

Emory & Henry Campus Police Department Policy Manual		General Orders
Subject: Organization of Manual; Definitions	Number: 1.1	
Approved By: Scott Poore Chief of Police	Effective Date:	
Amends: 08/20/13 By: Det. Dave McConnell	Rescinds:	

NOTE

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I. Purpose

Both professional law enforcement administration and management of liability require a manual which governs the activities of a police/security department. A manual of policies, rules, and procedures guides the day-to-day legal and ethical functioning of a police/security department. To that end, the Emory & Henry College Campus Safety Department activities shall be reflected in this manual.

II. Policy

This regulation outlines the organization of the manual, its authority and defines the terms, policy, rule, and procedure.

III. Definitions

A. Policy- A policy is a statement of the department's philosophy on a given issue. Policy consists of principles and values which guide the performance of

department employees. Further, policy is based upon ethics, experience, the law, and interests and desires of the community that we serve.

1. Each rule or regulation will begin with a purpose or introduction.
2. Only Board of Trustees, President, Dean of Students, and the Chief of Police determines policy.

B. Rule- A rule is a specific prohibition, requirement, or direction governing the behavior of employees.

1. Rules permit little if any deviation therefrom. Violations of Rules normally result in administrative discipline.
2. Only the Board of Trustees, President, Dean of Students, and Chief of Police devises rules.

C. Regulation- A regulation, which may contain one or more rules, is an administrative order governing organizational matters, (leave policy, promotions, etc.).

1. Similar to rules, regulations permit little if any deviation therefrom. Violations of regulations normally result in administrative discipline.
2. Only the Board of Trustees, President, Dean of Students, and Chief of Police devises regulations.

D. Procedure- A procedure defines a method of performing an operation or a manner of proceeding on a course of action. It differs from policy in that it directs action in a particular situation to perform a specific task within the guidelines of the policy.

1. All procedures in this manual will be labeled general orders. General orders govern police/security operations.
2. Unlike rules and regulations, violations of general orders may result in administrative discipline. General orders constitute a guide to behavior in given situations. Employees may depart from general orders if, in their professional judgment the situation warrants. Employees must be prepared to justify their actions. In this manual, “directive” is synonymous with “general order”.
3. Only the Board of Trustees, President, Dean of Students, and Chief of Police devises general orders.

E. Memorandum- A memorandum either (1) provides useful, specific information to employees not amounting to a formal order, or (2) constitutes a directive affecting specific behavior for a specific event or period of time, and is usually self-canceling.

1. Memoranda are not a part of this manual. Memoranda may be issued by the Board of Trustees, President, Dean of Students, and Chief; but, may also be issued by other college administration.
- F. This manual is a collection of rules, regulations, and general orders of the Emory & Henry Campus Safety Department.
- G. The board of Trustees, President, Dean of Students, or Chief of Police authorizes any rule, regulation, or general order. No rule, regulation, or general order is valid unless signed by the Board of Trustees, President, Dean of Students, or Chief of Police.
- H. Within the Context of any rule or directive, the use of the word “**shall**” connotes an action or behavior that is **mandatory and unequivocal**. The words “**may**” or “**can**” connote an action or behavior that is **optional**.

Changes

Any employee of the department may suggest or recommend changes to the Chief of Police concerning this policy manual. All such suggestions or recommendations shall be done in writing, forwarded through the chain of command.

The Chief of Police may make changes to this policy manual or ask another employee to make changes to this policy manual subject to his approval.

Effective Date:

By Order of

Scott Poore

Chief of Police

Emory & Henry Campus Police Department Policy Manual		General Orders
Subject: General Rules of Conduct	Number: 1.2	
Approved By: Scott Poore Chief of Police	Effective Date:	
Amends: 08/20/13 By: Det. Dave McConnell	Rescinds:	

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I. Purpose

To define departmental expectations, for personal behavior both on-duty and off-duty.

II. Policy

The Emory & Henry Campus Safety Department expects its employees to maintain high standards of appearance and conduct. The public similarly expects such high standards. Law Enforcement officers wield considerable power over the citizenry, power that is carefully circumscribed by federal and state law, and, ultimately, by the Constitution and Bill of rights. Powers to arrest, seize property, and interfere, at times with the lives of citizens constitute a public trust. Exemplary performance in our jobs will help to insure this trust. Conduct must be exemplary in manner when dealing with the community that we serve.

III. General Rules of Conduct

1. Campus Police Officers, and to a lesser extent, Campus Safety Officers are charged with preventing criminal activity, apprehending offenders, investigating crimes and traffic accidents, making written reports, recovering property, regulating non-criminal conduct, performing miscellaneous services for the members and guests of the campus community, and enforcing the laws of the United States, Commonwealth of Virginia, and the Codes and Regulations of Emory & Henry college.
2. Specific duty assignments do not alter a certified employee's obligation to take police action in problems requiring immediate attention. Regardless of specific assignment or responsibilities, all employees will perform all duties that may be required of them while on duty unless specifically excused.
3. Employees of the Department shall become thoroughly familiar with administrative regulations and Department orders, including orders issued by the Chief: they shall conform to and abide by them.
4. All employees shall have regular hours assigned them for active duty; at all other times, they shall be considered off duty. All off duty employees are subject to recall.
5. All supervisory officers will be required to notify the department when they leave the local area for more than forty eight (48) hours.

IV. Specific Rules of Conduct

1. Acceptance of Gifts or Rewards: Employees shall not solicit for rewards for performance of duties, ask for gratuities, or use their position to seek favors of any kind. No employee shall engage in any business transaction with a person in police custody.
2. Aiding and Protecting a Fellow Employee: Employees of the Department are required to perform their duties with coolness, firmness and determination; and in time of peril, they shall act together, assist and protect each other in the restoration of peace and order, apprehension of offenders, and the enforcement of laws.
3. Alcohol: No employee on duty, or wearing any identifiable part of the uniform, shall drink, purchase, or be under the influence of alcoholic beverages. No employee, on or off duty, shall consume alcoholic beverages to the extent that they bring discredit upon themselves, the Department, or Emory & Henry College. No Employee shall present themselves unfit for duty because of the consumption of alcoholic beverages.
4. Change of Address or Phone Number: Employees shall immediately notify their supervisor of any change of address or telephone number. In addition, the

employee shall submit such changes by memorandum to the Chief within twenty four (24) hours of the change.

5. **Conduct on Duty:** Employees shall maintain a professional approach and bearing to their duties at all times. Employees shall be attentive to their duties, shall not sleep on duty, and shall not read newspapers or magazines in public view. Reading of professional literature and College Publications is to be encouraged.
6. **Conduct towards Supervisors & Subordinate Employees:** All employees shall treat supervisors, subordinates, and associates with respect. They shall be courteous and civil at all times in their relationships with one another. When on duty and particularly in the presence of other employees, or the public, employees shall be referred to by rank, last name, or rank and last name.
7. **Contributions:** No contributions or subscriptions shall be made by any employee for the benefit of any other employee, nor shall any employee sell tickets or any other form of subscription to other employees or the public while on duty without the consent of the Chief.
8. **Court Attendance:** Employees shall be punctual in court attendance, with all cases properly prepared, and all evidence made available for presentation. Employees will give attention and respect to the court at all times, and will conduct themselves in a professional manner. Unless dictated by the court, all officers going to court shall be in full uniform. Civilian clothes, when worn, will be neat and conservative in nature.
9. **Criminal Proceedings:** Unless authorized by the Chief, an employee shall not recommend that criminal or traffic offenses be reduced, suspended, or dismissed, or any special consideration given unless they are the arresting officer or complaining witness, and then only to cooperate with the prosecutor or court in the interest of justice.
10. **Criticism of Orders:** Employees shall not publicly criticize any instructions or orders they have received.
11. **Departmental investigations:** Testifying employees are required to answer questions by, or render material and relevant statements to, a competent authority in a departmental personnel investigation when so directed. This applies to all internal administrative investigations and should not be construed as to limiting an individual's rights during a criminal investigation. An employee under investigation will be so advised as to whether the investigation is criminal or administrative. Only the Board of Trustees, President, Dean of Students, or Chief of Police can authorize an internal affairs investigation.
12. **Departmental Property:** Employees shall not misuse or abuse College or Departmental equipment, and shall immediately report to their supervisor, in writing, all loss or damage to College or Departmental owned or leased equipment. Supervisors will make periodic inspections to assure proper care of

equipment. Any employee guilty of neglect or willful damage to such property may, at the discretion of the Chief, be required to pay for the cost of its repair or replacement as part of any disciplinary action.

13. Divulging Criminal Records: No employee shall divulge the criminal record of any other person unless necessary to conduct an investigation or under due process of law. This shall not prohibit the release of information to authorized law enforcement or college personnel, or the release of facts connected with daily police activities to the press, radio, or television by authorized employees of the Department. Only the President, Dean of Students, Chief, or Public Information Officer is authorized to make such disclosures.
14. False Reports: Employees of the Department shall not make false reports or knowingly enter, or cause to be entered in any Department books, records, or reports, any inaccurate or false information.
15. Handling of Firearms: Employees will inspect all firearms that come into their possession; either found or seized. These weapons will be unloaded immediately unless a particular procedure prohibits. Weapons that have been checked out in an emergency, for a particular purpose, will be inspected by a department firearms instructor or a supervisor before returned to storage. All firearms will be unloaded prior to being placed in police property. A weapons safe is provided for student firearms during hunting season.
16. Gambling: Games of chance will not be permitted in police buildings, nor will employees participate in games of chance at any other location while on duty. No employee shall purchase lottery tickets or participate in any other games of chance while in uniform.
17. Identification: Employees shall courteously supply their name, rank, and badge number when requested to do so by any person.
18. Insignias: No insignia other than those authorized in the Uniform Regulations or by the Chief will be worn upon the uniform.
19. Leaving Jurisdiction: An on duty officer will not leave the jurisdictional limits of Emory & Henry College without authorization of a supervisor, except in the normal performance of his or her duties.
20. Off Duty Requirements: Off duty police officers may carry their duty weapon, and may take action as necessary to uphold their oath as the Code of Virginia allows. Off duty security officers and auxiliary police officers may not take action on any type of crime to include civil, misdemeanor, or felony. All off duty members of the Emory & Henry police department may carry a weapon in accordance with the Commonwealth of Virginia Laws regarding citizen concealed weapons.
21. Off Duty Involvement/Reporting: If a police officer is involved in any police action while off duty, a complete written report shall be submitted within 24 hours

to the Chief of Police. (unless acting as a member of another agency in an off duty employment or volunteer capacity) If involved in rendering first aid during an accident or assisting another Law Enforcement Agency, the officer will turn over the scene as soon as possible to the agency having primary jurisdiction.

22. Outside Employment: Engaging in off duty employment or gainful occupation which is considered to be detrimental to the Department or the College is prohibited to all employees. Employees shall not engage in personal business or outside employment while on duty. All off duty employment must have prior approval by the Chief of Police.
23. Political Activity: Employees will not take part in political management or affairs, or in political campaigns while in uniform, or on duty. This does not include voting at the polls. Employees will not solicit membership, or otherwise carry on unauthorized employee organization activities, while on duty, so as to preclude the performance of work assignments.
24. Public Appearances: All plans for public appearances before groups of any kind, including radio and television, for the purpose of discussing privileged information, police statistics, criminal cases, or any other police information relating to law enforcement activities, shall be prohibited. All contact will come through the office of the President, Dean of Students, or the Chief of Police.
25. Public Discussions: Employees shall not engage in political or religious discussions, in a public place, while on duty. They shall not speak critically of the nationality, color, creed, or beliefs of another person.
26. Recommendations/Prohibited: Employees shall not recommend the employment or hire of any particular attorney, bail bondsman, wrecker or other service for which a fee is charged.
27. Reporting for Duty: Members of the department will be punctual in reporting for duty at the time, and place designated by their supervisor. Employees shall report for duty 15 minutes early for their shift in order to be briefed by the officer that is ending their shift. Failure to report for duty on time may be deemed neglect of duty. If an employee is going to be late for their shift they must contact the officer on duty and advised him/her of this. All scheduled shifts must be worked unless preauthorization is granted by a supervisor and arrangements have been made to cover their shift. Employees may not leave their shift early without prior authorization from a supervisor.
28. Reporting to Supervisors: Employees will notify their supervisors, in writing, anytime they receive a Moving Vehicle violation, or are involved as a witness, victim, or suspect in any situation under investigation by another law enforcement agency. Employees will notify their supervisors, in writing, of any neglect of duty, or misconduct, either on or off duty, on the part of any employee of this department. Failure to do so will be considered as neglect of duty. Any employee

- sued for any act, performed while engaged in official capacity, while on or off duty, shall report this, in writing, to the Chief of Police.
29. Relief: All employees are to remain at their assignments, and on duty until properly relieved by another employee, or until dismissed by a supervisor. Anyone having to stay past their scheduled shift time will be compensated.
 30. Reports: Employees shall submit all required reports (in full) related to the performance of their duties before going off duty.
 31. Respect for Supervisors & Department Employees: the chain of command and the line of authority from the Chief of Police down, and from the employee up to the Chief shall be preserved in order to maintain the principles of discipline and good management. Employees of the department shall not speak critically, or in a derogatory manner, to other department and college employees regarding the orders or instructions given to them by a supervisor. If there is sound reason to believe that such an order or directive is unsafe, inconsistent, or unjust, it is the right of the employee to respectfully call it to the attention of the supervisor issuing the order. This will not be done in front of subordinates, and is best done in private. See organizational chart/Chain of command.
 32. Sickness and Injury: An employee shall notify their supervisor when the employee will be absent because of illness or injury as soon as they know they will not be able to report for duty. Any lost duty time of 24 hours (two days) may require the employee to furnish a physician's certificate of disability and a work release prior to returning to duty even if the illness or injury occurred while in an off duty status. All injuries on duty shall be reported to the supervisor. A Worker's Compensation form will be completed and a written report submitted.
 33. Smoking: Employees shall not smoke, use snuff or chew tobacco while in view of the general public. Smoking is not permitted in Police/Security or College Vehicles, or inside of a building.
 34. Standards of Conduct: Employees shall conduct their private lives and professional lives in such a manner as to avoid bringing discredit to the Police/Security Department or Emory & Henry College.
 35. Telephones: All employees are required to have a telephone at their place of residence, and to keep the Department informed of their number.
 36. Written Communications: All written communication to any person or agency outside of the department shall be approved by the Chief.

V. Misconduct and Disciplinary Action

1. Employees are subject to disciplinary action for the commission of any act that is prohibited. Noncompliance with any rule, regulation, or general order in this Manual, other Departmental or College orders, administrative regulation, may also result in disciplinary action. Misconduct, either on or off duty, or neglect of

duty by an employee shall be immediately investigated by a supervisor and appropriate action taken. Appropriate written reports shall be submitted in all the foregoing circumstances. The Chief and the Chief's chain of command, is the final appeal authority within the Department. Disciplinary action may take one of the following forms:

2. Oral reprimand by the employee's supervisor or other supervisor.
3. Oral reprimand with a written memorandum placed in the employee's file by the employee's supervisor or another supervisor.
4. Written reprimand issued by a supervisor or the Chief.
5. Emergency one day suspension issued by the Chief
6. Suspension for up to thirty (30) days with or without pay, administered by the Chief or Chief's chain of command.
7. Dismissal administered by the Chief at the direction of the Dean of Students or President.

VI. Notice

Upon notice of reprimand, suspension, or dismissal, the employee shall be notified in writing of the specific acts of misconduct for which they are to be disciplined or dismissed.

The following list includes, but does not limit, those offenses for which disciplinary action may be taken:

1. Commission of a crime to include misdemeanors and felonies.
2. Unlawful use of drugs or narcotics; habitual use of alcohol. To include use of alcoholic beverages on duty, or drunkenness on duty and/or buying alcoholic beverages while on duty or in uniform.
3. Neglect of duty.
4. Insubordination.
5. Failure to report honestly and accurately all facts pertaining to an investigation, or other matter of concern, to the Department.
6. Absence from duty without leave or authorization.
7. Behavior not conforming to professional standards of conduct.
8. Willful mistreatment of a prisoner.
9. Sleeping on duty.
10. Accepting or soliciting a bribe.
11. Aiding or permitting a prisoner to escape. To include releasing information to any person that would enable an escape from custody or hamper an investigation.

12. Incompetence.
13. Appropriating any lost, found, stolen, Departmental or College property.
14. Falsification of reports, records, or communications.
15. Improper political activity.
16. Feigning sickness or injury to avoid duty.
17. Abuse of Departmental or College property.
18. Use of harsh, profane, or obscene language to any employee of the Department, the College or the public.
19. Sexual misconduct/activities while on duty.
20. Any act of perjury.
21. Any other act or omission contrary to good order and discipline of the Department and the college.

Effective Date:

By order of:

Scott Poore

Chief of Police

Emory & Henry Campus Police Department		General Orders
Policy Manual		
SUBJECT: Chain of Command General Job Descriptions		NUMBER: 1.3
APPROVED BY: SCOTT POORE CHIEF OF POLICE		EFFECTIVE DATE:
AMENDS: 09/19/2013 BY: DET. DAVE MCCONNELL		RECENDS:

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I. Purpose

To define the ranks, chain of command, and responsibilities within the Department.

II. Policy

The Emory & Henry Campus Safety Department shall be organized in such a manner as to facilitate the accomplishment of its goals. These Goals shall include the prevention, detection, and investigation of crime, apprehension of the offenders, recovery of lost or stolen property, and the performance of all other duties as directed by the Chief to provide the students, faculty, staff and visitors of Emory & Henry College with a sense of safety and security. Requests for help or assistance that can be provided by this department to a citizen or another law enforcement agency shall never be refused.

Employees shall enforce the law in a fair and impartial manner, recognizing both the statutory and judicial limitations of police authority ant the Constitutional Rights of

all persons. It is not the role of this department to legislate, render legal judgments, nor to punish.

III. Organization of the Department:

1. The organization of the department includes the following:

- A. Office of the Chief of Police/Director of Security
- B. Police Officers
- C. Campus Safety Officers
- D. Work Study

2. Order of ranks:

- A. Chief of Police
- B. Lieutenant/Detective
- C. Sergeant (Police/CSO)
- D. Patrolman (Police Officer)
- E. Campus Safety Officer (Security)
- F. Work Study

3. Chief/Director:

The head of the department who shall direct the police and security functions of the college shall be responsible for the enforcement of Federal and State laws, and the Codes and Rules of Emory & Henry College. This work shall include the control of investigations, records, traffic, crime prevention, community relations, and all subjects allied to police work and other duties delegated by the Dean of Students, College President, or Board of Trustees. The Chief/Director shall have knowledge and control of the government, administration, disposition, and discipline of the Campus Safety Department.

During the absence or disability of the Chief/Director, the ranking employee designated by the Chief/Director shall possess all powers and perform all duties of the Chief/Director.

The ranking employee acting as Chief/Director shall carry out the orders of the Chief/Director previously given. Except in extreme emergency, these orders shall not be countermanded or set aside. When an order is disregarded, a written report stating the reason shall be made to the Chief/Director.

4. Supervision in Field Operations:

The department is an organization with an assignment of responsibility and accountability throughout the chain of command. To the degree that a senior employee is responsible and accountable for the performance of his junior, they must be granted commensurate authority in order to properly discharge their supervisory responsibility. Field supervision begins with the senior certified employees of the department, and it is upon them that the primary burden of training and supervising less experienced officers are placed.

5. Command Responsibility at Incidents:

The command at an incident rest with the highest ranking certified officer on scene, or the assigned senior certified employee on duty. Such person has the authority to direct the operation and is responsible for its outcome. A senior supervisor, subsequently arriving at the scene, may relieve the subordinate of command and assume command.

6. Crime Scene Supervision:

The initial responding officer is in charge of the crime scene until relieved of the responsibility by a ranking officer. A ranking officer may take command of any scene they deem appropriate, and will assist in the preliminary crime report, as well as any supplemental reports.

7. Chain of Command:

To insure the unity of command, clearly defined lines of authority must be drawn so that there exists a structural relationship between each employee and the Chief/Director. Each employee must be aware of their relative position within the organization, to whom they are immediately responsible, and those persons that are accountable to them. Employees should strive to keep the Chief informed of their activities. The Chief is available to any member of the department.

In order to reach the department's objective, there are exceptional instances that require an employee to circumvent the chain of command. Subordinates who bypass the chain of command out of necessity have a responsibility to keep their supervisors informed of their activities unless instructed not to do so by higher authority.

IV. Job Descriptions for Campus Safety Department:

1. Chief of Police/Director of Security:

General Responsibilities: This is a primarily administrative and technical work in directing all functions and activities of the Campus Safety Department. The Chief is responsible for the enforcement of all Federal and State laws, as well as the

rules and policies of Emory & Henry College involved in the preservation of law and order, and the protection of life and property. The Chief is responsible for directing all police/campus safety officers' activities. Work includes supervising, training, assigning, and disciplining all department employees.

The Chief receives policy from the Board of Trustees, President, and Dean of Students. In all departmental and law enforcement matters, the Chief is the final authority.

2. Lieutenant/Detective:

General Responsibilities: In addition to assuming the responsibilities of the Chief in his absence, the Lieutenant/Detective is responsible for following up on all reports submitted by subordinates. The Lieutenant/Detective reports directly to the Chief of Police. The Lieutenant/Detective is a supervisory position over subordinates (Police/CSO), and must be held by a DCJS Certified Police Officer. The Lieutenant/Detective is responsible for all investigations of Federal/State, or rules and policies of Emory & Henry College.

3. Sergeant (Police/CSO):

General Responsibilities: The Sergeant position can be held by either a DCJS Certified Police Officer or a DCJS Certified Campus Safety Officer. The Sergeant reports to the Lieutenant/Detective, if unavailable or it is deemed necessary may report directly to the Chief. The Sergeant is responsible for supervision of subordinates (Police/CSO). The Sergeant is also responsible for Fire Safety and Fire Log reports unless other designated officer is appointed.

