

WARREN COUNTY SHERIFF'S OFFICE



MANUAL OF POLICY & PROCEDURE

Issued 2/1/2021

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Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 01.01	EFFECTIVE DATE: 05-01-2014 REVISION DATE: 02-01-2021
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: OFFICE AUTHORITY AND JURISDICTION		

OFFICE AUTHORITY AND JURISDICTION

I. POLICY

The purpose of this policy is to state the authority, jurisdiction and mission of the Warren County Sheriff's Office. This policy will apply to all Warren County Sheriff's Office personnel until such time it is superseded, revoked or rescinded.

II. PROCEDURE

A. Authority

The Warren County Sheriff's Office is established by authority of Kentucky Revised Statutes 70.010 and the State Constitution. The authority of deputies derives from this and is conferred by the authority of the Sheriff of Warren County.

1. Personnel are sworn by oath of office to enforce the laws of the Commonwealth of Kentucky, uphold the Constitution of the United States and the Constitution of the Commonwealth of Kentucky and enforce the ordinances of Warren County, and to faithfully, impartially and diligently protect the public peace and safety, and to abide by the Police Officers Code of Ethics.
2. The Warren County Sheriff appoints all personnel.
3. Sworn and Non-Sworn personnel shall abide by:
 - a. Federal Laws, State statutes, County and City Ordinances
 - b. Warren County Sheriff's Office Policies and Procedures Manual

4. Authority of the Warren County Sheriff's Office

- a. Within the County limits, the Warren County Sheriff's Office will enforce the ordinances of the County and the laws of the State of Kentucky.

B. Command

1. The Sheriff possesses the authority and responsibility for the management, direction and control of the operations and administrations of the department.
 - a. The Sheriff is responsible for the protection of lives and property within Warren County through the administration and supervision of all law enforcement related functions.
 - b. The Sheriff is responsible for organizing, controlling, and directing the personnel and resources of the Warren County Sheriff's Office.

C. Geographical Boundaries

1. Each Deputy will be provided information from a detailed map of Warren County showing the jurisdictional boundaries. Deputies should make themselves familiar with the streets, county roads, and state highways within the Warren County.
2. When there is a question concerning jurisdiction, a supervisor should be consulted.

D. Interagency Cooperation

1. Effective law enforcement is not a solitary effort but requires the cooperation and interaction of all agencies. The Warren County Sheriff's Office supports this concept and will cooperate fully with other agencies in the discharge of these duties.

E. Mutual Aid Agreements

1. The Warren County Sheriff's Office may execute Mutual Aid Agreements with other law enforcement agencies within the County and the Commonwealth of Kentucky.
2. Copies of the agreement(s) will be kept on file in the Sheriff's Office and shall be reviewed annually at the direction of the Sheriff. The agreement(s) shall be reviewed annually to ensure it describes the current legal status of, as well as current information about the agencies that are parties to the agreement.

F. Emergency Federal Law Enforcement Assistance

1. In the event of an emergency that, in the opinion of the Sheriff, requires federal law enforcement assistance, aid will be solicited from the appropriate federal agency.
2. In the event of a criminal offense in which there is concurrent enforcement responsibilities, (i.e., bank robberies, drug violations, etc.) the supervisor on duty / on-call may notify the FBI, DEA or other federal agency having concurrent jurisdiction.

G. National Guard Emergency Assistance

An emergency may arise necessitating the call-out of the Kentucky National Guard. If so, the Sheriff or his designate must request the call-out.

H. Statewide Fingerprint Records System

KRS 17.110 requires the submission of fingerprints to the Department of State Police of the Justice Cabinet upon arrest of any person on a felony charge. KRS 441.046 mandates this responsibility to the jailer.

I. Statewide Criminal Information System

The Kentucky State Police maintain a centralized statewide criminal information system. Access to this system is through the Law Information Network of Kentucky (LINK) terminal in the Warren County Sheriff's Office dispatch center. As required by U.S. Title 28 Code of Federal Regulations, this Office will participate in this system. All personnel of the Warren County Sheriff's Office will adhere to the provisions, guidelines, and requirement of the system.

The Kentucky State Police maintain a statewide crime reporting system. The Warren County Sheriff's Office shall participate by submitting all required reports, statistics, etc. on the Kentucky Uniform Offense Report in accordance with KRS 15A.190 and 17.150 via KYOPS.

III. MISSION AND VALUES STATEMENT, and CODE OF ETHICS

A. Mission statement

The mission of the Warren County Sheriff's Office is: To protect and uphold the laws of the Commonwealth of Kentucky and support and defend the Constitution of the United States.

We pursue the mission through comprehensive crime prevention, illegal incident intervention, equitable enforcement of county ordinances and state statutes, as well as with diverse citizen support and educational programs.

Our mission is achieved / championed / sustained by Warren County Sheriff's daily adherence to the following core principles:

- Emergency / disaster preparedness
- Community – oriented – policing developed through trust – earning and integrity
- Multi-agency cooperation and mutual aid
- Seeking the eradication of child, domestic, and senior abuse, neglect, and exploitation
- Safeguarding schools in Warren County with every available resource
- Dismantling drug trafficking via incisive highway and street interdiction
- Disbanding theft operations utilizing investigation techniques and area cooperation
- Heightening highway safety through continuous traffic enforcement
- Apprehension of the criminal element
- Education of our citizenry through the Sheriff's Office Showcase and Neighborhood Watch. Remaining responsive to the community, and expanding our services to meet ever-changing needs

We encourage every resident to take ownership in creating an environment where safety, liberty, and opportunity are realities in Warren County, for that is the realization of the mission of the Warren County Sheriff's Office.

B. Values Statement

We value human life and personal dignity

We value personal and professional integrity as the basis for community trust

We value fair and impartial enforcement of all laws

We value professional excellence and customer service

We value all members of the Warren County Sheriff's Office

C. Warren County Sheriff's Office Code of Ethics

Law enforcement is an honorable calling. Service in this field demands a professional rather than an occupational philosophy. Personal honor, a desire for professional status, and devotion to service above self, are the motives which impel Deputy Sheriffs to discharge their responsibility in full measure.

Deputy Sheriffs' lives are ones of self-sacrificing service to high ideal, based upon their recognition of the responsibilities entrusted to them and the belief that law enforcement is an honorable vocation. They fully accept their responsibilities to protect the weak, to aid the distressed, and to apply the law without prejudice. They accept the obligation to report facts, to testify without bias or display of emotion, and to consider all information coming to their attention by virtue of their position, as a

sacred trust, to be used for official purposes only. They give their loyal and faithful attention to the apprehension and identification of criminals, being equally alert to protect the innocent and prosecute the guilty. They perform the functions of their office without fear, favor, or prejudice and do not engage in unlawful or improper practices.

Deputy Sheriffs are respectful and courteous to all citizens. They serve their community with zeal, courage, dedication, and fidelity. They are faithful and loyal to their organization; constantly striving to cooperate with and to promote better relations with all regularly constituted law enforcement agencies in matters of mutual interest and obligation.

There must be moral philosophy, or strong appreciation of them for obligatory service associated with a profession. Unwavering adherence to such a moral philosophy will earn for Deputy Sheriffs the respect and support of the public. Each member of the Warren County Sheriff's Office will be required to conform to a high standard of personal conduct.

Members of the Warren County Sheriff's Office will:

1. Be honest in all matters.
2. Face their problems with determination and persistence.
3. Avoid the use of obscene, profane, or abusive language.
4. Keep their mind and body sound and healthy.
5. Be loyal to the law enforcement service and their associates and neither divulges nor tolerate gossip detrimental to any member of the Office.
6. Encourage their associates to fully discharge the obligation of their office and assist associates promptly and energetically.
7. Foster in all personnel sensitivity to misconduct and have the courage to strive against it.
8. Take their oath of office without reservation or evasion.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 01.02	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 02/01/2021
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: RESPONSE TO RESISTANCE		

RESPONSE TO RESISTANCE

I. POLICY

This policy shall apply to all sworn Warren County Deputies until it is revoked, rescinded, or suspended.

II. DEFINITIONS

- A. Reasonable Force** - The reasonable amount of force required to overcome the use or imminently threatened use of force against the deputy, other persons, or property, which, based on facts or circumstances the deputy knows, or should know, would cause a reasonable person to act or think in a similar manner.
- B. Reasonable Belief** - The facts or circumstances the deputy knows, or reasonably should know, that would cause a reasonable person to act or think in a similar manner under similar circumstances.
- C. Use of Force Continuum** - The escalation of force used by a deputy in order to control a situation or the actions of persons, from minimal to maximum (i.e., Deputy presence, verbal force, "empty-handed" physical force, less lethal force, deadly physical force).
- D. Force** - Constraint physically exerted to assist the deputy in controlling a situation or the actions or behavior of a person(s).
- E. Physical Force** - Force used upon or directed toward the body of another person and includes confinement.
- F. Deadly Physical Force** - Any force which is used with the purpose of causing death or serious physical injury or which the deputy knows to create a substantial risk of causing death or serious physical injury.
- G. Excessive Force** - Force is excessive when its application is inappropriate to the circumstances, which may result in physical injury or death of a suspect. No comprehensive objective definition of excessive force can be offered; each situation must be evaluated according to the particular circumstances unique to the event under review.
- H. Risk** - A significant possibility, as contrasted with a remote possibility, that a certain

result may occur or certain circumstances may exist.

- I. Substantial Risk - A degree of risk that a reasonable and prudent person would consider a strong possibility to cause death or serious physical injury.
- J. Physical Injury - Any injury which causes substantial physical pain or any impairment of physical condition.
- K. Serious Physical Injury - Any physical injury which creates a substantial risk of death, or which causes serious and prolonged disfigurement, prolonged impairment of health, or prolonged loss or impairment of the function of any bodily organ.
- L. Firearm - Any weapon which will expel a projectile by the action of an explosive.
- M. Less Lethal Weapon - Any weapon other than a firearm, used to control persons or defend a deputy from injury.
- N. Taser - The Taser is an electronic control device manufactured by TASER International, Inc. ECDs use propelled wires or direct contact to conduct energy to affect the sensory and motor functions of the nervous system.
- O. Chokehold – applying any direct pressure to the throat, windpipe or airway of another with the intent to reduce or prevent the intake of air. Chokehold does not include any hold involving contact with the neck that is not intended to reduce the intake of air.
- P. Neck Restraint – A method of rendering a person unconscious by restricting the flow of blood to the brain by compressing the sides of the neck where the carotid arteries are located.

III.PROCEDURE

It shall be the policy of the Warren County Sheriff's Office that the value of human life is immeasurable; deputies shall use only the reasonable force necessary to protect life and affect lawful objectives.

A. Types of Force Authorized

When the use of force is necessary and appropriate, either on or off duty, deputies shall, to the extent possible, utilize an escalating scale of options and shall not use a more forceful measure unless it is determined that a lower level of force would not be adequate, or that such level of force is attempted and actually found to be inadequate. The scale of options, in order of increasing severity, is established as:

1. Deputy's physical presence;
2. Deputy's verbal persuasion
3. Physical force, i.e. striking, holding, pushing, pulling, exerting greater strength to overcome resistance;
4. OC Spray;
5. Taser;
6. Impact weapon

7. Deadly force, including the use of a firearm;

It is not the intent of this policy to require deputies to try each option before escalating to the next level. Clearly, good judgment and the circumstances of a given situation, will dictate what level the deputy chooses as reasonable to the risk confronted.

The use or possession of any non-lethal weapon shall be limited to the non-lethal weapons authorized by this policy.

B. Use of Force in an Arrest

1. In all instances, deputies of this office are expected to use only the force reasonable to lawfully and properly make an arrest or assist in the making an arrest. The deputy is responsible to the following elements when using force to make an arrest, or assisting in making an arrest:
 - a. The deputy must believe that such force is necessary to make the arrest;
 - b. The deputy makes known the purpose of the arrest or believes that it is otherwise known or cannot reasonably be made known to the person to be arrested;
 - c. The deputy believes the arrest is lawful.
2. A deputy may use deadly force in making, or assisting in making, an arrest only when the above three requirements are met and the following conditions apply:
 - a. The arrest is for a felony involving the use or threatened use of physical force likely to cause death or serious physical injury; and
 - b. The deputy making, or assisting in making, the arrest believes the person to be arrested is likely to endanger human life unless apprehended without delay.

C. Use of Force in Self-Protection

1. A deputy may use physical force upon another when the deputy believes that such force is reasonably necessary to protect himself/herself against imminent use of physical force by another person.
2. A deputy may use deadly force in self-defense when he/she believes such force is reasonably necessary to protect him/her against death, or serious physical injury.
3. In the event a deputy reacts with force in self-defense as a result of an unlawful act, the deputy should consider filing the appropriate criminal charge against the person committing the unlawful act when circumstances allow.

D. Use of Force in Protecting Others

1. A deputy may use physical force upon another person when the deputy believes that such force is reasonably necessary to protect a third person against the use or imminent use of unlawful physical force by the other person, and under the circumstances as the deputy believes them to be, the person whom he/she seeks to protect would himself/herself have been justified in using such protection.
2. A deputy may use deadly force upon another person when the deputy believes that such force is reasonably necessary to protect a third person against imminent death, or serious physical injury.
3. A deputy so acting shall file appropriate criminal charges against the person who unlawfully used or threatened the force, which required the deputy to defend a third person.

E. Use of Force to Prevent Escape

1. The use of deadly force against a fleeing arrestee is used only when the deputy believes the person to be arrested is likely to endanger human life unless apprehended without delay.
- F. Chokeholds and Neck Restraints: A deputy shall not use a chokehold or neck restraint in the performance of his or her duties, unless deadly force is justified.
 1. Deputies may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. Deputies shall not intentionally use any technique that restricts blood flow to the head, restricts respiration or which creates a reasonable likelihood that blood flow to the head or respiration would be restricted for the purpose of seizing evidence or preventing the destruction of evidence by ingestion.

G. Post-Restraint:

1. Deputies restraining a subject should be cognizant of and avoid positional asphyxia. This agency prohibits prolonged face-down prone restraint.
2. As soon as practicable after the subject stops resisting, monitor the subject's condition. If the subject has difficulty breathing, exhibits other obvious signs of medical distress identifiable by any layperson, or requests medical assistance, deputies/officers of this agency shall request medical assistance and may render aid in accordance with their training.
3. If the subject is being lodged in a correctional facility or taken to a medical facility, advise the intake personnel that the subject was rendered unconscious or subjected to a chokehold (deadly force) during restraint.

H. Duty to Intervene:

1. In accordance with the agency's Duty to Intervene policy, deputies of this agency have an affirmative duty to intervene if they witness a response to resistance that is clearly unreasonable. Any deputy present and observing another deputy or law enforcement officer from another agency using force that is clearly beyond that which is reasonable under the circumstances shall, when in a position to safely do so, intervene to prevent the use of unreasonable force. A deputy who observes any law enforcement officer's response to resistance that exceeds the degree of force permitted by law must promptly report these observations to a supervisor.

IV. Force Options

A. Use of Physical Force

1. Personnel shall use only such force as is reasonable to affect lawful objectives.
2. Physical force may be used as a means of:
 - a. Making, or assisting in making, an arrest;
 - b. Physical restraint or control;
 - c. Defense of the deputy, another person, or property; or
 - d. Preventing escape.
3. Once a person is restrained or under control, the use of physical force shall be restricted to that force necessary to retain control.
4. After any use of force incident the deputy shall request appropriate medical attention if needed and notify the on-duty / on-call supervisor immediately.

B. Use of Oleoresin Capsicum (OC) Spray.

1. OC Spray issued by the department may be used as a means of :
 - a. Making, or assisting in making, an arrest;
 - b. Physical restraint or control;
 - c. Defense of the deputy, another person, or property; or
 - d. Preventing escape.

2. The use of OC Spray issued by the Office is authorized when circumstances being encountered do not necessitate the use of an impact instrument or greater force. The use of a OC Spray is also authorized when a deputy makes known his intent to arrest and the person being encountered overtly demonstrates the intent to resist, therefore making physical force, i.e. OC Spray, necessary.
3. Once a person is restrained and under control, the use of OC Spray is no longer justified and or permitted.
4. A person who has been sprayed with OC Spray:
 - a. Will be allowed to flush the affected area with water as soon as practical after the incident; and when appropriate will be informed by the deputy involved that medical attention is available.
 - b. After the use of OC Spray, whether or not an arrest was effected, the deputy shall notify the on-duty / on-call supervisor immediately.

C. Use of Taser

1. The issued Taser is authorized as a means of:
 - a. Making, or assisting in the making of; an arrest.
 - b. Physical restraint or control;
 - c. Defense of the deputy, another person, or property; or
 - d. Preventing escape.
2. If assigned / issued, all uniformed deputies will have the Office issued Taser while on regular duty assignment.
3. Uniform Deputies shall have the Taser readily available when answering complaints and/or performing enforcement activities, unless exigent circumstances dictate otherwise.
4. The Taser may be used:
 - a. only as necessary to overcome physical or noncompliant resistance encountered in the discharge of an official duty where it is believed that the use of a less obtrusive method would either allow the individual to escape, or would reasonably expose the deputy or others to physical injury.
 - b. by direct touch (drive stun) when physical confrontations are in progress. However, drive stuns are discouraged except in situations where the probe deployment is not possible, or has failed, and the immediate application is necessary to end active resistance.
 - c. to subdue animals deemed to be dangerous.

