any Departmental equipment or property. The supervisor investigating the incident shall submit an endorsement on an Employee's Report and forward it to the Division Commander through the chain of command.

This section does not apply to routine maintenance problems with vehicles.

### **Usage and Accountability Supplies and Equipment**

All members of the Department shall be held responsible for the proper usage of departmental equipment. The employee is responsible and accountable for all department issued equipment at all times. Employees are responsible for the return of all assigned/issued items at the time of termination of employment.

### **Surrender of Departmental Property**

Members are required to surrender all departmental property in their possession upon separation from service. If an employee fails to return non-expendable items, a requirement will be made to reimburse the department for the fair market value of the article(s). Criminal charges may be pursued for items that are not returned. The Chief of Police will make the final determination.

Employees returning from a special assignment where special equipment was provided specifically for that assignment, shall return all special equipment to the appropriate area supervisor. This includes but is not limited to bicycle gear, motorcycle gear, training aids for canines, or other training aids, specially issued weapons such as handguns, rifles, and shotguns, and accessories. List not inclusive. It is the officer's responsibility to return these items within one week of return to regular duty assignment.

### **Care of Department Buildings and Property**

Members shall not mark, mar or deface any surface in any departmental building. No material will be affixed in any way to any wall in departmental buildings without specific authorization. No political posters, bumper stickers or campaign material shall be affixed to any departmental bulletin board, wall, locker or floor of the department.

### **Forwarding Communications**

Any member of the department receiving written communication for transmission to a higher departmental command shall in every case forward such communication without delay.

Supervisors receiving a communication from a subordinate directed to a higher command shall endorse it indicating approval, disapproval or acknowledgment. The date and time of review shall also be indicated on the document.



Employees are responsible for following the chain of command for all Employee's Reports and Memorandums. These two forms of communication should be addressed accordingly and should only include the supervisors involved. No communication should be addressed to the Chief unless specifically required, or as a matter of policy or procedure.

Supervisors are required to review memorandums and Employee's Reports and forward them up the chain of command as necessary.

### **Correspondence**

Members shall not correspond in the name of the department without permission from the Chief of Police or his designee. Official letterhead stationery shall be used only for official departmental correspondence.

The departmental address will not be used for private purposes or routinely used to receive personal mail at the department. The departmental address shall not be used on any employee's motor vehicle registration, operator's license or any other official document.

### **Public Appearances**

Members of the department shall not make public addresses or write materials for publication concerning the affairs of the department without first obtaining permission from the Chief of Police or his designee.

Members of the department who are requested to appear before a public group to represent any topic relating to the operations of the department shall obtain clearance in accordance with the *UAPD policy 16.1-Crime Prevention*.

Members shall not seek personal publicity in the course of their employment. They shall not permit their names or photographs to be used to endorse any product, service or individual which is in any way connected to or with the UAPD or University without permission of the Chief of Police or his designee.

## 2.2 Bias Based Policing



Supersedes:  
01 November 2016

Revision:  
14 May 2018

Effective:  
21 May 2018

Policy Affects:  
All Personnel

Brian A. Seastone  
Chief of Police

### Policy (CALEA 1.2.9a)

The University of Arizona Police Department does not practice or condone the use of bias based policing in the enforcement of any state, federal or local laws, and supports the Arizona Attorney General's policy concerning the practice of racial profiling.

Throughout UAPD policy, specific procedures are outlined in traffic stops, field contacts/stops, forfeiture of assets, investigation of complaints and all citizen contacts to preclude bias based enforcement practices.

Officers shall focus on an individual's conduct or other specific suspect information when initiating stops. Stops governed under *UAPD policy 5.2-Constitutional Safeguards*, must be based and supported by probable cause or reasonable suspicion.

A contact may be initiated at any time and in any place the officer or person making the contact has the right or duty to be. A "contact" is not a seizure, stop or arrest, but rather a voluntary interaction between a UAPD employee and the person. The person may discontinue the contact at any time with no retribution by the officer or person making the contact.

### Identification of Bias Based Policing

Should an incident of bias based policing be identified, corrective measures shall be taken to prevent further occurrences. The corrective measures will include:

- Identification and documentation of the elements leading up to the policing incident
- Remedial training of personnel involved in the incident
- Follow up evaluation and change of any policy that may have contributed to the policing incident
- The use of progressive discipline for continued violation of policy regarding bias based policing

If the incident was identified through a citizen complaint, it will be investigated as required by *UAPD policy 24.1-Professional Standards*.

## **Training** (CALEA 1.2.9b)

All officers will receive bias based policing issues training surrounding field contacts, traffic stops, search and seizure, asset forfeiture, other legal issues, interview techniques, cultural diversity and community outreach as part of their initial employment training.

Annual in-service, briefing or other training will be conducted for all affected personnel in bias issues, including legal aspects. Such training will be based upon needs identified by UAPD or AZPOST and approved training outlines provided by the Legal Advisors Association (LAA).

## **Administrative Review** (CALEA 1.2.9c)

The Deputy Chief will conduct a documented annual review of agency practices and those specific citizen concerns regarding bias based enforcement. A report will be forwarded to the Chief of Police.

The Deputy Chief is responsible for maintaining all files pertaining to bias based policing complaints, the annual administrative review and report.

## 2.3 Non-Discrimination/Anti-Harassment



Brian A. Seastone  
Chief of Police

Supersedes: 03 August 2015	Revision: 27 May 2020	Effective: 05 June 2020
Policy Affects: All Personnel		

### Purpose and Summary

The purpose of this policy is to make All University of Arizona Police Department personnel aware of the University of Arizona Nondiscrimination and Anti-Harassment policy. All UAPD personnel are required to abide by this and all University policies.

(<https://policy.arizona.edu/human-resources/nondiscrimination-and-anti-harassment-policy>)

The University prohibits discrimination, including harassment and retaliation, based on a protected classification, including race, color, religion, sex, national origin, age, disability, veteran status, sexual orientation, gender identity, or genetic information. The University encourages anyone who believes he or she has been the subject of discrimination to report the matter immediately as described in the section below on Reporting Complaints to University Offices. All members of the University community are responsible for participating in creating a campus environment free from all forms of prohibited discrimination and for cooperating with University officials who investigate allegations of policy violations. (CALEA 26.1.3)

The University will take prompt and appropriate action to: (1) thoroughly investigate complaints of discrimination described in this policy; and (2) prevent, correct, and, if necessary, discipline individuals who engage in behavior that violates this policy in accordance with existing University policies.

This policy applies to all:

- University employees in all aspects of their employment relationship with the University
- University students in all aspects of their participation in the University's educational programs and activities
- University applicants, whether for employment or admission to educational or University-sponsored programs, activities, or facilities
- Individuals or groups participating in or accessing University-sponsored programs, activities, or facilities and
- Vendors or contractors in all aspects of their relationship with the University

Enforcement of this policy is subject to constitutional protections related to freedom of speech, association, and the press.

**Reporting Discrimination,  
Harassment or Retaliation** (CALEA 26.1.3)

An individual who believes that he or she has been subjected to discrimination, harassment or retaliation in violation of this policy should report the matter immediately as set forth below to obtain information about resolving concerns, including complaint -filing options and procedures, and to enable the University to take prompt remedial action. If the alleged policy violator is a University student, the individual who has been the subject of discrimination, harassment, or retaliation in violation of this should contact:

Dean of Students  
Dean of Students Office  
Robert L Nugent Building  
1212 E. University Blvd  
PO Box 210040  
Tucson, AZ 85721-0040  
(520) 621-7057  
[dos-deanofstudents@email.arizona.edu](mailto:dos-deanofstudents@email.arizona.edu)

For all other instances, the recipient of the alleged conduct should contact:

Director for Equity Compliance  
Office of Institutional Equity  
University Services Building, Room 113  
P.O. Box 21058  
Tucson, AZ 85721-0158  
(520) 621-9449  
[equity@email.arizona.edu](mailto:equity@email.arizona.edu)

If the alleged policy violator is employed by the Dean of Students Office or the Office of Institutional Equity, then the individual who has been the subject of discrimination, harassment, or retaliation in violation of this policy may contact the Vice President of Equity, Inclusion..

**Good Faith  
Allegations**

Because of the nature of discrimination, harassment, or retaliation complaints, allegations often cannot be substantiated by direct evidence other than the complaining individual's own statement. Lack of corroborating evidence should not discourage individuals from seeking relief under this policy. No adverse action will be taken against an individual who makes a good faith allegation of

discrimination, harassment, or retaliation under this policy, even if an investigation fails to substantiate the allegation. However, individuals who make dishonest statements or make statements with willful disregard for the truth during an investigation or enforcement procedure under this policy may be subject to disciplinary action in accordance with existing University policies.

### **Anonymous Inquiries and Complaints**

Members of the University community may contact the Office of Institutional Equity or the Dean of Students Office at any time to ask questions about discrimination, harassment, retaliation, or complaint-filing procedures and may provide information without disclosing their names. This provision does not relieve managers, supervisors, instructors, or advisors of their responsibility to promptly report under this policy.

### **Confidentiality**

Employees of the Office of Institutional Equity, employees of the Dean of Students Office, and all responsible administrators who receive reports of discrimination, harassment, or retaliation shall maintain the confidentiality of the information they receive, except where disclosure is required by law or is necessary to facilitate legitimate University processes, including the investigation and resolution of discrimination, harassment, or retaliation allegations. (CALEA 26.1.3)

## 2.4 Drug Free Campus & Workplace



Brian A. Seastone  
Chief of Police

Supersedes: 02 May 2018	Revision: 09 December 2020	Effective: 09 December 2020
Policy Affects: All Personnel		

### Policy

All UAPD personnel are required to abide by the University of Arizona Statement on Drug Free Schools and Campuses. The complete statement is available at: <https://drugfree.arizona.edu/content/home>

### Prohibition

To achieve the policy and objective of providing a drug free environment for all University students and employees, the University prohibits the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance on its property or as part of any of its activities. Further, the University prohibits employees while on duty from consuming or being under the influence of a) alcoholic beverages while on duty or b) a controlled substance not prescribed for the employee by their health care provider. University of Arizona students and employees are subject to all applicable drug and alcohol policies including policies set forth in the University's Staff Personnel Policy Manual, University Handbook for Appointed Personnel, Arizona Board of Regents Code of Conduct, the University of Arizona Alcohol Policy and Regulations, or other applicable rules when adopted

### Sanctions

- Local, state, and federal laws make illegal possession and/or use of drugs and alcohol serious crimes. Conviction can lead to imprisonment, fines, and assigned community service.
- In order to assure fair and consistent treatment of all students or employees who are accused of illegal possession or use of drugs and alcohol, the University will handle all cases which come to its attention within the guidelines of the applicable policies and procedures of the University (e.g. Student Code of Conduct and Student Disciplinary Procedures, Staff Rules of Conduct and Disciplinary Action, ABOR Code of Conduct) and where appropriate, local, state, and federal regulations.
- Sanctions will be imposed on students or employees who violate Arizona Board of Regents or University drug and/or alcohol policies. Sanctions may include suspension or expulsion for students and, for employees, disciplinary action up to and including discharge.

## **Support Systems and Resources**

If you are experiencing problems with alcohol and/or other drugs, there are campus and community resources available to assist you.

Services are available through the University of Arizona health plans to assist staff, faculty, or appointed personnel who are experiencing problems with chemical dependency. Individuals can speak with their primary care physician or their health carrier's Member Services Department to access those resources. Additionally, the University's Life & Work Connections Employee Assistance Counseling/Consultation service provides free, voluntary, and confidential short-term counseling when appropriate, or supervisor consultation, information, and referrals to individuals requesting assistance for drug and/or alcohol problems. Employee Assistance Counseling/Consultation also provides ongoing consultation and supervisory training each semester in conjunction with Human Resources to educate about signs and symptoms of alcohol/drug problems, ways to help troubled employees, and resources available on campus and in the community. For more information or to schedule an appointment, please call (520) 621-2493.

## **Reporting Responsibility**

Employees and students are required to report to the University if they are convicted of any alcohol or drug-related offense arising from the possession or use of drugs or alcohol in the workplace. Appointed personnel and classified staff employees must report such information to the Vice President for Human Resources (520-621-1684); student employees must report such information to the Dean of Students Office (520-621-7060). These individuals are also available to answer any questions pertaining to the legislation or the University's compliance.

Employees and students who violate University policy prohibiting the use or possession of illegal drugs on campus will continue to be subject to disciplinary action.

If you have any questions regarding this email, please contact Campus Health at 520-621-6489.

## **Arizona Medical Marijuana Act and Smart and Safe Arizona Act**

Arizona voters approved the Arizona Medical Marijuana Act in 2010. Under certain circumstances this act permits individuals to possess and use limited quantities of marijuana for medical purposes. In addition to the Arizona Medical Marijuana Act, Arizona voters approved the Smart and Safe Arizona Act in 2020. This act (ARS 36-2850 to 36-2865) decriminalizes certain levels of possession or use of marijuana by those twenty-one years of age or older, and further reclassifies as a




civil violation certain levels of possession or use of marijuana by persons under twenty-one years of age.

Because of its obligations under federal law, however, the University has always prohibited and will continue to prohibit marijuana possession and use on campus for any purpose.

The federal Controlled Substances Act prohibits the possession, use or production of marijuana, even for medical use. Failure to comply with the Controlled Substances Act would violate the Drug Free Workplace Act of 1988 and the Drug Free Schools and Communities Act of 1989, rendering the University of Arizona ineligible "to receive funds or any other form of financial assistance under any federal program, including participation in any federally funded or guaranteed student loan program." Therefore, the University will continue to enforce its current policies prohibiting the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance on its property or as part of any of its activities.

Employees and students who violate University policy prohibiting the use or possession of illegal drugs, including marijuana, on campus will continue to be subject to disciplinary action.

University policy does not prohibit medical research projects involving marijuana that are conducted on campus as authorized by applicable federal approvals, which may include the United States Food and Drug Administration, The United States Drug Enforcement Administration and the National Institutes on Drug Abuse, and approval of any applicable University Institutional Review Board.

<h1>2.5 Whistle Blower</h1>			 <b>Brian A. Seastone</b> Chief of Police
Supersedes: 03 August 2015	Revision: 27 May 2020	Effective: 05 June 2020	
Policy Affects: All Personnel			

**Purpose and Summary**

The purpose of this policy is to make all University of Arizona Police Department personnel aware of the Arizona Board of Regents policy #6-914 – Protection of Employees from Reprisal for Whistleblowing. All UAPD personnel are required to abide by this and all University policies. The complete policy can be found in the UA Classified Staff manual (<https://public.azregents.edu/Policy%20Manual/6-914-Protection%20of%20Employees%20from%20Reprisal%20for%20Whistleblowing.pdf>)

**Applicability**

All employees and supervisors of employees of the Arizona Board of Regents or a state university under the Board’s jurisdiction who disclose alleged wrongful conduct, as defined in this AZ Board of Regents Policy #6-914, and, who, as a result of the disclosure, are subject to an adverse personnel action.

No adverse personnel action may be taken against a university employee in knowing retaliation for any lawful disclosure of information on a matter of public concern to a public body, including a designated university officer, which information the employee in good faith believes evidences:

- A violation of any law,
- Mismanagement,
- Gross waste or misappropriation of public funds,
- A substantial and specific danger to public health and safety; or
- An abuse of authority collectively referred to herein as “alleged wrongful conduct.”

No supervisor, director, chair, dean, department head, or any other employee with authority to make or materially influence significant personnel decisions shall take or recommend an adverse personnel action against an employee in knowing retaliation for disclosing alleged wrongful conduct to a public body. Any employee found to have so violated this Policy #6-914 shall be disciplined, up to and including termination, in accordance with existing university rules, policies, and procedures.

## **Making a Disclosure**

An employee who becomes aware of alleged wrongful conduct is encouraged to make a disclosure to any public body as soon as possible, but in any case, must make the disclosure no later than three hundred sixty-five (365) consecutive calendar days after becoming aware of the conduct.

An employee who knowingly makes false allegations of alleged wrongful conduct to a public body shall be subject to discipline, up to and including termination of employment, in accordance with university rules, policies, and procedures.

## **Whistleblower Complaint**

No later than thirty (30) days after a current or former employee is notified or becomes aware of an adverse personnel action, he or she may protest the action by filing a written whistleblower complaint with a university designated officer or committee if the employee believes the action was based on his or her prior disclosure of alleged wrongful conduct.

## 2.6 Flag & Formal Function Protocols



Supersedes: New	Revision: 21 August 2015	Effective: 21 August 2015
Policy Affects: All Personnel	CALEA Standard:	

Brian A. Seastone  
Chief of Police

### Policy

UAPD has adopted the below protocols in order to render due respect in ceremonial activities such as sporting events, memorials, and other formal gatherings.

Employees performing official duties that require full attention are exempt from following this policy when doing so would interfere with the ability to carry out his/her duties or would place them or other persons in a hazardous situation.

### The Position of Attention

To assume the position of attention, stand and bring your heels together, on line and touching. Feet will be at a 45-degree angle. Legs should be straight but not stiff at the knees. Hips and shoulders will be level, and your chest lifted. Arms should hang naturally, with your thumbs along the trouser seam, palms inward towards your legs, fingers joined and in their natural curl. Head and body will be erect, mouth closed, and chin pulled in slightly.

### The Hand Salute

The hand salute will only be rendered when covered (wearing a headdress or hat). To ensure simultaneous execution, the command for the hand salute will be "Present, ARMS", and the order to return to attention will be "Order, ARMS". From the position of attention and on the command of execution uniformed members wearing hats will render a hand salute by raising the right hand sharply, in the most direct manner until the tip of the forefinger touches the lower part of the headdress, above and slightly right of the right eye. Thumb and fingers should be extended and joined. You should be able to see your entire palm when looking straight ahead. Your upper arm should be level with the ground and your forearm at a 45-degree angle. Your wrist and hand should be straight, a continuation of the line made by your forearm. If not in ranks, turn your head and eyes toward the person or colors you are saluting. To return to attention, after the command move your right hand smartly in the most direct manner back to its normal position by your side, and assume the position of attention.

In lieu of a hand salute, civilians and members in uniform not wearing hats or headdress will come to the position of attention and place the right hand over the heart, and return to the position of attention under the same commands and conditions.

### **Anthems and Processions**

When the National Anthem is played and the American flag is displayed, uniformed members not in ranks wearing hats or headdress will come to the position of attention, face the flag and render a hand salute on the first note of the National Anthem. Members in ranks will execute a simultaneous hand salute on command. Uniformed members not wearing hats or headdress will come to attention, face the flag, and place the right hand over the heart on the first note of the National Anthem. Personnel in civilian attire will come to attention, remove their hats or caps if worn, and place their right hand over their heart on the first note of the National Anthem. Members in ranks will return to the position of attention on command. Members not in ranks will return to the position of attention after the last note of the National Anthem is played.

When the American Flag is paraded by a color guard, members will render the appropriate salute when the American Flag approaches from a distance of six paces and held until it has passed six paces beyond.

### **Pledge of Allegiance**

Members will render the appropriate salute when the Pledge of Allegiance is recited, starting at the first word of the Pledge and held until the last word of the Pledge.

### **Ceremonies, Funerals and Memorial Functions**

Unless required for special details, members will remove hats or headdress when entering churches or other buildings housing these functions. Members will follow the lead of the Honor Guard, Color Guard, or officiating agency as directed. If not directed, the appropriate salute will be rendered during the playing of "Taps" and when a casket or remains are being moved or interned. Salutes will also be rendered at the command of "Present, ARMS" and held until the command of "Order, ARMS".

## 3.1 Use of Force



Supersedes:  
27 August 2020

Revision:  
06 April 2021

Effective:  
06 April 2021

Policy Affects:  
All Personnel

Brian A. Seastone  
Chief of Police

### Policy

Only when preserving human life, reducing harm to others, effecting an arrest, and/or stabilizing a potentially dangerous situation, will officers be permitted to use force against another person. The force used should be objectively reasonable under the circumstances and proportional based on the reason(s) it is being used. (CALEA 4.1.1; ALEAP 1.3 A)

### De-escalation

- De-escalation should be strongly considered in every situation where use of force might have to be used and whenever feasible to stabilize the situation and reduce a threat of harm.
- When de-escalation is feasible, officers should attempt to safely slow down the situation, especially the emotions and thought processes of the subject so that more time, options, and resources are available to resolve the incident without use of force.
- De-escalation tactics should be used to gather information about the incident, assess the risk, assemble resources, attempt to slow momentum, communicate with the subject (including other verbal persuasion or use of warnings), and coordinate a response that does not require force.
- Officers should also consider whether a subject's apparent lack of compliance may be caused by factors other than willful defiance including, but not limited to: medical conditions; mental impairment; developmental disability; physical limitation; language barrier; drug interaction; and/or behavioral crisis.
- De-escalation should also be used to reduce or end any use of force as soon as possible after a threat has diminished.

### Factors to Evaluate Prior to Use of Force

In addition to considering and/or attempting de-escalation, officers should consider the following prior to use of force consistent with their training in risk recognition and proportional response:

- The feasibility and availability of alternative responses to use of force.
- Whether the potential subject of the force poses an immediate threat to the safety of others or the officers including whether the subject's behavior and actions are violent,

aggressive, or resistant, and whether weapons are present or reasonably believed to be available to the subject.

- The severity of the subject's possible crime and the likelihood that the subject would harm others if not immediately apprehended.
- The accessibility and vulnerability of potential victims if the subject attempted to harm others including considerations of number, age, any apparent disabilities, and capability of others to escape or defend themselves.
- The physical characteristics of the subject and officer, including size, age, fighting skills known or exhibited, unusual strength or resistance to pain that may be associated with drugs or alcohol ingestion, injuries, conditioning, and level of exhaustion.
- Whether the subject has a known history of violent acts.
- Whether more than one subject or officer is involved or readily available to assist.
- Whether other dangerous circumstances exist.
- Prior to using serious or deadly force, unless unfeasible due to imminent danger to others or the officer, an officer will give a verbal warning to the subject.

### **Rendering Medical Assistance If Force is Required** (CALEA 4.1.5)

When an officer uses force, and a suspected or actual injury may have occurred, or the subject complains of injury, medical assistance shall be immediately summoned to evaluate the subject within the following guidelines:

- Officers should use appropriate first aid procedures until relieved by emergency medical personnel.
- If the subject refuses medical treatment, this shall be noted in the appropriate police reports.
- Emergency medical personnel will decide whether the subject should be transported to the hospital. Officers will not transport an injured person unless authorized by the on-duty supervisor.
- Officers shall fully document all injuries or complaint of injury by subjects in a Subject Management Report (SMR).
- Subjects placed in the prone position to be secured will be moved from that position as quickly as possible, including rolling the individual onto their side, or placing them in an upright position, such as sitting or standing.

### **Prohibitions and Limitations to Use of Force**

- No officer shall use deadly force unless the officer reasonably believes that the action is in defense of any human life in imminent danger of death or serious bodily injury. (CALEA 4.1.2; ALEAP 1.3 B/C)
- Vascular neck restraints, chokeholds, and other physical maneuvers that restrict the ability to breathe for the purpose of incapacitation have never been acceptable to control a subject and are expressly prohibited except in those situations where the use of deadly force is allowed by law.
- Weapons shall not be brandished unless their imminent use is necessary.
- Warning shots are prohibited. (CALEA 4.1.3; ALEAP 1.3 F)

- Discharging a firearm from a moving vehicle is prohibited.
- Discharging a firearm into crowds is prohibited.
- Discharging a firearm at a moving vehicle is prohibited unless necessary in self-defense or in defense of others who are likely to be killed or severely injured if deadly force is not used.
- Discharging a firearm into a building or through doors or windows when the person fired at is not clearly visible is prohibited unless the officer reasonably believes that the action is in defense of any human life in imminent danger of death or serious bodily injury. When this occurs, officers must consider whether other individuals are likely to be present in the building and the likelihood that return fire from the officer can be carefully targeted toward the source of the fire to eliminate or minimize harm to others.

## **Drawing of Firearms**

Officers should not unnecessarily draw or display a firearm, or carelessly handle a firearm. When a firearm is drawn, it should be held in the ready position except when the immediate use or threatened use of the firearm is reasonably anticipated.

## **Discharge of Firearms**

Firearms may only be discharged by an officer in the performance of a police duty under the following circumstances:

- When the use of deadly force is necessary.
- At approved ranges.
- To euthanize seriously wounded or dangerous animals when another option is impractical and after obtaining supervisory permission.
- Officers at Mount Graham International Observatory (MGIO) may discharge their firearms to ward off dangerous animals posing a legitimate threat to human safety. The discharge shall take place in a safe direction, with the shot discharged toward the ground or a tree. Supervisory permission prior to discharge is not required, but the supervisor must be notified immediately afterwards.

## **Reporting Discharge of Firearms** *(CALEA 4.2.1a)*

Following any firearms discharge (except as noted below), an officer shall:

- Make a verbal report to the on-duty UAPD supervisor.
- Prepare a written report detailing the discharge with complete details by the end of the officer's shift. If the officer is off duty at the time of the incident, the on-scene supervisor shall document the details in a report and forward through the chain of command.
- The officer involved must write the required report within eight (8) hours of the incident. Depending on the circumstances of the incident, the officer may be immediately ordered by a supervisory officer to complete the written report. If the officer involved is physically unable to file a written report, the on-scene supervisor shall be responsible for filing the written report by the end of that supervisor's workday.
- Any discharge of a firearm against a person will be documented via recorded interview of the officer.



- Officers shall notify their chain of command whenever a department firearm is discharged by any individual except during firearms training.
- Reporting is not required when a firearm is discharged during a training or practice session at an approved range or while engaged in lawful sporting activity.

### **Use of Force Reporting Within UAPD**

Any actual or threatened use of physical force (excludes routine un-resisted handcuffing, “Terry Frisks”, and un-resisted escorts) by an officer, or UAPD employee on or off duty, acting under the authority of office should be fully documented in a UAPD Subject Management Report (SMR) by the end of the officer’s shift. *(CALEA 4.2.1c/d)*

If the officer is unable to complete the SMR, the on-duty supervisor shall complete the SMR and submit it to the Chief of Police, until such time as the officer involved is able to complete an SMR. This does not relieve the officer from immediate/timely notifying the on-duty supervisor of the use of force. *(CALEA 4.2.1b)*

### **Reporting Use of Force to FBI “Use of Force Data Base”**

UAPD will report use of force to the Federal Bureau of Investigation (FBI) as outlined in the National Use-of-Force Data Collection guidelines as follows:

- When a fatality occurs connected to use of force.
- When serious bodily injury occurs connected to use of force.
- When a firearm is discharged at or in the direction of a person.  
<https://www.fbi.gov/services/cjis/ucr/use-of-force>.

### **Other Reporting Required by Law**

UAPD will adhere to all applicable federal, state, and local laws concerning the reporting of use of force by any UAPD officer.

### **Witnessing a Violation of the Use of Force Policy *(CALEA 1.2.10)***

Employees have a duty to intervene within their scope of authority and training when they observe another UAPD member or another law enforcement agency working for the University engage in any unreasonable use of force or if they become aware of any violation of department policy or local, state, or federal law. The duty to intervene in unreasonable force should be exercised when an employee has a reasonable opportunity to prevent or attempt to stop the use of excessive force. Other violations of policy or law should be addressed prudently. When intervention occurs, the employee should report the incident as soon as possible to a supervisory officer.

### **Mandatory Review Process When an Officer Uses Force *(CALEA 4.2.2)***

- Appropriate use of force under this policy will be evaluated from the perspective of a reasonable officer on the scene including recognition that officers are often forced to make use of force decisions under intense pressure without time for reflection, consultation, or knowledge of additional facts. To assist in this type of evaluation, a

law enforcement instructor may be asked to review and comment on any use of force within their area of instructional expertise.

- The on-duty supervisor will review the SMR for accuracy and content and forward through the chain of command.
- A divisional Lieutenant and Assistant Chief will review the SMR in accordance with UAPD policy and make recommendations/comments.
- All reports and recommendations will then be forwarded to the Deputy Chief of Police for review, recommendations, and comments.
- All documents are then forwarded to the Chief of Police/designee for final determination whether the Use of Force policy was followed. If outside of policy, corrective action including disciplinary action may be taken, consistent with UA Human Resources policy.

### **Removal from Duty** (CALEA 4.2.3)

Any use of force or other action(s) by an employee resulting in death or serious physical injury requires that the employee be placed on administrative leave pending a review.

### **Annual Analysis** (CALEA 4.2.4)

The Deputy Chief or designee shall be responsible for the annual use of force analysis of all incidents, policies, and practices as directed in UAPD Policy 18.3 - Administrative Reports. This analysis shall be completed by the end of February.

### **Knowledge of Policy** (CALEA 4.3.4; ALEAP 1.3 G)

All officers shall be issued this policy and shall be trained and qualified prior to being allowed to carry any weapon(s). The Training Sergeant will ensure that a dated policy receipt and curriculum delivery is documented in the employee's training file.

### **Proficiency Training** (CALEA 4.3.3; ALEAP 1.3 G)

Annually, all personnel authorized to carry weapons shall receive training on this policy and demonstrate proficiency with all approved and authorized lethal weapons and conducted electrical weapons. Training for other less lethal weapons and weaponless control techniques will occur at least biennially. Proficiency and training will be conducted by a certified weapons instructor and documented in the employee's training file.

Personnel unable to qualify with an authorized weapon will receive remedial training prior to resuming official duties.

## 3.2 Less Lethal Weapons



Supersedes: 18 July 2018	Revision: 08 August 2018	Effective: 15 August 2018
Policy Affects: Police Officers		

Brian A. Seastone  
Chief of Police

### Policy (CALEA 4.1.4)

Only those less lethal weapons and ammunition approved by the Department shall be used by personnel in the discharge of law enforcement duties. Exceptions to the authorized less lethal weapons and ammunition requirements can be granted only by the Chief of Police.

All authorized less lethal weapons will be inspected by a qualified weapons instructor or other specialized personnel prior to being issued to personnel. (CALEA 4.3.1c)

### Authorized Weapons- Less Lethal (CALEA 4.1.4, CALEA 4.3.1a)

The Department authorizes the following less lethal weapons:

- Departmentally issued expandable straight baton
- Wooden or composite baton approved by the Chief of Police
- Departmentally issued straight mobile field force baton
- Chemical agents approved by the Chief of Police
- L2 shotgun
- PepperBall
- Axon X26P or any other conducted electrical weapon (CEW) approved by the Chief of Police

Personnel who have received training, demonstrated proficiency and were certified in the use of these weapons are authorized to carry and use the above listed weapons. All training must be conducted by an instructor currently certified in its use. (CALEA 4.3.2)

The use or threatened use of Less Lethal Weapons is governed by *policy 3.1- Use of Force* and a Subject Management Report shall be completed following their use or threatened use. A supervisor will respond to all Less Lethal Weapon uses where a subject has been struck. The SMR form will be utilized to assist in the evaluation and deployment procedures to determine the effectiveness of the system and to determine if deployment was within Use of Force guidelines.

Personnel encountering a situation that requiring the use of the Less Lethal Weapons will notify a supervisor immediately after deployment when feasible.

### **Less Lethal Weapons Training** (CALEA 4.3.3a/b)

Personnel shall receive training and demonstrate proficiency in use of on less lethal weapons and weaponless control techniques at least biennially. This training will be monitored by a certified weapons or tactics instruction and documented in the employee's training file.

### **Remedial Training** (CALEA 33.1.5a/b)

Any officer who fails to demonstrate proficiency with Less Lethal weapons or weaponless control techniques as outlined in training/testing in initial or annual training shall receive immediate remedial training and will be given the opportunity to demonstrate proficiency again. If proficiency is not demonstrated after the initial remedial training, the officer shall be required to attend a four hour remedial training course within seven days and then will be tasked with demonstrating proficiency. If proficiency is not demonstrated, the officer shall not be issued or authorized to utilize that weapon and may be subject to further disciplinary action up to and including termination. All remedial training will be documented and included in the officers' training file.

### **Removal of Unsafe Weapons** (CALEA 4.3.1d)

Any Less Lethal Weapons suspected of being unsafe or malfunctioning shall:

- Be taken out of service immediately and not used until the unsafe condition or malfunction has been addressed by a certified armorer of that specific firearm
- Be returned to the Armory for inspection/repair
- Turned in to a certified armorer for that firearm, or if an armorer is not immediately available, turned in to a firearms instructor for storage in the department armory until a certified armorer can inspect it
- Shall be marked with a tag indicating the date it was turned in, a basic explanation of the type of malfunction and who it was assigned to
- Be reported to the lead firearms instructor and lead armorer of the department as soon as possible so arrangements can be made to issue a weapons or remedy the problem

### **Impact Weapons**

The straight or expandable straight baton are the defensive impact weapons issued and approved for departmental use. Police officers assigned to patrol duty shall have an approved impact weapon immediately available while on duty. Only officers certified in use of authorized impact weapon may carry the weapons

The 36" mobile field force baton is intended as a defensive weapon, utilizing no strikes. All officers and supervisors shall be trained on its use in a Mobile Field Force situation prior to deployment.

### **Access to L2 Shotgun** (CALEA 4.3.1e)

All L2 shotguns will be checked out through a supervisor and returned to a supervisor at the end of each shift. If a supervisor is not on duty, the officer may access the L2 locker by checking out the locker key from Dispatch. The following procedure shall be followed in the use of the L2 shotgun:

- L2 shotguns shall be properly logged in and out at the beginning and end of each shift. Officers shall not trade L2 shotguns at the end of shift.
- Each supervisor is responsible for ensuring that the weapon is "safe" when it is checked out and returned
- If no supervisor is on duty, the officer shall ensure the weapon is "safe" and properly recorded on the sign-out sheet
- L2 shotguns will be secured in the L2 locker when not in use

### **Storage of L2 Shotguns** (CALEA 4.3.1f)

All L2 shotguns shall be stored in a manner to prevent unauthorized access and to promote firearm safety. Each officer is responsible for the security and proper storage of the L2 shotgun they are issued or utilized during a shift. The following are approved storage for the L2 shotgun in order of preference:

- Vehicle shotgun rack (required in SUV's which have no trunk)
- Trunk mounted shotgun rack
- Hard shell shotgun case (in trunk or storage compartment)
- Shotgun sleeve (in trunk or storage compartment)

Hard shell shotgun cases and shotgun sleeves shall be clearly marked with fluorescent orange lettering which read "Less Lethal". All L2 shotguns shall have a fluorescent orange butt stock marked "less lethal" and fluorescent orange forestock.

### **L2 Shotgun Deployment**

At least one (1) L2 Shotgun will be deployed in the field at all times. L2 operators will have at least one other officer on scene to provide lethal cover capabilities. Additional officers on scene should assist the L2 Shotgun shooter as needed.

When an L2 is deployed officers will:

- Not chamber a less lethal round until such a time as the actual use or

- threatened use of the L2 Shotgun is reasonably anticipated
- Evaluate the effectiveness of the L2 Shotgun while engaging the subject and whether or not the desired outcome can be achieved utilizing the L2 Shotgun
- Provide the appropriate medical aid to subjects injured during the incident

### **Primary Target Areas- L2 Shotgun**

Areas of the body that are considered a primary target are:

- The arms below the elbow (forearm)
- The thighs and legs below the knee joint (shins and calves)
- The buttocks

The thighs present the largest primary target area likely to be accurately engaged.

### **Secondary Target Areas- L2 Shotgun**

Areas of the body that are considered a secondary target are:

- The upper arms, elbows and hands
- The knees and feet

### **Prohibited Target Areas- L2 Shotgun**

The following areas of the body are not to be considered as a target area unless lethal force is justified:

- Head
- Neck
- Throat
- Upper torso (front & back)
- Groin

### **Maintenance - L2 Shotgun (CALEA 4.3.1c)**

The "L2 Shotguns" and munitions shall be placed into service by a certified Firearms Instructor and/or armorer. This officer shall be responsible for:

- At least quarterly, cleaning and maintenance
- At least quarterly, inspecting issued rounds and replacing rounds on an as needed basis
- Annual replacement of rounds
- Maintaining a maintenance log

## **Authorized Ammunition- L2 Shotgun (CALEA 4.3.1b)**

The special impact munition authorized by UAPD is the Super Sock by Combined Tactical Inc., with the following specifications:

- Cotton sock filled with #9 shot
- Weight approximately 1.4 ounces
- Velocity of 270 fps
- The effective range of the Super Sock is 5-75 feet.

Other special impact munitions and delivery platforms may be authorized by the Chief of Police as necessary.

## **Access to the PepperBall System (CALEA 4.3.1e,f)**

The PepperBall System will be checked out through and returned to a supervisor at the end of each shift. When accessing the PepperBall System:

- Officers shall not trade the PepperBall System at the end of shift.
- PepperBall System shall be properly logged in and out at the beginning and end of each shift.
- Each supervisor is responsible for ensuring that the System is “safe” and depressurized when it is checked out and returned.
- If no supervisor is on duty, the officer shall ensure the System is “safe” and properly recorded on the sign-out sheet.
- PepperBall Systems will be secured in a designated locker when not deployed.

## **Deployment of the PepperBall System**

The PepperBall System will be placed in service when necessary. When the PepperBall System is deployed, the operational condition shall be verified by ensuring:

- Air bottles are charged above 1000 psi
- The System has a mix of at least 50 projectiles of OC powder and inert powder

The PepperBall System will be kept in its case secured in the vehicle’s trunk or storage compartment when not in use.

## **Use of the PepperBall System**

The following are some situations where the display or use PepperBall System may be appropriate:

- When it is unsafe for an officer to approach a subject who exhibits violent or potentially violent behavior that threatens the safety of others and conventional means of persuasion will reasonably appear unlikely to be effective
- When higher use of force options may be justified but an opportunity exists for the use of PepperBall before those options are utilized
- To defend one's self or another from an aggressive and/or attacking animal
- To disperse unruly or rioting crowds threatening unlawful property damage or physical force
- Area saturation (such as a room or vehicle)

The PepperBall System should normally be used with lethal force cover by a second officer whenever possible.

### **PepperBall System Considerations**

As with any type of launcher device, the potential exists for the projectile to inflict injury. Personnel should target the person's center of mass and walk the projectiles to the lower extremities if the projectiles are not breaking. The subject's movement must be observed as they will often turn or bend their head into the target zone. When the System is deployed, personnel shall avoid intentionally striking the following areas unless a life-threatening situation exists.

- Face
- Eyes
- Neck or throat
- Spine

Personnel deploying the PepperBall System should be aware that under windy conditions projectiles might be blown off of trajectory. There are no minimum distance requirements when engaging a subject with the PepperBall System.

### **PepperBall Medical Treatment**

Any person struck by a projectile shall be immediately rendered first aid and other access to medical treatment as necessary for any injury or alleged injury occurring as a result of the projectile impact. When a subject has been struck, they will be handcuffed, and the following treatment will be administered to help alleviate the effects of OC, unless the subject refuses treatment or remains combative to the point that treatment could present a danger to the member administering treatment.

During riot and crowd control situations where a Mobile Field Force is deployed, it may not be possible to arrest or provide medical attention to all persons struck by a PepperBall System projectile as the person(s) struck may wander off or be carried off within the crowd itself. In these situations reasonable documentation of impacts shall be made as conditions permit.



Because a subject is handcuffed, does not mean that the subject is under physical control. The subject may still be a threat to officer(s), the public, and themselves. Handcuffs are only a temporary restraint device.

- Remove the subject from the area of exposure and place them in fresh air and out of direct sunlight if applicable
- Reassure the subject that the effects of the product are temporary and the discomfort will diminish in a short period of time
- When possible, flush the subject's face with water and/or apply a wet towel to the face, ice applied to the face will also assist in diminishing the discomfort. If burning persists, soap and warm water should be used, followed by cool water and/or ice. If possible the subject may be placed under a shower.
- Officers should avoid touching their eyes, nose, mouth and other sensitive skin areas until he/she is able to wash his/her hands
- Although there is no history of side effects on the use of OC, medical attention shall be rendered, by Medics responding to the subject's location to assist with decontamination and checking the subject for any possible medical problems, whenever possible. If Medics are unable to respond, or medical treatment cannot be immediately rendered by Medics or Emergency personnel, the officer is responsible for decontamination and first aid until such time as professional medical treatment can be rendered.

### **Special Precautions**

Should an officer believe that the subject has ingested or is under the influence of drugs such as heroin, cocaine; or has some type of respiratory medical problem such as, asthma, emphysema, or other medical condition(s), which might in conjunction to the OC and/or restraint devices result in death or serious injury, the subject will be transported in a position to reduce the possibility of asphyxiation. The subject's condition will be monitored until he/she is transferred from custody or released.

### **PepperBall System**

#### **Projectiles** (*CALEA 4.3.1b*)

The PepperBall System is capable of deploying five (5) different varieties of projectiles for live deployment or training as follows:

- Red- OC powder
- Purple- Inert scented powder (also training)
- Clear- Inert liquid
- White- Window breaker
- Green- Marking round

## **System**

### **Maintenance** (CALEA 4.3.1c)

The PepperBall System will be maintained and inspected periodically as recommended by the manufacturer by a PepperBall System Instructor. Only PepperBall System Instructors are authorized to charge the air bottles used to power the system. Any malfunctioning weapon shall be immediately taken out of service and an instructor notified of the malfunction via an Officer's Report through the chain of command. The PepperBall System will be inspected at least annually by a qualified instructor.

### **PepperBall System Training**

Only those officers trained in the use of the PepperBall System shall be authorized to deploy and use the system. The training shall be provided by a certified PepperBall System Instructor and cover at a minimum the following areas:

- System Nomenclature
- Loading
- Charging
- Firing
- Use of Force Policy
- Malfunctions
- Storage
- Check Out Procedures
- PepperBall System Policy

### **PepperBall System Proficiency** (CALEA 4.3.2)

Personnel receiving training will be required to demonstrate to the satisfaction of the instructor their knowledge and proficiency in using the system. This proficiency may include:

- Written testing
- Hands on demonstrations
- Practical exercises using training rounds

Retraining on the system will be done as necessary to maintain proficiency of those personnel certified in its use.

### **Conducted Electrical Weapon (CEW)**

The University of Arizona Police Department will utilize a Conducted Electrical Weapon (CEW) within the Use of Force policies to effect lawful arrest, detention or in preventing or assisting in preventing escape after arrest or detention and/or to stop the violent behavior of an individual. The use of any CEW shall also be governed by *UAPD policy 3.1-Use of Force*.

The approved department CEW will be the yellow Axon X26P, or any other device approved by the Chief of Police.

## **Authorized TASER Cartridges** (CALEA 4.3.1b)

TASER cartridges authorized for field use shall have a minimum probe reach of 21 feet. For training purposes, the above cartridges may be supplemented with 15 foot cartridges or the 21 foot non-conductive simulation cartridges as necessary.

## **TASER Inventory** (CALEA 4.3.1e)

The department will keep a current inventory of all TASERs issued to department personnel. This inventory will include the date of issue/return, serial number of the TASER, serial number of the cartridge(s) and authorized person issuing.

Monthly, a TASER Instructor will conduct an audit of all TASERs and cartridges not issued to individual persons and document the status of each. This audit will be forwarded to the Assistant Chief with oversight of the department armory. Any discrepancies will be reported immediately to that Assistant Chief.

Supervisors will randomly inspect issued TASERs for condition and function as part of routine briefing and inspections. Any discrepancies will be reported and documented to their respective Division Assistant Chief and to the Assistant Chief with armory oversight.

## **TASER Access**

TASERs will be issued only to sworn police officers who have been trained and certified by a currently certified TASER instructor. The following procedure governs access to spare/stored TASERs:

- TASERs shall be properly logged in and out on a department approved log maintained for each TASER
- Only those personnel properly trained in TASER use shall be issued the device
- Personnel checking out a TASER are responsible for ensuring the TASER is "safe" and properly stored when checking the device in at the conclusion of their shift
- TASERs stored in the equipment room are obtained through a supervisor using the equipment check out process

## **TASER Storage** (CALEA 4.3.1f)

All TASERs shall be stored in a manner to prevent unauthorized access and to promote safety. Each officer is issued a TASER and is responsible for the proper storage and security of their issued TASER. Some TASERs are stored in a designated weapons locker located in the equipment issue room and are available for check out as needed. Other TASERs may be stored in the UAPD armory. Issued TASERs shall be secured into their approved holster with the safety engaged. Unissued TASERs will not have a cartridge loaded.

## **Instructor Training**

TASER Instructors shall be recertified by Axon every two (2) years. As necessary, instructors shall attend additional training regarding product updates and liability issues.

Instructors will be responsible for periodic review of Use of Force policy applicable to TASER use. Any recommended changes will be forwarded to the Chief of Police.

## **TASER Training** *(CALEA 4.3.3a/b)*

Officers shall be trained by a currently certified TASER instructor prior to carry and utilization of the TASER. Once initial certification is obtained, officers must re-certify annually. All training and proficiency training will be documented in the training file.

Officers receiving initial or subsequent training may elect a voluntary exposure to the TASER via probe, drive stun, or a combination of the two.

Any individual volunteering to be exposed to the TASER shall abide by current TASER training and guidelines regarding exposure and shall sign a waiver prior to any voluntary exposure.

TASER exposure to non-police personnel shall require prior approval by the Chief of Police.

## **TASER Remedial Training** *(CALEA 4.3.3, 33.1.5a/b)*

Any officer who fails to demonstrate proficiency as outlined in training/testing with the TASER in initial or annual training shall receive immediate remedial training from the TASER instructor and will be given the opportunity to demonstrate proficiency again. If proficiency is not demonstrated after the initial remedial training, the officer shall be required to attend a four hour remedial training course within seven days and then will be tasked with demonstrating proficiency. If proficiency is not demonstrated, the officer shall not be issued a TASER or authorized to utilize a TASER and may be subject to further disciplinary action up to and including termination. All remedial training will be documented and included in the officers' training file.

## **Maintenance and Inspection** *(CALEA 4.3.1c)*

Only certified TASER Instructors shall place TASERs, cartridges, and power modules into service.

Officers shall be responsible for:

- Regular inspections of the power module state of charge to ensure percentages exceed 20% capacity (one bar). If a TASER displays the “Low Battery” warning, it shall be immediately taken out of service and notice given to a TASER Instructor.
- Regular inspections of cartridge blast doors and retention tabs and cleanliness of contact points. Cartridges with missing or damaged doors shall be removed from service and given to a TASER Instructor.
- Testing of the low intensity illuminator and laser functions.
- Performing a “spark test”/function check once per duty day, with no cartridge inserted or near the TASER.

TASER Instructors or TASER Armorers shall be responsible for:

- Replacing any power module whose charge is below 20%
- Replacing any damaged cartridge with a functional cartridge
- Verifying issued cartridges are not expired
- Maintaining maintenance logs on each TASER
- Retaining replaced TASERs, power modules and cartridges for training purposes or return for warranty as appropriate

### **TASER Protection**

Personnel issued or using TASERs will reasonably protect the TASER and cartridges from extreme cold, significant moisture, dust, dirt, mud, and risk of theft or accessibility to unauthorized personnel within or outside the department. Officers should be aware that extremely cold weather may cause firing problems.

### **TASER Carry Methods**

The TASER shall be carried in its approved holster attached to the duty belt on the support side of the body opposite the primary duty handgun. Other carry methods may only be utilized after approval by the Chief of Police.

### **TASER Spark Test & Safety**

At no time shall a “spark test” be done while a TASER cartridge is loaded. Spark tests are intended to verify the function and actual arcing of the electrical charge between contacts as well as power module level and performance. Spark tests shall be conducted prior to each shift that requires wearing the TASER device consistent with the method presented in training.

TASERs shall be handled in a safe manner at all times and shall not be directed towards person(s) unless in the lawful application of a use of force or at an approved training session. TASERs shall be treated as loaded and shall be pointed in a safe direction when performing any status or function test.

### **Heightened TASER**

## Application Risk Factors

Officers will consider the following factors which may require a greater level of justification for TASER application. Under the following conditions the risks of foreseeable direct or secondary injuries are elevated. These risk factors can only be given consideration when the factors are reasonably perceived by the officers.

- On women known to be pregnant
- Elderly persons
- Young children
- Visibly frail persons
- On subjects who are handcuffed unless they are violent and otherwise uncontrollable
- On persons in control of a moving vehicle
- On persons holding a firearm when their finger is on/near the trigger
- On persons who are in danger of falling from a significant height
- Near flammable liquids, gases or other combustible environments
- On persons fleeing
- On persons that could reasonably fall into a swimming pool, other body of water, or any area where the risk of drowning exists.
- Non-standard repeated applications

## Prohibited Use of TASERs/CEWs

The TASER shall not be used under the following conditions:

- Brandishing, displaying or otherwise indicating a threatened use of the TASER when its use is not otherwise authorized as listed in *UAPD Policy 3.1-Use of Force*
- To wake an unconscious or intoxicated person
- To force compliance of the extraction of bodily substances or the taking of physical characteristics, i.e. DUI blood draw, DNA sampling, hair sample removal
- For the sole purpose of motivating a handcuffed subject to move, stand up, walk or otherwise cooperate with an officer's instructions
- Horseplay, personal use, or otherwise displaying or using a TASER outside of its intended use as a law enforcement tool

## Primary Target Areas

The primary target area for the front is the lower torso, and for the back below the neck. The TASER shall not intentionally be aimed at the head, throat, breast, chest or areas of the heart, or genitals without legal justification.

## Use of TASER

TASERs shall only be issued to and utilized by properly trained personnel. Special consideration must be given to the following by personnel considering the use of or having used a TASER on another person:

- Deployment of other specialty weapons in the field
- Deployment of TASERs against individuals whom a K9 is actively engaging
- Recognition when SWAT personnel should handle a situation due to tactical training and specialized equipment
- Deploying TASERs against individuals who are armed with firearms
- Deadly force situations
- Situations that may require specialized equipment or personnel to resolve the situation with minimal injury to all parties
- Officer's ability to escalate/de-escalate to an alternate level of force as needed
- Having at least one other officer on scene when feasible to provide lethal capabilities
- Evaluation of the effectiveness of the TASER while engaging the subject and whether the desired outcome can be achieved by its utilization
- Re-deployment of the TASER to another target area on a subject to achieve desired results
- Giving appropriate commands prior to, during and after TASER cycles
- Providing appropriate medical aid to subjects injured during the incident

The on-duty supervisor or designee must approve another agency's request for a UAPD officer to respond for the sole purpose of having a TASER on scene. UAPD policy shall govern the use of the TASER under this circumstance at all times.

This does not preclude a UAPD TASER certified officer from deploying the TASER when justified at a scene where multi-agencies are working in concurrent patrol areas or assignments.

TASERs can be effective against aggressive animals. Officers must consider all applicable factors in this policy prior to deploying a TASER against an animal.

### **TASER Cycles**

When deploying the TASER, officers will administer a maximum of a 5 second cycle then assess the effectiveness of the deployment, unless legal justification for a longer cycle exists.

A 5 second cycle is started when the TASER trigger is pulled then released during either a drive stun or probe deployment. Officers shall not continually hold the trigger down unless legal justification for a longer cycle exists as the TASER cycle will be continuous until the trigger is released.

When neuromuscular incapacitation (NMI) is not achieved due to a close probe spread, additional or longer cycles may be required when legal justification exists.

## **Drive-Stun**

When probes are fired directly into the subject at point blank range, a three-point drive-stun with a live cartridge can be an effective technique.

When utilizing a drive-stun with a live cartridge the:

- Cartridge may not deploy when in direct contact with the subject but will still have drive-stun effect
- Probes (if deployed into body or clothing) can help maintain contact with a violent subject

Once probes are deployed into a subject, a three-point drive-stun away from the probes (where attached) can be applied to achieve NMI.

A drive-stun without a live cartridge will not achieve NMI and should only be utilized in exceptional cases as covered in TASER training.

Officers will follow all guidelines regarding TASER use including target areas and prohibitions when using this technique. Officers must realize that a drive-stun application with or without a cartridge makes them more susceptible to having to physically engage a subject. This technique should be used only after careful evaluation of all other use of force options.

## **Handling of TASERed Subjects**

Officers should begin restraint procedures as soon as it is reasonably safe to do so in order to minimize the total duration of exertion and stress experienced by the subject. Officers may immediately begin restraint of a subject even during the TASER cycle. Touching of the probes or wires and areas in between the probes during discharge should be avoided.

If a TASER application is ineffective in achieving the desired effect, officers should consider reloading and redeploying or using other force options as allowed by policy.