4. Police Officers (Patrolman):

General Responsibilities: Performs general duty police work in the protection of life and property through the enforcement of laws, ordinances, and rules and policies of Emory & Henry College.

5. Campus Safety Officers (CSO)

General Responsibilities: Performs general duty police work in the protection of life and property through the enforcement of laws, ordinances, and rules and policies of Emory & Henry College.

Acceptable Experience and Training

Police Officers

Graduation from a standard high school or equivalent (GED), supplemented by college work leading to an associate degree, as well as graduation from a Commonwealth of Virginia recognized police academy. Police officers must be over 21, possess a valid Virginia driver's license, and have a good driving record, no misdemeanor or felony convictions of any type.

Campus Safety Officers

Graduation from a standard high school or equivalent (GED). CSOs must be over 21, possess a valid Virginia driver's license, and have a good driving record, no misdemeanor or felony convictions of any type, as well as the ability to meet requirements set forth by the Virginia Department of Criminal Justice Services in obtaining a Campus Safety Officer certification within one year of employment.

Examples of work Performed

Patrols assigned areas of the college for the prevention of crime and the enforcement of traffic laws and regulations. Investigates and prepares reports on accidents, offenses, and damage to property. Gives directions and information to the public, as well as assisting in other matters. Interviews witnesses and suspects during the investigation of crimes or accidents, and participates in safety conferences and programs. The ability to interact with the public, faculty, staff and student population is critical in the Campus Safety Department.

Effective Date:

By order of:

Scott Poore

Chief of Police

Emory & Henry Campus Police Department		General Orders	
Policy Manual			
SUBJECT: APPEARANCE, UNIFORMS AND EQUIPMENT		NUMBER: 1.4	
APPROVED BY: SCOTT POORE CHIEF OF POLICE		EFFECTIVE DATE:	
AMENDS: 09/19/2013 BY: DET. DAVE MCCONNELL		RECENDS:	

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I. Purpose:

To define uniform and equipment regulations for the information and guidance of all employees

II. Policy:

The Emory & Henry Campus Safety Department expects its employees to present a professional appearance at all times when representing the department. It is also expected that every employee will be responsible for the proper care and use of departmental property and equipment assigned or used by them.

III. General Regulations:

1. Grooming:

Employees shall maintain a smart, conservative, well-groomed appearance. Male employee's hair must be clean, neatly combed or styled. Sideburns when worn may extend to the base of the ear, and hair in the back of the head must not extend

below the base of the collar. Neatly trimmed mustaches are permitted provided they do not obscure the mouth. Handlebar mustaches and beards are not permitted. Goatees must be neatly trimmed. Female employees may wear ponytails, braids, or any other conservative style of hairdo so long as their hair does not present a safety hazard or interfere with their vision. Earrings, if worn, should be small and conservative, and not be so long as to present a safety hazard to the wearer. Male officers will not wear earrings on duty.

2. Uniform Specifications:

Employees shall keep their uniforms clean and pressed, tennis shoes are permitted with the everyday casual uniform (Khaki Pants & Polo Shirt). Clean boots or dress type shoes will be worn with the Class A uniform. Sunglasses, when worn, shall be conservative in style. All uniforms, unless otherwise specified, shall be made from material approved by the Chief. All prescribed uniform clothes, linings, chevrons insignia, helmets, bars, and devices shall be approved by the Chief.

3. Regulation uniform Items:

The regulation Uniform for Emory & Henry Campus Safety Department consists of the following approved items.

Class B

- A. Khaki Cargo Pants/Skirt(Female Only)
- B. Issued Polo Shirt displaying department logo.
- C. Official Badge (displayed on belt)
- D. Approved Jacket
- E. Tennis shoes or boots. (black in color)

Class A

- A. Regulation uniform (dark blue) shirt and trousers.
- B. Regulation issued shoulder patch.
- C. Rank insignia patches. (affixed under dept. patch)
- D. Years of service patches. (affixed on left forearm sleeve)
- E. EHPD collar brass. (attached to collar)
- F. Official Badge (above left shirt pocket)
- G. Name plate. (above right shirt pocket centered above pocket)
- H. Black leather or nylon pants belt.
- I. Approved uniform Jacket.
- J. Full leather or full nylon duty gear. (not miss matched)
- K. Black shoes or boots with black/dark blue socks.

During all major events such as home football games all officers must wear reflective safety vest displaying Police or Security on it.

4. The insignia of rank for members of the department are:
 - A. Chief
 - B. Lieutenant or Detective
 - C. Sargent
 - D. Patrolman
 - E. CSO

5. Regulation Shoulder Patch:

Recognized regulation shoulder patch on each sleeve of class A uniform shall be worn ½ inch below the shoulder seam, centered on the military crease.

6. Class B uniform:

Police/Security golf or polo shirts may be worn with long pants or shorts (cargo style Khaki) optional knee length skirt for women. Shorts may be worn from the day after graduation through the end of September.

7. Civilian Clothing:

Employees allowed to wear civilian clothing on duty will present a neat and clean appearance. Employees will wear clothing which is appropriate to the type of duties and contacts expected. For any formal business contacts, a collared shirt and trousers for men and equivalent skirt, blouse, or pants outfit for women is authorized. Civilian attire should not be a source of negative comment from the community.

Effective Date:

By order of:

Scott Poore

Chief of Police

Emory & Henry Campus Police Department		General Orders
Policy Manual		
SUBJECT: COMMUNICATIONS RELEASE OF RECORDS		NUMBER: 1.5
APPROVED BY: SCOTT POORE CHIEF OF POLICE		EFFECTIVE DATE:
AMENDS: 09/19/2013 BY: DET. DAVE MCCONNELL		RECENDS:

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I. Purpose

To define expectations on communication and release of criminal history.

II. Policy

Communications is a vital link between the public and the employees of this department. It is the policy of this department to provide an efficient response to all calls for service without undue delay. Communications employees will be expected to professionally and courteously respond to all requests for police/security services from citizens as well as efficiently respond to requests and calls to and from employees. Officers working the field will in turn be expected to keep communications informed of their status, and be professional and courteous in their response for calls for service. It is also the policy of this department to provide accurate criminal history record information to those authorized to receive such information.

III. General Information on Communications

1. Department employees are encouraged to use plain language for radio: The use of appropriate plain language to handle radio traffic will create no problem for this department and, in fact, will reduce the number of occasions in which the dispatcher and field officer fail to understand each other. Codes will not be used per: the orders passed down by the Governor's Office of Virginia. If there is a fire say "there is a fire", if you need an ambulance say "I need an ambulance".
2. Department employees are to keep on their person a radio on scan. Calls regarding fire alarms and medical emergencies are sometimes called into dispatch via the 911 systems or direct phone contact. All calls weather given directly to us or dispatched through the 911 system is to be responded upon by an officer from our department and a report shall be filed.
3. When the dispatcher assigns a call to a field unit the unit will not refuse or suggest another unit handle the call unless that unit is better trained to handle (depending on the nature of the call) the call. Also a supervisor may delegate another unit to handle the call if he/she feels it is necessary.
4. All transmissions shall be kept as brief and concise as possible
5. In case of emergency or serious incidents, the dispatcher or supervisor on duty may order that all transmissions except emergencies cease (this is done by contacting dispatch, being acknowledged by dispatch, and then declaring "emergency traffic") so that the field unit or situation having top priority may communicate as needed.
6. Police frequencies are subject to monitoring by owners of scanners. Sensitive or confidential information should not be broadcast. No foul language, comedy, or unprofessional use of the radio is permitted. The department and professional stature is constantly being assessed by the listening public and the Federal Communications Commission.
7. Officer status checks: Operations are more efficient and officer safety is enhanced when dispatchers, supervisors, and fellow employees know the status of the other officers, their locations, the nature of the call, and developments of their investigation. Officers are required to advise the dispatcher upon arrival at the scene of an incident, whenever they make vehicle or pedestrian stops (giving locations and identifiers for vehicles/people), when going in and out of service and any other change in status or location.

IV. Release of Department Records

1. Criminal History Record Information: means any information collected by criminal justice agencies on individuals consisting of identifiable descriptions and notification of arrests, detentions, indictments, information and other formal criminal charges. (does not include investigative information, or juvenile records.

Requests for this information will be routed through the Chief's office. Upon receiving a request from a source outside this agency or college, the following steps will be taken:

- A. Obtain identification from the requester.
 - B. Determine whether the requester is from a criminal justice agency or from a non-criminal justice agency, or is a private citizen.
 - C. Have the requester fill out the "request for information" form.
 - D. Information should be based on: Who is making the Inquiry? What type of information is being requested? What source must be accessed to fulfill the request? Why is the inquiry being made?
2. File management: Proper management of the dissemination of information is essential to carry out the intent of the rules and regulations governing the security and privacy of criminal history record information. As a criminal justice agency, we are subject to applicable laws, regulations, and dissemination of criminal history record information.
 3. Questionable requests for information will be directed to the President's office for review by the Attorney of the college.

Effective Date:

By order of:

Scott Poore

Chief of Police

Emory & Henry Campus Police Department		General Orders
Policy Manual		
SUBJECT: OFF DUTY CONDUCT POWERS OF ARREST		NUMBER: 1.6
APPROVED BY: SCOTT POORE CHIEF OF POLICE		EFFECTIVE DATE:
AMENDS: 06/1911/2014 BY: DET. DAVE MCCONNELL		RECENDS:

NOTE

This order is for internal use only and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third-party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial setting.

I. PURPOSE:

The purpose of this policy is to provide guidelines to employees of this department regarding acceptable criteria for affecting an off-duty arrest.

II. POLICY:

Off duty police officers are often faced with situations involving criminal conduct in which they are not equipped nor prepared to handle in the same manner as if they were on-duty. This may lead to unnecessary injuries to off-duty police officers. In order to promote safety and the most efficient operations, it is the policy of this department to determine and regulate those situations and locations within which an employee is permitted to make an arrest while off-duty.

III. PROCEDURES:

It shall be the policy of the Emory & Henry Police Department to limit the authority of arrest to the Campus, Campus Properties (owned, leased or operated)

any Streets, Sidewalks, and or Roadways directly adjacent to any Emory and Henry owned, leased or operated Properties. This is in conjunction with the VA State Code:

§ 23-234. Powers and duties; jurisdiction.

A. A campus police officer appointed as provided in § [23-233](#) or appointed and activated pursuant to § [23-233.1](#) may exercise the powers and duties conferred by law upon police officers of cities, towns, or counties, and shall be so deemed, including but not limited to the provisions of Chapters 5 (§ [19.2-52](#) et seq.), 7 (§ [19.2-71](#) et seq.), and 23 (§ [19.2-387](#) et seq.) of Title 19.2, (i) upon any property owned or controlled by the relevant public or private institution of higher education, or, upon request, any property owned or controlled by another public or private institution of higher education and upon the streets, sidewalks, and highways, immediately adjacent thereto, (ii) pursuant to a mutual aid agreement provided for in § [15.2-1727](#) between the governing board of a public or private institution and such other institution of higher education, public or private, in the Commonwealth or adjacent political subdivisions, (iii) in close pursuit of a person as provided in § [19.2-77](#), and (iv) upon approval by the appropriate circuit court of a petition by the local governing body for concurrent jurisdiction in designated areas with the police officers of the county, city, or town in which the institution, its satellite campuses, or other properties are located. The local governing body may petition the circuit court pursuant only to a request by the local law-enforcement agency for concurrent jurisdiction.

B.

See Section 1.27 Joint Operations Agreements/Local Agencies for rules and regulations regarding Section B of VA Code § 23-234. Powers and duties; jurisdiction.

IV. Liability Protection:

The employees of this department have liability protection for on and off duty performance of official duties. This protection **does not extend to willful acts to cause injury or damage, or to those actions that the employee knew, or reasonably should have known, were in conflict with the law, or established policies or customs of this department.**

Effective Date:

By order of:

Scott Poore

Chief of Police

Emory & Henry Campus Police Department		General Orders	
Policy Manual			
SUBJECT: Secondary Employment		NUMBER: 1.7	
APPROVED BY: SCOTT POORE CHIEF OF POLICE		EFFECTIVE DATE:	
AMENDS: 06/12/2014 BY: DET. DAVE MCCONNELL		RECENDS:	

NOTE

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I. PURPOSE:

The purpose of this policy is to set forth guidelines to govern off duty or secondary employment by members of this department.

II. POLICY:

The policy of this department is to provide guidelines to police/CSO employees to inform them of the types of secondary employment which are appropriate; and to establish procedures to maintain accountability for the welfare of the department.

Employees of the Emory & Henry Campus Police Department may engage in additional (off-duty) work providing it has no adverse impact upon the department, the College or their mission. Off duty employment shall not interfere with on duty performance. All off duty work must be approved by the Chief of Police.

III. DEFINITION:

Employment: The provision of a service, whether or not in exchange for a fee or other service. This does not include volunteer charity work.

Extra Duty Employment: Any employment that is conditioned on the actual or potential use of law enforcement powers by police employees.

Regular Off-Duty Employment: Any employment that will not require the use, or the potential use of law enforcement powers by the off-duty employee.

IV. PROCEDURES

There are two types of off-duty employment in which an employee may engage:

1. Regular Off-Duty Employment(must meet the following criteria)
 - A. Employment of a non-police nature in which vested police powers are not a condition of employment; the work provides no real or implied law enforcement service to the employer, and is not performed during assigned hours of duty.
 - B. Employment that presents no potential conflict of interest between their duties of a police/CSO and their duties for the secondary employer.
 - C. Employment that does not constitute a threat to the status or dignity of the employee or department.
2. Extra Duty Employment (may engage in these duties as follows)
 - A. Where a government, profit making or not for profit entity has a contract (written or verbal request) with the Emory & Henry College for officers in uniform or in plainclothes who are able to exercise their police/CSO duties.

V. LIMITATIONS

Limitations on regular off duty and extra duty employment are as follows:

1. In order to be eligible for off duty employment, an employee must be in good standing with the department.
2. A police/CSO employee will have a rest period prior to returning to normal duty.
3. Work hours for off duty employment must not conflict with the normal performance of duty or assigned schedule.
4. A police/CSO (full time employee) engaged in off duty employment is subject to call out in case of emergency, and the police/CSO call out at Emory & Henry College takes priority over off-duty work.

5. Permission for off duty work may be revoked if it is determined that the outside employment is not in the best interest of the department.
6. The Emory & Henry uniform will not be worn for any off duty work.
7. Part time employees may have full time or part time off-duty employment but it must also adhere to the same regulations regarding conflict of interest type employment or employment that may constitute a threat to the status or dignity of the employee or department.

Effective Date:

By order of:

Scott Poore

Chief of Police

Emory & Henry Campus Police Department Policy Manual		General Orders
SUBJECT: HARASSMENT IN THE WORKPLACE	NUMBER: 1.8	
APPROVED BY: SCOTT POORE CHIEF OF POLICE	EFFECTIVE DATE:	
AMENDS: 06/12/2014 BY: DET. DAVE MCCONNELL	RECENDS:	

NOTE

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I. PURPOSE:

The purpose of this policy is to maintain a healthy work environment and to provide procedures for reporting, investigating, and resolution of complaints of harassment, sexual or otherwise.

II. POLICY:

It is the policy of the Emory & Henry Police Department that all employees have the right to work in an environment free from all forms of harassment. The department does not condone, and will not tolerate, any harassment. The department shall take direct and immediate action to prevent such behavior, and to remedy all reported instances of harassment, sexual or otherwise.

III. PROHIBITED ACTIVITY:

1. No employee shall explicitly or implicitly ridicule, mock, deride, or belittle any person.

2. Employees shall not make offensive or derogatory comments based on race, color, sex, religion, national or sexual orientation, either directly or indirectly to another person. Such harassment is a prohibited form of discrimination under federal and state law, and is considered misconduct subject to disciplinary action by this department.
3. Sexual Harassment is defined by the Third Circuit Court of Appeals and expanded by the U.S. Supreme Court as:
Sexual Harassment is when a supervisor, with the actual or constructive knowledge of the employer, makes sexual advances or demands towards a subordinate employee and conditions that employee's job status-evaluation, continued employment, promotion or other aspects of career development on a favorable response to those advances or demands, and the employer does not take prompt action and appropriate remedial action after acquiring such knowledge. Furthermore, sexual harassment exists when a hostile, abusive, or intimidating environment is created by employers, supervisors, or fellow workers as well as when salary, benefits or opportunities are affected.
4. Asking out, dating, or fraternizing with Students, Staff, and Faculty is strongly discouraged and could be cause for disciplinary action if it is found that harassment is involved, a complaint is filed, or a conflict of interest is formed.

IV. EMPLOYEE'S RESPONSIBILITY:

- A. Each supervisor shall be responsible for preventing acts of harassment. This responsibility includes:
 1. Monitoring the work unit environment on a daily basis for signs that harassment may be occurring.
 2. Counseling all employees on the types of behavior prohibited, and the agency procedures for reporting and resolving complaints of harassment.
 3. Stopping any observed acts that may be considered harassment, and taking appropriate steps to intervene, whether or not the involved employees are within their line of supervision.
 4. Take immediate action to limit the work contact between two employees where there has been a complaint of harassment, in documenting and filing a complaint with the internal investigations authority.

- B. Each employee of this department is responsible for assisting in the prevention of harassment through the following acts:
 1. Refrain from participating in, or encouragement of, actions that could be perceived as harassment.

2. Reporting acts of harassment to a supervisor.
3. Encouraging any employee, who confides that they are being harassed to report these acts to a supervisor.

Failure to take action to stop known harassment shall be grounds for disciplinary action.

V. COMPLAINTS PROCEDURES:

1. Employees encountering harassment shall tell the person that their actions are unwelcomed and offensive. The employee shall document all incidents of harassment in order to provide the fullest basis for investigation.
2. Any employee who believes that they are being harassed shall report the incident to their supervisor as soon as possible so that steps may be taken to protect the employee from further harassment and appropriate investigative and disciplinary measures may be initiated. Where this is not practical, the employee may instead file a complaint with another supervisor. The chief will be notified of all complaints of harassment.
3. The supervisor or other person to whom a complaint is given shall meet with the employee and document the incidents complained of, the person performing or participating in the harassment, and the dates on which it occurred.
4. The internal investigation authority shall be responsible for the investigation of any complaint alleging harassment of any type.
5. The internal investigation authority shall immediately notify the Chief and the Commonwealth Attorney's Office if the complaint contains evidence of criminal activity, such as battery, rape or attempted rape.
6. The investigator shall include a determination whether other employees are being harassed by the person, and whether other department members participated in, or encouraged the harassment.
7. The internal investigations authority shall inform the parties involved of the outcome of the investigation.
8. A file of harassment complaints shall be maintained in a secure location.
9. There will be no retaliation against any employee for filing a harassment complaint, or assisting, testifying, or participating in the investigation of such complaint.

Effective Date:

By order of:

Scott Poore

Chief of Police

Emory & Henry Campus Police Department Policy Manual		General Orders
SUBJECT: INTERNAL INVESTIGATIONS COMPLAINTS	NUMBER: 1.9	
APPROVED BY: SCOTT POORE CHIEF OF POLICE	EFFECTIVE DATE:	
AMENDS: 06/12/2014 BY: DET. DAVE MCCONNELL	RECENDS:	

NOTE

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I. PURPOSE:

It is the purpose of this directive to establish a formal procedure where by complaints of employee misconduct can be thoroughly and promptly investigated.

II. POLICY:

Any law enforcement organization, in order to fulfill its intended purpose must establish and administer a sound disciplinary program. The Emory & Henry Campus Police Department recognized this important concept by establishing a system of internal discipline where objectivity, fairness, and justice are assured through intensive investigation and review, and timely adjudication. This system is consistent with current college policy.

It is the policy of this department that all allegations of employee misconduct or criticism of its services, initiated by a citizen or a member of the department, be thoroughly investigated and promptly adjudicated. Members of the department and the public they serve should expect no more, and the department offers no less.

On occasion, mistaken, or even malicious and deliberate false reports and accusations are made against members of the department, and the department in general. In some instances, the most conscientious and hardworking members will be subject of such reports. Accordingly, in order to insure the integrity of the police department, it is necessary to investigate completely and thoroughly all reports and accusations from all sources. At the same time, the reputation and good names of innocent members of the department must be protected. For this reason, investigations are considered confidential.

III. COMPLAINT PROCEDURE:

1. Complaint receipt: All complaints, regardless of source, will be made a matter of record and will be thoroughly investigated. Any employee becoming aware of a complaint against another employee or the department, will forward the information in writing to the Chief.
2. Responsibility of Supervisors: Any supervisor becoming aware of a complaint of any nature shall complete a report and forward it to the Chief. The supervisor, whenever possible, should obtain the complainant's signature and as much detail as possible, and attach any statements to the report.
3. Chief: Upon receiving the report, the Chief will review and will either assign it to an investigator, or conduct the investigation at Chief level, or ask another Law Enforcement Agency to investigate if the complaint appears to be serious, such as; excessive force with injury, false arrest, civil rights violations, or criminal conduct.

IV. INVESTIGATIVE PROCEDURES:

1. All investigations shall be completed in a timely manner, and a progress report shall be given to the Chief with the current status of the investigation.
2. Interviews shall be conducted with the complainant and all witnesses. Department members shall be interviewed and written reports obtained when necessary.
3. The use of a polygraph shall not be made without the expressed approval of the Chief.
4. It is the obligation of all employees to answer questions during the investigation phase of a complaint. Failure to cooperate can cause disciplinary action to be taken.
5. Any employee assigned to investigate misconduct shall report directly to the Chief, and is specifically prohibited from discussing the case with anyone other than the Chief, President, or Dean of Students.