- d. during authorized agency training.
- 5. Deputies shall only target those areas authorized as acceptable target areas as outlined or identified in Taser training. Said striking areas shall correlate to the level of force justified. Striking areas may change as the level of justifiable force changes, and may, according to the circumstances, include deadly force.
- 6. When practical, deputies shall give warning of impending use of the Taser prior to its use.
- 7. After use of the Taser, whether or not an arrest was effected, if injuries are sustained, the deputy **shall** call for immediate medical assistance & notify the on-duty / on-call supervisor immediately.

D. Use of Firearms

- 1. For the purpose of this policy, firearms shall refer to those firearms:
 - a. Issued or authorized for carry by the Office, pursuant to the provisions of the Office policies:
 - 1. Firearms and Ammunition, Authorization of.
 - 2. Firearms Proficiency, Maintenance and Certification of.
 - 3. Used in law enforcement or related situations.
 - 2. Deputies of this Office are authorized to draw and/or display firearms when concerned with their safety or the safety of other persons, e.g. building searches, confronting persons believed to be armed or dangerous, etc.
 - 3. Deputies are authorized to discharge a firearm for the following purposes:
 - a. As outlined in this policy.
 - 1. Unless it is impractical, deputies shall give warning of impending use of a firearm prior to its use under this policy.
 - b. To kill a seriously injured animal, when:
 - 1. No other disposition is practical; and
 - 2. The deputy deems it appropriate to relieve the animal from additional suffering;
 - 3. Permission, if possible, has been obtained from the animal's owner and the act is carried out, if possible, outside the presence of children, and;

4. Great care has been taken to ensure that any use of a firearm would not endanger the public when humanely euthanizing an injured animal.
 - c. Periodic training at the WCSO range.
 - d. After use of a firearm, if any injuries are sustained by any person, directly or indirectly involved, the deputy **shall** call for immediate medical assistance and notify a dispatcher and the on-duty / on-call supervisor immediately.
4. Use of warning shots.
 - a. The use of warning shots is strictly prohibited.
5. Prohibited Use of Firearms
 - a. Discharging a firearm from any moving vehicle is strictly prohibited.
 - b. Discharging a firearm at a moving vehicle is prohibited, unless the vehicle is being used as a deadly weapon.
6. Deputies faced with the possible necessity of discharging a firearm shall remain cognizant of the danger inherent in discharging a firearm while running or moving, due to the possibility of unintended persons or property being struck by projectiles.
7. Reporting discharge of firearms.
 - a. While on-duty, deputies shall report the discharge of **any** firearm under his/her control to the on duty / on call supervisor (this is not limited to those firearms identified in this policy), notification shall be made immediately.
 - b. While off-duty, a deputy shall report the law enforcement related discharge of **any** firearm under his/her control to the on-duty / on-call supervisor immediately.
 - c. Deputies shall report the off-duty discharge of a firearm authorized for carry by the office to the on-duty / on-call supervisor, except when said discharge occurs during authorized training or recreational activity. Verbal notification shall be made as soon as practical after the incident.

E. Response to Resistance Report

1. Deputies Responsibilities
 - a. For the purpose of reporting, use of force is defined as any physical effort used to control, restrain or overcome resistance. The use of or threat of use of any force, which result in the injury or death of another person or when

any weapon (OC spray, Taser, impact weapon, or firearms) is used, mandates that a Response to Resistance Report be completed by the end of the tour of duty.

The use of control holds and escort techniques to overcome passive resistance does not generally constitute the type of force to be reported. Open hand techniques to overcome passive or active resistance does constitute the type of force to be reported whether or not:

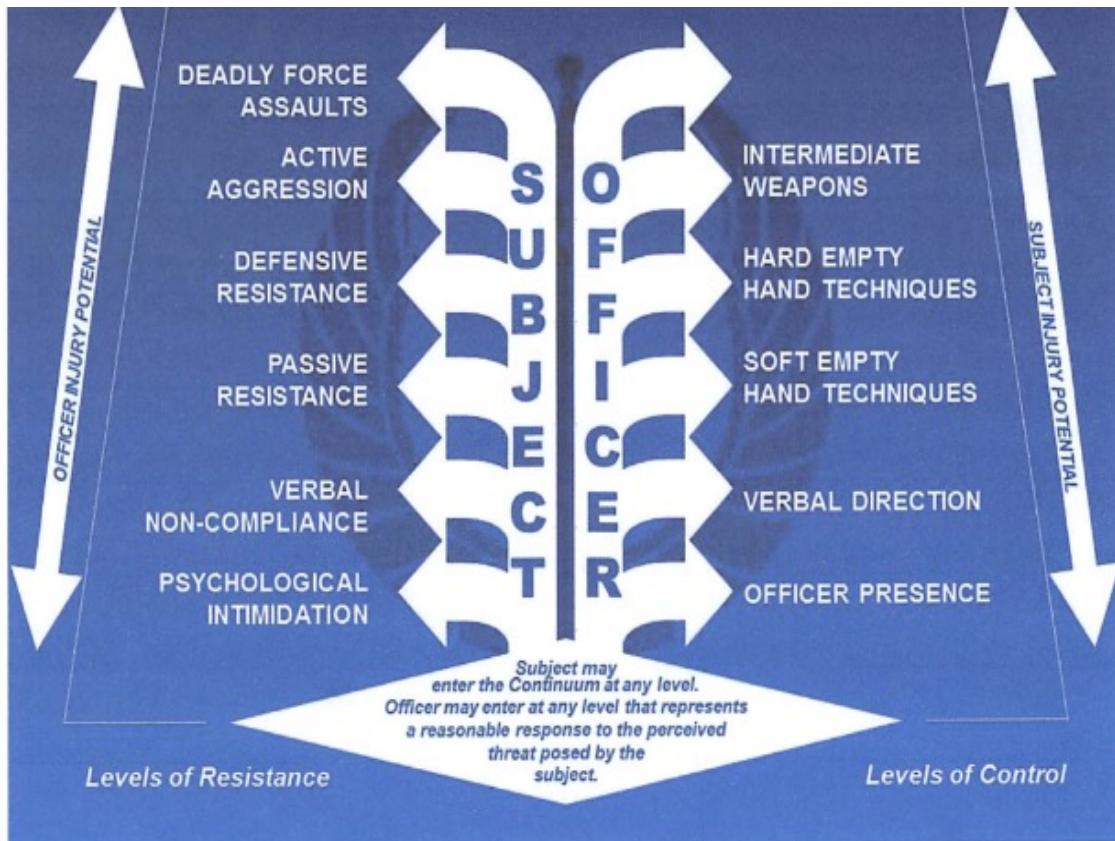
1. There is visible injury to suspect or deputy(s);
 2. Complaint of pain or injury by suspect or deputy(s);
 - b. The reporting deputy is required to contact the on duty / on call supervisor, as soon as possible, and give a verbal description of the incident, any injuries to suspect or deputy, any charges to be filed and if media was present or may be in route. If the deputy's immediate supervisor is not available, the deputy will contact the next available supervisor in the chain of command and make notification.
 - c. The deputy using force shall complete the Response to Resistance Report and forward with attachment (any photographs/videos/audio recordings, citations, medical reports, etc.) to his/her immediate supervisor before the end of his/her tour of duty. The supervisor shall review and sign the report and forward the original report with attachments to the Records Section. The Records Section shall forward a copy of the report to the Chief Deputy for review.
 - d. When practical deputies should photograph any and all claims of injuries or property damage caused by the use of force. Photographs should be submitted with their report.
2. Supervisor's Responsibilities
- a. When injuries are sustained by the suspect or Deputy following a Use of Force that require hospital treatment or hospitalization, the supervisor will make notification to the Chief Deputy as soon as practical.
 - b. The supervisor will respond to the location of the incident or hospital for follow-up investigation purposes whenever injuries are sustained by suspect or deputy, or upon request by the deputy or directed by the Chief Deputy.
 - c. The supervisor will insure that any firearm used by the deputy is properly secured as evidence.
 - d. Submit a preliminary report to the Chief Deputy before the end of their tour of duty.

- e. The Chief Deputy will insure the issuance of another firearm, at the appropriate time.
- f. If for any reason, a deputy is under arrest or likely to be arrested, or becomes a suspect in any criminal investigation, he/she will be immediately relieved of all regular assigned duties by a deputy of the next highest rank. The deputy will be afforded the same constitutional rights as any other citizen and shall be notified of those rights in accordance with law.

3. Administrative Review

- a. An administrative review shall be conducted whenever a deputy:
 - 1. Discharges a firearm (on-duty or off-duty), unless the discharge is in relation to training or recreational activities,
 - 2. Takes an action that results in physical injury or death of another person,
 - 3. Applies force through the use of lethal or less-lethal weapon,
 - 4. Applies weaponless physical force as described in this policy that requires a Response to Resistance report be completed.
- b. The extent of the administrative review will be determined by the Sheriff.
- c. The Sheriff or his designee shall review all administrative reviews.
- d. The Sheriff or his designee shall complete annually, a documented review of all Response to Resistance and Administrative Reviews for patterns or trends which could indicate training needs, equipment upgrades, and/or policy modifications.

PPCT Resistance / Control Continuum Diagram



Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 01.03	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 02/01/2021
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: LESS-LETHAL WEAPONS		

LESS-LETHAL WEAPONS

I. POLICY

This policy was established to give all Warren County Sheriff Deputies a set of guidelines to follow when less-lethal weapons are used. This policy shall apply to all sworn Warren County Sheriff Deputies until it is revoked, rescinded or superceded.

II. DISCUSSION

It is important for deputies to bear in mind that there are many reasons a suspect may be resisting arrest or may be unresponsive. The person in question may not be capable of understanding the gravity of the situation. Deputies must consider several factors when dealing with a non-compliant subject. A subject may be non-compliant due to a medical condition, mental, physical, or hearing impairment, language barrier, drug interaction or emotional crisis, and have no criminal intent. This may not make the subject any less dangerous but it may require a change in tactics that will be more effective while maintaining deputy safety.

III. LEVELS OF RESISTANCE

- A. Compliant – A person contacted by a deputy who acknowledges direction or lawful orders given and offers no passive/active, aggressive, or aggravated aggressive resistance.
- B. Passive Resistance – The subject is not complying with a deputy's commands and is uncooperative, but is taking only minimal physical action to prevent a deputy from placing the subject in custody and taking control. Examples include: standing stationary and not moving upon lawful direction, falling limply and refusing to use their own power to move (becoming “dead weight”), holding onto a fixed object, or locking arms to another during a protest or demonstration.
- C. Active Resistance – The subject’s verbal or physical actions are intended to prevent a deputy from placing the subject in custody and taking control, but are not directed at harming the deputy. Examples include: walking or running away, breaking the deputy’s grip.
- D. Aggressive Resistance – The subject displays the intent to harm the deputy, themselves or another person and prevent a deputy from placing the subject in custody and taking control. The aggression may manifest itself through a subject taking a fighting stance,

punching, kicking, striking, attacks with weapons or other actions which present an imminent threat of physical harm to the deputy or another.

- E. Aggravated Aggressive Resistance – The subject's actions are likely to result in death or serious bodily harm to the deputy, themselves or another. These actions may include a firearm, use of blunt or bladed weapon, and extreme physical force.

IV. PROCEDURE

- A.** A deputy may use less-lethal force at any level necessary to:

1. Defend himself/herself or another person;
2. Subdue a person resisting arrest; attempting suicide or attempting to harm themselves; or
3. Prevent escape from custody.

B. Supervisor Notification

1. A deputy will notify the on-duty / on-call supervisor as soon as practical after an incident involving the use of force.

C. Medical Attention

1. Should any person involved require medical attention, the deputy involved will be responsible for notifying E.M.S.

D. Submission of Response to Resistance Form

Any use of force on/off duty requires that the deputies involved submit a Response to Resistance Form prior to the end of his/her tour of duty or in the case of an off-duty deputy, at the direction of the responding commanding deputy.

E. Use of (OC) Oleoresin Capsicum Spray

1. Deputies are permitted to carry and use only the Oleoresin Capsicum (OC) Spray issued and approved by the Warren County Sheriff Office, on/off duty.
2. Deputies may not carry or use OC Spray until they have successfully completed an approved WCSO training course in its use. To continue carrying or using OC, deputies must successfully complete re-training programs as determined and scheduled by the Sheriff.
3. OC Spray may be used as a means of:
 - a. Physical restraint or control of a person who is combative and presents a physical danger to the deputy or any other person, or

- b. Defense of any person.
 - c. Once a person is properly restrained or under control, the use of OC Spray is no longer justified.
- 4. OC Spray will not be used for the following:
 - a. To elicit information from a person; or
 - b. To punish someone.
- 5. A person who has been sprayed with OC spray:
 - a. Will be allowed to flush the affected area with water as soon as practical after the incident is under control; and
 - b. When appropriate will be informed by the deputy involved that medical attention is available, if he/she so desires.
 - c. After the use of OC Spray, whether or not an arrest was affected, the deputy will:
 1. Notify his/her immediate supervisor as soon as practical; and
 2. Complete and submit a Response to Resistance Form prior to the end of his/her tour of duty or at the direction of a supervisor.

F. Use of Physical Force on/off duty

- 1. The use of physical force by an deputy on/off duty, upon another person is justifiable when the deputy, acting under official authority, is making or assisting in making an arrest, and the deputy:
 - a. Believes that such force is necessary to effect the arrest;
 - b. Makes known the purpose of the arrest or believes that it is otherwise known to the person to be arrested; and
 - c. Believes the arrest to be lawful.
- 2. Deputies will use only enough force to affect lawful objectives.
- 3. Physical force: Soft, empty hand control. This is a method of controlling resistive behavior utilizing escort positions and come-along holds.

4. Physical force: Hard empty hand control. This is a method to stop the forward momentum of an aggressive offender and set the offender up for follow-up control techniques.
5. Physical force may be used as a means of:
 - a. Physical restraint or control;
 - b. Subduing a person resisting arrest;
 - c. Defense of any person; or
 - d. Moving, removing, or arresting, any person who is obstructing a lawful law enforcement action in such a manner that the enforcement action cannot be accomplished.
6. Unless extenuating circumstances exist, Deputies should avoid the use of neck restraints, choke holds and/or other similar compliance techniques that rely upon cutting off the flow of oxygen to the brain.
7. Once a person is restrained or under control, the use of physical force will be restricted to that force necessary to maintain control.
8. Physical force will not be used for the following:
 - a. To elicit information from a person; or
 - b. To punish someone.
9. After any use of force resulting in injury to a deputy or another, or property damage, the on/off duty deputy will:
 - a. Seek immediate medical attention if warranted.
 - b. Notify the on-duty / on-call supervisor as soon as is practical, and
 - c. Complete and submit a Response to Resistance report prior to the end of his/her tour of duty. Off duty deputies will submit a Response to Resistance report at the direction of his / her supervisor.

G. Use of Taser

1. Deputies are permitted to carry and use only the Taser issued and approved by the Warren County Sheriff's Office.
2. Deputies may not carry or use a Taser unit until they have successfully completed an approved WCSO training course in its use. To continue to carry or use a Taser,

deputies must successfully complete recertification as determined and scheduled by the Sheriff.