Unless medical concerns dictate otherwise and as soon as is safely practicable, only a TASER certified officer shall remove the probes that have penetrated a subject's skin. Utilize the following considerations before handling TASER affected subjects:

- If probes are attached to the face, head, neck, groin, female breast or other sensitive part of the body, medical personnel will be called for evaluation of probe removal at the scene or transporting the subject to an Emergency Room or other facility to have a doctor remove the probes



- Officers shall wear latex gloves during probe removal
- Expended probes shall be retained and placed in a sharps biohazard container
- Officers shall ensure that the entire probe has been removed and that no part remains embedded in the subject
- Probes, cartridges, wires and AFIDS will be retained and documented as evidence if reasonable to do so. A photograph of the contact location(s) made by the TASER or probes shall be taken as soon as practicable after the incident

### **TASER Medical Attention (CALEA 4.1.5)**

If officers reasonably believe that a subject upon whom a TASER was used exhibits any signs of medical distress, the officers shall render aid and summon emergency medical care. Subjects who have suffered secondary injuries from a TASER use such as cuts, abrasions etc. shall be evaluated in the field by medical personnel.

If the assessment or other circumstances dictate the subject needs further treatment, the subject shall be transported to a medical facility per department guidelines.

### **TASER Use Documentation and Supervisory Responsibilities**

All probe and contact deployments of TASERs, TASER displayed, TASER laser paint or TASER demonstrations directed at an individual to gain compliance shall be documented in a UAPD Subject Management Report by the officer prior to going off-duty. The on-duty supervisor shall ensure evidentiary items are entered into the Property & Evidence section, review the SMR and associated reports, and forward them to their Division Assistant Chief. A currently certified TASER Instructor shall review the SMR as a Subject Matter Expert, and in the case of an actual discharge, shall also complete a TASER download for inclusion in the SMR packet. Generally, a TASER will not need to be 'seized' and can remain in service until such time as a download is performed. The download should take only a few minutes and will not usually require issuing a replacement TASER.

The deployment or threatened use shall also be fully documented in a case or supplemental Report.

The information contained within the SMR will include the serial number of the TASER used, serial number of the cartridge if utilized, number of times fired or cycled, approximate distance fired from, location of the probe(s), and/or stun contact.

Any unintentional discharge of a TASER shall be fully documented in an Employee's Report and forwarded through the chain-of-command to the officer's Division Assistant Chief. The report shall include the serial numbers for both the

expended and replacement cartridge. As part of any administrative response or disciplinary action, a TASER Instructor will conduct remedial training with the officer as soon as practical and document the training in a separate Employee's Report. A TASER download will also be completed following any unintentional discharge. (CALEA 1.3.6c)

### **TASER Downloads**

The TASER internally records each use, which can later be downloaded to a computer. Each TASER will have this internal information downloaded at least annually or more often as deemed necessary by the Department. Only currently certified TASER instructors or other trained individuals designated by the Field Operations Division Assistant Chief are authorized to download this information.

Any time a probe deployment or drive stun (except during training) is directed against a person, a download shall be conducted and the information forwarded with the SMR for review. This information shall become a permanent part of the TASER's record maintained on the department server.

### **Knowledge of Policy (CALEA 4.3.4)**

All police officers shall be issued this UAPD policy regarding use of force and shall be trained and qualified prior to being allowed to carry any weapon(s). The Training Sergeant shall insure that a policy receipt and curriculum delivery is documented in the employees training file.

## 3.3 Supplemental Restraints



Supersedes: 01 May 2015	Revision: 27 May 2015	Effective: 3 August 2015
Policy Affects: All Personnel	CALEA Standard:	

Brian A. Seastone  
Chief of Police

### Policy

The use of supplemental restraint devices should be considered as an alternative or a combined option to safely restrain violent subjects when and if the circumstances will allow. In situations where a combative subject resists arrest or restraint and is a potential threat of injury to officers and/or civilians or self, or damage to property, these supplemental restraint devices can be effective. This policy provides guidelines and procedures for the use of supplemental restraint devices by police officers. To ensure the safety of the officers' involved, there is a need for training of all police officers prior to issuing and utilizing these restraints.

### Supplemental Restraints

The supplemental restraint device authorized by UAPD is the RIPP™ Hobble manufactured by RIPP™ Restraints Inc.

When a RIPP™ Hobble is not accessible, handcuffs or Flex cuffs may be used as a supplemental ankle restraint until a RIPP™ Hobble becomes available.

Flex cuffs supplied by the department of an approved type, may be used in place of regular handcuffs when practical to do so such as mass arrests.

### Training and Qualifications

Only trained police officers will use the approved supplemental restraint devices. Training may include but is not limited to the following:

- Classroom instruction
- Visual media
- Written test
- Practical exercise

Additional training on supplemental restraint devices may coincide with departmental Defensive Tactics refresher training.

## Inspection

Police officers will inspect and maintain supplemental restraint devices in good working condition. Following any use the restraint device will be checked for serviceability

Any discrepancies will be brought to the attention of the on-duty supervisor and the device taken out of service.

## RIPP™ Hobble

The hobble was designed to be used to secure the legs and ankles of a subject.

Listed below are several possible uses:

- To secure the feet/legs of an individual.
- To prevent an individual from standing.
- TARP (Total appendage restraint procedure).
- To secure subject's feet in the vehicle to prevent damage/injury to the individual.
- To restrict a subject's ability to run or kick while walking.
- To secure a subject's elbows during de-cuffing.

## Restraint Guidelines

Application of these devices shall be used in accordance with established training programs and procedures.

***The use of any "Hog-tie" by any UAPD employee is prohibited.*** Hog-tie is defined as the tying of all four limbs together behind a person's back, rendering the subject immobile and helpless.

In order to ensure the safety of all those involved:

- Personnel need to recognize when a situation warrants the use of supplemental restraint devices.
- Personnel should assess the need for specialized equipment or personnel in order to resolve the incident with minimal potential for injury to all involved individuals or damage to property.
- At least one other officer will be on scene, when feasible, to assist in the safe application of the device. When utilizing the RIPPTM Hobble on a violent and/or combative individual who is not handcuffed a "swarm" technique should be used in the application of the hobble.
- Personnel shall provide the appropriate medical aid to subjects injured during any application of these devices.

- Individuals who have been sprayed with OC or other chemical agents and require supplemental restraints shall be treated in accordance with *UAPD policy 3.2-Less Lethal Weapons*.

### **Reporting Use**

The use of any supplementary restraint on noncompliant individuals shall be documented on a Subject Management Report.

## 4.1 All Hazards Plan



Supersedes: 03 August 2015	Revision: 12 April 2018	Effective: 18 April 2018
Policy Affects: All Personnel		

Brian A. Seastone  
Chief of Police

### Policy

Effective response, command and control are vital to the success of any incident. The UAPD has adopted the Incident Command System (ICS) and the National Incident Management System (NIMS) for responding to all calls for service. The application of ICS at all calls will enhance the department's ability to effectively respond to "critical incidents" including major sporting events and other special events deemed the responsibility of the UAPD.

### Response

#### Planning (CALEA 46.1.1)

All operation plans will be developed utilizing the ICS system.

The Chief of Police will designate a position(s) within the department that will incur the responsibility for the planning/coordination of critical incidents as outlined in the Campus Emergency Response Plan (CERP).

Management of other events that do not reach a critical designation will be assigned to an individual for routine planning, coordination, and management.

#### "All Hazards" Plan (CALEA 46.1.2)

Critical incidents may include natural and man-made disasters, accidents and terrorism. This policy is intended to utilize an "**All Hazards**" response to incidents. While there may be other required actions taken as a result of civil disturbances, mass arrests, bomb threats, hostage/barricaded subjects, acts of terrorism and other unusual incidents, following this "All Hazards" plan, the basic "Seven Critical Tasks" along with prompt notification and request for mutual assistance and resources, will assist with the mitigation of the specific incident.

UAPD employees are responsible for being familiar with NIMS and the activation of the ICS.

Certified officers, Dispatchers, Police Aides and Community Service Officers will be provided annual documented training regarding the UAPD "All Hazards" associated policies. Biennially, the department will conduct a tabletop or full scale exercise to assess the department's capabilities with the All Hazard Plan and the Incident Command System. (CALEA 46.1.9a/b)

## Three Response Phases

**Crisis Phase-** This is the initial response to the scene which may involve rapidly changing conditions. Under the Crisis Phase the IC's goals are:

- Ensure citizen and responder safety
- Limit growth of the incident
- Stabilize the scene

**Scene Management Phase-** During the initial stages of an incident, a “size-up” is done to set the immediate incident objectives. The first responder to arrive must assume command and size up the situation by determining:

- Nature and magnitude of the incident
- Hazards and safety concerns
  - Hazards facing responding personnel and the public
  - Evacuation and warnings
  - Injuries and casualties
  - Need to secure and isolate the area (“Hot Zone” and inner and outer perimeters)
  - Initial priorities and immediate resource requirements
  - Location of Incident Command Post and Staging Area
  - Ingress and egress routes for responders

**Executive Management Phase-** Executive decision makers decide the policies, procedures and long term actions.

The Incident Commander (IC) in most situations will be the first officer at the scene regardless of rank. Command and control of critical incidents may be assumed by the on duty supervisor if necessary, after briefing by the initial IC until such time as incident command is transferred.

## Seven Critical Tasks

The application of the Seven Critical Tasks at any incident will assist with incident management and control of the situation. While there is no order to implementing these tasks, command, communication and identification of the “hot zone” are crucial for first responder response and safety. (*CALEA 46.2.1a*)

1. **Command and Communications** – The employee assuming Incident Command will immediately make that notification to the communications section, i.e. “Adam 61 I am responding and will have IC.” Based upon need, the IC may direct routine radio traffic to an alternate channel and keep initial responders on the primary channel. (*CALEA 46.1.3a*)
  - Assume Command
  - Clear Frequency and move routine radio traffic to another channel
2. **Identify the “Hot Zone”**. The Hot Zone is the area immediately involved in the situation, where entry into the zone could result in injury or death. The

Hot Zone should be immediately identified and broadcast to all responding personnel.

- “No cars between X and Y”
  - “No one in building X”
3. **Establish Inner Perimeter.** The Inner Perimeter is identified as the area immediately around the Hot Zone, where responding personnel may work, and secures the perimeter out from the Hot Zone.
    - Set up promptly
    - No unauthorized movement in or out
    - Strictly controlled area around the “Hot Zone.”
  4. **Establish Outer Perimeter.** The Outer Perimeter is identified as a position outside the Inner Perimeter that is a support function, where no defensive action is required. An outer perimeter is usually a Traffic Control position.
    - Provides for Crowd and Traffic Control Points
    - Controls Access/Egress to and from the Scene
  5. **Establish Command Post.** The Command Post (CP) is critical to managing the incident. In most cases the supervisor’s vehicle will be used as the CP. If the incident is going to last for more than two hours, or if multiple agencies are involved, the Mobile Command Post (MCP) will be activated and respond to the location identified by the IC which is in a secure area. The Command Post provides an area for strategic planning and coordination. *(CALEA 46.1.3b)*
    - Initially the supervisors vehicle
    - MCP activated for extended incidents
    - Consideration should be given to activate the MCP immediately for any serious incident or anticipated to extend beyond two (2) hours.
  6. **Establish Staging Area.** The Staging Area should be located between the Inner and Outer perimeters. The Staging Area is where all responding resources will respond to and deploy from. *(CALEA 46.1.3f)*
    - Direct unassigned resources to respond to this location for check-in
    - Await briefing and deployment assignments, no “self-dispatching”

A Media Staging Area should be identified, and a Public Information Officer (PIO) identified to respond and coordinate with the media. The Media Staging Area will be within an area established by the IC outside the Inner and Outer perimeters, away from the regular staging area and the Command Post. *(CALEA 46.1.3g)*

7. **Request Resources.** The prompt identification of needed resources and the request for same will enhance the IC’s ability to effectively manage the critical incident. Unless otherwise directed all resources should respond to the Staging Area for check in, assignment and deployment. *(CALEA 46.1.3c/d)*



- Assess needs early and order stand-by at Staging Area for movement to the scene as required.
- This may involve the need to mobilize other on duty personnel and the call in of off duty personnel.

Identified areas for the set up for the Command Post, Staging Area/s, and inner and outer perimeters must be properly secured and checked for potential hazards prior to being set. It may be necessary to reposition these areas in the course of the incident. Security of the Command Post and Staging Area will involve the assignment of personnel whose sole responsibility is to ensure the security of each location. For an extended incident, fencing, or movement into a building, office or other secure location is recommended. In no case will unauthorized individuals be permitted into these locations.

## **Incident Command System Organization and Operations:**

The Incident Command System has five major functions. These are: command, operations, planning, logistics, and finance/administration (with a potential sixth functional area to cover the intelligence function. The ICS structure is modular and may expand and contract to meet the needs of the situation. There are over 140 positions in the ICS structure, however usually only a portion of these positions are actually utilized.

- **Command Staff:** Command comprises the IC and Command Staff. Command Staff positions are established to assign responsibility for key activities not specifically identified in the General Staff functional elements. These positions may include the Public Information Officer (PIO), Safety Officer (SO), and Liaison Officer (LNO), in addition to various others, as required and assigned by the IC.
- **General Staff:** The General Staff comprises incident management personnel who represent the major functional elements of the ICS including the Operations Section Chief, Planning Section Chief, Logistics Section Chief, and Finance/Administration Section Chief.

**Command Staff and General Staff must continually interact and share vital information and estimates of the current and future situation and develop recommended courses of action for consideration by the IC.**

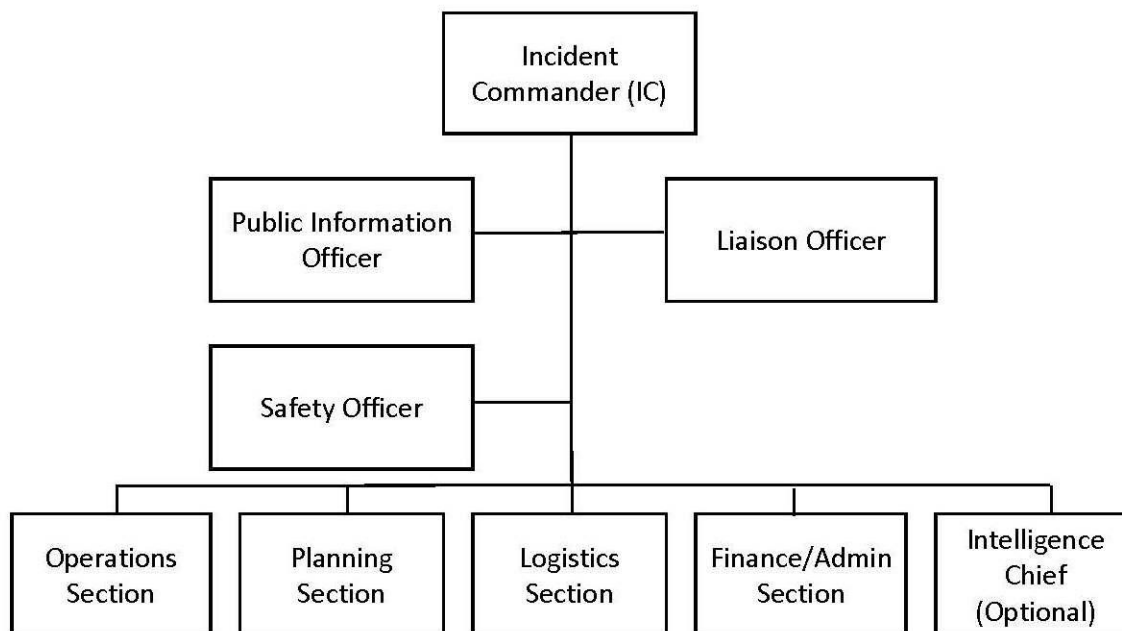
## **Basic ICS Organization**

Under the ICS system there is an identified Incident Commander (IC) for each incident. Rank, title or position does not matter once the IC is identified. **The Incident Commander has overall responsibility for managing the operation.**

## Use of Position Titles

Organizational Level	Title	Support Position
Incident Command	Incident Commander	Deputy
Command Staff	Officer	Assistant
General Staff (section)	Chief	Deputy
Branch	Director	Deputy
Division/Group	Supervisor	N/A
Unit	Leader	Manager
Strike Team/Task Force	Leader	Single Resource Boss

## Basic Incident Command Structure



### Incident Commander (IC) Responsibilities:

- Initiate 7 Critical Tasks including ICS system
- Assess situation, assume command or assume after briefings from prior IC
- Select and establish appropriate Command Post
- Establish a Unified command, if necessary ([CALEA 46.1.3e](#))
- Approve all information released to media and approve plan for return to normal operations – Termination Phase
- Select appropriate functions to establish the ICS, issue badges/vests to functions
- Determine whether a unified command structure with assisting agencies is necessary.

- Conduct initial briefings of Command and Section Chiefs and request that an Incident Action Plan (IAP), with specific objectives be developed for review and approval
- Review and update IAP with staff
- Approve plan for returning to normal operations.
- Prepare After Action Report (*CALEA 46.1.3j*)

### **Deputy Incident Command (DIC) Responsibilities**

- Obtain briefing from IC
- Assist IC as directed or where appropriate.
- Assume interim command when the IC is unavailable or absent from CP
- Verify execution of IC's directive and compliance with IAP
- Serves as Systems Manager to:
  - Assure all CP personnel function in their specific roles
  - Assure smooth flow of information throughout the CP operation
- Request participating agencies provide a liaison or agency representative to CP
- Review situation or status reports, journals and other data for accuracy and completeness
- Ensure all unit logs are submitted to the IC in a timely manner

### **Safety Officer (SO) Responsibilities:**

- Obtain briefing from the IC
- Assist in the formulation of the IAP
- Monitor operational activities as assess potential danger or unsafe conditions. (*CALEA 46.1.3h*)
- Exercise emergency authority to immediately stop or prevent unsafe acts or conditions when appropriate
- Monitor stress levels of personnel
- Maintain log of all activities

### **Public Information Officer (PIO) Responsibilities:**

- Obtain briefing from the IC
- Establish a single and separate incident information briefing center, if possible.
- Obtain copies of all media releases related to incident
- Prepare information summary media coverage for specific CP personnel
- Obtain approval from the IC for the release of information to the news media
- Provide media briefings and media released as appropriate. Post all media releases in CP for review
- Arrange for meetings between news media and incident personnel upon direction of IC
- Provide escorts for media and other officials as necessary/appropriate
- Maintain log of all activities

## **Incident Log/Scribe Responsibilities:**

- Obtain briefing from IC
- Maintain a CP journal, which will include time, activity and action taken
- Periodically distribute a situation report to CP personnel
- Gather incident related information from the other CP personnel for entry into the journal
- Refer pertinent information to the PIO
- Maintain custody of all documents prepared for briefing the IC; ensure that the date, time and all persons present for the briefings are recorded
- Maintain an updated map of the incident location, which when displayed for all CP personnel will depict:
  - Affected area or location
  - Inner and outer perimeter locations
  - Scene CP location Staging area location
  - Areas requiring evacuation or already evacuated
  - Location of assisting agency personnel or specialists
  - Assist Planning and Intelligence Section in developing a plan for returning to normal operations

## **Liaison (LNO) Responsibilities:**

- Obtain briefing from the IC
- Provide a point of contact for assisting mutual aid agency representatives
- Identify representatives from each jurisdiction including communication link location and location of all personnel assigned to assist the incident.
- Handle requests from CP personnel for inter-organizational contacts
- Monitor incident operations to identify current or potential inter-organizational conflicts or problems
- Provide information to appropriate governmental agencies
- Maintain liaison with the command center of other agencies involved in the incident.
- Maintain an activity log

## **Operations Section Responsibilities**

- Assist in the development of the IAP (Operational Component)
- Continuously approve and evaluate the tactical situation.
- Execute the operation component of the IAP, with approval of the IC.
- Direct and control the tactical deployment of field elements assigned through the Operations Section, which includes Mission Unit Leaders
- Assist Logistics Section in providing all resources (equipment, supplies and personnel) to field operations for incident resolution.
- Ensure that appropriate reports are completed for section activities.
- Assist with the demobilization planning for returning to normal operations  
([CALEA 46.1.5d](#))
- Maintain CP and scene security ([CALEA 46.1.4c](#))

- Provide for detainee transportation, processing and confinement (CALEA 46.1.4d)
- Direct and control traffic (CALEA 46.1.4e)
- Conduct post incident investigation (CALEA 46.1.4f)

## Operations Chief Responsibilities

- Obtain briefing from the IC
- Supervise and direct the activities of all assigned Operations Section personnel
- Assist in the development of the IAP (Operational Component)
- Coordinate Operations activities with other field command post units
- Prepare and recommend operational plan changes and revisions to the IC
- Issue operational orders to implement directive of the Operations Section Chief and IC
- Advise the IC on the readiness of tactical teams for deployment
- Select or recommend
  - Staging area locations
  - Perimeter assignments (CALEA 46.1.4a)
  - Evacuation strategies (CALEA 46.1.4b)
  - Resource requirements/availability to the field command
  - Provide frequent incident status briefings
  - Ensure personnel prepare after-action report; the preparation an activity log and assist in planning for return to normal operations

## Operations Section Staging Unit

**Staging Area:** Once designated and named, a Staging Area Manager will be assigned. The Staging Area Manager will report to the Operations Section Chief or to the Incident Commander if the Operations Section Chief has not been identified.

## Planning Section Units

**Resource Unit:** Responsible for all check-in activity and for maintaining the status on all personnel and equipment resources assigned to the incident.

**Situation Unit:** Collects and processes information on the current situation, prepares situation displays and situation summaries, develops maps and projections.

**Documentation Unit:** Prepares the Incident Action Plan (IAP), maintains all incident-related documentation, and provides duplication services.

**Demobilization Unit:** On large, complex incidents, the Demobilization Unit will assist in ensuring that an orderly, safe and cost-effective movement of personnel is made when they are no longer required.

### **Planning Section Responsibilities**

- Responsible for deploying personnel to gather and assess intelligence information *(CALEA 46.1.5b)*
- Prepare Incident Action Plans *(CALEA 46.1.5a)*
- Participate in a Continuity of Operations(COOP)/Continuity of Government (COG) plan *(CALEA 46.1.5c)*
- Responsible for providing intelligence information relating to specific hazardous locations and for individuals advocating and or participating in violations of the law *(CALEA 46.1.5b)*
- Responsible for obtaining photographs, sound and video recordings of the incident where appropriate and assist the CP personnel in developing operational response plans
- Monitor all television and radio broadcasts related to the incident
- Prepare a plan for returning to normal operations, conduct personnel danger assessment in affected area and a coordinated plan for the reassignment of all incident personnel
- Prepare a plan for repopulating of evacuated areas, where appropriate *(CALEA 46.1.5d)*
- Assess and prepare estimations of factors effecting escalation or de-escalation and at the request of the Incident Commander, perform field observations such as:
  - ID of high risk locations
  - ID of persons inciting violence
  - Situation damage/injury/casualty estimates
  - Weather and environmental conditions

### **Planning Chief Responsibilities**

- Obtain briefing from the IC
- Provide briefing on the incident size and scope to all Planning and Intelligence personnel
- Prepare Incident Action Plans
- Deploy and supervisor personnel as needed to gather and assess intelligence information
- Maintain an intelligence file on specific hazardous location and for individuals advocating and or participating in violations of the law.
- Obtain photos, sound and video recording of incident activities where appropriate to assist CP personnel in developing an operational response plan
- Direct that coverage of all TV and radio broadcasts be monitored

- Prepare estimates of incident escalation/mobilization and de-escalation/mobilization at request of IC, by performing intelligence analysis and field observations:
  - ID of high risk locations
  - ID of individuals inciting violence
  - Estimate crowd size and type
  - Situation damage/injury/causality estimates
- Report to the Safety Officer or take immediate action for any condition observed that may cause danger or is a safety hazard to personnel and prepare a place for returning to normal operations.
- Maintain an activity log

### **Logistics Section Responsibilities**

- Determine with Operations Office, Planning and Intelligence the size, scope and seriousness of the incident and immediate or anticipated resources required for incident resolution. These resources will include:
  - Communications *(CALEA 46.1.6a)*
  - Transportation *(CALEA 46.1.6b)*
  - Medical Support *(CALEA 46.1.6c)*
  - Supplies *(CALEA 46.1.6d)*
  - Specialized team and equipment need *(CALEA 46.1.6e)*
- Request, maintain and control selected equipment, supplies, facilities and other services required by the Operations Section.
- Provide security for the command post, staging and other sensitive areas as required
- Arrange for and provide meals and refreshments for all incident personnel in coordination with other section officers.
- Maintain a visible chart of resources requested and advise Operations Section of estimated time of arrival or the unavailability of the resources requested

### **Logistics Chief Responsibilities**

- Obtain briefing from the IC
- Plan and coordinate the activities of the Logistics Section and supervise the assignment of personnel.
- Evaluate with Operations, Planning, and Intelligence Sections the current size, scope, and seriousness of the incident and plan necessary logistical support for field operations
- Provide, maintain and control selected equipment, supplies, facilities and services required by the Operations Section
- Assign security for command post, staging area and other sensitive areas, as required
- Coordinate and process requests for additional resources

- Maintain a visible chart of resources requested and advise Operations Section of arrival of resources for deployment. The logistical chart should display information as follows:
  - Resources requested
  - Time requested
  - Estimated time of arrival
  - Resource “staged location and available
  - Descriptive data regarding resource; size, numbers, capabilities and rating
  - Provides for meals and refreshments for all incident personnel
  - Maintain an activity log

## **Logistics Section Service Branch**

It is important to remember that Logistics Unit functions, except for the Supply Unit, are geared to supporting personnel and resources directly to the incident.

**Communications Unit:** Is responsible for developing plans for the effective use of incident communications equipment and facilities, installing and testing communications equipment, supervision of the Incident Communications Center, distribution of communication equipment to incident personnel, and the maintenance and report of communications equipment.

**Medical Unit:** Is responsible for the development of the Medical Plan, obtaining medical aid and transportation for injured and ill incident personnel, and preparation of reports and records.

**Food Unit:** Is responsible for supplying the food needs for the entire incident, including all remote locations (e.g., Camps and Staging Areas), as well as providing food for personnel unable to leave tactical field assignments.

## **Logistics Section Support Branch**

**Supply Unit:** Is responsible for ordering personnel, equipment, and supplies; receiving and storing all supplies for the incident; maintaining an inventory of supplies; and servicing nonexpendable supplies and equipment.

**Facilities Unit:** Is responsible for the layout and activation of incident facilities (e.g., Base, Camp and Incident Command Post. The Facilities Leader provides sleeping and sanitation facilities for incident personnel and manages Base and Camp(s) operations. Each facility is assigned a manager who reports to the Facilities Unit Leader and is responsible for managing the operation of the facility. The basic functions or activities for the Base and Camp Managers are to provide security service and general maintenance.



## **Intelligence Section Responsibilities (Optional)**

- Obtain briefing from the IC
- Provide briefing on incident size and scope to all Planning and Intelligence personnel.
- Deploy and supervise personnel as needed to gather and assess intelligence information.
- Maintain an intelligence file on specific hazardous location and for individuals advocating and/or participating in violations of the law.
- Obtain photographs, sound and video recordings of incident activities where appropriate to assist command post personnel in developing an operational response plan
- Direct that coverage of all television and radio broadcasts be monitored

## **Finance/Admin Section**

### **Finance and Administration Responsibilities**

- Obtain briefing from the IC
- Activate necessary elements (time unit, procurement unit, and compensation claims unit and cost unit to support Finance Section activities
- Provide input in planning sessions on financial and cost analysis matters
- Assist the Logistics Section with procurement of equipment, supplies and other resources needed for incident resolution *(CALEA 46.1.7b)*
- Ensure that all personnel time records are maintained and transmitted to agencies assisting with the incident *(CALEA 46.1.7a)*
- Participate in demobilization and incident termination planning sessions
- Prepare incident related cost analysis as required by the IC *(CALEA 46.1.7c)*
- Respond to and evaluate incident related compensation claim requests and liability issues *(CALEA 46.1.7d)*
- Maintain activity log
- Prepare appropriate reimbursement documents, if applicable *(CALEA 46.1.7e)*

**Time Unit:** Is responsible for equipment and personnel time recording.

**Procurement Unit:** Is responsible for administering all financial matters pertaining to vendor contracts, leases, and fiscal agreements.

**Compensation/Claims Unit:** Is responsible for financial concerns resulting from property damage, injuries, or fatalities at the incident.

**Branches:** Branches may be used to serve several purposes, and may be functional or geographic in nature. Branches are established when the number of Divisions or Groups exceeds the recommended span of control of the supervisor to three (3) to seven (7) subordinates for the Operations Section

Chief. Branches are identified by functional name, and are managed by a Branch Director.

### Divisions and Groups

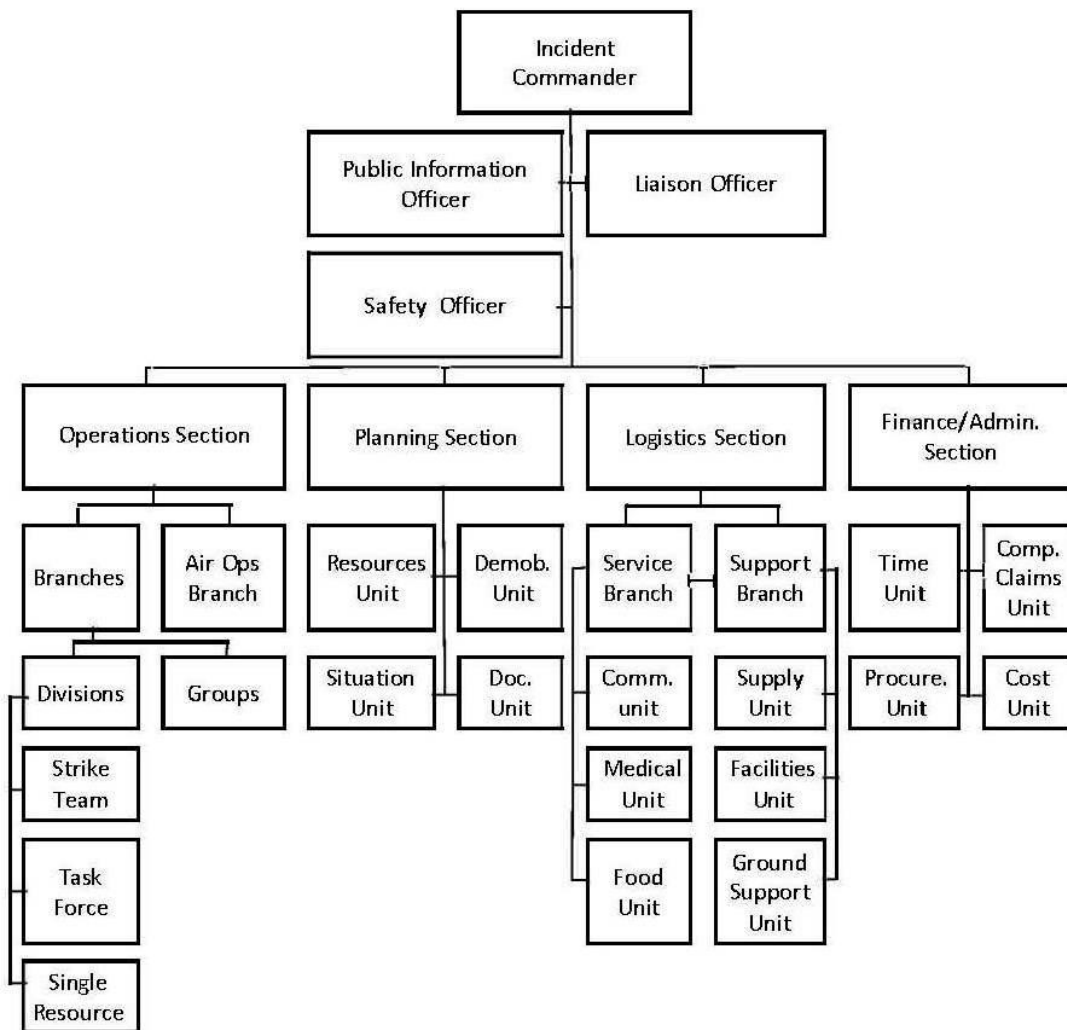
**Divisions** are established to divide an incident into physical or geographical areas of operation.

**Groups** are established to divide the incident into functional areas of operation.

**Divisions and Groups** may be assigned across geographical areas when a functional activity crosses divisional lines.

In any organization in which combined Divisions and Groups are used, it is important that the supervisors establish and maintain close communications and coordination. Each will have equal authority; neither supervisor will be subordinate to the other.

### Incident Command Organization – Expanded



## **Awareness Level Guidelines**

Applicable summaries, notices and guidelines will be maintained and updated as needed to provide field personnel basic knowledge to recognize a Chemical-Biohazard-Radiological-Nuclear (CBRN) or hazardous material situation and immediately implement basic procedures of isolation and personal protection as guided by this policy.

## 4.9 National Incident Management System (NIMS)



Supersedes: 03 August 2015	Revision: 17 October 2016	Effective: 01 November 2016
Policy Affects: All Personnel	CALEA Standard: 46.2.1	

Brian A. Seastone  
Chief of Police

### Policy

The UAPD has adopted the National Incident Management System (NIMS) in the planning and management of incidents and events occurring within its jurisdiction. The University of Arizona has adopted the NIMS standard for incident management purposes.

NIMS is a system used in conjunction with the Incident Command System (ICS) and Unified Command (UC) that provides a consistent nationwide approach to incident management. It is a core set of doctrine, concepts, terminology, and organizational processes that are applicable to all hazards.

### NIMS Implementation

At the operational level NIMS uses the Incident Command System (ICS). ICS consists of an Incident Commander and staff which consists of the Public Information Officer, Safety Officer, Liaison Officer and General Staff.

The General Staff consists of four sections; Planning, Operations, Logistics and Finance/Administration.

The main tenants of ICS are that it is a modular and scalable system. The IC fills all of the command and general staff positions until they assign someone to that position. Factors to consider in assigning command and staff positions using the ICS model include the complexity of the event, geographic separation, and span of control.

Multi-agency coordination is accomplished through the use of a Liaison Officer by establishing a Unified Command and providing command personnel to an Emergency Operations Center (EOC). Under the NIMS model the PIO becomes part of the Joint Information Center (JIC).

Command Staff will coordinate UAPD preparedness regarding management of large scale scheduled events and whenever warranted for all other events.

## **NIMS Components**

The six components of NIMS are:

- Command and Management (Incident Command System, Multi-agency coordination and Public Information)
- Preparedness (Planning, training, exercises, personnel and equipment certification, and mutual aid)
- Resource Management (typing and tracking)
- Communication and Information Management (interoperability and technology support)
- Ongoing Management and Maintenance (participation in NIMS Integration Center)

## **Training**

All UAPD first responders will receive training regarding NIMS. Initial training may be accomplished at the recruit level through the local academy. For lateral officers and non-certified personnel, initial training may consist of classroom lecture in order to establish base line understanding of NIMS and ICS principles.

The level of training required by agency personnel will be dependent upon their level of responsibility within the department concerning the response to major incidents under the ICS.

Training may be accomplished with the use of on-line courses in conjunction with classroom training. These on-line courses are available at [www.fema.gov/nims](http://www.fema.gov/nims). Any classroom training in NIMS or ICS shall follow current AZPOST guidelines regarding lesson plans and be approved by AZPOST prior to implementation.

## **Coordination and Cooperation**

For situations that require a specialized resource that UAPD cannot provide, a request for that resource will be made to an outside agency. Coordination and cooperation between specialized units and other operational components is necessary to ensure safety and successful completion of objectives.

In all operations the UAPD Incident Commander (IC) will maintain overall operational control. Once the IC has briefed the Assistant Chief of any requested outside agency special operations such as bomb disposal, hostage negotiation or SWAT (list not all inclusive) and a plan has been developed to mitigate the given situation, that outside agency commander shall have tactical control in the implementation of the agreed upon plan. (CALEA 46.2.1c)

## **Training Coordination and Records**

The Training Section shall coordinate all necessary training for ICS and NIMS orientation and notify personnel regarding the level of training they must receive.

The Training Section shall maintain a record of NIMS and ICS training of all department personnel. Personnel participating in on-line training shall forward any certificate of completion to the Training Section for inclusion into the NIMS/ICS file.

Any training completed in the classroom outside UAPD will require a certificate of completion and/or class roster to show attendance to be forwarded to the Training Section.

## 5.2 Constitutional Safeguards



Brian A. Seastone  
Chief of Police

Supersedes: 01 November 2016	Revision: 23 January 2019	Effective: 06 February 2019
Policy Affects: All Personnel		

### Policy

The University of Arizona Police Department is committed to ensuring the Constitutional Rights of all individuals are protected and individuals are treated in a fair and just manner, without regard to personal consideration or bias. Members of the department shall adhere to the provisions of the laws of the State of Arizona, decisions of the Appellate Courts, and the Constitutions of the United States and the State of Arizona.

The guidelines in this general order are not a comprehensive review of all legal considerations but are areas that often attract close judicial scrutiny.

### Legal Requirements During Criminal Investigations (CALEA 1.2.3a/b)

- No member of the department shall use coercion, threats, or promises to elicit confession or admission from suspects in criminal cases as these acts may render the confession or admission inadmissible.
- Excessively prolonged interrogations without breaks for personal needs of a suspect (i.e., food, rest, and use of toilet facilities) will not be permitted.
- Interrogation techniques must reflect consideration of the subject's age, mental capacity, drug or alcohol impairment, and health.

### Delay in Arraignment

In accordance with the Arizona Rules of Criminal Procedure, all individuals physically arrested and booked into jail must be taken before a magistrate without unnecessary delay and a hearing held within 24 hours.

### Miranda Rights

An officer shall read *Miranda* warnings to a person when a person is both in custody and being interrogated. (CALEA 1.2.3a/b/c)

When *Miranda* warnings are required, they should be read directly from the officer's rights card, as follows:

*You have the right to remain silent.*

*Anything you say can and will be used against you in a court of law.*

*You have the right to the presence of an attorney to assist you prior to and to be with you during questioning if you so desire.*

*If you cannot afford an attorney, you have the right to have an attorney appointed for you prior to questioning.*

*Do you understand these rights?*

*Now having been advised of these rights and understanding these rights will you answer my questions?*

### **Invocation of Miranda rights**

Once a person invokes his/her rights, officers are to immediately stop questioning the person. No further questioning may take place unless the person changes their mind, either on their own or after a later request by the officer. If the person changes his/her mind and seeks to speak with the officer again, the officer may speak to and question the person but must first reread the *Miranda* warnings to the person and have the person waive their rights.

### **Invocation of Right to counsel**

If a person invokes their right to an attorney, the interrogation must immediately be stopped. If the person changes his/her mind and seeks to speak with the officer again, the officer may speak to and question the person but must first reread the *Miranda* warnings to the person and have the person waive their rights. (CALEA 1.2.3c)

### **Miranda Rights Waiver.**

A person may waive their rights with a written waiver, a verbal waiver, or through conduct which indicates a waiver. For example:

- Clearly stating that they understand their rights and waive their rights
- Simply answering questions once the rights have been read.
- Make a conditional waiver – “Depends on the question,” for example. If the person indicates they do not wish to answer a question, questioning may continue until the person states they do not want to answer any questions or requests an attorney.



- Saying something that is unclear or equivocal. Such statements should be clarified before questioning begins (or continues). A person might say, for example, “I don’t know, do you think I need an attorney?” or “Maybe I should just wait and talk to you later,” or “Hey, I don’t have to answer your questions if I don’t want to.” These types of statements should be clarified by the interrogating officers. Officers should ask whether the person wishes to answer questions or not.

Officers should not offer advice or make any other comments about whether an attorney is needed.

## **Prohibitions**

Officers shall not use coercion, threats or promises to elicit confessions or admissions. Officers shall not engage in excessively long interrogations without breaks for the suspect’s personal needs, e.g., food, rest and use of the restroom facilities. Interrogation techniques should take into consideration the person’s age, mental capacity, drug or alcohol impairment and general health.

## **Pre-Trial Publicity**

The release of information in criminal cases will be made available as provided by Departmental policy and state law. No statements will be made indicating whether or not a suspect has made a confession or admission.

## **Juvenile Interrogations**

If the officer believes a juvenile, based on the juvenile’s age, would believe he/she is in custody, the officer should read the juvenile Miranda warnings. *(CALEA 44.2.3)*

A parent may invoke a juvenile’s rights under *Miranda*. Unless the parent is a suspect or a co-defendant, an officer shall:

- Make a reasonable effort to notify parents of the arrest of a juvenile.
- Permit an in-custody juvenile who asks to call a parent to do so.
- Ask, prior to the start of any questioning, if the juvenile wants a parent, guardian or custodian present during the interview and, unless time is of the essence, delay a reasonable period of time for the person to arrive.
  - If a parent refuses or is unable to respond in a reasonable time, inform the juvenile and clarify whether they are willing to answer questions without the parent being present.
  - If a parent is being disruptive during the interview, the parent may be asked to leave the interview. The officer must then clarify with the juvenile

whether they are willing to answer questions without the parent being present.

If the juvenile does not want the parent to be present during questioning and appears to have the maturity to reasonably make such a decision, exclude the parent from the interview.

If the officer believes the juvenile is incapable of intelligently understanding their rights. Officers shall:

- Use or complete the form required by the prosecuting attorney or court for juvenile *Miranda*, if a specific form is required by the local prosecution office or court; if none, advise a juvenile of *Miranda* rights following the same guidelines for an adult interview or interrogation.
- If further explanation of the rights is necessary, thoroughly document the explanation that was provided in the officer's report, or electronically record it.
- Advise the juvenile, when applicable, that the juvenile may be, or will be, tried as an adult. See A.R.S. §13-501.
- Limit the duration of the interview to a reasonable period of time (not to exceed two hours without supervisory approval).
- Limit to two the number of officers present during the interview (under normal circumstances).

## **Search Warrants**

A search warrant is an order issued by the Court authorizing a law enforcement officer to execute a search of property or person as described within the warrant.

UAPD officers may execute search warrants outside UAPD jurisdiction. Prior to the execution of the warrant, the Chief or Assistant Chief will be made aware of the warrant and the plan to execute the warrant. In situations where the warrant is served outside UAPD jurisdiction, the agency of jurisdiction shall be informed prior to execution. (*CALEA 1.2.8a*)

## **Outside Agencies Serving Search Warrants On UA Campus**

If UAPD is contacted by an outside agency that will be serving a search warrant on the University campus, UAPD will offer to have a UAPD officer present during the execution of the warrant to assist in any way possible. Proper documentation shall be made in the basic case or supplemental report.

While there are exceptions, the Family Educational Rights and Privacy Act (FERPA) generally requires that search warrants for student records are not to be executed until the student whose records are the target of the search is notified and has an opportunity to respond

### **Seizure of Real or Personal Property**

Only certified police officers shall seize any personal or real property in connection with a judicial order. Civilian employees may assist in the removal and securing of property after police officers have ensured safety and control of the scene.

### **Search Warrants- Return and Inventory**

The Return and Search Warrant Inventory Sheet or the UAPD Property/Evidence report may be used to record these items. A copy of the Warrant and Inventory will be left at the scene of the warrant's execution or with a responsible person present at the scene.

Documentation in a report includes the location where each piece of property was obtained, when and by whom.

### **Accounting of Seized Property**

All property seized as a result of a search warrant, court order, or other methods shall be accounted for. Property seized from a search warrant will be accounted for and described, whenever possible by:

- Type of item - make and model
- Serial number
- Color
- Condition
- Description

Proper documentation as to property seized from individuals or locations shall be contained in the basic case or supplemental reports. All property seized pursuant to a search warrant can only be released subject to a court order per A.R.S. §13-3920

### **Search Warrants- Bodily Fluids**

The University of Arizona Police Department will actively pursue and attempt to obtain a search warrant for bodily fluids in connection with appropriate cases and

following an arrested subject's refusal to voluntarily supply the requested bodily fluid in connection with a DUI investigation. (CALEA 61.1.11)

**Conditions Permitting  
Obtaining a Warrant  
for Bodily Fluids** (CALEA 61.1.11)

- Investigation of a felony DUI
- Investigation of any DUI where serious injury or death is present
- Investigation of any DUI related child endangerment
- Misdemeanor DUI
- Investigation of any felony crime where bodily fluids(s) are evidence in the crime being investigated

**Procedure**

Once the criteria for obtaining a search warrant or a telephonic search warrant has been satisfied and the warrant has been issued, and the subject still refuses to provide the bodily fluid, after being served with the valid warrant, the officer will document the refusal in the appropriate police report. During investigations involving serious injury or death, exceptions may be made by the medical facility after the officer has briefed hospital personnel of the situation.

No officer will require any medical facility to draw any bodily fluid against the will of the subject or the medical facility's individual policy.

No officer shall make any threat of arrest to a hospital or medical personnel in the event of a refusal by the medical personnel to draw the bodily fluid following established facility policy.

If the officer encounters difficulty with the hospital staff, the on-duty supervisor shall be immediately made aware of the situation. The supervisor is responsible for evaluating the circumstances and resolving the difficulties in person. If the supervisor believes, following discussion with medical personnel, that additional discussion is necessary, the respective Assistant Chief shall be contacted and briefed by the on-duty supervisor. (CALEA 61.1.11)

**Searches and Seizures  
Without a Warrant**

This policy establishes guidelines for conducting warrantless searches and seizure and disposition of any crime-related evidence or contraband that may be seized by University of Arizona Police Officers during such searches. (CALEA 1.2.4)

## **Investigative Detention (Stop and Frisk)**

When a police officer stops or detains a person for questioning it constitutes a seizure of the person under the Fourth Amendment because it is depriving the person freedom of movement.

### **The Stop**

The minimum legal justification for a police officer to stop an individual for questioning is reasonable suspicion that the individual stopped may be either currently involved, about to become involved or has been involved in criminal activity.

The police officer may base his/her reasonable suspicion on first-hand perceptions with logical inferences, or from hearsay information (i.e., a confidential informant or police bulletins) that can be corroborated.

The police officer may use whatever force is reasonably necessary to affect the detention of a person based on reasonable suspicion. Physical restraint and handcuffing are degrees of force that do not necessarily constitute arrest if they are reasonable under the circumstances.

The police officer can detain an individual for a reasonable period of time only to investigate the suspected offense/s, depending upon the nature of the suspected activity. Police actions contributing to a delay in detention must always be reasonable in order to be lawful.

Removal of a suspect to another location for questioning without the suspect's consent may be tantamount to an arrest without probable cause. Lacking probable cause for making an arrest, the police officer should resolve the problem where the detention is made, or ask for consent if the officer finds it necessary to remove the suspect to another location for questioning.

During such investigative detention, if the officer fails to develop probable cause to conclude that a crime was, in fact, being committed, the officer must release the detainee. All this must be accomplished within a reasonable period of time without the officer needlessly contributing to a delay. *(CALEA 1.2.4)*

### **The Frisk (Terry Frisk)**

When a police officer conducts a frisk of a detained person, this constitutes a search under the Fourth Amendment. The right to stop someone is not the right to frisk.

The minimum legal justification for a police officer to frisk an individual he/she has legally detained is either consent or reasonable suspicion that the individual is armed with a weapon and poses a danger to the detaining officer. During a lawful frisk, a police officer may seize a weapon or contraband detected through the sense of touch.

The police officer can pat down the outer clothing and may extend beyond the outer clothing if there is reasonable belief the area contains a potentially lethal weapon. A commonly justified extension of a frisk beyond the pat-down search occurs when an officer sees or feels a bulge in some part of the person's clothing, which might be a weapon. The law makes no distinction in how you frisk a male as opposed to a female once you are justified in conducting a frisk. The officer may also extend the Terry Frisk to the passenger compartment of an automobile if the officer suspects the automobile may contain weapons or ammunition. (CALEA 1.2.4)

### **Search of Persons**

Highly intrusive searches of a person, such as body cavity searches, surgical removal of evidence, or searches to get evidence from a person not under arrest will require a search warrant or court order.

Lawful searches of a person without a warrant can be conducted under the following circumstances: by consent; incident to a full custodial arrest; probable cause (must have lawful access to the person); and exigent circumstances. (CALEA 1.2.8a)

### **Consent**

A police officer can conduct a search of a person when that person voluntarily waives his/her Fourth Amendment rights and consents to being searched. The person granting consent to search must have lawful authority or control to consent. One person cannot give police permission to search another person.

The scope of the search will be determined by the suspect's degree of lawful control and willingness to allow the search. The suspect may consent to a search of his person, but set limits or withdraw the consent during the search. When possible, a consent to search form should be completed or the consent to search recorded.

### **Incident to Arrest**

The only requirement for searching a person incident to arrest is a lawful custodial arrest. In a lawful custodial arrest, the police officer can search the person, and the area within the immediate control of the person arrested. As a rule, locked areas are not accessible in a search incident to arrest.

A strip search is considered an administrative routine when the person is to enter a prison population. If the police do not intend to book or transport the arrested but will field release instead, a search incident to arrest is permitted only when the police can articulate the reason to believe that the arrestee has a concealed weapon, contraband or evidence related to the crime for which the person is being arrested. (CALEA 1.2.4)

## Inventory

A police inventory is an administrative function intended to preclude accusations of theft by individuals in police custody; make police personnel accountable for personal property under their control, and to prevent inadvertent storage of dangerous materials or items in police property rooms.

A police officer will conduct an inventory of a person's property if the person is being arrested and booked. A police officer shall perform an inventory of the property contained in a vehicle prior to being removed for storage.

In completing an inventory, an officer should inspect any area where valuables or other property could reasonably be located, to include locked or sealed containers.

## Search of Premises

The United States Supreme Court attaches a great deal of importance to the warrant requirement when it comes to a search of premises used as a residence. A police officer should search premises under the authority of a valid warrant whenever practicable. The following will provide officers guidance in conducting searches and seizures in premises without a warrant. Officers may search without a warrant under the following circumstances:

- *Exigent Circumstances:* Police officers may enter a residence to render aid, preserve life, or prevent the destruction of evidence of a crime. The scope of the search is dictated by what is necessary to neutralize the emergency.
- *Plain View:* If the police are in a place where he/she has a legal right to be, and from that vantage point can see evidence of a crime or contraband, that evidence or contraband may be seized. The police officer must possess probable cause to believe that the items he/she is viewing are evidence of a crime or is contraband. (CALEA 1.2.4)
- *Consent:* The consent to search a residence must be voluntary. An officer does not have to advise the person whose consent is being requested of his/her right to refuse.
  - Individuals must have legal authority of an area in order the consent to a search of that area. Ownership is different from legal control in many cases. The University may own residence halls on campus but, the students leasing the residences have the legal authority to consent to a search of their premises.

- If there is more than one person exercising legal authority over the area present at the time consent is requested, and one of those persons refuses to consent, no search based on consent may be performed.
- The scope of the search will be dictated by the degree of legal authority over the premises or area the consenting party possesses, and the scope will also be determined by the terms or conditions of the consent.

### **Search of Vehicles- Consent**

The consent must be voluntary and granted by someone who has legal authority over the vehicle. The individual in legal control of a vehicle is usually the driver, who may or may not be the owner. If the driver is not the owner but the owner is a passenger in the car, the driver can give consent for the police to search the car only if the owner does not object. If the owner, who is a passenger in the car, objects to a search of his/her vehicle, the driver cannot overrule the owner's assertion of his/her rights.

A search based only on consent does not extend to the property in the vehicle that belongs to a third party.

### **Search of Vehicles- Incident to Arrest**

If the arrestee was a recent occupant of the vehicle and was arrested in close proximity to a vehicle, the vehicle may be searched incident to arrest without a warrant or other exception to the warrant requirement only under the circumstances listed below:

- when it is reasonable to believe that evidence relevant to the crime for which the person is being arrested may be found in the vehicle
- when the person being arrested is unsecured and within reaching distance of the passenger compartment at the time of the search.

If the arrestee has been secured and there is no reason to believe the vehicle contains evidence relevant to the crime for which the person is being arrested, the vehicle may not be searched incident to arrest. Officers may not delay securing the arrestee for the sole purpose of justifying a search of the vehicle.

Officer safety will justify a search of a vehicle incident to a custodial arrest only when officers can document facts that demonstrate that their safety was jeopardized by bystanders or other occupants of the vehicle who are present, confronting the officers, and in a position to obtain a weapon from the vehicle.



The scope of the search of the vehicle incident to arrest does not include a search of the trunk of the vehicle and includes only the passenger compartment and all containers, locked or unlocked, within the passenger compartment.

### **Search of a Vehicle for Evidence or Contraband**

The exception to the warrant requirement applies only to vehicles and permits officers to conduct a warrantless search of a vehicle and its containers based solely upon the existence of probable cause to believe that evidence or contraband is present.

The scope of the search is the same as it would be if a magistrate's warrant had been acquired - that is to say, anywhere within the vehicle where the evidence or contraband sought could reasonably be found. If the probable cause is specifically limited to a container inside the vehicle, the scope of the warrantless search is limited to that container. If, however, the probable cause applies to the vehicle generally, the scope of the warrantless search includes all places within the vehicle - including containers - where the item sought could reasonably be. Probable cause, then, not only determines when the Vehicle Exception is triggered, but it also dictates the scope of the search.