6. The investigating officer will keep detailed records of all the investigative steps and findings. They will become part of the final report.
7. The final report will be submitted to the Chief, President and Dean of Students.

V. DISPOSITION:

1. The Chief, upon receiving the completed report, will make a determination as to whether or not the allegation will result in disciplinary action.
2. Upon Completion of the investigation, the Chief shall review the findings and classify the case in one of the following:
 - Sustained:** The accused employee committed all or part of the alleged acts of misconduct.
 - Not Sustained:** The investigation produced insufficient information to prove clearly or disprove the allegations.
 - Exonerated:** The alleged act occurred, but was justified, legal, and or proper.
 - Unfounded:** The alleged act did not occur.
3. In all cases the accused employee shall receive, in writing, the results classification of the investigation.
4. In cases where the allegation against the employee is sustained, disciplinary action consistent with the Personnel Regulations of Emory & Henry College will be initiated against the offender.
5. If an investigation discloses probable cause for believing that an employee has committed a crime, the evidence will be presented to the appropriate prosecutor for possible criminal charges.
6. An internal affairs file will be established by the Chief where all allegations as well as investigations will be kept under lock. These will not be a part of an employee's records unless the allegation has been sustained.
7. The complainant shall be notified by letter of the outcome and action taken by the Chief.

Effective Date:

By order of:

Scott Poore

Chief of Police

Emory & Henry Campus Police Department Policy Manual		General Orders
SUBJECT: RECRUITMENT	NUMBER: 1.10	
APPROVED BY: SCOTT POORE CHIEF OF POLICE	EFFECTIVE DATE:	
AMENDS: 06/12/2014 BY: DET. DAVE MCCONNELL	RECENDS:	

NOTE

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I. PURPOSE:

To define minimum standards and a process for the fair and equitable selection of employees with law enforcement duties.

II. POLICY:

It is the policy of this department that the critical mission of law enforcement justifies the maintenance of a specific recruitment process. The department will recruit individuals who meet D.C.J.S. standards and individuals whose philosophy aligns with Emory & Henry College Police Department's goals, missions, and philosophy.

III. SELECTION PROCESS:

Candidates for the position of Police Officer must meet the following requirements:

- be a US citizen or legal resident,
- undergo a background check,
- possess a high-school diploma, GED, or equivalent,
- be at least 21 years of age.
- Possess a Virginia DCJS Law Enforcement Officer Certification

Candidates for the position of Campus Safety Officer must meet the following requirements:

- be a US citizen or legal resident,
- undergo a background check,
- possess a high-school diploma, GED, or equivalent, and
- be at least 18 years of age

Once hired, based on the requirements above, a CSO applicant must complete the following within 180 days:

- first aid training, as determined by the employing institution,
- [Incident Command System for Higher Education](#) (IS-100.HE) by FEMA, and
- compulsory minimum entry-level training and pass all portions with a 70% or higher.

After all requirements are met, the CSO's point of contact must submit a signed [CSO application form](#) to DCJS for review and certification. Certification is valid for 2 years.

CSO certification is valid for 2 years. Within those 2 years, CSOs are required to receive 16 hours of campus security related training and have their point of contact submit an [Application for Re-Certification](#) and accompanying documentation to DCJS. Extensions may be granted for certain circumstances (see above). As a CSO, you will only be certified if you are employed by an institution. CSOs can also be "decertified" by DCJS after receiving notification from the employing institution of the CSOs:

- conviction, guilty plea, or no contest to a felony, or
- failure to comply with training or recertification standards, or
- refusal or failure of a drug test, or
- failure to tell the truth, or
- termination for cause.

Effective Date:

By order of:

Scott Poore

Chief of Police

Emory & Henry Campus Police Department		General Orders
Policy Manual		
Subject: Major Incident/ Emergency Notification	Number: 1.12	
Approved By: Scott Poore Chief of Police	Effective Date:	
Amends: 05/26/2010 By: Det. Dave McConnell	Rescinds:	

NOTE

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- I. PURPOSE
 - a. To establish general guidelines for planning and deploying personnel for emergency situations.
- II. Procedures
 - a. Administration
 - 1. The Chief of Police/Director of Campus Safety is responsible for overall planning of the law enforcement response to emergency situations, and for the office participation in the local Emergency Management Operations.
 - a. Emergency situations include both natural and man-made disasters. Natural disasters include hurricanes, tornados, storms, floods, blizzards, ice storms, fire, or any other natural catastrophe which results in property damage, suffering or hardship, or loss of life. A man-made disaster includes transportation accidents, explosions, major power failures, hazardous materials exposure, or environmental contamination, which results in property damage suffering or hardship, or loss of life.
 - 2. At least once annually the office shall conduct training for all personnel on their roles and responsibilities under the Emergency Response Plan.

3. The Chief is responsible for coordinating all law enforcement plans with the municipal, county, or state agencies responding to emergency situations.
 4. Aid to other jurisdictions in emergency situations and mutual assistance is covered in the mutual aid plan.
- b. Operations
1. Supervisors must know the abilities of assigned personnel and shall use this information in assigning or calling out officers for special operations. They shall assign officers by skill qualification, training, and general ability to complete the task at hand.
 2. Bomb disposal operations must be conducted by either the Explosive Ordinance Disposal (EOD) unit at the nearest military base or by Virginia State Police personnel. Contact of these units will be made through Washington County Central Dispatch.
- c. Special Events
1. Special Event plans shall include, at minimum:
 - a. Special personnel if needed
 - b. Command and control directives
 - c. Written estimates of traffic, crowd, or problems anticipated
 - d. Coordination with outside agencies if needed
- d. Mobilization
1. In any emergency or special operation where additional law enforcement resources are required, the Chief or Supervisor, may:
 - a. Hold over the shift due to go off duty so that personnel of two shifts are available
 - b. Call in additional personnel
 2. Some special operations are planned weeks in advance and, where possible, additional personnel required will be given advance notification of time, place, uniform, duties, etc. For other emergency operations, security considerations may limit advance notification to minutes.
 3. The Chief, or his designee, shall assign personnel called in as required, using the skills, knowledge, and abilities of officers where appropriate.
 4. Call out time is reimbursable time and will be strictly controlled and accounted for by following established rules and procedures of the office. This type of expenditure will be minimized whenever feasible.
- e. Emergency Notification Procedure
1. In the event of an emergency situation it is mandatory that the Chief or his designee be notified in a direct and timely manner; therefore, guidelines are established for a call out procedure. The Emergency Notification

Procedure will be as follows: the Chief or his designee will decide if any other notifications are required.

2. The officer on duty shall contact the Chief of Police or his designee for the following situations:
 - a. Homicides – second level of notification will be the person in charge of investigations
 - b. Injuries to police/security officers
 - c. Injuries to a citizen by a police/security officer
 - d. Use of a firearm (either on duty or off)
 - e. Fatalities (of any kind involving college personnel/faculty/staff/students or upon any college owned property.
 - f. Catastrophic or unusual events/emergencies to include:
 - Explosions and/or bomb threats
 - Hostage/barricaded situations
 - Kidnapping
 - Large-scale disturbances
 - Narcotics violations
 - Destruction of property
 - Any felony act
 - Any Emergency Situation Natural or Man-Made

Effective Date:

By Order of
Chief of Police
Scott Poore

Emory & Henry Police Department Policy Manual		General Orders	
Subject: EVIDENCE CONTROL		Number: 1.22	
Approved By: Scott Poore Chief of Police		Effective Date:	
Amends: 10/13/2014 By: Det. Dave McConnell		Rescinds:	

NOTE

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I. POLICY

It is the objective of this department to ensure that evidence in its custody can be properly secured and stored, readily retrieved, and that any changes in its custody have been properly and fully documented to ensure credibility of the department, and preserve the integrity of the evidence.

II. PURPOSE

The purpose of this directive is to establish guidelines for maintaining the evidentiary chain of custody.

III. DEFINITIONS

CHAIN OF EVIDENCE: The continuity of the custody of physical evidence from time of original collection to final disposal-which may be introduced in a judicial proceeding.

IMPOUNDING EMPLOYEE: The employee of this department who initially receives the evidence and initiates the chain of custody.

PHYSICAL EVIDENCE: Any substance or material found or recovered in connection with a criminal investigation.

EVIDENCE ROOM/LOCKERS: Facilities utilized by this department to store evidence.

IV. PROCEDURE

1. **Processing Evidence:** Any employee of this department who has evidence to be stored/secured shall make an inventory of that evidence at the location it was found or recovered. The inventory shall be witnessed and confirmed by another employee, preferably a supervisor if available, and shall include the following information for all items of evidence:

- A. Description of item(include make, model, serial number if any)

- B. Source(from whom or location obtained)

- C. Name of person primarily responsible for collecting the item(s).

The impounding employee shall properly handle, mark, and package all evidence, and transport all evidence, and transport all evidence to the evidence room or other authorized secure location as soon as practical. Evidence of a hazardous nature shall be appropriately packaged and stored in accordance with established department policy. Such substances include but are not limited to items which may have been exposed to or contaminated by communicable diseases, hazardous chemicals or waste products, or explosive or highly combustible products. Where appropriate, the evidence custodian will make arrangements and assume responsibility for storage and control of such substances outside the evidence room.

2. **IMPOUNDING EVIDENCE:** The evidence custodian shall be responsible for receiving, storing, maintaining, releasing, and accounting for all evidence in compliance with established department procedure. When evidence is deposited with the evidence custodian or in an approved holding facility (locker), an evidence receipt and or report shall be completed by the impounding employee. The evidence receipt/report shall include all information necessary to both document and ensure the integrity of the chain of custody. All monies shall be counted by the impounding employee, a second employee (preferably a supervisor) and again by the evidence custodian shall be responsible for developing and maintaining a master file of all evidence invoices and evidence tags completed. This file may be either manual or automated and shall be cross indexed with the chain of evidence custody file.
3. **STORAGE OF EVIDENCE:** The evidence custodian shall assign a storage location to each item of evidence and record this information on the evidence receipt/report.
4. **ACCESS TO EVDENCE:** Only employees of this department authorized by the Chief may enter the evidence room/holding area.
5. **INSPECTION OF EVIDENCE ROOM/HOLDING AREA:** Inspections of evidence storage areas shall be conducted as directed by the Chief. An annual inventory of evidence shall be held and conducted by an employee, appointed by the Chief who is not directly or routinely connected with evidence control.

6. **RECORDING TRANSFERS OF CUSTODY:** The evidence custodian shall be responsible for developing and maintaining a file that documents all changes in custody of evidence. The file shall be capable of readily identifying the individual or organization currently maintaining custody of the evidence. A written record of all transfers of evidence shall be made. Employees of this department who assume custody of evidence from the evidence room bear full responsibility for ensuring its security, proper storage, and maintenance, and for the ready retrieval of such evidence on demand.

7. **DISPOSAL OF EVIDENCE:** When no longer needed for the evidentiary purposes, all evidence, with the exception of firearms and contraband, shall be returned to its lawful owner unless title to the evidence is transferred to the jurisdiction by court order or the lawful owner fails to claim the evidence. In such cases the department may, as permitted under state law:
 - A. **Destroy it.**
 - B. **Dispose of it by public auction**
 - C. **Retain it for use by the department****Firearms and other non-drug contraband shall be physically destroyed unless:**
 - A. **Court order authorizes use of the item by this department.**
 - B. **The firearm is required by state law to be returned to its lawful owner.**

8. **MONEY RECIEPTS AND VOUCHER DISURSEMENTS:** A receipt system is provided for accountability of all receipts and disbursements of money, and money orders processed by this department. All such records shall be forwarded to the business office for their filing.

Effective Date:

By Order of
Scott Poore
Chief of Police

Emory & Henry Campus Police Department Policy Manual		General Orders
Subject: Deaths On Campus	Number: 1.28	
Approved By: Scott Poore Chief of Police	Effective Date: 10/10/2011	
Amends: 10/06/2011 By: Det. Dave McConnell	Rescinds:	

NOTE

This order is for internal use only and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third-party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial setting.

I. Purpose

The purpose of this directive is to establish clear procedures for responding to, and investigation of deaths occurring on campus.

II. Policy

It is the policy of the Emory & Henry Campus Police Department to provide adequate response, time, and investigation; and to go above and beyond to make sure the integrity of each and every death on campus is protected. We will provide equal protection/investigation under the law to each victim. A death call is to be considered a high priority call. It shall be the responsibility of the responding officer to protect the integrity of the scene and secure the perimeter of the scene. It will also be the responsibility of the responding officer to contact a supervisor, investigator, the dean of students, and any other appropriate personnel. In compliance with the "Cleary Act" the Chief of Police and or Dean of Students will make notifications to the campus community. Emergency notifications will be issued "without delay, and taking into account the safety of the community." The only exception is if doing so would "compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency". This makes containing the emergency priority No. 1, as it should be. However, the next priority is issuing a notification, and that, after confirmation, must be done before anything else unless it is necessary to contain the emergency. This

determination should be made "in the professional judgment of responsible authorities" and not personnel without emergency response expertise.

III. Definitions

A. Murder

Murder is the unlawful killing of another human being with "malice aforethought", and generally this state of mind distinguishes murder from other forms of unlawful homicide (such as manslaughter). As the loss of a human being inflicts enormous grief upon the individuals close to the victim, as well as the fact that the commission of a murder is highly detrimental to the good order within society, most societies both present and in antiquity have considered it a most serious crime worthy of the harshest of punishment

B. Homicide

Homicide refers to the act of a human killing another human. Murder, for example, is a type of homicide. It can also describe a person who has committed such an act, though this use is rare in modern English. Homicide is not always a punishable act under the criminal law, and is different than a murder from such formal legal point of view.

C. Manslaughter

Manslaughter is a legal term for the killing of a human being, in a manner considered by law as less culpable than murder. The distinction between murder and manslaughter is said to have first been made by the Ancient Athenian lawmaker Dracon in the 7th century BC.

The law generally differentiates between levels of criminal culpability based on the mens rea, or state of mind. This is particularly true within the law of homicide, where murder requires either the intent to kill – a state of mind called malice, or malice aforethought – or the knowledge that one's actions are likely to result in death; manslaughter, on the other hand, requires a lack of any prior intention to kill or create a deadly situation.

Manslaughter is usually broken down into two distinct categories: voluntary manslaughter and involuntary manslaughter.

D. Suicide

Suicide is the act of an organism intentionally causing its own death. Suicide is often committed out of despair, or attributed to some underlying mental disorder which includes depression, bipolar disorder, schizophrenia, alcoholism and drug abuse. Pressures or misfortunes such as financial difficulties or troubles with interpersonal relationships may play a significant role.

E. Accidental Death

An **accident** or **mishap** is an unforeseen and unplanned event or circumstance, often with lack of intention or necessity. It implies a generally negative outcome which may have been avoided or prevented had circumstances leading up to the accident been recognized, and acted upon, prior to its occurrence.

IV. Procedures- Preliminary death investigations.

A. Preliminary death investigations- General

1. After arriving at the scene, all officers shall consider and treat all death calls as a possible homicide.
2. Officers shall, as circumstances permit, check the victim's vital signs (breathing, pulse, muscle reflexes). Further, officers shall ensure the safety of any other persons in the vicinity, as necessary, to prevent injury or death. Unless the person is obviously dead, officers shall summon EMT personnel to establish the fact of death. In the death report, officers shall note the name of the EMT and his or her identification number, training level, and arrival time.

B. Procedures- General

1. Responsibilities of the first officer on scene
 - a. Preserve the scene and possible evidence.
 - b. Request a supervisor. Contact a Detective.
 - c. Take photographs of the body and the immediate area. Carefully note the body's position and the presence of any objects near the body.
 - d. Identify and Interview witnesses.
2. If death appears to be the result of natural causes, contact the victim's physician and family (if possible) to determine medical history.
 - a. The death may be treated as natural if the victims physician agrees to sign the death certificate, or the attending physician in a hospital or attending

physician in a hospital agrees to do so (Codes 54.1-2972, 32.1-263, -283, and -285.1 apply)

- b. All deaths must be pronounced by a physician or a qualified EMT, which may happen at the scene, at a hospital, or any other place designated by the medical examiner in medical examiner cases. The officer shall include in his or her report the time of pronouncement, the name of the physician, and where the body is to be taken.

3. Medical Examiner's case

If the circumstances of death fall into any of the following categories, or if there is any doubt as to the death's inclusion in one of these classifications, it shall automatically be considered a medical examiner's case (Code 32.1-283).

Classifications

- a. By violence; that is, accident, trauma, fire, injury, poisoning, suicide, or homicide.
- b. Suddenly, when in apparent good health.
- c. When unattended by a physician.
- d. When in custody.
- e. By unusual, suspicious, or unnatural means.
- f. Sudden death of an infant under eighteen months of age whose death is suspected to be attributable to Sudden Infant Death Syndrome (Code 32.1-283.1).

4. Non-Medical Examiner's case

For the purpose of these procedures, a non-medical examiner's case shall be defined as:

- a. A death resulting directly from a disease or illness, which has been diagnosed and is actively being treated or attended to by a physician.
- b. The death is not within the classification of a medical examiner's case, as defined above.

5. When the medical examiner is not immediately available.

- a. If authority for removal of the body cannot be ascertained from the medical examiner within a reasonable period of time, the on-duty supervisor, acting as an agent for the medical examiner may have the body transported to the nearest hospital for pronouncement and custody.
- b. The assistance of a rescue squad may be requested in emergency situations requiring the immediate removal of a body.

6. Under no circumstances shall officers transport dead bodies.

C. Childhood death procedures

1. In the event that the death victim is a child (under age 18), officers shall obtain and document the following information (not necessarily available at the scene) in addition to the measures outlined above:
 - a. List the other people who reside at the victim's residence (noting their age, sex, relationship, and state of health).
 - b. Conduct records checks on other family members.
 - c. Contact the Office of Social Services and Obtain any records on the child or his or her family.
 - d. For an infant, ascertain what prenatal care the mother received, the name/address of the delivering physician, and the name/address of the current physician.
 - e. Ascertain whether any other household members were recently ill or injured.
 - f. Ascertain the child's diet and what and when the child last ate.
 - g. Ascertain who last saw the child well and whether the death was observed.
 - h. Document any suspicious fumes or odors in the surrounding area.
 - i. If the child sleeps with another person, obtain as much background information about that person as possible.

D. Death Notification

Note that timeliness takes precedence over protocol when giving a death notification. The Chief or designee shall notify, or cause to be notified, the next-of-kin as soon as possible. The notification should be done in person.

V. Procedures- Follow up

A. Follow up

The initial stages of all preliminary investigations, including securing the scene, supervisor contact, and contacting EMS shall be conducted by initial responding officer.

In certain serious crimes as defined in Section VI of this general order, responsibility for the investigation and follow-up will be assigned by the Chief of Police. He will make the decision to turn the case over to an in house detective, WCSO criminal investigations division (CID), Virginia State Police or conduct a joint investigation with these agencies assistance.

VI. Procedures- Follow up Investigations

- A. Homicides, rapes, and robberies, major disasters, hostage situations, bombings, sex crimes, child abuse/neglect, felonious assault, and kidnappings shall be

followed up by the detective. Officers who conduct preliminary investigations of these offenses shall contact the detective as soon as practical.

- B. Occasionally, additional investigation will be required at the end of the tour of duty of the assigned officer. In these cases in this case the initial responding officer may be relieved by the officer coming on duty. Supplemental reports will be filed by each officer working on the case.
- C. A follow-up investigation consists of, but is not limited to, the following activities:

For a Non-Criminal Case

- 1. Interviewing complainants and witnesses.
- 2. Locating missing Persons.
- 3. Determining if information or suspicious activity relates to criminal activity.
- 4. Distributing information to the proper persons or agencies.
- 5. Locating lost property and returning same to owner.
- 6. Making necessary notifications or conducting necessary inspections.
- 7. Recording information.
- 8. Making reports.

For a Criminal Case

- 1. Reviewing and analyzing reports of preliminary investigations.
- 2. Recording information.
- 3. Creating a sketch of the crime scene.
- 4. Reviewing office records for investigative leads.
- 5. Seeking additional information (from other officers, informants, contacts in community, and other agencies).
- 6. Interviewing victims and witnesses.
- 7. Interrogating suspects.
- 8. Arranging for the dissemination of information as appropriate.
- 9. Planning, organizing, and conducting searches.
- 10. Collecting physical evidence.
- 11. Recovering property.
- 12. Arranging for the analysis and evaluation of evidence.
- 13. Identifying and apprehending the offender.
- 14. Checking the suspect's criminal history.
- 15. Determining if the suspect has committed other crimes.
- 16. Consulting with the Commonwealth's Attorney in preparing cases for court presentation and assisting in the prosecution.
- 17. Notifying victims and witnesses when their presence is required in court.
- 18. Testifying in court.
- 19. Arranging for polygraph examinations, if necessary.

D. Formal Reports

Formal report shall include the following information:

1. Date and time of arrival at the scene.
2. Relevant weather or situational conditions at the scene upon arrival.
3. Circumstances of how the crime was discovered and reported.
4. Identity of other officers or emergency personnel at the scene.
5. Physical Evidence present at the scene and the officers responsible for its collection.
6. Names, addresses, and telephone numbers of victims or witnesses.
7. Results of interviews with complainant, victim, or witnesses to include the identity or description of suspects.
8. Diagrams, sketches, photographs, or videotape taken at the scene, and the identity of the photographer or artist.
9. Recommendations for further investigation.
10. Case disposition report.

Effective Date:

By Order of

Scott Poore

Chief of Police

Emory & Henry Campus Police Department		General Orders
Policy Manual		
Subject: Domestic Violence/ Stalking	Number: 1.29	
Approved By: Scott Poore Chief of Police	Effective Date:	
Amends: 04/26/2010 By: Det. Dave McConnell	Rescinds:	

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I. Purpose

The purpose of this directive is to establish procedures when responding to cases of domestic assault and battery/family violence/stalking.