3. Trained deputies will carry the properly functioning and charged Taser in the provided secure holster on their gun belt while on duty.
4. A Taser may be used as a means of:
 - a. Physical restraint or control of a person who is aggressively resisting, combative and/or presents a physical danger to the deputy, themselves or any other person, or
 - b. Defense of himself/ herself or of another person, or
 - c. Prevent escape of an arrestee from custody
5. A Taser will not be used:
 - a. To elicit information from a person; or
 - b. Punitively for purpose of coercion or in an unjustified manner;
 - c. When the deputy knows a subject has come in contact with flammable liquids or is in a flammable atmosphere;
 - d. When the subject is in a position where a fall may cause injury or death;
 - e. To escort or jab individuals;
 - f. To awaken unconscious or intoxicated individuals;
 - g. When the subject is visibly pregnant, unless deadly force is the only other option;
 - h. When the subject is in handcuffs; unless the subject presents an imminent threat of serious physical harm to their self or another.
 - i. When a subject displays solely Passive Resistance (i.e. peaceful protest, refusal to stand, non-aggressive verbal resistance, etc.)
 - j. When a subject physically pulls away from a deputy, breaking the deputy's grip or when a subject walks or runs away from a deputy, unless the subject has been arrested, or if the deputy has probable cause to arrest the subject.
6. Usage and Deployment Considerations

- a. Frontal targeting should not be used except in situations of self-defense or self-defense of another, where the deputy is under attack and the deputy has no other choice but to deploy the Taser in the frontal torso area.
- b. The Taser should not be used in the following circumstances unless there are compelling reasons to do so which can be clearly articulated:
 - 1. When the subject is operating a motor vehicle;
 - 2. When the subject is holding a firearm;
 - 3. When the subject is at the extremes of age (elderly / young children) or physically disabled;
 - 4. In a situation where deadly force is clearly justifiable unless another deputy is present and capable of providing deadly force to protect the deputies and/others as necessary.
- c. The Taser is programmed to give a 5-second “electrical current.” The operator can shorten or extend this time depending on the situation.
- d. Deputies should not target the head, throat or groin areas unless a higher level of force is justified.
- e. Prior to the use of the Taser, including drive stun mode, the deputy must give the suspect warning of the pending use of the Taser and broadcast “Taser” when practical, indicating the use of the Taser is imminent to prevent unintentional shootings.
- f. After deployment of the Taser on a suspect, the deputy must give the suspect time to recover and further must give the suspect a reasonable amount of time to regroup; whereas that gives the suspect a reasonable opportunity to consider the consequences of refusal to comply with the commands of the deputy. The deputy must give warning to the suspect of deployment and subsequent deployments of the Taser, when practical.
- g. **DO NOT** deploy the Taser near flammable liquids or fumes. The Taser can ignite gasoline or other flammables. Do not deploy in highly flammable environments such as meth labs, etc.
- h. Always replace cartridges by their expiration date and use for training only.
 - i. The Taser can function in stun mode after the probes have been fired as a backup weapon. Drive weapon aggressively into nerve or motor points for best effectiveness: Drive Stun. If only the stun mode is used, the Taser becomes a pain compliance technique with limited threat reduction. The Taser will always fire a live cartridge when activated if an unfired cartridge is present. To use the drive stun without firing probes, remove live cartridge from front of Taser.

7. Tactical Considerations & Limitations

- a. For a frontal shot, reasonable effort should be made to target lower center mass and avoid intentionally targeting the head, neck, groin and chest. It is recognized that the dynamics of each situation and deputy safety may not permit the deputy to limit the application of the Taser to precise target area. When practical the preferred target area is the back of the suspect's body.
8. A person who has been struck with a Taser Cartridge:
 - a. **Only trained medical personnel may remove Taser Cartridge probes that are in one or more of the following areas:** Head and facial area, neck, groin, buttocks, female breast, or deeply imbedded into the skin. Deputies may cut the lead wires from the cartridge probes to assist with transportation of the subject. A medical release will be obtained on any subject that is transported to the hospital for removal of probes.
 - b. Deputies, who are trained, may remove the Taser cartridge probes that are superficially in the skin and under the supervision of another deputy. (See removal procedures)
 - c. Deputies must be aware that one easily overlooked aspect of injury when using a Taser on a subject is that of falling from a standing position. A physical examination with particular emphasis on injuries secondary to the fall should be performed by EMS personnel on-scene or by Emergency Room staff if transported to a hospital.
9. A person who has received a “drive-stun” with a Taser:
 - a. If any injuries are noted, medical personnel will be summoned for evaluation and medical release prior to being transported to the detention center.
10. After the use of a Taser with or with-out a cartridge, whether or not an arrest was effected, the involved deputy will:
 - a. Request a back-up deputy and supervisor as soon as practical
 - b. Notify EMS Personnel immediately, if injuries are sustained
 - c. The cartridge and probes used shall be placed into evidence. Since the probes will probably have blood on them (biohazard) the arresting deputy should wear latex gloves when handling. The wires shall be wound around the cartridge. The probes shall be inverted into the portals from which they were fired (this will prevent sharp ends from penetrating the evidence bag). Tape should be placed over the portals to secure the probes in the cartridge. Place the Cartridge with probes and two to three pieces of AFID serial number tags into an evidence bag and apply a Biohazard sticker.
11. Guidelines and procedures for removal of Taser probes from subject by Deputy:

- a. DO NOT attempt removal if subject is combative.
 - b. DO NOT attempt removal if location of the probe is:
 - 1. Head
 - 2. Facial Area
 - 3. Neck
 - 4. Groin
 - 5. Buttock
 - 6. Female Breast
 - 7. Deeply imbedded into skin
 - c. Removal Procedure:
 - 1. Deputy shall use gloves for protection.
 - 2. Place spent Taser cartridge on the ground or other flat surface with holes up.
 - 3. Firmly grasp the probe and with one pull remove probe from subject and place probe point down in the spent cartridge.
 - 4. With antiseptic wipe, clean the skin in circular motion moving from puncture wound out – dirty skin will need more than one cleaning – use new antiseptic wipe for each cleaning. DO NOT GO BACK AND FORTH ACROSS THE PUNCTURE WOUND, START IN CENTER AND MOVE OUTWARD IN A CIRCULAR MOTION.
 - 5. After air-drying apply clean dry Band-Aid.
 - 6. If needed, follow same procedure for removal of second Taser probe.
 - 7. Each fired probe shall be treated as a biohazard whether it is in the skin or not at the time of post-deployment evaluation.
 - 8. Access subject for any injury or condition that may need medical attention and seek appropriate level of service for the subject.
 - 9. Secure Taser cartridge and probes as described in section I.10.C of this policy for evidence.
 - 10. Remove gloves and clean hands with waterless hand sanitizer.
- 12. Supervisor Responsibilities**
- a. Incidents involving any discharge of a Taser will be investigated and appropriately documented.

- b.** Ensure that medical personnel are responding to the scene if warranted.
- c.** Ensure use of the Taser is delegated to a Taser trained deputy.
- d.** Ensure that deputies who deploy the Taser complete a “Response to Resistance Report” and submit the report prior to the end of their tour of duty.
- e.** Ensure that the Taser used in the incident is secured until the information can be downloaded from the unit. This will be done as soon as practical.

13. Deputies Responsibilities

- a.** Upon encountering a situation, which may require the use of a Taser, if practical, request the response of a backup deputy and/ or supervisor.
- b.** When practical, don’t escalate the situation prior to the arrival of a backup deputy.
- c.** If a Taser is used in the incident, the deploying deputy will complete a “Response to Resistance Report” prior to the end of their tour of duty and submit it to their immediate supervisor.
- d.** Warning a suspect of imminent deployment of a Taser should be done prior to deployment unless exigent circumstances exist i.e. active physical assault/ resistance, immediate threat of injury or death.
- e.** Seek immediate medical attention if warranted.
- f.** Notify the on-duty / on-call supervisor as soon as is practical, and
- g.** Complete and submit a Response to Resistance report prior to the end of his/ her tour of duty. Off duty deputies will submit a Response to Resistance report at the direction of his / her supervisor.

H. Use of G.L.O.V.E (Generated Low Output Voltage Emitter)

- a.** The G.L.O.V.E. and E-Devices are also referred to as conducted electrical weapons (CEW's). The G.L.O.V.E. is used to control subjects that use physical actions in an attempt to prevent officer control/arrest (defensive resistance, active aggression, or attempt to injure self), when lower levels of control are not effective or the deputy has an objectively reasonable belief that lower levels of control will not be effective.
 - 1.** Trained WCSO employees (Patrol, Court Security Officer, EMD transport) are permitted to only carry and use CEW's that have been issued by the WCSO.

2. The use of CEW's shall be consistent with WCSO training and applicable laws.
3. The WCSO employee shall consider the totality of circumstances as reasonably perceived by the employee, including but not limited to:
 - Is the subject posing a current threat to the safety of employees or others?
 - What is the severity and violence level of the crime/behavior?
 - Does the suspect/inmate have a history of violent behavior?
 - In addition to the specific factors identified above, the following list represents variables, if present may assist in justifying a particular level of control used. All variables that are involved in the decision to utilize the CEW should be articulated in the Response to Resistance report. This list is not intended to be all-inclusive:
 - The number of subjects vs. the number of employee(s) involved.
 - Size, age, and physical condition of the officer(s) and subject(s).
 - Known or perceived physical abilities of the subject(s).
 - Perception of the use of alcohol or drugs by the subject(s)
 - Perception of the individual(s) mental or psychiatric state based on specific actions.
 - The availability and proximity of weapons.
 - Environmental and weather factors.
 - Injury to the employee(s) or prolonged duration of the incident.
 - Employee(s) on the ground or other unfavorable position.
 - Employee shall consider the risk of secondary injury caused by the sudden incapacitation of the subject. If the risk of serious physical injury is greater than the need to incapacitate, employees should not use the CEW.
4. When tactically feasible, employee will give the verbal warning of "G.L.O.V.E. ON or BAND ON" to alert the others that a CEW is about to be deployed. This will also serve as a warning to the subject that a CEW will be deployed if they do not cease their resistance and comply with the employee's verbal commands.

- Employees should in the case of the G.L.O.V.E. not intentionally grab the face, neck, chest or groin under normal circumstances. If however, an employee is in fear for his or another person's life then they are free to use the G.L.O.V.E. in whatever means they feel will allow them to gain control over the subject or create a distance to either re-engage or switch to another weapon or level of force.
- Handcuffing should occur as soon as practical to control and secure the subject in order to minimize G.L.O.V.E., E-DEVICES OR other weapon use. Employees may grab the subject at anytime during G.L.O.V.E. deployment without risk of electrical feedback.
- A typical engagement with the G.L.O.V.E. should last only seconds but you may employ as many as 2 gloves for 15 seconds each. If the weapon did not have the desired effect and the subject is still not in compliance then the employee should be prepared to use other means to control the subject including other levels of force consistent with the WCSO policies and procedures.
- Immediately after utilizing the CEW on a suspect and getting the suspect in custody, the employee who deployed the CEW shall immediately notify an on duty supervisor and summon medical attention.

5. Restrictions

Trained WCSO employees should not use a CEW on a person:

- Within the proximity of flammable liquids, gases, or any other highly combustible materials that may be ignited by the device; including any individual known to have been exposed to combustible substances or liquids such as gasoline or other chemical irritants sprayed by any person outside the agency.
- On handcuffed persons, unless doing so is necessary to prevent the person from causing serious bodily injury to him or herself or others, or is involved in a physical assault against the employee and lower levels of control may be ineffective.
- When a subject is in a location where he or she could drown.
- On a subject, who is in control of a vehicle (e.g. automobiles, trucks, motorcycles, ATV's, scooters) while that vehicle is moving or can easily be put in gear.
- To prevent or stop the suspect from ingesting contraband.
- On obviously pregnant women, elderly persons, young children and visibly frail persons.
- In a situation where the officer has a reasonable belief that the subject might fall, resulting in death or serious physical injury.

The only exception to these restrictions would occur when:

- The level of resistance is Active Aggression or a Deadly Force Assault, and
- The use of another intermediate weapon (if available), less-lethal weapon or firearm would create a higher risk of serious physical injury or death to the subject or others.

Employees should be aware of the general concerns raised when a CEW is used in any of the above incidents. Employees are not prohibited from using a CEW on such persons, but are limited to those exceptional circumstances where the potential benefit of using the device (i.e. injury reduction) reasonably outweighs the risks and concerns.

6. Post-Use of CEW

- Notification of the immediate supervisor by the employee post CEW deployment.
- Whenever a CEW is deployed effectively on a subject, an EMS Unit or on site medical personnel should be requested to assess the condition of the subject.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 01.04	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: FIREARMS AND AMMUNITION		

FIREARMS AND AMMUNITION

I. POLICY

The use and possession of firearms and ammunition, both on and off duty, are limited to those authorized by this policy. This policy shall apply to all sworn Warren County Sheriff Deputies until it is revoked, rescinded or suspended.

II. AUTHORIZED DUTY WEAPONS and AMMUNITION:

A. Weapons - Only agency issued and/or authorized weapons and ammunition shall be used in performance of active duty:

1. Glock, authorized models
 - a. Patrol Deputies will carry the agency approved Glock as their primary sidearm and as the back-up weapon.
 - b. Court Security Officers will carry the agency approved Glock as their primary sidearm.
 - c. Criminal Investigations Section will carry the agency approved Glock as their primary sidearm.
2. Rifle – Agency Purchased .223 semi-auto rifles are the only semi-auto rifles authorized to be used by personnel on duty by Deputies of the Warren County Sheriff's Office.
3. Taser – Taser X-26 or a like variant is the only Electronic Control Device (ECD) authorized to be used by personnel of the Warren County Sheriff's Office.
4. Aerosol Spray – Oleoresin Capsicum is the only type of Aerosol Pepper Projector authorized to be used by personnel of the Warren County Sheriff's Office.

B. Maintaining of Firearms records

1. At the completion of firearms training and qualifications, the firearms instructor will verify the serial numbers of the weapons that the deputy qualified with and log them on the firearms training records. A record of the

training date, serial number, completed training, and qualification results will be submitted to the Records Section and placed in each Deputy's training file.

C. Ammunition Department issued

- a. 180 / 165 grain for duty/investigation side-arms.
 - 1. On-Duty Ammunition will be shot and replaced as needed during the mandatory qualifications.
- b. Remington .223 caliber 55 / 65gr. rounds for use with semi-auto rifles.
- c. Taser (25 ft. XP) Solid Green Door Cartridges for use with the Taser X-26 or a like variant.

D. Ammunition (Training) - The same weight and muzzle velocity as duty ammunition and will be supplied by the Sheriff's Office.

E. The Firearms Instructor is to visually and physically inspect all weapons to be carried to ensure that they are safe. If the DOCJT Certified Firearms Instructor deems a weapon un-safe to carry on duty, he will immediately notify the Sheriff. The Deputy will be forbidden to carry or use the firearm until it is determined safe by the Firearms Instructor and the Sheriff. The Sheriff will make the final decision regarding a firearm deemed un-safe to carry.

F. Firearms storage

- 1. All firearms or dangerous weapons including agency authorized firearms not in use while at the Warren County Sheriff's Office are to be secured and inaccessible to everyone but qualified members of the agency. Deputies will not draw, exhibit, point, or direct their firearm at a person unless circumstances create a strong reasonable belief that it may be necessary to lawfully use the weapon. Firearms that are to be stored within the Office are to be unloaded and kept in a secure location within the Firearm Instructor's control with the following exceptions.
 - a. General maintenance or cleaning
 - b. Evidence collection or examination

G. The Sheriff may authorize the use of other types of weapons and ammunition as deemed appropriate.

III. GENERAL PROVISIONS TO CARRY CONCEALED OFF-DUTY WEAPONS:

- A. Deputies are authorized to carry concealed deadly weapons on or about their person at all times within the Commonwealth of Kentucky.
- B. It is recommended for deputies who wish to carry a firearm off duty; carry the firearm they carry on duty.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 01.05	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: LETHAL AND LESS-LETHAL WEAPON QUALIFICATIONS		

LETHAL AND LESS-LETHAL WEAPON QUALIFICATION

I. POLICY

All sworn personnel, prior to issue or approval to officially carry a service issued firearm and less-lethal weapons, must demonstrate specified proficiency in its use and as a condition of continuing official use and possession of such firearm and as a condition of continuing sworn status. Deputies must also demonstrate a specified proficiency of personally owned firearms approved by the Sheriff for off duty use. This policy shall apply to all sworn Warren County Sheriff's Office personnel until it is suspended, revoked or rescinded.

II. PROCEDURE

A. Lethal and Less-lethal Weapon Proficiency Requirements:

1. All deputies are required to demonstrate proficiency in the use of all authorized firearms and less-lethal weapons prior to being authorized to carry or use, on or off duty. A deputy may be authorized to use a firearm and less-lethal weapon provided he/she:
 - a. Successfully completes a pass/fail, mandatory training / qualification course, as established by department training procedures. Deputies will meet this requirement as listed below but does not preclude the agency from exceeding KRS or manufacturer's recommendation:
 1. Firearms –The agency may qualify employees multiple times throughout the year but will always at a minimum qualify annually per KRS 15.383.
 2. Tasers - Annually per manufacturer's recommendation.
 3. Less-lethal (OC Spray) – Annually
 - b. Demonstrates knowledge of the laws concerning the use of firearms.
 - c. Is familiar with approved safe-handling techniques as established by Office training procedures.
 - d. All newly hired sworn deputies, prior to receiving authorization to carry or use lethal or non lethal weapons will receive copies of and training on the following Warren County Sheriff's Office policies:

1. Use of Force
 2. Less-Lethal Weapons
 3. Firearms & Ammunition
 4. Firearm Testing
 5. Post-Shooting Incident Procedures
 6. Maintenance and Certification of Firearms Proficiency
 2. The Firearms Instructor shall maintain approved lesson plans and proficiency requirements for all types of weapons as approved by the Sheriff.
 3. The Firearms Instructor shall submit a report to the Sheriff, listing the results achieved by each deputy for each attempt to qualify with a firearm and less-lethal weapons for authorized use after each qualification.
 4. The proficiency skill tests will include consideration of target type; timing, distance, and safe handling, re-loading, low light situations and other appropriate measures as approved by the Sheriff.
 5. If a deputy is off work due to workmen's compensation, the deputy shall be allowed to qualify as soon as practical upon returning to full active duty status.
- B. Failure to Qualify:**
1. The Sheriff or his designee shall be immediately notified of any deputy who fails to qualify with any weapon.
 2. Any deputy that fails to qualify with a specific weapon will receive immediate remedial training and a second attempt to qualify with that specific weapon. If the deputy fails to qualify after the second attempt, they will be given a reasonable amount of time to receive additional remedial training, per WCSO Policy and then given a third attempt to qualify. If the deputy fails to qualify after their third attempt, they will be instructed to meet with the Sheriff or his designee prior to their next tour of duty.
 3. Any deputy that fails to qualify with a specific weapon will not be permitted to carry that specific weapon on duty until the deputy is qualified by a WCSO Firearms Instructor. Any deputy that fails qualification with a specific weapon may be subject to restrictions of duty or suspension at the discretion of the Sheriff. Any deputy that fails to qualify with a specific weapon after remedial training and a third attempt to qualify may be subject to termination at the discretion of the Sheriff.