### **Inventory of Vehicles**

Officers of UAPD have a responsibility to protect property contained in vehicles which, after all, other alternatives have been exhausted, remain in legal custody of the Department after the driver has been arrested, the vehicle obstructs traffic and is to be towed, the vehicle has been abandoned and is to be towed, or the vehicle is impounded as evidence or under Title 28.

Inventory of vehicles containing property shall also serve the purpose of precluding accusations of theft by drivers/owners whose vehicles were towed/impounded as a result of an arrest or other police enforcement.

This general order establishes guidelines for conducting inventories on vehicle(s) legally in the possession of University of Arizona police officers, and disposition of any crime related evidence or contraband that may be discovered during the course of such inventory. *(CALEA 61.4.3a)*

### **Officer's Responsibility**

Officers shall record the contents of a vehicle and make such record on the Departmental property control form in the BEAST system and vehicle action report form prior to the vehicle being removed by a tow truck for storage, or impounded as evidence. All closed but unlocked containers carried within the vehicle shall be

opened and their contents inventoried. Locked vehicles and locked containers carried within a vehicle shall be opened only if the officer:

- Has possession of the keys to the vehicle and/or containers; or
- Believes that the contents are valuable and require safe storage; or
- Believes that the contents are perishable; or
- Believes that the contents pose a threat to the officer's safety or the safety of others.

When a locked container cannot be opened under the criteria listed above and the officer has a reasonable belief that it may contain instrumentalities of a crime, fruits of a crime, contraband, or evidence, the officer shall obtain a search warrant before opening the container.

Valuable personal property to be held for safekeeping shall be recorded as such on a property control form in the BEAST system and vehicle action report form and shall be marked "safekeeping." Instrumentalities and fruits of a crime, contraband, and other evidence shall be recorded as such on a separate property sheet marked "evidence" using the original case number as reference.

If items of evidentiary nature or contraband are uncovered inadvertently during the course of the "administrative" inventory, the officer shall cause the evidence or contraband to be photographed, if practical, prior to confiscation.

The officer only needs probable cause to believe that what he/she is looking at may be evidence or contraband in order to seize it. *(CALEA 1.2.4)*

## **Documentation**

A copy of the Vehicle Action Report shall be left in the vehicle following the inventory. The Vehicle Action Report shall indicate that the property is for "safekeeping" and shall contain the name and employee number of the officer conducting the inventory. The UAPD case number shall appear on all pages of the inventory receipt.

Items of value that are secured for safekeeping will be properly marked and recorded on a Vehicle Action Report. All items, including the remaining copies of the Vehicle Action Report, will be submitted to the property/evidence section.

Items secured as evidence will be properly marked and recorded on a Property Invoice & Receipt Form in the BEAST System. All items, including the remaining copies of the Property Invoice & Receipt Form in the BEAST system, shall be submitted to the property/evidence section. *(CALEA 1.2.4)*

## **Release of Vehicle to Third Party**

In some cases, at the owner/driver's request, a vehicle may be released to a third party in lieu of storage or parking the vehicle. In such cases, the officer shall obtain valid identification from the third party and properly document the release of the vehicle to the party in a basic case/supplemental report.

In cases of immediate release to a third party, an inventory of the vehicle does not need to be completed.

## **Recording of Police Activity** (*ALEAP 17.2*)

Members of the public who wish to record law enforcement activities are limited only in certain aspects. Recordings may be made from any public place or any private property where the individual has the legal right to be present. Beyond the act of photographing or recording, individuals may not interfere with the law enforcement activity. The individual may not present an undue safety risk to the officers, him/herself or others.

Officers shall exercise restraint and will not resort to highly discretionary arrests for offenses such as interference, failure to comply or disorderly conduct as a means of preventing someone from exercising the right to record members performing their official duties.

Officers should promptly request a supervisor respond to the scene whenever it appears that anyone recording activities may be interfering with an investigation or it is believed that the recording may be evidence. If practicable, officers should wait for the supervisor to arrive before taking enforcement action or seizing any cameras or recording media.

Officers or supervisors should give clear and concise warnings to individuals who are conducting themselves in a manner that would cause their recording or behavior to be unlawful. If an arrest or other significant enforcement activity is taken as the result of a recording that interferes with law enforcement activity, officers shall document in a report the nature and extent of the interference or other unlawful behavior and the warnings that were issued.

## 5.5 Orders of Protection



Supersedes: 10 January 2003	Revision: 26 May 2015	Effective: 03 August 2015
Policy Affects: All Personnel	CALEA Standard: 74.2.1	

Brian A. Seastone  
Chief of Police

### Policy

Any certified officer in the State of Arizona may serve an Order of Protection. The courts usually arrange for service of such orders by a contracted process server, constable or civil deputy. University of Arizona police officers may serve an Order of Protection where the officer is the first to inform the violator of the existence of such orders. University of Arizona police officers may also obtain and serve an emergency Order of Protection.

The University of Arizona Police Department will maintain a file of current Orders of Protection when such order is presented by the plaintiff because they work or attend classes in UAPD jurisdiction and the order extends to their place of employment or school. (CALEA 74.2.1)

### File Maintenance

When a person who has received an Order of Protection wishes to provide a copy to UAPD because the Order prohibits contact by a certain individual/s while the petitioner is on University property, the copy will be filed and maintained in the Dispatch Center. When presented with an Order of Protection for filing by the petitioner the on-duty Dispatcher shall:

- Assign an event number to the request and note the number in the upper right hand corner of the Order
- Have a police officer respond and take a report from the petitioner outlining the circumstances of the order and if the order has been officially served
- File the order alphabetically by petitioner name

Periodically, the Dispatch Supervisors will review the Order of Protection file and purge those orders that are no longer in effect. Proper documentation shall be maintained regarding purged orders.

## **Service**

When an officer is the first to inform a violator of the existence of an Order of Protection and the plaintiff has a copy of that order or there is a current copy of that order on file at UAPD the officer shall:

- Accomplish service by giving a copy of the order to the defendant
- Advise the violator that they have been served with an Order of Protection
- Advise the violator that any continued violation of the order shall be treated as a violation of "Interfering with Judicial Proceeding
- Advise the violator that they will be arrested for any further violations of the Order of Protection
- Complete a supplementary report to the case indicating service and insure an Affidavit of Service is completed and attached to the supplement. Affidavits of service for Justice and Superior Court may be obtained from each individual court. Affidavits will also be maintained in the UAPD Report Writing area for use

UAPD Records will route the completed affidavit via the court liaison officer to the correct court and make proper notation of its routing in the RMS data base. (CALEA 74.2.1)

## **Entry to NCIC**

The Pima County Sheriff's Department is responsible for entry of any Order of Protection into the NCIC system when they received confirmation of service from the court who issued the order. An Order of Protection shall be confirmed as being current and in effect prior to any arrest.

## 5.7 Forcible Entry



Supersedes: 24 April 2015	Revision: 27 April 2015	Effective: 27 April 2015
Policy Affects: All Personnel	Reviewed May 2020	Renumbered – June 2020 Previous #3.6

Brian A. Seastone  
Chief of Police

### Policy

This policy provides guidelines for forcible entry into a structure, residence, or room to effect an arrest, conduct a search, render aid, preserve evidence, or ensure life safety.

The term "Forcible Entry," as used in this policy, includes any entry into a structure, residence, or room except by permission of an authorized person or implied authorization to enter publicly accessible areas of jurisdictional buildings. Forcible entry is gaining access to areas with an expectation of privacy without expressed consent, whether or not any physical damage is incurred to the property. Forcible entry may occur via the use of applicable key sets, entry tools, or physical force.

**Forcible entry will be made only in limited situations relating to a warrant service or exigent circumstances.**

### Forcible Entry - Warrant Service:

- Shall be based on a reasonable belief that the forcible entry is authorized pursuant ARS 13-3916.B and in conjunction with a valid and specific warrant to effect an arrest and/or conduct a search
- When executing an arrest or search warrant and entry is denied, blocked, or no response is given within a reasonable amount of time to the officer's notice of authority and purpose
  - Arrest warrant service requirements
    - Focus person's home requires valid arrest warrant and probable cause that the person sought by the warrant is currently within the premise
    - Third party's home requires valid arrest and search warrant, as well as probable cause that the person sought by the warrant is currently within the premise

### Forcible Entry - Exigent Circumstances

Forcible entry may occur to render aid, prevent destruction of evidence, or ensure life safety when exigent circumstances exist. It is not necessary that a supervisor

be at the scene; however, the supervisor must be informed and prepared to articulate the factor(s) that led to their decision to authorize forcible entry. As soon as practical, a supervisor will respond to the scene.

Exigent Circumstances Include:

- Close pursuit of an armed or dangerous suspect
- When an officer reasonably believes it necessary to stop an assault, render aid, or preserve life safety
- Probable cause exists that evidence of a crime is in the process of being destroyed

### **Entry tools**

UAPD maintains and makes available to sworn personnel the following building entry tools:

- Manual Tools
- Sledge
- Breacher/Hallagan Tool
- Ram
- Bolt Cutters
- Powered Tools
- Amkus Hydraulic Cutter

Personnel shall be trained on departmental entry tools prior to their use. Manual entry tools will be secured in and made available to sworn personnel via departmental supervisor vehicles as needed. Powered entry tools will be secured and made available from the department as needed.

### **The following will occur for incidents involving forced entry:**

- Prior supervisory approval will be obtained when possible
- Lethal coverage will be on scene
- Use the reasonable amount of force necessary to make a safe and efficient entry under the circumstances while limiting damage where possible
- Points of forced entry will be photographed whether or not damage is present with the exception of when applicable key sets are the only instruments used
- If the structure will be left vacant, it will be secured or reasonable arrangements will be made to safeguard it until it can be secured
- A case report will be completed and will contain the incident location, name of officers present, means of entry, damage done, the reason for entry, and outcome of the situation

## 6.2 Field Interviews



Supersedes:  
15 March 2002

Revision:  
7 July 2015

Effective:  
03 August 2015

Policy Affects:  
All Personnel

CALEA Standard: 1.2.3

Brian A. Seastone  
Chief of Police

### Policy

A field interview (FI) is intended to be a brief stop of an individual or individuals for the purpose of investigating and prevention of crime. Field interviews shall not be made merely on the basis of random selection, ethnicity, or unusual personal appearance or personal beliefs. (CALEA 1.2.3a/b)

### Authority and Justification

Police Officers may conduct stops of person(s). A certified officer may stop a person only if they have reasonable suspicion or probable cause to believe that the person has committed, is committing, or is about to commit a crime. Vehicles may also be stopped on the basis of reasonable suspicion. When a stop is made, the officer shall be prepared to articulate the specific factors that provide the justification for the stop.

### Apprehension of Individuals

Officers shall use informed discretion in determining whether to pursue individuals solely for the purpose of conducting a stop. If the officer has reasonable suspicion or probable cause to believe that a criminal violation has been committed, or is in the course of being committed, the officer must evaluate the circumstances before continuing to attempt apprehension.

**Officers shall use only that force which is reasonable and necessary to apprehend an individual, solely for the purpose of a field interview.**

### Conduct During Stops and Contacts

Stops and contacts of the public in the field shall:

- Be conducted in a courteous manner.
- The officer may ask the individual for identification, to verify identity and determine the purpose for their presence in the area
- At the conclusion of the stop or contact, the person contacted or stopped



will be advised why it was initiated

### **Completion of Field Interview Card**

Each time a stop is made a Field Interview (FI) card will be made. Each FI card submitted will contain:

- The name of the person contacted
- Date of birth
- Type of ID and associated numbers used to identify the person
- Current address, if possible
- Physical description
- If an individual is warned for some type of criminal activity, that warning and the appropriate statute shall be recorded on the front of the FI card
- The back of the FI card shall have a synopsis of the contact, as well as the specific warning(s) that were given to the individual
- Officer's name and PR number on the front of the FI card, in the appropriate space
- All Field Interview cards shall be assigned an event number. All interviews shall be cleared through UAPD Communications or via the Mobile Tactical Computer (MTC) with the appropriate Uniform Crime Report (UCR) clearance code

Field Interview cards not completed via the MTC shall be submitted for review and approval by the supervisor who will then forward the FI to UAPD Records where it will be entered into the RMS computer and filed.

### **Contacts by Non Police Personnel**

Police Aides and Community Service Officers (CSO) may in the course of their duties make contacts not amounting to a stop where the person would feel free to disregard the encounter and go about their business.

To make a contact, the Police Aide or CSO must be in uniform and identify themselves. They may ask whatever is pertinent to their security responsibilities. During a contact the person is free to leave and can refuse to answer questions or provide identification. Should a person contacted refuse to cooperate with the Police Aide or CSO, no attempt shall be made to detain the person and additional assistance should be requested from a police officer.

### **Repeat Offenders**

If a Police Aide or a CSO recognizes an individual from a previous contact, a police officer may be requested to make the contact. Under no circumstances will the repeat offender be detained while awaiting the response of an officer.

## 6.3 Preliminary Investigation



Supersedes: 08 May 2007	Revision: 07 July 2015	Effective: 03 August 2015
Policy Affects: All Personnel	CALEA Standard: 42.1.4, 42.2.1	

Brian A. Seastone  
Chief of Police

### Policy

The preliminary investigation of a suspected criminal offense will be conducted by an officer. This does not preclude, based upon the nature of the incident, a Detective from being the preliminary officer. A comprehensive preliminary investigation of an incident is vital to the successful conclusion of an investigation. The responsibility for this investigation rests with the patrol officer initially assigned to the call, unless otherwise directed by a Supervisor, Detective, or established policy. (CALEA 42.1.4)

### Criminal Activity

An officer shall be dispatched to all incidents suspected to be criminal in nature and include the existence of physical evidence, potential follow up, or where a suspect is present or just left the scene.

Police Aides and CSOs may respond and take reports when there is no identified suspect(s), need for follow up, or collection of evidence. If the above conditions become apparent, an officer shall respond and assume the call.

### Non Criminal Activity

If an officer determines that the incident is not criminal in nature, and other priority calls are pending, the call may be reassigned. Calls that are clearly non-criminal in nature such as lost/found property, key services, public assists, and fire alarms may be initially assigned to Police Aides and CSOs.

### Preliminary Investigations

RAPID- Respond, Assess, Protect, Investigate, Document is an acronym that can be used in all preliminary investigations.

Upon arrival at a call UAPD personnel will:

- Provide emergency care and first aid to victims. This may include providing initial treatment for injuries, requesting additional support and EMS response.
- Observe and document all conditions of the event(s). These observations may include the victim's physical and mental condition, witness statements, suspect(s) actions and statements. (CALEA 42.2.1a)
- Separate victims, witnesses and suspects and interview them individually whenever possible, to help assure an individual account of an incident. Witnesses and victims may be asked to complete voluntary statements in incidents where they have firsthand knowledge of an incident, especially in a crime against an individual, a crime in progress, or at any other time the officer believes that a witness/victim's own statement will ensure a complete investigation. (CALEA 42.2.1d)
- Gather pertinent information from victims and witnesses to be included in the police report:
  - Name
  - Address (Both Campus and Permanent)
  - Telephone number.
  - Date of birth.
  - Driver's license number.
  - Social Security number (optional) *the use of a SSN is not mandatory, but is a method of identifying an individual. Officers shall not require any witness, victim or suspect to give their SSN.* (CALEA 42.2.1b)
- Maintain the integrity of the crime scene and protect evidence. Officers must realize that there may be multiple crime scenes associated with an incident. In such cases, the preliminary officer should direct other officers to other suspected crime scenes, and request that these areas be secured and properly processed for evidence. (CALEA 42.2.1c)
  - Crime scene processing will be the responsibility of the preliminary officer, unless otherwise directed.
  - Officers shall collect evidence in accordance with the evidence collection guidelines found in *UAPD Policy chapter 15-Property & Evidence*.
  - Evidence will be properly packaged and recorded in the BEAST system. When the evidence has been properly processed it will be secured in the temporary evidence holding bins or turned over directly to the P&E Technician.
  - In major crime scenes, evidence collection may be completed by Detectives.

- Make notification to the on-duty supervisor as required or necessary.
- Direct and coordinate the incident ensuring that all reports are completed, including forms for property/evidence
- Accurately document the incident in the appropriate case report. Officers are not relieved from properly documenting interviews in their case reports if voluntary statements are written. The officer's case report should provide a full accounting of the incident being investigated.
- Make an arrest if probable cause exists

### **Other Preliminary Investigations**

Officers, Police Aides and CSOs may be dispatched to any suspected (list not inclusive):

- Public Hazards
- Risk Management Issues
- Injuries
- Medical assists

## 6.6 Response to Residence Halls



Supersedes: 02 May 2011	Revision: 02 June 2015	Effective: 03 August 2015
Policy Affects: All Personnel	CALEA Standard:	

Brian A. Seastone  
Chief of Police

### Policy

The administration of Residence Life needs to be informed of certain events that occur in the residence halls or affect students residing within the various halls. On occasion, entry into private rooms may become necessary in collaboration with residence hall staff. This policy will guide UAPD officers regarding timely notifications and entry into private rooms.

### Non Emergency Incident Notification

When any UAPD employee is dispatched to a residence hall for a call, and no emergency exists, they are required to check in with the front desk. This shall be done prior to going to the complainant's/victim's room to let hall staff know that they are in the hall regarding a call for service and to allow for the required escort by a member of Residence Life. If no one is on duty at the front desk, the Community Director or one of the Resident Assistants should be informed to arrange for the escort.

### Emergency Incident Notification

In emergency situations, an officer should make contact with the Community Director, Resident Assistant or On-Call staff as soon as possible following the incident. The purpose of this notification is to keep Residence Life staff informed as to the activity within the hall and to address inquiries of residents. Whenever possible the dispatcher should make this notification via telephone and request them to meet the officer at his/her location.

### Other Notifications

Residence Life Administration has requested that the Executive Director or representative be notified at any time one of the following occurs within the residence hall:

- Any assault
- Serious injury or illness
- Fire or smoke in the building

- Bomb threats
- Ruptured water pipes
- Activation of the fire sprinkler system
- Suicide/attempted suicide
- Missing student who is a resident of the hall
- Situations that the on-duty shift supervisor believes should be brought to the attention of staff immediately
- If a resident of a residence hall becomes seriously injured or is the victim of a serious crime away from the residence hall and UAPD is aware of the incident, the appropriate Community Director should be notified

UAPD employees will document which member of Residence Life was notified of the above incidents.

## **Room Entry**

Residence Hall rooms are considered a private residence and are subject to all applicable statutes and laws regarding rights to privacy and uninvited entry by law enforcement. Certain conditions may exist that constitute an exigent circumstance which requires immediate entry into a room. Only an officer may determine when an exigent circumstance exists for the purpose of this policy. Resident Assistants, desk staff and on-call staff have access to master keys to facilitate entry.

When an exigent circumstance is determined to exist that requires immediate entry into a room by a police officer, the following protocols shall be observed:

- The officer shall inform the hall staff that there is an “exigent circumstance” that requires immediate entry into a residents’ room
- Hall staff will immediately retrieve the key to the room and provide it to the officer for entry
- Upon conclusion of the incident the officer shall return the key to the hall staff to be secured
- The officer shall complete a case report documenting the incident completely including the exigent circumstance requiring immediate entry and the hall staff providing the key
- Provide the case number to the hall staff member

When UAPD makes entry into a resident hall room due to exigent circumstance, the duty supervisor will insure that a major case summary is completed and distributed as soon as possible after the incident.

Absent exigent circumstance, hall staff are required to contact the Community Director on call to obtain permission to enter a room.

## 6.7 Response to Noise Complaints



Supersedes:  
01 June 2002

Revision:  
02 June 2015

Effective:  
3 August 2015

Policy Affects:  
All Personnel

CALEA Standard:

Brian A. Seastone  
Chief of Police

### Policy

UAPD will respond to noise complaints regarding UA sponsored events reported to the UAPD or Tucson Police Department within the concurrent patrol boundaries.

### Procedure

#### Athletic Events

If the noise is determined to be coming from an Inter-collegiate athletic event (ICA), the event commander will be contacted and informed. The event commander will contact ICA management staff and advise them of the complaint(s). Individuals who wish to complain specifically to the university should call the Event Management office at McKale Center, 621-5448, during regular business hours.

#### Other than Athletic Events

##### First Complaint

If a noise complaint is made to UAPD, Dispatch will send a police officer to the complainant's location. Officers will be dispatched even though the complainant may reside outside the UA planning boundaries or is a refused complainant.

If the complainant wishes to make a formal complaint the officer:

- Shall document the complainant's personal information and complaint.
- Will document the specifics of the complaint. For example, the officer would document whether they can hear the noise and whether the noise is coming from a UA event.

If the officer can verify that the noise is in fact coming from a UA event, the officer

- Will notify the Event Officer, (if applicable), that there is a justified noise complaint
- The Event Officer, (if applicable) or case officer will then advise the event coordinator of the noise complaint along with a request to lower the music

or noise causing device. The event coordinator will be informed of the possible consequences of further noise complaints.

## **Second Complaint**

If a second complaint is received and the complainant wishes to make a formal complaint the officer will be dispatched with a new event or case number and:

- Shall respond to verify the noise conditions have remained or escalated since the initial response and document those conditions
- Shall notify the on-duty supervisor of the 2<sup>nd</sup> verified complaint

The Event Officer, responding officer, or supervisor will then advise the event coordinator that the event is to be shut down due to the second confirmed complaint, and document the actions taken in a case report.

## **Event Closure**

If circumstances warrant or if the event coordinator fails to comply with the order to shut down the event, a Disorderly Conduct investigation and/or citation will ensue. Coordination of the D.O.C charges shall be the responsibility of the on-duty supervisor, the event officer and/or the Force Commander (when applicable).

## **Documentation**

Proper documentation is necessary for noise complaints. A new case number shall be generated for each reported noise violation. Documentation of the noise level should be included in the report both from the actual scene of the suspected noise and from the complainant's location whenever practical.



## 6.8 Responding to Persons with Mental Illness



Supersedes: 01 November 2016	Revision: 14 February 2018	Effective: 19 February 2018
Policy Affects: All Personnel		

Brian A. Seastone  
Chief of Police

### Policy

UAPD will use all reasonable efforts to prevent subjects in their care or custody from harming themselves, others, or property. Officers should never compromise or jeopardize their safety or the safety of others when dealing with individuals displaying difficult or disruptive behavior. When an officer has reason to believe that any person presents an immediate threat to harm themselves, another person, or property, appropriate steps will be taken to ensure that the person's mental, physical and/or emotional state can be evaluated by trained personnel.

### Recognition of Mental Health Issues *(CALEA 41.2.7a)*

UAPD employees normally do not possess the professional, medical, and/or psychological qualifications to determine if a person's abnormal behavior results from a mental illness, drug use, or some other medical or psychological problem. However, the following indicators may lead an employee to believe that the acquisition of mental health resources may be appropriate. Indicators include but are not limited to:

- Incoherent speech
- Fighting
- Feelings of worthlessness/guilt
- Thoughts of death or suicide
- Impulsive
- Unusual behavior, dress or actions
- Extreme irritability
- Disconnected from what's going on around them
- Reclusiveness

### Procedures for Accessing Mental Health Resources *(CALEA 41.2.7b)*

Departmental members encountering individuals who exhibit indicators of mental illness may need access to mental health resources throughout the community. Contact information is summarized in *UAPD Policy 1.7-Support and Social Service Agencies*.

After contact with an individual who is suspected of having mental illness the officer will assess the person's welfare and make a determination as to the best course of action. If in the evaluation process the officer believes outside resources are necessary the officer will evaluate which resource may best serve to assist the person and make contact with the resource.

If the officer believes that immediate intervention is necessary the officer will request that the area mental health response unit or other similar resource be contacted to respond to the scene to evaluate the person or request telephonic consultation.

For those occasions that the person can be directed to a resource voluntarily, all consideration will be given to facilitating the transportation of the person to the resource.

For times that civilian department personnel make contact with an individual who is suspected of having mental illness the employee will contact the on-duty supervisor or an officer on duty to assist in determining a course of action.

During regular business hours, UA (CAPS) personnel are available to assist.

## **Mental Health**

### **Petitions** *(CALEA 41.2.7b)*

ARS Title 36 empowers officers to serve mental health petitions. Mental health petitions transmitted to the UAPD for service will be in writing, reviewed by the OSD Assistant Chief and the following information noted:

- Name of person served with the petition
- Petition number
- Hospitals designated for detention
- Date and time petition was received
- Judge's signature

A case number will be assigned to the petition prior to being forwarded for service.

## **Service of Mental Health Petitions**

Completed petitions containing all the pertinent information about the person to be served will be turned over to the on-duty supervisor. When serving mental health petitions the following will be adhered to:

- At least two officers will respond as soon as is practical on mental health apprehensions due to the inherent risk involved.
- Persons served with a mental health petition may be transported by the officers to the facility designated in the petition.
- Approved restraints will be used.

- A case report shall be completed documenting the circumstances surrounding the service or non-service.
- An SMR shall be completed if any force was utilized to take the person into custody.

If the person to be served with a mental health petition cannot be located at the address designated on the petition or by telephonic request:

- The on-duty supervisor will contact the originating agency and inform the intake worker of the situation.
- Officers will periodically return to the specified address and attempt to contact the person.
- If the person to be served is not located during the shift, the petition paperwork will be forwarded to the supervisor on the next shift for completion. A memorandum will accompany each exchange of the petition.

## **Enforcement**

### **Action** (*CALEA 41.2.7c*)

Officers will only arrest for violation(s) of the law. Arrests will not be made solely on the basis of perceived or actual mental conditions since mental illness is not a violation of the law. If a crime has been committed, a case report shall be completed to include the pertinent facts regarding the person's behavior.

Suspected mentally ill persons who are hospitalized and have committed a misdemeanor may, with supervisor approval, be detained. If the suspect is being cared for by a responsible person they may be released to that person.

Suspected mentally ill persons who have committed a felony will be transported for evaluation at the appropriate medical facility before detention at the Pima County Jail.

Appropriate alternatives to arrest should be considered to ensure the best treatment options are made available to those suspected of mental illness.

## **Violation of Terms Of Conditional Release**

Any person (including an intoxicated person) who has violated conditional release from a mental health care facility or who has escaped from the Arizona State Hospital may be returned directly to the Hospital without recommitment proceedings.

If a State Hospital patient is apprehended, that facility should be contacted to provide transportation for the person's return to the facility.

## **Reporting**

A case report will be completed when a person is picked up by UAPD on the authority of a petition or telephonic request, or if the subject is incarcerated under an emergency detention.

If a criminal incident involving a person suspected of being mentally ill is reported, all pertinent information involving the offense must be included in the report.

Certain individuals may habitually display unusual behavior which is and may become well known to the UAPD. Whenever contact is made with these individuals, a Field Contact Module in ILEADS should be completed and included in the CAD record.

## **Referral to Mental Health Centers**

When contact is made with a person who appears to be mentally disturbed, disoriented or irrational, departmental members will attempt to determine whether the person is a threat to themselves or others.

If the person indicates that their life or another life may be in danger, an officer (when contact is made by a civilian member of the department) will be dispatched to the location and the on-duty supervisor advised of the situation. If the person is not an immediate threat to themselves or others, a suggestion can be made to contact a local mental health care center for assistances.

## **Attempted Suicide**

When an officer is dispatched to a call where a person has attempted suicide or is threatening suicide, the officer will make certain that the immediate situation is stabilized. An attempt to locate an available relative, close friend, or other responsible party will be made.

The officer may contact UA CAPS, UA Campus Health, the area mental health response unit, or other appropriate resource. A case report shall be completed to document the attempted suicide and all proper notifications made.

## **Officer Safety Considerations**

Officer safety considerations are paramount when dealing with a person they suspect is mentally ill during field contacts, interviews or interrogations.

Policies regarding prisoner transport will be applicable to those persons under arrest and suspected of mental illness in the custody of officers. Officers will follow applicable policy regarding non-custodial handcuffing or restraint at all times when dealing with persons suspected of mental illness. During interviews or

interrogations outside of field contacts and within the confines of UAPD, no person suspected of mental illness shall be left unattended at any time.

While at any mental health care provider, officers will maintain possession of their duty weapon. Officers will secure weapons only when required by a provider's policy and then only in an approved secure means.

### **Use of Restraints**

Officers will use only those restraints and defensive tactic techniques in which they have received authorized training. Any use of restraints or defensive tactics technique will require the completion of a Subject Management Report.

### **Training** (CALEA 41.2.7d/e)

UAPD employees will be trained on the topic of mental illness and disruptive behavior. Officers are trained in the recognition of persons suffering from mental illness during the academy and are trained in Department policy during their FTO phase.

Dispatchers are trained in Department policy during their initial orientation/training.

All employees will receive refresher training annually.

## 6.9 Motorist & Public Assist



Supersedes:  
27 August 2012

Revision:  
11 June 2015

Effective:  
3 August 2015

Policy Affects:  
All Personnel

CALEA Standard: 41.2.1,  
61.4.1, 61.4.2, 61.4.3

Brian A. Seastone  
Chief of Police

### Policy

Occasionally UAPD employees will be asked to assist motorists with directions, vehicle problems, or other information/services. All employees are expected to be helpful and courteous when asked to provide these types of public assists. (CALEA 61.4.1a/b/d)

### Directions

When asked for directions, employees will provide the person with the most direct route taking into consideration traffic, intersections and time of day. If an employee is uncertain as to a location, Dispatch should be consulted. If the location is off campus and the employee is uncertain where a location is, the employee will attempt to locate an address and then provide the person with the major cross streets/telephone number so that they may call for directions. (CALEA 61.4.1a)

### Disabled/ Stranded Motorists

Whenever an employee comes into contact with a disabled vehicle, the license plate and location will be relayed to dispatch prior to contact. (CALEA 61.4.1a/c)

UAPD may provide assistance to stranded motorists in the following ways:

- Transport the motorist to a specific location after approval by the on duty supervisor (MGIO exempt from this requirement). A starting and ending mileage shall be given to dispatch.
- Ask the motorist if there is someone that they would like to be notified or telephoned to respond for assistance.
- If the motorist does not wish to be transported, advise them to remain out of the roadway, turn on emergency flashers and await assistance.
- Officers will remove disable vehicles from the roadway when possible without endangering themselves or others.

## **Pushing Vehicles**

Vehicles may be pushed by vehicles equipped with push bumpers, after explaining to the motorist how the push bumpers work. To safely push the vehicle, officers will inform the driver and adhere to the following: (CALEA 61.4.1a/c)

- The vehicle should be in neutral.
- The driver shall keep their foot off the brake while engaged.
- The officer will push the vehicle only as far as necessary to remove it from the roadway, or to reduce the hazard.
- The driver should not apply the brakes until the officer has "pushed off" from the disabled vehicle.
- The driver of the vehicle will follow the officer's instructions as they are relayed over the public address system.
- Officers shall not attempt to push a vehicle with push bumpers unless the bumpers match up.
- Officers should get behind the vehicle, square up to the disabled vehicle and slowly begin pushing the vehicle. Care and caution shall be exercised at all times.
- Officers will not exceed 10 miles per hour while pushing another vehicle.
- Officers shall activate the vehicle's emergency lights while pushing a vehicle. All traffic control devices shall be observed, unless another officer is present to assume manual traffic control.
- Any damage as a result of pushing another vehicle shall be immediately reported to the on duty supervisor.
- Flares, reflective traffic cones, as well as police vehicles may be used to alert motorists of the pending traffic hazard.

## **Vehicles Not Blocking Traffic**

If a vehicle is not blocking traffic, assistance will be rendered as practical. It will be at the officer's discretion whether or not to remove the vehicle from the roadway. Fuses, reflective traffic cones, as well as police vehicles may be used to alert motorists of the disabled vehicle. (CALEA 61.4.1a/b)

## **Mechanical Repair**

UAPD will not provide any type of mechanical repair to disabled vehicles beyond assisting with changing tires. Employees are encouraged to assist with contacting repair companies for assistance. (CALEA 61.4.1a/b)

## **Vehicle Unlocks**

UAPD does not perform "Slim Jim" services and will defer to Parking and Transportation, an auto association or locksmith for assistance. (CALEA 61.4.1a)

## **Battery Jump Starts**

UAPD may provide battery jump starts when the PTS Motorist Assist Program is not in service. Only personnel who have been properly trained may perform jump starts. Jumps starts shall only be performed utilizing a UAPD portable "jump pack". (CALEA 61.4.1a/b)

## **Motorists Needing Fuel**

With supervisory approval, employees may take a motorist to the closest service station for fuel. Employees will provide Dispatch with the beginning mileage and destination. Upon arrival an ending mileage will be given. When returning a beginning and ending mileage will be given. MGIO vehicles are equipped with five (5) gallons of gasoline which may be used to assist motorists. (CALEA 61.4.1a)

## **Towing Service**

UAPD employees assisting motorists needing a tow service will provide dispatch with the request. Employees will ask the person if they belong to any automobile association's or have any preferred tow company. If there is no specific request the University contract tow company may be used. (CALEA 61.4.1b)

## **Emergency Assistance**

In the event of an emergency, such as a fire or medical emergency, the employee shall: (CALEA 41.2.1, 61.4.1d)

- Immediately notify the dispatcher of the location and type of emergency.
- Provide first aid and emergency care as appropriate, while not unnecessarily endangering themselves or others.
- Direct officers and other emergency personnel to the scene.

Dispatch shall be responsible for:

- Immediate notification of fire/medical or other law enforcement jurisdictions if applicable.
- Dispatching additional units to the scene.
- Notifying the on-duty supervisor of the incident.
- Coordinating response of police and emergency personnel.
- Maintaining accurate logs of events.
- Making notifications as necessary.
- Notification of off-duty MGIO supervisor if one is not on duty.



## **Abandoned Vehicles**

Officers observing an abandoned vehicle within UAPD jurisdiction will make an effort to ascertain the owner or driver of the vehicle. If there is no indication that the owner/driver is in the area, the officer will request dispatch to attempt contact of the registered owner to ascertain if the owner knows of the vehicle's location. After 30 minutes, if no answer is received, and the vehicle is in the roadway, creating an immediate hazard, it may be removed from the roadway by the UA contract towing company. Parking and Transportation is responsible for the removal of abandoned vehicles from UA parking lots. (CALEA 61.4.2, 61.4.3a/b/c)

MGIO officers are responsible for abandoned vehicles along SR266 and SR366 which fall within their routine patrol areas. They will utilize one of the Graham County towing services.

Any vehicle towed or stored will require:

- The vehicle be entered into the computer as a stored or abandoned vehicle by Dispatch.
- Records personnel to send a letter to the registered owner of the vehicle, the next business day (if the owner was not contacted previously).
- The letter shall inform the owner where the vehicle was either abandoned or recovered that the vehicle is being stored, and that it is the owner's responsibility to pay for all associated charges. A copy of the letter will be maintained with the incident report.

If the vehicle is not within UAPD jurisdiction:

- The agency of jurisdiction shall be contacted and informed of the abandoned vehicle.
- UAPD officers may stand-by until the agency of jurisdiction arrives.
- In hazardous conditions flares or reflective cones may be placed around the vehicle to alert motorists of the hazard.

## **Stored or Impounded Vehicles**

Whenever a vehicle is stored or impounded by UAPD:

- A Vehicle Report shall be completed prior to the towing or impounding of the vehicle and forwarded to Dispatch.
- Dispatch shall immediately enter the vehicle into the computer system as impounded or stored.

## **Roadway Hazards**

Employees observing hazardous traffic conditions such as debris, downed lines, missing manhole covers, missing or inoperable traffic lights or devices (list not

inclusive) will advise Dispatch of the location and take steps to eliminate or reduce the hazard.

Employees should try to remove debris from the roadway, whenever possible. If the debris is too large, the officer will:

- Advise dispatch who will notify the proper authority. MGIO officers may notify ADOT directly via radio.
- Secure the area to prevent injury or accident. If outside UAPD jurisdiction, the agency of responsibility will be contacted and requested to respond to assume control.

Inoperable traffic lights will be reported to dispatch, who will in turn notify City Traffic Engineers and Tucson Police Department if creating a hazard. Downed power lines shall not be handled and will be reported to the electric utility via Dispatch. Problems such as street lights being out will be reported to Dispatch who will report the discrepancy to Facilities Management. Missing traffic control devices within UAPD jurisdiction that constitute an immediate hazard shall be reported to dispatch who will contact Facilities Management. If necessary, an officer will be assigned to provide point control until the sign(s) have been replaced. (CALEA 61.4.2)

## **Roadway Hazardous Materials**

Employees viewing or notified of hazardous materials in a roadway will: (CALEA 61.4.2)

- Immediately notify dispatch of the condition.
- Respond and identify the problem.
- Request the response of the Tucson Fire Department and UA Risk Management for incidents on campus.
- Notify the on duty supervisor immediately who will respond to assume control and establish a command post.
- Attempt to identify the hazardous materials; however no employee shall intentionally or unnecessarily endanger themselves in identifying suspected hazardous materials.
- Request additional personnel to be dispatched to coordinate emergency efforts if necessary.
- Determine wind direction for any vapors or gasses and if necessary, begin evacuation procedures.
- Divert pedestrian and vehicle traffic away from the scene to permit emergency response and clean-up.
- Appropriate measures shall be taken in Graham County when appropriate with Graham County authorities.

The Tucson Fire Department assumes initial control of hazardous material incidents on campus in conjunction with UA Risk Management.

## 6.12 Body Worn Cameras and Mobile Video Recording



Supersedes: 26 June 2017	Revision: 04 November 2019	Effective: 15 November 2019
Policy Affects: Certified Officers, Property, and Evidence		

Brian A. Seastone  
Chief of Police

### **Purpose and Summary** *(CALEA 41.3.8a)*

The purpose of this policy is to establish guidelines and procedures for the use of Body Worn (BWC) and Mobile Video/Audio Recording (MVR) equipment by UAPD personnel.

UAPD will issue body-worn cameras BWC and Mobile Video/Audio Recording MVR to designated police officers and specific vehicles to gather video/audio information that will support the Department's mission by providing a record of officer's actions. The use of BWC and MVR systems will reinforce the transparency of our public operations by documenting contact with the community and enforcement actions. BWCs and MVRs are not intended to document contact between members of the department, although some inadvertent recording may be unavoidable. All audio-video files, captured images, and digital photographs obtained from locations, scenes, or systems accessed by authority or permission of the Department are the exclusive property of The University of Arizona Police Department. The use of personal image capturing, transferring, or storing devices (i.e. cameras or portable memory media) is prohibited. No one shall obtain, reproduce, or transfer the above except by established evidence and document release protocols.

### **Authorized System**

Officers shall only utilize the Axon BWC and MVR systems issued by UAPD.

Recordings shall be uploaded to an off-site server. BWCs will be recharged utilizing docking stations or cables provided.

The MVR system consists of the following components:

- Forward-facing camera
- Rear-facing camera (caged units and DUI vehicle only)
- Cargo space mounted signal boxes and hardware

## **General Operation - BWC**

The BWC system will be assigned to and maintained by the individual officers below the rank of lieutenant. Officers shall inspect the BWC and MVR for any physical damage and ensure the devices are in working order at the beginning of the officer's shift. Any issues impacting the use of the BWC or MVR will be reported to the officer's immediate supervisor and written notification made to BWC/Fleet administrators. The BWC and MVR shall be utilized in accordance with training whenever an assigned officer is performing public duties on behalf of the Department. *(CALEA 41.3.8e)*

Detectives shall use BWCs when executing arrest and search warrants and may use BWCs when contacting suspects.

Officers shall deploy a BWC while working uniformed off duty assignments.

There may be rare instances in which the scope of an assignment may preclude the use of BWC, and those instances shall require the approval of the Chief of Police/designee prior to the exemption.

## **MVR Maintenance** *(CALEA 41.3.8e)*

Officers shall notify a supervisor if the MVR indicates a system fault or failure is indicated and document the fault or failure on a vehicle discrepancy report.

- The vehicle will be deadlined for an inoperable MVR issue.
- A supervisor may authorize the deployment of a vehicle with a system fault in order to prevent a fleet shortage or when operational conditions dictate the need to deploy the vehicle.

Officers shall return any MVR equipped vehicle to the station and upload all video files before deadlining the vehicle.

## **Operations** *(CALEA 41.3.8b)*

Only those officers trained in the use of the BWC and MVR shall operate those systems. Officers shall operate the BWC and MVR consistent with policies, system manuals, and training. The deployment of the BWC and MVR systems will not interfere with normal operations and patrol/investigative procedures. System function and specific operations are addressed in the BWC Operation Manual. *(CALEA 41.3.8f)*

The primary MVR camera has been installed in marked vehicles in a forward-facing position to capture traffic contacts and other events occurring adjacent to the traffic right of way. Officers shall not position their vehicle to prevent video recording of such activities. Officers shall not obstruct or obscure the view path of the MVR camera. Weather permitting, officers shall maintain a clear windshield so

as not to distort or degrade the effectiveness of the MVR camera. Members shall not redirect the camera from the optimum view.

Officers shall log into the Axon View application each shift they operate a vehicle equipped with a functioning MVR prior to leaving the station. Each member shall log in and logoff consistent with system protocols and department training.

The primary function of the BWC and MVR systems is to record contact between department officers and the community. Officers shall activate the BWC and MVR to record the following events as soon as practical (included but not limited to):

- At the time of dispatch to priority 1 or 2 calls while en route
- Pursuits – at the time the pursuit is declared
- Contacts in an investigative or enforcement capacity
  - traffic stops
  - pedestrian and bicycle contacts
  - prisoner/citizen transports
- Officers may activate the audio-video record function at their discretion, as long as it is legally appropriate to do so. Manual operation will capture the previous 30-seconds of video images (no audio), which may contain initial driving behavior or other activity. The audio-video file is created until the manual “stop” is pressed.

In instances where activating the MVR is not practical, the BWC should be activated in the following situations (list not all-inclusive):

- Detentions
- Arrests
- Miranda advisement
- Use of force incidents
- Flag downs
- Critical incidents
- Interviews or consensual contacts where the officer is attempting to develop reasonable suspicion
- During building/suspect searches
- During the execution of arrest and search warrants
- When ordered by a supervisor
- Phone reports are excluded

Whenever possible, officers should activate the BWC and/or MVR if applicable prior to exiting their vehicles or prior to contact if on bike or foot. The intent is for officers to capture the reason for the contact utilizing the 30-second buffer the cameras provide whenever possible.

Once activated, officers will continue to record until the completion of the encounter or action, or until they have left the scene, except as provided in this policy. Officers issued BWC or utilizing a vehicle with an MVR and involved in an incident where serious injury or death occurs, a vehicular collision, or where a Board of Inquiry

may be convened e.g. an officer-involved shooting, shall not stop the recording until directed to do so. In such circumstances, the recording shall only be stopped by the first supervisor on-scene, member of Command Staff, or Incident Commander when the scene is secured. As soon as practical, the first supervisor on-scene or IC shall provide direction to stop the recording of any BWC or MVR utilized by an involved officer (Focus, Cover or Witness officer). The BWCs will be secured by a detective. Depending on the circumstance, the MVR may be secured by a BWC/Fleet administrator for upload and storage.

## **Recording**

An audio-video file is created when the “record” function is enabled either manually from the Axon View application, or from the front of the camera by depressing the event button when the application is not accessible, or automatically enabled by one of the systems preset activation triggers. The recording is continuous until manually stopped from the console in all cases (or until there is no free storage space). Officers shall utilize the Axon View application or depress the event button on the front of the camera when the application is not accessible to stop the recording after separating from motorist/public contact, or when the investigation necessitating video evidence is complete.

### **Automatic Record Enabling**

In addition to manual operation, the in-car video system features the ability to automatically activate the record function of the system. The Department has established the settings or “triggers” that activate the record function. The triggers may be altered at the direction of the Chief of Police. Members shall not disable or interfere with the established record function triggers.

#### **Record Function Triggers**

- Activation of the forward visible emergency lights
- Vehicle speed in excess of 80 MPH
- Shotgun/rifle release
- Rear passenger door access
- Collision

### **Exceptions**

If in the officer’s opinion it is unsafe, impossible, or impractical to activate the record function, the officer shall verbally notify his/her immediate supervisor and make a notation in the case report articulating the reason the recording was either not activated or stopped, in exception to this policy.

## **Victim Contact**

During victim contact, consideration may be given if the victim asks not to be video recorded. In such cases the officer will comply with the request, however, the audio will continue to be recorded. If possible, the victim's request to not be recorded should be documented on the recorder prior to turning off the recorder. Alternative ways of recording utilizing the BWC without video is to place the camera in a pocket to block the lens, or to shift the glasses (if glasses mounted) to the top of the head, enabling the audio to still be recorded.

## **Investigation** *(CALEA 41.3.8c)*

Officers shall only view files created by BWC and MVR for official purposes such as assisting with an investigation, the completion of reports, or in preparation for hearings, depositions, and trial. Officers may use files created by BWC and MVR for the training of other employees only upon approval of such use by Command Staff.

MVR files are available for viewing in the vehicle while the file remains in the mobile system. Once the file is uploaded, it is no longer available in the vehicle. Viewing of video files prior to uploading shall be permitted only for legitimate investigative purposes when necessary.

Files may not be viewed by any member who reasonably believes that he or she may be interviewed as a focus officer or witness in a Board of Inquiry/serious incident prior to any interview or statement unless specifically approved by the investigating detail supervisor, IC or an Assistant Chief. Such situations include officer-involved shootings, in-custody deaths, or significant injury situations.

The uploaded file can only be viewed on Evidence.com by the originating officer(s), the chain of command, or other authorized personnel. Each attempt to access the audio-video file is logged and tracked. Members shall not attempt to access audio-video files without a legitimate law enforcement purpose.

When the BWC and/or MVR system is used to record an investigation or citizen contact, this fact will be documented on any citation and/or report prepared regarding the event. When preparing an Incident Report, Supplemental Report, MI, Citation Report, or Field Interview, in connection with an investigation or police event, the assigned officer shall indicate that a recording was made.

Should an officer fail to make a recording as required, the officer will document the reason in the appropriate case report.

Video recordings may supplement and support Departmental reports. Written reports are still required to comprehensively capture the totality of the event.

## **Prohibitions on Recording** *(CALEA 41.3.8b)*

Officers shall not surreptitiously record other UAPD employees. Officers shall not record the following activities (list not inclusive):

- While on employee breaks
- While writing a report
- When discussing a case with other officers
- During other administrative functions
- During general discussions with departmental members
- While attending court and MVD hearings
- While conducting attorney interviews
- While in the UAPD building, and not dealing directly with a suspect

The BWC system shall not be activated in places where privacy would be expected, such as locker/dressing rooms or restrooms, except in the official performance of a law enforcement function.

BWC and MVR users shall not intentionally record confidential informants or undercover officers. Officers assigned to CNA will record in accordance with this policy and will exercise care around undercover officers and confidential informants.

## **Prohibitions - Other**

Officers shall not allow citizens to review the recordings unless approved by a supervisor. Members of the public requesting to view a recording shall be directed to utilize the public records process.

Officers shall not alter, remove, dismantle, or tamper in any way with any BWC or MVR related hardware and or software. Officers shall not delete or alter BWC or MVR recordings.

Accessing, viewing, copying, or releasing BWC or MVR recordings for other than the official law enforcement purposes set out in this policy is strictly prohibited. Any deviation must be approved by a member of the Command Staff.

## **Department Program Administrator**

The Operations Support Assistant Chief shall be the Program Administrator for the Department and shall maintain all records and information related to the BWC and MVR program. The Program Administrator or designee shall act as the liaison for any issues related to the program.



## **Storage** (CALEA 41.3.8d)

All BWC and MVR recordings shall be retained and handled as evidence. Officers assigned a BWC shall upload data from their cameras in accordance with training and the BWC Operations Manual. MVR files are uploaded through an automated wireless process at the police station parking compound. The process will continue after logoff until all files have been uploaded to the local server. Members shall not interfere with the file transfer process or attempt to power down the system. Officers who are assigned to a special assignment and do not come to the police station parking compound on a regular basis will come to the station parking compound once per week to facilitate video download. Once the data is uploaded in the system in its entirety, officers will tag the files of evidentiary value with the case/event number when applicable. Officers are also responsible for assigning a category to each segment. If no category is assigned to the video, it will remain in the system until it is deleted. Officers assigned a port in the docking stations will store cameras/controllers in said port between shifts. Officers in specialty assignments will ensure cameras are charged properly and docked at least once a week to allow for uploads and firmware updates.

## **Record Retention and Public Record Requests** (CALEA 41.3.8d)

All BWC and MVR recordings and information captured as part of an officer's duties shall be the property of UAPD and are considered a record of the UAPD.

The MVR and BWC recording (all associated video and review logs) may be burned to a DVD by making a request to the Property & Evidence Section on a Request for Records or Property form. This request must include the case number, officer name and PR, video capture date, and the car number. The DVD will be court ready, to include the encryption decoding file and the reviewer audit log. The DVD will be treated as evidence.

The release of BWC and/or MVR video/audio requested through a public records request will be subject to the same statutory exemptions from disclosure as any other Departmental records. Prior to releasing any BWC/MVR recordings, the Department will ensure proper redaction is completed.

### **Retention**

- Civil cases – one year
- Misdemeanor cases – twenty-five years
- Felony cases – twenty-five years
- Non-Evidentiary value – 185 days

Recordings identified as "evidence" shall be secured, in accordance with training guidelines and will be retained until such time as the case has been adjudicated, closed, or authorized for purging.

Officers may request deletion of video that was inadvertently recorded, does not meet the recording requirements, and does not contain material of evidentiary value. Officers requesting that a file be deleted will submit an Officer's Report of explanation to their Division Assistant Chief. The Assistant Chief will make a determination and forward the memo to the Program Administrator for appropriate action. All requests will be retained by the Program Administrator.

Long-term video file storage shall comply with existing state record retention law and evidence retention protocols.

Any questions relating to redaction will be directed to the Office of General Counsel.

### **Inspection and Audit** *(CALEA 41.3.8g)*

Supervisors shall conduct periodic audits to ensure proper operation of equipment and compliance with recording requirements.

Investigators and supervisors may review any unrestricted video on the system as necessary and appropriate. The reviewer's identification is tracked each time the video is reviewed for the chain of custody and audit.

Supervisors will conduct a documented review of camera footage whenever the following data is captured:

- Discharge of a firearm, electronic control device, or other less-lethal projectiles (unless said discharge was only a training event)
- A collision involving a department vehicle
- An injury or alleged injury

In the absence of any of the above review triggers, supervisors will randomly audit a video contact a minimum of once per month for each subordinate.

Supervisors and command staff may periodically review recordings for the purpose of identification of:

- Training issues
- Compliance with departmental policies and procedures
- To resolve citizen complaints

Supervisors may review recordings from employees not under their immediate supervision in the course of their supervisory duties. When a supervisor or member of the command staff views a video, a notation shall be documented on the video file and will include the purpose of the review. Example: supervisory review, citizen complaint, etc.

## **Administration**

Properly trained members designated as administrators shall maintain the system. The Chief of Police may direct an administrator to deviate from this policy in the interest of the public transparency, effective operation of the agency, or education.

# 7.1 Alternatives to Arrest



Supersedes: 01 June 2006	Revision: 07 July 2015	Effective: 03 August 2015
Policy Affects: All Personnel	CALEA Standard: 1.1.3, 1.2.6	

Brian A. Seastone  
Chief of Police

## Policy

Whenever possible the UAPD will use alternatives to arrest for misdemeanor offenses. These alternatives may include “cite and release”, warnings, and the use of the UA Student Diversion program.

## Cite and Release

Arizona Revised Statute (ARS) 13-3903 provides that a person arrested for a misdemeanor offense may be released upon their signed promise to appear in court in lieu of physical arrest. If the individual fails to sign the promise to appear they shall be physically arrested and taken to the appropriate County Jail for processing.

## Petty Offenses

ARS 13-3903 requires that any individual committing a Petty Offense is to be released upon signing their promise to appear. **No person shall be physically arrested for a petty offense.**

If the violator refuses to sign the Promise to Appear, the officer shall release the subject and follow-up with the appropriate County Attorney's Office for issuance of a long form complaint.

**Supervisors have the prerogative to review the incident and determine if a physical arrest on other criminal charges at the time is reasonable and prudent.** (CALEA 1.2.6)

## Juvenile Offenders

See UAPD Policy 7.5-Juvenile Operations.