II. Policy

It is the policy of the Emory & Henry Campus Police/Security Department to provide equal protection under the law to victims of family abuse regardless of the relationship between the violator and the victim. A domestic disturbance/stalking call will be considered a high priority call. It is the responsibility of the officer to terminate the conflict, determine if a crime has been committed, identify the predominant aggressor, make an arrest when probable cause exists, provide safety for any victim, and make referrals to appropriate agencies for future services.

III. Definitions

A. Assault

See *Virginia Code* §§ 18.2-57 and 18.2-57.2 ("Assault and Battery Against a Family or Household Member," which upon a third or subsequent conviction of the same or similar offense of any jurisdiction within a ten-year period shall be treated as a Class 6 felony).

1. A related matter, § 18.2-60 criminalizes the sending of letters to anyone threatening death or injury (Class 6 felony).

2. A magistrate issuing a warrant for violation of § 18.2-57.2 shall also issue an emergency protective order.

B. Domestic violence shelters/programs

Services that are provided (usually 24 hours a day) for women and their children who have been physically or emotionally abused, or who have been threatened with abuse by their spouses or partners. Services include crisis intervention, counseling, shelter, escort to court, food, clothing, and transportation. Washington County victim witness will assist in this.

C. Family abuse

Any threat or act of violence, including forceful detention, which results in physical injury or places one in reasonable apprehension of bodily injury and which is committed by a person against such person's family or household member (§ 16.1-228).

D. Family or household member

Per §§ 18.2-57.2, 16.1-228, and 19.2-81.3, includes:

1. Spouses, whether or not residing in the same home.
2. Former spouses, whether or not residing in the same home.
3. Persons who have a child in common, whether or not they have ever been married or resided together.
4. Parents, children, stepparents, stepchildren, grandparents, grandchildren, brothers and sisters, half-brothers and half-sisters, regardless of whether they reside in the same home with the suspect.
5. Parents-in-law, children-in-law, brothers- and sisters-in-law who reside in the same home with the suspect.
6. Persons who cohabit or who, within the previous 12 months cohabited with the suspect, and any children of either who then resided in the same home as the suspect.

E. Predominant physical aggressor

(See § 19.2-81.3) The party that poses the greatest threat. The predominant aggressor **is not necessarily the first** disputant to engage in assaultive behavior, but the one with the most ability and inclination to inflict physical injury. Officers shall identify a predominant physical aggressor based on the **totality of the circumstances**. Some or all of these characteristics may be present:

1. Evidence that any of the parties acted in self defense.
2. A history of violence (prior assault convictions) of the parties involved, including history of calls for service.
3. The relative severity of injuries inflicted on all parties, plus consideration whether the injuries were offensive or defensive.
4. The relative size, bulk, and strength of the parties involved.
5. Evidence from persons involved in or witnesses to the incident.
6. The likelihood of future injury to any party.
7. Current or previous protection orders filed against either party.

[Note: This directive discourages officers from making dual arrests. Officers are reminded that they may need to make special arrangements for handling small children where the predominant caregiver has been arrested or injured. Notification for social services assistance or contact with a close family member in reference to arrangements maybe necessary.]

F. Protective order

A court order of protection on behalf of an abused family/household member that restrains the abuser from further acts of violence, may order the abuser to refrain from further contact, vacate the residence, relinquish custody of a vehicle, plus other measures (see § 16.1-279.1). A protective order may be valid up to two years. Types of protective orders:

1. Emergency protective order/EPO for stalking.
2. Preliminary protective order/PPO for stalking.
3. Full protective order/PO for stalking.

Statutes relevant to protective orders include §§ 16.1-251, -253.1, -253.2, -253.4, -279.1, 18.2-60.4, 19.2-81.3, 152.8 through -152.10). For further discussion of protective orders, see section VI.

G. Stalking

Any person who on more than one occasion engages in conduct directed at another person with the intent to place, or with the knowledge that the conduct places, that other person or the person's family or household member in reasonable fear of death, criminal sexual assault, or bodily injury (a Class 1 misdemeanor, § 18.2-60.3).

1. Stalking behaviors include following a person to home, work, and other places, parking outside home or office, threatening notes or telephone calls/texts, threats, or computer-based, on-line threats.
2. A person who violates any provision of a protective order related to stalking is guilty of a Class 1 misdemeanor (§ 18.2-60.4).

IV. Procedures - General responsibilities

- A. Agency personnel shall refer victims of domestic violence and stalking to appropriate community resources (mental health agencies, medical doctors, legal assistance agencies, victim/witness assistance programs, and domestic violence shelters/programs). Where possible, officers shall help victims directly access referral agencies. Referrals help prevent future disturbances.
- B. Agency personnel shall be trained about domestic violence/stalking and its impact. Disturbance calls can be dangerous to responding officers. Officers are encouraged to consult community resources such as the local domestic violence shelter and the local victim/witness advocacy program.
- C. Police/Security officer responsibilities
 1. Upon receipt of a call involving domestic violence/stalking. The security officer shall determine the following, if possible:
 - a. Who is complaining? Phone number? Whereabouts and identity of the suspect/aggressor?
 - b. Name of caller and location of incident? Location of caller and complainant, if different? Phone numbers?
 - c. Is the crime (incident) in progress or when did it occur?
 - d. Is a weapon involved?
 - e. Have people at the scene been injured? Is an ambulance needed?

- f. Presence of children? Witnesses?
2. At this point, if evidence of injury or a weapon exists, someone has threatened violence, or the complainant requests an officer, dispatch one immediately (two officers should be sent to the scene if possible, if the violator is still there or close by) and an ambulance, if needed. Keep the caller on the telephone, if possible, and obtain additional information:
 - a. Suspect's whereabouts? If not known, obtain vehicle description, direction of travel, and elapsed time and access to weapons.
 - b. Are alcohol or drugs involved?
 - c. A history of calls to this address? Outstanding warrants on disputants? Probation/parole status of suspect/aggressor?
 - d. A history of previous arrests?
 - e. A protective order in effect?
 3. The police/security officer shall maintain telephone contact until the officers arrive in order to monitor the incident and provide support to the victim. The police/security officer shall advise the victim of the intended response.
 4. The police/security officer shall gather as much information as possible to identify risks at the scene.

V. Procedures - Patrol responsibilities

A. Arrival at the scene

1. Obtain all available information from the communication officer before arrival.
2. Approaching the scene.
 - a. When possible, officers should wait for back-up help, discuss a strategy, and approach the dispute scene in pairs.
 - b. Avoid the use of sirens and other alarms in the vicinity of the scene.
 - c. Observe the location of the dispute before contacting the complainant.

- d. Before knocking on the door, listen and look in any nearby window to obtain additional information about the situation (e.g., layout of the house, number of people, weapons, evidence of violence or damage).
 - e. **Officers must be concerned for their own safety as well as the disputants'.** To minimize the possibility of injury, stand to the side of the door and not in front of windows when knocking. The unexpected may occur when the door opens.
3. Initial contact with occupant(s).
- a. Identify selves as law enforcement/security officers by name, give an explanation of your presence, and request entry into the residence (when conditions permit). Ascertain identity of complainant, and ask to see him or her and any other person at the home.
 - (1) Officers shall not accept statements from any disputant or witness that the call was a mistake without investigating further. Officers shall not leave without interviewing the complainant.
 - b. If entry is refused, officers must explain that they must make sure there are no injured persons inside. If no one responds to knocking, officers shall try to establish voice contact by shouting for an answer.
 - c. Refusal of entry or no response to a knock at the door may require a forced entrance **only** if officers have a reasonable suspicion that the safety of people inside may be in jeopardy.
 - (1) In deciding to make a forced warrantless entry, officers shall evaluate the following elements:
 - (a) The degree of urgency involved and the time required getting a warrant.
 - (b) The possibility of danger to others, including officers left to guard the site.
 - (c) Whether the suspected offense is ongoing and/or involves violence.
 - (d) Whether officers reasonably believe that persons may be armed.

- d. Officers may conduct a search of the premises if consent has been given to do so. Although a consent search eliminates the need for a warrant and for probable cause, such consent must be freely and voluntarily given. If two people have joint ownership or possession of a place or thing, **either one** may give a valid consent.
- (1) A spouse can consent to the search of premises used jointly by both husband and wife. This also applies if the man and woman are unmarried cohabitants. If one of them exercises sole control over part of the premises, the other cannot give valid consent to search that part.
 - (2) If the complainant has asked for law enforcement assistance in retrieving personal property from his or her residence, the officers must first determine if the complainant has lawful authority to do so. If so, the officers shall stand by to preserve the peace, but may advise the disputants that rights to any disputed property can only be determined by the courts.
- e. Officers may also make a warrantless entry to conduct a search if an emergency exists. Officers must have a reasonable belief that such an emergency does exist (example: officers believe that someone, perhaps children, is in need of emergency assistance).
- (1) Officers shall evaluate the following elements when considering a warrantless entry:
 - (a) The degree of urgency involved and the time required to get a warrant.
 - (b) The possibility of danger to others, including officers left to guard the site.
 - (c) Whether the suspected offense is serious or involves violence.
 - (d) Whether officers reasonably believe that persons may be armed.
 - (2) Finally, officers are reminded that they have a lawful right to investigate any situation which they reasonably believe to be an emergency.

- f. Once inside, establish control by:
 - (1) Inquiring about the nature of the dispute.
 - (2) Identifying disputants.
 - (3) Being aware of potential weapons in surroundings.
 - (4) Determining if persons are in other rooms, whether children or adults, and the extent of any injuries (these persons should be separated from the parties involved and kept out of hearing range so their status as possible witnesses won't be compromised).
 - g. Protect the victim from further abuse. Separate the victim from the suspect and arrange for medical attention if victim is hurt. If the victim appears injured and yet refuses medical assistance, carefully document any observed injuries, as well as the refusal of medical treatment. Photograph the victim's injuries.
 - h. Ascertain whether a protective order has been violated.
 - i. If weapons (whether firearms, knives, or any other object which could be used as a weapon) are present, secure them away from the disputants, if practicable, while the disputants are being interviewed. If officers determine that weapons should be removed from the premises, contact the field supervisor. Refer to II.A.7 regarding § 18.2-308.1:4 which prohibits persons under protective orders from purchasing or transporting firearms.
4. Transporting family/household members to the hospital, safe shelter, or magistrate. See § 16.1-253.2.
- a. Officers shall transport victims or assist in arranging for transportation as they wish or as the circumstances require. Officers are required to transport or arrange for transport victims to hospital, safe shelter, or magistrate, upon request. (See §§ 19.2-81.3, 19.2 -81.4.)

B. Interviewing all disputants

- 1. Ensure safety and privacy by interviewing the victim in a place separate from the suspect, if identifiable.

2. Critical to the success of the interview is the officer's manner. Officers must listen, show interest in the disputants and their problem, and remain aware of nonverbal communications signals.
3. Officers shall attempt a low-key approach in domestic violence cases. Maintain good eye contact through natural spontaneous glances. (Fixed gazes or staring increase fear and hostility) A relaxed stance and appropriate facial and head movements demonstrate interest and encourages victim to continue speaking.
4. If possible, separate the parties so that they can individually describe the incident without interruption. Although the disputants may be separated, officers shall remain within sight and hearing of each other.
5. After the parties have given their statements, the officers should ask about details for clarification, and summarize the stated accounts.
6. Be aware that parties may make excited utterances, which may have evidentiary value. Record these utterances when practicable and note them in your report.

C. Interviewing the victim

Ascertain the following information from the victim:

1. What happened?
2. Any injuries, who caused them, and what weapons or objects were used.
3. Relationship to suspect.
4. Any threats made against victim or others.
5. Forced sexual contact against victim's will.
6. Any court cases pending against suspect or any protective orders in effect.
7. Is suspect on probation or parole?
8. Did suspect threaten others, particularly children, damage property, or hurt pets.

D. Interviewing witnesses

1. Interview any witnesses to the incident--children, other family members, and neighbors--as soon as possible.
2. Remember that witnesses may be experiencing significant emotional crises that might influence the accuracy of their accounts.
3. If witnesses provide information about prior assaults, document them to help establish a pattern.
4. Children of disputants should be interviewed with care and kindness. Sit, kneel, or otherwise be at their level when speaking to them. Signs of trauma or abuse should be noted.

VI. Procedures - Issuing an emergency protective order

A. Emergency protective orders (EPO) (domestic violence)

1. The EPO aims to protect the health or safety of any person. Regardless of a decision to arrest, if an officer has at least a reasonable belief that family abuse has occurred and there exists probable danger of further abuse, the officers shall petition a judge or magistrate to issue an EPO. (See § 16.1-253.4.)
 - a. If circumstances make it impossible or inappropriate for an officer to obtain the EPO, the officer shall advise the victim that he or she can request an EPO directly from a magistrate or the Juvenile and Domestic Relations Court.
 - b. The victim does not need to press charges or swear a warrant. The presence of the victim or suspect is immaterial to obtaining an EPO.
 - c. An EPO may order a stop to abusive behavior, prohibit contact between parties, order the abuser out of a shared home, and provide other relief.
2. Officers can petition for an EPO by telephone or in person.
3. The EPO expires 72 hours after issuance. If the expiration would occur when court is not in session, then the EPO expiration is delayed until 5 p.m. of the next business day. Note that a law-enforcement officer may request an extension of an EPO if the person in need of protection is mentally or physically incapable of doing so. The victim can petition for a preliminary protective order before the expiration of an EPO.

4. The officer shall complete form DC-626 and serve a copy to the respondent as soon as possible. **The order cannot be enforced until the abuser has been served.** The communication officer shall enter the relevant information into VCIN upon receipt and update the entry upon service of the order.
5. The officer shall submit the original order to the issuing judge or magistrate, provide a copy to the victim, and attach a copy to the incident report.

B. Emergency protective order (EPO) (stalking)

1. The victim may obtain an EPO once he or she has sworn an arrest warrant for the stalking offense or a serious bodily injury crime under § 18.2-60.3 and § 19.2-152.9-.10. The abuser can be anyone, not necessarily a family or household member.
 - a. An EPO for stalking may order the respondent to stop the threatening behavior, prohibit the respondent from contacting the victim in any way, and provide other relief.
2. An officer can request a warrant and an EPO by telephone or in person under a reasonable belief that stalking has occurred and will occur in the future or in cases where a violent act has resulted in serious bodily injury to the victim. Further, the victim can request an EPO in person at the office of a magistrate or the General District Court Clerk's Office.

C. Preliminary protective order (PPO) (domestic violence)

1. An abused/family household member may petition the Juvenile and Domestic Relations Court for a PPO (see § 16.1-253.1). After an *ex parte* hearing and based on immediate and present danger of family abuse or evidence sufficient to establish probable cause that family abuse has recently occurred, the court may issue a PPO (protecting the petitioner **or** his or her family, or both). At the hearing where the PPO is issued, a hearing date for a permanent or full protective order shall be set. The PPO is valid for 15 days.
 - a. The PPO may order the suspect to stop the abusive behavior, prohibit contact between parties, order the abuser out of a shared home, grant exclusive possession over a home or car, and award temporary custody of children.

- b. A victim does not have to have an EPO in order to obtain a PPO.
 - c. **The victim** must petition the Juvenile and Domestic Relations Court for a PPO.
2. The communication officer shall enter the order into VCIN upon receipt, which record shall be updated upon service of the order.

The PPO shall be served on the abuser as soon as possible.

D. Preliminary protective order (PPO) (stalking)

- 1. Generally, the provisions of C above apply in stalking or serious bodily injury cases. The victim must go to the Juvenile and Domestic Relations Court of the jurisdiction where the stalking or violent crime occurred to petition for the PPO.
- 2. A PPO may order the abuser to stop stalking or violent behavior, prohibit contact between parties, and provide other relief as necessary.

E. Full protective orders (domestic violence and stalking)

- 1. Domestic violence: In addition to the restrictions and prohibitions placed in a PPO, the full protective order may require an abuser to pay for the victim and children to live elsewhere, and for the abuser to receive treatment or counseling.
 - a. The victim and the abuser must attend a protective order hearing at the Juvenile and Domestic Relations Court.
 - b. The full order is valid for up to two years.
- 2. Stalking: The full protective order for stalking or serious bodily injury crimes observes the same general restrictions and prohibitions of a protective order for domestic violence.
 - a. The victim and the abuser must attend a protective order hearing at the Juvenile and Domestic Relations Court.
 - b. The full order is valid for up to two years.

F. Full faith and credit

Officers shall enforce **all** protective orders from other states or possessions of the United States as if they were issued in Virginia (16.1-279.1). Enforcement of out-of-state protective orders **does not** require that they be registered in

Virginia. If officers are unable to verify an outstanding protective order, they must nevertheless honor it. Officers cannot arrest for violation of the order, however, if the violator has not been served with it.

Officers are allowed an extra measure of security if they cannot validate a foreign protective order. If they are not satisfied that the order is valid, then they may ask victims to sign a statement specifying what court, jurisdiction, conditions, and expiration apply.

G. Purchase or transportation of a firearm by a person subject to protective orders

§ 18.2-308.1:4 prohibits any person subject to a protective order for domestic violence or stalking (as defined in the statutes cited in this order) from purchasing or transporting a firearm while the order is in effect, punishable as a Class 1 misdemeanor. Firearms transported or purchased in violation of this law shall be confiscated and subject to forfeiture.

VII. PROCEDURES - Arrests

- A. Police Officers may make an arrest without a warrant if they have probable cause to believe that a felony has been committed in or out of his or her presence (§ 19.2-81, -81.3). The *Code* specifies the misdemeanors for which officers can arrest for offenses not committed in their presence. Further, **the Emory & Henry Campus Police Department promotes a policy of arrest when the elements of an appropriate offense are present.** Officers are reminded that they cannot release the abuser on a summons, but must take the abuser before a magistrate.
- B. Police Officers who develop probable cause that a person was the predominant physical aggressor in a violation of § 18.2-57.2 (assault/battery against a family/household member), § 16.1-253.2 (violation of a protective order), shall arrest and take him or her into custody (§ 19.2-81.3). Officers who develop probable cause that a person has committed stalking (§ 18.2-60.4 or -603) shall arrest and take him or her into custody. (If the "no contact," "no trespass," or "no further abuse" provision of a protective order is violated, then it is treated as its own Class 1 misdemeanor offense.)
1. Knowing that the safety of the complainant or victim probably will be compromised by an arrest, and recognizing that circumstances may preclude physical arrest, the officer must decide, within his or her discretion, whether to arrest. Officers shall not instruct victims to obtain warrants for applicable offenses; officers themselves shall obtain the warrants if circumstances so require. If circumstances nevertheless dictate no arrests, see VII.E below.

- a. If an arrest is made, advise the victim that the case **may** be prosecuted even if the victim later declines to testify.
 - b. If officers cannot identify a predominant physical aggressor and do not make an arrest, they shall nevertheless thoroughly document the incident. Further, officers shall not threaten to arrest all parties involved for the purpose of discouraging future requests for law enforcement intervention.
2. In cases where the conditions of a protective order have been violated (§ 18.2-119, or protective order/stalking, § 19.2-152.8, § 18.2-60.4), officers shall review the victim's copy of the order, checking it for validity. If a protective order exists and its terms ("no contact," "no trespass," or "no further abuse") are violated then the officer shall arrest the violator if probable cause exists. Note: when the respondent is convicted of a protective order violation, the court is required to issue a new protective order.
 3. Police Officers making arrests under § 19.2-81.3 (and § 18.2-60.3, stalking) shall petition for an emergency protective order (§ 16.1-253.4, and § 19.2-152.8 for stalking or serious bodily injury crimes). If the officer does not arrest but a danger of family abuse still exists, the officer shall petition for an emergency protective order.
 - a. If children are involved in the incident, officers shall contact the on-call Child Protective Services worker **if** a child is abused **or** neither parent can reasonably look after the child's safety and well-being (neglect is a separate, reportable offense).

[Note: If a child has not been abused but neither parent can reasonably look after the child's safety (possible neglect), Child Protective Services may be the best contact. If neither abuse nor neglect seem evident but a child is present at the scene of a domestic disturbance, document the child's presence in the report.]
 - b. If the abuser is not present, officers shall try to serve the protective order as soon as possible and shall so advise the victim once service has been made. Officers shall arrange to have the order entered into VCIN upon receipt.
 4. In determining probable cause, the officer **shall not** consider:
 - a. Whether the parties are married or living together, or their race, sex, ethnicity, social class, or sexual orientation.

- b. Whether the complainant has not sought or obtained a protective order.
 - c. The officer's own preference to reconcile the parties despite the complainant's insistence that an arrest be made.
 - d. That the complainant has called for law enforcement protection previously and has not pursued or has withdrawn the criminal complaint against the abuser.
 - e. That the complainant has not begun divorce proceedings.
 - f. Assurances of either disputant that violence will stop.
 - g. The lack of visible bruises or injuries.
 - h. Denial by either disputant that violence occurred.
5. Officers shall be alert to the elements of a stalking arrest. Ask victims:
- a. Is the suspect following you or did he or she follow you?
 - b. Is the suspect harassing you or did he or she harass you?
 - c. Is the suspect threatening you or did he or she threaten you?
6. The possibility of other offenses shall not be overlooked. Other related offenses include:
- a. Marital sexual assault (§ 18.2-67.2:1).
 - b. Violation of a stalking protective order (§§ 18.2-60.4, 19.2-152.8, -152.9, 152.10).

C. Factors favoring the decision to arrest

Arrest is the most appropriate response when these factors are present:

- 1. Serious, intense conflict.
- 2. Use of a weapon.
- 3. Previous injury or damage.
- 4. Previous court appearance against the offending party (repeat offender).