C. Firearms Instructor Certification

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- 1.** Only those deputies that are trained and certified as instructors by the Department of Criminal Justice Training as Firearms Instructors will be permitted to train, test, and qualify deputies on Firearms.

- 2.** Deputies who have received training and certifications as instructors, through other training agencies or manufacturers may be permitted to train, test, and qualify deputies on Taser, OC Spray, and baton with approval from the Sheriff.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 01.06	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: POST CRITICAL INCIDENT PROCEDURES		

POST CRITICAL INCIDENT PROCEDURES

I. POLICY

Law enforcement duties can often expose deputies and support personnel to mentally painful and highly stressful situations that cannot be resolved through normal stress coping mechanisms. Unless adequately treated, these situations can cause disabling emotional and physical problems. It has been found that critical incidents resulting in the death or serious bodily injury to a citizen or a fellow deputy may precipitate such stress disorders. It is the responsibility of the Warren County Sheriff's Office to provide personnel with information on stress disorders and to guide and assist in their deterrence. Therefore, it shall be the policy of this agency to take immediate action after such incidents to safeguard the continued good mental health of all involved personnel. This policy will apply to all Warren County Sheriff personnel, until such time it is superseded, revoked or rescinded.

II. Definitions

- A. Post-Traumatic Stress Disorder: An anxiety disorder that can result from exposure to short-term severe stress, or the long-term buildup of repetitive and prolonged milder stress.
- B. Employee-Involved Critical Incident: Any line-of-duty incident where a deputy's actions cause death or serious bodily injury to another deputy or other person, or when a deputy or support staff member has a traumatic experience which their immediate supervisor feels is causing the employee difficulty.

III. PROCEDURE:

- A. A supervisor shall be dispatched to the scene of the critical incidents and shall assume primary responsibility in caring for Warren County employees that are involved in the critical incident.
 - 1. The supervisor shall make appropriate arrangements for all necessary medical treatment.

2. Incidents involving deadly force, or when the use of force results in serious physical injury or hospitalization by or on a Warren County employee, the supervisor shall notify the Sheriff and his designee immediately.
 - a. An administrative investigation shall be conducted. It shall be conducted by a competent authority, at the discretion of the Sheriff.
 - b. Circumstances may exist that necessitates the investigation of the incident by an outside agency. Under such circumstances, the Sheriff may request an investigation of the incident by an independent investigative body.
 - c. The administrative investigation or any employee shall not impede nor interfere with the deadly force investigation of the independent investigative body.
3. During any period where the involved employee is required to remain on the scene, but has no immediate duties to fulfill, the employee should be taken to a quiet area away from the scene of the incident. A supportive employee or friend should remain with the employee, but should be advised not to discuss details of the incident.
4. The supervisor should arrange for any employee directly involved in the incident to leave the scene as soon as possible, and be taken to a quiet, secure setting.
5. Where possible, the supervisor shall briefly meet with the involved employees.
 - a. No caffeine or other stimulants or depressants should be given to the employees unless administered by medical personnel.
 - b. Only minimal, preliminary questions should be asked about the incident. The employees should be advised that a more detailed debriefing would be conducted later.
 - c. Any standard investigation that will occur concerning the incident should be discussed with the employees.
 - d. The employees should be advised that they might seek legal counsel.
 - e. The employees should be advised not to discuss the incident with anyone except a personal or agency attorney, or investigator, until the conclusion of the preliminary investigation.
6. The supervisor shall determine whether the circumstances of the incident require that a deputy's duty weapon be taken for laboratory analysis. Where the duty weapon is taken, the supervisor shall:
 - a. Take custody of the deputy's weapon, or advise the deputy that it will be returned or replaced at a later time, as appropriate.

7. Involved employees should notify their families about the incident as soon as possible. When an employee is unable to do so, an agency official shall personally notify his or her family, and arrange for their transportation to the hospital.
8. At all times, when at the scene of the incident, the supervisor should handle the employee and all involved personnel in a manner that acknowledges the stress caused by the incident.

B. Post-Incident Procedures

1. Involved personnel shall be removed from line duties, at no cost to the personnel, pending evaluation but shall remain available for any necessary administrative investigations.
2. All employees directly involved in the critical incident shall be required to contact an agency designated specialist for counseling and evaluation as soon as practical after the incident, at no cost to the employees. Involved support personnel should also be encouraged to contact such specialists (at no cost) after a critical incident. After the counseling sessions, the specialist shall advise the agency:
 - a. Whether it would be in the employees best interest to be placed on administrative leave or light duty, and for how long;
 - b. Where the deputies were relieved of their duty weapons after an incident, at what point they should be returned;
 - c. What will be the best-continued course of counseling.
3. The Warren County Sheriff's Office strongly encourages the families of the involved employees to take advantage of available counseling services.
4. The Office investigation of the incident shall be conducted as soon and as quickly as practical.
5. The Office should brief other agency members concerning the incident so that rumors are kept to a minimum. Agency members are encouraged to show the involved employees their concern.
6. All personnel involved in a critical incident should be advised that they are not permitted to speak with the media about the incident. Employees shall refer inquiries from the media to a designated agency spokesperson, unless otherwise authorized to release a statement pertaining to the incident.
7. In order to protect against prank or abusive calls, employees should be advised to have phone calls answered by another person for several days if their names are released to the public.
8. Deputies directly involved in the critical incident shall be required to requalify as soon as practical.

C. Daily Stress Recognition

1. As post-traumatic stress disorders may not arise immediately, or the employees may attempt to hide the problem, each supervisor is responsible for monitoring the behavior of unit members for symptoms of the disorder.
2. The Sheriff may order an employee to seek assistance or counseling from a mental health specialist, at no cost to employee, upon a reasonable belief that stress may be disrupting the employee's job performance.
3. Supervisors are responsible for making available to their staff information about the agency's counseling and mental health services.

IV. SHERIFF CHAPLAINCY PROGRAM:

A. PURPOSE OF THE CHAPLAINCY PROGRAM:

1. To establish a program that will provide the members of the Warren County Sheriff Office with the professional services of a Chaplain in times of personal and professional human crisis, critical incident intervention, and to encourage a spirit of community cooperation between the citizens of Warren County and their Sheriff.

B. QUALIFICATIONS OF THE SHERIFF CHAPLAIN:

1. The Sheriff Chaplain shall be certified by his/her church or religious order.
2. A letter of certification/recommendation is recommended from the religious order that the chaplain represents. The Sheriff Chaplain should have a minimum of five years experience in the ministry unless waived by the Sheriff.
3. The Sheriff Chaplain applicant shall submit to a criminal record check and a background investigation. Individuals with a criminal record and/or unsatisfactory background may be excluded from the program. The applicant shall sign all waivers pertaining to the record check and background investigation.
4. The Sheriff Chaplain shall establish and maintain membership in the International Conference of Police Chaplains Organization.
5. All prospective chaplain candidate names should be forwarded to the Sheriff for final approval.
6. The Sheriff Chaplain must be available to meet the needs of the WCSO members on a regular basis and be willing to serve on an "on-call" basis. The Sheriff Chaplain must also be able to participate in on-going training programs which are designed to improve the chaplain's abilities in crisis management and counseling.
7. The Sheriff Chaplain must possess a valid operators license.

C. GENERAL RULES AND REGULATIONS OF THE SHERIFF CHAPLAIN:

1. The Sheriff Chaplain shall become familiar with the radio equipment and radio procedure for the WCSO. He/She will use this equipment when the Sheriff assigns, if requested by a deputy, or in an emergency situation requiring action on their own initiative.
2. The Sheriff Chaplain shall act only as an observer while riding with patrol deputies and will not take part in any investigative, interrogative or legal procedure that the deputy may become involved in. The chaplain shall refer all questions pertaining to the legal process from prisoners, suspects and others to the deputies in charge.
3. The Sheriff Chaplain shall treat all information gained through contact with the Sheriff, deputies, department staff, employees and their immediate families as confidential. Information may only be released through written consent of the involved party and in accordance with Kentucky law. Confidential communication, including confession to a criminal act, made to any clergy person, priest, minister, or rabbi acting as a member of the Warren County Sheriff Chaplain Unit will be considered privileged communication and shall not be violated. Such communication shall be limited to any communication made in confidence by an employee, sworn or civilian of the Warren County Sheriff's Office and immediate members of their family or any individuals the Chaplain comes into professional contact with.
4. EXCEPTION: Any statement to a Sheriff Chaplain made in the presence of a third party, whether or not the third party is a sheriff deputy, shall not be considered privileged communication. Under such circumstances it is the responsibility of the Sheriff Chaplain to inform the individual that any statements made to the chaplain are not considered privileged.
5. EXCEPTION: A statement made to a Sheriff Chaplain, which is a threat to harm oneself or another, is not considered confidential information.
6. The Sheriff Chaplain shall not be compelled to give testimony in Warren County Sheriff's Office disciplinary proceedings.
7. The Sheriff Chaplain shall not be compelled by the Sheriff's Office to give testimony for a Warren County deputy in traffic, criminal or civil court proceeding.
8. The Sheriff Chaplains shall familiarize themselves with the policies and procedures of the Warren County Sheriff's Office and shall abide by those policies as they apply to the performance of their duties. The Sheriff or his designee shall make available a copy of the Office policy manual.
9. All equipment supplied to the chaplain shall remain the property of the Warren County Sheriff and shall be returned upon request or when the chaplain is no longer participating in the Chaplaincy Program.

D. SWORN AND CIVILIAN PERSONNEL:

1. All employees are encouraged to make use of the services provided by the Warren County Sheriff's Office Chaplaincy Program.
2. All employees shall fully respect the rights to privileged communication with the chaplains.
3. The Sheriff or his designee shall compile an up-to-date list of Sheriff Chaplains and all necessary information to contact them. An on-call list shall be compiled from that information and retained by the Warren County Sheriff's Computer Automated Dispatch system.
4. All employees shall assist the Sheriff Chaplains to the best of their abilities.
5. Shift supervisors who utilize the services of the Sheriff Chaplain shall forward a report of their activity via email to the supervisory group.
6. When a deputy determines a need for the services of a chaplain he/she shall inform the supervisor on duty who shall in turn contact the chaplain either directly or through dispatch. If the on-call chaplain does not return his/her contact request within a reasonable length of time, the next chaplain in line shall be contacted until a response is received.
7. The Sheriff or his designee shall attempt to notify a chaplain when a member of the agency becomes ill or injured and requires admission into a hospital or a lengthy recovery period.
8. Any employee who feels they are in need of the services of the chaplain may contact them directly.

E. SHERIFF CHAPLAINS FUNCTION AND DUTIES:

The following list is intended to serve as a guide in assisting members of the Warren County Sheriff's Office in determining situations in which the Sheriff Chaplain may be of service. This list is not all-inclusive:

- Making notification in illness/death
- Family domestic issues
- Emotionally distraught persons
- Juvenile problems
- Neighborhood disputes
- Racial issues
- Religious questions
- Disasters
- Violent crimes and suicides
- Accidental deaths
- Counsel/guidance
- Education/training issues for sheriff and families

- The chaplain is encouraged to visit sick/injured employees and family members.
- The chaplain is encouraged to act as a liaison between the agency, clergy, and other community organizations.
- The chaplain is encouraged to participate in ceremonial functions as is consistent with his/her position and to represent the department at these events.
- No parts of these policies are intended to circumvent the Sheriff Chaplain from the duties to his/her congregation. At any time a Chaplain is called upon to assist the Sheriff and he/she feels it is in conflict to his congregational duties he/she may decline to participate and refer the assignment to the next available chaplain.

Warren County Sheriff's Office

GENERAL POLICY

IDENTIFIER

01.07

EFFECTIVE DATE: 05/01/2014

REVISION DATE: 03/01/2020

AUTHORIZED BY: Sheriff Brett Hightower

TITLE: SEARCH AND SEIZURE

SEARCH AND SEIZURE

I. POLICY

The purpose of this policy is to provide deputies of the Warren County Sheriff's Office with guidelines for search & seizure, and to ensure compliance with Constitutional rights. This policy shall apply to all Warren County Sheriff's Office deputies until it is superceded, suspended, or revoked.

II. DISCUSSION

The Fourth Amendment to the United States Constitution recognizes the right of persons to be free from unreasonable searches and seizures of their homes, persons and effects. Violations of such constitutional requirements are technically and ethically incorrect and are not in keeping with the mission of the Warren County Sheriff's Office. As such, deputies shall adhere to all requirements stringently.

III. DEFINITIONS

- A. Body-cavity search** - A search involving not only visual inspection of skin surfaces but the internal physical examination of body cavities and, in some instances, organs such as the stomach cavity
- B. Custody** - Status of suspect after arrest or in circumstances wherein a reasonable person would believe that his or her freedom of action has been restricted to the same degree as a formal arrest
- C. Interrogation** - Direct questioning (or its functional equivalent) about a crime or suspected crime as well as any words or conduct on behalf of The Warren County Sheriff's Office which may elicit an incriminating response from a suspect in custody.
- D. Interview** - Any conversation with a suspect, witness, victim or citizen designated to gather information.
- E. Probable Cause** - Exists where the facts and circumstances within a deputy's knowledge (and of which the deputy has reasonably trustworthy information) are

sufficient in themselves to warrant a reasonable person to believe that an offense has been committed or is being committed.

- F. Reasonable Suspicion - A standard less than probable cause, generally defined by the courts as a circumstance that would lead a trained, experienced deputy to believe that criminal activity is afoot
- G. Search - Prying into hidden places, by a police deputy, wherein the person whose premises or person is being searched has a reasonable expectation of privacy.
- H. Strip Search - A search requiring the removal or rearrangement of some or all clothing to permit the visual inspection of a person's undergarments, buttocks, anus, genitals or the breast(s) of a female.
 - 1. NOTE: The following does NOT constitute a strip search:
 - a. Removal or rearranging of clothing reasonably required to render medical treatment or assistance, or
 - b. Removal of articles of outer clothing, such as coats, ties, belts, shoes or hats.

IV. PROCEDURE

A. CONSENT SEARCHES

- 1. No search warrant is required whenever a person with authority or control over the thing or place searched consents to the search. This consent must be voluntary. If the circumstances surrounding the consent would lead a reasonable person to believe coercion took place, deputies must seek a warrant. This freely given, knowing and intelligent consent is the sole Constitutional justification for consent to search.
- 2. Deputies must be aware of the intrusion a search represents to law-abiding citizens. Because of this, they shall limit requests for consent to those situations where other, articulable facts have aroused the deputy's suspicion, with the exception of Sheriff's Office sanctioned enforcement operations where the use of random consent request has been pre-approved by the Sheriff (e.g. highway interdiction operations, etc.) Regardless, all Warren County Sheriff's Office consent searches will adhere to the following:
 - a. Generally, the person granting consent must use, access or control the property. A person having exclusive possession of some part of jointly owned property can only give consent for a search of that part.
 - b. If two people have joint ownership of property, either can give consent. If possible, have the consenting party sign the Warren County Sheriff's Office Consent to Search Form. Deputies, when seeking consent to search for evidence or contraband, may not conduct a search based on consent when a

party with equal authority over the premises or effect is present and objects to the search.

- c. A landlord, including a hotel or motel manager, cannot consent to a search of a tenant's premises unless the tenant has been evicted or has abandoned the property.
- d. A husband or wife, or one member of a co-habiting unmarried couple, may consent to a search of areas in common ownership or use.
- e. A parent may consent to a search of premises occupied by a dependent child if the parent also has access to the premises.
- f. An employee cannot give valid consent to a search of his employer's premises unless he has been left in custody of the premises. An employer may generally consent to a search of premises used by employees, except premises used solely by an employee (e.g., a locker).
- g. Consent cannot be presumed from silence.
- h. Consent is to be specifically and intelligently given in clear concise language. A nod or slang phrase is not acceptable as it may be subject to alternate meanings.
- i. Consent is to be obtained without misrepresentation or fraud.
- j. A person who initially gives consent may withdraw it at any time. If probable cause has been developed, deputies will secure the premises and obtain a warrant.
- k. The scope of a consent search is limited to the area for which consent has been given. Within that area, the search will be limited to locations where the objects sought could reasonable be concealed.
- l. Refusal to give consent, in itself, cannot justify further law enforcement action. Such refusals may be combined with other behaviors, facts and circumstances in an effort to articulate reasonable suspicion or probable cause.
- m. Consent should be in writing on the approved Office form or recorded. Exigent or unusual circumstances will exempt the written requirement; however, that information must be clearly articulated in a written report of action.