## Written Warnings

An officer may issue a written warning for misdemeanor violations of the law as an alternative to arrest/citation. Written warnings will be issued on the multi-purpose MI/FI form. The officer will be specific on the departmental copy of the written warning as to the nature of the warning and specifics surrounding the incident. (CALEA 1.2.6)

## **Verbal Warnings**

Officers have the discretion to issue verbal warnings for misdemeanor or petty offenses in lieu of a citation/arrest. (*CALEA 1.2.6*)

## **Misdemeanor Student Offenders**

The Student Diversion program may be used as an alternative to arrest for certain misdemeanor offenses. See UAPD policy *7.2- Student Diversion*

## 7.2 Student Diversion



Supersedes: 27 April 2014	Revision: 11 December 2019	Effective: 01 January 2020
Policy Affects: Certified Officers & Records Personnel		

Brian A. Seastone  
Chief of Police

### Purpose and Summary

The purpose of this policy is to outline the protocols and procedures for the student diversion program. The UA and the Pima County Attorney Office agree that an alternative to prosecution and the criminal justice system can provide a positive educational outcome for student misdemeanor offenders while supporting the goal of campus and community safety.

Established in 1987, the Student Diversion program was created to address certain misdemeanor charges against UA students. The purpose of this program is to provide the opportunity for eligible students to participate in a sanctioned diversion program in lieu of criminal prosecution. Students are referred by the Pima County Attorney's Office or UAPD. Upon successful completion of the diversion program, the student will not have a criminal conviction related to the misdemeanor offense.

Student Diversion does not apply outside Pima County and cannot be enacted by other than University police officers or other agency police officers assigned to a University event working under the direction of UAPD. (CALEA 1.1.3)

The UA Dean of Students Office (DOS) is the administrator of the student diversion program

### Eligibility

DOS is responsible for determining a student's eligibility for participation in this diversion program, once the student has been referred by UAPD or the Pima County Attorney's Office.

UA students must be in good standing with the UA in terms of their conduct, as determined by DOS, and registered for one or more credits to be eligible to participate in the program. There is no age restriction. Students may participate in the program only a single time.

### Crimes Excluded from the Program

Individuals who are charged with the following crimes or for which an officer has probable cause to believe have been committed **are not** eligible to participate in the program:

- Any felony
- Assault on a Police Officer
- Any criminal offense under Arizona Revised Statutes, Title 28, including Driving Under the Influence
- An offense under Arizona Revised Statutes, Section 4-244(34), which prohibits a person under 21 years of age to drive or be in physical control of a motor vehicle while there is any alcohol in the person's body
- An offense under ARS 4-244(35) which prohibits someone under the age of 21 from operating or controlling a motorized watercraft with alcohol in the person's body
- Any crime considered to be domestic violence.\*
- Hate Crimes as defined by Arizona Revised Statutes
- The following crimes that fall under the Clery Act or Violence Against Women Act (VAWA) dealing with:
  - Hate or Bias crimes
    - Larceny/Theft
    - Simple Assault
    - Intimidation
    - Damage or Vandalism to Property
  - Dating Violence
  - Domestic Violence\*
- Any misdemeanor offense that involves a crime of violence against another person, unless there is no serious injury.
- Resisting arrest
- Obstructing government operations
- Indecent exposure
- Any offenses in Arizona Revised Statutes Title 14
- Other crimes if the officer determines through the investigation that there are aggravating circumstances such that the UA Student Diversion Program is not appropriate.

*\*This exclusion does not include situations that involve roommates who are not involved in an intimate relationship or extended personal relationship.*

### **Pima County Attorney's Office Referrals**

The Pima County Attorney's Office may refer students who have been charged with misdemeanors, subject to program exclusions and victim input, to the UA Dean of Students Office (DOS) for participation in the program.

### **Officer Referrals**

When an officer\*\* has probable cause to believe a student or students have committed misdemeanors, the officer may initiate a referral to DOS, subject to

program exclusions. If the student has previously been convicted of criminal conduct as an adult, the student will not be referred for diversion and will be criminally prosecuted for the offense.

*\*\*Officers refers to UAPD officers or police officers from outside jurisdictions, such as when officers from outside jurisdictions are working in conjunction with UAPD at a UA event.*

Even for misdemeanors that are not excluded, officers may decide not to initiate the referral of a student in certain situations based on the student's behavior and actions.

These situations include, but are not limited to:

- The student refusing or failing to follow the directions of officers or other university officials;
- The student knowingly providing false information to the officer;
- The student refusing or failing to cooperate with the investigation;
- Other circumstances where, in the officer's opinion, criminal prosecution is warranted.

If an officer chooses to initiate the referral process, the officer will:

- Complete a thorough investigation, fully documenting the incident in a police report, including the probable cause for the violation;
- Refrain from issuing a citation or making a physical arrest for the offense;
- Inform the student that the case will be referred to DOS to determine eligibility, subject to UAPD supervisor approval; and
- Complete a DOS Diversion Referral Form.

Upon completion of these steps, a UAPD supervisor will review the report and determine if the referral is warranted. If so, the supervisor will forward the Diversion Referral Form to DOS. If the supervisor determines the referral is not appropriate, the supervisor will work with the officer to process the criminal citation.

## **Dean of Students Process**

If a student who is referred to the diversion program is within six months of graduation, this process will be expedited to the extent possible.

## **Notification**

Once DOS has determined a student is eligible, a written notice will be sent to the student advising that the student has been referred to the program and determined

to be eligible to participate. The notice will also state that the student has seven business days from the date of the letter to notify DOS in writing to express interest



in participating. If the student does not respond or declines to participate, the matter will be referred back to UAPD or the Pima County Attorney's Office.

## **Sanctions**

DOS will determine appropriate sanctions based on the student's actions and any aggravating or mitigating circumstances. Sanctions shall include counseling or education related to the crime. Sanctions could include community service, restitution, or any other sanctions deemed appropriate. The sanctions will be separate and apart from any sanctions imposed for violations of the Student Code of Conduct.

## **Admission of Responsibility**

After a student has been informed of the program requirements and what the sanctions will be, if a student chooses to participate, the student must sign a document admitting responsibility and agreeing to the terms of the program.

## **DOS Investigation**

Even if a student declines to participate further in the diversion program, DOS may commence an investigation regarding whether the student has violated the Student Code of Conduct.

## **Successful Program Completion**

When a diversion participant has successfully completed the program, DOS will notify UAPD Records or the Pima County Attorney's Office depending upon the original referral office.

## **Failure to Complete Sanctions**

If the student is unsuccessful in completing the sanctions and UAPD made the referral, DOS will notify UAPD within 15 business days, and UAPD will take the appropriate action for issuance of a long-form complaint or criminal citation. The case report will be forwarded to the Pima County Attorney's Office for prosecution. If the Pima County Attorney's Office made the referral, DOS will notify that office.

## **Termination of Program Participation**

DOS may terminate a student's participation in the diversion program at any time if DOS determines that the student's continuation in the program is no longer appropriate. A student's participation shall be terminated if the student is cited or arrested for any other crime while in the program. A student may also choose to terminate participation in the program at any time.

In such situations, if UAPD made the referral, the termination shall be reported to UAPD within 15 business days, and UAPD will take the appropriate action for issuance of a long-form complaint or criminal citation. The case report will be forwarded to the Pima County Attorney's Office for prosecution. If the Pima County Attorney's Office made the referral, DOS will notify that office.

### **Case Report Identification**

Any case referred to the Dean of Students Office Diversion Program shall be identified by "Diversion" or UA DIV written in the "Comments" section of the basic case report. Reports written in FRLE shall be identified by "ADUD" for adults and "JVUD" for juveniles in the disposition section of the report.

### **University Code of Conduct**

Any Code of Conduct referrals initiated by the police department will be submitted to the Dean of Students by the case officer. The officer will include a synopsis of the incident in the referral.

## 7.3 Non-Custodial Handcuffing



Supersedes:  
17 April 2013

Revision:  
09 June 2015

Effective:  
03 August 2015

Policy Affects:  
All Personnel

CALEA Standard:

Brian A. Seastone  
Chief of Police

### Policy

The use of handcuffs or other approved supplemental restraint devices on subjects who have been detained is for the prevention of initiating or escalating violence against another subject, or themselves, preservation of evidence or property and to prevent the fleeing of a subject who is under suspicion of having committed a crime and exhibits signs of fleeing or violence.

### Use of Handcuffs or Supplemental Restraints

Officers shall follow the proceeding guidelines in determining whether to utilize handcuffs or supplemental restraint devices in non-custodial circumstances:

- Individuals shall not be randomly handcuffed or restrained.
- Officers may remove restraining devices at any time, if the officer believes that the subject is no longer a threat as outlined in policy.
- If more than one officer is present with one detainee, officers will consider the least intrusive method of detention.
- Once handcuffs or supplemental restraints are applied, the officer shall inform the subject of the reason for the restraint being applied, and make it clearly understood that the individual is being “detained” and not arrested at the time.

### Responsibility

It is the officer’s responsibility to determine if restraint is necessary and to what degree. The application of handcuffs or supplemental restraints will be documented in a UAPD case report.

### Special Circumstances

In situations involving a subject with an injury, prosthesis or other medical condition, the officer will utilize discretion, weighing the obvious medical problem with the need for use of the restraining device.

**Handcuff  
Application**

If handcuffs are applied to a detained subject's wrists, the handcuffs will be applied so that the subject's hands are behind the back with the palms out and the handcuffs double-locked.

**Supplemental  
Restraint  
Application**

Supplemental restraints will be used in accordance with *UAPD policy 3.3-Supplemental Restraints*.

## 7.7 Arrest Warrants



Supersedes: 01 June 2006	Revision: 01 July 2015	Effective: 03 August 2015
Policy Affects: All Personnel	CALEA Standard: 74.2.1, 74.3.1, 74.3.2	

Brian A. Seastone  
Chief of Police

### Policy

Only police officers are permitted to execute any form of criminal process to include arrest and search warrants and issue criminal and civil citations. Officers are expected to serve criminal process as regulated by appropriate State and Federal statutes and departmental policy. (CALEA 74.3.1, 74.3.2)

### Warrants

Police officers will routinely conduct computer inquiries for outstanding warrants on persons they have stopped for traffic violations, field interviews, or for other official purposes. If a person is discovered to have an active warrant, the officer shall not arrest until the warrant has been confirmed as valid with the issuing agency. Confirmation shall be done by Dispatch.

### UAPD Warrants

All warrants issued by the Courts as a result of a UAPD case will be served upon confirmation unless otherwise directed by a supervisor for cause.

### Other Agency Warrants

Warrants issued by the Court through other law enforcement agencies may be served upon confirmation. Officers contacting subjects with warrants from other agencies:

- Will not serve the warrant if the warrant is due to a Title 28 violation other than DUI and Reckless Driving
- May contact the originating agency, advise them of the suspect stop, and request an officer to serve the warrant.
- Should the agency be unable to dispatch an officer, UAPD may serve the warrant, or advise and release the suspect unless the suspect is to be arrested for another reason(s) initiated by UAPD.
- Will serve warrants issued as a result of an original Title 13 violation. (This does not mean that officers will execute FTA warrants for Title 28 violations other than the two mentioned earlier).

If an agency is unable to serve their warrant, it may not be in UAPD's best interest to serve the warrant because of limited resources. When any judge issues a failure to appear warrant, they authorize any Arizona peace officer to serve the warrant, but this does not obligate the officer to do so.

### **Civil Warrants**

Civil warrants may only be served **Monday through Friday, excluding holidays**, between the hours of **0800 - 1600**. If delivery of the warrant to UAPD is not within these parameters, the warrant shall not be served until the following weekday. (CALEA 74.2.1)

### **Criminal Warrants**

Criminal warrants are issued when a defendant fails to appear as directed under ARS 13-2506, and constitute a class one misdemeanor. Criminal warrants may also be issued after long form complaints are obtained through the County Attorney's Office and signed by a Judge. These warrants may be served after confirmation.

### **Failure to Appear- Felony**

Warrants are issued when a defendant violates their promise to appear on a felony offense. This warrant is issued under ARS 13-2507, and constitutes a class five felony. These types of warrants may be served after confirmation.

### **Out of State Warrants**

Arrest warrants may be served from agencies outside of Arizona. Authority to serve these warrants is granted under ARS 13-3842. These warrants are normally felony warrants and may be served after confirmation.

### **Probation or Parole Violations**

Warrants are issued when a defendant violates a condition of probation or the terms of parole as defined by the courts. This warrant is issued under ARS 13-901 and will be served after confirmation.

### **Traffic Warrants**

Traffic warrants are issued when a defendant fails to appear as directed under ARS 13-3904, a class two misdemeanor. Warrants for failure to pay a fine may also be issued under ARS 13-806, a class one misdemeanor. Traffic warrants may be served only at the supervisor's discretion after being confirmed, subject to the sections outlined in this policy.

## **Conditions of Service**

Warrants will only be served under the following conditions:

- Only certified officers may serve arrest warrants.
- If a warrant is not served, the officer will inform the subject of the pending warrant and the bond associated.
- Civil Arrest Warrants will be served in accordance with the above statement on Civil Warrants, and will further be served at the discretion of the supervisor. If a Civil Warrant is not served, the officer will inform the subject of the pending warrant and the bond associated with the warrant. (CALEA 74.2.1)

An officer should consider the following when evaluating the service of a warrant:

- The bond amount
- Personnel staffing
- Call load
- Whether the defendant can offer information or paperwork to show the warrant is invalid or has been satisfied
- Multiple warrants
- Extradition boundaries. Prior to serving arrest warrants officers shall confirm the warrant and confirm the extradition limitation on the warrant. If the subject named on the warrant is outside the extradition boundaries, the officer will inform the subject of the warrant, complete a field interview, and release the subject, if applicable
- Age of the warrant
- Warrant confirmation
- Whether the issuing authority itself prefers to serve the warrant

## **Officer Responsibility**

Arizona Revised Statute 13-3887 states, "When making an arrest by virtue of a warrant the officer shall inform the person to be arrested of the cause of the arrest and the fact that a warrant has been issued for his/her arrest, except when he/she flees or forcibly resists before the officer has the opportunity to so inform him/her, or when the giving of such information will imperil an arrest. The officer need not have the warrant in his/her possession at the time of the arrest, but after the arrest, if the person arrested so requests, the warrant shall be shown to him/her as soon as practicable."

## **Warrant Execution**

An officer executing an arrest warrant shall first confirm the warrant prior to placing the subject under arrest for the warrant violation. If the person is arrested, the officer:

- Will transport the person to the Pima County Jail or to the Graham County Jail based upon the location of the arrest.
- Shall sign a copy of the warrant that has been stamped "SERVED"
- Will receive a copy of the served warrant for inclusion into the case report.
- Will complete a Basic Case or Supplemental Report.
- Will obtain a copy of all warrants served.
- Will obtain all copies of citations except the pink copy that is issued to the defendant (if applicable).

### **Federal Fugitive Warrants**

UAPD officers are not empowered to execute federal warrants. If a subject is confirmed to have a federal warrant, the subject will be detained and the United States Marshal's Office contacted and advised of the warrant. The USMO will be responsible for the warrant execution.

### **Time of Execution**

An arrest warrant may be executed at any time following confirmation.

### **Arrests Without a Warrant**

An officer may, without a warrant, arrest a person if he/she has probable cause to believe:

- A crime has been committed and probable cause to believe the person to be arrested has committed the crime.
- The person to be arrested has been involved in a traffic accident and violated any criminal section of Title 28, and such violation occurred prior to or immediately following such traffic accident.
- A misdemeanor or petty offense has been committed and probable cause to believe the person to be arrested has committed the offense. A person arrested under this paragraph is eligible for release under ARS 13-3903. (See *UAPD policy 7.1-Alternatives to Arrest*).
- Domestic violence has been committed and probable cause to believe that the person to be arrested has committed the offense. The release procedures available under ARS 13-3883 paragraph 4 and ARS 13-3903 are not applicable to arrests made pursuant to this section.

An officer may stop and detain a person as is reasonably necessary to investigate an actual or suspected violation of any traffic law committed in the officer's presence and may serve a copy of the traffic complaint for any alleged civil or criminal traffic violation. An officer who serves a copy shall do so within a reasonable time of the alleged criminal or civil traffic violation of ARS 13-3883.



## **Previous Warrant Service**

When serving a warrant, if an individual states that the warrant or citation has been satisfied, the officer shall make every effort to determine if the warrant has been satisfied or issued in error. If in the officer's opinion there is any question that a citizen may have already satisfied the warrant, the warrant will not be served. When officers lack information, are uncertain, or receive conflicting information on warrant validity, the warrant shall not be served.

For warrants that are not served, officers will document the contact on an MI form or in the narrative section of an event number. The incident will be forwarded to the Detective Sergeant. Officers shall make every effort to obtain a current address, telephone number, and place of employment for inclusion on the field interview form.

## **Warrant Service Priority**

Warrant service priority will be given in those cases where an active investigation is being conducted, where the warrant is for a felony offense, or a crime against a person.

# 7.12 Immigration Enforcement



Supersedes: 3 August 2015	Revision: 9 August 2019	Effective: 26 August 2019
Policy Affects: All Personnel	CALEA Standard:	

Brian A. Seastone  
Chief of Police

## Purpose and Summary

The purpose of this policy is to ensure any immigration enforcement activity is conducted in a manner consistent with federal and state laws related to immigration and the civil rights, privileges and immunities of all persons.

This policy will not limit the enforcement of federal and state immigration laws to less than the full extent permitted by law.

Officers will not arrest, stop, detain, or contact an individual based on race, color, religion, gender, national origin, age, disability, veteran status, sexual orientation, gender identity, or economic status, unless it is part of a suspect description or otherwise authorized by law.

## Definitions

**Consensual Contact:** Voluntary interaction with a person where a reasonable person would clearly understand they are free to leave or decline the officer's request.

**Presumptive Identification** (For individuals lawfully stopped or detained, not under arrest): A person is presumed to be lawfully present in the United States if the person provides to a law enforcement officer or agency any of the following:

- A valid Arizona driver license
- A valid Arizona non-operating identification license
- A valid tribal enrollment card or other form of tribal identification
- Any valid U.S. federal, state, or local government issued identification

**Probable Cause for Arrest:** Facts and circumstances, and any rational inferences therefrom, that would lead a reasonable and prudent officer to believe a crime has been or is being committed, and the subject to be arrested committed the crime. An officer may arrest based on probable cause.

**Reasonable Suspicion:** Facts and circumstances, and any rational inferences therefrom, that would lead a reasonable and prudent officer to believe crime has been or is being committed; the officer need not know the exact nature of the crime. An officer may stop or detain a person based on reasonable

suspicion, but may not arrest or search absent probable cause or reasonable suspicion the detained person is armed and dangerous.

**Stop/Lawful Detention:** A temporary detention of a person for investigation (a temporary detention is considered a seizure of a person and is, therefore, governed by the Fourth Amendment); a stop occurs when a reasonable person under the circumstances would believe that he/she is not free to go; a stop shall be based on at least reasonable suspicion.

### **Consensual Contacts**

Officers shall not make immigration status inquiries during initial consensual contacts with members of the public.

### **Victims/Witnesses**

Because victims and witnesses are not arrested or lawfully stopped/detained for purposes of the Fourth Amendment, officers shall not ask about immigration status or call ICE to verify victims' or witnesses' immigration status.

### **Traffic Enforcement (Drivers/Passengers)**

Officers shall not ask immigration related questions or verify immigration status while conducting traffic enforcement unless required by state law as specified above.

Current state law does not place a legal requirement on passengers to produce identification and officers shall not ask for identification for immigration purposes.

Officers shall not hold a person for longer than the purpose of the original stop to verify immigration status.

### **Lawful Detention and Reasonable Suspicion of an Immigration Violation**

If a person is detained for a violation of any law and during this detention an officer develops reasonable suspicion the detained person is unlawfully present in the U.S. the officer shall make a reasonable attempt to contact ICE and verify the person's immigration status (ARS 11-1051.B), subject to exceptions and supervisor approval, as described below.

*Officers shall not hold a person for longer than the purpose of the original stop to verify immigration status.*

## **Exceptions**

There are three exceptions when it is not necessary to contact ICE to verify immigration status for persons lawfully stopped/detained and there is reasonable suspicion the person is unlawfully present in the United States:

1. ***When it is not practical:*** Due to workload, criticality of incident and other present duties, available personnel on scene, location, available back-up, and ability to contact ICE.
2. ***When the determination may hinder or obstruct an investigation:*** The officer should consider whether to investigate immigration status in light of the need for suspect, victim, and witness cooperation in an investigation.

This consideration is not limited to the investigation for which the person has been detained, such as domestic violence investigations, complex investigations of money laundering, human trafficking, and drug smuggling, which may require significant cooperation of those involved.

3. ***When the individual provides presumptive identification:*** (See Presumptive Identification in definition).

## **Supervisor Approval and Documentation**

If officers need to contact ICE to verify any person's immigration status, the on-duty supervisor shall be contacted for approval. If the supervisor is not available, the on-call Lieutenant shall be contacted for approval.

Any contact with ICE as part of a criminal investigation shall be documented in a basic case or supplemental report and forwarded to the Detective Sergeant.

The Detective Sergeant will compile this information, and provide this data to the Chief of Police on a monthly basis.

The UAPD contract legal advisor is available 24/7 for immigration related questions.

## **Arrests**

When an officer arrests a person and is going to book the person into a jail facility, the jail facility where the person is booked is responsible for any inquiries about immigration status.

No UAPD employee shall prolong an arrest or detention for an immigration inquiry, including to request or obtain verification of immigration status.

If, after reviewing all available facts (except race or ethnicity) and/or evidence, an officer has reasonable suspicion that an arrestee is unlawfully present in the United States, a reasonable attempt shall be made to contact ICE/CBP to verify the arrestee's immigration status prior to releasing the arrestee, but release may not be delayed in order to request or obtain verification.

**The presumptions, exceptions, and requirements for approval and documentation in section above, "Lawful Detention and Reasonable Suspicion of an Immigration Violation" apply to this paragraph.**

## **Contact with ICE**

Any time ICE advises there are federal charges, officers shall ask if the charges are federal *criminal* charges or federal *civil* charges.

- State and local officers have no authority to enforce federal civil immigration violations.
- The UAPD legal advisor is available 24/7 for immigration related questions.

## **Federal Civil Charges**

1. When ICE advises there are only **federal civil** charges and there are **no state and/or local** charges, refer to the below procedures:
  - The officer may not extend a stop/detention based upon the federal civil charges.
  - The officer will not extend the stop/detention to wait for ICE to respond.
  - Officers will not transport the person based solely upon a federal civil violation without the person's consent.
  - If the person has been stopped/detained, the individual shall be released after the initial investigation is complete unless the officer has developed additional reasonable suspicion to detain the person to investigate a violation of criminal activity.
2. If there is a **federal civil** charge and the person is **under arrest for a state and/or local** charge(s):
  - The person will be booked into jail on the state/local charge(s).
  - A HOLD for the federal charge will be placed on the person for ICE or other appropriate federal agency.

## **Federal Criminal Charges**

1. When ICE advises there are ***federal criminal*** charges with no other **state and/or local charges**:
2. The officer shall determine whether ICE will respond to take the person into custody or whether the officer should arrest the person and transport to ICE or a local, state or federal jail facility. If there is a federal criminal charge and the person is under arrest for a state and/or local charge:
  - The person will be booked into jail on the state/local charge(s).
  - A HOLD for the federal charge will be placed on the person for ICE or other appropriate federal agency.

## **ICE is Unable to Determine Federal Civil Or Criminal Charges**

If ICE is unable to verify whether the federal charge is civil or criminal, then the charge will be treated as civil.

1. If there are no state and/or local charges, the procedures outlined above will be followed.
2. If the person is under arrest for state and/or local charges, the procedures outlined above will be followed.

## **Transportation to ICE**

The only time an officer will transport a person to ICE is under one of the following conditions:

1. ICE verified the person is wanted for a ***criminal immigration*** violation and there are no state criminal charges.
2. The person has a civil immigration violation *only* and consents to a transport.

## **Consular Notification**

Officers must comply with UAPD policy 7.4—Diplomatic Immunity regarding consular notification for persons who self-identify as being foreign citizens.

## **Detention and Removal Order (DRO) Holds**

The Detention and Removal Office (DRO) is a unit of ICE that has the responsibility of detaining and transporting undocumented persons apprehended by ICE, Customs and Border Protection (CBP), or local law enforcement.

- Once ICE has determined a person is unlawfully present in the U.S., ICE will issue a DRO hold, which can be for criminal or civil violations. This hold will be similar to a hit from a warrant when a person's information is run through the National Crime Information Center (NCIC).
- If an officer receives a DRO notification from ICE, the officer shall call the phone number on the DRO notification to determine whether the DRO hold is criminal or civil.

## NCIC ICE Immigration Violator File

ICE keeps a record of aliens who have been convicted of a felony crime in the U.S. and have since been deported to their country of citizenship.

- **Deported Felon File:** This file is located in the NCIC Immigration Violator File
- **The Immigration Violator File:** Contains the following additional categories:
  - **The ICE Absconder category**, which contains the records for individuals with an outstanding administrative warrant of removal from the U.S. who have unlawfully remained in the U.S.
  - **The ICE National Security Entry/Exit Registration System (NSEERS) category**, which contains the records for individuals whom the Department of Homeland Security (OHS) and ICE have determined have violated registration requirement for entry into the U.S.
    - The NCIC query results will advise whether the information displayed is an Administrative Warrant hit or a *Deported Felon File* hit.

*Police officers shall not take enforcement action on Administrative Warrants or on NSEERS hits as these are civil federal matters.*

- If there are no local charges along with a **Deported Felon File notification**, follow the policy as outlined above.
- If an officer runs a person who is the subject of a **Deported Felon File notification**, and there are no local charges, the following steps will be taken:
  - Verify, through physical description (scars, marks, tattoos, etc), admission or available information, the person on the hit is the

same person.

- Contact the ICE Law Enforcement Service Center in Vermont through the communications dispatcher or call directly using the phone number listed for immediate notification confirmation.
- One the hit has been confirmed; officers will positively identify the subject through LiveScan or fingerprint the individual and fax the fingerprint to ICE.
- After the subject has been positively identified, the ICE Law Enforcement Agency Response (LEAR) Unit (or other local ICE office) may be contacted at 520-514-4662 for pick-up and disposition of the subject. Officers will call the LEAR Unit before transporting a subject
  - Officers may also take the subject to the ICE Detention and Removal Office at 2430 N. Swan Rd., Tucson or the local county jail

## **U-VISA CERTIFICATION FORMS**

Are available through the United States Citizenship and Immigration Services for immigrants who are current or former victims, or affected eligible family members who are assisting officials in the criminal justice system with the investigation and prosecution of criminal activity.

- All requests for U-Visa certifications (form 1-9188) will be assigned to the case detective who will determine if the applicant meets the conditions required on form 1-9188 in regards to the type of crime committed and the victim's involvement: for example, the applicant is a victim and was/is being cooperative and possesses relevant information regarding the case.

The assigned detective will forward form 1-9188 to the Chief of Police/designee with a recommendation for the Chief to either sign or not sign the form.

Once reviewed and either signed or not signed by the Chief/designee, the form will be returned to the assigned case detective for disposition (returned to the victim/attorney/ representative).

## **FEDERAL FIREARMS REGULATIONS**

Under Title 18, U.S.C., Chapter 44, Section 921(20), any person unlawfully present in the U.S. is prohibited from owning or possessing a firearm.

- If the status of a prohibited possessor cannot be verified, a case report will be completed and the firearm impounded as Evidence.



- A detective will be on-call 24/7 for questions concerning prohibited possessor status and misconduct involving weapons.

### **ICE Contact Information**

- The ICE Law Enforcement Support Center: 802.872.6020
- Tucson Joint ICE Operations Center: 520.514.4662
- ICE Law Enforcement Agency Response (LEAR) Unit: 520.748.3166

# 7.14 Response to Domestic Violence Situations



Brian A. Seastone  
Chief of Police

Supersedes: NEW	Revision: 28 October 2019	Effective: 29 October 2019
Policy Affects: Certified Personnel		

## PURPOSE AND SUMMARY

The purpose of this policy is to address the University of Arizona Police Department's response to group living situations and the application of Arizona's domestic violence statute.

This policy is consistent with other law enforcement agencies in Pima County and with the Pima County Attorney's Office review of domestic violence cases.

This policy does not relieve a UAPD officer from conducting a thorough investigation to determine if a crime occurred and to take appropriate enforcement action under other applicable statutes.

## DEFINITIONS

Group living situations include:

- Fraternity houses
- Sorority houses
- Dormitories
- Group homes
- Treatment facilities
- Barracks
- Other similar group living situations

## POLICY

UAPD Officers should not generally apply the domestic violence statute to individuals residing in group living situations.

To determine if the Domestic Violence statute is applicable, UAPD officers will consider the multiple relationships and factors described in the statute below, and evaluate available evidence of the relationship individuals have or had.

For example, if Person 1 and Person 2 signed a lease together, verbally agreed to cohabitate, or have a child in common, and are not in a group living situation, the domestic statute will likely apply.

**AZ DOMESTIC VIOLENCE  
STATUTE: ARS 13-3601**

The domestic violence statute, ARS 13-3601 applies when:

1. The relationship between the victim and the defendant is one of marriage or former marriage or of persons residing or having resided in the same household.
2. The victim and the defendant have a child in common.
3. The victim or the defendant is pregnant by the other party.
4. The victim is related to the defendant or the defendant's spouse by blood or court order as a parent, grandparent, child, grandchild, brother or sister or by marriage as a parent-in-law, grandparent-in-law, stepparent, step-grandparent, stepchild, step-grandchild, brother-in-law or sister-in-law.
5. The victim is a child who resides or has resided in the same household as the defendant and is related by blood to a former spouse of the defendant or to a person who resides or who has resided in the same household as the defendant.
6. The relationship between the victim and the defendant is currently or was previously a romantic or sexual relationship. The following factors may be considered in determining whether the relationship between the victim and the defendant is currently or was previously a romantic or sexual relationship:
  - (a) The type of relationship.
  - (b) The length of the relationship.
  - (c) The frequency of the interaction between the victim and the defendant.
  - (d) If the relationship has terminated, the length of time since the termination.

Please note: This is not a complete version of the statute cited above. The remainder of the statute provides direction and options to officers who have determined that the relationship of the individuals involved makes the Domestic Violence statute applicable.

# 8.11 Mistaken Involvement



Brian A. Seastone  
Chief of Police

Supersedes: 23 August 2003	Revision: 20 July 2015	Effective: 3 August 2015
Policy Affects: All Personnel	CALEA Standard:	

## Policy

UAPD will manage and resolve all incidents of mistaken involvement.

When officers engage in a situation such as a high risk stop, field interview or other contact with a citizen in a situation where, after additional investigation, it is determined the citizen is not involved in the incident which the officers are investigating, the officers will minimize any adverse impact of the stop on the citizen through training provided by the UAPD.

## Managing the Impact

UAPD will provide training designed to sensitize officers to the perceptions, feelings and emotions of citizens who are involved in a case of mistaken involvement. The officer will “DEAL” with the citizen in the following manner:

- **D**efuse or **D**e-escalate the situation
- **E**mpathize and explain why the contact took place
- **A**pologize (not for doing the job but for the inconvenience).
- **L**eave the person in control of the situation
  - Provide the citizen with a business card and/or supervisor contact information
  - Offer to call someone and explain why the citizen might be delayed
  - Ask if there is anything you can do to facilitate closure

## Use of Force

Whenever use of force is directed at an individual and it is determined that mistaken involvement has occurred, the officer shall complete an SMR and include in the narrative how the officer managed the impact with the citizen as outlined above.

## Other Documentation

All mistaken involvement cases will be properly documented in either a Miscellaneous Incident or basic case report.

## 8.12 Trespassing & Exclusion from Campus



Brian A. Seastone  
Chief of Police

Supersedes: 01 November 2016	Revision: 01 May 2017	Effective: 08 May 2017
Policy Affects: Certified Officers, Records & Communications	CALEA Standard: 42.1.5	

### Policy

The University of Arizona is a community of scholars and students. One of the requirements of a scholarly community is to be free of disruptive, threatening and illegal behavior. The University of Arizona has rules for the conduct of faculty, staff, students and invited guests while on campus, in part to provide an environment conducive to scholarly activities. With regard to faculty, staff and students, the University has mechanisms in place to enforce these rules, such as the disciplinary provisions of the Handbook for Appointed Personnel, Classified Staff Manual and similar provisions in the University Code of Conduct.

With regard to members of the general public, the University needs specific procedures to enforce its rules of conduct and use of University grounds and facilities. This policy, together with state statutes (e.g. A.R.S. 13-2911, which requires adoption of rules for the maintenance of order on campus and criminalizes certain serious and disruptive behavior and violations of other University policies), provide that mechanism.

Occasionally, it becomes necessary to remove members of the public from the University of Arizona campus, which includes all land and buildings owned or under the control of the University of Arizona. The grounds of the University of Arizona are not considered places of unrestricted access.

It is the policy of the University to exclude persons who engage in behavior that is illegal, threatening or disruptive to the University's educational mission.

Ejection from a University event, such as a sporting event or another campus area on a one-time basis may not necessitate the issuance of an Exclusionary Order.

UAPD officers are authorized by University policy to serve Exclusionary Orders on members of the general public. (CALEA 42.1.5a)

### Previous Warnings

Buildings and areas of the University of Arizona normally open to the public, such as the Mall, the Student Union, Libraries, and Bookstore (list not inclusive), are available for use by individuals who have been previously warned of trespass on the University of Arizona. This same standard also applies to the individual's ingress and egress from campus.

Individuals must use the facility for which it was intended, or in a manner that corresponds to the use by the university community. Any deviations from the intended use of the facility or area, such as camping out, bathing in rest rooms, etc., are grounds for arrest under the Criminal Trespassing statutes under ARS 13-1502 and 13-1503, provided the subject had been previously warned.

If the violation was an administrative violation of the Arizona Board of Regents or a policy, regulation or rule of The University of Arizona, an arrest for "Interference with the Peaceful Conduct of and Educational Institution," ARS 13-2911 would be appropriate.

No officer will arrest any individual who is simply walking through the campus, even with a previous warning for trespass, unless there is clear evidence that the individual is in violation of some other statute, or violating a restraining order or some other enforceable order prohibiting their presence on university property.

### **Disorderly Conduct**

Any action by an individual that contains the elements of Disorderly Conduct may result in the individual being arrested regardless of previous warnings.

### **Requesting an Exclusionary Order**

The University President, Dean, Director or Department Head or any other official designated as the person in charge of a specific area, building, facility, activity or event may request an Exclusionary Order.

University Police Officers may initiate an Exclusionary Order:

- Upon request from any of the listed individuals above
- Upon witnessing illegal or disruptive behavior
- At the discretion of the officer, to maintain campus security

Exclusionary Orders shall not be served on persons qualifying as University Students, Faculty, Staff or invited guests. These persons are subject to other University rules and regulations controlling their behavior. In these instances proper referral within the University administration will occur. (CALEA 42.1.5a)

### **Procedures**

The following procedure will be used by UA police officers when issuing an Exclusionary Order. Individuals receiving an Exclusionary Order are prohibited from returning for a presumptive period of six (6) months unless otherwise specified on the Order.

UAPD Officers may defer immediate service of an Exclusionary Order and follow up with exclusion of the person at a later date should additional information be needed that is not available at the time of the incident. In circumstances such as these, the person may still be asked to leave the area/s or location/s and not return.

The individual must be advised why they are being asked to leave, the consequences of their return, and the potential of exclusion from the campus.

When issuing an Exclusionary Order, officers will provide both verbal and written notice through an Exclusionary Order form. A completed copy of the form shall be provided to the excluded person, and shall include the following information:

- First and last name of the individual subject to the Exclusionary Order
- Address of the individual, if known
- Specific behavior or series of events and behavior that is deemed disruptive and/or illegal
- Specific location(s) the individual is prohibited from entering
- Length of exclusion if longer than the presumptive six (6) months
- A brief summary of the reason(s) of the exclusion if longer than six (6) months or indefinite
- Consequences should the individual violate the Exclusionary Order
- Notice that the individual may obtain a review pursuant to the UA Exclusionary Policy, paragraph VII

All exclusions of persons will be documented in a case report, documenting all circumstances surrounding the exclusion, or potential exclusion, of the person.

Persons upon whom an Exclusionary Order has been served will be flagged in the UAPD Records Management System (RMS). All appropriate exclusionary information shall be included in the record including the areas excluded from and the expiration date of the Exclusionary Order. (CALEA 42.1.5b)

### **Exclusionary Order Confirmations**

Before any enforcement action is taken upon an individual for violation of an Exclusionary Order, its validity shall be confirmed with Dispatch. Exclusionary Orders shall be kept on file in Dispatch to facilitate confirmation of the order when necessary. Orders will be filed based on the person's name in alphabetical order.

### **Exclusionary Order Purge**

Valid Exclusionary Orders maintained on file shall be audited monthly. Any expired Order will be removed from the file and forwarded to Records for purging from the flag file. A master index will be maintained of all Exclusionary Orders that indicates service and expiration dates and upon whom the Order was served.

### **Notice to UA Other UA Areas**

UA Admissions shall be notified of any person served an Exclusionary Order. This notification is so that if the person applies for admission to the University as a student, proper and complete review of their potential student status can be made.

A notice to other UA Administrative areas responsible for employment of faculty and staff shall be made so that if the person is a potential employee, proper and complete review of their potential employment status can be made.

These notifications will be made by the Field Operations Division Assistant Chief or designee after the final internal review and approval of the exclusionary order by the Chief of Police/designee is completed according to this policy.

### **Post Incident Order Service**

Should the service of any Exclusionary Order take place after the actual incident/s facilitating the need for exclusion, notice of the exclusion will be made in person if reasonable to do so or by other reasonable means that confirms the excluded person has been served with all aspects and requirements of the Exclusionary Order, including the review procedure and actual written Exclusionary Order form.

### **Exclusionary Order Review**

The University provides, as a courtesy, an opportunity for review of any Exclusionary Order issued upon a person. During any review, the Exclusionary Order remains in full effect.

Persons wishing to have their exclusion reviewed must contact UAPD to request a review within five (5) business days of receipt of the Exclusionary Order. Failure to request a review within the designated period constitutes a waiver of any review.

An Exclusionary Order Review Request Form may be completed by any police officer upon request by the excluded person. Review requests may be made in person, mail or telephone. The officer receiving the request will complete the form and provide a copy to the excluded person (if request is made in person). The request form will then be forwarded to Records to facilitate copying and forwarding of associated case reports and other documentation to the reviewing authority. A copy of the request form will become part of the permanent file.

### **UAPD Review of Exclusionary Orders**

All Exclusionary Orders issued by UAPD shall be reviewed internally. When an Order is issued, the original Order with all associated documentation shall be reviewed by the supervisor of the officer serving the Order and forwarded to the appropriate Lieutenant for additional review. Once the review is completed, the packet shall be forwarded via chain of command to the Chief of Police or designee for final review. Any order found to have been issued without sufficient facts or information to support the action will be subject to rescission.



## **Modification to Served Exclusionary Orders**

Any modification to an exclusionary order already issued which changes the location, duration or status of the order shall require notification to the recipient. Notification procedures shall include:

1. A return receipt letter sent by the UAPD Records Unit to the recipient of the change/s made.
2. An entry made by the UAPD Records Unit in RMS of the change/s and direction to UAPD officers to notify the recipient of the change/s if contacted.
3. When notification of the change/s to the recipient have been made, the UAPD Records Unit will update the Exclusionary Order file indicating the date of the notification and how made.

# 8.14 Response to Hate Crimes



Supersedes: None	Revision: New	Effective: 06 March 2020
Policy Affects: Officers, Police Aides, CSO and Dispatchers		

Brian A. Seastone  
Chief of Police

## PURPOSE

To establish guidelines and direction for UAPD in responding to, identifying, investigating, and reporting hate crimes.

## POLICY

### Overview

Any crime committed because of a victim's actual or perceived race, religion, ethnicity, national origin, gender, sexual orientation, gender identity, and/or disability are considered additional federal crimes under the Hate Crimes Prevention Act (18 U.S.C. Sections 241, 245, and 249). Because such crimes impede the University's efforts to make our entire University Community feel welcome and safe, such crimes will be given high priority by UAPD.

This means UAPD will use all necessary resources to immediately identify individuals involved in possible hate crimes, collect evidence, investigate facts, analyze information, and report the crimes to appropriate governmental agencies and University leaders. Also, given the understandable fear and anger often felt by victims and the University Community when a hate crime occurs, UAPD will work closely with other University offices, groups, and individuals to address this fear and anger. To best implement this policy, all UAPD officers will receive training, updates, and reminders concerning hate crime investigation and community-police relations. To best prevent, and prepare for, hate crimes, UAPD will also work closely with law enforcement partners and community leaders to obtain information concerning organized hate groups operating in the community.

### Definitions

**Bias:** A negative opinion or attitude toward a group of persons based on race, religion, national origin, ethnicity, disability, sexual orientation, gender, and/or gender identity.

**Hate Crime:** Based on the federal Hate Crimes Prevention Act, a hate crime occurs when a state or federal crime that is already statutorily defined (e.g., assault) has been committed because of the offender's bias against the victim's

perceived or actual race, religion, national origin, ethnicity, disability, sexual orientation, gender, and/or gender identity,. Thus, hate crimes may be federally prosecuted as a distinct crime added to other federal or state criminal charges. Arizona law does not recognize a separate and distinct crime for crimes motivated by bias but does permit courts to consider evidence of bias when criminal sentencing occurs.

***Hate/Bias Incident:*** Conduct motivated because of the victim's real or perceived race, religion, national origin, ethnicity, disability, sexual orientation, gender, and/or gender identity, but not meeting the necessary evidentiary elements to be a crime.

***Hate Group:*** An organization whose ideology is substantially based on antipathy, hostility, or hatred toward persons because of their race, religion, national origin, ethnicity, disability, sexual orientation, gender, and/or gender identity.

***Hate Speech:*** Words that suggest hate or bias on the part of the speaker or writer toward an individual or group based on race, religion, national origin, ethnicity, disability, sexual orientation, gender, and/or gender identity. Often, even though such speech is repugnant and hurtful to members of the University Community, such speech is protected by the First Amendment of the United States Constitution. In those instances, the University and UAPD are legally prohibited from restricting an individual from using hate or biased speech (e.g., speaking in a designated public forum on campus). However, the First Amendment does not protect speech that is: (a) likely to incite imminent violence or other lawless action (i.e., fighting words); (b) disruptive or inappropriate to the particular forum (e.g., classes, or organized campus events); (c) directed at a University employee that rises to the level of “discriminatory harassment”; (d) “obscene” or offensive to the overall standards of morality or decency within the community (e.g., graphic sexual descriptions); or (e) “defamatory” (i.e., publishing a false statement with intentionality or negligence that causes reputational harm).

## **Procedures Upon Receiving Information That a Hate Crime May Have Occurred**

### **Initial Response Responsibilities**

Officers at a suspected hate crime scene will follow the standard protocol for crime scenes with added attention to the following:

- Secure and stabilize the area;
- Ensure the safety of victims, witnesses, and suspects;
- Treat any injuries and/or request medical assistance;
- Request a translator if necessary;
- Collect and carefully document evidence of bias such as derogatory statements heard, name-calling, literature in possession of suspects, photos and videos on phones, spray paint cans, and/or painted insults/symbols;

- Record all statements verbatim as exact language is critical;
- Identify prior bias-motivated incidents nearby;
- Complete the UAPD Hate Crime Reporting Guideline Form; and
- Provide update on actions taken to supervisor.

### **Supervisor Responsibilities**

Supervisors of responding officers will:

- Assist the victim(s) per UAPD standards and policies including connecting with other individuals or agencies (e.g., family members or friends, family clergy or a departmental chaplain, and/or community service agencies);
- Notify Chief of Police or designee, and other appropriate personnel in the UAPD chain of command, of the crime, bias involved, and potential impact on the community;
- Notify the Special Investigations Unit for consultation;
- Work with Facilities Management or the property owner to remove any incendiary evidence (e.g., spray painted derogatory names);
- Review all prior reports to ensure policy adherence and accuracy; and
- Complete a “UAPD Notification” prior to the end of shift.

### **Chain of Command Responsibilities**

The Command Staff will:

- Ensure timely notification is made to all UAPD personnel;
- If evidence of escalation exists, respond to the scene;
- Review all prior reports to determine if the incident would likely be classified as a hate crime for federal and state bias crime reporting purposes; and
- Ensure notification to appropriate University offices/personnel by 0700 hours.

### **Chief of Police/Designee Responsibilities**

The Chief of Police or designee will:

- Develop an escalation prevention plan if evidence of additional threats or violence exists;
- Provide information concerning the incident, investigation, and community impact within 24 hours of the incident to the University’s President, Sr. Vice President for Business Affairs, and Office of General Counsel; and
- Work with University leadership concerning appropriate communications to University, local community, and/or media.

### **Investigator’s Responsibilities**

The investigator will follow the standard protocol with added attention to the following:

- Ensure that appropriate assistance has been provided to victims;
- Coordinate the investigation with other units;
- Update the UAPD Chief of Police;

- Work with local, state, and federal law enforcement agencies to identify organized hate groups and suspects potentially involved;
- Determine whether the evidence meets the legal elements of a hate crime;
- If so, work with County Attorney and/or local United States Attorney to successfully prosecute; and
- Collect necessary federal and state hate crime data.

### **Community Relations and Hate Crime Prevention**

Hate crimes harm the targeted victim(s) and the victim's identification group. This harm can cause serious long-term damage to the entire University Community. Given this, UAPD will pursue ongoing relationships with appropriate University groups and local community organizations to share hate crime information and collaborate in preventing future hate crimes.

### **Collecting and Reporting Hate Crime Data**

UAPD will collect and report hate crime data as follows:

- Submit a monthly hate crime report to the Arizona Department of Public Safety consistent with the Arizona Uniform Crime Reporting Program;
- Submit a monthly hate crime report to the Federal Bureau of Investigation consistent with the federal Hate Crime Statistics Act;
- Include hate crimes in the University's Annual Safety and Security Report consistent with the federal Clery Act; and
- Share hate crime information with other agencies and the public as appropriate (subject to limits imposed by law).

## 9.1 Vehicle Operations



Supersedes:  
19 February 2018

Revision:  
24 October 2019

Effective:  
04 November 2019

Policy Affects:  
All Personnel

Brian A. Seastone  
Chief of Police

### Purpose and Summary

The purpose of this policy is to set acceptable standards and provide employees guidance regarding the operation of departmental vehicles

The UAPD maintains a fleet of vehicles to meet the department's mission of service to the community. The fleet includes; marked police cars, unmarked cars used for investigations and administration, motorcycles, golf carts, marked pick-up trucks assigned primarily to the Police Aides, and bicycles. All vehicles used by the department fall under this policy.

### Use of Vehicles *(CALEA 41.1.3a/b)*

Employees shall not use departmental vehicles without the permission of a supervisor. Vehicles are for official use only. Whenever any off-duty employee utilizes a police vehicle to conduct police business all department policies and procedures apply. All employees responsible for driving a departmental vehicle in connection with their employment shall:

- Possess a valid, current Arizona driver's license.
- Possess a valid, current driver's license from their respective State of residence (student employees).
- Be in the possession of their driver's license at all times while on duty, or while operating a departmental vehicle, or any vehicle operated in connection with employment.
- Be subject to periodic inspection of their driver's license by a supervisor.
- Be subject to periodic inspection of their driver's license and driving history by UA Risk Management.

### Driver Responsibility

Employees driving in connection with their employment at UAPD shall:

- Drive in a reasonable and prudent manner, exercising due care and caution, obeying all traffic laws of the State at all times. Only certified officers are authorized to operate a motor vehicle in a "Code 3" response

- in accordance with established policy.
- Be responsible for the actions of other passengers within the vehicle.

### **Seat Belts** (CALEA 41.3.3)

Whenever an employee is driving or riding in a departmental vehicle or another State vehicle, or any vehicle in connection with employment, the vehicle's safety restraining devices (seat belts) shall be worn. All occupants of the vehicle will be required to wear their respective seat belts unless seat belts do not exist.

Exceptions to this policy may be granted by a supervisor to facilitate efficiency or safety in an official police function.

### **Vehicle Security**

Personnel operating a department vehicle as part of their shift assignment and those personnel assigned a take-home vehicle shall take all reasonable precautions to ensure property and information contained within the vehicle is as secure as possible from theft. In all circumstances, items should be concealed from view. Items contained within take-home vehicles may be removed from the vehicle and stored in the employee's home for additional security.

Keys will be removed from the vehicle whenever the vehicle is left unattended. Employees will return any pool vehicle keys to the Keywatcher at the end of each tour of duty. Windows may be left slightly opened to allow ventilation when the car is not in use, but should not be left open wide enough to permit easy access into the vehicle.

All long guns and any other firearm/ammunition not in the officer's immediate use shall be secured in a locking container/device installed onto the vehicle's body/frame.

### **Prohibitions** (CALEA 41.1.3a)

Employees will not drive department vehicles:

- Into hazardous terrain
- Under the influence of any alcoholic beverage, narcotic or dangerous drug. (If an employee is taking medication, they shall inform their immediate supervisor and a determination shall be made whether or not the employee can safely operate a vehicle)
- To transport alcoholic beverages or other contraband unless in the performance of a law enforcement function

Four-wheel drive vehicles, bicycles, and motorcycles may:

- Proceed off the roadway as appropriate
- Proceed through washes and arroyos, desert and mountainous areas with extreme caution

Only officers will drive a marked police unit. Exceptions to this will be when the vehicle is being serviced, or at the direction of an officer acting in their official capacity. (CALEA 41.1.3a)

## **Emergency Operation**

### **“Code 3”** (CALEA 41.2.1d)

Only police officers shall drive "Code 3", emergency lights and siren.

Officers responding to an emergency, in a “Code 3” response, driving either a marked or an unmarked vehicle shall have the emergency light(s) and siren activated during the response.

Vehicles without proper emergency equipment (lights and siren) shall not be operated in an emergency response, “Code 3”.

Violations of this policy are subject to disciplinary action.

Under specified conditions, an officer may be exempt from the obedience of certain motor vehicle laws when such obedience would cause unnecessary delay. A supervisor may terminate a “Code 3” response. A supervisor may limit a “Code 3” response to only one vehicle.

### **Authority**

The authority for officers to operate emergency vehicles is authorized under ARS Title 28-624C and 28-624D. ARS 28-624.C states:

***"The exemptions granted by this section to an authorized emergency vehicle apply only when the driver of the vehicle while in motion sounds an audible signal by bell, siren, or exhaust whistle as may be reasonably necessary and when the vehicle is equipped with at least one lighted lamp displaying a red or red and blue light or lens visible under normal atmospheric conditions from a distance of five (500) five hundred feet to the front of the vehicle, except that an authorized emergency vehicle operated as a police vehicle need not be equipped with or display a red or red and blue light or lens visible from in front of the vehicle."***

ARS 28-624.D states:

***"The provisions of this section do not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons nor do these provisions protect the driver from the consequences of his (her) reckless disregard for the safety of others."***



## **Officer Responsibilities** *(CALEA 41.2.1d)*

For “Code 3” responses, officers shall:

- Assess the conditions of the roadway prior to responding “Code 3”
- Activate emergency lights and siren
- Notify Dispatch of the response
- Use the most direct route

For “Code 2” responses, officers shall:

- Drive expeditiously in a reasonable and prudent manner without the use of lights or siren with applicable traffic laws.
- Notify dispatch of any upgrade to “Code 3” by articulating need.

A supervisor may upgrade a “Code 2” response for cause.

## **Accidents**

Employees shall stop and render aid when involved in an accident.

When an employee is involved in an accident as a driver of a department or other University vehicle or other vehicles in connection with their employment they shall:

- Ensure that the proper law enforcement jurisdiction is notified
- Ensure driver and vehicle information and insurance information is exchanged with others who are involved in the accident
- Notify dispatch and the on-duty supervisor
- Complete the University of Arizona Risk Management accident report prior to the end of shift. If the employee is unable to make the report due to injury or some other mitigating circumstance, it shall be the on-duty supervisor's responsibility to complete the University accident report.

Whenever an on-duty accident occurs outside of UAPD's jurisdiction, the agency of jurisdiction shall be notified and asked to respond to investigate. If the accident is local, and the agency of jurisdiction is unable to or does not respond, the on-duty UAPD supervisor will assign a UAPD officer to respond and investigate the accident. Accidents involving damage in excess of \$1000.00, injury, or death will result in a review by a Board of Inquiry.

## **Maintenance** *(CALEA 41.1.3c)*

Employees are responsible for:

- Determining when a vehicle is safe to operate prior to use.
- Immediately reporting any unsafe vehicle to the on-duty supervisor.