5. Previous attempt to sever the relationship.
6. Previous calls for law enforcement help.
7. When a felony has occurred.
8. Evidence of drugs or alcohol use at the assault.
9. Offenses committed with the officer present.
10. Valid warrants on file for other crimes.
11. A protective order has been violated. Charge as a Class 1 misdemeanor under § 16.1-253.2.
12. Aggressive behavior toward anyone, pets, anything, or threatening behavior.

D. Making the arrest

1. Arrest the suspect if he or she is present, apply handcuffs, inform him or her that the decision to arrest is a law enforcement one, and transport securely to the magistrate.
2. If the suspect is absent or has been arrested, transport (or arrange transportation for) the victim to a safe shelter or other appropriate place (if needed). Issue a "BOL" describing the suspect and arrange for an arrest warrant.
3. If an arrest must be made because a protective order has been violated, verify its validity by:
 - a. Examining the victim's copy, if available.
 - b. Having communications search VCIN or contact the jurisdiction that issued the order to confirm its currency (see V.B.2).

[Note: As noted if officers cannot validate a foreign protective order, then they may ask victims to sign a statement specifying what court, jurisdiction, conditions, and expiration apply.]

E. If the abusive person is not arrested

1. Complete an incident report and give a copy or arrange to have a copy given to the victim upon request (§ 19.2-81.3 applies). This procedure applies both for domestic violence and stalking.
2. Inform the victim that he or she can begin criminal proceedings at a later time. Provide information about how to file a criminal charge, including time, location, and case number, and offer to help in filing charges at a later time.
3. Advise the victim of the importance of preserving evidence.
4. Explain to the victim about protective orders and how to obtain them and offer to help the victim obtain them later.
5. If the victim wants to leave the premises to ensure safety, remain at the scene while the victim packs essentials.
6. Provide the victim with victim/witness information.
7. Assure the victim that this office shall assist in future emergencies and explain measures for enhancing his or her own safety.

F. Gathering evidence:

1. Physical evidence takes three forms in domestic violence/stalking cases: the injuries of the victim, evidentiary articles that substantiate an attack, and the crime scene itself.
2. The victim's account of injuries sustained should be corroborated by a physician.
3. When feasible, take photographs of injuries.
4. Photograph the crime scene to show that a struggle occurred; if photography is not possible, write a description of it.
5. Collect evidence according to the same principles as applied to any crime scene.
6. If the suspect is under a domestic violence or stalking protective order and appears to have purchased or transported a firearm, confiscate it as evidence of § 18.2-308.1:4.
7. Seize any weapons that the predominant physical aggressor used or threatened to use in the commission of any crime.

8. Obtain statements from all witnesses, particularly noting any excited utterances that bear on the incident.

G. Documenting the incident

1. All incident reports on domestic violence and stalking shall follow general reporting procedures. Chain of Command shall Apply.
2. Include in all reports of domestic violence:
 - a. Facts and circumstances of domestic violence including a description of why one disputant was deemed the predominant physical aggressor.
 - b. Victim's statements as to the frequency and severity of prior incidents of abuse by the same family or household member.
 - c. The victim's statements as to the number of prior calls for law enforcement assistance.
 - d. The disposition of the investigation.
3. In any case involving domestic violence, stalking, or related crimes, thoroughly document every detail as it is extremely important.
4. If an arrest is not made for domestic violence or stalking, the incident must still be documented, where either no probable cause existed, or circumstances dictated another course of action. In such cases, in addition to the above considerations, officers shall note:
 - a. What referral information was given?
 - b. Why no arrest was made, nor any warrant issued.
5. If children were present, make a report of abuse or neglect, if appropriate, and forward it to Child Protective Services (see VII.B.3.a above).
6. Regardless of whether an arrest is made, the officer shall provide appropriate information to the victim about legal and community resources available along with a VTPD Victim/Witness Referral Card.-
7. At the conclusion of legal proceedings, return evidentiary property to the victim.

VIII. Special Circumstances

- A. Repeat offenders, if determined to be the primary aggressor, will be charged as applicable according to the Code of Virginia 18.2-572. All other elements of this directive apply.

- B. Law enforcement officers with the Emory & Henry Police Department who have been criminally charged with domestic violence, or have a protective order against them for domestic violence/family abuse, will be immediately suspended without pay, for a period not to exceed ninety (90) calendar days, in accordance with State Policy 1.60, Standards of Conduct. It is in violation of § 18.2-308.1:4 to purchase or transport (possess) a firearm while being subject to a protective order.

Effective Date:

By Order of:
Scott Poore
Chief of Police

Emory & Henry Campus Police Department Policy Manual		General Orders
Subject: Sexual Crimes	Number: 1.30	
Approved By: Scott Poore Chief of Police	Effective Date: 10/10/2011	
Amends: 10/07/2011 By: Det. Dave McConnell	Rescinds:	

NOTE

This order is for internal use only and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third-party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial setting.

I. Purpose

The purpose of this directive is to establish clear procedures for responding to, and investigation of sexual assaults/rapes occurring on campus.

II. Policy

It is the policy of the Emory & Henry Campus Police Department to provide adequate response, time, and investigation; and to go above and beyond to make sure the integrity/privacy of each and every victim is protected. We will provide equal protection/investigation under the law to each victim. A sexual assault/rape call is to be considered a high priority call. It shall be the responsibility of the responding officer to protect the integrity of the scene and secure the perimeter of the scene. It will also be the responsibility of the responding officer to contact a supervisor, investigator, the dean of students, and any other appropriate personnel. In compliance with the "Cleary Act" the Chief of Police and or Dean of Students will make notifications to the campus community. Emergency notifications will be issued "without delay, and taking into account the safety of the community." The only exception is if doing so would "compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency". This makes containing the emergency priority No. 1, as it should be. However, the next priority is issuing a notification, and that, after confirmation, must be done before anything else unless it is necessary to contain the emergency. This determination should be made "in the

professional judgment of responsible authorities" and not personnel without emergency response expertise.

III. Definitions

According to the Virginia code Rape is defined as:

18.2-61. Rape.

If any person has sexual intercourse with a complaining witness, whether or not his or her spouse, or causes a complaining witness, whether or not his or her spouse, to engage in sexual intercourse with any other person and such act is accomplished (i) against the complaining witness's will, by force, threat or intimidation of or against the complaining witness or another person; or (ii) through the use of the complaining witness's mental incapacity or physical helplessness; or (iii) with a child under age 13 as the victim, he or she shall be guilty of rape.

NOTE:

This directive will pertain to and be a guideline for the crimes of rape, sexual assault, sexual misconduct or any other violation that would be considered a "Sex Crime" under the Code of the Commonwealth of Virginia.

IV. Preliminary Investigations

A. Preliminary investigations- General

1. After arriving at the scene, all officers shall ensure the safety of any other persons in the vicinity, as necessary, to prevent injury or death.
2. Safeguard crime scene and evidence that is collected.
3. Use caution not to damage, mark, or contaminate evidence.
4. Responsibilities of the first officer on scene
 - a. Preserve the scene and possible evidence.
 - b. Request a supervisor. Contact a Detective.
 - c. Take photographs of the immediate area. Carefully note the presence of any objects or persons in the area.
 - d. Identify and Interview witnesses.
5. Under no circumstances shall officers transport the victim. EMS should be called and the victim should be transported by ambulance with a detective to the hospital for evidence collection.

6. Note description of exact location where each piece of evidence was found.
7. Note description of victim's appearance and behavior.
8. Note bruises or marks, facial discoloration, disarrayed clothing, smeared makeup, hair disheveled, confused or dazed behavior, bewilderment or disorientation, apparent hysteria or crying, incoherent speech.
9. Note description of suspect. Physical description as provided by the victim or witnesses with special attention to items that would not be readily visible if the suspect were clothed: scars, marks, tattoos, moles.
10. Did the victim know the suspect?

V. Procedures- General

- A. Upon arrival a detective will be briefed by responding officer.
- B. All paperwork, notes, statements, preliminary reports will be turned over to a detective or officer deemed in charge of the case by the Chief of police.

B. Procedures- Evidence Collection

1. Collect undergarments, clothing, bedding, rugs, or other appropriate items which may contain semen, blood, hairs, fibers, or other pieces of trace evidence, or that might be damaged.
2. Collect washcloths or towels that may have been used.
3. Search scene for foreign objects (buttons, hair, pieces of torn clothing).
4. Collect bottles, glasses or other objects that may contain latent prints.
5. If crime occurred outdoors, take soil samples from several areas and sketch the location of each sample taken and how it corresponds to the crime.
6. If crime occurred in a car, gather sweepings from seats and floors, search floor mats and seat covers for stains.
7. If entry was forced into the victim's residence, gather samples of broken glass, paint samples, and note any pry marks or other signs of forced entry.
8. Photograph crime scene.
9. Photograph bite marks, scratch marks, or other signs of brutality or injury to victim.

VI. Procedures- Follow up

A. Follow up

The initial stages of all preliminary investigations, including securing the scene, supervisor contact, and contacting EMS shall be conducted by initial responding officer.

In certain serious crimes as defined in Section VI of this general order, responsibility for the investigation and follow-up will be assigned by the Chief of Police. He will make the decision to turn the case over to an in house detective, WCSO criminal investigations division (CID), Virginia State Police or conduct a joint investigation with these agencies assistance.

VII. Procedures- Follow up Investigations

- A. Homicides, rapes, and robberies, major disasters, hostage situations, bombings, sex crimes, child abuse/neglect, felonious assault, and kidnappings shall be followed up by the detective. Officers who conduct preliminary investigations of these offenses shall contact the detective as soon as practical.
- B. Occasionally, additional investigation will be required at the end of the tour of duty of the assigned officer. In these cases in this case the initial responding officer may be relieved by the officer coming on duty. Supplemental reports will be filed by each officer working on the case.
- C. A follow-up investigation consists of, but is not limited to, the following activities:
 - 1. Reviewing and analyzing reports of preliminary investigations.
 - 2. Recording information.
 - 3. Creating a sketch of the crime scene.
 - 4. Reviewing office records for investigative leads.
 - 5. Seeking additional information (from other officers, informants, contacts in community, and other agencies.
 - 6. Interviewing victims and witnesses.
 - 7. Interrogating suspects.
 - 8. Arranging for the dissemination of information as appropriate.
 - 9. Planning, organizing, and conducting searches.
 - 10. Collecting physical evidence.
 - 11. Recovering property.
 - 12. Arranging for the analysis and evaluation of evidence.
 - 13. Identifying and apprehending the offender.
 - 14. Checking the suspect's criminal history.
 - 15. Determining if the suspect has committed other crimes.
 - 16. Consulting with the Commonwealth's Attorney in preparing cases for court presentation and assisting in the prosecution.
 - 17. Notifying victims and witnesses when their presence is required in court.
 - 18. Testifying in court.
 - 19. Arranging for polygraph examinations, if necessary.

D. Formal Reports

Formal report shall include the following information:

- 1. Date and time of arrival at the scene.

2. Relevant weather or situational conditions at the scene upon arrival.
3. Circumstances of how the crime was discovered and reported.
4. Identity of other officers or emergency personnel at the scene.
5. Physical Evidence present at the scene and the officers responsible for its collection.
6. Names, addresses, and telephone numbers of victims or witnesses.
7. Results of interviews with complainant, victim, or witnesses to include the identity or description of suspects.
8. Diagrams, sketches, photographs, or videotape taken at the scene, and the identity of the photographer or artist.
9. Recommendations for further investigation.
10. Case disposition report.

Effective Date:

By Order of

Scott Poore

Chief of Police

Emory & Henry Campus Police Department		General Orders
Policy Manual		
SUBJECT: AUXILLARY POLICE FORCE		NUMBER: 1.33
APPROVED BY: SCOTT POORE CHIEF OF POLICE		EFFECTIVE DATE:
AMENDS: 09/20/2013 BY: DET. DAVE MCCONNELL		RECENDS:

NOTE

This order is for internal use only and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third-party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial setting.

I. Introduction:

The reason for this directive is to establish general rules and guide lines for Auxiliary Police Officers to follow in their day to day activities, while serving as sworn personnel under the authority of this the Emory & Henry Campus Police Department.

II. Purpose:

The purpose of this directive is to establish an Auxiliary Police Force as provided for by the Code of Virginia § 23-233.1. Establishment of auxiliary police forces; powers, authority and immunities generally.

The governing boards, for the further preservation of public peace, safety and good order of the campus community, shall have the power to establish, equip, and maintain auxiliary police forces. When called into service pursuant to procedures established by the governing board, members of these auxiliary forces shall have all the powers, authority, and immunities of public institutions of higher education campus police officers.

III. Definitions:

Localities also may establish, equip and maintain auxiliary police forces which have all the powers and authority and all the immunities of full-time law-enforcement

officers, if all such forces have met the training requirements established by the Department of Criminal Justice Services under § 9.1-102. Any auxiliary officer employed prior to July 1, 1987, shall be exempted from any initial training requirement, except that any such officer shall not be permitted to carry or use a firearm while serving as an auxiliary police officer unless such officer has met the firearms training requirements established in accordance with in-service training standards for law-enforcement officers as prescribed by the Criminal Justice Services Board.

IV. Procedures for calling into service:

1. Security Officers employed by Emory & Henry College and under the direction of the Emory & Henry Campus Police Department may be sworn into service as Auxiliary Police Officers under the discretion/direction of the Chief of Police. These officers will only be allowed to use their powers of authority as Auxiliary Campus Police Officers under certain circumstances listed below:

- In the event of a natural or manmade disaster affecting the campus
- In the event that a violent crime or felony as defined in the Code of Virginia is/has taken place in their presence
- In the event that a situation presents itself that could only be resolved by a Sworn Police Officer and no such Sworn Police Officer is on duty or can be summoned and such event requires immediate police attention.
- During any events on campus requiring additional police presence (such as sporting events, graduation, concerts, special events) or any such time as the Chief of Police deems it necessary.
- In the event that a Sworn Police Officer has requested or is in need of assistance.

Per the Code of Virginia any such Campus Safety Officer called into service as an Auxiliary Police Officer and while in such capacity being compensated for his/her time such Officer shall not be compensated for more than 80 hours in a calendar year acting as or under the authority of a Campus Auxiliary Police Officer. During such time all compensated hours must be reported directly to the Chief of Police. It shall be the responsibility of the Chief of Police to monitor these hours.

2. Volunteer Auxiliary Police Officers that have been chosen by the Chief Of Police to volunteer their time to help out in the further preservation of public peace, safety and good order of the campus community:

- In the event of a natural or manmade disaster affecting the campus.
- In the event that such Officer is assisting another Officer during a ride-along.

- During any events on campus requiring additional police presence (such as sporting events, graduation, concerts, special events) or any such time as the Chief of Police deems it necessary.
- At any other time that the Chief of Police deems it necessary to call such person into service.

V. Jurisdiction of Authority:

As provided in the Code Of Virginia § 15.2-1735. Acting beyond limits of jurisdiction of locality.

The members of any such auxiliary police force shall not be required to act beyond the limits of the jurisdiction of any such locality except when called upon to protect any public property belonging to the locality which may be located beyond its boundaries, or as provided in § [15.2-1736](#). Mutual Aid agreements.

VI. Policy and Procedures:

Any such Auxiliary Police Officer shall be held to the same policies and procedures as any regular employed Campus Police Officer. All policies and procedures written in the Emory & Henry Police Department policy manual shall apply and any such Officer will be held to the same standard.

VII. Identification:

Any Campus Security Officer also sworn as an Auxiliary Police officer shall carry and be recognized by a badge of authority and ID. Any such Officer that is not in possession of such identification shall not act as a Campus Auxiliary Police Officer. When acting as a Campus Auxiliary Police Officer, Security officers shall identify themselves verbally as such.

Any volunteer Auxiliary Campus Police Officer shall also wear and be recognized by a badge of authority and ID, and shall wear the appropriate uniform deemed necessary by the Chief of Police.

VIII. Training:

There are three levels of Auxiliary Police Officers recognized by the department of Criminal Justice Services (DCJS):

1. Level One: Certified police officer who has met all training requirements required of full time officers (7VAC20-10-21) and § 15.2-1706.
2. Level Two: Sworn officer with limited duties may be armed with firearm and has met all training requirements prescribed by DCJS. Level Two Auxiliary

Officers shall not be permitted to carry or use a firearm while serving as an auxiliary police officer unless such officer has met the firearms training requirements established in accordance with in-service training standards for law-enforcement officers as prescribed by the Criminal Justice Services Board.

3. Level Three: Sworn officer with limited duties, may be armed with less-than-lethal weapons and has met all training requirements prescribed by DCJS. Auxiliary officers at this level are strictly prohibited from carrying a firearm, whether department or personally owned, while serving as an auxiliary police officer.

Auxiliary Campus Police Officers shall be trained to meet the minimum training standards set forth by the Department of Criminal Justice Services and Emory & Henry College. Any such Officer shall be trained by a DCJS firearms instructor in the proper use and handling of a firearm and proof of such training shall be kept on record by the department. Any Auxiliary Campus Police Officer, shall be trained on and informed of department policy and procedures including use of force. If the officer is trained with any other tools approved by the Chief of police and in compliance with department policy and a copy of such training is presented and kept on file by the department then that officer may carry that tool on duty. (O.C., impact weapons, less than lethal weapons)

Level two and three in-service requirements: Officers must complete 8 hours of career development, 2 hours of cultural diversity, and 4 hours legal prior to December 31st every two years from initial designation as a Level Two or Level Three. In-service training must be completed at a certified academy, DCJS approved satellite facility or in-house. All documentation of such agency training must remain on file with the agency and is subject to DCJS inspection. It is the responsibility of the compensated Chief of Police to affirm the Auxiliary Police Officer has met the in-service requirements and forward documentation to DCJS on DCJS form A-41.

Firearms Annual Training: Auxiliary police officers required to carry a firearm in the performance of their duties shall qualify annually using the applicable firearms course approved by the Committee on Training of the board. Annual range qualification shall include a review of issues/policy relating to weapons safety, nomenclature, maintenance and use of force. No minimum number of hours is required. All documentation of such training is to remain on file with the agency and is subject to DCJS inspection.

Use of Force Regulations: Each auxiliary officer whether armed or unarmed must receive annual refresher training on the agency lethal/less-than lethal use of force policy. All documentation of such training must remain on file with the agency and is subject to DCJS inspection.

IX. Appointment/Revocation of Appointment

§ 15.2-1733. Appointment of auxiliary police officers; revocation of appointment; uniform; organization; rules and regulations.

The governing body of the locality may appoint or provide for the appointment as auxiliary police officers as many persons of good character as it deems necessary, not to exceed the number fixed by ordinance adopted by the governing body, and their appointment shall be revocable at any time by the governing body. The governing body may prescribe the uniform, organization, and such rules as it deems necessary for the operation of the auxiliary police force.

The Chief of Police shall appoint or revoke any appointment at his discretion.

Effective Date:

By order of:

Scott Poore

Chief of Police

Emory & Henry Campus Police Department Policy Manual		General Orders
SUBJECT: FIREARMS & USE OF FORCE	NUMBER: 1.34	
APPROVED BY: SCOTT POORE CHIEF OF POLICE	EFFECTIVE DATE:	
AMENDS: 06/21/2011 BY: DET. DAVE MCCONNELL	RECENDS:	

NOTE

This order is for internal use only and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third-party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial setting.

I. Introduction:

The Emory & Henry Campus Police/Security Department Recognizes and respects the value and special integrity of each human life. In investing police officers with lawful authority to use force to protect the public welfare, a careful balancing of all human interests is required. It is the policy of this department that employees shall use only that force that is reasonably necessary to effectively bring an incident under control, while protecting the lives of the employee or another.

II. Purpose:

The purpose of this directive is to establish procedures governing the use of firearms and outlines the responsibilities of police/security personnel regarding the use of deadly and non-deadly force. The department recognizes that these are guidelines only, and that no set of policies or guidelines can effectively cover every possible scenario that a law enforcement officer may face. This department recognizes that much of the decision making utilized in use of force incidents is governed by the judgment and discretion of the individual involved. If any officer deviates from these guidelines, the officer must have sound and articulable reason for doing so. Any deviations from these guidelines for reasons that are not sound or articulable will subject the officer to discipline by this department.

III. Definitions:

Deadly Force: Any use of force that is likely to cause death or serious bodily harm.

Non- Deadly Force: Any use of force other than that which is considered deadly force.

Force Continuum: A broad range of control techniques in which varying degrees of force are used to overcome a suspect's unlawful resistance.

1. **Officer Presence**: The presence of a police/security officer in uniform or the verbal identification of a police/security officer not in uniform. Even officers in uniform should identify themselves when feasible.

2. **Verbal Control Techniques**: The techniques rely on voice and tone and can be used in combination with appropriate body language to gain a subject's compliance.

3. **Manual Control**:
 - a. **Soft Intermediate Force**: This level begins with the lightest use of hand applied force to gain compliance and includes the following types of defensive control techniques:
 - Come-along holds
 - Firm-grip holds
 - Control holds
 - Take-down
 - Pressure point controls
 - Use of non-lethal control techniques
 - b. **Oleoresin Capsicum Spray (OC)**: Use of this non-lethal aerosol spray to neutralize and/or restrain a subject. Officers should be trained in the proper use of this by a DCJS certified OC spray Instructor before they will be permitted to carry or use it.
 - c. **Hard Intermediate Force**: The use of personal weapon techniques (fist, elbow, knee, hard hand, kicks, strikes), and impact weapons (Expandable Tactical Baton, PR24, Straight Baton, Taser) to temporarily incapacitate a subject. Use of impact weapons warrants special training in the proper use of such device before officers will be allowed to carry use such weapons.