B. STOP AND FRISK (Terry Pat Downs)

- 1. Deputies may, in certain instances, perform a limited pat down of an individual in accordance with the United States Supreme Court's Terry v. Ohio ruling. A deputy may conduct field interviews or stops when the deputy reasonably believes that some investigative inquiry is warranted. The Supreme Court has ruled that a

deputy "may in appropriate circumstances and in an appropriate manner approach a person for the purposes of investigating possible criminal behavior even though there is not probable cause to make an arrest." During a field contact, deputies who develop articulable reasonable suspicion that an individual may be armed or possess some item on or about their person which may be used to injure or assault the deputy may perform a "Terry" pat down or stop and frisk.

2. A "Terry" pat down consists of the deputy touching or patting areas on the suspected person capable of concealing an accessible weapon (pockets, waistband, neckline, ankles, etc.) Generally, pat downs may not, absent other justification such as consent or warrant, extend to the interior of the clothing, wallets, shoes, etc. However, if during a lawful pat down an deputy detects an object that is or might reasonably be an item that is contraband or other criminal evidence, and then the object may be seized (this is referred to as the "plain feel" doctrine). Threatening items such as weapons may always be removed during a frisk. Non-threatening items may be removed only if their contraband or evidentiary nature is immediately apparent.
3. Once the objective of the frisk, the determination of whether or not the suspect is armed, is completed the search must end. If the search continues, any contraband or evidence seized may be considered inadmissible results of a pretense search.
4. Investigative detention, unlike other levels of field interviews, prevents a person from declining to participate in an inquiry supported by reasonable suspicion. If the suspect refuses to stop or attempts to leave, the minimal amount of force necessary to overcome the resistance of the suspect is permissible. It should be noted that the rules of "Terry" still apply.

C. PLAIN VIEW

1. In certain limited circumstances, a deputy may make a warrantless seizure of objects in plain view. Three conditions, however, must be met before the plain view doctrine is applicable:
 - a. The initial intrusion that afforded the view must have been lawful
 - b. Discovery of the evidence must have been inadvertent
 - c. The incriminating nature of the evidence must have been immediately apparent.
2. Whenever a deputy, in good faith, enters upon private premises in the official performance of his/her duties, he/she is not a trespasser. Therefore, anything that is observed in plain view is subject to seizure without a warrant. In such cases, the usual requirements of search and seizure are not necessary because no "search" is conducted. A search implies looking into hidden places for concealed items. It is not a search to observe articles that are open to plain view. It is also permissible for a deputy to use a flashlight to make such observations. Areas such as open fields, streets or roadways may be searched without a warrant. Any object, person or activity that can be detected by the five senses from public property, open

fields or from lawful presence on private property is considered to be in plain view.

D. EMERGENCY SEARCHES

1. The Supreme Court refers to emergencies where warrants are not required due to the relationship between specific public safety concerns and expediency as "exigent circumstances." This language indicates that circumstances are such that deputies have no time to obtain a warrant. The following factors will be considered when determining if exigent circumstances are present:
 - a. The degree of urgency involved and the time required to get a warrant
 - b. Deputy's reasonable belief that contraband is about to be removed or destroyed. (Note not all crimes are serious enough to create exigent circumstances)
 - c. The possibility of danger to others including deputy left to guard the site
 - d. Information that the possessors of contraband are aware that the police are on their trail
 - e. Whether the offense is serious, or involves violence
 - f. Whether deputies reasonably believe that suspects are armed
 - g. Whether the deputies have probable cause at the time of entry
 - h. Whether the deputies have strong reason to believe the suspects are present on the premises
 - i. The likelihood that the suspects will escape
 - j. The suspects' entry onto premises after hot pursuit. To justify warrantless entry following hot pursuit, the arrest process must have begun away from the premises, and the offender knows that he or she is under arrest, and the offender tries to avoid arrest
 - k. A reasonable belief that someone on the premises is in distress and in need of emergency assistance.

E. WARRANTLESS VEHICLE SEARCHES

1. The United States Supreme Court has modified and expanded the conditions under which deputies may search vehicles. Warrantless searches of vehicles may take place under many conditions and circumstances. It is imperative that deputies understand the different types of vehicle searches and their limitations.

2. When possible searches of vehicles will be conducted contemporaneous with the stopping, discovery or impoundment of the vehicle. Generally, vehicle searches will be conducted as soon as reasonably possible. Deputies will avoid damaging a vehicle or its contents and will minimize the intrusiveness of the search and any inconvenience suffered by the passengers or owner.
3. If the vehicle subject to search has been totally immobilized or disabled, deputies will secure it and obtain a warrant. Searches executed with a warrant may extend to anywhere within the vehicle unless limited by the warrant. Vehicles may be searched absent a warrant in the following instances and subject to the following guidelines:
 - a. When probable cause exists, a search may extend anywhere within the vehicle, unless the probable cause is limited to a specific part of the vehicle
 - b. When consent has been obtained from the driver, deputy may search the vehicle subject to any limitations specified by the consenting person
 - c. Searches incident to the arrest of an occupant shall be limited to the area where there is probable cause to believe evidence of the crime charged is located.
 - d. Frisks for weapons shall be confined to the passenger area. Any place not immediately accessible to the occupants, such as a locked glove compartment, shall not be frisked. If the contents of a container are immediately accessible to the subject, a closed container may be searched for weapons. Note that a deputy can order the suspect from the vehicle and frisk both the suspect and the vehicle. As is the case in all "Terry" stops, deputies shall be prepared to articulate their reasonable suspicion or probable cause.
 - e. An entry into the vehicle to examine the VIN or otherwise determine ownership must be limited to these purposes
 - f. An emergency search of the vehicle may be conducted, but the extent of the search must not exceed whatever is necessary to respond to the emergency
 - g. Unlocked containers located during probable cause searches or searches incident to arrest (limited to passenger area) may be opened wherever found. Containers located during consent searches may be opened if the terms of the consent permit or reasonably imply permission.
 - h. Locked containers should generally be searched with a warrant but may be opened if consent has been given or probable cause exists to search the vehicle and the object of the search might be located in the container. Locked containers may also be opened for inventory purposes.

F. VEHICLE INVENTORIES

1. Warren County Sheriff's Office deputies will inventory any lawfully impounded vehicle or a vehicle removed from the street and placed in police custody. Any evidence or contraband found during the inventory may be used to formulate probable cause for a subsequent search or arrest. Deputies will document an inventory of the entire content; including closed containers (provided they can be opened without breakage) using the Warren County Sheriff's Office Property Form
2. Closed containers that cannot be opened will be logged onto the report as such. The scope of the inventory shall be limited to those parts of the vehicle likely to conceal important, hazardous or valuable items. The inventory is designed to endure safekeeping of private property and to protect the department from liability.
3. Other property impounded by the Sheriff's Office will be inventoried in a like manner if required by the type of property (commercial equipment, large containers, trailers, etc.)
4. It must be remembered that a vehicle inventory and vehicle search are two different actions. A vehicle inventory cannot be used as a ruse to search a vehicle.

G. OTHER WARRANTLESS SEARCHES

1. Deputies' duties upon arrival at crime scenes include the timely security of the entire scene as well as a cursory examination of the area to determine if any victim may need assistance or if a dangerous situation exists that would require further investigation or action. These initial actions, while sometimes probative in nature, are considered by the courts to be emergency searches. If deputies doubt the legality or propriety of their entry into a crime scene, they shall contact a supervisor before proceeding.
2. Deputies may seize contraband and evidence found in plain view if they observe the items from a lawful vantage point and it is immediately apparent to the deputy that the items may be contraband, evidence of a crime or otherwise subject to seizure (plain view doctrine).
3. Abandoned property does not require a search warrant. The courts state that property becomes abandoned when voluntarily abandoned outside an area in which someone has a reasonable expectation of privacy.
4. The Fourth Amendment does not protect open fields, but deputies must distinguish them from curtilage, which requires a search warrant. Curtilage is the area of a dwelling that is necessary, convenient and habitually used by the family for domestic purposes. The extent of curtilage of a private residence is determined by whether the area is enclosed, the nature and use of the area, the proximity of the area to the home and any measures taken by the owner to protect the area from observation.

5. A deputy with an arrest warrant may search for the defendant in his or her own home provided that the warrant is valid, the deputy searches the defendant's home, and probable cause exists that the defendant is home at the time of the search. The search for the defendant must be limited to places where he or she might be found.
6. Following the execution of an arrest warrant or arrest without warrant, deputies may undertake a "protective sweep" of the premises where the arrest takes place without a warrant. Certain limitations must be observed:
 - a. The purpose of the protective sweep is to discover persons on the premises who might present a danger to deputies
 - b. Incident to arrest, deputies may, without probable cause or reasonable suspicion, look into closets or other spaces immediately adjoining the place of arrest where threatening persons might be located
 - c. In order to extend the protective sweep beyond closets and adjoining spaces, deputies must have reasonable suspicion for fearing that persons may be on the premises who pose a threat. In such cases, the sweep is limited to examining places where a person might hide
 - d. During a protective sweep, evidence discovered in plain view may be seized
 - e. The sweep must cease when deputies have dispelled a reasonable suspicion of danger.
7. Deputies may search detainees subsequent to arrest. Deputies possess the authority to make a search, which may extend to articles carried by the suspect and to the suspect's immediate surroundings. Although an arrestee who is handcuffed at the time of search cannot reasonably reach into the area being searched, the search of the area is still legally justified. Deputies conducting searches will adhere to the following guidelines:
 - a. Searches incident to arrest will be executed as soon as practicable after the arrest and at or near the place of the arrest.
 - b. Deputies conducting such searches are authorized to use only the degree of force reasonable and necessary at the time of arrest.
 - c. Searches incident to arrest will include the entirety of the arrestee, the areas within the arrestee's immediate control and accessories carried by the arrestee.

H. STRIP SEARCHES

1. Strip searches will not be conducted of persons arrested for traffic offenses or violations of city ordinances unless the deputy has an articulable, reasonable

suspicion to believe that the person is concealing a weapon or contraband. Strip searches shall be conducted in accordance with these guidelines:

- a. **Strip searches will only be conducted with the express authorization of the Sheriff, and supported by a court order issued by a Judge.** Strip searches shall be performed by persons of the same sex as the person arrested at the Warren County Detention Center in an area where persons not physically conducting the search cannot observe the search. A minimum of two persons must also be present during the entire search.
- b. When authorized, the strip search will be conducted by the least number of same-sex personnel present as necessary, in conformance with approved hygienic practices, and under circumstances that provide privacy for all but those authorized to conduct the search.
- c. A strip search in the field will only be conducted under exigent circumstances where the life of the deputy or others is at risk and the on-duty supervisor has expressly authorized it.
- d. All strip searches will be documented in an incident report and routed to the Sheriff in the customary manner.

I. BODY CAVITY SEARCHES

1. Body cavity searches (other than those of the mouth) will be conducted only when there is probable cause to believe the arrestee may be concealing contraband within a body cavity or otherwise about the person. **Body cavity searches will only be conducted under the express direction of the Sheriff, and supported by a court order issued by a Judge.** If approved, deputies shall seek a search warrant and prepare the necessary affidavit.
2. The body cavity search may only be performed by a physician or other medically trained person as directed by a physician at a medical facility and will involve the same safeguards for privacy and hygiene as for strip searches. Warren County Sheriff's Office body cavity search procedures are as follows:
 - a. The deputy shall inform the prisoner of his/her intention to conduct a body cavity search, thus giving the prisoner the opportunity to voluntarily surrender the suspected contraband.
 - b. The prisoner will remove every article of clothing including wigs and dentures and will give them to the deputy present for inspection.
 - c. Should the prisoner resist the cavity search and become violent, additional deputies of the same sex as the prisoner will restrain the prisoner and assist in stripping. Only sufficient force necessary under the circumstances will be applied to complete the search.

- d. Should a prisoner resist a cavity search and an insufficient number of same sex deputies are available to restrain the prisoner, deputies of the opposite sex may assist in subduing the prisoner before the prisoner is stripped. Deputies shall subdue the prisoner and apply the necessary restraints and leave the room as soon as is practicable.

J. SEARCH WARRANTS

- 1. Obtaining a Search Warrant
 - a. A deputy requesting a search warrant must provide sufficient information from which a judge may find probable cause to believe that the objects sought are currently in the location to be searched.
 - b. The search warrant affidavit should particularly describe the things for which the search is to be conducted.
 - c. The search warrant affidavit should particularly describe, to the best of the deputies' knowledge, what law has been violated and evidence indicating that the person or premises to be searched is involved.
 - d. The search warrant affidavit should particularly describe the house or place to be searched, including address and physical description of the exterior. A photo of the location is often an invaluable aid.
 - e. The affidavit should, particularly describe and name any person to be seized or searched.
 - f. Prior to it being presented to any judicial official for consideration, a supervisor or detective will review all search warrants. If there is probable cause and sufficient evidence to obtain a search warrant, the supervisor will approve the request.
 - g. If a deputy has reasonable information that the occupants of any premises may pose imminent danger to deputies executing a search warrant, the deputy may request from the judicial deputy a No Knock Warrant.

K. EXECUTION OF SEARCH WARRANTS

- 1. The search warrant must be directed to the law enforcement agency of the jurisdiction in which it is to be served. The search must be conducted in concert with the law enforcement personnel from that jurisdiction.
- 2. Search warrants are good for only one search and once control of the premises has been relinquished, then a separate search warrant is required.
- 3. Search warrants not executed within a reasonable time of issuance shall be considered void and returned to the issuing judge/clerk of courts.

4. After a search warrant has been approved and signed by a judge, a supervisor should be notified of the service or execution of the search warrant.
5. The deputy obtaining the search warrant will be in charge of the on-scene execution of the search warrant unless otherwise designated by supervision.
6. The deputy in charge of the search warrant execution will be responsible for:
 - a. Reviewing the affidavit and search warrant for accuracy and validity.
 - b. Identifying any hazards that exist.
 - c. Determining the type and number of personnel needed.
 - d. Selecting appropriate equipment.
 - e. Assigning each deputy a role to perform during the execution;
 - f. Confirming that all non-uniformed personnel are wearing raid jackets with visible Sheriff markings and all members are wearing department approved body armor.
 - g. Positively identifying the location to be searched prior to the execution of the warrant.
 - h. Reviewing a sketch of the premises to be searched. Verifying building description and the address if available. The deputy will make every effort to ensure that the correct premises and only the correct premises are being entered.
 - i. Determine if any support units will be needed and coordinate necessary information.
 - j. Identify the tenant of record for the premises if at all possible.
 - k. If a deputy executing a search warrant discovers that an incorrect person, vehicle, or place has been searched, explain clearly that the Sheriff's Office made an error and, if possible, why the error was made. Apologize for any inconvenience. Notify the Sheriff through the Chain of Command; starting with the approving supervisor and secure the residence if any damage occurred during entry.
 - l. After the search warrant is executed, insure the warrant is returned to the court designated with a written inventory of the property seized within the required time of ten days from the date the warrant was issued and place a copy in the case file.

- m.** Insure that all agency procedures are followed and that all proper reports are completed including all reports of Use of Force.
7. Unless a judicial official has issued a No Knock Warrant or exigent circumstances exist, deputies shall knock and give notice of their intent to execute a search warrant before attempting forcible entry. Deputies shall wait a reasonable time before making forcible entry.
8. Only sworn law enforcement personnel will execute search warrants.
9. Before searching the premises or seizing evidence, a deputy must read the warrant and give a copy to the person in charge of the premises. If unoccupied, a copy of the warrant must be attached to the premises in a conspicuous place.
10. Before searching the premises, any person present may be frisked if the deputy reasonably suspects that the person is armed. Persons present at a search may be detained for a reasonable time while the search party is actively investigating their activity at the scene.
11. The search will be conducted as quickly, thoroughly, and with as little damage as possible.
12. Photographs will be taken of any damage.
13. Every legal effort will be made to associate evidence with one of the occupants of the premises.
14. All evidence will be handled in accordance with departmental procedures.
15. The deputies will note the location of evidence on an evidence log.
16. Photographs will be taken of evidence before it is moved or removed when possible.

L. FORCED ENTRY TO EXECUTE SEARCH WARRANTS

1. When the deputies anticipate forcible entry into a structure, or the use of force against the occupants, they will:
 - a. Coordinate communications and equipment.
 - b. Coordinate assistance from specialized support units.
 - c. Consider availability of medical resources.
 - d. Develop strategies for approaching; entering; securing and leaving the structure that will minimize risk of injury.