- Submitting a repair request noting the specific problem(s) and making notice on the vehicle status board.
- Care, cleaning and upkeep of the vehicle.
- Ensuring no marked police vehicle or security vehicle is turned in with less than a half tank of gasoline.
- Employees issued take-home vehicles are responsible for the maintenance of their issued vehicle

**Pre Shift  
Inspections** (CALEA 70.1.2)

All employees are required to conduct a pre-shift inspection of assigned vehicles. The pre-shift inspection will include:

- A visual examination of the interior and exterior of the vehicle for any unreported or new damage. Any previously unreported damage shall be immediately reported to a supervisor and documentation made in an Employee's Report.
- Ensuring proper functioning of emergency lighting, radios, and siren.
- Checking oil and fluid levels including air pressure.
- Ensuring proper functioning of headlights, horn, brake lights and turn signal indicators.
- Interior inspection for contraband and cleanliness.

***Siren Checks: Officers will refrain from conducting lengthy siren and PA system checks within the UAPD compound. Siren checks should only consist of a short single-mode test.***

**Post Shift  
Inspections**

UAPD employees are required to conduct a -post-shift inspection of their assigned vehicles. The post-shift inspection will include:

- A visual examination for any new damage.
- Ensuring that the gas tank is at least half-full.
- Proper cleanliness of the vehicle.
- An inspection to ensure that no contraband was left behind.

**Emergency Equipment  
and Radios** (CALEA 41.1.3d, 41.3.2)

Vehicles routinely used for police purposes shall have the following equipment in working order prior to use on patrol.

- Red/blue or red emergency lights. The lights may be solid, flashing, or pulsating.

- An operational siren that can be heard at least 1000 feet to the front of the vehicle in normal traffic conditions
- A mounted radio with all UAPD frequencies or a portable radio with all UAPD frequencies
- A public address system

Vehicles may be equipped with:

- Flashing headlights
- "Takedown" lights to the front
- Alley lights on the side
- Other lighting equipment that promotes safety and visibility

Vehicles with the following inoperable equipment will not be used until repairs have been made:

- Emergency lighting
- Siren
- Headlights, wipers, turn signals, tail lights or horn
- Safety equipment such as seat belts

### **Other Vehicle Equipment** (*CALEA 41.1.3d, 41.3.2*)

Each marked patrol unit will be supplied with at the following equipment:

- One standard first aid kit
- One class ABC fire extinguisher
- One disposable blanket
- A minimum of 25 road flares
- One retractable measuring tape
- Chalk or a can of spray chalk
- A minimum of eight (8) orange traffic cones

Officers are responsible for replenishing supplies as they are used. Supplies may be obtained from the patrol equipment issue room or Quartermaster.

### **Equipment Failure**

Should a vehicle have an equipment failure that causes it to be removed from service, the officer will:

- Complete an "Out of Service" form indicating the problem, and place it on the dashboard for Garage personnel.
- Take the vehicle (if practical) to the Garage, and park it on the repair line.

- Forward a copy of the “Out of Service” notice to the OSD lieutenant overseeing fleet management.
- Update the vehicle status board.
- Try to repair minor problems, such as lights and fuses whenever possible.
- MGIO officers will repair equipment failures within their capabilities.

## **Found Contraband**

If contraband or other property is found in a vehicle, the employee shall:

- Immediately inform the on-duty supervisor.
- Document the circumstances in an Employee's Report.
- Complete a case report and other required paperwork, if necessary, as determined by the supervisor.
- Place any contraband or other property into Property/Evidence as either evidence, safekeeping or found property.

## **Speedometer Certification**

On a semi-annual basis, a certified RADAR/LIDAR operator will certify all police vehicle speedometers. This will be accomplished by using a calibrated RADAR/LIDAR and driving the vehicles at various speeds. The speedometer tests shall be conducted in a safe manner, and shall not exceed 55 miles per hour, unless conducted on a highway posted for up to 75 miles per hour. The results of these certifications will be documented and forwarded to all squad sergeants and Assistant Chiefs. MGIO vehicles are excluded from this calibration requirement.

Speedometers found to be more than five (5) miles per hour over or under the test speed will require the vehicle's speedometer to be examined and repaired at a certified location.

Documentation of such tests will be maintained by the OSD Assistant Chief and a copy forwarded to the Accreditation Manager.

## **Officer Needs Assistance (10-99) *(CALEA 41.2.1d)***

The primary consideration in an "officer needs assistance" call is the immediate, safe, and adequate response to the situation in progress. In order to provide a reasonable response for the greatest effectiveness dispatchers and other responding personnel have specific responsibilities.

### **Dispatch Responsibilities**

Dispatchers shall:

- Activate the warble alert tone, followed by the marker tone

- Broadcast the location of the incident
- Provide responding officers with as much information as possible
- Immediately designate two units to respond to the location, "Code 3"
- Immediately dispatch a Supervisor
- If the location of the incident is in another agency's jurisdiction, immediately notify the agency of jurisdiction.
- Attempt to contact the officer and receive updated information

### **Supervisor Responsibilities**

Supervisors shall:

- Respond to the scene
- Manage and control the scene
- Advise Dispatch of additional resources or personnel needed
- Coordinate with other agencies as necessary
- Ensure that proper documentation is completed by all officers involved
- Conduct a de-briefing to critique the call prior to the end of shift with all officers and dispatchers involved

### **Other Officers Responsibilities**

Other units may be instructed to start towards the area. Units in close proximity shall advise Dispatch of their location and may respond.

Units which are not close to the scene, and are not dispatched to the scene shall not respond. During an "officer needs assistance" response, all units shall remain in service and off the radio unless they have emergency radio traffic.

### **Arrival and Assessment**

The first unit on the scene will advise dispatch of the actual situation and will make an assessment of the need for additional units. If an on-scene unit is not able to report within one minute after arrival, the next two units proceeding "Code 2" shall be directed to respond "Code 3". Additional units can then be assigned to move to the perimeter for possible assignment.

When no further assistance is needed, all units who have not yet arrived will resume patrol. Units who have arrived at the scene and are no longer needed shall clear from the scene. Dispatch shall broadcast "no further assistance is needed", two (2) or more times, as needed.

## **Motorcycle Operations Policy**

Motorcycle officers provide the department with an effective means of traffic enforcement and traffic control. Officers assigned to the motor unit will be responsible for traffic enforcement, accident investigation and will supplement

routine patrol and service calls. Emphasis will be placed on the enforcement of the motor vehicle laws of the State of Arizona and the established policies of The University of Arizona. (CALEA 61.1.6c)

White lining is only permitted while undertaking an enforcement function or as needed during priority responses.

All department motorcycles shall be operated as guided by the emergency operations section of this policy with the exception that based upon hazard appraisal, Motorcycle officers may activate their emergency equipment intermittently.

### **Officer's Responsibility** (CALEA 61.1.6c)

Motor officer responsibilities will include:

- Enforcement of traffic laws of the State of Arizona through warnings; either verbal or written, citation, or as necessary through physical arrest.
- Patrol of the entire campus, concentrating on the areas considered to be high traffic and violation locations.
- Respond to calls for service, traffic accidents and other law enforcement duties as required.
- Certification of other department personnel in the use of speed measuring devices approved by the Department.

The motor supervisor is responsible for providing or assigning any traffic surveys, accident summaries or other statistical reports required by policy or for the identification of traffic management problems and solutions.

### **Qualifications** (CALEA 41.1.3b)

To be considered eligible for a motorcycle officer position the following qualifications must be satisfied:

- Meet all eligibility requirements outlined in *UAPD policy 13.1-Special Assignments*.
- Possess a valid Arizona motorcycle license or endorsement at the end of motorcycle training.
- Submit an Employee's Report through the chain of command during the announcement posting period.
- Must successfully complete a testing process, including motorcycle physical agility.
- Successfully complete a basic, departmental approved motorcycle training program.
- Successfully complete all field rides and departmental FTO program following initial training.
- Shall train regularly to maintain proficiency.
- Attend a departmentally approved in-service training every three months.

This in-service may be completed in conjunction with another agency's in-service training. Motorcycle officers must attend at least two of the four required in-service training sessions per year unless the officer is on extended leave or light duty assignment.

- Attend remedial training (if necessary) if proficiency skills are unsatisfactory during any of the training sessions. Remedial training will occur during the same training day. If the officer fails to satisfactorily perform the required skills at the end of the same day's remedial training, the officer will be relieved from motorcycle duties until such time as the officer successfully completes the remedial training and demonstrates a continued proficiency. The officer will be given the opportunity to attend additional remedial training within two weeks from the initial training. If after this remedial training, the officer still does not perform at a satisfactory level, the officer will be removed from the motorcycle assignment.

### **High-Risk Stops** (CALEA 41.1.3a)

The use of motorcycles as a primary vehicle on “high-risk stop” should be avoided whenever possible. Motor officers should wait for at least one police vehicle to assume the primary vehicle role during a stop. High-Risk Stops are governed by *UAPD policy 10.3-High Risk Stops*.

### **Foot Chases**

Motorcycles may be used to assist with foot chases. This shall be done only when conditions allow, and the motorcycle can respond in a reasonable and prudent manner.

### **Hours of Operation** (CALEA 41.1.3a)

Motorcycle operations are a section within the OSD and may be assigned work hours or to any shift as needed by the supervisor. Motor officers are expected to work from a motorcycle platform during their regular shift depending on personnel, special duty and weather conditions.

### **Safety Equipment** (CALEA 41.1.3d)

A helmet and eye protection shall be worn whenever the motorcycle is in operation.

### **Escorts** (CALEA 61.3.3a)

Motorcycles will be utilized for Department sanctioned escorts. During escorts, emergency equipment will be utilized in response to continual operator hazard appraisal and assessment of the needs for the situation. Available emergency equipment will be used in a manner that enhances the public's and operator's safety.

## **Motorcycle**

### **Maintenance** (*CALEA 41.1.3c*)

Officers are required to ensure that the motorcycle is in proper working order prior to going in service. If routine maintenance is required, it may be performed by the motorcycle officer. Maintenance is limited to ensuring proper lubrication (engine and chain), tire pressure, light replacement (non-emergency), and minor repairs that do not require certified mechanical personnel. Major repairs shall be conducted by a motorcycle service person.

### **Motor Take Home Requirements**

The following guidelines govern the assignment for a take-home motorcycle:

- The motorcycle must be in a secured covered parking area at their residence when the motor is not in use.
- The motorcycle must be maintained in an operational condition at all times.
- The officer will utilize the safest, most direct routes from home to work and returning.
- Conducting traffic stops while in route to and from the residence will be predicated upon hazardous circumstances that dictate such action.
- The officer shall immediately inform the Dispatch of the location and the nature of the incident. The officer will request that the agency of jurisdiction be notified as appropriate. The officer will return in-service as soon as possible and request a case number for the appropriate incident.
- Motorcycle officers will comply with all applicable UAPD policies and procedures.
- When operating the motorcycle in any manner, the officer will comply with all uniform requirements.
- The motorcycle officer's duty hours begin and end at UAPD, not while in route to and from the officer's residence.

### **Education and Awareness**

Motorcycle officers will educate the public in the safe operation of motor vehicles, pedal-cycles, and pedestrian safety. This may occur through participation in crime prevention fairs, during special events, or through the course of a routine assignment.

### **Advisory Function**

Motor officers will report transportation concerns or hazards to their immediate supervisor, who in turn shall review and forward the concern/suggestion to the appropriate Assistant Chief for review and further action as required.



## **Unmarked Police Vehicle Policy**

The department will maintain a fleet of unmarked police vehicles that will be used primarily by administrative and criminal investigation personnel. Each unmarked vehicle shall be equipped with a siren and either a red light, or combination red/blue light to the front and rear when operated in an emergency mode, or while stopping a violator of the law. Vehicles will also be equipped with radios.

All take-home vehicles will be equipped with alarm systems, including the trunk lid and shall be used at all times when the vehicle is left unattended. Electronic trunk access buttons inside the passenger compartment of unmarked vehicles will be disabled while the vehicle is off.

### **Take-Home Vehicles** *(CALEA 41.1.3a/b)*

The Chief of Police may authorize members of the Department to be assigned a take-home vehicle. The vehicles may be either marked or unmarked. Vehicles may be assigned to:

- Command Staff
- Motorcycle Officers
- Canine Officers
- MGIO Officers
- Others as assigned by the Chief of Police

Such authorization may be permanent or temporary.

The purpose of assigning vehicles in this manner is to provide specific members of the department the ability to respond in an expeditious manner to crimes, investigations and special needs of the department and will be based on critical need.

Each officer will sign a letter of use, delineating the conditions of using a take-home vehicle. These letters will remain in file with the Business Affairs Division in the employee's UAPD personnel file.

Departmental take-home vehicles may be used for any authorized UAPD work-related event and may be used in accordance with the signed agreement between the employee and the Chief of Police.

Incidental personal use of assigned vehicles by Command Staff may be authorized if such use maximizes the availability of the employee to respond expeditiously to department needs.

## Emergency Response

Any take-home vehicle or unmarked vehicle shall follow all requirements of the Emergency Operation Section of this policy when operating in an emergency mode.

## Low Profile/Selective

### Traffic Enforcement (CALEA 61.1.6c)

Unmarked police vehicles may be used for surveillance operations, or selective traffic enforcement, or for patrol during a selective enforcement operation.

## Traffic Stops-

### Unmarked Vehicles (CALEA 61.1.6c)

Unmarked police vehicles will not normally be used to conduct routine traffic stops (except in cases of a specialized enforcement function). This does not preclude an officer from initiating a traffic stop for a traffic violation. If a traffic stop is affected in an unmarked vehicle, and the officer is not in uniform, the officer may ask for a marked unit to respond and assist within UAPD jurisdiction (exception may exist in Graham County). Traffic stops involving unmarked vehicles should be made in an area of low congestion whenever possible.

## Pursuits-

### Unmarked Vehicles (CALEA 41.2.1d, 41.2.2e)

Unmarked police vehicles designated for highway use and equipped with siren and emergency light(s) (red or red and blue) will engage in pursuit ***only under extreme circumstances and then only until such time as assistance can be obtained from a marked police vehicle with emergency lights and siren.***

## Transportation of Prisoners-

### Unmarked Vehicles (CALEA 70.1.3)

Officers should transport prisoners in prisoner transport vehicles whenever possible, however, when necessary, prisoners may be transported in an unmarked police vehicle or another vehicle not equipped with a safety barrier. If a prisoner is transported in a vehicle without a prisoner barrier and only one officer is present:

- The prisoner will be handcuffed, placed in the front passenger seat and seat belted in. The passenger door shall be locked.
- If two officers are present, the prisoner will be seated in the back seat opposite the driver. The prisoner will be handcuffed and seat belted in. One officer will ride in the back seat with the prisoner during transport. The door nearest to the prisoner shall be locked.

## **Transportation of Civilians – Unmarked Vehicles**

Whenever a victim, suspect or witness is transported in an unmarked vehicle, a beginning and ending mileage will be given to Dispatch. Other civilians may be transported on a case by case basis.

## **Maintenance and Care**

The employee assigned a take-home vehicle is responsible for ensuring the routine maintenance of the vehicle is scheduled and performed and for checking fluid levels, air, and cleanliness. Maintenance on the vehicle will be done by authorized service personnel selected by the department. Except in emergency cases, all maintenance shall be performed by the assigned service personnel. Employees assigned a take-home vehicle are expected to make daily maintenance checks of their emergency equipment to ensure proper functioning.

## **Equipment** (*CALEA 41.1.3d*)

All take home and unmarked vehicles shall carry designated types and amounts of equipment as required by policy.

## **Golf Carts/Neighborhood Electric Vehicles**

The UAPD maintains a fleet of Golf Carts/Neighborhood Electric Vehicles for use as an alternative to other department vehicles. Any UAPD employee who has a valid driver's license, and has completed the required UA Risk Management training, is authorized to operate the Golf Carts/Neighborhood Electric Vehicles.

Golf carts are a supplemental vehicle, and shall not be utilized in pursuit, as defined by UAPD policy, nor as part of regular patrol duties for police officers. Employees will not drive in a manner that exceeds the capabilities of the carts.

- Golf cart keys will be checked in & out via the Keywatcher system.
- The vehicle operator shall inform Dispatch of the vehicle number they are using prior to use.
- The vehicle operator shall conduct a pre and post-shift vehicle inspection for damage. Damage found shall verify as being previously reported through the Damage Locator Book.
  - If new damage is found, the on-duty supervisor shall be notified. The vehicle operator shall complete an Employee's Report documenting the damage and actions taken to determine the cause of the damage.
  - Damage shall be documented in the Damage Locator Book and signed off on by the on-duty supervisor.
  - Damage found during pre-shift inspection which has not been previously entered in the Damage Locator Book will be deemed to

be the responsibility of the previous vehicle operator assigned the vehicle.

- Equipment not functioning properly will be documented on a vehicle discrepancy report and submitted by the vehicle operator prior to the end of shift.
- The vehicle shall have its battery charger plugged in when the vehicle is not in use.
- The operator is responsible for vehicle cleanliness. The operator is responsible for turning in a clean vehicle.
- The CSO unit will conduct documented weekly inspections of these vehicles. Inspections will cover: *(CALEA 41.1.3c)*
  - Verifying damage documented in the Damage Locator Book.
  - Battery fluid levels
  - Tire inflation
  - All non-functioning equipment has been identified and submitted for repairs
  - Battery Charger is operating properly

### **Risk Management And Safety - Fleet Safety**

UAPD personnel are required to follow Risk Management and Safety (RM&S) procedures regarding Fleet Safety, Policy RM-002.

Risk Management conducts an annual Motor Vehicle Review (MVR) on all registered drivers. A MVR is performed after any vehicle accident involving a university driver, on an increased frequency for conditional drivers, and on request from a supervisor if there is a reasonable request. In addition, RM&S uses a 39-month threshold to assess registered drivers. RM&S may suspend an employee's right to drive a UA owned vehicle for excessive accidents or violations of policy.

In addition to relevant duty driving performance, UAPD may utilize the RM&S 39-month threshold to review employee driving performance including collisions, both on and off duty, whether reported to a law enforcement agency or internally to the UAPD/UA for consideration as part of an employee's performance monitoring and discipline as warranted.

## 9.2 Vehicle Pursuits



Supersedes: 06 February 2019	Revision: 14 February 2020	Effective: 04 March 2020
Policy Affects: All Personnel		

Brian A. Seastone  
Chief of Police

### Purpose & Summary *(CALEA 41.2.2a, ALEAP 21.2 a)*

**The purpose of this policy is to establish guidelines to be followed with regard to vehicle pursuits.**

Pursuits are authorized only under extreme conditions, as outlined in this policy.

Pursuits initiated by officers shall be predicated upon the evaluation of the conditions, circumstances, hazards both actual and potential. Any Officer initiating a vehicle pursuit shall take into consideration the requirements of safe vehicle operation existing at the time of the pursuit. Nothing in this policy is intended to suppress the reasonable exercise of initiative by any officer, nor does it eliminate the duty of all officers to pursue and arrest violators of the law. This policy is not intended to prevent officers from pursuing fleeing criminals or violators at a reasonable, safe speed and using the police radio to transmit description(s) and request assistance. Civilian employees of UAPD shall not become involved in nor initiate any pursuit.

Pursuits shall not be initiated when:

- Emergency lights and sirens are off
- A vehicle is not equipped with emergency lights and siren
- Any vehicle has emergency equipment or mechanical failure
- Other possibilities exist for capture

### Pursuit Justification *(CALEA 41.2.2b)*

A pursuit is justified only when the officer knows or has reasonable grounds to believe that the suspect(s):

- Present a clear and immediate threat to life or serious injury to others;
- Has committed or is attempting to commit a serious felony, such as murder, aggravated assault, kidnapping;
- When the necessity of immediate apprehension outweighs the level of danger created by the pursuit

The danger created by the fleeing vehicle or a vehicle failing to yield itself does not justify a pursuit.

Pursuits for traffic offenses (including unlawful flight), non-violent felonies, property crimes (whether felony or misdemeanor), and suspicious activities are prohibited.

### **Pursuit Guidelines**

Officers shall observe the following general guidelines when engaging in pursuits:

- Officers shall adhere to *UAPD policy 9.1-Vehicle Operations* when operating a police vehicle under emergency conditions (Code 3).
- Officers will not engage in pursuits when the police vehicle is occupied by a prisoner, civilian observer, or any person not a Police Officer.
- Patrol vehicle windows will be closed when possible, in order to enhance radio communications.
- Officers involved in pursuits will maintain continuous and coherent communication with the radio dispatcher.
- Officers are prohibited from firing at a moving vehicle unless absolutely necessary in self-defense or to protect others against the suspect's use of deadly physical force.
- The application of any deadly physical force shall follow current *UAPD policy 3.1-Use of Force*.

### **Pursuit Termination** (*CALEA 41.2.2h, ALEAP 21.2g*)

While not necessarily dictating immediate action, consideration shall always be given to termination of the pursuit under the following conditions:

- Environmental factors such as rain, fog or darkness
- An officer's unfamiliarity with the area and inability to accurately notify the Communications Section of the location and direction of the pursuit.
- Road conditions congested by other traffic or pedestrians.
- When the officer knows or believes that the fleeing vehicle is being operated by a juvenile who has committed a traffic infraction, misdemeanor, or non-violent felony and is driving in such an unsafe manner that is obvious they do not have the maturity to deal with the danger involved.

All pursuits shall be terminated when:

- Ordered by a supervisor
- Visual contact is lost for a reasonable period of time
- Danger to the public outweighs need to apprehend
- Police vehicle has any equipment or mechanical failure
- Continuation of the pursuit requires following of the suspect(s) on the wrong side of any divided roadway or one-way street.
- A supervisor believes department policy cannot be maintained.
- Any assisting aircraft have a suspect vehicle in view.
- The pursuit is initiated due to a traffic violation only.

Pursuits shall be terminated at any point in time that termination is required by this policy or at any point in time that the officer reasonably believes the danger to the public or other officers outweighs the need for the immediate apprehension of the suspect(s), based on the totality of the circumstances involved. (CALEA 41.2.2i)

***The potential for imminent damage or injury to any party shall be a paramount consideration in terminating any pursuit.***

#### **Roadblocks** (CALEA 41.2.3, ALEAP 21.2i)

Roadblocks shall not be used for the purpose of terminating a pursuit.

#### **Moving Roadblocks** (CALEA 41.2.3, ALEAP 21.2i)

Moving roadblocks are prohibited.

#### **Forcible Stopping** (CALEA 41.2.3, ALEAP 21.2f)

UAPD does permit its officers to conduct forcible stops.

#### **Reporting**

A written report and administrative review shall be made of any incident involving any attempt or actual forcible stopping of any vehicle. (CALEA 41.2.2k, 41.2.3e)

#### **Primary Unit Responsibilities** (CALEA 41.2.2c, ALEAP 21.2b)

The officer initiating the pursuit is considered the primary unit and will be responsible for the actual pursuit of the suspect vehicle. The primary unit will establish communications with the radio dispatcher and provide the following information:

- Description of the vehicle being pursued.
- Description and number of suspects in the vehicle, if possible.
- The offense for which the suspect(s) is wanted.
- The location, speed, and direction of travel of the vehicle.
- Any possible hazards to assisting officers.
- Continuous assessment of the circumstances of the pursuit, including road conditions, traffic, and surroundings.
- Terminating pursuits that create an undue hazard to the public.

#### **Secondary Unit Responsibilities** (CALEA 41.2.2d, ALEAP 21.2c)

No more than one (1) marked police vehicle in addition to the primary unit shall participate in a pursuit. The secondary unit shall be responsible for the following:

- Assisting with radio communications.
- The secondary unit, once it has joined the pursuit, will assume primary radio communications, to allow the primary officer to concentrate on the suspect vehicle.
- Acting in the role of a back-up officer at the conclusion of the pursuit.
- Taking over the role of the primary unit, if necessary.
- The second unit being a marked patrol vehicle will take over from any motorcycle unit that initiates a pursuit.
- The motor unit may act in a traffic control capacity, stopping traffic and clearing intersections in the path of the pursuit, when possible and safe to do so.
- The second unit will continue to control radio communications until another patrol car is able to assume the secondary unit function.

## **Supervisors**

### **Responsibility** (*CALEA 41.2.2g, ALEAP 21.2e*)

Supervisors shall monitor the progress of all pursuits and will avoid becoming involved in the pursuit unless the supervisor is the primary unit. Under such circumstances, the supervisor should continue as the primary unit until a patrol unit is able to take over the conduct of the pursuit. Supervisors will be responsible for the following:

- The number of units involved.
- The type of units involved.
- Closing the radio frequency, if necessary.
- Notification of the surrounding or appropriate jurisdiction.
- Requesting additional support from within, or outside the Department, i.e., canines, TPD/DPS helicopter etc.
- Terminating pursuits that create an undue hazard to the public.
- Maintaining post pursuit discipline.
- Debriefing and ensuring that the Vehicle Pursuit Critique or any other reports are completed, and reviewed prior to the end of shift.

## **Communications**

### **Responsibility** (*CALEA 41.2.2f, ALEAP 21.2d*)

The Communications Section shall be responsible for the following during a pursuit:

- Control of radio communications relative to the pursuit.
- Activating the alert tone and closing the channel to all but emergency traffic.
- Dispatching a second unit as a back-up.
- Compiling the information being relayed by the pursuing officer.
- Ensuring notification of the on-duty supervisor.
- Notification to the surrounding jurisdiction of the pursuit, suspect description and direction of travel.



## **Unmarked and Specialty Police Vehicles** (CALEA 41.2.2e)

Specialty police vehicles, including unmarked police vehicles, motorcycles and other specialized police vehicles designated for highway use and equipped with siren and emergency light(s) (red or red and blue) will engage in pursuit ***only under extreme circumstances and then only until such time as assistance can be obtained from a marked police vehicle with emergency lights and siren.***

## **Jurisdictional Pursuits** (CALEA 41.2.2j, ALEAP 21.2h)

When a pursuit that begins within the patrol boundaries of the University of Arizona Police Department, enters another jurisdiction, the primary unit will advise the Communications Section who will notify the agency of jurisdiction. A supervisor may approve dispatching a back-up unit to follow the pursuit into another agency's jurisdiction if the pursuit involves only one UAPD unit.

In the event another jurisdiction becomes involved in pursuit within UAPD's jurisdiction, the following guidelines shall be observed:

- UAPD will not become involved in the pursuit unless specifically requested to do so by the pursuing agency, and then only after the request has been approved by a supervisor and conducted in compliance with UAPD's pursuit policy.
- The direction of the pursuit shall be monitored, and the Communications Section will be advised of the conduct of the pursuit.
- Units in the path of the pursuit may block or stop traffic at intersections, only to facilitate the safe passage of the pursuit.
- UAPD officers shall not become involved in another jurisdiction's pursuit from outside of the campus unless specifically requested by the jurisdiction and approved by the on-duty UAPD supervisor.
- For multi-agency pursuits, the use of the radio interoperation talkgroups will be used to facilitate mutual agency communications.

## **Post Pursuit-Involved Officers** (CALEA 41.2.2k)

In all pursuits, whether the suspect was apprehended or not, a Basic Case report shall be completed by the primary officer, and appropriately classified. Supplementary reports will be completed by all other officers involved. The Basic Case report shall contain the following information:

- The date, time, and location where the pursuit was initiated.
- The violation(s) observed, or reason for the pursuit.
- Lighting and traffic conditions at the onset of the pursuit.
- Vehicle and suspect description.
- The path of the pursuit, including any traffic violations, observed.

- The manner in which the pursuit ended (terminated, suspect surrendered, accident, etc.)
- If the pursuit was terminated, an explanation including a description of weather, lighting and traffic conditions at the end of the pursuit will be documented.
- In addition, the officer initiating the pursuit shall complete a Vehicle Pursuit Critique Report prior to the end of their shift.

**Post Pursuit-Supervisors** *(CALEA 41.2.2k)*

In all pursuits the supervisor will complete a supplementary report if necessary and shall:

- Review the case report as well as the Vehicle Pursuit Critique Report prior to the officer going off duty. The report shall then be forwarded to the Division Assistant Chief for review.
- Request a copy of the dispatch tape, which will be forwarded to the respective Division Assistant Chief(s) for review.
- Ensure a copy of the dispatch tape is made and placed into evidence.
- Conduct a debriefing with the officer(s) and dispatcher(s) involved in the pursuit. This debriefing shall take place as soon as the scene has been cleared and the officers are able to respond to a designated area of debriefing.
- Make a recommendation whether the pursuit complied with policy or not.

**Pursuit Debriefing**

A pursuit debriefing will be conducted by the on-duty supervisor following each pursuit and shall include:

- Discussion of the events leading up to the pursuit and factors that led to its continuance.
- Constructive criticism of officers and dispatchers involved.
- Unusual conditions or circumstances surrounding the pursuit.
- Assurance that each officer involved documents their respective actions prior to securing from duty.

**Notifications**

Any pursuit resulting in an accident or injury, forcible stopping, shots fired, or if the nature of the pursuit would generate media interest, the Division Assistant Chief and Public Information Officer shall be notified.

**Training** *(CALEA 41.2.2m/n)*

All officers will receive training on this pursuit policy as part of their initial employment training.

Annual training will be conducted for all officers on all aspects of this policy.

**Annual Analysis** (*CALEA 41.2.2I, ALEAP 21.2j/k*)

An annual documented analysis of pursuit reports will be conducted to include:

- a review of policy
- a review of pursuit procedures
- a review of reporting procedures
- a review of applicable state law

The analysis will be forwarded to the Chief of Police for approval.

## 9.4 Transportation of Citizens



Supersedes:  
11 June 2015

Revision:  
04 September 2019

Effective:  
09 September 2019

Policy Affects:  
All Personnel

Brian A. Seastone  
Chief of Police

### Purpose and Summary

The purpose of this policy is to provide for the safety and security of all members of the community. To facilitate this UAPD personnel may provide reasonable transport to faculty, staff, students, visitors and other persons with supervisory approval and within the guidelines of UAPD policy.

### Dispatch Notification

Whenever a citizen is transported in a departmental vehicle, except by Command Staff, the officer will notify the dispatcher by giving a starting mileage at the beginning of the transport and an ending mileage as soon as the transport is completed. No mileage is necessary for individuals who are participating in a departmental ride-along.

### Injured or Ill Persons

Officers are generally prohibited from transporting seriously ill or injured persons to a medical facility under emergency conditions. Such transports make it difficult for the officer to safely operate the police vehicle and provide emergency medical care for the victim.

In extreme situations, a seriously injured or ill person may be transported by a UAPD to the nearest medical facility. In such cases, the officer shall seek supervisory approval and ensure the person is able to be safely moved/transported.

In such cases, UAPD Dispatch will notify the appropriate medical facility that an emergency transport is being conducted and request medical personnel meet the officer at the entrance to the emergency room.

During such transports, the officer is authorized to drive with lights and siren, in accordance with *UAPD policy 9.1-Vehicle Operations*.

Exceptions to these restrictions are described below and shall be made only in rare instances and only under emergency conditions, and with approval of the supervisor.

## **Citizen Medical Transports**

UAPD may provide transport to persons to the Student Health Center or the Banner University Medical Center if there are no other means of transportation available for the injured or ill person after being cleared to do so by attending medical personnel. No transport will be made of an individual who is or has been unconscious, has limited mobility or other condition that may inhibit a safe transport or has not been initially evaluated by competent medical personnel.

Escorts of a private vehicle will be made under the following guidelines: (CALEA 61.3.3)

- Life-threatening injuries or illness with supervisor approval.
- After specific instructions are given to the escorted vehicle driver concerning escort protocols and expectations.
- Shall not proceed through intersections, etc. without ensuring both vehicles can do so safely. UAPD Dispatch notifies the medical facility of the escort and requests medical assistance upon arrival.

## **MGIO Incidents**

MGIO officers may transport an ill or injured person via an MGIO vehicle or provide an escort of a private or MGIO vehicle carrying an ill or injured person from a remote location to a designated helicopter landing zone or to meet a responding ambulance.

## **Citizen Security Escort Services**

In keeping with the Department's goal of providing professional services to the University community, this department may provide security escorts as necessary and conditions permitting, especially in the late night and early morning hours. When a request for an escort is received UAPD will:

- Determine if ASUA SafeRide is in operation. If operational the request should be directed to the Escort Service at 621-SAFE.
- If the Escort Service is not in service, and a Community Service Officer is available, a CSO will be dispatched to provide a walking escort.
- In the absence of a CSO, and depending on call operational activity a Police Aide may be utilized to provide the escort. If the Police Aide is busy with police aide duties, the subject requesting the escort should be advised that the wait could be up to one hour.
- Police Officers may be utilized to perform escort services, depending on operational activity and at supervisory discretion.

Officers, Police Aides, and CSOs shall not be interrupted from emergency situations or special assignments for the purpose of conducting an escort. The on-

duty supervisor will be made aware of any request for a security escort. It will

be the supervisor's responsibility to determine whether employees are available for this service.

### **Employee Responsibilities**

Whenever an employee of UAPD begins an escort:

- If the escort is on foot a starting point and a final destination shall be called into Dispatch. The employee shall advise Dispatch when they reach the final destination.
- If the escort is by vehicle, Dispatch shall be informed of the starting mileage and the location of the final destination. Upon arrival at the destination, the ending mileage shall be given to Dispatcher.

## 9.5 Citizen Ride-a-Long



Supersedes: 03 August 2015	Revision: 17 October 2016	Effective: 01 November 2016
Policy Affects: All Personnel	CALEA Standard:	

Brian A. Seastone  
Chief of Police

### Policy

UAPD encourages members of the community to observe members of the department in the course of their duties to witness daily operations. Any observer request must be made a minimum of seven (7) days prior to the anticipated date of the ride-a-long. Requests for observer participation inside that minimum will require the approval of the affected Assistant Chief and will be granted only under certain circumstances.

### Requirements

To participate as a citizen observer the following conditions must be met:

- The Citizen Observer Form has been read, completed, signed and submitted to division command staff or designee at least seven (7) days prior to the anticipated ride-a-long date by the requestor.
- The observer is at least 15 years of age, and the parents or legal guardian have signed the Citizen Observer Form if under 18 years of age.
- The citizen observer must not be currently wanted by any police agency or have pending litigation with UAPD.
- The observer must not have a criminal history that would/could compromise UAPD operations.
- The supervisor of the section/squad/shift identified by the requesting party will be advised and provide input regarding any conflict or concerns.
- No citizen observer will participate as a part of a university sanction or community service sanction unless court ordered and then only after notice and approval by the Chief of Police.
- No civilian participating as an observer shall possess a firearm or dangerous/deadly weapon while participating in the program. Active certified police officers and federal law enforcement are exempt from this policy.
- Citizen observers must wear the observer vest provided by the department in the field during the ride-along. Arizona certified police officers and federal law enforcement are exempt from wearing the observer vest.

When the request has been approved the requesting party will be notified of the confirmed observation date and time. The section/shift supervisor will be forwarded the form and provide it to the officer/employee on the date scheduled. After the

conclusion, the officer/employee will make any comment regarding the ride-a-long that would be relevant in approving future requests for the participant. The form will then be forwarded through the chain-of-command to the respective Assistant Chief for review and filing in the Citizen Observer file in Dispatch. Request forms will be maintained according to current record retention schedules.

### **Request by Family Members**

When family members, friends or other close acquaintances of an officer/employee request to participate as an observer, the requirements of the program as outlined above must still be met (law enforcement exempt as outlined). Requests made with less than six (6) day notice must be reviewed by the section/shift supervisor who will obtain approval by the affected Assistant Chief and/or Lieutenant or designee.

### **Participation**

All Officers, Police Aides and Dispatchers are encouraged to participate in the observer program and will be asked if they wish to have an observer prior to assigning one. Proper conduct shall be maintained at all times. Officers, Police Aides and Dispatchers should give the observer an orientation concerning the equipment in their vehicle/work area, the department and expectations regarding their action during any emergencies.

### **Officer/Employee Discretion**

During calls for service the observer may be required to remain in the vehicle. No observer will be allowed to access any area where an expectation of privacy is anticipated during an investigation. This includes any crime scene, traffic stop, private residence or other area where an officer may be interacting with a victim, suspect or witness. Citizen observers will not accompany an officer into a scene until it has been stabilized. An officer may terminate a ride-a-long at anytime for any reason.

### **Limitations**

Civilians may participate in the Ride-a-Long Program up to six times in a calendar year. Any participation beyond the six ride-a-longs shall require permission from the Chief of Police.

### **Civilian UAPD Employees**

Civilian employees are limited to twelve ride-a-longs per year, unless a ride-along is in connection with job responsibilities.



# 10.1 Traffic Enforcement



Supersedes: 06 March 2019	Revision: 07 February 2020	Effective: 04 March 2020
Policy Affects: All Personnel		

Brian A. Seastone  
Chief of Police

## Purpose & Summary

The purpose of this policy to establish guidelines and procedures for traffic enforcement by UAPD officers.

Officers will enforce motor vehicle laws to ensure that the community is protected from unsafe driving, riding and pedestrian practices. Officers will enforce all types of traffic laws on University-owned streets and are expected to concentrate their patrols within the UA planning boundary. Patrols and enforcement may also take place on main roadways and streets adjacent to campus which are utilized to access the University by students, faculty, staff, and visitors. MGIO Unit enforcement practices will be consistent with established IGA's in their area of enforcement. Officers may use discretion in the enforcement of these laws.

Officers will accomplish this duty using a variety of techniques such as visible traffic patrol/enforcement, and positioning of the patrol vehicles, motorcycles, and bicycles in high accident areas, or in areas of particular congestion to enforce traffic laws. (CALEA 61.1.6a/b/c)

## Enforcement

### Practices (CALEA 61.1.6a/b)

When officers stop violators of the law for traffic-related offenses, the stop should be conducted in a safe location. Proper lighting equipment shall be used to warn others of the traffic stop. Dispatch shall be informed of the license plate or vehicle description along with the location of the stop.

Officers in patrol cars or on motorcycles should not intentionally conceal themselves for the sole purpose of traffic enforcement unless the enforcement is defined as a covert activity.

## Types of Enforcement

**Felony Violations:** When an officer determines there is probable cause to believe that a felony motor vehicle statute has been violated, the officer will either arrest

the violator for the offense or completely document the incident on a basic case report and refer the case to the Pima/Graham County Attorney's Office for review and issuing.

**Misdemeanor Violations:** Misdemeanor traffic violations may be enforced through citation, verbal or written warning. It is preferred that offenders be cited and released whenever possible for misdemeanor criminal traffic offenses. Nothing in this policy should preclude an officer from making a physical arrest to ensure the safety of the violator or the community.

**Civil Violations:** Civil violations may be enforced in a manner to modify the driver's behavior. This may be through citation, verbal or written warning. The officer shall attempt to secure the violator's signature on civil violations. If the violator refuses to sign the citation, it may be served without the defendant's signature.

**Equipment Violations:** Officers should pay attention to those equipment violations that pose a hazard to motorists. Such violations may include non-functioning head, tail or brake lights. The goal of the officer during this type of enforcement is to make the driver aware of the problem and the hazards of continued operation of the equipment while faulty. Officers may elect to utilize a verbal warning, written repair order or citation. Violators will be given a copy of the written equipment repair order.

**Verbal Warnings:** Officers at their discretion may use a verbal warning for violations of the motor vehicle laws. (CALEA 61.1.2c)

**Written Warnings:** Officers may issue written warnings for violations of the motor vehicle laws. The officer will complete the appropriate sections of the warning and request the violator to sign the warning. The violator will be given the last page of the warning. If the violator refuses to sign the warning, the officer shall issue the warning without a signature. (CALEA 61.1.2c)

**Multiple Violations:** Officers encountering multiple violations during a traffic contact will consider hazardous violation enforcement over nonhazardous enforcement. Citations for multiple nonhazardous violations will not be issued along with hazardous violations except for cause. (CALEA 61.1.5f)

## **Vehicle Stops** (CALEA 61.1.7a)

When conducting vehicle stops officers:

- Shall utilize either red or a combination of red/blue emergency lights in order to affect a vehicle stop.
- Will allow a reasonable time for the driver to respond to only the lights.
- Will use short burst(s) on the siren to draw the driver's attention if there is no response to lights only
- May use the police vehicle's spotlight (if equipped) to illuminate the stopped vehicle's compartment during times of darkness or low visibility.
- Shall maintain all lighting to the rear of the patrol vehicle once the vehicle is stopped to warn traffic coming from the rear.
- May direct occupants via the public address system to remain in the

- vehicle, or to direct the vehicle to a less congested location.
- Will promptly notify the Dispatcher if the vehicle is failing to yield, including in the notification the vehicle's direction of travel, and speed.
- Will return to their car and remain there with the appropriate emergency lighting on, until the violator has departed.
- Will advise dispatch that they are back in service.

### **Initiating the Stop** (CALEA 61.1.7a)

Upon recognition of a traffic violation, the officer will decide where to initiate the traffic stop, taking into account traffic conditions, lighting and officer safety. The officer will advise dispatch before the traffic stop with their designator and "Traffic" followed by a break until Dispatch responds. Officers:

- Will provide state and license plate number of the vehicle, if known.
  - If no plate is legible, the officer will provide:
    - Make of vehicle.
    - Color of vehicle.
    - General description, i.e. 4-door, van etc.
- Provide the location of the traffic stop using either the street location, intersection, business name, or landmark.
- Will keep a distance of at least six (6) feet to the rear of the violator's vehicle and position the police vehicle off-center, approximately three (3) feet, unless the situation warrants otherwise.
- Will request any assistance that might be needed.
- Shall operate the police vehicle according to all applicable vehicle operations policies.

### **Officer/Violator Relationship**

Being stopped by a police officer can be a traumatic and stressful experience for the motorist. Officers are expected to conduct themselves professionally and to maintain control during a traffic contact. Officers:

- Will initiate traffic stops based on an observation of a violation of the law.
- Shall conduct themselves in a professional and courteous manner at all times.
- Will greet the violator with the officer's name, title or department, followed by a request for the necessary paperwork.
- Will initially inform violators for the reason for the traffic contact and will avoid "guessing games" with the violator concerning the reason for the traffic stop.
- Will inform them of the action that the officer is going to take.
- Will be prepared to complete the necessary citations or warnings in a timely, expeditious and courteous manner.

- Will direct violators not to stand between the vehicles.
- Will not allow the violator or occupants to wander about during the traffic contact.
- Will direct violators and occupants in a firm but a friendly manner.
- May have the violator or occupants remain in or exit the vehicle.
- Will take into consideration officer safety, weather conditions, traffic conditions, and other physical or environmental concerns.

## **Officer Responsibilities**

During the contact with the violator the officer:

- Will look for indications of:
  - physical impairment
  - alcohol or drug abuse
  - evidence of a crime
- Will begin an investigation to determine the violator's inability to safely operate a motor vehicle.
- Will check the violator's driving status and for any wants/warrants via dispatch or mobile computer.

## **Vehicle Approach** *(CALEA 61.1.7a)*

When approaching stopped vehicles officers:

- Will direct the violator to remain in the car, or direct them to the side of the roadway, and out of the traffic flow if they begin to exit the vehicle.
- Will be attentive to the actions and movements of the driver/passengers and approach with caution.
- Will approach the vehicle from the rear or other safe direction
- Will carry only those items necessary for the contact
- Will position themselves outside the violator's vehicle, in a safe manner as taught in the academy or basic training.
- Will ask for assistance from other officers if the actions are suspicious or unusual.
- May ask the driver to exit the vehicle to complete the paperwork.
- Will be attentive while returning to the vehicle and should avoid walking between vehicles and directly behind the violator's vehicle.

## **Vehicle Stops- Plain Clothes Officers**

If an officer conducts a traffic stop while out of uniform, the officer shall immediately upon contact with the violator:

- Display their badge and commission card to the violator.

- Verbally identify themselves.
- Should request via dispatch that a patrol officer respond to assist with the traffic contact whenever possible.

## **Explanation of Violation**

At the time a motorist is issued a traffic citation, the issuing officer will advise the violator of the violation for which the violator is being cited. Officers will advise the violator of the following:

- Date and time and location of the court appearance.
- The consequences of not appearing or making arrangements or an alternate court date.
- The possibility of mailing in the fine, or entering a plea via the postal service.
- To read the back of the violator's copy of the summons for additional information.
- The violator will be given a pink copy of the citation.

## **Amending Citations**

After issuance of a citation, if the officer discovers that an omission or correction is needed the officer will prepare an ATTC Notice of Modification. The notice will be reviewed by a supervisor and will be attached to the citation for transmittal to the Justice Court.

## **Physical Arrests** *(CALEA 61.1.2a)*

All persons physically arrested in Pima County will be taken to the Pima County Sheriff's Department Correctional Facility for processing. In Graham County, all persons physically arrested will be taken to the Graham County Sheriff's Department.

## **Report Preparation**

A basic case report will be necessary for the following offenses:

- Driving Under the Influence
- Reckless Driving
- Drag Racing
- Custodial arrest as a result of a traffic violation
- Driving While License Suspended (MVD Action)
- Criminal Speeding
- As necessary to accurately document a traffic violation

The back of the white and yellow copies may be used by the officer to make comments to assist the officer at a later time, for all traffic violations. All citations,

warnings, and case reports will be completed and turned into the supervisor prior to the officer going off duty.

### **Juveniles** (CALEA 61.1.3a)

Juvenile traffic violators:

- Will be cited into the Pima County or Graham County Justice Court for the respective traffic violation (CALEA 61.1.2b)
- Shall be brought to PCJCC or Graham County Juvenile Center for DUI, felony violations, and physical arrests for criminal traffic offenses (CALEA 61.1.2a, 61.1.5a)
- Will receive a referral or citation, not both for non-DUI and felony traffic offenses
- Have all lesser included charges included on any referral
- May in lieu of a citation receive a Parental Paper Referral, if applicable

### **Non-Residents** (CALEA 61.1.3a)

Nonresidents will be cited for violations in the same manner as any other violator. Officers should utilize discretion for minor traffic violations and equipment repair violations.

### **Legislators** (CALEA 61.1.3c)

Legislators will be subject to the same traffic laws as all other motorists in the state. The exception to this is fifteen days prior to and when the legislature is in session and the legislator is en route to the legislative session. Certain immunities may be granted to the legislator. If a legislator is stopped for a traffic violation and there is any question about the legislator's immunity, the officer should let the legislator go and fully document the incident in a basic case report and forward the report to the appropriate County Attorney's Office for review and the possible filing of charges.

Additionally, federal Senators and Representatives are privileged from arrest during their attendance in session for their respective Houses, to include travel to or from said sessions.

### **Foreign Diplomats/ Consular Officials** (CALEA 61.1.3d)

See UAPD Policy 7.4-Diplomatic Immunity.

### **Military Personnel** (CALEA 61.1.3e)

Military personnel are subject to the same motor vehicle laws as any other person operating a vehicle in the State of Arizona. The exception to this concerns expired driver's license (180 days past their enlistment date), while on active duty. If military personnel are physically arrested for an offense, the arresting officer should contact the Military Police detachment at Davis Monthan Air Force Base to

advise them of the circumstances surrounding the arrest.

## **Hazardous Moving**

### **Violations** (CALEA 61.1.5c)

Hazardous moving violations pose an immediate threat to the public. Officer's enforcement of these violations should be directed to those areas which directly affect the safety of those people utilizing the University of Arizona. Officers should take into consideration the time of day, traffic flow and previous history of violations to determine the most appropriate method of enforcement. Enforcement may be accomplished with the use of written warnings, verbal warnings, or state citations.

## **Suspended**

### **Driving Privilege** (CALEA 61.1.5b)

Officers who discover a motorist operating a vehicle while their license is suspended (MVD action) shall:

- Confirm the status of the person through MVD queries, and
- if confirmed, issue a criminal citation if the status is confirmed suspended (MVD action).

Officers who discover a motorist operating a vehicle while their license is revoked shall:

- Confirm the status of the person through MVD queries, and
- if confirmed, impound the vehicle in accordance with *UAPD policy 10.10-Mandatory Vehicle Impound*

## **Speed Enforcement**

Officers may use their certified speedometer, LIDAR or radar to gauge the speed of a suspected violator. The officer should maintain a constant speed for at least two blocks or one-quarter mile to measure the speed of a suspected violator.

## **Bicycle Enforcement** (CALEA 61.1.5i)

Officers are expected to enforce applicable traffic laws on pedal cyclists. Pedal cyclists are required to comply with the same laws as found in ARS Title 28, as well as university rules and regulations. Pedal cyclists cannot be arrested for DUI. Officers may issue state traffic citations for Title 28 offenses occurring upon roadways outside university control or for offenses occurring upon the roadway on the university-controlled property.

## **Pedestrian Enforcement** (CALEA 61.1.5j)

Arizona Revised Statutes specifically provide statutes concerning pedestrians. Officers may use their discretion in enforcing these statutes.

## **Off-Road Vehicle Enforcement**

Unlicensed off-road vehicles (i.e. dirt bikes, mini bikes, ATVs) being operated in the traffic way will be cited. This applies to adults and juveniles. Violators who have committed a criminal offense will be arrested/cited. If the vehicle involved was part of the crime it may be seized as evidence in that criminal case.

## **Parking Enforcement**

Parking enforcement upon the University of Arizona campus is the responsibility of Parking and Transportation. UAPD will not issue university parking citations. Officers may issue state citations for parking violations which occur upon a public roadway as defined in ARS Title 28. The operator of the vehicle must be cited.

## **Towing of Vehicles**

Vehicles that are towed by UAPD will only be towed by the company awarded the current university contract. Exceptions may be made for individual requests for personal assistance and in Graham County.

## **Traffic Education**

All officers are responsible for the education of the motoring public. Each year the legislature enacts and amends traffic law that may not be immediately available to the public. Officers will consider the utilization of verbal or written warnings for a reasonable period of time to allow motorists to adjust their driving habits.

E-scooters are currently prohibited by UA regulations, and officers may educate violators as to the regulations.

A lieutenant or above may order a period of warnings for certain offenses of the traffic laws, such as the beginning of semesters, and when new traffic control devices have been installed. (*CALEA 61.1.5g*)

## **Traffic Citation Accountability**

Blank citations are maintained by the Property/Evidence Section. All citations are numbered in numerical order. The Property/Evidence technician will record the series of citation numbers whenever citations are issued. The receipt shall include:

- Name of the officer receiving the citations.
- Citation numbers.
- Date the citations were obtained by the officer.

Supervisors may request and receive a large number of citations to maintain and



issue when the Property/Evidence Section is closed. Supervisors shall record the same information as stipulated above and forward that information to the Property/Evidence Section. UAPD Records section will be responsible for an accounting of all issued citations. Citations that have been voided will be forwarded to the Records section for proper documentation in the computerized records system.

## **Audit**

Supervisors will periodically conduct an audit of their employee's citations. The Property/Evidence section will be responsible for an ongoing audit of the citations issued to officers. Records will be responsible for the logging of court dispositions of citations.

## **Lost or Damaged Citations**

Officers shall immediately report the loss or damage of any citations to their immediate supervisor via an Employee's Report. The Records and Property/Evidence Sections shall be informed of the loss or damage for their respective records. Lost citations will be entered into the computer by citation number as "lost" to ensure accountability. Officers are subject to disciplinary action for the intentional or reckless abuse of citations.

## **Referrals for Reexamination**

If an officer believes that a violator should have his/her driving privilege reevaluated by MVD the officer should complete the MVD Request for Reexamination form 46-3903, and forward that request through the Records Section to the Department of Motor Vehicles.

## **Commercial Vehicles** (CALEA 61.1.5e)

Inspection of Commercial Motor Vehicles (CMVs) and the enforcement of Title 49 safety regulations will be performed only by officers who have been certified by the Arizona Department of Public Safety as a Commercial Vehicle Safety Specialist. Inspection of any vehicle transporting hazardous materials and the enforcement of hazardous materials laws will be performed only by officers who have completed a hazardous materials enforcement class approved by DPS. Enforcement of Arizona weight laws will be performed only by a certified weighmaster.

The Tucson Police Department or the Arizona Department of Public Safety have Officers certified in vehicle inspection. With the approval of a supervisor, a request may be made to either TPD or DPS for assistance in CMV cases. Inspections shall only be conducted by certified inspectors. Violations of the Transportation Laws of the State of Arizona by Commercial Vehicles will be enforced in

accordance with established UAPD policies and procedures.

**Public Carrier/  
Commercial Vehicles** *(CALEA 61.1.5e)*

The United States Department of Transportation laws that govern CMV safety and the transportation of hazardous materials have been adopted as Arizona law through the Arizona Department of Transportation and memorialized in Arizona Revised Statutes, Title 28.

**Commercial Vehicle  
Enforcement** *(CALEA 61.1.6d)*

During the course of traffic enforcement if an officer encounters violations of a commercial vehicle or public carrier statutes, and determines they pose a hazard to the carrier or other motorists; appropriate action may be taken depending upon the experience and knowledge of the officer.

Officers encountering other nonhazardous violations should consider the impact of extended investigations based on the call load, jurisdiction or occurrence, and personnel. The enforcement of nonhazardous violations will follow current adopted guidelines.