4. **Deadly Physical Force**: The highest level of force. Deadly physical force includes the use of firearms, deadly weapons, choke-holds or carotid control

techniques to stop the subject who has the immediate ability and immediate opportunity to inflict death or serious injury on the officer or another person.

IV. Procedures

1. **Parameters for use of deadly force:** Police/Security Officers are authorized to fire their weapons in order to:

- a. Protect themselves or others from what is reasonably believed to be an immediate threat of death or serious bodily harm
- b. Prevent the escape of a fleeing felon whom the officer has probable cause to believe will pose a significant threat to human life should escape occur

Police/Security Officers shall attempt all reasonable means of apprehension and/or control that are feasible before resorting to the use of deadly force. Deadly force shall always be the LAST OPTION!

- c. Before using a firearm: Employees shall identify themselves as Police/Security Officers and state their intent to shoot, where feasible.
- d. An Officer may also discharge a weapon under the following circumstances:
 - During range practice or qualification under the direction of the firearms instructor.
 - To destroy an animal that presents a threat to public/campus safety, or as a humanitarian measure where the animal is seriously injured.

Officers shall notify the Chief of Police, Supervisor, and or the Dean of Students before discharging a firearm under these circumstances.

Officers shall adhere to the following restrictions and/or prohibited conduct:

- a. Except for maintenance or during inspections or training, Officers shall not draw or exhibit their firearm unless circumstances create reasonable cause to

believe that it may be necessary to use the weapon in conformance with this policy.

- b. **WARNING SHOTS ARE PROHIBITED!**
 - c. Officers shall not fire their weapons at or from a moving vehicle. **Under extreme circumstances**, such action may be taken only when all reasonable alternatives have been exhausted, when failure to take such action would result in death or serious bodily harm, and when due regard has been given to the safety of the innocent bystanders.
 - d. Firearms shall not be discharged when it appears likely that an innocent person may be injured.
 - e. Carotid control techniques or similar neck restraints shall be considered deadly force. As such, their use is prohibited in all instances except those which justify the officer's use of deadly force.
2. **Parameters for use of non-deadly force:** Where deadly force is not authorized, Officers should assess the incident in order to determine which non-deadly technique or weapon will best de-escalate the incident and bring it under control in a safe manner. Officers should only use that force which is necessary to take control of the situation.
- a. Police/Security Officers are authorized to use department approved non-deadly force techniques and issued equipment for resolution of incidents, as follows:
 - To protect themselves or another from physical harm
 - To restrain or subdue a resistant individual
 - To bring an unlawful situation safely and effectively under control
3. **Use of force continuum:** is meant to be used as a guideline for an Officer to select effective reasonable and legal force options in a verbal or physical encounter. As a subject increases their resistance level from verbal to physical,

an Officer may have to increase the level of their response until the resistance ceases and the Officer is able to gain control of the subject/situation. As soon as the point of subject compliance is reached, the Officer Must de-escalate their response level to the minimum force necessary to control the subject/situation.

V. Training and Qualifications:

1. While on duty, an Officer shall carry an approved weapon. The ammunition used shall be only that issued by the department or approved by the Chief.
2. Weapons must be inspected and approved by the Firearms Instructor, or the Chief. In addition, the weapon must fire approved or department issued ammunition, and the Officer must qualify with the weapon scoring a minimum qualification of 70% prior to carrying it on duty, and at least train with the weapon as the courts have mandated bi-annually and re-qualify annually.
3. The police department shall schedule training and qualification sessions for duty, and back up weapons. The department shall maintain a record of the training, scores, dates, as well as of all weapons used by the Officers.
4. Officers who fail to qualify with their duty weapon(s) in accordance with Commonwealth of Virginia and DCJS standards shall be relieved of their police powers and their ability to carry a firearm on duty. Note: An Officer that has taken an extended leave or suffered an illness or injury that could affect his or her use of firearms ability will be required to re-qualify prior to being allowed to carry a firearm on duty.
5. Non-deadly force weapons: Only approved impact weapons approved by the department may be carried. These items are required to be carried by all Police and Security Officers. Each Officer shall be properly trained in their use prior to carrying them on duty.

VI. Reporting Requirements, Use of Force:

1. Any and all uses of force shall be reported in writing in the incident report or Officer's supplementary report. A copy of this incident report shall be submitted directly to the Chief, in all instances.

2. **Supervisors** will be immediately summoned to the scene and will comply with investigative procedures as required by the department and a written memorandum, directed to the Chief and prepared in an accurate and timely fashion, shall be required in the following situations:
 - a. When a firearm is discharged outside of the firing range
 - b. When use of force results in death or serious injury
 - c. When a deadly or non-deadly weapon is used on a person
 - d. When any use of force results in a subject complaining that an injury has been inflicted

The written memorandum shall, at a minimum, detail the circumstances of the incident, contain an explanation of what force was used, why it was used, and the extent of the injury inflicted or sustained.

3. **Departmental Response: Deadly Force Incident**
 - a. Where an Officer's use of force causes death or serious injury, the Officer shall be placed on administrative leave with pay after completing all internal investigation requirements, and until it is determined by a mental health professional that the Officer is ready to return to duty.
 - b. The department shall conduct an administrative investigation of the incident and contact the Virginia State Police to conduct an investigation to determine that the Officer acted appropriately.
 - c. Administrative review: All reported uses of force will be reviewed by the Chief to determine whether:
 1. Departmental rules, policy, or procedures were violated
 2. The relevant policy was clearly understandable and effective to cover the situation
 3. Departmental training is currently adequate.
 - d. All findings of policy violations or training inadequacies shall be reported to the Chief, in writing, for resolution and/or discipline.
 - e. All reports on use of force shall be retained as required by departmental policy and DCJS regulations.
 - f. There will be a regular review of use of force incidents by the Chief to ascertain training and policy needs. This will be done annually.

Effective Date:

By order of:

Scott Poore

Chief of Police

Emory & Henry Police Department		General Orders	
Policy Manual			
Subject: Missing Student/Person		Number: 1.35	
Approved By: Scott Poore Chief of Police		Effective Date:	
Amends: 04/26/2010 By: Det. Dave McConnell		Rescinds:	

NOTE

This order is for internal use only and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third-party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial setting.

Missing Student Notification Policy and Procedures

Each year, students are given an emergency response card to complete so that quick notification can be made to primary and/or secondary contacts in the event of an emergency. This card allows students to identify an initial contact for the College. In the event that a student is determined to be missing, the College will notify the primary and/or secondary contact no later than 24 hours after the student is determined missing in accordance with our official notification procedures. If a current emergency response card is not on file, the College will notify the parents documented in our computer system. In the event that the student is under 18 years of age, and not an emancipated individual, we are required to notify custodial parents or guardians within the same time frame.

Anyone who believes that a student is missing should report it immediately to Campus Police/Security. Details will be asked regarding the last time the student was seen, where the student was seen, and any communications that have been received. Campus personnel who could have information regarding this student will be contacted and can assist with pertinent information. If it is determined that no contact has been made with the student in question for more than 24 hours, Campus Police/Security will notify other appropriate law enforcement

agencies immediately and request assistance in finding the missing student. The College will initiate the emergency contact procedures and notify the designated contact person or parents.

Missing Student Notification Policy and Procedures 20 USC 1092 (j) (Section 488 of the [Higher Education Opportunity Act of 2008](#))

Effective August 14, 2008, any institution participating in a Title IV federal student financial aid program that maintains on campus housing facilities must establish a missing student notification policy and related procedures.

The policy must:

- Inform each such student that such student has the option to identify an individual to be contacted by the institution not later than 24 hours after the time that the student is determined missing in accordance with official notification procedures established by the institution;
- Provide each such student a means to register confidential contact information in the event that the student is determined to be missing for a period of more than 24 hours;
- Advise each such student who is under 18 years of age, and not an emancipated individual, that the institution is required to notify a custodial parent or guardian not later than 24 hours after the time that the student is determined to be missing in accordance with such procedures;
- Inform each residing student that the institution will notify the appropriate law enforcement agency not later than 24 hours after the time that the student is determined missing in accordance with such procedures; and
- Require, if the campus security or law enforcement personnel has been notified and makes a determination that a student who is the subject of a missing person report has been missing for more than 24 hours and has not returned to the campus, the institution to initiate the emergency contact procedures in accordance with the student's designation.

The Procedures must:

- Include procedures for official notification of appropriate individuals at the institution that such student has been missing for more than 24 hours;
- Require any official missing person report relating to such student be referred immediately to the institution's police or campus security department; and
- If, on investigation of the official report, such department determines that the missing student has been missing for more than 24 hours, requires—

(I) such department to contact the individual identified by such student

(II) if such student is under 18 years of age, and not an emancipated individual, the institution to immediately contact the custodial parent or legal guardian of such student; and

(III) if subclauses (I) or (II) do not apply to a student determined to be a missing person, inform the appropriate law enforcement agency.

Emory & Henry Police Department Policy Manual		General Orders	
Subject: Police Vehicle Operations		Number: 1.36	
Approved By: Scott Poore Chief of Police		Effective Date:	
Amends: 04/26/2010 By: Det. Dave McConnell		Rescinds:	

NOTE

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I. Introduction

The purpose of this directive is to establish procedures governing the operation and use of police vehicles and outlines the responsibilities of police/security personnel.

II. Purpose

1. To ensure that the operation of police/security vehicles sets the proper example to the public by obeying prescribed traffic laws.
2. To set forth policies and procedures concerning the safe operation of police/security vehicles and the welfare of officers.

III. Policy

1. All members will abide by the state motor vehicle laws when operating police vehicles.
2. Seat belts and shoulder straps will be worn by all occupants during vehicle operation. Exceptions: Officers transporting persons in custody or traveling in circumstances which render the wearing of such safety belt system impractical pursuant to § [46.2-1094](#).
3. Emergency vehicle operation does not relieve the police/security officer of the duty to drive with due regard for the safety of all persons using the roadway, nor does it protect the officer from the consequences of emergency driving. Statutes

that apply to emergency operation of the police vehicle include Virginia Code Section 46.2-920.

4. The use of forcible stopping/ramming vehicles off the roadway and roadblocks should be considered deadly force. These methods of stopping a vehicle will not be used in misdemeanor cases and are to be considered only as a last resort in the most serious types of violent felonies or in the overriding interest of public safety. These maneuvers will be used only upon authorization of a ranking officer (supervisor or above).
5. Officers shall not become involved in another agency's pursuits unless specifically authorized by the supervisor, or unless it is clearly demonstrated that a unit from an outside agency is unable to request assistance or the emergency nature of the situation dictates the need for assistance. In these instances, all departmental Pursuit and Use of Force Directives are in effect.
6. In the instance that a pursuit is headed into our jurisdiction the primary responsibility of our agency is to protect the campus its students/faculty/staff and the surrounding community. Take all necessary precautions keeping all policies/procedures in mind to keep the pursuit from entering the main campus.
7. Property damage resulting from a police emergency response or pursuit is to be reported to the property owner by a police supervisor as soon as practical after the incident.
8. Only a Sworn DCJS Certified police officer with EVOC (emergency vehicle operations course) training will be allowed to engage in pursuit. Security officers (non sworn security personnel) will not at any time engage in a pursuit. They are to notify Law Enforcement Supervisor as soon as possible of the situation and wait for Law Enforcement assistance.
9. Campus Safety officers will not use the blue lights or siren. Use of the emergency equipment will be designated for use by Law Enforcement Personnel only with valid EVOC training as per Code of VA 46.2-920.

IV. Definitions

1. Pursuit - An active attempt by an officer, in an authorized emergency vehicle, to apprehend a suspect who is fleeing or evading apprehension, provided the officer reasonably believes the suspect is refusing to stop and is willfully fleeing capture by high-speed driving or other evasive maneuvers, and the officer has reasonable grounds to believe that the fleeing suspect has omitted, or has threatened to commit, a violent felony or are armed and dangerous (as outlined explicitly in this directive). Pursuits shall be conducted only with activated emergency equipment

as defined in 46.2-920 and 46.2-1022 and under circumstances outlined in this order. An attempt to stop a vehicle that is not fleeing, or attempts to stop a vehicle that is refusing to stop while still obeying traffic laws is not considered a pursuit. Also, overtaking, such as a speeding violator, is not a pursuit within the meaning of this directive.

2. Overtaking- The process of catching up to a vehicle with the intent to stop the vehicle for an offense that has already occurred. If the officer must violate any traffic laws in their efforts to overtake the violator, he/she **will** activate emergency equipment while in the process of overtaking.
3. Monitoring- Keeping abreast of continual changes during the course of a pursuit so as to be in the close proximity of the pursuit. Officers monitoring a pursuit will operate their vehicle in a non-emergency mode and in conformance with all traffic laws.
4. Violent Felony - Any felony involving physical force or violence, threatened or actual, against another person including, but not limited to: murder, manslaughter, mob-related offenses, rape, kidnapping or abduction, robbery, malicious assault, escape by force, placing or detonating a destructive/explosive device or bomb, or any other felony which involves the use or threatened use of physical force or violence against another person.
5. Armed and Dangerous - A person who has committed or attempted to commit any offense involving the unlawful discharge, display, possession, or use of a firearm or explosive device in such a manner as to provide an officer reason to believe that the person presents an immediate threat to the public.
6. Stationary Roadblock- For the purposes of this directive, "stationary roadblock" refers to a procedure employed by one or more officers to forcibly stop traffic via a stationary, fixed barrier. The methods used may include, but are not limited to, placement of vehicles across the roadway and placement of barriers to obstruct the normal flow of traffic.
7. Moving Roadblock- Refers to a procedure used to "box" or "trap" a target vehicle by positioning moving police vehicles in an appropriate manner. The objective of such a procedure is to cause the target vehicle to stop in a safe, controlled, gradual manner.
8. Police Vehicles- Refers to any vehicle used by this department owned by Emory & Henry College including but not limited to- Cars, SUVs, Golf Carts.

V. Police Vehicle Operations (Other than Pursuit)

1. Response Procedures

- A. When an officer is assigned a call for service the following response guidelines shall be used:

Code 1 - Routine Response - Does not require an immediate response. Safety and obedience to all traffic laws and speed limits will be followed.

Code 2 - Expeditious Response - Calls in which personal injury is likely to occur if assistance is withheld or unnecessarily delayed. Immediate and direct response is required with obedience to all traffic regulations and speed limits. Emergency lights and sirens will be restricted to areas in which traffic congestion becomes a severe hindrance to the passage of the police vehicle.

Code 3 - Emergency Response - Situations in which the physical safety and well-being of an individual is directly jeopardized. Emergency lights and sirens should be used.

2. Emergency Vehicle Response

- a. May be made when there is a threat of physical injury or the level of danger created by a suspect or conditions requires such a response.
- b. The vehicle operator must remember that his/her objective is to get to the scene of the occurrence as soon as possible, safely, without danger to himself or others.
- c. During emergency operations (including pursuits), officers will drive with due regard for the safety of all persons. Consideration must be given to:
 - A. Urgency of the call, likelihood of physical injury to persons;
 - B. Weather and roadway conditions, lighting and visibility;
 - C. Pedestrian and vehicular traffic patterns and volume;
 - D. Terrain (curves, buildings, etc.)
 - E. Officer's ability to control the vehicle at the speed driven;
 - F. Time of day;
 - G. The type of roadway and speeds involved;
 - H. Effectiveness of audible and visible warning signals (blue lights, siren);
 - I. Quality of radio communications;
 - J. Alternate safer methods of response;
 - K. The condition of the police vehicle involved (i.e. tires, brakes, etc.).

Special considerations for pursuits include:

- L. Seriousness of the known violation or suspected crime;
 - M. Speed of Pursuit
- d. When responding to an emergency call, a police vehicle will be operated as an emergency vehicle. Officers are:
- A. To revert to non-emergency operation if circumstances dictate.
- e. If advised by a supervisor to discontinue emergency operation, an officer will comply immediately and acknowledge the order.
3. Vehicle Equipment and Inspections
1. All vehicles used routinely for patrol, marked and unmarked; will be equipped with emergency lights and siren pursuant to Virginia Code Section 46.2-1061.
 2. Each vehicle will be subjected to a thorough visual inspection by the operator prior to operating the vehicle. The inspection will be documented on the Daily Activity Report.
 3. All emergency equipment (emergency lights, spotlight, siren, etc.) will be checked to ensure they are operating properly.
 4. An inspection and inventory of the trunk area or cargo compartments, as applicable, to make sure the spare tire, jack, and related equipment are serviceable and secure, one medical first responder kit, fire extinguisher. Evidence Recovery Kits are not kept in the patrol cars but are available for officers. They are kept in a designated area in the police department.
 5. Floorboards, areas under the seats, passenger, cargo compartments, and exterior will be inspected before and after each use for cleanliness, trash, debris, weapons, and contraband. If any is found, it will be removed from the vehicle. When items of this nature are found during the pre-operation inspection, the operator will document in writing on the Daily Log Sheet.
 6. The Chief will document vehicle assignments. If any problems or deficiencies are noted concerning the condition of the vehicle, a supervisor should be notified. The Chief or designee will ensure all deficiencies are corrected and the vehicles are maintained in a state of operational readiness.

7. All police vehicles will be secured when not under physical control of the operator. At no time will the operator leave the ignition keys unattended in the vehicle, unless said key is an extra and the vehicle is locked.
8. The operator will notify the Chief, or designee, as soon as practical any time a police vehicle is involved in a traffic accident.

VI. Police Vehicle Pursuit

1. **Each individual police officer will** determine the need for a pursuit to be initiated. Pursuits are permitted under the following circumstances:
 - A. When an officer has reasonable grounds to believe the suspect (driver or occupants of the fleeing vehicle) has committed, or is attempting to commit, any felony involving physical force or violence, threatened or actual, against another person including, but not limited to: murder, manslaughter, mob-related offenses, rape, kidnapping or abduction, robbery, malicious assault, escape by force, placing or detonating a destructive/explosive device or bomb, or any other felony which involves the use or threatened use of physical force or violence against another person.
 - B. When an officer has reasonable grounds to believe the suspect (driver or occupants of the fleeing vehicle) has committed or attempted to commit any offense involving the unlawful discharge, display, possession, or use of a firearm or explosive device in such a manner as to provide an officer reason to believe that the person presents an immediate threat to the public even if such crime is classified as a misdemeanor **(if the crime is a misdemeanor the officer will not pursue into another state)**.
 - C. The suspect (driver or occupants of the fleeing vehicle) are currently wanted (warrants on file confirmed with dispatch or the officer has personal knowledge of their existence) for any of the above listed offenses. Confirmation of any of the above mentioned offenses must be obtained.
2. Initiating a Pursuit
 - A. The discretionary decision to initiate, continue, or become involved in a pursuit will be based upon factors known to the officer at the time. The officer must be able to dictate those reasons.
 - B. Officers will not become involved in any pursuit when a prisoner is in the police vehicle. Officers, when accompanied by civilian passengers, should not pursue. If a civilian is in the police vehicle at the beginning of a pursuit,

that officer should turn the pursuit over to another officer, or deposit the civilian at an appropriate, safe location.

- C. Only a vehicle equipped with both an operating siren and blue lights will engage in a pursuit.
 - D. Unmarked police vehicles and sport utility vehicles (S.U.V.) should not be used in a pursuit under normal circumstances. In the event that a pursuit is initiated by an unmarked vehicle or a sport utility vehicle, that unit is authorized to remain in pursuit only until the arrival of a marked police vehicle (non S.U.V) at which time they will take over the pursuit. The unmarked police vehicle or sport utility vehicle will assume the role of the secondary unit. If an unmarked police vehicle and a sport utility vehicle are the primary and secondary unit in a pursuit, upon the arrival of a marked police vehicle (non S.U.V.), the unmarked police vehicle will become the secondary unit and the marked police vehicle (non S.U.V.) will be the primary unit.
 - E. At no time will more than two police vehicles (a primary and secondary unit be directly involved in a pursuit) except in instances where a specific need for them can be clearly defined. If more assistance is necessary, the number of units will be determined by the nature of the offense, the number of suspects, or other clear and articulable facts that would justify the increased hazard. The decision to commit additional vehicles will be made by a supervisor based on information supplied by officers in pursuit. Vehicles will be operated in emergency mode.
 - F. Whenever the pursuit extends off roadway, as when the fleeing vehicle leaves the roadway and proceeds cross country, the pursuing officer(s) must carefully consider whether or not the seriousness of the offense outweighs the risk to his/her safety and the potential damage to the police vehicle or private property. When the risks of pursuit exceed the need to capture the offender, the officer must discontinue the pursuit.
 - G. Should the person(s) attempting to avoid apprehension stop the fleeing vehicle and proceed on foot, the officer shall stop, give his or her location, and continue efforts to apprehend on foot. The back-up car, or second police vehicle, shall be directed in close proximity to offer assistance.
 - H. Pursuits of misdemeanors shall not proceed beyond the Virginia State Line. A pursuit of suspected felons may extend beyond the state line, but the pursuit shall be relinquished as soon as possible to the police personnel of the entered state.
3. Roadblocks used in pursuits:

- a. The extreme dangers associated with the improper use of roadblocks mandate guidelines for their use as follows:
- b. Circumstances Warranting the Use of Roadblocks

Both stationary and moving roadblocks can be dangerous. Fixed roadblocks are only used under the following conditions:

- i.) as a last resort after all other means of apprehension have been exhausted or are inappropriate;
- ii.) When it is reasonable to believe that the risk of harm to others outweighs the risk of a forcible stop; and,
- iii.) When the use of deadly force is justified, as outlined elsewhere in this manual.

Examples of circumstances under which roadblocks may be employed include, but are not necessarily limited to, prevention of the escape of an individual fleeing from the scene of a robbery, and the apprehension of an escaped prisoner.

High speed moving roadblocks are prohibited.