- e. Discuss the threat potential and anticipated force with all members of the entry and search team.
- f. When the potential for violence is imminent or significant, a supervisor will review the situation with the deputy and the Sheriff's designee to consider using SRT or CRT.
- g. If SRT or CRT is activated, then the Team Commander will be the responsible party for all actions on site while entry is being made, until the target location is secure. Once the target is secure, control will be turned over to the deputy that obtained the search warrant.

M. SEARCHING PREMISES TO SERVE AN ARREST WARRANT

- 1. Forceable entry of private premises to serve an arrest warrant should not be made without the issuance of a search warrant.
 - a. The deputies have a valid arrest warrant for a person, and they have reasonable information that leads them to believe that the place they are entering is that person's primary residence.
 - b. Deputies may forcibly enter a third party's premises to arrest the subject of an arrest warrant only if a search warrant has been obtained for the premises, unless exigent circumstances exist justifying an entry without a search warrant or consent has been obtained from an occupant or resident with apparent authority to consent.

N. EXIGENT CIRCUMSTANCES

- 1. Nothing contained in this procedure shall prevent any deputy from entering any premises or taking action under exigent circumstance.
- 2. All deputies taking action under exigent circumstances shall take full responsibility for their actions and shall submit a special report documenting their actions through their Chain of Command.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 01.08	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: ARREST AND CITATION OF ADULT OFFENDERS		

ARREST AND CITATION OF ADULT OFFENDERS

I. POLICY

Arrest and citation of adult offenders by the Warren County Sheriff's Office follows and complies with the provisions of Chapter 431 of the Kentucky Revised Statutes and the Kentucky Rules of Criminal Procedure. By use of uniformity in arrests and citations, and in identifying and processing offenders, the department ensures the Constitutional Rights of each individual. This policy will apply to all Warren County Sheriff's Office until such time it is rescinded, suspended, or revoked.

II. PROCEDURE

KRS 431.025(2) states, "An arrest is made by placing the person being arrested in restraint, or by his submission to the custody of the person making the arrest." Deputies normally have made an arrest when they take a person into police custody and control with the intent to hold the person on criminal charges.

A. Requirements of a Legal Arrest

1. Deputies are referred to the section entitled "Arrest" within the Kentucky Criminal Law Manual for the definition of arrest and requirements for legal arrests within the Commonwealth of Kentucky.

B. Probable Cause Investigations

2. When deputies have probable cause for a felony arrest but see a need for further investigation or interrogation and an extended delay is anticipated, the applicable supervisor or the Sheriff will immediately be notified. The arresting or investigating deputy must be prepared to file appropriate charges based upon probable cause or release the subject.
3. Upon completion of the probable cause investigation, the subject should be charged with the offense for which probable cause exists.
4. If charges have been placed and further investigation is needed for additional charges, the uniform citation will be marked "Investigation in Progress on

"Additional Charges" in the post-arrest compliant section. This should preclude the subject being released on bail prior to arraignment.

5. If a person is arrested on probable cause and further investigation by the arresting deputy determines that sufficient probable cause no longer exists, a supervisor will be immediately notified. Once determined, the suspect must be released. It is imperative that in these situations a detailed report of the arrest is completed outlining the events that led to the probable cause for the arrest.

C. E. Warrants

1. The deputy requesting the warrant will document all the pertinent information (actual complaint, date and time issued, etc.) in the post arrest complaint on which the warrant is based. The service of arrest warrants is the job of the county sheriff.

D. Arrest with a Warrant

1. An arrest warrant may be executed by any peace officer. Deputies need not have the warrant in their possession at the time of the arrest, but they must inform the defendant of the offense charged and the fact that a warrant has been issued. (RCr 2.10)

2. Verification of Warrant

- a. Deputies will request a wanted check through LINK/NCIC.
 - b. Deputies shall verify the court system that the warrant being served is valid before executing it. If possible when the warrant is not in the deputies' possession, have the agency send a teletype verifying the warrant.
 - c. Deputies will complete the uniform citation listing the location of the warrant, the name of the person verifying the warrant, and attach a copy of the warrant to the citation.
 - d. A copy of the warrant and of the complaint pursuant to which it is issued shall be served on the arrested party at the time of the arrest or as soon thereafter as practical (RCr2,06(4))
 - e. If there is not an extra copy of the warrant available, deputies shall make a copy of the original and give it to the individual.
 - f. Under exceptional circumstances, the defendant's copy can be served by the court prosecutor at the time of the arraignment or at the first appearance in court.
3. Warrant Service Notification

- a. Deputies will notify dispatch during business hours and non-business hours, on all county warrants served by the agency. After execution of all arrest warrants, deputies will arrange for transportation.

4. Prisoner Transportation

- a. After execution of all arrest warrants, deputies will arrange for the transportation of the prisoner, a copy of the warrant and the uniform citation to the Detention Center.

5. Warrant on Indictment or Information

- a. The above procedures that apply to an arrest warrant issued on a complaint also apply to an arrest warrant issued on an indictment or information, except that the warrant is issued by the court clerk as directed by the court upon the request of the Commonwealth's attorney (RCr 6.52)

6. Return of Warrant

- a. Deputies executing a warrant shall return it and the complaint to the court to which it was made returnable within a reasonable time after executing it.

7. Kentucky Uniform Citation

- a. The deputy will complete the citation with all the pertinent information (i.e., date and time, arrestee and deputy's names, location, etc.).

E. Supervisory Review

1. Deputies must contact a supervisor for review of those arrests in which the prisoner:

- a. Has obvious physical injuries or claims to have been physically abused by law enforcement at the time of arrest;
- b. Is charged with assault on a deputy or resisting arrest;
- c. Is refused admission to the jail due to injuries;
- d. Requires interview or observation by a supervisor as necessitated by other procedures (use of force, etc.); and/or
- e. Would normally be cited, but the arresting deputy determines that physical arrest is appropriate.

2. Injuries to Prisoners

- a. Deputies will document the prisoner's visible physical and apparent mental conditions in the narrative of the incident report, and/or the Response to Resistance Report, when applicable. Deputies will also:
 - b. Request EMS to respond to all incidents in which actual or alleged injury occurs.
 - c. Briefly describe any injuries and how they occurred; indicate if the injuries occurred prior to, during or after the arrest.
 - d. Review and note any injuries or complaints of injuries.
 1. In the incident report, list all reports made such as Response to Resistance, EMS report(s), etc. Obtain copies of any report from other agencies (EMS, etc.)
 2. Note in the narrative of the incident report if prisoners receive medical attention and/or admitted to a hospital.
 3. Verify each prisoner's condition listed on the Release Form/Body Receipt when accepting prisoners for transport, incarceration, etc.

F. Pretrial Release

1. The Pretrial Services Agency was established and authorized by Kentucky Supreme Court order to provide pretrial release investigation and services for trial courts having jurisdiction of criminal cases. RCr 4.02 and RCr 4.04 provide for the eligibility and methods of pretrial release of arrested persons.

G. Citation in Lieu of Arrest

1. Deputies may cite a person to appear in court (no arrest made) for any misdemeanor committed in their presence if there are reasonable grounds to believe that the person being cited will appear in court to answer the charge.
2. Deputies may issue a citation to appear in court rather than physically arresting an individual for a misdemeanor or violation, regardless of the violator's place of residence, unless one of the following applies:
 - a. The offender requires medical care or is unable to provide for his safety.
 - b. The offender gives a false name or address with the intent to mislead the deputy as to his identity. The deputy must warn the offender that giving a false name or address is a criminal offense. (KRS 523.110)
 - c. The offender has previously been issued a citation for an offense and failed to appear or pay the fine, and a bench warrant has been issued by

the court. (If the bench warrant has been issued, make a physical arrest; if a summons has been issued, issue a citation.)

- d. The danger exists that the offense will continue.
 - e. Potential physical injury to the arrested individual, the deputy or another individual is likely to occur.
3. A Deputy may issue a citation instead of making an arrest for a violation committed in his or her presence but may not make a physical arrest unless there are reasonable grounds to believe that the defendant, if a citation is issued, will not appear at the designated time or unless the offense charged is a violation of:
- a. KRS 189.223, 189.290, 189.393, 189.520, 189.580, 235.240, 281.600, 511.080, or 525.070 committed in his or her presence or a violation of KRS 189A.010, not committed in his or her presence, for which an arrest without a warrant is permitted under KRS 431.005(1)(e).
4. Deputies may use discretion in making physical arrests on persons charged with operating on a suspended/revoked operator's license.
- a. Deputies should consider issuing a citation in lieu of an arrest unless:
 - 1. There are reasonable grounds to believe that the person, if merely cited, will not appear in court.
 - b. When the status of the operator's license cannot be determined and/or the driver cannot produce one, the appropriate citation will be issued and the subject not allowed to drive the vehicle.
 - c. The Interstate Compact provides a procedure whereby a non-resident receiving a traffic citation in a party state must fulfill the terms of that citation or face the possibility of license suspension in the motorists' home state until the terms of the citation are met. When traffic citations are issued to motorists from a Compact member state they should be informed that their failure to contact the court within the specified time may result in the suspension of their license by their home state.

H. Voiding Traffic Citations

- 1. When an error in the content of the citation is apparent or there no longer exists cause to issue the citation, deputy will follow the procedures as outlined below for voiding citations:
- 2. Retain the citation, do not throw it away or tear it up;

3. State on the citation the reason it is being voided (damaged, wrong information, etc.), sign your name and date it;
4. Submit the citation to your supervisor;
5. The supervisor will then forward the citation and note to the administrative assistant, who will log all citations voided on a voided citation log.
6. A traffic citation, once issued, may only be voided upon approval of appropriate shift supervisor.
7. Scheduling Court Appearance for Arraignment in Warren District Court. Court dates for arraignments on citations issued should be set approximately four weeks from the date of violation.
8. Court dates for arraignments of offenders that have been arrested will normally be held the next working day. The dates will be arranged by the Warren County Circuit Court Clerk's Office.

K. PRISONER PROCESSING – ADULTS -

1. All items shall be removed from the prisoner's pockets and examined.
 - a. Prisoners will again be searched for concealed weapons and contraband.
 - b. When possible two deputies should be present when searching a prisoner of the opposite sex.
2. No evidence or valuable personal property of the prisoner will be left unattended.
3. The deputy will decide on the exact charges to be filed and review the appropriate.
4. The arresting deputy shall select, complete and file the appropriate complaints.

L. Photographing and Fingerprinting

1. KRS 433.234(2) requires that, "All city and county law enforcement agencies shall cause to be made a photograph, a set of fingerprints and a general description report of all persons, except juveniles, arrested for theft through an act of shoplifting."
2. The Warren County Sheriff's Office requires that prisoners charged with the following offenses be fingerprinted and photographed:
 - a. For all felony offense violations;

- b. For the following misdemeanor/violation offenses:
 - c. Prostitution offenses,
 - d. Sex offenses,
 - e. Gang related offenses,
 - f. Any other offense that the deputy feels the need for case preparation or future identification.
 - 3. When a juvenile is arrested, no photographs or fingerprints shall be taken except as provided by KRS.
 - 4. Arrestee will only receive a copy of the Uniform Citation, the detention center will receive the following:
 - a. One copy of complaint filed,
 - b. One copy of warrant filed, and
 - c. A copy of the citation will be forwarded to the Records Section.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 01.09	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: MAINTENANCE & CERTIFICATION OF FIREARMS PROFICIENCY		

MAINTENANCE & CERTIFICATION OF FIREARMS PROFICIENCY

I. POLICY

The purpose of this policy is to establish for the instruction, certification, and maintenance of firearms used by members of the Warren County Sheriff's Office. This policy shall apply to all sworn Warren County Sheriff's personnel effective until such time as it is superseded, revoked or rescinded.

II. PROCEDURE: Initial Instruction/ Certification

A. Prior to the issuance of a duty weapon to a new sworn employee, the following conditions must be met:

1. Classroom instruction by an Office firearms instructor.
 - a. Weapon and holster familiarization.
 - b. Instruction and testing on the use of deadly physical force, covering appropriate sections of the Kentucky Revised Statutes and the Warren County Sheriff's Office Policy Manual.
2. Practical range exercises supervised by an Office firearm instructor.
 - a. Instruction and practice in weapon safety, function, features, malfunction, clearing, and practical marksmanship.
 - b. Successful demonstration of weapon proficiency on an Office firearm certification course.
 - c. Instruction on firearms cleaning.
3. Failure to successfully complete either section A.1 or A.2 of this policy shall result in the weapon not to be authorized as the duty weapon and the following actions shall be taken.
 - a. The employee shall receive additional training from the firearm instructors in the use of the weapon, as soon as practical.

- b. If the employee is still unable to successfully certify with the weapon, the Sheriff, or his designee, shall review their continued status as a sworn employee.

B. PROCEDURE- Re-certification:

1. Review of legal instruction is to be reviewed each calendar year, to include instruction and testing on the use of deadly physical force, covering appropriate sections of the Kentucky Revised Statutes and the Warren County Sheriff's Office Policy Manual.
2. Firearms certification to be renewed at least once each calendar year, by successful demonstration of practical weapons proficiency on a firearm certification course. The courses will be subject to changes by the firearms instructor based on situations & events that occur in the community.
3. If the employee is unable to complete section B.1 or B.2, of this policy the following actions shall be taken:
 - a. The employee shall receive additional training form a firearms instructor in the use of the weapon, as soon as practical.
 - b. If the employee is still unable to successfully certify with the weapon, the Sheriff, or his designee, shall review their continued status as a sworn employee.

Warren County Sheriff's Office

GENERAL POLICY

IDENTIFIER

02.01

EFFECTIVE DATE: 05/01/2014

REVISION DATE: 03/01/2020

AUTHORIZED BY: Sheriff Brett Hightower

TITLE: LEGAL ADVICE AND OPINIONS

LEGAL ADVICE AND OPINIONS

I. POLICY

The purpose of this policy is to establish guidelines relating to legal advice/opinions and the procedure for requesting it. This policy will apply to all Warren County Sheriff's Office personnel until such time it is revoked, superseded or rescinded.

II. PROCEDURE

- A.** The Warren County Attorney by (KRS 69.210 subsection 3) provides legal advice for the Warren County Sheriff's Office. Advice will be specific to Warren County Sheriff's Office related matters.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 03.01	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: ORGANIZATIONAL STRUCTURE		

ORGANIZATIONAL STRUCTURE

I. POLICY

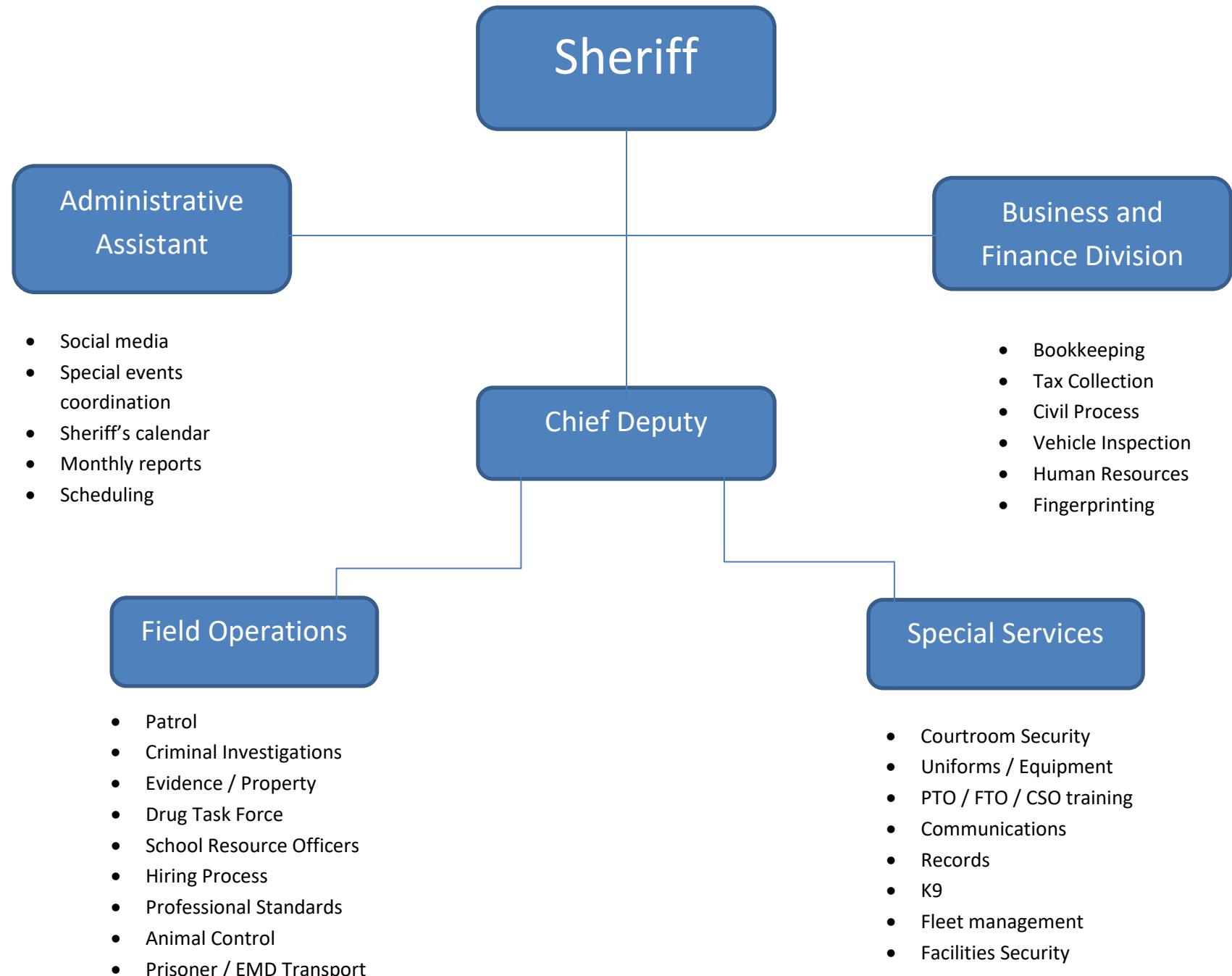
The Sheriff is the chief executive officer of the Warren County Sheriff's Office. He has the power to promulgate such orders to the Deputies and civilian employees of the Office as he may deem proper and it is the duty of the members of the Office to render to him and to his orders implicit obedience, but such orders shall be in conformity to the law and the policies and procedures of the Office.