**UA Non-Motorized  
Vehicle Regulations** *(CALEA 61.1.5d)*

Officers will respond to specific non-motorized vehicle regulations adopted by the University of Arizona governing the use and operation of bicycles and skateboards on the University campus regarding trick riding or “hot-dogging”.

## 10.4 Collision Investigation



Brian A. Seastone  
Chief of Police

Supersedes:  
03 August 2015

Revision:  
23 May 2018

Effective:  
30 May 2018

Policy Affects:  
All Personnel

### **Policy** (CALEA 61.2.1)

UAPD will investigate all traffic collisions occurring within its jurisdiction according to the Transportation Laws of the State of Arizona and comply with all reporting requirements of the State of Arizona in the collection and reporting of traffic collision statistics. UAPD may investigate certain other traffic collisions occurring outside of its jurisdiction as dictated by current mutual aid agreements and concurrent patrol boundaries.

### **Public Roadway**

Any collision involving a motor vehicle upon a public roadway that results in any of the following shall be investigated by an officer and properly documented in writing on the appropriate form approved by the State of Arizona and/or the department:

- Bodily injury or death
- Damage to property in excess of \$1000.00
- Impairment due to drugs or alcohol
- Major traffic congestions
- Disturbances or fights
- Towing of vehicles
- Hazardous materials involved
- Failure to Notify (Hit and Run)
- Government property
- A request by any of the parties involved

### **Records Responsibility**

A copy of each collision investigated shall be forwarded to the Arizona Department of Transportation as applicable by State requirements.

### **Private Property**

Collisions involving a motor vehicle(s) upon private property, such as a parking lot, will be investigated upon the request from any of the parties involved. This investigation may be on scene or off scene. If damage is less than \$1000.00, the investigating officer will facilitate an exchange of information between the involved

parties and document the incident or complete a collision report form. If any of the following are present, the indicated form shall be used:

- Damage in excess of \$1000.00. (Accident module)
- Death or Injury. (Accident module)
- Failure to Notify. (Incident)
- Hazardous Materials are involved. (Incident)
- Impairment due to alcohol or drugs. (DUI Basic case)

### **Government Vehicles**

Any collision involving a motor vehicle owned by any governmental entity or the University of Arizona shall be investigated and a written report made. The written report shall be on a form approved by the State of Arizona.

### **Failure to Notify Collisions**

Collisions that result in any involved party's failure to notify will be investigated in the following manner:

- **Upon a Public Roadway:** The collision shall be investigated with information and evidence discovered documented on a form approved by the State of Arizona.
- **Upon Private Property:** The collision shall be investigated with information and evidence discovered documented on a Case Report.

### **Hazardous Materials** (CALEA 61.2.2c)

In hazardous material collisions, the Tucson Fire Department/UA Risk Management will be responsible for the emergency scene. At the MGIO site the USFS, DPS and UA Risk Management will be responsible.

When investigating a collision involving hazardous materials officers will exercise extreme caution. When hazardous materials are encountered the officer shall:

- Request immediate assistance from the Tucson Fire Department and University Department of Risk Management.
- At MGIO, follow the MGIO Emergency Operations Guide.
- Gather information as to the materials involved, if this can be safely done.
- Contain the area to prevent unauthorized entry.
- Officers shall use discretion in entering an area where hazardous materials are present. The officer's primary responsibility in this case may not be rescue, but rather containment, as entry may incapacitate the officer or cause permanent injury or death.

### **Telephone Reports**

Collision reports may be taken over the telephone for property damage accidents, if both parties have left the scene. The appropriate form shall be completed with as much detail as possible.

## Walk-In Reports

If any one of the parties involved in a collision comes to UAPD, and wishes to file a report, the officer will document the collision as accurately as possible on the appropriate form. In these cases, citations will not normally be issued.

## Officer Responsibility *(CALEA 61.2.1)*

Officers will conduct an investigation in order to determine cause of the collision and violation(s) of Arizona Traffic and Transportation Laws - Title 28. In the event of death, serious physical injury, or major property damage, a supervisor shall be notified and a special investigator may be requested to assume the investigation. This investigator may be from UAPD or another law enforcement agency. Officers:

- Shall be responsible for the collision scene *(CALEA 61.2.2a)*
- Will provide guidance to other officers by directing them to perform specific jobs in order to protect the collision scene or reroute traffic. *(CALEA 61.2.2e)*
- Will utilize flares, reflective cones, barricades, emergency vehicles with activated emergency lighting, or the physical presence of an officer directing traffic.
- Shall utilize a reflective traffic vest while in the roadway
- Will remove vehicles from the roadway as quickly as possible giving consideration to the preservation and collection of evidence.
- Officers shall determine whether there are injuries, summon medical assistance and administer first aid as necessary. *(CALEA 61.2.2b)*
- Will gather written and/or verbal statements from all parties involved including witnesses documenting information on the approved form. *(CALEA 61.2.2d)*
- Will examine and record damage of vehicles and property involved.
- Will document any unusual conditions.
- Shall fully and accurately report the collision on the appropriate form(s).
- Shall take accurate measurements in cases of serious injury or death, or where there is extensive damage to property.
- May estimate measurements for minor collisions.

The first arriving officer shall be responsible for directing the investigation unless properly relieved by another officer. *(CALEA 61.2.2g)*

## Photographs

Photographs may be taken to assist in the investigation. Photographs shall be taken where:

- Death or serious injury occurs
- There is extensive property damage
- Directed by a supervisor

## **Evidence Collection**

Officers shall make every effort to collect and preserve evidence on the scene that would determine the cause(s) of the collision. In order to recreate the collision, evidence such as debris, skid marks, paint transfer and other items which may be of evidentiary value shall be preserved. All physical evidence collected shall be entered into the Property/Evidence section, with documentation on the appropriate property form and in the incident report or collision report. Evidence will be collected in the manner recommended in the Arizona Department of Public Safety Evidence Submission Guidelines for Criminal Justice Agencies manual.

## **Traffic Control**

Officers will ensure that traffic is safely diverted from the scene by utilizing flares, cones, barricades, or police/emergency vehicles.

## **Traffic Flares and Cones**

Flare/fuse and traffic cone patterns should be placed away from the scene, giving ample notice to vehicular traffic that a lane(s) are close ahead. The pattern should be placed in such a manner that drivers understand the action that is needed. **Caution shall be exercised by officers to ensure that the placing or lighting of flares does not create an additional hazard due to flammable liquid or materials in the area.**

## **Technical Assistance**

Collisions involving death, serious physical injury, or extensive property damage, shall require a specially trained collision investigator. An officer from UAPD may be utilized, if qualified, or the Chief of Police or designee may request the assistance of another law enforcement agency with such specially trained investigators. It shall be the supervisor's responsibility to determine the need for and facilitate outside technical assistance.

## **Collision Reconstruction**

Collisions will be reconstructed by a certified and trained traffic collision reconstruction officer under the following circumstances.

- Death
- Serious, life threatening injury
- As ordered by the Chief of Police

## **Enforcement Action**

If during the course of an investigation of an collision occurring upon a public roadway an officer has probable cause to satisfy the elements of a violation,

enforcement action in the form of a citation and/or physical arrest will be made concerning:

- Criminal law(s) - Title 13
- Transportation Laws of the State of Arizona - Title 28
- Alcohol law(s) - Title 4

No enforcement shall be taken of traffic laws upon private property unless the violation is for Driving Under the Influence, Reckless Driving, Hit and Run or for a criminal law violation. No person shall be arrested for a civil violation.

### **Personal Property Of Victim(s)** *(CALEA 61.2.2f)*

The officer in charge of the investigation shall ensure that any property belonging to a collision victim(s) is protected from theft. This may be accomplished by:

- The officer removing the property for safekeeping.
- Release to a third party, approved by the victim.
- Securing property within locked vehicle, if secured at/near scene and approved by the victim.

Any property that is secured for safekeeping, released to a third party (other than immediate family) or secured in vehicle will be inventoried and properly documented in the report/addendum.

### **Victim's Rights Applicability**

Victim's Rights forms will be prepared for victims of traffic collisions where a suspect is arrested/cited for a criminal offense has occurred. These may include:

- Hit and Run with or without Injuries
- Reckless Driving - individual victim
- DUI - individual victim
- Child Abuse
- Endangerment
- Assault

# 10.5 Traffic Direction & Control



Supersedes: 12 June 2014	Revision: 17 October 2016	Effective: 01 November 2016
Policy Affects: All Personnel	CALEA Standard: 61.3.2, 61.3.3	

**Brian A. Seastone**  
Chief of Police

## Policy

Traffic direction and control are necessary to provide for the uninhibited flow of pedestrian and motorist traffic under emergency or special conditions. UAPD officers will have the discretion to perform traffic control (point control) whenever they deem appropriate, or when ordered by a supervisor. (CALEA 61.3.2a)

## Initiation of Point Control

Officers or supervisors may initiate point control under any of the following conditions: (CALEA 61.3.2a)

- Accidents
- Stalled motorists
- Fires or other emergencies
- Reducing congestion
- Special events
- Training and practical exercises
- Road improvements
- Traffic hazards
- Training
- Construction areas
- Inclement weather
- Any other situation in which an officer deems it appropriate

## Assistance with Point Control

UAPD may request assistance of Parking and Transportation Services (PTS) with traffic control and point control on UA owned streets. Requests for assistance can be made through UAPD Dispatch.

## Use of Traffic Vest

All authorized personnel engaging in traffic/point control shall wear reflective traffic vests. (CALEA 61.3.2a/g)



## **Use of Whistle**

Authorized personnel performing point control may use a whistle to alert motorist and pedestrian traffic. Whistles will be used in the following manner: *(CALEA 61.3.2a)*

- “Stop” will be indicated by an extended single blast of the whistle
- “Go” will be indicated by two short blasts of the whistle

## **Use of Hand Signals**

Hand signals should be used to direct motorists to conform to the officer’s commands. Hand and arm signals will be deliberate and simple. Hand signals will be used in the following manner: *(CALEA 61.3.2a/b/d)*

- “Stop” will be indicated by extending one or both hands out in front
- “Go” will be indicated by a single hand signal, with the palm or index finger extended and the arm coming up toward the officer
- Officers should verbally communicate with pedestrians to re-enforce the officer’s directions
- A flashlight with an attached orange or red traffic cone will be used to facilitate traffic control in hours of darkness or low visibility

## **Traffic Signal Overrides**

Officers may use manual traffic overrides when they are directed or when they believe necessary to assist in traffic flow after receiving permission from a supervisor. Override keys are the responsibility of the officer operating the override. *(CALEA 61.3.2d/e)*

## **Temporary Traffic Control Devices**

UAPD does not routinely use traffic control devices. They may be used for special events such as athletic events, concerts, mall events or parades. Temporary traffic control devices will be established following discussion with City of Tucson Traffic Engineers, UA Parking and Transportation and UAPD. Traffic control devices will be set up by a barricade company on a contract with the University. *(CALEA 61.3.2d/f)*

## **Construction Areas**

If there is a need for long term traffic control around a construction scene, the construction engineer for the University will contact the UAPD Special Event Coordinator to arrange for off-duty officer coverage. *(CALEA 61.3.2c/d)*

## **Special Events**

Traffic direction for special events will be coordinated by the Event Commander in conjunction with UA Parking and Transportation, City of Tucson Traffic Engineering and the Tucson Police Department. Traffic pattern adjustment on city streets will be approved by the City of Tucson. (CALEA 61.3.2c)

The Event Commander:

- Will review the established pattern
- Through mutual agreement may make adjustments as necessary
- At the beginning of each athletic season, football and basketball, the Assistant Chief assigned to coordinate special events will meet with representatives from all agencies and departments affected to review the previous year and make adjustments as necessary.
- Parking at special events will be controlled by UA Parking and Transportation.

## **Fire Scenes**

Officers will be positioned at specific traffic locations to facilitate traffic flow around the fire scene and to provide the fire department maximum accessibility to the fire scene. These specific locations will be determined by the on-duty supervisor upon arrival at the fire emergency and in coordination with fire personnel. Applicable statutes for officers at fire and emergency scenes are: (CALEA 61.3.2c)

- 28-897 Crossing fire hose (civil violation)
- 28-622 Obedience to Police Officers (C2M)
- 13-2904.05 Disorderly Conduct (C1M)
- 13-2404.02 Refusing to Assist the Fire Control (C1M)
- 13-2509 Resisting an order direction, regulating or controlling motor vehicle traffic (C2M)

## **Inclement Weather**

Traffic direction and control can be initiated by the patrol supervisor or by officers whenever there are inclement weather conditions which adversely affect traffic flow on the University campus. Barricades may be used to prevent motor vehicle and pedestrian traffic from entering a specific area. Officers should not unnecessarily endanger themselves during inclement weather traffic control and emergency vehicle lighting should be activated whenever an officer is directing traffic during inclement weather (CALEA 61.3.2d)

## **Traffic Engineers**

Traffic surveys may be requested by the Chief of Police to the University Traffic Engineers via the Director of Physical Resources for on campus streets. The Chief of Police may request a traffic study on city streets through the City of Tucson

Traffic Engineers. UAPD will work closely with UA construction engineers and the City of Tucson whenever possible in determining community needs to improve traffic control on campus and within the established ABOR planning boundary.

## **Law Enforcement Escort/Convoy**

Escorts by UAPD Officers utilizing emergency equipment shall be extremely limited. The following restrictions shall apply to escorts or convoys. (CALEA 61.3.3a)

- UAPD may provide dignitary escorts/convoys to safeguard the safety of the dignitary and expedite the convoy with the use of motorcycle officers and marked UAPD vehicles.
- Dignitary escorts will be preplanned and when necessary coordinated with TPD or other agencies of jurisdiction.
- Emergency lights and sirens may be used in convoy/escort situations
- Unless an intersection has been specifically closed for the event, the convoy shall slow and if necessary stop before entering an intersection against a traffic control device.
- An Assistant Chief or designee must authorize escorts/convoys that involve an extended use (more than four blocks) of emergency equipment
- Coordination with the other agencies involved will take place prior to the escort and the on duty supervisor and communications section will be made aware of the escort/convoy.
- UAPD vehicles may be used in funerals for police officers or other funerals as authorized by the Chief of Police.
- UAPD vehicles may be used to escort hazardous material vehicles, wide load vehicles or vehicles containing evidence. For these escorts two marked UAPD police vehicles will be necessary. One vehicle shall be in the lead and the other following the last vehicle. Three marked units will be used for escorts/convoys at MGIO
- In all convoy or escorts the group will travel at a reasonable speed to ensure safety and maintenance of the group.

## **Roadblocks-Emergency Scenes/Check Points**

UAPD vehicles may be used to block an intersection at scenes of emergencies. Emergency lighting shall be activated.

Traffic check points may be established by order of the Chief of Police. In such situations the road block will be a fixed position. Designated lanes will be established by use of flares and traffic cones to direct vehicles into the appropriate lanes. Officers conducting road blocks shall wear their reflective traffic vest.

## 10.6 Problem Oriented Traffic Enforcement



Supersedes:  
01 November 2016

Revision:  
08 March 2018

Effective:  
12 March 2018

Policy Affects:  
All Personnel

Brian A. Seastone  
Chief of Police

### Policy

UAPD will engage in problem oriented traffic enforcement based on analysis of accident data and factors that have been shown to create high incidence of accidents.

### Enforcement Criteria

Problem oriented traffic enforcement may be based upon one or a combination of the following factors:

- Temporal factors such as time of day and day of the week
- Geographic factors
- Types of violations

### Selection of Enforcement Areas *(CALEA 61.1.1a/b/c)*

The OSD Assistant Chief/designee will be responsible for collecting accident data from sources inside and outside of the Department. An evaluation of the data will be made in an attempt to identify areas of concern and used to develop a plan of action for enforcement to reduce the incidence of accidents and traffic violations causing the accidents.

Following enforcement deployments, an evaluation/summary of activity will be compiled. A documented comparison of collision/crash data and enforcement activity data will be completed. This comparison will be forwarded to the Chief of Police for review.

### Conducting Problem Oriented Traffic Enforcement *(CALEA 61.1.1d)*

Problem oriented traffic enforcement may:

- Be assigned by a patrol supervisor in high profile enforcement areas
- Be ordered by the Chief or an Assistant Chief based upon need or personal experience
- Include activities such as sobriety checkpoints authorized by the Chief. In

such cases, a predetermined procedure will be developed and distributed to all officers working the event.

- Be for a specific period of time and in a specified predetermined area
- Address bicycle and pedestrian traffic in highly congested areas through enforcement activity.

### **Deployment of Officers** (CALEA 61.1.1e)

Officers will be deployed:

- To areas identified as having the greatest incidence of accidents and accident-causing violations.
- When available manpower permits
- Based on temporal and geographic factors reflected by accident information data
- To areas based on an analysis of traffic-related calls for service covering the past year
- To areas based on types and number of traffic citations issued by officers
- Based upon seasonal variation of traffic volume
- Based upon variation due to weather conditions
- Based upon population shifts

### **Problem Oriented Traffic Enforcement Procedures** (CALEA 61.1.6a)

Officers working high profile or problem oriented traffic enforcement activities may work in a team approach. One officer may identify a violator, while other makes the traffic contact and issues the warning/citation. Officers should:

- Remain visible, avoiding “hiding” behind signs, shrubbery or other items
- If requested, allow a violator to view the displayed speed on the LIDAR/RADAR

### **Annual Review** (CALEA 61.1.1f)

A documented review of problem oriented traffic enforcement activities will be completed annually and forwarded to the Chief of Police for review.

# 10.7 DUI Enforcement



Supersedes: 03 August 2015	Revision: 22 October 2018	Effective: 01 November 2018
Policy Affects: All Certified Personnel		

Brian A. Seastone  
Chief of Police

## Policy (CALEA 61.1.5a, 61.1.9, 61.1.10)

UAPD has established a high priority for the enforcement and identification of illegal drug and alcohol use on the campus, including the operation of a motor vehicle. The use of Student Diversion is not permitted for violations of ARS Title 28 or Title 4 section 244.34.

### Driving Under the Influence (DUI)

Arizona Revised Statute 28-1381.A1 states that it is unlawful for a person to drive or be in actual physical control of a vehicle in this state under any of the following circumstances:

- While under the influence of intoxicating liquor, any drug, a vapor releasing substance containing a toxic substance or any combination of liquor, drugs or vapor releasing substances if the person is impaired to the slightest degree
- If the person has an alcohol concentration of 0.08 or more within two hours of driving or being in actual physical control of the vehicle and the alcohol concentration results from alcohol consumed either before or while driving or being in actual physical control of the vehicle.
- While there is any drug defined in section 13-3401 or its metabolite in the person's body

If the vehicle is a commercial motor vehicle that requires a person to obtain a commercial driver license as defined in section 28-3001 and the person has an alcohol concentration of 0.04 or more. Officers should be aware that certain medical conditions may be mistaken as drug or alcohol induced.

### Aggravated DUI (CALEA 61.1.2a, 61.1.10)

Any person who is arrested for DUI under the provisions of ARS 28-1383 will be charged with Aggravated DUI. Aggravated DUI is a felony and the arrestee will be booked into jail.

***No person shall be arrested for Aggravated DUI if their license is simply suspended or revoked for other than a DUI unless prior approval/collaboration with the County Attorney substantiates an Aggravated DUI charge.***

## **DUI Investigation** *(CALEA 61.1.10)*

When an officer contacts a driver of a motor vehicle and the officer believes the driver may be under the influence of alcohol/drugs, the officer will observe and evaluate the symptoms/actions of the individual. The officer may ask a driver of a vehicle to perform a series of tests commonly referred to as "Standardized Field Sobriety Tests" (SFSTs). The driver cannot be forced to perform these tests and may choose to refuse any SFST(s).

### **Refusal of SFSTs**

If the driver refuses to take the SFSTs, the officer will continue to observe the driver's actions/reactions as well as document any statements the driver might give. Following these observations, the officer must take into account all evidence, driving behavior, personal contact, etc. before deciding to place a person under arrest for DUI.

### **Consent to SFSTs**

If the driver consents to perform the SFSTs, the officer will first ask the driver if they have any medical condition or physical impairment that might interfere with the testing process. If the driver states he/she has no limitations/medical problems, the tests may be given. If the driver identifies a particular medical problem or physical condition that could influence the results of the SFSTs, the officer should make proper documentation and avoid using SFSTs that might compromise the results of the test(s) or the person's safety.

### **SFSTs**

Officers may use discretion in the number of SFSTs administered. Only the following three standardized and scientifically validated tests are approved to be used.

- Horizontal Gaze Nystagmus (HGN)
- Walk and Turn
- One Leg Stand

Officers trained in Advanced Roadside Impaired Driving Enforcement (ARIDE) or certified as Drug Recognition Experts (DRE) may also evaluate a driver's impairment using additional tests.

- Lack of Convergence (LOC)
- Romberg Balance
- Pupil Size

When administering SFSTs, officers will:

- Utilize the instructions on the DUI Worksheet developed using the

National Highway Traffic Safety Administration (NHTSA) guidelines and evaluate the test results using the NHTSA standardized cues.

- Provide clear instructions.
- Supplement instructions by actual demonstration when appropriate and safe to do so.

### **Preliminary Breath Tests**

Officers may utilize a Preliminary Breath Test (PBT) device to obtain additional probable cause prior to making the decision to arrest. The PBT provides a result that can be used only to determine if there is alcohol in a driver's body. The results from the PBT should be documented in the report as "presence of alcohol" (POA) or "no presence of alcohol".

### **Miranda Rights**

An officer may elect to read a driver their Miranda Rights at any time during the DUI investigation. If investigative questions are asked prior to arrest, the answers can be used to support Probable Cause for the arrest. After a driver is arrested for DUI, no further investigative questions can be asked unless the arrestee has been read Miranda Rights and the arrestee has waived his/her rights.

At any time, if a driver asks to contact/speak to a lawyer the officer shall provide the driver access to a phone and a secure area to make a phone call.

### **Waiver of Rights**

If the driver waives their rights, the officer will question him/her using the investigative questions found on the DUI Worksheet, and other questions pertinent to the investigation. Documentation shall be made on the DUI Worksheet concerning the time of advisement and by whom. The officer will also document comments made by the driver.

### **Observations**

Officers should carefully observe and document the driver's performance during the actual test. The DUI Worksheet will be used to document those actions.

Upon completion of the SFSTs:

- The officer will determine if there is probable cause to arrest for DUI, Aggravated DUI, or for Under 21 operating a motor vehicle with liquor in body (ARS 4-244.34).
- If probable cause exists for an arrest, the officer will inform the driver they are under arrest and proceed with the appropriate paperwork.



## **Admin Per Se**

A person arrested for DUI, Aggravated DUI, or for ARS 4-244.34 shall have the Admin Per Se/Implied Consent Affidavit read to him/her verbatim prior to an officer administering any test(s) to determine drug content and/or blood alcohol content. The officer shall initial or check each section of the Admin Per Se as it is read. The exception to the above reading will be in the cases of unconsciousness or the driver's incapacity to refuse.

If the person refuses to submit to the specified test/s, the refusal should be documented in the Basic Case Report and on the Admin Per Se form. Officers may then seek to obtain a Search Warrant to obtain a blood sample from the arrestee.

## **Chemical Testing – Breath, Blood**

Persons arrested for DUI, Aggravated DUI, or ARS 4-244.34 may be brought to UAPD for Blood Alcohol Content (BAC) testing or they may be tested in the field (breath). Persons arrested in Graham County are to be taken to the Graham County Sheriff's Department. Any arrestee brought to UAPD is considered in physical custody and should be properly restrained during transport and while in custody. Officers may remove handcuffs after transport but are cautioned about prisoner control.

## **Independent Testing / Duplicate Test Advisory**

Any person arrested for ARS 28-1381, 28-1382, 28-1383, or 4-244.34 has the right to an independent test. Prior to the administration of any testing the duplicate test advisory shall be read to the arrestee advising them of their right to an independent test. Document their acknowledgement by having the arrestee sign, or document as refused, in the appropriate block of the duplicate test advisory and provide the arrestee a copy. If the arrestee will be booked and chooses to have an independent test, the officer must take the arrestee to a hospital for an independent blood sample at the arrestee's own expense.

## **BAC Testing – Breath**

Mobile Intoxilyzers and other approved Intoxilyzers may be used if available. Prior to using any Intoxilyzer, the officer shall complete a 15 minute deprivation period and observe the arrestee to ensure that he/she does not consume any beverages, burp, vomit, or put anything in their mouth. If any of these things occur, the deprivation period must begin again and reason documented in case report. In cases where a breath test is administered, an Intoxilyzer certified operator shall complete the required number of breath tests. If the arrestee fails to provide the required number of breath samples, it will be considered a refusal to consent to the testing.

## **BAC Testing – Blood**

Prior to the consensual drawing of blood, a consent form must be signed by the arrestee if they are conscious and able. **Only qualified personnel are permitted to draw blood.** Phlebotomists from hospitals or other police agencies may be utilized to assist with drawing blood and should be provided with a UAPD blood kit to conduct the draw. Blood samples will be entered into the UAPD evidence tracking system, appropriately sealed, and placed in the evidence refrigerator. An Arizona Department of Public Safety (AZDPS) Agency Request for Scientific Examination must be completed and submitted to the UAPD Evidence section to have the blood analyzed for BAC and/or drug content.

## **Admin Per Se Suspension Service**

If the arrestee refuses to submit to chemical testing, or submits only to a blood sample and the results are not available, or submits to a breath sample and has a BAC of .08 or above (.04 or above in a commercial vehicle), the appropriate Order of Suspension (found on the Admin Per Se) shall be served. The arrestee should sign the Admin Per Se form acknowledging he/she was notified. If the arrestee refuses to sign, document the refusal to sign in the Basic Case Report and on the Admin Per Se form. The appropriate copy (or copies) of the form will be issued to the arrestee.

## **Surrender of Driver's License**

If the arrestee has an Arizona driver's license and is issued an Admin Per Se suspension, the Arizona driver's license shall be seized by the officer and attached to the Admin Per Se/Implied Consent Affidavit. Officers shall not seize any out of state licenses. The Temporary Drivers Permit shall be completed and the pink and yellow copies shall be given to the arrestee. If for some reason the permit is not issued, the officer shall make a notation on the appropriate line(s). The arrestee's signature will be given for the temporary license.

## **Booking** *(CALEA 61.1.2a)*

If the arrestee is booked into jail, the appropriate citations (for misdemeanor DUIs) will be completed and the words "In Custody" will be printed in the signature block. The appropriate copies shall be issued to the arrestee or entered as their property at the jail. If the arrestee is booked for Aggravated DUI, a Felony Interim complaint must be completed and sworn in according to UAPD policy.

## **Field Release** *(CALEA 61.1.2b)*

The officer shall have the arrestee sign the completed citation(s) and will give the arrestee the appropriate copies. The arrestee will be released to a responsible adult third party, or provided with means of public transportation, such as a taxi or bus.

## **Report Preparation**

A Case Report shall be completed for every DUI arrest. The report will include arrestee information, as well as a detailed explanation of the arrest to include:

- The DUI Worksheet
- Evidence collected or observed
- Actions of arrestee and officer
- Probable cause for the arrest
- Details of the incident
- Disposition
- Property/Evidence Form
- DPS Request for Laboratory Examination (for BAC/drug analysis of blood samples)
- Supplemental reports as applicable from other officers or officers assisting at the scene of the incident
- Voluntary Statements if applicable
- Booking Form or Fingerprinting Packet as guided by *UAPD Policy 7.9-Fingerprinting & Photography*
- Admin Per Se form
- Intoxilyzer Checklist
- Duplicate test advisory signed by the arrestee
- Appropriate citations

## **Extreme DUI**

For individuals exhibiting a BAC of .15 or above and/or .20 or above, the Extreme DUI charge(s) ARS 28-1382A1 and ARS 28-1382A2 will be added to the citation in addition to the ARS 28-1381A1 and 28-1381A2 offenses.

## **Vehicle Impounds/Forfeitures**

For arrestees charged with ARS 28-1382, 28-1383, or 4-244.34, the vehicle being operated will be impounded in accordance with ARS 28-3511 unless they meet the exception under subparagraph D of that statute. If it is not possible to leave an officer with the vehicle while the breath testing is conducted, the vehicle may be secured on scene and impounded after the results are obtained.

If the arrestee is a registered owner of the vehicle operated and is convicted of Aggravated DUI, the vehicle may be subject to forfeiture under ARS 28-1384.

## **Video/Audio Recordings**

Officers involved in a DUI investigation should attempt to fully document the incident using all available recording devices and should clearly document in their reports what recordings were made as outlined in UAPD Policy 10-8 Mobile Video

Recording. If safe to do so, in-car or body-worn video cameras should be (re-) positioned to capture the SFSTs and contact with driver.

**Alcohol and Drug Impaired Traffic  
Enforcement Programs** *(CALEA 61.1.9)*

The University of Arizona Police Department will actively participate in programs related to the detection and removal of impaired drivers. Programs such as the Southern Arizona DUI Task Force Deployments and Arizona Governor's Office of Highway Safety grant funded programs will be utilized to accomplish this.

## 10.8 Use of Preliminary Breath Test Devices (PBT)



Supersedes: 01 July 2015	Revision: 20 March 2020	Effective: 07 May 2020
Policy Affects: Certified Officers	CALEA Standard:	

Brian A. Seastone  
Chief of Police

### Purpose and Summary

The purpose of this policy is to establish guidelines and procedures for the use of portable breath testing devices (PBTs) by UAPD officers.

UAPD will utilize portable breath testing devices (PBTs) to detect the presence of alcohol (POA) when reasonable suspicion indicates individual(s) who may be underage, and/or in physical control of a motor vehicle and have consumed alcohol. PBTs can be used to assist in establishing probable cause for violations of Arizona Revised Statutes Titles 4 & 28.

### Authorized PBTs

UAPD personnel will use only PBTs approved by the Chief of Police, in conjunction with ARS 28-1322 to determine the presence of alcohol. A Quality Assurance Specialist (QAS) assigned by the department will maintain a current listing of all authorized devices.

### Required Training

Only officers trained in the proper operation of the PBT are authorized to use the device. A roster of qualified users shall be maintained by the Training Section.

### Access/Maintenance of PBTs

PBTs available for use shall be kept in the equipment check-out room for check-out/assignment to officers by supervisors. Inspections shall be conducted by officers prior to issue and upon return. PBTs shall be checked back in after the completion of each shift/detail. All PBTs, when not in use, shall be kept in assigned cases to prevent damage.

Whenever a PBT is not functioning properly the officer finding the discrepancy shall write an Employee's Report documenting the discrepancy, tag the unit as out of service, and notify a supervisor. The unit shall not be used until inspected by a QAS and/or submitted for repair and determined to be operating properly.

## Use of PBTs

The use of a PBT can assist officers with developing probable cause in making decisions regarding the type of enforcement action to be taken. PBT results may assist in determining probable cause for physical arrest, citation and release or referral to the Student Diversion Program.

***PBTs are voluntary, and a subject's refusal to submit to a PBT shall not result in any penalty under the law. Should a subject refuse a PBT, the officer will document the refusal and proceed with the investigation.***

A deprivation period is not required, but the subject's mouth shall be clear of any and all foreign objects. The mouthpiece is a one-use item. Once the subject has taken the test the mouthpiece shall be properly disposed of.

The PBT will be administered during the field sobriety test (FTS) portion of a DUI investigation and prior to arrest for an alcohol-related violation. The PBT shall not be used post-arrest.

Any use of a PBT is to determine the **PRESENCE** of alcohol and not a quantitative blood alcohol level (BAC). Results from the use of a PBT shall be documented as "presence of alcohol indicated" or "no presence of alcohol indicated".

## PBT Calibration Checks

PBTs shall have their calibration checked by a QAS using the method directed by the manufacturer. The frequency of the calibration check will be based upon the recommendation of the manufacturer not to exceed 6 months. If the calibration check is outside the acceptable operating range as indicated by the manufacturer, the QAS shall conduct a calibration adjustment. If the PBT cannot be adjusted to operate within the acceptable range, it will be removed from use and returned to the manufacturer for repairs.

## PBT Logs

Each PBT will have an assigned log sheet to document calibration checks, calibration adjustments or service to the PBT. The logs will be maintained by a QAS responsible for PBT calibration checks and kept with other breath testing device records.

# 10.10 Mandatory Vehicle Impounds



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03 June 2015

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Policy Affects:  
Certified Officers & Dispatch

Brian A. Seastone  
Chief of Police

## Policy

Arizona Revised Statutes, Title 28, provides authority for and mandates a peace officer to cause the removal and impoundment of a vehicle if the officer determines that the person driving the vehicle meets certain criteria.

UAPD officers shall adhere to the provisions of these statutes and cause the removal and impoundment of a vehicle as provided by law. This is in compliance with modifications to ARS 28-3511 through 3514 as amended by the Arizona Legislature. (CALEA 61.4.3b)

## Vehicle Impoundment

Vehicles meeting the following ARS criteria shall be removed and impounded for thirty (30) days by the UAPD when the following situations are applicable: (CALEA 61.1.5b, 61.4.3b)

- The driver has never been issued a license or permit in Arizona or issued a license or permit in any other jurisdiction
- The person is driving on a canceled license and the vehicle they are operating is not insured as required by Arizona law and is involved in an accident that results in either property damage or injury to or death of another person
- The vehicle is used in the furtherance of human smuggling
- Driver's license is revoked
- The driver is under arrest for Extreme, Super Extreme, or Aggravated DUI
- The driver is under 21 years of age and has alcohol in their body
- The driver is subject to use of an ignition interlock device and is operating a vehicle without a functioning certified interlock device

## Vehicle Impoundment Procedure

In situations where ARS refers to involvement in a collision or accident, the impoundment conditions will apply to any relevant driver regardless of who is determined to be at fault in the collision. (CALEA 61.1.5b, 61.4.3b)

When an officer determines that a vehicle meeting ARS criteria will be impounded they shall: *(CALEA 61.4.3b/c)*

- Document the impoundment in a case report utilizing a case number.
- Request the authorized tow company for vehicle removal
- Complete a Vehicle Action Report/Notice of Mandatory Vehicle Impoundment form.
- Provide the driver with a Vehicle Action Report/Notice of Mandatory Vehicle Impoundment Form and Criminal Traffic Citation (If Field Released).

## **Vehicle Release**

In order for an impounded vehicle to be released, UAPD must provide the registered owner or their agent with authorization paperwork. No authorization for release will be provided until all fees are paid in full or the release is permitted by statute. If the registered owner does not claim their vehicle once it is eligible, the towing company may file a claim for an abandoned title as provided under Arizona law. Any criminal charges filed against the owner or operator are independent of this impoundment.

## **Release Circumstances**

Under limited circumstances, a vehicle may be released prior to the 30-day impoundment period. In some cases, a hearing may still be required.

Vehicles may be eligible for early release only if one of the following conditions or circumstances is met:

- If the owner (if they were the driver at the time of impoundment) presents satisfactory proof that their driver's privilege has been reinstated.
- If the vehicle was reported stolen at the time of impoundment.
- If the vehicle is subject to bailment and was driven by an employee of a business establishment who is subject to ARS 28-3511- A, B or C.
- If ALL the following apply:
  - The owner or owner's agent was not the person driving at the time of the impound and
  - The owner or owner's agent is in the business of renting motor vehicles without drivers and
  - The vehicle is registered pursuant to ARS 28-2166.
  - There was a rental agreement in effect at the time of the immobilization or impoundment.
- In certain situations, the spouse of the driver who is also an owner may enter into an agreement with UAPD that they will not let a driver arrested for Extreme or Aggravated DUI, or a minor in possession of alcohol to drive the vehicle within one year. If the agreement is violated no relief is available from the 30-day impoundment for the next violation.



- The vehicle may be released to a person, motor vehicle dealer, bank, Credit Union Acceptance Corporation or other licensed financial institution legally operating in the State that has a secured interest in the vehicle, provided that such person or entity pays all administrative, towing and storage fees, and presents foreclosure documents or an affidavit of repossession for the vehicle.

### **Agreement of Operation**

In accordance with Arizona law, a vehicle may be released prior to the 30-day impoundment period if the spouse of the owner or another owner of the vehicle enters into an Agreement of Operation with UAPD as described above. The Agreement of Operation will involve a certified ignition interlock system to be installed on the vehicle under a previous conviction for DUI, Aggravated or Extreme DUI.

### **Certified Ignition Interlock**

In order for a vehicle to be released under the condition of the installation of a certified ignition interlock as provided by statute, the owner must provide proof of installation of a functioning, certified ignition interlock system to UAPD. The owner, owner's spouse or agent may have access to the vehicle at no charge for the purpose of having this interlock system installed.

The owner remains responsible for towing and storage fees and administrative fees which must be paid as described in this policy.

### **Agreement of Operations Restrictions**

In accordance with ARS 28-3512 UAPD will agree to release an impounded vehicle upon payment of all charges and fees with the understanding that if the agreeing party allows an unlicensed driver, a driver who does not have a valid driving privilege, a driver who is in violation of a certified ignition interlock device requirement or a driver who is arrested for 4-244.34 (Minor in Possession), 28-1382 (Extreme DUI) or 28-1383 (Aggravated DUI) within a one-year period from the signing of the agreement, the vehicle shall not be eligible for release from future impoundments before the end of the 30-day period.

The agreement is only eligible for completion by the spouse of the owner or any person identified as an owner of the vehicle who was not the driver of the vehicle subject to impound at the time of the impoundment.

### **Exceptions to Immediate Impoundment**

An officer having control of a vehicle and having probable cause to arrest the driver for violation of 4-244.34, 28-1382 or 28-1383 shall not cause the removal and impoundment of a vehicle if ALL the following apply.

- The officer determines that the vehicle is currently registered and that the driver of the vehicle is in compliance with the financial responsibility requirements AND
- The spouse of the driver is with the driver at the time of arrest AND
- The officer has reasonable grounds to believe that the spouse of the driver has a valid driver's license, is not impaired by liquor, any drug, a vapor releasing substance or any combination thereof AND
- The spouse notifies the officer that they will drive the vehicle from the place of arrest to the driver's home or another place of safety

### **Impoundment Fees**

Arizona law requires the owner to pay for all towing charges as well as storage fees associated with impoundment. Storage fees are limited to a maximum of \$15.00 per day. Storage fees, towing charges, and any other approved fees are due to the towing company responsible for removal of the vehicle.

The owner is also liable for an administrative fee of up to \$150.00 payable to UAPD for costs relating to the removal, impoundment, storage or release of the vehicle. UAPD has the power to waive these administrative charges if a vehicle was properly reported stolen as outlined in statute or if the vehicle was improperly impounded by the officer.

This administrative fee is paid directly to UAPD prior to the release of the vehicle by the tow company and is in addition to any storage fees, tow charges or other charges which are paid directly to the tow company.

### **Release Procedure**

Completion of the Authorization for Release of Impounded Vehicles can only be completed by UAPD officers. Vehicles may be released to:

- The registered owner.
- The spouse of the registered owner.
- A lien holder.

When completing an authorization to release an impounded vehicle, officers will need to:

- Examine and verify the claiming party's driver's license as current and valid.
- Examine a copy of the Notice of Vehicle Impoundment presented by the person claiming the vehicle and any other associated paperwork regarding

the notice. (If the person does not have the notice then check RMS or CAD to retrieve the vehicle data).

- Verify the vehicle is eligible to be released.
- Verify the registration and insurance of the vehicle to be released is current and valid.
- Collect any required Administrative Fee.
- Prepare the release paperwork and provide copies to the claiming person and to UAPD Records for the file.

### **Vehicle Release Eligibility**

In order to release a vehicle, its eligibility for release must be verified. One of the following circumstances must be established and verified before a vehicle can be deemed eligible for release:

- Thirty (30) days has elapsed since the vehicle was impounded OR
- A hearing was held and the vehicle is eligible for release prior to the 30 days OR
- The owner or owner's spouse presents a current and valid driver's license and proof of current and valid vehicle registration OR
- If the driving privilege of the person driving the vehicle was suspended due to a prior conviction for DUI, Aggravated or Extreme DUI and a certified ignition interlock device was required to be installed, presents proof of installation of a functioning interlock device on the vehicle.

If a hearing was held the claiming party must present a copy of the hearing records form. In the area marked disposition, the vehicle must be indicated as eligible for release to be released.

### **Verification of Driver's License & Vehicle Registration**

Before a vehicle can be released statute requires the authorized person claiming the vehicle to have a valid driver's license and the impounded vehicle's registration is current and valid.

A DQ or KQ must be run on the claiming person's driver's license. If the license is not current or valid, no release of the vehicle will take place and the claiming party must clear up the status of their license. If the status shows a suspension but the person has MVD paperwork showing the license has been reinstated, a copy of that reinstatement shall be made and attached to the release paperwork and the release may continue. If the inquiry shows a mandatory ignition interlock system is required, the installation must be verified before any release. If the device has been installed and proof presented as required, an Agreement of Operation shall also be completed.

An RQ must be run on the vehicle to be claimed. If the registration is valid and current the vehicle may be released. If the license is shown not to be valid the vehicle may not be released and the claiming party should be referred to MVD to clear the registration record. If the claiming party has paperwork from MVD showing the registration as valid or they have a temporary permit to operate the vehicle make a copy and attach, and the release process may continue.

The statute DOES NOT require any verification of proof of insurance prior to the release of the vehicle.

### **Collection of Fees**

If the vehicle meets all criteria for release the person claiming the vehicle must pay an Administrative Fee of up to \$150.00. Payment must be in cash, money order or certified cashier's check. Personal checks, debit cards or credit cards are not acceptable. Only designated Records Section personnel are authorized to receive this payment.

If the vehicle is being released after a hearing, check to see if the Administrative Fee has been waived as provided under the statute. If the fee has been waived then no fee shall be collected.

### **Release Paperwork Preparation**

When releasing an impounded vehicle the releasing person shall ensure the following is completed:

- Complete an Authorization for Release of Impounded Vehicles.
- If applicable check the hearing form to determine if full towing or storage fees apply. Note any fees on the release form
- If applicable check the hearing form to determine if the vehicle was stolen at the time of impound. If the vehicle was stolen no fees shall be charged.
- If applicable check the hearing form to determine if the vehicle was properly impounded. If the vehicle was improperly impounded and fees are waived then indicate such on the release form.
- Indicate the name of the party claiming the vehicle and information on the person completing the form.
- Complete and sign the Authorization for Release form and provide the yellow and pink copies to the claimant.

### **Request for Hearing**

The registered owner of the vehicle, their spouse, lienholder or another owner of record MAY request a hearing within ten (10) days from the date shown on the Notice of Impound. The procedure to request a hearing shall be indicated on the Notice of Impound form and explained to the driver of the vehicle upon service of the form.

The purpose of this hearing is to allow a challenge to the validity of the impound as permitted under the statute. The hearing is not a requirement but an option. Requests may be made by telephone, mail or in person. If a request is not made within the allotted time period or if the person requesting the hearing does not attend the hearing when scheduled, all rights to a hearing will have been waived and all applicable fees and charges are due at the end of the 30-day impoundment period.

### **Hearing Authority**

Arizona Statute allows hearings to be conducted by the impounding agency. UAPD will conduct any request for an impound hearing until such time UAPD determines it can no longer provide a hearing and defers hearings as provided by statute.

Hearings will be conducted telephonically or pursuant to procedures upon transfer of the authority to conduct the hearing to a law enforcement agency in the jurisdiction in which the owner, spouse of the owner, owner's agent or any other person identified as having an interest in the vehicle resides.

Hearings will be conducted by a designed officer of UAPD having the rank of sergeant or higher.

### **Impound Hearings**

Any hearing conducted based upon a request will be conducted by telephone at a pre-determined date and time upon confirmation of the request with the person making the request. Hearings will be conducted twice weekly as needed to meet the requirement of the statute that requires a hearing to be scheduled and conducted within five (5) days of the request. Special arrangements may be made at the request of the person requesting a hearing with the designated hearing officer.

Persons making a hearing request by telephone will be provided a specific number to call which will record their request and provide general information regarding hearing times and days. The designated hearing officer will check daily the Hearing Information line obtaining any requests and associated information.

The hearing officer upon receiving a request by telephone or by mail will immediately complete a Record of Administrative Hearing form related to the particular impound making note of the date and time the request was received and notice to the owner of hearing date or denial.

When the impound hearing is conducted the hearing officer will utilize the Record of Administrative Hearing form previously completed in connection with the particular impound to document the details of the hearing and final disposition of the hearing. Any other form required to be completed as needed regarding the hearing shall also be done. The owner will be provided the yellow copy of the hearing form

If after the hearing the vehicle is determined to be released and all other eligibilities are met, the hearing officer may facilitate the vehicle's release as outlined by this policy.

### **Notice of Impound**

In addition to the impounding officer providing the driver a Notice of Impound at the time a vehicle is impounded, UAPD Records Section will facilitate additional notices to be given as mandated by statute. The guidelines for these notifications will be as follows:

- Within two (2) working days after impoundment, UAPD Records shall send a notice of storage by first class mail to each person other than the owner identified on the department's record as having an interest in the vehicle. Service of the Notice of Impoundment is complete upon mailing. A copy of such notices shall be included in the case file.
- Within two (2) working days after impoundment, UAPD Records shall mail a Notice of Impoundment to the owner of the vehicle and include the following information:
  - A statement that the vehicle was impounded.
  - The name, address and telephone number of the impounding agency providing notice.
  - The information that UAPD will provide a post-storage hearing upon request and the procedure for making the request.
  - The location where their vehicle is stored and a description of the vehicle stored including if available the manufacturer, model, license plate number and mileage of the vehicle.
  - A statement that in order to receive a post-storage hearing the owner, spouse of the owner, owner's agent or the person identified in the department's record as having an interest in the vehicle shall within ten (10) days after the date on the notice request a post-storage hearing by contacting UAPD in person, by telephone or by mail.

## 12.1 Missing Persons



Brian A. Seastone  
Chief of Police

Supersedes: 09 October 2017	Revision: 05 March 2018	Effective: 16 March 2018
Policy Affects: All Personnel		Combines Policy 12.1 & 12.5

### Policy (CALEA 41.2.6a/d)

Reports of a missing person, missing juvenile, runaway, abandoned, abducted or otherwise unidentified child in UAPD jurisdiction shall be documented and investigated in a timely manner.

### Missing Adults/Juveniles (CALEA 41.2.6e)

When UAPD receives a report of a missing adult or abandoned, abducted, runaway, missing, or otherwise unidentified child the following responsibilities will be assigned as follows:

#### Dispatcher:

- Dispatch an officer to the complainant's location, if within UAPD boundaries, or if not, dispatch an officer to contact the complainant by telephone for the report.
- Obtain all pertinent information about the missing person including physical description, clothing, last known location, associated vehicles and all other pertinent information that would assist in identifying and locating the person. (CALEA 41.2.5a)
- In such cases, the missing person shall immediately be entered into NCIC and ACIC, along with a county wide "Attempt to Locate" to law enforcement agencies. (CALEA 41.2.5b)

#### Officer:

- Document that information in a basic police report.
- Contact the Dispatcher as soon as possible following the contact with the complainant and request that an "Attempt to Locate - welfare check" be initiated through the local computer network and Tucson Police Department or other appropriate jurisdictions based upon where the report is initiated. (CALEA 41.2.5b)
- Contact all witnesses or investigative leads
- If no foul play is suspected, complete the police report in a timely manner with an "open" case status and notify the on duty supervisor.
- If foul play is suspected, inform the on-duty supervisor who shall respond to the officer's location for coordination of the investigation.

Supervisor:

- Shall respond and coordinate the investigation as necessary and make all required notifications to superiors and other agencies as appropriate.
- Request Detectives for investigative purposes if foul play is suspected.
- Will contact Public Information Officer as soon as practical following the report.

### **Activation of Alert Systems** *(CALEA 41.2.5d, 41.2.6d)*

Alert systems such as the AMBER, Blue and Silver systems may be utilized to maximize public participation to recover missing and abducted children. In Arizona these systems are managed by the Department of Public Safety.

#### **AMBER Alert Activation Criteria**

The Arizona AMBER Alert Plan requires law enforcement to meet the following criteria when evaluating a child abduction. Law Enforcement Agencies must have all the items listed below before activation can occur. The guidelines are as follows:

- An abduction of a child (under 18) has occurred.
- The abduction process poses a credible threat of immediate danger of serious bodily injury of death to the child.
- A law enforcement agency has determined that the child is not a runaway and has not been abducted as a result of a child custody dispute, unless the dispute poses a credible and or specific threat of serious bodily harm or death to the child.

#### **Blue Alert Activation Criteria**

To issue a Blue Alert, a police agency's situation must meet these criteria:

- An officer must have suffered a serious or life-threatening injury or have been killed.
- The suspect is at large.
- Police believe the suspect poses an imminent threat to the public or to law enforcement.
- The agency must have a detailed description of the suspect and/or vehicle involve

#### **Silver Alert Activation Criteria**

A Silver Alert can be activated for a missing person 65 or older when:

- Police have taken a missing-persons report and exhausted all other resources.
- The person is in imminent danger due to health or other issues.



## **Endangered, Suicidal, At-Risk Individuals** (CALEA 41.2.5g)

When investigating a missing person, should information be developed to indicate the individual is suicidal, medically at risk, or at risk of being endangered, the following actions will be taken:

- Supervisor is immediately notified (CALEA 41.2.6b)
- When adequate information is gathered, an “attempt to locate” will be sent to local law enforcement agencies, as well as across the state of Arizona
- The PIO will be contacted to work with media to alert the general public
- If a suspected crime has taken place, Detectives will be contacted as described in this policy.
- Searches will be organized
- Entry will be made into NCIC/ACIC in accordance with ACJIS regulations.

## **Other Than Missing Juveniles**

Juveniles or children may be overdue, lost, or separated from their parents, guardians or friends and not yet considered missing, runaway, abducted, or abandoned. This often occurs at sporting events or other major events on campus.

When UAPD receives reports regarding these incidents; the dispatcher, officer and supervisor responsibilities remain the same without the NCIC/ACIC entry until such time as further investigation determines a need to elevate to NCIC/ACIC entries.

## **Suzanne’s Law**

This federal law requires law enforcement agencies to enter into NCIC anytime a person under the 21 is reported missing. UAPD Dispatch will be responsible for making this entry when applicable.

## **Abandoned Infants**

Arizona law allows newly born infants to be legally abandoned at any safe haven provider without consequence to the abandoning parent within 72 hours of the infant’s birth. A safe haven provider means:

- Any firefighter on duty.
- An emergency medical technician on duty.
- A staff member at a health care institution that is classified as a hospital or outpatient treatment center.
- A staff member at any private licensed welfare agency, adoption agency or church that posts a public notice that they are willing to accept a newborn infant.

The safe haven provider is required to report receipt of a newborn infant to Child Protective Services as soon as practicable after taking custody. (CALEA 41.2.6e)

### **Searches** (CALEA 41.2.5f)

Based on the circumstances surrounding the missing person, supervisors may:

- Establish a command post.
- Assign personnel to a systematic search pattern.
- Determine the method of the search.
- Notify the FOD Assistant Chief and PIO.
- Request additional personnel through the FOD Assistant Chief. Notification of personnel will be made through Dispatch.
- Keep the PIO advised of search activities.

The PIO will serve as the media liaison and will coordinate with the University Communications Office and after conferring with the Incident Commander, may issue a Media Alert concerning the missing person.

The Command Post:

- Will be responsible for insuring that the names and badge numbers of all officers are recorded and available during the search for all personnel assisting in the search.
- May use the PCWIN interoperation talk-groups to coordinate multi-agency search efforts in Pima County.

MGIO officers will assist the Graham County Search and Rescue Team as needed after approval by the FOD Assistant Chief or Lieutenant.

### **Coordination of Searches**

If other agencies are requested to assist with the search, representatives from those departments will report to a designated area for briefing and instruction.

### **Entry into NCIC/ACIC & CAD/RMS** (CALEA 41.2.5b/c)

NCIC/ACIC policies dictate that an adult may not be entered into the national computer system for 24 hours, unless there are extenuating circumstances, such as Suzanne's Law, or a suspicion of foul play, however this does not preclude a police report from being filed and an attempt to locate issued. In cases where foul play or suspicious circumstance exists, missing persons shall be immediately entered into the criminal justice information network in accordance with established policies and procedures for inclusion by the Dispatch.

NCIC/ACIC policies provide for the immediate entry of a missing, runaway, abducted, abandoned or lost juvenile into the missing person file after sufficient

documentation is obtained from the reporting party. After such documentation is obtained, dispatch personnel shall enter the information according to current ACJIS guidelines.

### **Removal from NCIC/ACIC & CAD/RMS** *(CALEA 41.2.5c)*

When UAPD is informed of a located missing adult or missing, runaway, abducted, abandoned or lost juvenile, the missing person shall be immediately removed from the criminal justice computer network in accordance with established policy and procedures by the Dispatch. An officer will be responsible for completing the necessary paperwork.