- c. Procedures for Roadblocks

If a stationary roadblock is necessary, these procedures are followed by the pursuing officer:

- i.) Prior authorization must be obtained by the Chief;
- ii.) The roadblock must be in a highly visible area to assure the pursued driver ample time and distance to stop;
- iii.) Ample emergency lights and/or flares are used to warn all motorists of the roadblock.

If a moving roadblock is deemed necessary, the following guidelines are adhered to by the pursuing officer:

- i.) The pursuing officer's vehicle is not used in an offensive manner unless pursuant to Department guidelines on the use of force;

- ii.) There is a reasonable expectation, based on the suspect's prior actions, that the suspect can be brought under control and will ultimately stop; and,
- iii.) The operation of the moving roadblock will not increase the risk of injury to pedestrians or motorists.

When an officer of this Department is assisting another department engaged in the implementation of a roadblock, he/she does so while strictly complying with the procedures and guidelines set forth herein. Requests for assistance which are reckless or otherwise exceed or fail to meet these procedures and guidelines are denied.

4. Initiating/Primary Vehicle Officer's Responsibilities

- A. Consider all factors.
- B. Activate both the blue lights and siren.
- C. Notify communications of pursuit and give the following information:
 - a. Unit number
 - b. Location, direction, and speed
 - c. Pursued vehicle description
 - d. Occupant description
 - e. Reason vehicle wanted
 - f. Any additional pertinent information (i.e. subject armed, weather/street conditions, volume, and speed of other vehicular traffic).
- D. Attempt to transmit a location as frequently as possible or whenever the pursued vehicle changes direction.
- E. Continually evaluate the need to apprehend the suspect(s) against the risk to the public.
- F. After the termination of the pursuit, the officer will complete an IBR report.

5. Secondary Vehicle Officer's Responsibilities

- A. Activate both the blue lights and siren, using a different siren selection than the primary vehicle.
 - B. Maintain a safe distance behind the primary vehicle.
 - C. Assist the primary vehicle during the pursuit and at the point of termination.
 - D. Do not overtake the primary vehicle unless requested to do so by the primary vehicle or controlling supervisor.
 - E. Be prepared to assume the role of the primary vehicle if the primary relinquishes its position or cannot continue.
 - F. Take over radio transmissions, if requested by the primary vehicle, communications, or supervisor/commander.
 - G. Give immediate medical assistance to anyone injured as a result of the pursuit.
6. Other officers will become involved in a pursuit only at the direction of the on duty supervisor.
7. Communications Responsibilities
- A. Advise other units that a unit is in pursuit and clear the radio of all communications traffic. All officers shall obey an Emergency Traffic order.
 - B. Broadcast the location, direction, description of the pursued vehicle, occupant description(s), reason for pursuit, and any additional information upon initiation of a pursuit. Relay additional pursuit location and direction only as necessary.
 - C. Notify the supervisor as soon as possible.
 - D. Run registration and wanted information if available.
 - E. Notify surrounding jurisdictions and provide them with all information available.
8. Supervisor's Responsibilities
- A. Monitor all pursuits to ensure compliance with this directive by police and communications personnel.

- B. Monitor progress of pursuit, evaluate the circumstances known at the time and make the decision to continue or to order it terminated.
- C. Respond to the scene of the termination of the pursuit if arrests, injuries, death, or property damage have occurred or the suspect vehicle has been recovered.
- D. After termination of the pursuit, the supervisor will review all events of the pursuit, complete a Use of Force form and attach it to the IBR report, if necessary. All findings then will be forwarded to the Chief.

8. Terminating Pursuit

- A. An officer will not be criticized or disciplined for terminating a pursuit.
- B. A pursuit will terminate when:
 - a. The danger to the public or officer(s) created by the pursuit exceeds the danger presented by the offender remaining at large.
 - b. Immediate medical assistance is needed by anyone injured as a result of the pursuit and there is not a secondary vehicle to provide assistance.
 - c. A supervisor orders the pursuit terminated.
 - d. Either the primary or secondary vehicle elects to terminate
 - e. The primary vehicle loses visual contact with the pursued vehicle for an extended period of time (approximately 30 seconds).
 - f. The violator is known and there are no known factors indicating his/her escape will cause bodily harm.
 - g. The violator is known to be, or reasonably believed to be a juvenile offender under the age of 16, unless wanted for violent felony.

9. Inter and Intra-Jurisdictional Pursuits

- A. Pursuits require the notification supervisor and, if the pursuit is approved to continue, shall be conducted according to this directive. The dispatcher shall notify the appropriate jurisdiction of the pursuit and request assistance.

- a. Officers shall review § 19.2-76 concerning arrests outside the jurisdiction where the offense is charged and § 19.2-77 concerning pursuits and arrests anywhere within Virginia. Officers are authorized to pursue a suspect, a fleeing suspect who has committed or is attempting to commit a crime described in this directive and apprehend him wherever he is found within Virginia. Pursuits of misdemeanants shall not proceed beyond the Virginia State Line. A pursuit of suspected felons may extend beyond the state line, but the pursuit shall be relinquished as soon as possible to the police personnel of the entered state.
- B. Once the pursuit has entered another jurisdiction, if officer(s) from that Jurisdiction enter the pursuit, the initiating officer may allow the officer to take the first position (primary) in the pursuit, our officer will serve as the secondary unit(back-up). Our officer may also allow the officer from the jurisdiction they are entering take the primary position when they deem it necessary.
- C. If officers from another jurisdiction pursue a suspect into ours, department officers shall not become involved in another agency's pursuits unless specifically authorized by a supervisor, or unless it is clearly demonstrated that a unit from an outside agency is unable to request assistance or the emergency nature of the situation dictates the need for assistance. In these instances, all departmental Pursuit and Use of Force Directives are in effect. Officers are authorized and expected to assist the pursuing agency in the apprehension of the suspects once the pursuit has ended.
- D. If a pursuit ends in the apprehension of the suspect in a jurisdiction adjoining Washington County, the arresting officer should bring the accused back to Washington County to appear before the proper official, in accordance with §19.2-77, Code of Virginia.
- E. If the pursuit ends in the apprehension of the suspect in a jurisdiction that is beyond any of the jurisdictions adjoining Washington County, then the arresting officer shall take the accused before the proper official in the jurisdiction where the arrest is made, and procure a warrant charging the accused with the offense committed in Washington County, in accordance with §19.2-77, Code of Virginia.
- F. When a fleeing suspect from another jurisdiction is apprehended within our jurisdiction, if the apprehending officer is from a jurisdiction that does not adjoin Washington County, they shall take the arrested person before the magistrate serving Washington County.

10. Pursuit Analysis

The Chief will be responsible for completing a yearly analysis of all pursuit incidents based on information received from the IBR

Effective Date:

This policy will become effective

By order of:

Scott Poore
Chief of Police

Emory & Henry Police Department Policy Manual		General Orders	
Subject: SUSPECT LINEUP PROCEDURES		Number: 1.36	
Approved By: Scott Poore Chief of Police		Effective Date: 10/15/2014	
Amends: 10/13/2014 By: Det. Dave McConnell		Rescinds:	

NOTE

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I. POLICY

The department attaches the highest priority to the protection of the citizens that we serve. Recognizing that innocent persons may occasionally get caught up in the criminal investigative process and be wrongly implicated in criminal matters, we attach equal importance to clearing innocent persons as the attached to arresting the guilty.

The following procedures incorporate the recommendations issued by the United States Department of Justice in its *Eyewitness Evidence: A Guide for Law Enforcement*. An identification obtained through a lineup composed in this manner should minimize the risk of misidentification and have stronger evidentiary value than one obtained without these procedures. Specifically, use of these procedures should maximize the reliability of identifications, minimize unjust accusations of innocent persons and establish evidence that is reliable and conforms to established legal procedure.

II. PURPOSE

To establish a policy for the preparation and presentation of photographic and in-person lineups.

III. DEFINITIONS

1. Lineup

A lineup is any procedure in which a witness to a crime or other incident is asked to identify one or more suspects from among a group of persons in order to

determine or confirm the identity of the suspect(s). Such procedures involve either actually viewing of persons or viewing of photographs.

2. Photo Lineup

A photo lineup is any lineup procedure in which photographs are used instead of live persons. These procedures are often used when a suspect has not been identified or when such person has not been located or arrested.

3. Sequential Lineup

A sequential lineup is a particular method of conducting a suspect lineup in which persons or photographs are presented to the witness one at a time, rather than in any sort of grouping.

IV. PROCEDURES - General Responsibilities.

1. Department personnel shall strictly adhere to established procedures for conducting suspect lineups in order to avoid the possibility of error or of undue suggestiveness to witnesses.
2. Department personnel shall be trained in lineup procedures to establish uniformity and consistency of such procedures and to establish a high level of competence in carrying out this important aspect of a criminal investigation.
3. Department personnel shall report any known errors, flaws or non-conformance with established procedures in the conduct of a suspect lineup that they may observe or become aware of to their supervisor in order that corrective actions may be take and safeguards established to protect the innocent.
4. The Department will confer with the Office of the Commonwealth's Attorney in establishing lineup procedures in order to assure the best use of this type of evidence and to assure that procedures established are compatible with the prosecution of criminal cases. Likewise, instructions given to witnesses during a lineup procedure will be those established and approved in consultation with the Commonwealth's Attorney.

V. Procedures – Composing the Lineup

1. The investigator in charge should select an individual who does not know which member of the lineup is the “true” suspect to conduct any lineups in order to avoid inadvertent signs or body language that may lead or cause a witness to make an incorrect identification. The officer/investigator selected should be thoroughly familiar with this procedure.
2. Assure that law enforcement and/or prosecutorial personnel present and involved in the case are knowledgeable about the procedure so that they will not interfere or influence any witness during the process. Unnecessary personnel should be removed from the location where the process is being conducted.
3. Ensure that the lineup is comprised in such a manner that the suspect does not unduly stand out. However, complete uniformity of features is not required.
4. Avoid mixing color and black and white photos. Photos should be either all black and white or all color.

5. Cover any portions of mug shots or other photographs that provide identifying information. Ensure that no writings or information concerning previous arrest(s) will be visible to the witness. If it is necessary to block-out or cover a notation, such as a name on one photo, then similar blocking-out or covering marks should be placed on all photos so that they will appear alike.
6. Use photos of the same size and basic composition, and never mix mug shots with other snapshots or include more than one photo of the same suspect.
7. Include only one suspect in each identification procedure.
8. Select fillers (non-suspects) who generally fit the witnesses' description of the offender. When there is a limited or inadequate description of the offender provided by the witness, or when the description of the offender differs significantly from the appearance of the suspect, fillers should resemble the suspect in significant features.
9. Select a photo that resembles the suspect's description or appearance at the time of the incident, if multiple photos of the suspect are reasonably available to the investigator.
10. Ensure that the photos are reasonably contemporary.
11. Include a minimum of five fillers (non-suspects) per identification procedure.
12. Create a consistent appearance between the suspect and fillers so that the photos depict individuals who are reasonably similar in age, height, weight, and general appearance, and are of the same sex and race. However, avoid using fillers who so closely resemble the suspect that a person familiar with the suspect might find it difficult to distinguish the suspect from the fillers.
13. Create a consistent appearance between the suspect and fillers with respect to any unique or unusual feature – such as a scar or tattoo—used to describe the perpetrator by artificially adding or concealing that feature.
14. Place the suspect in different positions in each lineup when conducting more than one lineup for a case with multiple witnesses or suspects.
15. Avoid reusing fillers in lineups shown to the same witness when showing a new suspect.
16. Review the array, once completed, to ensure that the suspect does not unduly stand out.
17. Assign each photo/person a lineup identification number. Record the identification number on the back of each photo. Refer to that photo/person only by that number. The nature of the identification number should be purposely complex to the witness, so that any inadvertent glance should not significantly hinder the identification process or alert the witness as to the identity of the actual suspect.
18. After each photo/person has been assigned an identification number, record the number along with all other pertinent information on the Lineup Identification Form.
19. Record the presentation order of each lineup and ensure that a complete written record of the proceeding is made retained. In addition, the photos themselves should be preserved in their original condition. For live lineups, a group photo should be taken of all persons in the lineup together to illustrate size differences

among the lineup participants. This photo must not be shown to the witness, but will be included with the completed case file.

20. Remember that a defendant who has been charged with a crime has a constitutional right to counsel for all proceedings that involve the defendant personally which follow that status.
21. Photo lineups need not consider right to counsel issues as they do not involve the defendant personally.
22. Advise the accused that he may take any position in the live lineup that he prefers and may change positions prior to summoning a new witness.
23. Ensure that witnesses are not permitted to see nor are they shown any photographs of the accused immediately prior to the lineup.
24. Ensure that not more than one witness views each lineup at a time and that they are not permitted to speech with one another during line up proceedings.

VI. Procedures—Conducting the Identification Procedure

1. The identification procedure should be conducted in a manner that promotes the accuracy, reliability, fairness and objectivity of the witness' identification. These steps are designed to ensure the accuracy of identification or non-identification decisions.
2. Assure that all law enforcement and/or prosecutorial personnel present and involved in the case are knowledgeable about the procedure so that they will not interfere or influence any witness during the process. Unnecessary personnel should be removed from the location where the process is being conducted.
3. When presenting the lineup, the person administering the lineup should use the approved standard instructions from witnesses prior to the lineup that the offender might or might not be among those in the photo array or live lineup, and therefore, the witness should not feel compelled to make an identification.
4. Assure the witness prior to the lineup that regardless of whether an identification is made, the police will continue to investigate the incident.
5. Instruct the witness that if the offender is seen in the lineup, he/she might not appear exactly the same as on the date of the incident because features such as clothing, head of facial hair can change. Additionally, photos do not always depict the true complexion of a person, which might be lighter or darker than shown in the photo. Be careful not to imply or lead the witness to believe that the suspect's appearance has actually changed in any way.
6. Provide the following additional viewing instructions to the witness:
 - a. Individual photos/persons will be viewed one at a time.
 - b. Photos/persons are in random order.
 - c. Take as much time as needed in making a decision about each photo/person.
 - d. All photos will be shown, even if identification is made prior to viewing all photos.
7. Confirm that the witness understands the nature of the sequential procedure.
8. Instruct the witness that the procedure requires the investigator to ask the witness to state, in his/her own words, how certain he/she is of any identification.

9. Present each photo to the witness separately, in a previously determined order, as documenter on the lineup worksheet, removing those previously shown.
10. Care should be taken to avoid the witness turning over the photo and reading the identification number recorded on the back.
11. Avoid saying anything to the witness that may influence the witness' selection.
12. If an identification is made, avoid reporting or confirming to the witness any information regarding the individual he or she has selected, until the entire process (including all required signatures and paperwork) has been completed.
13. If the witness requests to view the photo/person sequence again, (or specific photos/persons again), they may be shown a second time, but must be shown again in the same sequence in its entirety even if the witness makes an identification during this second showing.
14. Instruct the witness not to discuss the identification procedure or its results with other witnesses involved in the case and discourage contact with the media.

VII. PROCEDURES – Recording Identification Results

1. When conducting an identification procedure, the person administering the lineup shall preserve the outcome of the procedure by documenting any identification or non-identification results obtained from the witness. A complete and accurate record of the outcome of the identification procedure is crucial. This record can be a critical document in the investigation and any subsequent court proceedings.
2. When documenting the identification procedure, the person administering the lineup should record both identification and non-identification results, including the witness' own words.
3. Document in writing the photo lineup procedures, including identification information and sources of all photos used, names of all persons present at the lineup, and date and time of the identification procedure.
4. Ensure that the results are signed and dated by the witness and the person administering the lineup.
5. Ensure that no materials indicating previous identification results are visible to the witness.
6. Ensure that the witness does not write on or mark any materials that will be used in other identification procedures.

Effective Date:

By Order of
Scott Poore
Chief of Police

Emory & Henry Police Department Policy Manual		General Orders	
Subject: INTERVIEW/INTERROGATIONS		Number: 1.37	
Approved By: Scott Poore Chief of Police		Effective Date:	
Amends: 10/19/2014 By: Det. Dave McConnell		Rescinds:	

NOTE

This order is for internal use only and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third-party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial setting.

I. POLICY

It is the objective of this department to ensure that interviews/interrogations are conducted in a proper and timely fashion, to ensure credibility of the department, and preserve the integrity of the statements collected; and to insure the person(s) giving the statement, have been given due regard to their constitutional rights.

II. PURPOSE

The purpose of this directive is to establish guidelines for obtaining statements given to law enforcement officers of the Emory & Henry Campus Police Department.

III. DEFINITIONS

1. VOLUNTARY STATEMENT- A statement given by a person(s) who is a suspect in a crime without being questioned by the police.
2. Miranda Warning- The Miranda warning, also referred to as Miranda rights or Miranda rule, is a warning given by police in the United States to criminal suspects in police custody (or in a custodial interrogation) before they are interrogated to preserve the admissibility of their statements against them in criminal proceedings.
 - A. The Miranda warning is part of a preventive criminal procedure rule that law enforcement is required to administer to protect an individual who is in custody and subject to direct questioning or its functional equivalent from a violation of his or her Fifth Amendment right against compelled self-

incrimination. In *Miranda v. Arizona*, the Supreme Court held that the admission of an elicited incriminating statement by a suspect not informed of these rights violates the Fifth Amendment and the Sixth Amendment right to counsel, through the incorporation of these rights into state law. Thus, if law enforcement officials decline to offer a Miranda warning to an individual in their custody, they may interrogate that person and act upon the knowledge gained, but may not use that person's statements as evidence against him or her in a criminal trial.

IV. PROCEDURE

1. Under all circumstances any person(s) being detained must be informed of their Miranda Warnings before being questioned about any crime.
2. Any person(s) being detained by any officer of this department may give voluntary statements (which may be recorded and used against that person in a court of law) without being advised of their Miranda Warnings if that person gives that statement without being questioned about the facts of the case by an officer of this department.
3. A written Miranda Warning waiver should be used whenever possible to ensure the suspect being questioned does in-fact understand his/her Miranda Rights, and as proof that they were advised of such. The waiver should be signed by the suspect, the officer questioning the suspect and another witness.
4. Video and/or Audio should be used whenever possible during any interview/interrogation, the subject of the interview/interrogation does not need to be notified that the interview is being recorded.
5. Any interview/interrogation conducted with a minor must be witnessed by another officer or employee of the college. Written permission must be granted by a legal guardian of the minor, unless the minor is being questioned as a witness to a crime and not a suspect of a crime. Video and Audio recording should also be used whenever possible.
6. Any Video or Audio recordings of interrogation/interviews must be treated as evidence and secured as such. It is to be secured in the evidence room by an evidence custodian and logged with the case number for easy access.
7. Any Video or Audio recordings of interrogation/interviews may be stored digitally on a disk or flash drive and kept with the original file under lock and key.

Effective Date:

By Order of

Scott Poore
Chief of Police

Emory & Henry Police Department Policy Manual		General Orders	
Subject: Employee Attendance Policy Part-Time/Full Time		Number: 1.38	
Approved By: Scott Poore Chief of Police		Effective Date:	
Amends: 01/23/2015 By: Det. Dave McConnell		Rescinds:	

NOTE

This order is for internal use only and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third-party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial setting.

I. POLICY

The Emory & Henry Campus Police Department is a Law Enforcement agency governed by the Virginia Department of Criminal Justice Services and the Office of Campus Police and Security. 24 hour coverage is mandatory.

II. PURPOSE

To establish procedures for the ethical and fair scheduling, and establish procedures and guidelines for employees to follow concerning the schedule, calling in, scheduling time off, sick and annual leave. Due to the nature of our work and the need for 24 hour coverage work schedules will vary and are subject to change at any time. All who apply for a position with this department will be made aware and held up to this standard.

III. ENFORCEMENT

**Disciplinary action may be taken by the Chief for violations of this policy.
Up to and including dismissal.**

IV. PROCEDURES – Reporting for work.

1. All officers must be prompt and punctual when reporting for duty. Being on time for your shift is mandatory. If you are going to be late the officer on duty must be contacted and made aware of the situation.

V. PROCEDURES– Scheduled Shifts

1. All officers are required to work the shift they are scheduled for. Unless prior arrangements have been made through a supervisor.
2. Officers may not clock in for their scheduled shift more than 15 minutes prior to shift, unless they are called in early, or for an unscheduled shift approved by a supervisor.
3. Officers may not work longer than their scheduled shift unless approved by a supervisor.
4. Officers must be clocked in to receive credit for the shift. Unless other arrangements have been made and approved by supervisor.
5. Officers must make arrangements for someone to cover their shift if they are unable to cover it themselves, officers must also notify a supervisor of this arrangement and it must be documented on the schedule.

VI. PROCEDURES- Non Scheduled Shifts

1. Any officer contacted by a supervisor or scheduled employee, requesting them to fill in on a shift they are not scheduled to work and they agree, must show up for that shift as if it were a scheduled shift.

VII. PROCEDURES- Calling in sick.

1. 12 hour notice is required unless an emergency exists.
2. Officer's sick for more than 2 consecutive shifts must provide a physician's note.

VIII. PROCEDURES- Annual Leave

Any and all annual leave must be approved by the Chief and must be requested at least 24hours in advance.

IX. POLICY

1. **NO CALL, NO SHOW, WILL NOT BE TOLERATED AND WILL BE GROUNDS FOR IMMEDIATE DISMISSAL.**
2. **NO EMPLOYEE SHALL TURN IN TIME THAT THEY DID NOT WORK; THIS IS GROUNDS FOR IMMEDIATE DISMISSAL.**

Effective Date:

By Order of
Scott Poore
Chief of Police

Emory & Henry Campus Police Department		General Orders	
Policy Manual			
SUBJECT: Eyewitness Evidence		NUMBER: 1.39	
APPROVED BY: SCOTT POORE CHIEF OF POLICE		EFFECTIVE DATE: 07/01/2014	
AMENDS: 07/01/2014 BY: DET. DAVE MCCONNELL		RECENDS:	

NOTE

This order is for internal use only and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third-party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial setting.