The Office maintains structural components to coordinate functional efforts by its members, and is organized into five divisions; Field Operations, Court Security, Special Services, Support Services, and Business / Finance. The structure is designed to assure the effective performance of functions and tasks that are necessary to achieve the mission of the Warren County Sheriff's Office.

The Sheriff must necessarily limit the number of Office members who report directly to that office. Therefore, to ensure unity of command, clearly defined lines of authority must be set. The establishment of these lines of authority makes up the structural relationship between each department member and the Sheriff, as indicated in the department organizational chart.

II. PROCEDURE

The organizational structure of the Warren County Sheriff's Office will follow the Chain of Command as outlined in policy. A current organizational structure chart will be attached to this policy and posted throughout the Office. The organizational structure chart will be updated as deemed necessary.



Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 03.02	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: PERSONNEL RESPONSIBILITIES		

PERSONNEL RESPONSIBILITIES

I. POLICY

In order for the Warren County Sheriff's Office to function properly, responsibilities given to employees must be accompanied with the necessary authority. The Sheriff, through the use of the command structure, distributes responsibility and authority through all levels of the Office. At every level of the Office, employees are given the authority to make decisions necessary for effective performance of their job function. Each employee is accountable for their use or failure to use their delegated authority in meeting the responsibilities of their position.

It shall be the policy of the Warren County Sheriff's Office to adhere to the job descriptions set forth by the Warren County Sheriff. This policy will apply to all Warren County Sheriff's personnel until it is superseded revoked or rescinded.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 03.03	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: DIVISION RESPONSIBILITIES		

DIVISION RESPONSIBILITIES

I. POLICY

The purpose of this policy is to establish general responsibilities for the sections within the Warren County Sheriff's Office. This policy will apply to all Warren County Sheriff's personnel until it is superseded revoked or rescinded.

II. PROCEDURE

The Warren County Sheriff's Office consists of three sections; General responsibilities of each are as follows:

A. Field Operations Division

1. Consists of Deputies assigned to patrol and those who respond to calls for service and conduct preliminary investigations.
2. Responsible for the enforcement of the laws and ordinances of Warren County, and the Commonwealth of Kentucky.
3. The Patrol Section will be under the direct supervision of Patrol Supervisors.
4. The Patrol Section will be responsible for traffic law enforcement, preventative patrol, proactive enforcement, and relationships with motorists, pedestrians, and the courts. The Patrol Section is primarily responsible for the traffic function.
5. The Criminal Investigations Section and the Evidence and Property Section will be under the direct supervision of the Chief Deputy.
6. The DTF Section will be under the direct supervision of the DTF Director.
7. The K-9 Unit will be under the supervision of Patrol Supervisors.
8. The Deputies assigned to the School Resource Officer Program will be under the direct supervision of the Chief Deputy.

B. Court Security Division

1. Consists of Court Security Officers assigned to the Warren County Justice Center for the security of the judicial process.
2. Responsible for facility security, courtroom security, and transportation of inmates from the Warren County Regional Jail and throughout the Warren County Justice Center.
3. The Court Security Division will be under the direct supervision of the CCSO supervisors.

C. Special Services Division

1. This Division includes the Deputy(s) assigned to the Animal Control function of the Office.

D. Support Services Division

1. This Division includes the staff assigned as Dispatchers providing the communications function to the Office and the public. The Communications Section is under the direct supervision of Communications Supervisors.
2. This Division includes the staff that is assigned to Records Section that provides the record keeping function. The Records Section is under the direct supervision of the Support Services Division Manager.
3. The Division includes the administration of Professional Standards and maintenance of the departmental training records.
4. The Division includes release of public information and Open Records.
5. The Support Services Division will be under the direct supervision of the Support Services Division Manager.
6. The Division includes the administrative functions of fleet management, issuance of uniforms and equipment, and the ordering of supplies / equipment.

E. Business / Finance Division

1. This Division includes the staff assigned as clerks providing bookkeeping, accounts payable, and accounts receivable functions for the Office.
2. This Division includes the staff assigned as clerks that complete the vehicle inspections as required by Kentucky Revised Statute.
3. This Division includes the staff assigned as clerks that process the receipts of funds related to the civil process portion of the Sheriff's Office.

4. The Division includes the responsibility of the collection of Warren County Property Taxes.
5. The Business and Finance Division will be under the direct supervision of the Bookkeeper / Tax Deputy / Personnel Manager.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 03.04	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: COMMAND PROTOCOL		

COMMAND PROTOCOL

I. POLICY

The purpose of this policy is to establish command protocol in situations involving personnel of different organizational components of the Warren County Sheriff's Office that are engaged in a single operation. This policy applies to all Warren County Sheriff's Personnel until it is suspended, superseded or revoked.

II. PROCEDURE

A. Chain of Command

The chain of command is the clear line of authority from the Sheriff to every member that facilitates effective decision making and organizational communication. Members shall utilize, recognize and respect the chain of command as designated in the Order of Rank in all official actions. In certain instances, the chain of command may be bypassed. In doing so, a member must be prepared to justify the departure from normal procedure, and the Sheriff deems justification reasonable. Unless specifically designated otherwise, the Chief Deputy will be in charge of the Office in the absence of the Sheriff. During normal day-to-day operations the command protocol is:

1. Order of Rank (Sworn Personnel)
 - a. Sheriff
 - b. Chief Deputy / Major
 - c. Captain
 - d. Sergeant
 - e. Deputy
2. The Sheriff may assign a deputy an honorary rank. The honorary rank does not give the deputy supervisory authority over other deputies. Honorary rank does not entitle the deputy to additional compensation as that of a regular supervisor or person of that rank.

B. Unity of Command & Orders

1. Each member is accountable to only one supervisor at any given time. It is recognized that, there maybe times when a commanding deputy has to give a lawful command to a member who is outside of their normal chain of command. In these cases, the order shall be obeyed.
2. Members of the Office shall promptly and efficiently execute any lawful order emanating from a supervisor or other competent authority.
3. Orders from a supervisor to a member shall be clear and understandable in language, civil in tone, and issued in the pursuit of Office business.
4. Orders relayed from a supervisor by a member of the same or lesser rank or position shall have the same effect as direct order from the supervisor.
5. Any member who willfully disobeys or disregards the direct order, verbal or written, of a superior deputy will be considered to be insubordinate.
6. Members shall courteously refer any non-Office person who seeks to give them orders to the member's supervisor.

C. Conflicting or Inconsistent Orders

1. Upon receipt of an order being conflicting or inconsistent with any previous order of instruction, the employee affected will advise the person issuing the second order of this fact. Should the supervisor issuing the conflicting order not change the order, it shall be obeyed and the employee thereafter shall not be responsible for disobeying the first order. The supervisor giving the conflicting order will immediately, or as soon as practical, notify the member's immediate supervisor of the action.

D. Unlawful, Unjust, or Improper Orders

1. No member of the Warren County Sheriff's Office shall knowingly issue any order, which is in violation of any ordinance, law, or Office policy.
 - a. Obedience to unlawful orders is never a defense of an unlawful action; therefore, no employee is required to obey any order, which is contrary to federal law, state law, or local ordinance.
 - b. Responsibility for refusal to obey rests with the employee and he/she shall be strictly required to justify his/her action.

2. Employees who are given orders, which they feel, are unjust or improper, but are lawful, must first obey the order to the best of their ability. Then they may proceed with an appeal under the guidelines of WCSO Policy "Grievance Procedures".

E. Section Command

1. Each organizational component of the Office shall have a supervisor responsible for the activities of the respective component and shall be accountable through the chain of command.

F. Incident Command Protocol

1. Unless a specific policy or higher-ranking authority dictates otherwise, the supervisor on duty has command responsibility for operations. In the absence of a supervisor, the senior deputy at the scene of an incident shall assume command until relieved.
2. In the event of an emergency and/or during exceptional situations, the deputy in charge of any non-planned assignment shall be the first deputy to arrive on the scene. He/she shall remain in charge until relieved by a higher ranking deputy who will specifically advise the deputy that they are being relieved. When two deputy of equal rank arrive simultaneously at a scene and a conflict exists as to who is in charge, the deputy in charge shall be the one with the most seniority.

G. Span of Control/ Supervisory Accountability

1. To achieve effective direction, coordination and control, a limit must be placed on the number of personnel who report directly to the Sheriff and all other command and supervisory personnel. The nature and of the assignment shall serve as criteria to determine the proper supervisory/ subordinate ratio.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 04.01	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: SUPERVISORY ACCOUNTABILITY		

SUPERVISORY ACCOUNTABILITY

I. POLICY

The purpose of this policy is to establish criteria and procedure for the accountability, authority and responsibility for supervisory deputies. This policy will apply to all Warren County Sheriff's Office supervisors until it is suspended, revoked or rescinded.

II. PROCEDURE

All Warren County Sheriff's Office supervisors will be accountable for insuring that all subordinates, under his/her command, will receive the following listed duties and responsibilities. It is not construed as an exhaustive statement of duties, requirements or responsibilities.

A. Supervisory Deputies: In addition to the general and individual duties and responsibilities of all members and employees, supervisory deputies are specifically responsible for the following duties and responsibilities.

1. Supervision

Oversight of the activities of their subordinates, making corrections where necessary and commending where appropriate.

2. Leadership

Provide on-the-job training as needed for efficient operation and coordination of effort when more than one member or employee is involved.

3. Direction

Exercise direct command in a manner that assures the good order, conduct, discipline, and efficiency of subordinates. Exercise of command may extend to subordinates outside their usual spheres of supervision if the police objective or reputation of the Office so requires; or if no other provision is made for personnel temporarily unsupervised. This authority shall not be exercised unnecessarily. If a supervisor requires a subordinate other than his or her own to leave a regular

assignment, the supervisor so directing will inform the subordinate's own supervisor as soon as possible.

4. Enforcement of Rules

Supervisors will enforce and require compliance with all Office rules, regulations, policies, and procedures.

5. Inspection

Inspection of activities, personnel, and equipment under their supervision and initiation of suitable action in the event of a failure, error, violations, misconduct or neglect of duty by a subordinate.

6. Assisting Subordinate

Have a working knowledge of the duties and responsibilities of his/her subordinates. Observing contacts made with the public by his /her subordinates and being available for assistance or instruction as may be required. He/she shall respond to calls of serious nature and others unless actively engaged in an incident. He/she shall observe the conduct of the assigned personnel and take active charge when necessary.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 04.02	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 02/01/2021
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: WRITTEN DIRECTIVES		

WRITTEN DIRECTIVES

I. POLICY

It is the policy of the Warren County Sheriff's Office to provide a uniform written directive system in order to inform members of what is expected of them in the performance of their duties, to provide guidance to them in performing such duties, and to establish the basis for employee accountability while ensuring fairness while evaluating members. It is the purpose of this policy to formally document the structure and component parts of the written directive system in a manner that will increase its utility, application, and provide for continuity in its development. This policy will apply to all Warren County Sheriff's personnel until such time it is superseded, revoked or rescinded.

II. DEFINITIONS

- A. Written Directive – Written directives are position statements by or authorized through the Sheriff that guide or direct the actions and activities of members of the Office. Directives encompass means by which the Office communicates instructions, orders, and duty requirements to its members.
- B. General Policy – A term used to describe permanent directives related to policies, procedures, rules, and regulations affecting one or more members or organizational components of the Office.
- C. Code of Conduct – A specific directive containing rules and regulations from which no deviation is permitted.
- D. Policy – A broad written statement of agency principles
- E. Procedure – A written directive which provides a plan for execution of Office activities.
- F. Policy & Procedure Manual – A binder or electronic file containing all General Policies and Code of Conduct for the Warren County Sheriff's Office.

- G. E-mail/ Memorandums – E-mail/ Memorandums are informal correspondence that can be issued by any member of the Office and may be advisory or mandatory in nature and will be kept on file.
- H. Revision/ Update – Changes made to any part of a written directive that alters the meaning or essence of the directive. Grammatical/ spelling changes to a written directive that does not change the meaning or essence of the directive will not constitute a revision as outlined in this policy.
- I. Terms Limiting Deputy Discretion – There are three categories of terms used in written directives of the Office. Personnel responsible for development of such directives and deputies who carry them out shall be aware of the limitations on deputy discretion that these terms convey. These terms are classified as judgmental, discouraging, and prohibitive in nature.
1. Judgmental: The word “may” is used to convey the utmost discretion to deputies. “May” indicates that deputies should employ their best judgment in addressing a situation by relying on experience, training, the stated mission, values of the Office, and the general guidance provided in statements of Office policy.
 2. Discouraging: The word “should” or “should not” is used to convey the office’s desire for deputy’s actions in given circumstances. Directives should be followed whenever reasonably possible. However, it is recognized that exceptions to desired actions can be anticipated in these circumstances that could require alternative actions. Deputies are therefore authorized whenever reasonable to use limited discretion to deal effectively with the situation or problem.
 3. Restrictive or Prohibitive: The terms “shall” or “shall not” or “will” or “will not” impose absolute requirements or prohibitions on deputy’s actions. Considering that the full set of circumstances surrounding many situations confronted by deputies cannot be fully predicted, such terms must be used with care and with the understanding that failure to abide by such restrictions may result in disciplinary action. Where deemed appropriate, however, these terms may appear in policies, procedures, and e-mails/memorandums.

III. PROCEDURE

- A. The Sheriff has the sole and final authority to issue, modify, approve, and rescind all written directives. The Sheriff may adopt the use of other manuals issued by outside agencies that address specific functions within the department. Examples of such manuals would be; Warren County Emergency Operations Plans, Kentucky State Police Evidence Collection Manual, etc.
- B. Supervisors are authorized to issue temporary written directives and instructions using E-mails and Memorandums. E-mails/ Memorandums from supervisors will carry the same weight of authority and responsibility as a verbal order. E-mail/ Memorandums will apply only to specific incidents, events, or personnel referred to in the e-mail/ memorandum. No Email or Memorandum will conflict, parallel, or

supersede any general policy without the express written authority of the Sheriff or his designee.