### **Investigation** *(CALEA 41.2.6f)*

Cases of suspected foul play in any missing person, runaway, abducted, abandoned or lost juvenile report shall be immediately investigated utilizing appropriate criminal investigation techniques. Investigators may be called in to assist or assume the investigation. Witnesses or investigative leads shall be contacted as part of the initial and follow-up investigation.

### **Follow-up Investigations** *(CALEA 41.2.5e/f, 41.2.6f)*

An officer assigned to a case for follow-up will:

- Re-contact the principals in the case within three (3) working days, to see if any other information about the juvenile can be obtained.
- Seek clarification of any information contained in the basic case report.
- Check on the individual's wellbeing.
- Document all follow up activity in a supplemental police report.

### **Documentation - Missing/Runaway Juveniles**

When missing runaway, abandoned, abducted or otherwise missing juvenile or child report is taken or the person is located, the following information will be obtained for any basic case reports and subsequent addendums shall be completed indicating the details including but not limited to:

- Date & Time
- The individual's physical and mental condition
- Location where the individual was last seen
- Time when the individual was last seen
- Locations where the individual might go
- Anyone that would be accompanying the individual
- Anyone that the individual might contact
- Complete physical description
- Complete clothing description

- Any medical or mental illness
- Other pertinent information

### **Documentation – Located Missing Persons**

When the missing person is located and no foul play is determined an addendum shall be completed indicating the details including but not limited to:

- Date & Time
- The individual's physical and mental condition
- Location found

### **Missing Student Notification**

In compliance with the Missing Student Notification Policy and Procedures (Section 488(i) of the Higher Education Opportunity Act of 2008), the University of Arizona has developed the following policy to guide the efforts of University staff members when they suspect and/or have determined a resident student is missing. The UA Dean of Students Missing Student Notification Policy for Resident students is available online at:

[http://deanofstudents.arizona.edu/sites/deanofstudents.arizona.edu/files/missing\\_student\\_notification\\_policy.pdf](http://deanofstudents.arizona.edu/sites/deanofstudents.arizona.edu/files/missing_student_notification_policy.pdf)

At the University of Arizona, any student who lives on-campus and is believed to be missing must immediately be reported to UAPD. When a resident student is believed to be missing the following steps will be taken:

- Attempt to contact the resident student who is believed to be missing.
- Contact a Residence Life staff member (RA, Community Director, and Area Assistant Director).
- File a Health and Safety notification to the Dean of Students Office, (520) 621-7057.

## 12.2 Emergency Messages



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Policy Affects: All Personnel	CALEA Standard: 55.2.6, 81.2.11	

Brian A. Seastone  
Chief of Police

### Policy

UAPD provides support in locating persons on University owned/controlled property in the event of an emergency. UAPD will attempt to locate the recipient of the message in a timely manner. There are several departments on the campus that can help facilitate this notification process. Emergency messages may not be delivered unless a location of the recipient can be provided by the person making the request. If the person cannot be located, the requesting party will be re-contacted by the assigned employee and advised the message could not be delivered.

Any time UAPD directs an emergency message or dispatches an emergency message, an event number shall be obtained and cleared with the minimum of a Miscellaneous Incident report. (CALEA 55.2.6, 81.2.11)

### Definitions

Emergency messages are defined as:

- Death messages
- Serious medical emergencies
- Disasters
- Health and Welfare
- Personal safety (security)
- Messages determined by the on-duty supervisor or Incident Commander to be of a serious nature

### Libraries

If an emergency message is received by Dispatch for someone at one of the libraries, they may telephone the library loan desk to request assistance for the assigned UAPD employee in locating the person to deliver the message.

### Sporting Events

Emergency messages for people attending sporting events will be delivered to the IC, who will coordinate the notification with the athletic department representative. If the event is not staffed by an IC, or no officers are assigned to work the event,

an Officer, Police Aide or CSO will be dispatched to the event and will contact an Athletics department representative to coordinate the notification.

### **Special Events**

At special events an Officer, Police Aide or CSO will be dispatched to the event. The officer will contact a representative of the event, who may assist in locating the person.

### **Messages During Class Hours**

Emergency messages for students will be directed to the Dean of Students Office during normal school hours. Only in extreme situations will a UAPD employee enter a classroom to make a notification. If this is necessary, the UAPD employee should contact the class instructor and ask for their help identify the individual, and ask the student to step out of class so that the message can be delivered.

### **Notification After Hours/Off-Campus**

Emergency messages for students residing off-campus will be referred to the law enforcement agency of jurisdiction if unable to be delivered by UAPD. Messages for students residing in residence halls will be delivered to the student directly with the assistance of Residence Life staff.

### **Fraternities and Sororities**

Emergency messages will be delivered by an Officer, Police Aide, or CSO.

### **Faculty and Staff**

Emergency messages for faculty and staff will be delivered by an Officer, Police Aide or CSO. The employee should attempt to coordinate the delivery of the message with the Dean, Director, or Department Head.

### **Other Agency Requests**

If UAPD is contacted by another law enforcement agency requesting delivery of an emergency message, the on-duty supervisor or Incident Commander will be made aware of the request. A Police Officer, Police Aide or CSO will be assigned to make the emergency notification.

## 12.3 Notifications-Death & Serious Injury



Supersedes: 03 August 2015	Revision: 17 October 2016	Effective: 01 November 2016
Policy Affects: All Personnel	CALEA Standard: 55.2.6, 81.2.11	

Brian A. Seastone  
Chief of Police

### Policy

UAPD may investigate an incident where death, serious injury or serious illness involves students, faculty and staff or non-University affiliated persons. UAPD will make timely notifications to next of kin in person whenever possible if the next of kin reside within Pima or Graham Counties. Officers may request the assistance of Victim Services to assist with the notification. A representative from the Office of Student Affairs (if a student involved) or from Human Resources (if an employee is involved) may accompany the officer, if authorized by the supervisor in charge of the investigation. Notification to university leadership will also occur. (CALEA 55.2.6, 81.2.11)

### Student Death

Upon determination that the victim is a student, a supervisor will immediately notify the on-call Lieutenant via telephone. A member of Command Staff will notify the Dean of Students Office (DOS) to request:

- Student's registration information
- Student's parents' name, address and telephone number
- Student's date of birth
- Student's social security number
- Any other pertinent information

The DOS will be responsible for administrative paperwork necessary to close the student's file and for notification of Student Affairs personnel.

### Other Notifications

In conjunction with the Dean of Students office and UAPD:

- An emergency response team consisting of crisis intervention personnel will be notified to assist with the notification of student peers, roommates, and parents, if the parents reside in the Tucson community.
- UA Communications will be notified by the PIO to assist with media inquiries.

- Command Staff will notify Vice President of Risk Management if the death occurred on campus.
- The Chief of Police or his designee will notify the Senior Vice President of Business Affairs/CFO and other University administrators as appropriate.
- The Pima County Victim Services Program may be contacted to assist with the notification of the relatives of the victim.

### **Next of Kin Notification-Death**

When making a death notification, the officer will provide the relatives with:

- Nature of the death, if known
- Approximate time of the death
- Location of the death
- Synopsis of the death
- Location of the victim's remains
- Investigating officer's name and telephone

The officer should ask if there is a close family member, a member of the clergy, or friend that may be contacted to assist the family. The officer or Victim Services representative will attempt to contact the support people and request their assistance with the family. The officer should be comfortable with the next-of-kin's emotional and physical state prior to leaving. Depending on the emotional and physical state of the relatives, officers may be able to ask questions to aid the Department in the death investigation.

### **Release of Information**

The names of death victims or seriously injured students, faculty, or staff shall not be released until the next of kin have been notified. Any media releases will be prepared in accordance with UAPD policy.

### **Serious Injury- Students**

In the event that UAPD investigates an incident where a student is seriously injured, a supervisor will contact the on-call Lieutenant or Assistant Chief, who shall then be responsible for notification of the Dean of Students to obtain pertinent information on the student and for notification of relatives.

### **Next of Kin Notification-Serious Injury**

The investigating officer or detective will attempt to contact the next of kin of a seriously injured student, faculty or staff either in person, if residing within the city limits of Tucson, by telephone, or through the local law enforcement agency.



## **Residence Hall Notification**

If the victim is a resident of a Residence Hall the officer will contact the Community Director or a representative from the Office of Residence Life and advise them of the injury.

## **Other Agency Assistance**

If another law enforcement agency is asked to notify next of kin on serious injuries or deaths of students, faculty, or staff, a detective will request the agency of jurisdiction be notified and request an emergency message delivery to the student's next-of-kin or emergency contact. The following information will be provided to the assisting agency:

- Victim's name
- Parent's name or emergency contact
- Residence address
- Synopsis of accident
- Hospital and condition if known
- Investigator's name and phone number for re-contact

## **Sick or Ill Students**

UAPD will assist the hospital staff in obtaining information for the notification of students who are ill and being treated at the hospital. The hospital will make the notification to the next of kin.

## **Faculty /Staff Death**

Upon determination that the victim is a member of the Faculty or Staff, the death occurred on campus and UAPD is the agency of jurisdiction, a supervisor will immediately notify the on-call Lieutenant/Assistant Chief, who will be responsible for the notification of the Chief of Police and the PIO.

## **Other Notifications**

Command Staff will ensure the notification of the:

- Vice President for Human Resources/designee (for faculty and staff) to determine the next of kin, for notification of relatives
- UA Communications shall be notified to assist the PIO with media inquiries
- Assistant Vice President of Risk Management
- Senior Vice President for Business Affairs/CFO and other University administrators as necessary

- The Department Head, to determine if there is a co-worker or a close friend that may be contacted to assist with the notification process. The Department Head may, with the investigating supervisor's approval, assist with the notification.

### **Serious Injury- Faculty or Staff**

In the event that a Faculty or Staff member is seriously injured, and UAPD is the agency of jurisdiction, a supervisor will contact on-call Lieutenant. Command Staff will attempt to contact the Faculty/Staff member's Dean, Director or Department Head and ascertain information necessary for contacting family members. The Dean, Director or Department Head will be responsible for notification of their superiors. Information shall be obtained from the administrator to assist the hospital in notification of relatives. It will be the hospital's responsibility to contact the next of kin. The Vice President of Human Resources may also be contacted in an attempt to obtain next-of-kin information.

### **Non University Affiliation Death**

When UAPD receives information of a deceased person who is not associated with the University, the on-call Lieutenant shall be notified. The on-call Lieutenant is responsible for the notification of the Chief of Police and the PIO. The PIO shall be responsible for the notification of UA Communications.

### **Serious Injury- Non University Affiliated**

In the event UAPD investigates an accident where there are serious injuries, the officers will attempt to make personal contact with the next of kin and advise them of the accident. Victim Services may be used to assist in the notification process. The hospital may be used to make the notification as well.

### **Sick or Ill- Non University Affiliated**

For individuals being treated in the hospital, it will be the hospital's responsibility to make notification to the relatives. UAPD may assist as needed.

### **Freedom of Information**

Information that is not considered "directory information" may only be obtained from the Dean of Students - for a student - in the event of a death, or the potential of a death. The Dean of Student's may be contacted, and informed of the incident. Ultimately the release of non-directory information is at the discretion of the Dean of Students Office.

Information concerning employees of the University is also restricted. The Vice President of Human Resources may be contacted and informed of the incident. The release of non-directory information is at the discretion of the Vice President of Human Resources.

### **Death or Injury in Another Jurisdiction**

If UAPD is notified of a death or injury to a member of the university community, and a request is made by that agency for assistance in locating next of kin or emergency contacts the following procedure will be followed:

- The officer will check the Faculty, Staff, and Student Directory for the victim's name and address. This information may be given without restriction.
- The officer who receives the information shall document the incident on a case report, with the facts of the death or injury. The call will be cleared as an "Agency Assist."
- The on-call Lieutenant will be contacted and advised by Dispatch or the shift supervisor.
- If there is no listing in the directory, or more information is needed and the victim is a student, a supervisor will contact the on-call Lieutenant.
- If the student resides in a Residence Hall the Community Director shall be notified of the death or injury by UAPD.
- If more information is needed and the victim is a member of the faculty/staff, a supervisor will contact the Vice President of Human Resources and advise him/her of the incident. The supervisor will give the Vice President of Human Resources the officer's name and telephone number for re-contact.

### **Death or Potential Death in Another Agency's Jurisdiction**

In situations where UAPD discovers a death in another agency's jurisdiction, UAPD officer can declare the death.

The officer will immediately secure the scene, and request that agency to respond. Paramedics will not respond to a scene where a death is obvious and has been confirmed.

If UAPD officers encounter a situation in another agency's jurisdiction, and there is a belief that the victim is alive, or has any signs of life, life-saving measures will be performed and paramedics will be requested immediately.

In incidents investigated by another agency, UAPD will not normally be the agency responsible for death or injury notification of next of kin or emergency contacts. These types of notifications shall have supervisory approval before being made. Officers shall document any requests for notifications including the time, date, location, and to whom the notification was made.

## 12.4 Medical Examiner



Supersedes: 22 February 2002	Revision: 01 July 2015	Effective: 3 August 2015	Brian A. Seastone Chief of Police
Policy Affects: Certified Officers	CALEA Standard:		

### Policy

As a law enforcement agency, UAPD responds to all incidents of human death occurring within the primary jurisdiction of UAPD. The scope of that response and the investigation will depend on the circumstances surrounding each incident. While the Department's primary duty is to investigate if criminal activity was related to the circumstances surrounding the death, the Office of the Medical Examiner/Coroner shall be notified as required by applicable Arizona law.

### Notification

Per Arizona Revised Statute 11-593, UAPD shall notify the OME of any death:

1. When not under the current care of a health care provider as defined pursuant to section 36-301.
2. Resulting from violence.
3. Occurring suddenly when in apparent good health.
4. Occurring in a prison.
5. Of a prisoner.
6. Occurring in a suspicious, unusual or unnatural manner.
7. From disease or an accident believed to be related to the deceased's occupation or employment.
8. Believed to present a public health hazard.
9. Occurring during, in association with or as a result of anesthetic or surgical procedures.
10. Involving unidentifiable bodies.

### Notification of Office of the Medical Examiner

The officer in charge of a death investigation will be responsible for the notification of the Medical Examiner, and except in cases occurring during surgical or anesthetic procedures from natural diseases, "Shall promptly make or cause to be made an investigation of the facts and circumstances surrounding the death and report the results to the Medical Examiner." Notification shall be documented in the police report as well as recorded via radio history by Dispatch.

## 12.6 Clery Timely Warning Protocol



Brian A. Seastone  
Chief of Police

Supersedes: 27 January 2017	Revision: 22 October 2018	Effective: 06 February 2019
Policy Affects: All Personnel	CALEA Standard	

### Policy

A “*Clery Timely Warning*” (CTW) will be issued for the criminal offenses set forth below that occur on the UA Main campus, UA Phoenix campus, and/or the UA South (Sierra Vista) campus. The purpose of a CTW is to alert the relevant UA community of certain crimes in a manner that is timely and will aid in the prevention of similar crimes.

Clery Timely Warnings will be issued when a criminal act occurs on:

1. On-campus property including student residential facilities\*
2. Public property\*
3. Non-campus Clery geography, including remote classroom space and off-campus student organization property (fraternities/sororities)\*

\* As defined by the Clery Act

### Responsibility for Issuing a Clery Timely Warning

Although the University of Arizona Police Department (UAPD) is primarily responsible for issuing CTWs, any of the following individuals may disseminate a CTW on behalf of the UAPD and UA:

- Chief, UAPD
- Deputy Chief, UAPD
- Assistant Chief, UAPD
- Lieutenant, UAPD
- Vice President, UA Communications
- Associate Vice President, UA Communications

### Content of Clery Timely Warnings

A CTW should include as much information as is known about a reportable crime, so as to promote safety and aid in the prevention of similar crimes. Such information should include:

- Time of the incident
- Location of the incident
- Type of crime

## Evaluation of Incident(s) Prior to Issuing

The decision to issue a CTW will be made on a case-by-case basis and include factors such as the nature of the crime, whether there exists a continuing danger to the campus community, and the possible risk of compromising law enforcement efforts. Prior to issuing a warning, no less than three of the individuals, and including the Sr. Vice President for Legal Affairs/designee, listed below (always including one who is not sworn peace officer) shall confer to collectively determine whether it is appropriate to issue a CTW:

1. Chief, UAPD
2. Deputy Chief, UAPD
3. Assistant Chief, UAPD
4. Lieutenant, UAPD
5. Senior Vice President, Business Affairs
6. Senior Vice President for Legal Affairs
7. Vice President, UA Communications
8. Associate Vice President, UA Communications
9. Vice Provost and Dean of Students

In cases where there has been a breach of computerized data involving the acquisition of and access to personal information as defined in A.R.S. Section 18-545, the Chief Information Security Officer/designee will be consulted and part of the decision process.

## Dissemination Process

A CTW should be disseminated as soon as pertinent information about a reportable crime is confirmed, even if not all facts surrounding that crime are known. Follow-up information will be issued as it becomes available.  
*A CTW will not be distributed in situations when a UAlert has been issued.*

The primary method for dissemination of a CTW will be the UA campus-wide email system, from a UA email address specifically designated for this purpose. The email address will be [ua\\_clery\\_notices@list.arizona.edu](mailto:ua_clery_notices@list.arizona.edu). CTW emails will be sent to all: 1) currently enrolled students, and 2) faculty and staff who have been issued an arizona.edu account.

Other methods may be used to supplement email dissemination in order to promote communitywide knowledge. Such methods may include, but are not limited to:

- UAPD website: [www.uapd.arizona.edu](http://www.uapd.arizona.edu)
- UA and UAPD social media sites: Facebook and Twitter
- Flyers, posters, or notices
- Other methods and/or combinations of methods

## Cases Exempt from Notification

Crimes reported to a pastor or professional counselor, or privileged information protected by state law, including doctor/patient and attorney/client information, are exempt from the Clery Timely Warning notification process.

## Clery Reportable Crimes

### 1. Criminal Homicide

- a. Murder and Non-Negligent Manslaughter - The willful (non-negligent) killing of one human being by another. NOTE: Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded.
- b. Negligent manslaughter - The killing of another person through gross negligence.

### 2. Sex Offenses: Any sexual act directed against another person, without the consent of the victim, including instances in which the victim is incapable of giving consent.

- a. *Sexual assault (rape)* - The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- b. *Fondling* - The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances in which the victim is incapable of giving consent because of his/her age and/or his/her temporary or permanent mental or physical incapacity.
- c. *Incest* – Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- d. *Statutory rape* – Non-forcible sexual intercourse with a person who is under the statutory age of consent.

### 3. Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used, which could or probably would result in a serious potential injury if the crime were successfully completed. Aggravated assault includes poisoning (date rape drug, etc.).

### 4. Robbery: The taking or attempted taking of anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

### 5. Burglary: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes, this definition includes unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a

larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

6. **Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. This includes all cases wherein automobiles are taken by persons not having lawful access, even though the vehicles are later abandoned (including joy riding).
7. **Arson:** The willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another kind.

### Clery Act Hate/Bias Crimes

A hate crime is defined as any crime that manifests evidence that a victim was selected because of his/her actual or perceived race; gender; gender identity; religion; sexual orientation; ethnicity; national origin; or disability. A hate crime is not a separate, distinct crime, but is the commission of a criminal offense that was motivated by the offender's bias. If the facts of the case indicate that the offender was motivated to commit the offense because of his/her bias against the victim's perceived race; gender; gender identity; religion; sexual orientation; ethnicity; national origin; or disability, the crime is classified as a hate crime. For more information on the definition and classification of hate/bias crimes, see: <http://www.fbi.gov/about-us/cjis/ucr/data-collection-manual>

**Hate Crimes:** A hate crime can be related to one of the seven offenses listed above or to one of the following other offenses:

- **Larceny-Theft:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. (Note: Constructive possession is defined by *Black's Law Dictionary*, 6th ed. as "where one does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.")
- **Simple Assault:** An unlawful physical attack by one person upon another in which neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
- **Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- **Destruction/Damage/Vandalism of Property (Except "Arson"):** To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking,



painting, drawing, covering with filth, or any other such means as may be specified by local law.

**Bias:** Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, gender identity, religion, disability, sexual orientation, ethnicity, or national origin. Although there are many possible categories of bias, under Clery, only the following eight categories are reported:

- **Race:** A preformed negative attitude toward a group of persons who possess common physical characteristics (e.g., color of skin, eyes, and/or hair; facial features) genetically transmitted by descent and heredity, which distinguish them as a distinct division of humankind (e.g., Asians, blacks, whites).
- **Gender:** A preformed negative opinion or attitude toward a group of persons because those persons are male or female.
- **Gender Identity:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity (e.g., bias against transgender or gender non-conforming individuals).
- **Religion:** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g., Catholics, Jews, Protestants, atheists).
- **Sexual Orientation:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived sexual orientation.
- **Ethnicity:** A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion), and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term “race” in that “race” refers to grouping based mostly on biological criteria, whereas “ethnicity” also encompasses additional cultural factors.
- **National Origin:** A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs, and/or traditions.
- **Disability:** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, and congenital or acquired by heredity, accident, injury, advanced age or illness.

The University of Arizona Police Department is required to report statistics for hate/bias crimes by the type of bias for the prior listed offenses (see definitions above) as well as the crimes of larceny, simple assault, intimidation and vandalism (see definitions below). The below listed crimes are not Clery reportable crimes unless the crime was motivated by bias.

## 12.7 UAlert Notification



Brian A. Seastone  
Chief of Police

Supersedes: 14 May 2018	Revision: 9 December 2019	Effective: 13 December 2019
Policy Affects: All Personnel		

### Purpose and Summary

The purpose of this policy is to provide guidelines for the use of the UAlert notification system.

When UAPD, or other University personnel designated below, become aware of a confirmed immediate threat to members of a University campus due to an emergency, a UAlert Notification may be issued. UAlert Notifications may also be issued to convey other important and timely precautionary information.

### Definitions

- **UAlert Notifications (UAlert):** means a communication issued to the University campus community via the text messaging system after confirmation of a significant emergency or dangerous situation occurring on a University campus that creates an immediate threat to the health or safety of students and/or employees. UAlerts will address safety in emergency situations while UAPD's communication of Clery Timely Warnings will address danger to members of the campus community resulting from the commission of one or more crimes specifically identified under the federal Clery Act (See 12.6 - Clery Timely Warning Policy). UAlerts may also be occasionally issued as a precaution even though a threat to safety is not imminent.
- **Confirmation or confirmed:** means that an authorized official(s) has verified significant evidence of an emergency or dangerous situation that could jeopardize the health or safety of students and/or employees. Because the University believes the safety of members of the campus community is one of its highest priorities, and a significant number of facts relating to an emergency may not be known or quickly attainable, "confirmation" or "confirmed" does not mean near certainty that an emergency exists.
- **Immediate Threat:** means "an imminent or impending threat" to the health or safety of students and/or employees.
- **UAPD Command Staff:** means a Lieutenant, Assistant Chief, Deputy Chief, or the Chief of Police.

## **UAlert Procedures** *(CALEA 91.1.5d)*

### **Determining Whether a UAlert Should Be Issued**

A member of the UAPD Command Staff will issue or cause a UAlert to be issued when they have confirmed, based on reliable information, the existence of an immediate threat to students, employees, and/or affiliates. Factors considered when deciding if a UAlert is warranted include:

- whether a significant continuing danger to members of the campus community exists;
- whether meaningful information and direction can be provided to the campus community which will help preserve the health and safety of the campus community;
- whether a risk of compromising safety, rescue, or law enforcement efforts exists if a UAlert is issued; and
- any unique additional factors due to the circumstances of the specific emergency. When a UAlert is warranted, notification will be made as soon as possible to appropriate members of the campus community.

The following types of emergencies on or near campus are examples of situations that will usually be appropriate for a UAlert: *(CALEA 91.1.5b)*

- In-progress serious or violent crime;
- Active shooter on campus;
- Hostage/barricade situation;
- Riot/civil unrest;
- Suspicious package with evidence of an explosive or harmful device;
- Fire/explosion, with serious impact to life/safety;
- Homicide or suspicious death;
- Significant damage to a structure;
- Biological threat;
- Significant flooding or extraordinary weather;
- Gas leak;
- Hazardous material spill (e.g., chemical, biological, radiological, nuclear);
- Illness outbreak; or
- Other events presenting an immediate threat to health or safety.

### **Authority to Issue a UAlert** *(CALEA 91.1.5a)*

A UAPD Command Staff member, or if a UAPD Command Staff member is unavailable, one of the authorized individuals identified below, will be responsible for issuing a UAlert for emergencies on the University's Tucson campus.

- UAPD Dispatch Supervisor;
- Vice President, UArizona Communications;
- Associate Vice President, UArizona Communications; or

- Identified personnel from University Information Technology Services (UITS).

For emergencies at the University's Phoenix or South campuses, in addition to UAPD Command Staff, the following personnel are authorized to issue a UAlert:

#### ***UA South***

- Dean;
- Vice President, UArizona Communications;
- Associate Vice President, UArizona Communications; or
- Senior Vice President for Student Affairs.

#### ***UA Phoenix***

- Executive Director, Campus Management and Operations;
- Director, Outreach Communications;
- Associate Director, Human Resources;
- Vice President, UArizona Communications; or
- Associate Vice President, UArizona Communications.

#### **Mechanism for Issuing a UAlert** *(CALEA 91.1.5c)*

The University has contracted with E2Campus to provide the text messaging service for UAlert. The office of University Information Technology Services (UITS) and E2Campus have enabled the UArizona email system to send the UAlert message to all currently enrolled students, employees, and affiliates with an "arizona.edu" email address.

#### **Content of a UAlert**

Because text messages are limited to 160 characters (including spaces), care should be taken to ensure that messages are short and concise. Additional UAlerts will be sent if more than 160 characters are needed for the message. Subsequent messages will begin "UAlert 2 of 2," etc.

The following information will be included in a UAlert, if available:

- Type and brief description of emergency;
- Location;
- Action to take (e.g., stay away from a dangerous area, stay sheltered in place, follow evacuation plan); and
- Suspect description if a crime has been committed.

#### **Precautionary UAlerts** *(CALEA 91.1.5b)*

After at least three (3) members of the Assessment Team listed below agree (one of whom is not an employee of UAPD) that danger to members of the campus

community could occur in the future without conveying important precautionary information, a Precautionary UAlert may be issued.

The Assessment Team includes:

- Chief of Police;
- Deputy Chief of Police;
- Assistant Chiefs;
- Lieutenants;
- Senior Vice President for Business Affairs;
- Vice Provost Campus Life and Dean of Students
- Vice President, UArizona Communications; and/or
- Associate Vice President, UArizona Communications.

Examples of precautionary UAlerts include:

- Sexual or other violent assaults in other jurisdictions;
- Civil disturbance/riots in other jurisdictions;
- Robberies in other jurisdictions;
- Shootings in other jurisdictions;
- Power outages affecting the surrounding area; and
- Road closures or catastrophic accidents nearby.

### **Follow-Up Messages**

UAlerts will also provide updates about an emergency and may give additional instructions. Subsequent messages will be identified in the reference line with the word “Update” and number of the update.

### **Closure Message**

When the emergency has been resolved based on the judgment of the issuer of the UAlert, an “All Clear” message will be sent. This will signify that members of the campus community may resume their routine activities.

### **Testing of the System** *(CALEA 91.1.5e)*

The UAlert system may be tested each semester on a small population to affirm its functionality.

# 16.1 Community Engagement



Brian A. Seastone  
Chief of Police

Supersedes: 01 November 2018	Revision: 10 March 2021	Effective: 15 March 2021
Policy Affects: All Personnel		

## Policy

Within UAPD, crime prevention and community relations are every member's responsibility, regardless of assignment. UAPD is committed to the development of crime prevention, community relations programs and community wide engagement. All members of UAPD are expected to establish and maintain contact with the University community and to promote cooperation, service and safety. Through a community-oriented approach a feeling of community is established that enhances understanding, cooperation and interaction between law enforcement and the community which it serves.

The Community Engagement Unit (CEU) will report to an Assistant Chief, who will be responsible for the coordination of all departmental crime prevention and community engagement activities.

## Reporting

Employees who become aware of potential problems or issues that have a direct bearing on law enforcement within the community will submit an Employee's Report to their immediate supervisor identifying the issue(s). The report should:

- Identify the issue/concern
- Include recommendations and possible solutions
- Document actions that have already been taken

Supervisors shall forward the Employee's Report via Chain of Command to the appropriate Assistant Chief.

The Community Engagement Unit Sergeant shall submit a quarterly synopsis via Chain of Command to the Chief of Police of all presentations conducted for the preceding quarter. (CALEA 45.2.1e) These reports shall include:

- A description of concerns voiced by the community, this may include perceptions or misperceptions of crime (CALEA 45.2.1a)
- A description of potential problems that have a bearing on law enforcement activities within the community (CALEA 45.2.1b)
- A statement of recommended actions that address the concerns and problems (CALEA 45.2.1c)

- A statement of progress made toward addressing the identified problems and concerns (CALEA 45.2.1d)

### **Development of Policies** (CALEA 45.1.2b)

The Community Engagement Unit is responsible for developing community engagement policies for the department.

### **Community Groups** (CALEA 45.1.2a)

UAPD employees are encouraged to become involved in the various organizations and groups associated with the campus. Due to the need for direct coordination with the various organizations, members may be asked to become involved with a particular group or organization to serve as a liaison between UAPD and the organization. Examples of involvement with community groups are the UAPD Liaison Program with Residence Life, Greek Life, participation with the University's Campus Community Relations Committee and other committees/organizations.

Employees engaged with groups are required to bring concerns or issues brought to their attention as outlined above in "**Reporting**". These concerns will be passed onto the UAPD Command Staff at staff meetings. If necessary, special meetings may be held to deal with the concerns of the community. (CALEA 45.1.2d/e)

### **Publicity** (CALEA 45.1.2c)

The CEU serves as the Public Information Office and will publicize the objectives, problems (concerns), and/or accomplishments of the department as determined by the Chief of Police. The annual report shall contain the department's goals and objectives for the year.

### **Direct Public Contact**

Uniformed employees, Police, Police Aides, and Community Service Officers are encouraged to increase visibility on the campus through active foot patrol of the grounds and buildings of the University of Arizona. Direct personal contact fosters increased public relations, support and understanding.

### **Community Surveys**

At least every two years UAPD will distribute no less than 150 surveys to various administrators, faculty, staff and students to seek public input into the following:

- Overall agency performance (CALEA 45.2.2a)
- Overall competence of department employees (CALEA 45.2.2b)
- Officer's attitudes and behavior toward citizens (CALEA 45.2.2c)
- Concerns over safety and security issues on the campus (CALEA 45.2.2d)



- Recommendations and suggestions for improvements (*CALEA 45.2.2e*)

Results of the survey will be conveyed to the department as a whole by the Chief of Police. If specific concerns are identified through the survey, a review shall be conducted to identify whether a policy, procedure or practice should be modified. (*CALEA 45.2.2f*)

Community input concerning UAPD policies, procedures and action(s) may be obtained through citizen complaints (verbal and written) directly through the department, or through concerns expressed through the media, administrators, or employees of the department. UAPD is committed to soliciting input from the community to foster a good working relationship with the University and Tucson community.

### **Crime Prevention**

Police, Police Aides, and Community Service Officers should utilize reasonable means to eliminate crime opportunities by eliminating the opportunity through increased area checks or reporting the problem(s) for follow-up to the Community Engagement Unit.

### **Crime Prevention Presentations**

Crime prevention presentations may be scheduled through the Community Engagement Unit.

### **Crime Prevention Programs**

Programs on the campus are intended to make the community more aware of their surroundings and the laws and regulations which affect them. UAPD is committed to assisting the community in feasible ways to reduce or eliminate crime opportunities or hazards. To accomplish this task emphasis has been placed in the following areas:

- Sexual assault awareness
- Drug and alcohol awareness
- Security surveys
- On campus living facilities - residence halls and Greek affiliation residences
- Property safety and security awareness
- Personal and workplace safety awareness
- Crime Prevention Through Environmental Design assessments

## **Residence Halls**

Crime prevention programs will be developed with collaboration through Residence Life and will be presented upon an agreed-upon schedule during the Fall and Spring Semesters.

## **Fraternities and Sororities**

Crime prevention programs will be provided throughout the year when requested by the chapters. Topics to be covered are at the request of the chapter or for a specific purpose.

## **Faculty and Staff**

The Community Engagement Unit offers security surveys of offices and buildings. Security surveys are performed at the request of the departments. Educational programs such as personal safety, workplace safety, active threat/shooter, property security, laws, alcohol and drugs or other issues of concern may be provided by the unit.

## **Orientation of Students and Parents**

UAPD will participate in orientation programs for parents and new students. The Community Engagement Unit is the liaison between orientation office and UAPD to facilitate presentations.

## **Program Targeting** *(CALEA 45.1.1a/b)*

Through crime analysis by the Community Engagement Unit and the Investigations Section, programs will be developed targeting high crime areas around the campus based on crime data. Programs can include the use of high visibility patrol, announcements, and posters to alert the community to potential problems. The Arizona Daily Wildcat, UA Communications, and other media can also assist in informing the university community.

Programs will also be developed to address community concerns.

## **Crime Statistics**

The UAPD will publish crime statistics through the annual security report and on the UAPD website. The UAPD daily crime log provides information on crimes. Additional crime statistics can be provided through the Community Engagement Unit.

## **Crime Misperceptions**

All members of the department will address known crime problems on the campus. If they are uncertain as to how to proceed, a supervisor or CEU should be contacted for follow-up. Specific concerns about crime prevention should be addressed to the Community Engagement Unit for clarification.

## **High Crime Areas**

The Community Engagement Unit will be responsible for informing the community of particular areas that have become specifically targeted for criminal activity. This may be accomplished through posting Clery Timely Warning notices, or direct communication with campus members.

## **Evaluation of Crime Prevention Programs and Activities** *(CALEA 45.1.1c)*

Every two years the Community Engagement Unit Sergeant and the OSD Assistant Chief will review the crime prevention program and present the information to the Chief of Police. This review will occur in May and any modifications will be implemented by August for the new school year.

Changes in programming may be implemented at any time.

## **Crime Prevention Liaison** *(CALEA 45.1.2a/e)*

The Community Engagement Unit serves in a variety of liaison capacities within the community serving students, faculty, staff, and outside groups. This relationship is necessary to maintain a dialog and sense of community to support the mission of UAPD.

Members of UAPD may be asked to serve as liaison to a particular group due to the member's interest, departmental need, or at the request of the group. The Chief of Police or designee may establish these liaisons as necessary to fulfill the mission of UAPD

## **Facility Design**

UAPD will work with the Planning and Design, Facilities Management, Parking and Transportation, and Risk Management and other campus units in the formulation of crime prevention and safety concerns for construction projects. transportation and other needs of the university.

## 16.2 Public Information



Brian A. Seastone  
Chief of Police

Supersedes: 01 November 2016	Revision: 23 October 2018	Effective: 01 November 2018
Policy Affects: All Personnel		

### Policy

UAPD is committed to an atmosphere of trust, cooperation and mutual respect for the working needs of the news media and police. The Chief of Police will designate members of the Crime Prevention Unit as Public Information Officers (PIO) to assist in meeting these goals.

### Media Relations

Relationships between the news media and the UAPD will be maintained in a courteous, professional manner. UAPD will take all necessary steps to ensure prompt and impartial disclosure of information in all crimes or incidents of importance or interest to the media except:

- When such disclosure would prejudice the outcome of a current investigation or court proceeding
- When such disclosure is prohibited by law
- When such disclosure would prejudice the safety, rights or privileges of persons identified in investigations
- When such disclosure would be likely to cause public hysteria or panic

### Public Information Officer (PIO)

The PIO will be available to members of the media to assist them in locating reports and to answer questions. The PIO will:

- Be available at the scene of unusual occurrences to act as liaison between officers at the scene and the media upon request ([CALEA 54.1.1a](#))
- Ensure immediate and accurate dissemination of information to minimize confusion and save police and news media personnel time
- Coordinate and assist at all departmental news conferences ([CALEA 54.1.1c](#))
- Coordinate all media activities for the department.

## Notification of PIO

The PIO, or in his/her absence their designate, shall be notified of situations on campus as per *UAPD policy 1.1-Structure, Authority & Responsibility*. If the PIO/designee is not available, a Division Assistant Chief, the Deputy Chief, or Chief of Police should be contacted, in that order.

## Release of Information *(CALEA 54.1.1e)*

Any release of information from UAPD will be subject to the following guidelines:

- Any official news release from UAPD will be coordinated through the PIO and must be authorized by the Chief of Police, Deputy Chief or an Assistant Chief
- Media releases and interviews that impact the University will be completed in consultation with UA Relations/Communications
- Media releases which would include information on activities of other governmental agencies will not be given out without prior coordination with the concerned agency (this applies to cooperative police/public safety activities) *(CALEA 54.1.1f)*
- If a member of the department is contacted by a member of the media seeking assistance in preparing a story or seeking information, the member will determine whether the PIO is aware of the request. If not, members will direct the media representative to the PIO
- If members are confronted with questions or probes of a controversial nature, a matter of department policy, procedure, or investigation, they shall refer the matter to a supervisor or the PIO
- Periodically programs, projects, or general stories will develop internally which would be beneficial to the community. In these instances, employees shall request, through the chain of command to the appropriate Division Assistant Chief, that the PIO be contacted to make the appropriate arrangements for dissemination. The release of this information will be accomplished in an equitable and impartial manner
- Questions from members of the news media relating to matters of Department policy, internal matters, conjectures, or conclusions will be directed to the Chief of Police through the PIO
- Members will not make or participate in making any statement regarding investigation or litigation of a civil action associated with personnel of the department. A quotation from or reference to a public record may be made if there is reasonable likelihood that such dissemination will not interfere with a fair trial

## Withholding Investigative Information

Any case that is withheld from the media due to an ongoing investigation will be released as soon as the case has reached its logical conclusion.

In cases of sexual assault, ongoing investigations, or where the release of victim or witness names could endanger an investigation or person, the names will be withheld until such time as the case comes to closure or release is authorized by the County Attorney. The PIO shall be made aware of all cases or information which should be screened prior to release to the media. The PIO will insure that the information withheld is in accordance with established policy. *(CALEA 54.1.1d/e)*

### **Information Not Subject to Release**

Items of evidentiary nature shall not be disclosed prior to trial and may include but are not limited to:

- Statements or opinions regarding the arrestee's guilt or innocence
- Precise descriptions of items seized or discovered during an investigation
- Statements regarding the character, reputation, credibility, anticipated testimony, or prior criminal background of the accused or potential witnesses
- Admissions, confessions or the contents of a statement attributed to an accused person
- The results of certain tests or the refusal of the accused to take certain tests
- The possibility of a guilty plea to the offense charged or to a lesser offense
- Opinions concerning evidence or argument in a case, whether or not it is anticipated that this evidence or argument will be used at trial

### **Photographs**

Officers shall neither encourage nor prevent the photographing of defendants in public places; however, in no case will "posing" the individual be permitted. The following guidelines with govern photographing of defendants:

- Officers shall not allow prisoners in custody to be interviewed by media representatives nor shall officers of this department be interviewed with a prisoner or defendant present
- Photographs of wanted persons may be issued for the purpose of requesting public assistance in apprehension of the suspect or supporting the enforcement of an exclusionary order. These photographs shall be released only after gaining permission of either the Chief of Police, OSD Assistant Chief or the PIO.
- When Departmental photographs are released, or other agency photographs are released, identifying numbers and other data shall be removed prior to release.
- Photographs of arrested subjects may be released after receiving permission from the Chief of Police, OSD Assistant Chief or the PIO.

## **Release of Information After an Arrest**

Following an arrest the following information may be disclosed:

- The defendant's name and age
- Substance or text of the charge as contained in the complaint
- Circumstances surrounding the arrest, including time and place of the arrest, resistance, pursuit, possession or use of weapons, injuries and a general description of the item seized
- Identity of the complainant when appropriate

Care should be exercised by all members of the department so that information divulged is neither detrimental to the investigation nor prejudicial to a subsequent prosecution. (*CALEA 54.1.1d*)

## **Release of Juvenile Information**

The Arizona Open Records law does not prohibit the release of a juvenile's name in connection with a police investigation. UAPD will, as a practice, not release the names of juveniles, under the age of 12, unless that juvenile is remanded to trail as an adult. (*CALEA 54.1.1d*)

## **Speaking with the Media**

As a citizen, members have the right, if not the duty, to speak out on matters of public concern in which a member has an interest or personal knowledge. As a member of this Department, such members will not express opinions on behalf of the UAPD or the University of Arizona. Members will make it clear, and insist that the media make clear, that the member is speaking as a private citizen and not in a capacity as a UAPD employee or as a representative of the University.

The designated Public Information Officers for UAPD are the Chief of Police, Deputy Chief, Assistant Chiefs and those members(s) designated by the Chief of Police as back up Public Information Officers.

Nothing in this policy should prohibit an employee, with first hand personal knowledge of an incident, from giving a brief synopsis of the incident to a member of the media. In such cases, only information that would be known to the general public, such as:

- Nature of the call
- Location
- Injuries, if known

- Brief synopsis

*Example: The UAPD responded to the Chemistry Building at 2:34 p.m. today, on a report of a number of individuals feeling sick within the building. The building was evacuated. The Tucson Fire Department and the UA Risk Management are on the scene now investigating the cause of the illnesses. There are at least seven individuals who are being treated for headaches and nausea. More information will be provided as we receive updates.*

### **Media Releases** (CALEA 54.1.1b)

Media releases are available for public review. Any member of the department may provide a copy of a UAPD media release to the public. Any additional comments or inquiries about the incident, should be referred to the PIO.

UAPD is a member of the Emergency Alert System sponsored by the Arizona Department of Public Safety. Any need for immediate mass communication to the media may be accomplished by the Chief of Police, Deputy Chief, Assistant Chiefs and the Public Information Officer through the Emergency Alert System

Media releases will be written as necessary to keep the community informed of events significant to UAPD and the University. Media releases will be made available to the shift Sergeants, Dispatch, Command Staff, and UA Relations/Communications. All media releases will include:

- The case number
- Date and time of the incident
- Location of the incident
- Synopsis
- Author of the media release and a telephone contact number

### **Media Access** (CALEA 54.1.1a, 54.1.3)

The media does not have any more right to access a crime scene, area of disaster or other catastrophic event than does the general public. Traditionally, a staging area will be established within the perimeter of these areas to permit members of the media to film and photograph their stories. This area will be determined by the incident commander or designee of the incident, crime scene or area of disaster or other catastrophic event.

If a media zone is established, it should be in a safe location in an area that will not disrupt the emergency personnel on scene or crime scene personnel. For the safety of media personnel, they shall be alerted to any potential hazards at the scene of an incident. As soon as a PIO is on a scene, they will coordinate with the media regarding:

- Access into crime scenes, disasters or other catastrophic event by the media will be controlled by the incident commander through the PIO. This will be accomplished only after officers have completed their portion of the investigation and the area would not be altered by the presence of media



personnel. In the event of disasters or other catastrophic events, access when permitted will not interfere with emergency personnel on scene or compromise the safety of those accessing the area.

- If a long-term investigation is involved, the incident commander may give consideration to arranging a "guided tour" of the scene for media personnel.

The on-scene supervisor or PIO may bar any media representative from the scene of any crime, disaster, accident or other catastrophic event who is disruptive to the police purpose or other emergency operations.

### **Department/ Report Access**

Members of the media will not be permitted in unauthorized areas of the department unless accompanied by the PIO or a UAPD. Bona fide news agency personnel may review basic case daily reports, by making appropriate arrangements with the PIO. Times may be established for this review, and are subject to change as conditions warrant.

### **Media Credentials**

Once personnel of the media have been identified as bona fide representatives of a public news service; i.e., newspapers, magazine, radio, television, or wire service, department members shall cooperate with them to the extent appropriate within the rules set forth in this policy. Department members may recognize the following credentials as proper news media identification:

- Credentials issued by a recognized news gathering agency
- Credentials issued by another law enforcement agency

Department members who question the validity of any press credentials shall refer the holder of those credentials to the PIO.

### **Revoking of Media Credentials**

If an issue arises with a member of the media at the scene of an incident the UAPD employee having the most knowledge of the situation will document the problem in an Officer's Report, via the chain of command to the PIO. The Officer's Report should include what press credentials (if any) were presented and the name of the media representative.

Following review, the PIO, will, if warranted forward a copy of the Officer's Report to the police agency issuing the press credentials and request that the agency review the incident for action concerning their press credentials. If the media representative has only their press credentials from their respective news agency, the PIO will notify the City Editor of the respective news agency of the incident.

No member will revoke or confiscate any press credentials. Members of the media who violate the law are subject to arrest.

## **Arizona Records Law**

Arizona Revised Statutes Title 39, Section 121 provides that certain information may be retained and is not subject to immediate dissemination.

### **Policy Change** (*CALEA 54.1.2*)

The PIO will periodically review the department's Media Relations policy with representatives from television, newspaper, radio and UA News Services to solicit suggestions or comments on improving the policy or media relations. Suggestions in policy changes will be presented to the Chief of Police for modification.

### **Use of Social Media** (*CALEA 54.1.1g*)

To promote timely notification of incidents and information relevant to UAPD and the University community, UAPD has established social media accounts (Twitter, Facebook) to promote the dissemination of this information. These accounts do not replace existing means and methods of dissemination but are an additional resource to promote communications.

The UAPD Crime Prevention Unit/PIO is responsible for maintaining and monitoring these sites. The sites will be reviewed weekly to monitor activity related to the postings. In addition to monitoring the sites, the Crime Prevention Unit is responsible for posting all pertinent information to be disseminated via the sites. Examples of information to be posted are:

1. Clery Timely Warnings
2. Media Releases
3. UAlert notifications
4. UAPD events relating to campus activities (Bicycle registrations, Lock sales, Awards & Recognition events)
5. University related events of special interest
6. UAPD related activities (Promotions, retirements, blood drives)

## 16.4 Department Coin



Supersedes: 13 February 2006	Revision: 24 June 2015	Effective: 3 August 2015
Policy Affects: All Personnel	CALEA Standard:	

Brian A. Seastone  
Chief of Police

### Policy

UAPD is committed to recognizing individuals within the University and Tucson communities who have made exemplary contributions to the mission of the department. In order to facilitate this recognition, the Department has created a “Coin” which UAPD employees may distribute based on the individual’s actions as guided by this policy.

The coin design is based on the UAPD logos and “motto.” Designs will be updated through input from all department members with final approval from the Chief of Police.

### Coin Purchase

Coins issued to department personnel will be purchased with department budgetary funds from an identified vendor. The Quartermaster will be responsible for the storage and distribution of coins to departmental members. Individual department members may purchase coins as outlined by the UAPD Director, Finance & Administration as part of a pre-determined order for personal use. Members may not purchase coins already purchased with department funds unless authorized by the Chief of Police.

### Accountability

UAPD owned coins shall be inventoried by the department Quartermaster and maintained in the Quartermaster area. The Quartermaster shall be responsible for distribution of coins to department members as directed by the Chief of Police. Each department member will initially receive three (3) coins. This distribution shall be documented on each member’s individual clothing and equipment issue card maintained by the Quartermaster.

Department members who provide a department coin to a community member shall make notice via their chain-of-command as outlined by this policy.

Coins purchased personally by Department members are not subject to policy governing distribution.

## **Distribution- Documentation**

As part of our duties members of the department may encounter individuals associated with the University and Tucson communities who, through their actions have exhibited exemplary service or contributions to UAPD and the UA community. In such situations, members of the department may present a departmental coin to the individual(s) involved to recognize them for their contribution.

After a departmental members present a coin to an individual the department member shall submit an Officer's Report to the Chief of Police describing the circumstances under which the coin was provided.

The Officer's Report must include the following:

- Name of individual
- Address of individual (if reasonable to do so)
- UA or other affiliation if applicable
- Circumstances of presentation
- Circumstances for award
- Date and time of presentation

Some examples in which a coin presentation may be warranted are as follows:

- Providing information leading to the solving of significant crimes affecting the University
- Providing assistance to an individual in distress
- Coming to the aid of a department member
- Exceptional service to the University or Police Department
- Exceptional contributions to Crime Prevention or crime reduction strategies
- Heroic acts

Persons who receive recognition by the Department as "partner" will receive a coin from the Chief of Police.

## 17.1 Clery Act Reporting



Supersedes: 04 October 2017	Revision: 08 May 2018	Effective: 21 May 2018
Policy Affects: All Personnel		

Brian A. Seastone  
Chief of Police

### Policy

UAPD will comply with the applicable Federal mandates of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. This includes, but is not limited to, meeting other operational and reporting requirements as stipulated by the U.S. Department of Education.

### Annual Security

#### Report ([CALEA 91.4.1a/f](#))

The Operations Support Coordinator will coordinate and manage the preparation and distribution of the Annual Security Report as mandated in The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, codified at 20 USC 1092 (f) as a part of the Higher Education Act of 1965. This will include, but not be limited to:

- Ensuring that all Clery required statistics and supporting documentation is requested and received from Campus Security Authorities and other applicable law enforcement agencies
- Coordinating with University Risk Management to ensure the Annual Fire Safety Report is provided for inclusion in the Annual Security Report as a joint document
- Coordinating with appropriate offices for electronic distribution of the notice of report availability to all students, faculty and staff
- Annually publishing and distributing the report prior to October 1<sup>st</sup>
- Ensuring the agency meets any other operational and reporting requirements as stipulated by the U.S. Department of Education

### Report Availability

Upon request by any person, UAPD must provide a copy of the agency's Annual Security Report. When a request is received, a department member should:

- Forward requests for mail out reports to the Operations Support Coordinator who will forward a copy to the requestor
- Direct the requestor to the hard copies of the report available at the police department; or

- Direct the requestor to the department website [www.uapd.arizona.edu](http://www.uapd.arizona.edu) for an electronic copy of the report.

## **Records Retention**

The Annual Security Report and all supporting records used in compiling the report must be retained for a minimum of three years from the latest publication of the report to which they apply. For example, the 2011 annual security report should contain statistics for 2008, 2009 and 2010. Information from these reports will be retained for three years. Within the University, the department which manages the function, i.e. Dean of Students for student discipline, UAPD for crime related information, is responsible for the retention of their respective documentation. The Operations Support Coordinator is responsible for documentation within the UAPD.

## **Submission of Data to the US Department of Education** (*CALEA 91.4.1d*)

The Operations Support Assistant Chief is responsible for entering Clery/UCR statistical data in the Department of Education Campus Crime and Security Survey website:

- Upon receipt of the Department of Education registration certificate which provides the department's user ID and password, the information will be forwarded to the Operations Support Assistant Chief
- All data must be entered and locked prior to the deadline established by the Department of Education

## **Crime Logs** (*CALEA 91.4.1c, IACLEA 16.3.3*)

Daily Logs documenting reported enumerated criminal incidents as required by the Clery Act are kept in accordance with the Higher Education Opportunity Act. The logs are posted on the department website and available in hard copy at the police department. Records personnel are responsible for updating daily crime logs.

The UAPD crime log will include:

- Case number
- Report date and time
- Offense date and time
- Crime Code Definition
- Street address/cross street if applicable
- Premise code definition
- Date cleared
- Clearance code definition

In addition to the daily crime log, individuals may review basic police report data to include date, time, location, report number and type of crime reported in a geo-based format online from the department's webpage.

### **Clery Timely Warnings** (*CALEA 91.4.1b, IACLEA 16.3.2*)

Clery Timely Warnings advise the community about violent crimes against persons, or a series of crimes against property that occur on campus or a location under the control of the University. All Clery Timely Warnings will be issued in accordance to UAPD policy 12.6 *Clery Timely Warning Protocol*.

### **Safety Bulletins**

Safety bulletins are used to remind new and returning students, faculty and staff of common-sense steps they should take to ensure their own personal safety and the safety of their belongings. These may be posted electronically and/or presented during orientations and various informational events

### **UAlert – Messaging System** (*CALEA 91.1.5b/c*)

The UAlert messaging system is used to communicate timely and critical information regarding emergency situations on campus or a location under the control of the University to students, employees, and other campus users in the most timely, effective and accurate method as is reasonably possible under the circumstances. The purpose of UAlert is to provide information during violent activity, hazards or other major disruptions to the University community. The UAlert message system will be activated in accordance to UAPD policy 12.7 *UAlert-Emergency Notifications*.

### **Sexual Assault**

#### **Victims' Rights** (*CALEA 91.4.1e*)

The 2013 Violence Against Women Reauthorization Act (VAWA) amended the Clery Act to afford additional rights to campus victims of sexual assault, domestic violence, dating violence and stalking.

Victims of sexual assault, domestic violence, dating violence and stalking have rights accorded to the Victims' bill of rights under Article II, Section 2.1 of the Arizona Constitution. These implementing statutes are entitled Crime Victims' Rights (A.R.S. Title 13, Chapter 40) and Victims' Rights for Juvenile Offenses (A.R.S. Title 8, Chapter 3, Article 7).