INDEX WORDS

Eyewitness Evidence: A Guide for Law Enforcement

- eyewitness identification
- fillers (non suspects)
- lineup
- lineup Identification Form
- lineup identification number
- live lineup
- mugshots
- photo Lineup
- right to counsel
- sequential Lineup
- show-up

I. POLICY

Given that the traditional system for conducting eyewitness identification procedures is not infallible and that the procedures did not incorporate the growing body of psychological study of eyewitness memory and behavior, the National Institute of Justice (Department of Justice), the International Association of Chiefs of Police, the Commission on Accreditation of Law Enforcement Agencies, the Police Executive Research Forum, the American Bar Association and others have issued reports and/or

directives responding to a need for change in this area of police practice. These reports and recommendations attempt to take the basic elements of police investigations and suggest workable changes in order to achieve more consistent eyewitness results.

The following procedures for use in Virginia incorporate many of the recommendations issued by the United States Department of Justice in its *Eyewitness Evidence: A Guide for Law Enforcement* and also include those practices that have gained the support of social scientists and law enforcement practitioners since its publication. An identification obtained through a lineup composed in this manner should minimize the risk of misidentification and have stronger evidentiary value than one obtained without these procedures. Specifically, use of these procedures should maximize the reliability of identifications, minimize unjust accusations of innocent persons and establish evidence that is reliable and conforms to established legal procedure.

II. PURPOSE

To establish a policy for the preparation and presentation of photographic and in-person lineups.

III. DEFINITIONS

A. Lineup

A lineup is any procedure in which a victim or witness to a crime or other incident is asked to identify a suspect from among a group of persons in order to determine or confirm the identity of the suspect. Such procedures involve either actually viewing of persons (in live line-ups or show-ups) or viewing of photographs (in a photo lineup).

B. Photo Lineup

An identification procedure in which an array of photographs, including a photograph of the suspected perpetrator of an offense and additional photographs of other persons not suspected of the offense, is displayed to an eyewitness either in hard copy form or via computer for the purpose of determining whether the eyewitness identifies the suspect as the perpetrator.

C. Sequential Lineup

A method of administration where photographs are shown to the victim/witness one at a time, with an independent decision on each, before the next photo is shown.

D. Blind Administrator

The person administering the line-up has no knowledge of which person in the photo/live line-up is the suspect.

E. Blinded Administration

This is a lineup procedure in which the administrator may know the identity of the suspect, but by virtue of the use of procedures and/or technology to accomplish this purpose, does not know which lineup member is being viewed by the eyewitness.

F. Confidence Statements

A statement in the victim/witness' own words, articulating their level of confidence in the identification taken at the time the identification is made.

G. Fillers

Non-suspect photographs or line-up members.

H. Folder Shuffle Method

A method requiring the lineup administrator to place a photograph of the suspect and filler photographs into blank folders with one photograph per folder. The folders are then "shuffled" before being presented individually to the witness.

I. Show-up

A show-up procedure is an identification procedure in which an eyewitness is presented with a single suspect for the purpose of determining whether the eyewitness identifies this individual as the perpetrator.

IV. PROCEDURES - General responsibilities

A. Department personnel shall strictly adhere to established procedures for conducting suspect lineups in order to avoid the possibility of error or of undue suggestiveness to witnesses.

B. Department personnel shall receive initial and refresher training in lineup procedures to establish uniformity and consistency of such procedures and to establish a high level of competence in carrying out this important aspect of a criminal investigation. *[VLEPSC-accredited agencies must specify the frequency of the refresher training]*

C. Department personnel shall report any known errors, flaws or non-conformance with established procedures in the conduct of a suspect lineup that they may observe or

become aware of to their supervisor in order that corrective actions may be taken and safeguards established to protect the innocent.

- D. The Department will confer with the Office of the Commonwealth's Attorney in establishing lineup procedures in order to assure the best use of this type of evidence and to assure that procedures established are compatible with the prosecution of criminal cases. Likewise, instructions given to witnesses during a lineup procedure will be those established and approved in consultation with the Commonwealth's Attorney.

V. PROCEDURES

Prior to a photo or live lineup, the investigating officer should record as complete a description as possible of the perpetrator provided by the eyewitness and in the eyewitness's own words. This statement should also include information regarding conditions under which the eyewitness observed the perpetrator including location, time, distance, obstructions, lighting, weather conditions and other impairments, including, but not limited to alcohol, drugs, stress, the presence of a weapon and any other relevant conditions. The eyewitness should also be asked if s/he needs glasses or contact lenses and whether s/he was wearing them at the time of the offense.

Show-up Procedure

- A. Show-ups should only be performed using a live suspect and only in exigent circumstances that require the immediate display of a suspect to an eyewitness.
- B. Investigators should not conduct a show-up with a single photograph; if investigators want to determine if an eyewitness can make an identification using a photo, a photo lineup should be employed.
- C. The eyewitness should be transported to a neutral, non-law enforcement location where the suspect is being detained for the purposes of a show-up.
- D. The eyewitness should be provided with the following instructions:
 - 1. The perpetrator may or may not be the person that is presented to the eyewitness;
 - 2. The eyewitness should not feel compelled to make an identification;
 - 3. The investigation will continue regardless of whether an identification is made;
 - 4. The procedure requires the investigator to ask the eyewitness to state, in his or her own words, how certain s/he is of the identification s/he has made; and
 - 5. The eyewitness should not discuss the identification procedure with other eyewitnesses involved in the case and should not speak to the media.

- E. If there are multiple eyewitnesses, only one eyewitness at a time should participate in the show-up procedure, independent of the others. If a positive identification is made, and an arrest is justified, additional eyewitnesses should be shown live or photo lineups.
- F. If identification is made, the investigator should seek and document a clear statement from the eyewitness, at the time of the identification and in the eyewitness's own words, as to the eyewitness's confidence level that the person identified is the perpetrator.
- G. Investigators should photograph a suspect at the time and place of the show-up to preserve a record of his or her appearance at the time of the show-up.

[Agencies are encouraged to video record the show-up procedure. This assists agencies in demonstrating that they conducted the show-up at a neutral location and without any additional suggestion.]

Folder Shuffle Method

The "Folder System" was devised to address concerns surrounding limited personnel resources while allowing for blind administration. Should the investigating officer of a particular case be the only law enforcement personnel available to conduct a photo lineup, the following instructions are recommended:

- Obtain one (1) suspect photograph that resembles the description of the perpetrator provided by the witness.
 - Obtain five (5) filler photographs that match the description of the perpetrator, but do not cause the suspect photograph to unduly stand out.
 - Obtain ten (10) file folders. [four of the folders will not contain any photos and will serve as 'dummy folders'].
1. The individual administering the lineup should:
 - a. Affix **one (1) filler photograph** to the inside of the first folder and label it "#1".
 - b. Affix the **suspect photograph** to the inside of the next folder. *It is imperative that this folder is not yet numbered.*
 - c. Affix **four (4) filler photographs** (one each) into the next empty folders. *It is imperative that these folders are not yet numbered.*
 - d. Shuffle the folders (with the exception of folder #1) so that the administrator is unaware of which folder the suspect is in.
 - e. Label the shuffled folders #2 through #6.
 2. The remaining folders will not contain photos and should be labeled #7

through #10. These folders will only contain a page with the following text: "THIS FOLDER INTENTIONALLY LEFT BLANK". *[This is done so that the witness does not know when he has seen the last photo. Agencies may choose to include up to eight (8) photographs instead of the recommended six (6). When increasing the number of photographs, it is necessary to increase the number of blank folders. The intent is that the witness is not aware of when the last photo is being presented.]*

3. Place all folders in numerical order (#1 through #10) for presentation of the lineup.
4. The administrator should provide instructions to the witness. The witness should be informed that the perpetrator may or may not be contained in the photos he is about to see and that the administrator does not know which folder contains the suspect.
5. Without looking at the photo in the folder, the administrator is to hand each folder to the witness individually. The witness must view the photo in the folder and then return it to the administrator before being presented with the next folder. The order of the photos should be preserved, in a facedown position, in order to document in Step 7. *[The witness may be permitted to review the folders a second time, but it is imperative that all folders are provided in the same order as the original presentation.]*
6. Instruct the witness that the procedure – only if identification is made - requires the investigator to ask the witness to state, in his/her own words, how certain he/she is of any identification at the time that the identification is made.
7. The administrator should then document and record the results of the procedure. This should include: the date, time and location of the lineup procedure; the name of the administrator; the names of all of the individuals present during the lineup; the number of photos shown; copies of the photographs themselves; the order in which the folders were presented; the sources of all of the photos that were used; a statement of confidence *in the witness's own words* as to the certainty of his identification, taken immediately upon reaction to viewing; and any additional information the administrator deems pertinent to the procedure. *[It is important for the administrator to not ask the witness for a numerical rating of their confidence level.]*

Lineup Procedures (both photo and live)

- A. The investigator in charge should select an individual to serve as the blind administrator. The blind administrator must not know which member of the lineup is the "true" suspect to conduct any lineups in order to avoid inadvertent signs or body language that may lead or cause a witness to make an incorrect identification. The

blind administrator should be thoroughly familiar with this procedure. *[Alternatively a 'blinded' administrator may be used, namely an individual who knows the suspect's identity but is not in a position to see which members of the line-up are being viewed by the eyewitness. This can be accomplished, for instance, through the use of the folder shuffle method or via laptop technology.]*

[Blind administration is preferable to the folder shuffle method, but it is also a perfectly acceptable alternative when blind administration is not feasible, i.e. there was not an officer available to act as an administrator. It is important to document why blind administration was not feasible.]

- B. Assure that law enforcement and/or prosecutorial personnel present and involved in the case are knowledgeable about the procedure so that they will not interfere or influence any witness during the process. Unnecessary personnel should be removed from the location where the process is being conducted.
- C. A photo or live lineup should be composed so the fillers generally resemble the eyewitness's description of the perpetrator, while ensuring that the lineup is comprised in such a manner that the suspect does not unduly stand out from the fillers. However, complete uniformity of features is not required. Avoid reusing filler photos/ live lineup members. If the eyewitness has previously viewed a photo or live lineup in connection with the identification of another person suspected of involvement in the offense, the fillers in the lineup should be different from the fillers used in prior lineups.
- D. When there are multiple suspects, each identification procedure should include only one suspect.
- E. Avoid mixing color and black and white photos. Photos should be either all black and white or all color.
- F. Cover any portions of mugshots or other photographs that provide identifying information. Ensure that no writings or information concerning previous arrest(s) will be visible to the witness. If it is necessary to block-out or cover a notation, such as a name on one photo, then similar blocking-out or covering marks should be placed on all photos so that they will appear alike.
- G. Use photos of the same size and basic composition, and never mix mugshots with other snapshots or include more than one photo of the same suspect.
- H. Select fillers (non suspects) who generally fit the witnesses' description of the offender. When there is a limited or inadequate description of the offender provided by the witness, or when the description of the offender differs significantly from the appearance of the suspect, fillers should resemble the suspect in significant features.
- I. Select a photo that resembles the suspect's description or appearance at the time of the incident, if multiple photos of the suspect are reasonably available to the investigator.

- J. Ensure that the photos are reasonably contemporary.
- K. Include a minimum of five fillers (non-suspects) per photo identification procedure and a minimum of four fillers per live lineup.
- L. Create a consistent appearance between the suspect and fillers so that the photos depict individuals who are reasonably similar in age, height, weight and general appearance, and are of the same sex and race. However, avoid using fillers who so closely resemble the suspect that a person familiar with the suspect might find it difficult to distinguish the suspect from the fillers.
- M. If there are multiple eyewitnesses, each eyewitness should view the lineup independently and separately and the suspect should be placed in a different position in the photo or live lineup for each eyewitness.
- N. Review the array, once completed, to ensure that the suspect does not unduly stand out.
- O. Assign each photo/person a lineup identification number. Record the identification number on the back of each photo. Refer to that photo/person only by that number. The nature of the identification number should be purposely complex to the witness, so that any inadvertent glance should not significantly hinder the identification process or alert the witness as to the identity of the actual suspect.

[Note: Some departments use the assigned case number and simply add a series of numbers and or letters at the beginning, end or in the middle of the case number. For example, with a case number such as 2005 – 12345, one could create ID numbers like A 2005 – 12345, or 2005 – 12345 B, or 2005 – C – 12345.]
- P. After each photo/person has been assigned an identification number, record the number along with all other pertinent information on the Lineup Identification Form.
- Q. Record the presentation order of each lineup and ensure that a complete written record of the identification proceeding is made and retained. The record should include: all identification and non-identification results obtained during the procedure and signed by the eyewitness, including the eyewitness's confidence statement; the names of all of the persons present at the identification procedure, the date and time of the identification procedure, and the sources of all photos or persons used in the identification procedure. In addition, the photos themselves should be preserved in their original condition. For live lineups, a group photo should be taken of all persons in the lineup together to illustrate size differences among the lineup participants. This photo must not be shown to the witness, but will be included with the completed case file.
- R. There is a right to have counsel present at a live line-up, where the defendant-suspect has been charged.
- S. Advise the accused that he may take any position in the live lineup that he prefers and may change positions prior to summoning a new witness.

- T. Ensure that witnesses are not permitted to see nor are they shown any photographs of the accused immediately prior to the live lineup.
- U. Ensure that no more than one witness views each live lineup at a time and that they are not permitted to speak with one another during live lineup proceedings.

VI. PROCEDURES - Conducting the Identification Procedure

- A. The identification procedure should be conducted in a manner that promotes the accuracy, reliability, fairness and objectivity of the witness' identification. These steps are designed to ensure the accuracy of identification or non-identification decisions.
- B. Assure that all law enforcement and/or prosecutorial personnel present and involved in the case are knowledgeable about the procedure so that they will not interfere or influence any witness during the process. Unnecessary personnel should be removed from the location where the process is being conducted.
- C. When presenting the lineup, the person administering the lineup should use the approved standard instructions for witnesses prior to the lineup that the offender might or might not be among those in the photo array or live lineup, and therefore, the witness should not feel compelled to make identification.
- D. Assure the witness prior to the lineup that regardless of whether identification is made, the police will continue to investigate the incident.
- E. Instruct the witness that if the offender is seen in the lineup, he/she might not appear exactly the same as on the date of the incident because features such as clothing, head or facial hair can change. Additionally, photos do not always depict the true complexion of a person, which might be lighter or darker than shown in the photo. Be careful not to imply or lead the witness to believe that the suspect's appearance has actually changed in any way.

[Note: For example, saying to a witness that "The suspect's appearance could be different, for example if he has since gotten a tattoo", may imply to the witness that the police know the suspect got a tattoo. If uncertain about identity, this could lead the witness to pick out someone in the line-up with a tattoo simply for that reason.]

- F. Provide the following additional viewing instructions to the witness:
 - 1. Individual photos/persons will be viewed one at a time.
 - 2. Photos/persons are in random order.
 - 3. Take as much time as needed in making a decision about each photo/person.

4. All photos will be shown, even if identification is made prior to viewing all photos.
 5. The administrator does not know who the perpetrator is.
- G. Confirm that the witness understands the nature of the sequential procedure.
- H. Instruct the witness that the procedure – only if identification is made - requires the investigator to ask the witness to state, in his/her own words, how certain he/she is of any identification at the time that the identification is made.
- I. Present each photo to the witness separately, in a previously determined order, as documented on the lineup worksheet, removing those previously shown.
- J. Care should be taken to avoid the witness turning over the photo and reading the identification number recorded on the back.
- K. Avoid saying anything to the witness that may influence the witness' selection.
- L. If identification is made, avoid reporting or confirming to the witness any information regarding the individual he or she has selected, until the entire process (including obtaining a confidence statement and obtaining required signatures and paperwork) has been completed.
- M. If the witness requests to view the photo/person sequence again, (or specific photos/persons again), they may be shown a second time, but must be shown again in the same sequence in its entirety even if the witness makes an identification during this second showing.
- N. Instruct the witness not to discuss the identification procedure or its results with other witnesses involved in the case and discourage contact with the media.

[Agencies are encouraged to video record the identification procedure]

VII. PROCEDURES - Recording Identification Results

- A. When conducting an identification procedure, the person administering the lineup shall preserve the outcome of the procedure by documenting any identification or non-identification results obtained from the witness. A complete and accurate record of the outcome of the identification procedure is crucial. This record can be a critical document in the investigation and any subsequent court proceedings.
- B. When documenting the identification procedure, the person administering the lineup should record both identification and non-identification results, including a statement of confidence, in the eyewitness's own words. ***[The results should not be ranked]***

- C. If the eyewitness makes an identification, the administrator shall seek and document a clear statement from the eyewitness, at the time of the identification and in the eyewitness's own words, as to the eyewitness's confidence level that the person identified in a given identification procedure. ***[It is important for the administrator to not ask the witness for a numerical rating of their confidence level.]***
- D. If the eyewitness identifies a person as the perpetrator, the eyewitness shall not be provided any information concerning such person before the administrator obtains the eyewitness's confidence statement about the selection. After the eyewitness' confidence statement is obtained, the administrator shall not tell the eyewitness information about how accurate they were in their identification or provide additional information about the defendant.
- E. Document in writing the photo lineup procedures, including identification information and sources of all photos used, names of all persons present at the lineup, and date and time of the identification procedure.
- F. Ensure that the results are signed and dated by the witness and the person administering the lineup.
- G. Ensure that no materials indicating previous identification results are visible to the witness.
- H. Ensure that the witness does not write on or mark any materials that will be used in other identification procedures.

Effective Date:

By Order of

Scott Poore
Chief of Police

Law Enforcement Code of Ethics

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

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

I will never act officiously or permit personal feelings, prejudices, animosities, or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately with fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

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

Emory & Henry College
Rules, Regulations, & Procedures
Campus Safety Department

The Emory & Henry Campus Safety Department receives its authority from the Board of Trustees, and the Department of Criminal Justice Services through the Commonwealth of Virginia Statutes, Chapter 17 (§ 23-232 et seq.) of Title 23. The following Rules, Regulations, and Procedures are here by promulgated for the information and guidance of all Emory & Henry College employees. They apply to both the Police and Security Staff equally unless otherwise stated.

In accordance with the authority vested in the Office of the Chief of Police by the Commonwealth of Virginia, and the Board of Trustees of Emory & Henry College, the Chief of Police in consultation with the President of the College and the Dean of Students reserves the right to amend or revoke any of the rules, regulations, and general orders or to make additional ones from time to time as the circumstances or the good of the department may require.

This manual is the property of Emory & Henry College and shall be returned when employees terminate their employment. Further, employees shall not show the manual to anyone other than department personnel, unless directed.

No manual can possibly cover all aspects of law enforcement work or provide guidance in handling every possible situation. Employees will have to use their experience, training, and good judgment to meet the goals and objectives of this department.

The Chief of Police/Director of Security (hereby referred to as the Chief), shall vigorously enforce the rules of this manual. It is expected of every member of this department to be familiar with all facets of this manual and to observe all rules. The Chief will review each violation, if necessary, on a case by case basis, and determine any disciplinary action. Much of our work is left to the employees' discretion, and if any employee deviates from the provisions of this manual, they must demonstrate that their actions were necessary.

Each member of the department will be issued a copy of this manual either a hard or electronic copy. Employees shall keep it handy and make deletions or additions as ordered. Whenever an employee doubts the meaning or intent of a rule, policy, or procedure, they shall seek an interpretation or explanation from the Chief. All previously issued rules, policies, and procedures inconsistent or in conflict with this manual are hereby revoked. This manual is designed to help you understand what is expected of your performance while a member of the Emory & Henry Campus Safety Department.

**Mission Statement of
Emory & Henry College**

The historic motto of Emory & Henry College, INCREASE IN EXCELLENCE, expresses our intention to be a learning community that moves toward the realization of that ideal. Bishop John EMORY, along with the founders of Methodism, symbolizes our belief in the union of faith and learning, while Governor Patrick HENRY symbolizes our commitment to freedom and civic virtue.

We affirm the Christian faith as our spiritual and moral heritage and encourage all our members to grow in faith as they grow in knowledge. We believe in the worth of each person's religious and cultural heritage, inasmuch as it leads to service to others in our region and the larger world. **We affirm** the liberal arts as our intellectual foundation and believe that excellence results from active participation by all involved in the educational process. We challenge all persons to confront historical and contemporary ideas and issues and to develop the ability to apply critical thought to all areas of human experience.

These traditions provide the context for our pursuit of excellence, as we provide educational opportunities to a diverse group of well-qualified men and women.

Emory & Henry Campus Safety Mission Statement

The Emory & Henry College Campus Safety Department's mission is to serve the students, faculty, staff, and visitors of the college by furthering a partnership to protect life and property, prevent crimes, and resolve problems.

The Emory & Henry College Campus Safety Department must uphold the Constitution of the United States; enforce the laws of the Commonwealth of Virginia, and the policies of Emory & Henry College.

The Emory & Henry Campus Safety Department is committed to providing quality Police/Security services by focusing on a process of continuous improvement and a problem-solving alliance with our community.

Our Vision

To be recognized within the community and the Commonwealth of Virginia as a leader among agencies providing Police/Security services in a college environment.

Acknowledgments

The policies, procedures, rules and regulations in this manual were derived from a variety of sources, some of which include but not limited to:

International association of Chiefs of Police

Commonwealth of Virginia Association of Chiefs of Police

Commission on Accreditation of Law Enforcement Agencies

Department of Criminal Justice Services

Special Acknowledgment

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Scott Poore, Chief of Police Emory & Henry College

Dave McConnell, Detective Emory & Henry College

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