### **Sex Offender Tracking**

The *Campus Sex Crimes Prevention Act (CSCPA) of 2000* is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed at, institutions of higher education. The CSCPA is an amendment to the *Jacob Wetterling Crimes Against Children and Sexually Violent Offender Act*. The federal

law requires state law enforcement agencies (in Arizona, it is the Arizona Department of Public Safety) to provide the University with a list of registered sex offenders who have indicated that they are enrolled, employed, volunteering or carrying on a vocation at The University of Arizona. When UA Police are notified of a sex offender who meets the above criteria, *UAPD policy 8.11-Sex Offender Tracking* will guide any notification to the UA community.



## 17.2 Emergency Phones



Brian A. Seastone  
Chief of Police

Supersedes:  
03 August 2015

Revision:  
14 February 2018

Effective:  
19 February 2018

Policy Affects:  
All Personnel

### Policy (CALEA 91.1.8d)

The UAPD in cooperation with other university departments supports a network of telephones dedicated to emergency communications which directly link the caller to the UAPD Dispatch via the 9-1-1 system.

Information regarding the “Blue Light” emergency phone system is available at:

- New student orientation - presentations by UAPD and throughout the year as part of training to the campus community during safety presentations. Blue light phone locations are listed on the UAPD website.
- [www.uapd.arizona.edu](http://www.uapd.arizona.edu), - in the “Campus Safety and Security Report” and “Reporting a Crime” links the UA CERT website,
- <http://cert.arizona.edu/> - in the “What to do in case of” link and the UA Risk Management website,
- <http://risk.arizona.edu> - in the “Emergency Procedures” link.

### Procedure (CALEA 91.1.8c)

Blue light emergency phones are connected directly to the UAPD Dispatch Center where the call is considered a “9-1-1” call. The location of the activated phone appears on the dispatcher’s display board to assist the dispatcher in directing the responding officer(s) to the correct location.

When these calls are received the Dispatcher will dispatch the call in accordance with existing dispatch protocols. *See UAPD Policy 11.1-Dispatch Section*

Response to the call will be either by police officer, police aide or community service officer. If there is any indication that a crime is being committed or there is a threat to a civilian response, only police officers will respond.

### Blue Phones Identification

Emergency blue phones are identifiable by the word “EMERGENCY” printed on the sides. A blue light (thus the term “blue light phone”) is mounted above each phone to make it easily seen at night.

## **Elevator Phones**

The University of Arizona has installed emergency telephones in all campus elevators. While these phones are not considered “blue light phones” they provide emergency contact directly to UAPD and come in various configurations. Elevator emergency phones are labeled as “Emergency Telephone”.

UAPD response to calls from elevator phones is the same procedure for the blue light telephones.

## **Maintenance and Assessment** *(CALEA 91.1.8a/b)*

Risk Management Services (RMS) is the University department responsible for the management of the blue light emergency phones. Locations and assessment for the placement of blue light phones are determined during the planning stages of building and area construction/development, in conjunction with UA Facilities Design and Construction and Risk Management Services. Blue light phones are placed in areas of high visibility and potentially high pedestrian traffic areas.

Risk Management Services may consult with UAPD for recommendations on placement of new blue light phones; however RMS is the final authority for determining the location of emergency telephones.

Electronics for the phones are maintained by UITS; poles and lights are maintained by Facilities Management. The phone system is a self-testing type that automatically polls each phone several times a day to test the phone line continuity.

Elevator phones are inspected monthly and maintained by the Facilities Management’s Elevator Shop.

## **Blue Light Phone Review** *(CALEA 91.1.8e)*

A needs review based on a documented security survey of the blue light phones will be conducted by the UAPD crime analyst in conjunction with RMS at least once every four years.

# 19.1 Recruitment Process



Supersedes: 01 November 2016	Revision: 12 April 2018	Effective: 18 April 2018
Policy Affects: All Personnel		

Brian A. Seastone  
Chief of Police

## Policy

The University of Arizona Police Department is responsible for recruitment of qualified personnel. UAPD will work with UA Human Resources to search for qualified candidates.

UAPD is responsible for informing University Human Resources Employment Services of any openings or anticipated openings within UAPD.

## Recruitment *(CALEA 31.1.1)*

In conjunction with UAHR, UAPD will recruit through the media, job/career fairs, job announcements and interaction with selected groups and organizations. UAPD personnel are encouraged to actively recruit qualified candidates for positions within the department.

## Recruitment Plan *(CALEA 31.2.1, 31.2.2)*

UAPD will maintain a recruitment plan for full-time sworn personnel. The plan will outline the goals of an ethnic, racial and gender workforce in approximate proportion to the available workforce to include:

- A statement of objectives
- A plan of action designed to achieve the objectives, and
- Identifying personnel responsible for plan administration

An annual analysis of the recruitment plan will be completed and include:

- Progress toward stated objectives
- Revisions to the plan, as needed; and
- Demographic data of sworn personnel

## Administration

The UAPD Director of Finance & Administration is designated as the responsible administrator for coordinating recruitment activity within the department. The Director will serve as the liaison between UA Human Resources and UAPD. The Director will have the authority to make assignments for recruitment activities, and

to make changes in the recruitment process, as necessary, with the consent of the Chief of Police.

Individuals assigned to recruitment will receive training in personnel matters; especially equal employment opportunity and key recruitment objectives. (CALEA 31.1.2)

## **Department Members**

All UAPD members are encouraged to participate in recruitment activities. Recruitment of individuals through professionalism and daily operation is the most evident form of recruitment. Employees may be asked to specifically work with a group of individuals due to their knowledge and interaction with the group, or because of cultural or ethnic relationships. No employee will be excluded from recruitment activity because of his/her ethnicity, race, religion or gender. Employees specifically assigned to the Recruitment activities will be knowledgeable in personnel matters (such as position requirements, salary and benefits.) The employee will also be knowledgeable with EEO/Affirmative Action as it affects the department as well as a good working knowledge of the Department and The University of Arizona.

## **Community Outreach (CALEA 31.3.2)**

The Chief of Police or designee will periodically meet with representatives from UA/Tucson community organizations and key community leaders to facilitate the recruitment of qualified applicants to support the recruitment goals of the agency.

## **CSO/Intern Program**

UAPD provides opportunities for University of Arizona students to work with the police department as a Community Service Officer. This program assists an individual in assessing career possibilities in law enforcement through actual work experience. CSOs are paid employees of the department. Interns will not receive monetary compensation but may arrange for credit hours through their college. The CSOs must be enrolled at the University for a minimum of 6 credit hours during the regular academic year (spring and fall semester). They are scheduled to work a minimum of 15 hours per week with a maximum of 25 hours during the spring and fall session, and a maximum of 35 hours during winter and summer session. Intern positions are approved on an individual basis by the Chief of Police. The purpose of the program is to allow students to gain academic credit for a class while experiencing a law enforcement department in daily operations.

## **Affirmative Action**

UAPD follows the established University of Arizona Affirmative Action Plan. Each time there are openings within the department the Director of Finance Administration, Chief and/or Command Officers will review the current affirmative action percentages within the department. Whereas the Chief and Assistant Chiefs

do not participate in the initial testing, a command interview permits the Chief/Assistant Chief to select qualified candidates to fill vacant positions. No unqualified person shall be selected simply to achieve a representational affirmative action base. The Business Affairs Division with the assistance of Human Resources will send job announcements to other law enforcement agencies, to include the various Tribal Police Departments as well as other law enforcement agencies within the state of Arizona. The Chief of Police may assign a(n) officer(s) to visit with various police agencies to specifically inform the agency about university police operations. Although the department does not have a specific budget for Affirmative Action, the cost of such visits or mailings will come from the departmental operations account.

## **Job Announcements**

Formal posting of job announcements is the responsibility of UA Human Resources with the assistance of UAPD. All formal job announcements will provide the following:

- A description of the typical duties, responsibilities, skills, educational requirements, any other minimum qualifications as well as preferred qualifications, if applicable. *(CALEA 31.3.1a)*
- Postings for police officer recruit and police officer are posted on UA Career Track, the electronic job posting site within the UA Human Resources website, the recruitment posting will inform individuals of testing dates, times and location known, and provide access to necessary forms, including submittal deadlines. The formal job description can also be obtained from the Human Resource website. *(CALEA 31.3.1b/d)*
- University policy requires all position announcements note that The University of Arizona is an EEO/AA/ADA employer. *(CALEA 31.3.1c)*

Interagency promotions or lateral positions are the responsibility of the Business Affairs Division. All postings shall include the duties, responsibilities, minimum qualification and requisite skills, education level and physical requirements.

The UAPD Human Resources representative is responsible for posting job vacancies for Police Officer positions at least five (5) working days prior to any official application deadline.

## **Contact with Applicants**

The UAPD Human Resources Representative is responsible for maintaining contact with candidates throughout the selection process. Correspondence is sent to each applicant informing them of each phase of the process and their status at the conclusion of each phase.

## **Application Review**

The UAPD Director of Finance & Administration and the UAPD Human Resources Representative together with UAHR will develop a set of qualifying questions to include in the application process to better screen applicants for minimum qualifications on UAPD's certified positions. Only those meeting the minimum requirements successfully complete the online application, and are viewable by UAPD. For other positions, the UAPD Human Resources Representative has online access to applications and reviews applicants for minimum qualifications. Applications are then forwarded to the appropriate supervisor for review and selection to proceed in hiring process.

## 19.2 Selection Process



Supersedes:  
01 November 2016

Revision:  
14 February 2018

Effective:  
19 February 2018

Policy Affects:  
All Personnel

Brian A. Seastone  
Chief of Police

### Policy

The UAPD selection process is a cooperative effort between the UAPD, Human Resources and the Office of Institutional Equity. All elements of the selection process shall be administered, scored, evaluated and interpreted in a uniform manner within each job classification as applicable. (CALEA 31.4.3)

### UAPD Responsibilities

The Chief of Police or designee shall serve as the department's administrator for the selection of certified and civilian personnel. The Chief or designee will coordinate with Human Resources regarding the recruitment and selection of departmental personnel.

- The Business Affairs Division will be responsible for maintaining a complete and up-to-date manual which describes the selection process.
- UAPD shall notify Human Resources when candidate referrals are required. Human Resources will follow their normal recruitment procedures. The Office of Institutional Equity may assist with the targeting and recruitment of specific audiences.
- The Business Affairs Division shall be responsible for the notification of candidates for all phases of the selection process, background investigation, conducting the physical agility tests, written examination, oral review board, selection of candidates for drug screening, psychological and medical examinations, and selection of probationary employees.

### Human Resources Responsibilities

Human Resources is responsible for the dispersal, collection and review of applications for minimum and preferred qualifications. Human Resources is responsible for transmittal of the candidate applications/Candidate Referral List (CRL) to UAPD. Human Resources may also assist in the review and oversight of the selection process.

## **Affirmative Action Responsibilities**

The Office of Institutional Equity is responsible for review of the entire selection process for validity and compliance with Affirmative Action and Equal Opportunity requirements.

## **Chief of Police Responsibilities**

The Chief of Police maintains the right to hire any qualified candidate who has successfully completed all phases of the selection process for a position within the department.

## **Joint Responsibilities**

UAPD, UA Human Resources and the Office of Institutional Equity are responsible for maintaining a selection process that is safe, inclusive, is free of discrimination, and fosters equity and opportunity. No major changes are made without the approval of each of the offices. However, prior to each process a review of the previous process takes place and recommendations are made to improve efficiencies. Recommendations must be approved by the Chief of Police.

## **Police Officer Process (CALEA 31.4.1, 31.4.2)**

The selection process for police officer candidates is a multi-faceted process, involving UAPD Human Resources, SALETC, and UA Human Resources personnel. All elements of the selection process for sworn personnel use criteria or qualifications that are job related and non-discriminatory. The process involves:

- If there are vacancies for officer positions, UAPD works with SALETC to establish a date for testing.
- UAPD then establishes a timeline for all phases of the testing process.
- UAPD completes the necessary steps to open the position posting. The posting includes questions which automatically disqualify applicants that fail to meet AZPOST standards for police recruit candidates.
- This posting will also include any relevant known dates such as testing, oral board dates and expected start date. Within the posting will be a link to the UAPD website where candidates are instructed to print, complete and submit both UAPD and AZPOST background packets by a designated date prior to the oral board.
- All qualified applicants are notified of the initial testing to include physical agility testing and if candidate is a recruit, a written examination. All candidates are required to submit identification in order to participate in the process.



- Upon receiving the results of the physical and written test, the oral board members will review results in comparison to the candidate's submitted background packet. From these applications, top candidates are selected to proceed in the process to the oral boards. All candidates are notified in writing of their status throughout the process.
- The results of the oral board interviews will be presented to the Assistant Chief assigned to the process with a ranking of the candidates. The Chief or designee will select candidates from the list to advance to the background phase and present the successful candidate with a "conditional job offer".
- Following acceptance of the conditional job offer, candidates will be scheduled for a series of examinations (medical, psychological, polygraph) at the department's expense.
- The candidate file will then be assigned to a detective to begin the background investigation. The UAPD HR representative and detective will record the candidate progress in the limited access folder "Background Log" on the UAPD server.
- Any candidate that fails a portion of the examination or background process is subject to be removed from further consideration.
- The completed background file of candidates successfully completing the process are submitted to Command Staff for review and placed in a ranked order for final job offers. Those not selected are notified in writing and their conditional job offers are rescinded. (CALEA 31.4.5)

### **Oral Boards** (CALEA 31.4.1)

UAPD will select three certified officers for an Oral Board, one of who will be a rank of sergeant or higher. Oral Board members will evaluate candidates on a set of questions based upon a numeric scale, according to the candidate's answer. The questions will each have an excellent, acceptable, and not acceptable answer. All candidates will be given the same questions. The board members will individually rate each candidate. Should there be a deviation of two (2) or more points on a question, the board members will discuss the answered question, and may modify their score. No board member is compelled to change his/her score. To advance to the next phase of the hiring process, a candidate must achieve a final score of 70%. At the conclusion of the Oral Board, the board will come to a consensus of the ranking of candidates. The Board Chair will submit a memorandum to the Chief of Police stating the ranked order, score results and a brief synopsis on each recommendation. The board may also rank the candidates as; highly recommended, recommended or not recommended. If a candidate is either highly or not recommended the board should include a justification for the ranking.

### **Test Evaluation** (CALEA 31.4.1)

The Police Officer Physical Agility Test (POPAT) physical agility testing is scored in accordance with the established standards of the POPAT testing procedure. Scores or times shall be interpreted in accordance with the POPAT conversion chart for each individual testing station.

Psychological evaluations are conducted by a certified Psychologist/Psychiatrist, utilizing validated written instruments. (CALEA 31.5.7)

Medical evaluations are based upon standards established by Arizona POST. Questions concerning Category Two will be referred to AZ POST for decision. Category Three will not be considered for employment. (CALEA 31.5.6)

The written test is a standardized test specifically developed for the police profession and is computer evaluated.

No single testing instrument will be used as the single determinant of employee status. (CALEA 31.5.5)

### **Lateral Positions** (CALEA 31.4.1)

At the discretion of the Chief of Police, police officer positions may be determined to be either "recruit" or certified "lateral" vacancies. The decision to hire lateral officers, recruits or a combination of the two is an administrative decision based on the needs of the department as well as budgetary and time constraints. Recruitment notices shall clearly state the type of vacancies available. Lateral officer candidates will be required to pass the same requirements as a "recruit" candidate, although the Chief of Police may elect to waive the written test portion for a qualified lateral candidate.

Any candidate who successfully completes the drug testing, background, medical and psychological may be appointed by the Chief of Police. (CALEA 31.5.6)

### **Former UAPD Employees** (CALEA 31.4.1)

Employees who have terminated employment under satisfactory conditions and elect to return within a one-year period may receive preferential consideration if a position is open in the department at the same or lesser grade. Their salaries may be adjusted above the minimum hiring point as well. This decision will be made by the Chief of Police.

### **Civilian Positions** (CALEA 31.4.1)

Civilian positions will be recruited for in accordance with the policies and procedures of the University's Human Resources. HR is responsible for the receipt and screening of both minimum and preferred qualifications and the preparation and distribution of the candidate referral list to UAPD. Candidates who pass the UAPD review may be notified by letter or by telephone of an oral review board. Each candidate who is selected to participate in the selection process will be notified by mail of the following:

- Date, time and location of testing
- Requirements for testing
- Timetable and selection process

Civilian employees will successfully complete a personal interview and background investigation prior to being hired, and may be required to complete a polygraph examination.

## **Dispatcher**

### **Positions** *(CALEA 31.4.1)*

Dispatcher positions will be recruited for in accordance with the policies and procedures of the University's Human Resources. Human Resources is responsible for the receipt and screening of both minimum and preferred qualifications and the preparation and distribution of the candidate referral list to UAPD. Each candidate who is selected to participate in the selection process will be notified by mail of any testing dates and associated information. Dispatcher candidates will be required to successfully:

- Pass a written examination
- Pass an Oral Board interview
- Pass a typing test.
- Pass a psychological examination.
- Pass a hearing examination
- Complete a background investigation

Dispatchers may be required to complete a polygraph examination.

## **Police Aide**

### **Positions** *(CALEA 31.4.1)*

Police Aide positions will be recruited for in accordance with the policies and procedures of the University's Human Resources. Human Resources is responsible for the receipt and screening of both minimum and preferred qualifications and the preparation and distribution of the candidate referral list to UAPD. Each candidate who is selected to participate in the selection process will be notified by mail of any testing dates and associated information. Police Aide candidates will be required to successfully:

- Pass an Oral Board interview
- Pass a psychological examination
- Complete a background investigation

Police Aides may be required to complete a polygraph examination.

## **Oral Boards**

### **Civilian Positions** (CALEA 31.4.1)

Oral review boards differ somewhat from those used to recruit police officers. Oral Boards will consist of three (3) UAPD personnel. One member of the board shall be a supervisor from the division with the vacancy. Members of the board may be from within or outside the Department. The members of the oral review board will tabulate the results of their individual scores and submit a recommendation to the Chief of Police through the chain of command.

## **Background**

### **Investigations** (CALEA 31.4.1, 31.5.2)

Background investigations shall be completed on every candidate prior to being hired by UAPD. All background investigations on employees hired by UAPD shall remain with the Department for as long as the employee is employed with UAPD.

Following termination these files are secured and sent to the University Archives for storage in accordance with State Statutes for records retention. Psychological and medical results for candidates who are not selected for employment are destroyed by shredding. Designated civilian employees may conduct background investigations for civilian positions. All personnel conducting background investigations will be trained in collecting required information. Background investigations shall be conducted by AZ POST certified police officers for commissioned positions. Background investigations of police officer candidates will be assigned by the Assistant Chief over Investigations.

At the conclusion of the investigation a written report shall be submitted by the officer conducting the background and forwarded to the Chief of Police. The report shall have a recommendation for or against hiring. If there is a recommendation against hiring, the reasons shall be specified.

## **Conditional**

### **Job Offers** (CALEA 31.4.1)

Conditional Job Offers must be given to candidates prior to any medical, psychological or hearing tests.

## **Disposition**

### **of Records**

UAPD is responsible for maintaining all background investigations, copies of applications, and other paperwork associated with each candidate. If a candidate is not selected, the candidates file shall remain in UAPD archives for a three year period. After that time, all files may be destroyed. Due to the sensitive nature of medical and psychological evaluations, candidates who are not selected in a probationary capacity, and are not on any eligibility list, will have these two reports destroyed. The Business Manager in collaboration with the UAPD Custodian of Records is responsible for destroying these files. (CALEA 31.4.6a)

Background investigations for police officers shall become part of the police officer's permanent UAPD - AZ POST training file. Background investigations for civilian positions shall become part of the employee's UAPD personnel file. (CALEA 31.4.6c)

### **Medical & Psychological Reports** (CALEA 31.4.6d)

The Business Affairs Division shall be responsible for keeping all medical and psychological files on current employees, and candidates on eligibility lists in a secure area. Following termination, they shall be forwarded to Human Resources after one year, for archives storage in accordance with UA policy, which is 30 years.

### **Security of Selection Materials** (CALEA 31.4.6b)

Selection materials will be secured in a locked file with limited access by the Business Affairs Division when not in use.

### **Eligibility Lists**

A candidate eligibility list may be established. The length of time for the list is six months, and may be closed sooner based upon the need of the department and concurrence from UA Human Resources.

### **Disposal of Testing Material**

Any material maintained by UAPD or Human Resources shall be destroyed in accordance with their procedure for Records Retention, Maintenance and Disposal. Materials maintained by UAPD shall be shredded to prevent any future use.

### **Review of Process**

The selection process shall be reviewed periodically, prior to each selection process. Any modifications to the process may be made during this review. Modifications will be presented in writing to the Chief of Police and must have the concurrence of the Office of Institutional Equity, Human Resources and UA Attorneys.

### **Medical & Psychological Testing/Cost**

Police officer candidates shall be required to satisfactorily pass a medical and psychological examination as required by AZ POST prior to being hired.

- Only licensed physicians, designated by UAPD shall conduct any pre-employment medical examination. AZ POST forms will be used.
- Only qualified professionals will be used to evaluate a candidate's emotional stability.
- The costs associated with the medical, polygraph and psychological pre-employment examinations shall be the responsibility of UAPD for all full time employees hired by the department.

**Probationary  
Period** (CALEA 31.5.8)

All new employees must satisfactorily complete the established probationary period.

- Police officers and Dispatchers shall have a one year probationary period. The probation period begins from the first day of actual employment.
- Civilian employees who join the department from outside the university system shall have a probation period for six months beginning from the first day of actual employment.

Civilian employees who accept a position with the department, other than a certified position, who transfer from another university department shall have a probationary period for ninety days in accordance with established University policy.

# 24.1 Professional Standards



Brian A. Seastone  
Chief of Police

Supersedes: 03 September 2018	Revision: 23 January 2019	Effective: 06 February 2019
Policy Affects: All Personnel		

## Policy (CALEA 26.2.1)

All complaints directed against UAPD employees or practices shall be promptly investigated and documented. Supervisors will be the primary investigator of complaints as guided by this section. (CALEA 82.2.2b)

Anonymous complaints, although difficult to investigate, will be carefully investigated for validation and reviewed by an Assistant Chief at minimum before discharging it for lack of a credible complainant. Anonymous complaints involving potential misconduct or serious misconduct shall be reviewed at the Assistant Chief level with a recommendation made to the Chief of Police.

The Chief of Police may request that an outside law enforcement agency conduct any investigation outlined in this policy. When serious allegations are made against an employee, a polygraph examination may be requested. The Chief of Police will decide whether to permit a polygraph examination. All UAPD personnel, effective with the promulgation of this policy, shall be required to submit to a polygraph when ordered to do so by the Chief of Police or designee.

The Assistant Chief assigned to oversee the Investigations Section will coordinate all Professional Standard Investigations and report directly to the Office of the Chief of Police. Any person assigned to investigate will also have access to the Chief of Police. (CALEA 26.2.3)

## Philosophy

The purpose of conducting a thorough investigation of complaints is to maintain and improve both personal and department integrity, accountability, and quality of service to the community. Through a formal process of review, citizen confidence and trust are preserved which establishes and maintains open communications in the community we serve.

## Making a Complaint (CALEA 26.2.4)

The Department will provide freely available website information and physical handouts about making a complaint against the Department or an employee.

- This handout shall be accessible by each supervisor and in the lobby of UAPD.
- A supervisor will attempt all reasonable means to resolve problems and

complaints at an informal level; however, the requestor may remain anonymous.

- The request for such form does not constitute a need to record a complaint against the Department or one of its employees.

### **Receiving Complaints** (CALEA 26.2.4)

UAPD will accept complaints submitted through the department website, in writing, via e-mail or FAX and verbal complaints. Only a supervisor may receive a complaint. If a supervisor is not available, information regarding the complainant and how they may be re-contacted will be taken and forwarded via an Employee's Report to the next available on-duty supervisor for action. Non-supervisory personnel should not attempt to classify or provide any resolution to the complainant. A supervisor shall be contacted under circumstances where the complaint concerns serious misconduct or conduct that could have far-reaching impacts on the department if not immediately addressed. If a supervisor is not available, a Lieutenant or Assistant Chief shall be contacted.

### **Receipt of Complaints** (CALEA 26.3.4a)

Upon receiving a complaint, the supervisor will acknowledge receipt with the complainant. Supervisors receiving external complaints are expected to review the circumstances and evaluate the complaint information and attempt resolution with the complainant. These types of complaints often involve questions concerning policy, procedure, service issues or misunderstandings. If a resolution cannot be reached or the circumstances of the complaint require additional follow up, the supervisor shall take all pertinent information concerning the complaint and how the complainant can be contacted for additional follow up. In all cases, the complainant shall be advised of the referral and the complaint process and provided the Department handout on "Making a Complaint".

The supervisor will document in the resolution that the complainant was notified of the receipt of a complaint, and include the date and time the complaint was actually received.

When a resolution cannot be reached at the time the complaint is made or after necessary follow up, the complainant will be requested to complete a UAPD Citizen Complaint Form to ensure the accuracy of the complaint and the supervisor will provide the complainant with a receipt. The complaint will be forwarded with cover letter by the supervisor to the affected employee's Assistant Chief for assignment as a Citizen Complaint Investigation.

### **Recording and Storage of Complaints** (CALEA 26.2.2)

The Chief of Police or designee will be responsible for the secure storage of all Professional Standards (Internal Affairs) files. All records of complaints against the department or any employee of the department shall be confidentially maintained in a secure area.



An independent control number, beginning with the type of investigation followed by the year and unique sequential number (example: C15-001) will be used to identify each filed complaint. Each complaint file will be logged and filed upon final review and closure.

## **Training**

Training regarding the investigation of internal and external complaints and reporting will be conducted as necessary.

## **Time Limits** *(CALEA 26.3.3)*

All internal and external complaints will be concluded within thirty (30) days from the date of assignment. Investigating personnel may request an extension within five (5) days of the due date. Requests for an extension must be approved by either the Chief or Deputy Chief and must include:

- Reason for the request
- A modified due date

## **Notification of Complainant**

If a complaint is not resolved within 30 days, the complainant shall be notified at least once every 30 days, advising them of the status of their complaint and associated investigation. *(CALEA 26.3.4b)*

When a complaint process below the level of a Professional Standards Investigation, such as a supervisory resolution, has concluded the complainant will be notified by telephone, electronic means, or letter outlining the closure taken as a result of the investigation. Prior to sending any electronic or postal letter, the respective Assistant Chief shall review the letter for content. Any notifications made by telephone shall be documented in the investigative file by the notifying authority.

For all Professional Standards investigations, the Office of The Chief of Police will notify the complainant in writing of the closure and action taken as a result of the complaint. This notification will be coordinated with the supervisor of the Investigations Section. *(CALEA 26.3.4c)*

## **Notifications**

The Assistant Chief of the affected employee shall:

- Be notified of all complaints.
- Immediately be notified of complaints that involve serious misconduct or conduct that constitutes a criminal violation.

## **Notification of the Chief of Police**

Supervisors who receive a complaint or allegation involving misconduct or serious misconduct will immediately notify their Assistant Chief. The Assistant Chief will notify the Chief of Police. (CALEA 26.3.2)

## **Investigation of Complaints (CALEA 26.3.1a)**

Supervisors will investigate complaints regarding misunderstandings, procedural issues, policy infractions, inquiries and other disputed issues not amounting to Professional Standards Investigations. No supervisor shall investigate a complaint they are involved in and will forward such complaints to their Assistant Chief for assignment.

Persons conducting Supervisory Resolutions, Citizen Complaint or Professional Standards Investigations are responsible for determining a “conclusion of facts” regarding each allegation and making a recommendation at the conclusion of the investigation to their Assistant Chief. The Assistant Chief will review the completed investigation and determine any disposition and make a recommendation to the Chief of Police.

## **Removal from Duty (CALEA 26.3.7)**

Following an initial review of an allegation to be assigned for investigation, the Division Assistant Chief will forward to the Chief of Police any recommendation regarding removal from active duty. The Chief of Police may take the following actions:

- Continue the employee on active duty pending the conclusion of the investigation.
- Continue the employee on active duty with modifications pending the conclusion of the investigation.
- Place the employee on suspension with pay pending the conclusion of the investigation.

If suspension without pay is warranted due to the nature of the allegation, the UA Staff and Policy manual shall be followed.

## **Prosecutor Liaison**

The Chief of Police or designee will be the liaison with the appropriate prosecutor’s office during an investigation of serious misconduct which might constitute a criminal offense.

## **Professional Standards Investigations** *(CALEA 26.3.1b)*

The Investigations Section will conduct Professional Standards investigations on those complaints that involve:

- Criminal conduct
- Serious misconduct
- Corruption
- Complex and time-consuming investigations
- Investigations directed by the Chief of Police

Upon conclusion of the Professional Standard investigation, review by the Assistant Chief and final review by the Chief of Police, the investigative file will be forwarded to the Deputy Chief or designee for logging and filing.

## **Investigator Responsibility**

Personnel assigned any Citizen Complaint or Professional Standards investigation shall:

- Conduct a complete and thorough investigation.
- Receive a copy of the complaint from the Chief of Police/designee with a suspense date and determine the type of investigation to be conducted, either administrative or criminal and obtain a sequential number to be assigned the investigative file.
- Contact the complainant, if known, either in person or by telephone in order to gather any additional information that may not have been included in the written complaint.
- Advise the employee's supervisor of the complaint investigation.
- Contact the officer or employee involved and set up a time for an interview.
- Ensure the employee has been provided with a copy of the complaint and the completed Notification of Allegations form. *(CALEA 26.3.5)*
- Maintain confidentiality of the investigation at all times.
- Directly order UAPD employees not to discuss the investigation or incident until completion of the investigation.
- Advise other persons not UAPD employees not to discuss the investigation or incident.
- Tape record any interview whenever a criminal case is being investigated, or when a suspension, demotion, or termination is possible.
- Send a certified letter to the address of the complainant advising of the process if the complainant cannot be contacted.

## **Separate Investigations**

Criminal and administrative investigations will be independent of each other and information cannot be shared between the two investigations. Information obtained during a criminal investigation can be used in an administrative investigation.

Information provided as a result of a Garrity Warning is not admissible in criminal proceedings unless it can be clearly demonstrated that the information was also independently learned during a criminal investigation.

## **Administrative Investigations**

During Administrative Investigations the investigating person:

- May compel an employee to answer questions directly related to their official duties
- Must forego the use of such answers in a criminal prosecution.
- Must complete the Garrity Advisement Form containing the following:

“I wish to advise you that you are being questioned as part of an official investigation of the Department. You will be asked questions specifically directed and narrowly related to the performance of your official duties or fitness for office. You are entitled to all the rights and privileges guaranteed by the laws and the Constitution of this state and the Constitution of the United States, including the right not to be compelled to incriminate yourself. I further wish to advise you that if you refuse to testify or to answer questions relating to the performance of your official duties or fitness for duty, you will be subject to departmental charges which could result in your dismissal from the Department. If you do answer, neither your statements nor any information or evidence which is gained by reason of such statements can be used against you in any subsequent criminal proceeding. However, these statements may be used against you in relation to subsequent department charges.”

The investigating person shall advise the employee:

- The purpose of the interview is to obtain information to determine whether disciplinary action is warranted.
- The answers obtained may be used in any disciplinary proceeding resulting in reprimand, demotion, suspension, or dismissal.
- All questions specifically related to employment must be fully and truthfully answered. Refusal to answer may result in disciplinary action.

During officer interviews of allegations for misconduct for administrative purposes, the individual conducting the interview is required to utilize and read the current “*NOTICE OF INVESTIGATION AND OFFICER RIGHTS*” form to the individual being interviewed prior to questioning.

Interviews for Administrative Investigations require no Miranda rights. The foregoing rules are inconsistent with Miranda in that employees’ statements cannot be used as evidence. Further, as the interview does not serve criminal prosecution, the employee has no Sixth Amendment right to counsel.

- The governing case is Garrity v. New Jersey, 385 U.S. 483, 87 S. Ct. 616 (1967).

## **Criminal Investigations**

If the investigator believes that criminal prosecution is a possibility and wishes to use statements against the employee in a criminal proceeding, or at least wishes to maintain the option of their use, the investigator shall:

- Give the employee Miranda rights.
- Advise the employee that if he asserts his right not to answer questions, no adverse administrative action will be taken based upon the refusal.
- If the employee decides to answer questions at this point, the responses may be used in both criminal and disciplinary proceedings.

Note that the Miranda admonition includes the provision that a lawyer may be present at an interview. Although technically the employee has no right to counsel until the employee had been criminally charged or his or her freedom of action has been deprived, the Department wishes no possibility to arise in which its actions might be construed coercive. The Department recognizes that for the purposes of criminal prosecution, employees do not automatically waive any Constitutional privileges concerning questions pursuant to this policy.

- The governing case is Gardner v. Broderick, 392 U.S. 273, 88 S. Ct. 1913, 1916 (1968). The case made clear that a public employee may not be fired for asserting his Fifth Amendment right not to incriminate himself.

## **Photographs and Line-ups** (CALEA 26.3.6b/d)

Depending upon the circumstances of the investigation, the employee may be required to submit to being photographed and/or participating in a line-up by the Chief of Police or designee. Refusal to submit will be grounds for disciplinary action and may result in the employee’s dismissal.

## **Medical and Laboratory Examinations** (CALEA 26.3.6a)

The investigator may, based on their observations, require a department employee to submit to a test for alcohol or drug use while on duty. The results may be used in a disciplinary hearing. Refusal to submit to the examination will be grounds for disciplinary action and may result in the employee's dismissal.

- If the employee is believed to be under the influence of alcohol, a certified Intoxilyzer operator will administer the test. The Chief of Police or officer in authority will witness the test and will be required to sign the report.
- If the employee has a reading of .04 or higher or there is other competent evidence of impaired abilities to perform duties, the officer shall be relieved of duty by an employee or officer in authority.
- If the employee is believed to be under the influence of self-administered drugs, they may be compelled to submit to a blood and/or urine test. The test shall be administered under medical supervision where hygienic safeguards are met. The sample will be handled using the same safeguards as evidence in a criminal process.
- If the test shows positive results, or there is other competent evidence of impaired abilities to perform duties, the officer shall be relieved of duty as soon as possible by an employee or officer in authority.

If an employee refuses to submit to a test, (alcohol or drugs) then the employee will be immediately relieved from duty for failure to cooperate in an Administrative Investigation.

## **Financial Disclosure Statements** (CALEA 26.3.6e)

An employee may be compelled to make financial disclosure statements when it is directly and narrowly related to allegations of misconduct involving any unlawful financial gain. Any evidence gained during the investigation of an administrative matter cannot be used in any criminal proceeding. Use of polygraph examinations in internal investigations shall be in accordance with the Department policy regarding its use (see the following paragraph).

## **Polygraph** (CALEA 26.3.6f)

The Chief of Police or his designee may order an employee to take a polygraph when the employee is charged with a serious offense. Polygraph examinations:

- Will not be used as the sole basis for disciplinary action against any employee.
- Shall be administered under the provisions of this policy and procedure.
- Shall be done by a private contractor licensed to administer polygraph examinations or licensed examiner from another law enforcement agency.
- Shall not be administered to another UAPD employee by another UAPD employee.

- Must be accompanied with a Polygraph Examination Acknowledgment of Rights Form.

Refusal to submit to a polygraph examination or to answer all questions pertaining to the charges in the polygraph examination shall be grounds for disciplinary action and may result in dismissal from the Department.

## **Audio and Video**

### **Recording** (*CALEA 26.3.6c*)

All employee interviews during a professional standards investigation will be audio recorded and transcribed for the record. The Chief of Police may direct that an interview be video recorded.

## **Employee Protection**

In order to comply with federal (privilege against self-incrimination) law, the following information must be provided to the officer who has been asked to submit to a polygraph examination:

- The nature of the inquiry, the name, and rank of the investigating officer, and the name and rank of any person present during the examination.
- That the answers will not be used to in a criminal prosecution.
- That he/she may refuse to take the polygraph examination or to answer any questions, however, such refusal shall be grounds for disciplinary action which may include dismissal.
- That answers given during the polygraph examination do not constitute a waiver of the privilege against self-incrimination as it relates to criminal matters.
- A Polygraph Examination Acknowledgment of Rights form must be initiated and signed in the spaces indicated (see appendix to this instruction). Refusal to do so shall be grounds for disciplinary action which may result in dismissal.

The declaration is here made that the intent of all of the above is that any person who refuses to submit to a polygraph examination or refuses to answer any questions pertaining to the charges in such an examination may be terminated from employment

## **Interviews**

Interviews of any Department employee:

- Will be conducted at a reasonable hour, unless the urgency of the investigation dictates otherwise, usually between 0700 and 1900 hours or during the employee's regular work hours.
- Shall take place at a location designated by the investigating officer, preferably at a police facility.
- Must inform the employee of the identity of the officers involved in the

investigation.

- Shall be directed at the subject matter relevant to the investigation.
- Revealing information pertaining to other matters that would be a concern to the Department does not prevent the investigator's ability to pursue the issue.
- Shall not subject the employee to abusive language or threats.

## **Representation**

Per ARS 38-1101 if it is believed that an interview could result in dismissal, demotion or suspension, the law enforcement officer may request to have a representative present at no cost to the department during the interview. The officer shall select a representative who is available on reasonable notice so that the interview is not unreasonably delayed. The Representative shall participate in the interview only as an observer. Unless agreed to by the Department, the representative shall be from the same agency and shall not be an attorney. The officer shall be permitted reasonable breaks of limited duration during any interview for telephonic or in person consultation with others, including an attorney who is immediately available.

This statute does not apply to an interview of an officer that is:

- In the normal course of duty, counseling or instruction or an informal verbal admonishment by or other routine or unplanned contact with a supervisor or any other officer.
- Preliminary questioning to determine the scope of the allegations or if an investigation is necessary.
- Conducted in the course of a criminal investigation.

This statute does not preempt agreements between the department and the officer.

## **Supervisory Resolution Report Format**

Each Supervisory Resolution will be documented and summarized by the supervisor resolving the complaint utilizing the Supervisory Resolution Report Form. The form will be forwarded to the Assistant Chief of the affected employee for review. A final review will be made by the Chief of Police. After all reviews, the form will be forwarded to the FOD Assistant Chief who will assign a control number and file.

## **Investigative Report Formats**

All Citizen Complaint and Professional Standard Investigations will be documented and summarized by the investigating person using the following format. Supervisors investigating Citizen Complaints should make a recommendation. Professional Standards Investigations should be reviewed by the supervisor of the named employee/s as part of the chain of command review and a recommendation made.



The completed packet will be forwarded to the Deputy Chief for review and recommendations. The Deputy Chief will forward the packet to the Chief of Police for final review. The major headings will be:

- **Allegations:** Contains a brief synopsis of the complaint and should identify the involved employees and the complainant.
- **Background:** Contains a statement of the events that took place and should include the location, date, time and identity of all persons present.
- **Investigative Summary:** Contains a summary of the entire investigation and should include pertinent facts to enable the reader to understand the complaint and investigation.
- **Witness Statements:** Contains statements of witnesses and employee statements
- **Enclosures:** Lists all documents, photographs, correspondence, evidence and other material relating to the investigation. This section should contain an index if no master index exists at the beginning.
- **Findings:** Contains a conclusion of fact related to the allegations and recommendations. ([CALEA 26.3.8](#))

### **Distribution**

After the review of all investigations have taken place, the investigative packet will be maintained as follows:

- Original files and documents will be securely maintained by the Chief of Police or designee.
- Documentation of any disciplinary action will be placed in the employee's UAPD personnel folder and a copy forwarded to the Director of Human Resources, if applicable, and in accordance with University Personnel Policy.


### **Annual Analysis and Summary Report** ([CALEA 26.2.5](#), [ALEAP 12.5](#))

The Deputy Chief will be responsible for an analysis of all complaints investigated by the department for the preceding calendar year. The analysis should include:

- The number of complaints investigated
- The number of types of complaints investigated
- Number and types of closures

The annual analysis will be submitted to the Chief of Police for review.

A summary of all complaints and professional standards investigations will be published in the UAPD annual report posted on the department website.

<h1>24.2 Discipline</h1>			 <b>Brian A. Seastone</b> Chief of Police
Supersedes: 19 July 2018	Revision: 30 January 2020	Effective: 12 February 2020	
Policy Affects: All Personnel			

**Purpose and Summary**

The purpose of this policy is to provide UAPD employees with information concerning the department's disciplinary practices and procedures. All members are expected to abide by the policies established UAPD, University, and the Arizona Board of Regents. In addition, certified officers are subject to the rules of the Arizona Peace Officer Standards and Training (AZPOST). Violations of the University policies against discrimination, sexual harassment, the established Rules of Conduct, or the rules established by the Arizona Board of Regents, may result in disciplinary action up to and including termination.

UAPD will provide members of the department, who have violated policies or exhibit unsatisfactory job performance, an opportunity to comply with the University and Department requirements through improvement plans, coaching, and counseling and disciplinary action.

Remedial training may be used as a component for correction of a disciplinary issue, see UAPD Policy 2.1 Code of Conduct ([CALEA 26.1.4a](#))

**Forms of Disciplinary Action**

Disciplinary action may take one or more of the following forms:

- Oral reprimand with a notation in Guardian
- Written reprimand
- Suspension without pay (Disciplinary Suspension)
- Disciplinary probation
- Demotion
- Dismissal

Investigative suspension with pay and administrative leave with pay do not constitute disciplinary action as defined by UA Human Resources and are not subject to appeal.

Suspension without pay, disciplinary probation, demotion, and dismissal are considered punitive actions that can only be authorized by the Chief of Police in coordination with UA Human Resources. (CALEA 26.1.4c)

UA Human Resources shall be consulted prior to affecting a disciplinary suspension. Written notice of disciplinary suspension shall be given to the employee with a copy to Human Resources and shall include the following:

- Reason for the disciplinary suspension
- Reference to the conclusions drawn from the pre-suspension hearing
- Inclusive dates of the suspension
- The employee's right to appeal the action through established UA policies
- employee statement indicating failure to return to work on the first scheduled workday following the suspension may result in dismissal

Any disciplinary action which is a part of an employee's permanent record is required to be fully documented and forwarded through the chain of command for review prior to implementation.

### **Supervisory Authority**

Each supervisor is authorized to take immediate disciplinary action. The extent of that action is limited by the University and the department.

A supervisor may place an employee on Administrative Leave with pay if the employee is unfit for duty. The supervisor shall immediately notify the next level of the chain of command of the action, and fully document the action in an Employee's Report to the affected employee's Assistant Chief. The supervisor shall inform the employee the reason for the administrative action, and shall further explain that the action is not punitive in nature. An employee under Administrative Leave is relieved from duty for the remainder of that scheduled work period.

The supervisor will advise the employee that he/she shall meet with their Division Assistant Chief the following workday at a time determined by the Assistant Chief.

Following the meeting, the Assistant Chief will make a recommendation to the Chief of Police. Only the Chief of Police or designee may reinstate an employee who has been suspended or placed on Administrative Leave.

### **Employee's Responsibility: Investigative or Administrative Suspension**

An employee on Investigative or Administrative Suspension will remain immediately available to the department during normally assigned work hours. The employee's supervisor or Assistant Chief will telephone the employee during their regularly

scheduled work hours at least once during each day's suspension. An employee who fails to comply will be considered insubordinate and subject to discipline.

## **Suspensions**

The Chief of Police may order three (3) types of suspensions:

- **Administrative-**  
Members under administrative investigation may be reassigned to other duties within the department or may be suspended with pay pending the completion of the investigation.
- **Investigative-**  
Investigative suspension is removal from duty with pay. The employee will not be allowed to work pending the conclusion of the investigation. If circumstances do not permit contacting the Director of Human Resources or his/her designee, or time does not permit assessment of the incident or the employee's past record, the employee may be placed on investigative suspension.
- **Disciplinary-**  
Disciplinary suspensions shall be without pay. Disciplinary suspension may occur following a pre-suspension without pay hearing, in accordance with established UA policy

## **Property Surrender Suspension With or Without Pay**

When an employee is placed on a suspension, either with or without pay they may be required to surrender the specific issued property.

- **Police Officers will surrender:**
  - department issued weapon(s)
  - ammunition
  - badge
  - department issued key(s)
  - identification cards (UAPD and UA)
- **Police Aides will surrender:**
  - badge
  - identification cards (UAPD and UA)
  - departmental issued keys
- **Civilian Employees will surrender:**
  - identification cards (UAPD and UA)
  - departmental issued keys

The property will be surrendered to the employee's supervisor. The supervisor shall complete a Property and Evidence Form listing all surrendered property. The completed form and the property shall then be given to P&E for storage, pending

the conclusion of the suspension or criminal investigation. A copy of the P&E Report will be forwarded to the employee's Assistant Chief.

### **Authority to Reinstate From Suspension**

The Chief of Police or designee shall have the authority to reinstate an employee of the Department who has been suspended.

### **Conduct During Suspension**

Employees who are under disciplinary suspension shall not wear their uniforms, or any part thereof, during the suspension period, nor shall they take any law enforcement action other than what might be expected of a regular civilian performing a civic duty, unless otherwise approved by the Chief of Police. During suspension, an employee shall remain subject to all department, University and ABOR rules and regulations and orders.

### **Department's Responsibility**

When an employee is placed on suspension, the Chief of Police or designee will inform the employee both in person and in writing. The communication will include:

- Specific allegation of misconduct
- Date and time the suspension is effective
- Length of suspension
- Employees' responsibilities during the suspension
- Referral to the University Dispute Resolution Policy
- Specific conditions/restrictions imposed during the suspension period

### **Demotion**

An employee who fails to adequately perform at a satisfactory level may be subject to demotion. Pay may be reduced as a result of the demotion not lower than the starting pay level for the position to which the employee was demoted.

### **Dismissal**

After careful and factual review, the Chief of Police may dismiss an employee at any time for good cause.

Prior to discharge, a pre-discharge meeting shall be scheduled and shall precede the decision to discharge an employee. In the event, the pre-discharge meeting results in a decision to discharge the employee the dismissal notice shall be served on the employee prior to the effective time and date of the dismissal. An employee who is dismissed shall:

- Be informed in writing of the reason for discharge. (CALEA 26.1.7a)
- Be informed of the facts and conclusion from the pre-discharge hearing
- Be informed of the effective date and time of discharge (CALEA 26.1.7b)
- Be informed of their right to appeal the action through UA policies
- Be informed of their benefits following termination, including fringe benefits and retirement (CALEA 26.1.7c)
- Be informed of their eligibility or non-eligibility for rehire.
- Be provided with an opportunity to respond to the dismissal in accordance with University Policy.

### **AZPOST Action Certified Personnel**

Each of the following constitutes cause for AZPOST to revoke, refuse or suspend certified status of any person as a peace officer.

- Willful falsification of any information to obtain certified status
- Physical or mental disability which substantially impairs the person's ability to perform the duties of a peace officer
- Unauthorized use of or being under the influence of spirituous liquor on duty, or excessive use of spirituous liquor which would tend to discredit the law enforcement profession
- Addiction to or the unlawful use of narcotics or drugs
- The commission of a felony, an offense which would be a felony if committed in this state, or an offense involving dishonesty, unlawful sexual conduct or physical violence
- Malfeasance, misfeasance or nonfeasance in office
- Any other conduct or pattern of conduct that would tend to disrupt, diminish or otherwise jeopardize public trust in the law enforcement profession
- Violations of established AZPOST rules and regulation

Denial, suspension or revocation procedures shall not be considered by AZPOST in cases where an officer is terminated for infractions of his/her respective agency's policies, general orders or similar guidelines of operation which do not amount to any of the causes for denial, suspension, or revocation as enumerated in this rule.

**A police officer who is decertified by AZPOST is subject to termination for failing to meet job standards.**

### **Progressive Discipline**

The following methods are acceptable forms of progressive discipline and will be used in the application of this policy when appropriate.

**Counseling/Coaching:** The most common method for assisting members to

improve work performance or comply with rules and policies. The responsible supervisor shall make note of such efforts at counseling/coaching sessions in the employee's Guardian tracking. Counseling/Coaching shall require the supervisor and employee to jointly evaluate the specific deficiency. Once the problem has been identified, a performance plan shall be developed to help the employee correct the deficiency. Such plans will be written into the employee's PPR file, or in memo form for documentation. Employees shall be given the opportunity to sign the performance plan. Should the employee refuse, the supervisor will make a notation on the performance plan. (CALEA 26.1.4b)

**Warnings:** May be either verbal or written. In either case, the warning shall specify the reason for the warning and what action is required to correct it. In the instance of a verbal warning, the responsible supervisor shall make note of such warning in the employee's Guardian Tracking file. A written warning shall explicitly state that it is a "Written Warning." The specific disciplinary action will be enumerated along with a specific corrective action to be taken and the consequences if the employee fails to meet the level of performance required. **(A written warning shall also include notice to the employee that it is subject to the UA Dispute Resolution Procedure.** A copy of the written warning shall be sent through the chain of command, to UA Human Resources Department.

**Disciplinary Probation:** Disciplinary probation is usually applicable to job performance or dependability problems and carries an implied obligation to retain the employee for the duration of the probation. It shall be for a specific period of time not less than one (1) month or more than six (6) months. During the specified period, the employee's performance/behavior shall be closely monitored in an effort to effect the desired improvement or change. Should new problems arise or performance significantly decline during the period of the probation immediate discharge may occur.

An employee on disciplinary probation must satisfactorily complete the conditions of disciplinary probation at the conclusion of the specified period. Failure to do so will result in termination of employment.

Disciplinary probation shall be initiated by memorandum to the employee and explicitly contain:

- Inclusive dates of the probation period
- Specific nature of the problem(s) resulting in probation
- Corrective action required
- The consequences for failing to correct the problem(s) within the probationary period
- The employee's right to appeal the probation by means of the Resolution Dispute Procedure (UA Policy #406.0)

A copy of this memorandum shall be provided to the Employee Relations Section of the UA Human Resources Department.

## **Training as a Function of Discipline** (CALEA 26.1.4a)

Training may be a component of disciplinary action.

When training is used as a part of a disciplinary process, absent specific policy requirements, a written training program shall be presented to the employee. The training plan shall include:

- Specific training required
- Dates and type of training to be received
- Method of evaluation
- Minimum requirement for successful completion of training
- Consequences for failing to satisfactorily respond to training

Once a training need is identified, the employee's immediate supervisor will prepare a written performance plan, detailing the training as described above. The employee and supervisor shall review the performance plan, and implement the training in a timely manner.

After the employee has fulfilled the required training, the instructor providing the training shall make a verbal and written report to the employee's immediate supervisor detailing the specific training dates, and training provided. The report shall also include the results of the training as to the employee satisfactorily completing the training and noted in Guardian Tracking.

Should the employee fail to meet a satisfactory performance level, the instructor shall fully document the performance deficiencies in a written and verbal report to the employee's immediate supervisor.

## **Grievance Procedure**

***See UAPD Policy 24.3-Dispute Resolution Procedure.***

## **Maintenance of Disciplinary Records**

The UAPD Business Office shall be responsible for the maintenance and storage of all written disciplinary actions. Disciplinary action records shall be filed in the letters folder of the individual's UAPD personnel folder. UA Human Resources is responsible for the official employment records of all university employees. (CALEA 26.1.8)

Disciplinary actions that have resulted in the documentation of disciplinary actions including discharge shall become a permanent part of the employee's personnel record until the record is destroyed in accordance with applicable state statutes governing records retention.



Any letter of warning, reprimand, suspension, or discharge shall be forwarded to UA Human Resources.

## **Overall Authority**

The following matrix outlines a supervisor's role and authority attendant to each level of supervision and command relative to disciplinary actions.

### **Chief of Police:**

- Dismissal
- Suspension
- Reinstatement
- Demotion
- Disciplinary Probation
- Written Warning
- Verbal Warning
- Administrative Leave with Pay
- Coaching and Counseling
- Review of all disciplinary action greater than a written warning

### **Deputy Chief and Assistant Chief:**

- Recommendation on discipline, as appropriate
- Recommendation for Reinstatement
- Written Warning
- Verbal Warning
- Coaching and Counseling
- Administrative Leave with Pay

### **Lieutenant:**

- Recommendation on discipline, as appropriate
- Written Warning
- Verbal Warning
- Coaching and Counseling
- Administrative Leave with Pay (with Command level notification)

### **Sergeant/Civilian Supervisor:**

- Recommendation on discipline, as appropriate
- Written Warning
- Verbal Warning
- Coaching and Counseling
- Administrative Leave with Pay (with Command level notification)

### **Corporal/Police Officer Senior:**

- Recommendation on discipline, as appropriate
- Coaching and Counseling
- Administrative Leave with Pay (with Command Level notification)