- C. The Sheriff or his designee shall initiate an annual review of each chapter of the Policy and Procedure Manual to determine whether or not there is a need to purge or revise any outdated material. All affected members are expected to participate in this process and provide feedback to assist in keeping the manual current and useful. Revisions, corrections, deletions, and additions shall be made and the revised policy and procedures distributed in accordance with this policy. Any General Policy that is rescinded or purged by the Sheriff will be removed from the Policy and Procedure Manual and one hard copy of the purged/ rescinded general policy placed into a folder and marked with the date rescinded and the Sheriff's signature.
- D. Drafts of new or revised written directives can be submitted by any member of the department and shall be forwarded to the Sheriff or his designee for review. The Sheriff has the options to reject, return it to the member for further research or approve and forward the directive to the Accreditation Manager for indexing.
- E. New or revised written directives will be issued by the Sheriff through the Accreditation Manager to all staff prior to implementation for review and training. Shift supervisors will be responsible for the review and training of members under their command. All members will be required to sign a "Policy & Procedure Receipt" acknowledging that they have received the new or revised general policy.
- F. Approved Directives will be forwarded to the Accreditation Manager for indexing and placement into the proper chapter of the Policy and Procedure Manual.
 - 1. Each new General Policy will be placed into the Policy and Procedure Manual according to topic.
 - 2. Each new General Policy will be given an indexing number corresponding with the Chapter number.
- G. All General Policies will be formatted to include the following:
 - 1. Agency Title – Located at top/ center of first page
 - 2. Agency approved General Policy Header located below Agency title and including:
 - a. General Policy
 - b. Identifier – Index number given policy
 - c. Effective Date – Date policy initiated
 - d. Revision Date – Date policy revised
 - e. Title – Title of individual general policy
 - 3. Individual Page Headers will be included from the second page through the end of the policy with:

- a. Identifier
 - b. Title
 - c. Page of Pages
- H. All members of the Warren County Sheriff's Office will be issued a Policy & Procedure Manual upon hiring and during subsequent policy updates. All members will sign a policy manual receipt document stating that they shall read, adhere to, and be held accountable for all policies and procedures, from all authorized department manuals, by which they are affected. The Policy and Procedure Manual will be issued to members in paper form, electronically on Compact Disc (CD), or on a portable hard drive. A master copy of the Policy and Procedure Manual will be maintained by the Accreditation Manager. The most current policy manual will be posted on the agency's website.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 05.01	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: GENERAL MANAGEMENT		

GENERAL MANAGEMENT

I. POLICY

The Warren County Sheriff's Office uses accepted management principles to operate in the most efficient and productive manner possible. The purpose of this policy is to address management principles of a general nature that are not addressed in other topic areas. This policy focuses upon administrative reporting and accountability for agency forms. This policy shall apply to all sworn Warren County Sheriff's Office personnel until it is superseded, revoked or rescinded.

II. PROCEDURE

A. Administrative Reporting System

1. The Office shall maintain a computerized database of statistical and data summaries of agency activities including information on auto collisions, criminal offenses, traffic citations, field investigation reports and felony, misdemeanor and miscellaneous arrests.
 - a. This data shall include:
 1. Date and location of incidents,
 2. Type of offense or incident,
 3. Names of all involved subjects,
 4. Details or circumstances, and
 5. Reporting/investigating deputy.
 - b. Access to the computer system database shall be restricted to employees of the Office for legitimate Office related purposes only. Information from the computer database will only be released under guidelines of procedure, Public Information and Media Access.
2. Within the organization, agency activity reports will be completed and distributed on a daily, monthly, annually, and as needed.
 - a. Daily Reports

1. Daily report or briefing sheet may include verbal briefings to the Sheriff by supervisors, and patrol deputies with unusual incidents. The daily report will indicate any incidents that have occurred that raise the agency's liability or which may result in heightened community interest.
2. All incidents are recorded in the Office Computer Aided Dispatch (CAD) and Records Management System (RMS). Incident will be recorded in the KYOPS system when applicable. This information is available to all personnel via request for review.
3. Copies of all UOR / Incident Reports / and Collision Reports will be maintained and stored in the Records Section and will follow the KY State Retention Schedule.
4. All sworn personnel within the Office should review the briefing sheet and other necessary reports prior to beginning their tour of duty.

b. Monthly Reports

1. The Monthly Report is a statistical data report describing significant criminal, traffic, or other law enforcement events which have occurred during the month.
2. The Records Section will compile information from reports to formulate the statistical data. The monthly report for the Office will include traffic and criminal offense data for the current month in a statistical format.

c. Annual Report

1. The annual report will highlight the important events of the previous calendar year and will point out crime trends, personnel changes, training accomplishments and plans for the immediate future. The annual report will be produced by the Office at the direction of the Sheriff.
2. It shall draw upon the information of the monthly reports, but shall not necessarily duplicate or be limited to this information.
3. The annual report may use statistical tables, narrative summaries, anecdotes, or a mixture of any of the preceding to summarize progress toward achieving the basic mission of the Office.
4. The annual report shall be distributed to all personnel, and other copies will be available for public dissemination.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 06.01	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: PLANNING & RESEARCH FUNCTION		

PLANNING & RESEARCH FUNCTION

I. POLICY

Planning and research activities are recognized as essential to the effective management of the Warren County Sheriff's Office. Proactive Office management is the result of effective planning. A successful planning effort requires the involvement of each employee of the Office. This policy shall apply to all Warren County Sheriff's personnel, sworn and civilian until it is superseded, revoked, or rescinded.

II. PURPOSE

The planning and research function is to monitor the Office's operational abilities, cost efficiency, and to assist in the development of goals and objectives for the Office on a yearly plan and multi-year plan.

III. PROCEDURE

A. Although all personnel of the Office are involved in the planning function, the following specific planning responsibilities are assigned to the supervisor of the listed areas or to a specific deputy. Those assigned with planning and research responsibilities will have access to the necessary informational resources.

1. Administration:

- a. Facility management,
- b. Budget development and management,
- c. Multi-year planning functions,
- d. Information management, to include computer systems, reporting and records,
- e. Uniform Offense Reports (UOR),
- f. LINK/NCIC and electronic data,
- g. Forms development,
- h. Special Event Planning,
- i. KACP Accreditation Programs,
- j. Special Operations (Critical Incident & Strategic Planning and Review),
- k. Training (Firearms, Taser, Recruit, FTO, Deputy Development),
- l. Inventory Control (equipment and uniforms),
- m. Scheduling (shift and training)

n. Grant Management

2. Patrol:

- a. Patrol operations,**
- b. Traffic operations (Traffic Collision Investigations),**
- c. Offense reporting/ Preliminary Investigations**
- d. Evidence Processing and Property Room,**
- e. Inventory Management/ Fleet Management,**
- f. Off-Duty details**
- g. Crime Prevention,**

3. Criminal Investigations:

- a. Investigative (Criminal and Narcotics),**
- b. Criminal Surveillance (Undercover/ Video)**
- c. Juvenile operations/ Sexual Offender Review**

B. Overall planning responsibility for the Office shall be the duty of the Sheriff with assistance from the Chief Deputy and each division.

C. Review of Operational Activities

1. Annually, the Sheriff shall conduct an analysis of operational activities. The purpose of the analysis will be to evaluate the effective and efficient use of Office resources in delivering service to the community.

2. Analyses of field operational activities should include a review of past trends during particular time period. This information will be collected from monthly statistical reports and computer-generated reports and input from field deputies who regularly investigate criminal incidents and includes:

- a. Type of activity,**
- b. Location,**
- c. Time,**
- d. Date.**

D. Dissemination of Reports and Planning Studies

- 1. All analytical reports will be shared with the staff.**
- 2. All employees are encouraged to make pertinent suggestions or comments after review of these reports.**

E. Long Term planning

- 1. The Office shall develop a three-year plan that will anticipate long-term problems and suggest alternative solutions to them. It is necessary to establish, maintain, and continuously re-evaluate a multi-year plan that establishes goals and**

operational objectives by which the agency can strive to achieve. Included in this framework will be the following items:

- a. Development of goals and operational objectives based in part on administrative needs and forecasts. Input will be solicited from all employees in the same manner as for the annual goals and objectives.
 - b. Anticipation of economic development in Warren County, population trends, and other demographic data that may have an impact on workload.
 - c. Anticipation of personnel levels using budget projections, service demand, and anticipated workloads.
 - d. Projections for capital improvements and equipment needs based on legislative requirements, depreciation of existing equipment and improvements in the quality and level of public service.
2. The three-year plan will be updated on an "as needed" basis, but no less than every three years.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 07.01	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: SPECIAL DEPUTY SHERIFFS		

SPECIAL DEPUTY SHERIFFS

I. POLICY

It is the policy of the Warren County Sheriff's Office to follow K.R.S. 70.045 in relation to Special Deputies. The Sheriff may also name Honorary Deputies. Honorary Deputies are not sworn or entered into the Warren County Clerk's Office order books. Honorary Deputies will not be utilized as Special Deputies. This policy shall apply to all Warren County Sheriff's personnel, sworn and civilian until it is superseded, revoked, or rescinded.

II. PROCEDURE

1. A special deputy will be appointed under KRS 70.045(1) only when he or she possesses a unique skill or provides a particular capability to this agency and it is in the best interest of the agency to appoint that person as a special deputy.
2. When the Sheriff, in his sole discretion, deems it appropriate to appoint a special deputy, such person will be appointed under the provisions of KRS 70.045(1), (general law enforcement.)
 - a. The order of appointment and oath of office to be entered into the Warren County Order Book will specify that the special deputy is appointed under KRS 70.045(1). (See Opinion of the Attorney General 95-22, May 26, 1995.)
 - b. Upon appointment and taking the oath of office, the special deputy shall be considered a peace officer as defined in KRS 446.010(25).
3. Special deputies shall be appointed and dismissed solely on the authority of the Sheriff. Unless sooner revoked, all special deputy appointments shall expire at the end of the Sheriff's term of office. In order for his or her appointment to remain valid, a special deputy who is re-appointed must take the prescribed oath of office and a new order of appointment must be entered into the Warren County Order Book.

4. A special deputy appointed under KRS 70.045(1) is empowered by that statute with full law enforcement authority, to include the power of arrest, with the exception of warrantless domestic violence arrests under KRS 431.005(2). However, those provisions notwithstanding, a special deputy of this department is neither expected nor required to routinely engage in law enforcement activities wherein such authority is needed and it is the policy of this department that such law enforcement authority will normally be exercised only:
 - a. when directed by the Sheriff;
 - b. when requested by a regular deputy or other law enforcement officer at the scene of an arrest or other activity or conducting an investigation; or
 - c. in circumstances in which there is no regular deputy or other fulltime law enforcement officer present and there appears to be an imminent risk of death or serious bodily injury to innocent persons or other immediate, serious threat to public safety that requires the special deputy to act in a law enforcement capacity.
5. A special deputy is an employee of the Warren County Sheriff's Office.
 - a. Pursuant to KRS 70.045(3)(b), a special deputy may not be paid or compensated for his time or services.
 - b. A special deputy may be directed to attend training or perform other activity for the benefit of the agency at agency expense and, in such case, he or she may be reimbursed for training- or travel-related or other expenses to the extent that such expenses were approved in advance by the Chief Deputy.
 - c. A special deputy will be assigned a communications unit number for purposes of identification in the same manner as other deputies.
 - d. A special deputy is subject to the provisions of KRS Chapter 342, the Kentucky Workers Compensation Act.
 - e. A special deputy appointed under KRS 70.045(1) is authorized to carry a firearm and will be required to meet all department firearms training and other requirements.
6. Upon honorable separation from the department, if a special deputy has attained an aggregate total of ten years law enforcement service, to include service as a special deputy, he will upon request be issued a photo identification verifying his or her status as an honorably separated officer for purposes of Title 18 US Code Section 926C.
7. Each special deputy appointed or re-appointed after 1 January 2019 will be required to sign a statement at the time of appointment or re-appointment acknowledging that he or she has read, understood, and been provided a

copy of this policy, which statement shall be maintained in his or her personnel record.

Warren County Sheriff's Office

GENERAL POLICY

IDENTIFIER

08.01

EFFECTIVE DATE: 05/01/2014

REVISION DATE: 03/01/2020

AUTHORIZED BY: Sheriff Brett Hightower

TITLE: FISCAL MANAGEMENT

FISCAL MANAGEMENT

I. POLICY

The Warren County Sheriff's Office follows the fiscal management policies that are established by the State of Kentucky. This policy shall apply to all Warren County Sheriff's personnel until such time as it is superseded, revoked or rescinded.

II. PROCEDURE

A. Fiscal Management Responsibility

1. The Sheriff is responsible for the overall fiscal management of the Sheriff's Office. The Sheriff or his designee is responsible for supervising and approving all budget recommendations and purchase requests.
2. The WCSO Business / Finance Division is responsible for maintaining accurate accounting of all funds allocated to the Sheriff's Office and keeping the Sheriff apprised on the status of various funds.

B. Fiscal Management Function / Budget Process

1. The Sheriff is responsible for the preparation process of the annual Office budget, supervision of internal expenditures, and maintaining liaison with the Warren County Fiscal Court.
2. Supervisor's will participate in the development of the Office budget and submit appropriate justification for the continuation of existing projects or adequate guidelines for proposed changes or addition of expenditure of their respective division.
3. No later than October first of each year, supervisors will submit, in writing, budgetary requests and recommendations for the preliminary budget. This recommendation will be based on operational and activity analysis, future personnel needs, and an assessment of currently assigned positions to ensure that the positions allocated to Office functions are appropriate.

C. Position Control

- 1.** Positions within the Sheriff's Office are controlled by the Sheriff.

D. Agency Accounting System

- 1.** The agency accounting system will be monitored by the Bookkeeper and will be under the direct control of the Sheriff. The accounts are maintained by the Sheriff's Office Business / Finance Division and relayed to the Sheriff through a quarterly report.
- 2.** This system provides the monthly status on the following:
 - a.** Initial appropriations for each account.
 - b.** Year-to-date expenditures.
 - c.** Balances at the commencement of the quarterly period.
 - d.** Expenditures and encumbrances made during the previous quarter.
 - e.** The unencumbered balance.

E. Cash Management & Fees

1. Report Copy / Miscellaneous Fees

- a.** When cash is received as payment for copies of reports or any other fees, the clerk provides a receipt from the computer system to serve as a record of the cash transaction.
- b.** The receipt should be as complete as possible including the date, the name of the person, the amount of money received and logged on the daily fee deposit report.
- c.** A copy of the transaction receipt should be given to the payee.
- d.** Requests via mail for reports, which include payment by cash or check, will be processed and mailed, the cash or check will be logged in the daily fee deposit report.

2. Daily Receipt Deposit Report

- a.** A log of all cash and check transactions by the Sheriff's Office will be logged on the daily receipt deposit report. Each transaction will be log with:
 - 1.** Cash/Check #
 - 2.** Received From
 - 3.** Reason / Report #
 - 4.** Amount charged
- b.** Daily the fee deposit report will be prepared, signed, and submitted to the Bookkeeper or designee for review. The report will be verified and deposited.

F. Non-cash Fiscal Activities

- 1. Sheriff's Office owned credit cards**
 - a. Office credit cards will be used by the bookkeeper for the purchase of items in emergency only or for fuel when no approved fueling location are known. Any employee that makes a purchase on the Office credit card is required to submit the original receipts to the Business / Finance Division as soon as practical.
 - b. Any purchase made where a receipt is not submitted is to be the financial responsibility of the employee.
 - c. Office credit cards may not be used for the purchase of alcoholic beverages or personal items (medications, entertainment, etc.).
2. The Sheriff, or his designee, is responsible for conducting internal monitoring of the Office's non-cash fiscal activities. These activities include:
 - a. Credit Cards
 - b. Purchase orders
 - c. Travel expenses
 - d. Invoices/Bills

G. Audits

1. The bookkeeper will continuously monitor the cash and non-cash activities of the Sheriff's Office.
2. Annually, the Sheriff's Office will be audited by the Kentucky State Auditor's Office.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 08.02	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: PROCUREMENT		

PROCUREMENT

I. POLICY

It will be the policy of the Warren County Sheriff's Office to adhere to the pertinent provision of the Kentucky Revised Statutes regarding the procurement of goods and services. The Sheriff, or his/her designee, shall approve the purchase of any items requested regardless of the financial procedure.

II. PROCEDURE

1. For any purchases between two thousand dollars and twenty thousand dollars, the Sheriff, or his/her designee shall solicit three quotes.
2. For any purchases over twenty thousand dollars, the Warren County Sheriff's Office shall request bids through a request for purchase in Warren County Fiscal Court.
3. For all purchases (except for normal monthly re-occurring budgeted expenditures) a purchase order must be obtained through the Business Office prior to the purchase or service.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 09.01	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: SPECIALIZED ASSIGNMENT OPENINGS		

SPECIALIZED ASSIGNMENT OPENINGS

I. POLICY

The purpose of this policy is to aid in the assignment of qualified personnel to specialized positions within the Office. This procedure shall apply to all Warren County Sheriff's personnel, sworn, and civilian until it is superseded, revoked, or rescinded.

II. DEFINITION

A. Specialized Assignment – a specialized assignment is classified as a temporary or long-term assignment requiring specialized or specific training for the assignment.

III. PROCEDURE

It is the policy of the Warren County Sheriff's Office to have an established and consistent method for assigning personnel to specialized assignments. It is important that all qualified applicants for specialized positions receive an equal opportunity to demonstrate their skills and abilities required for the position. Assignments shall be made without regard to race, sex, color, religion, national origin, or disability status.

A. Specialized Assignment Openings

1. Openings for specialized positions will be posted by the Sheriff or his designee.
2. The notice will include a description of the position along with required qualifications.
3. The notice will include a sign-up sheet and provide an expiration date for signing.
4. Personnel signing their name will submit a resume showing qualifications for the posted position.
5. Each deputy will be notified of a date, time, and location of an oral interview and/or testing for the position.
6. The Sheriff or his designee(s) will conduct the oral interview and/or testing.

7. The interviewing personnel will establish candidate recommendation(s) to the Sheriff.
8. The Sheriff will have the final decision of choosing the candidate.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 10.01	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 02/01/2021
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: COMPENSATION, BENEFITS, AND CONDITIONS OF EMPLOYMENT		

COMPENSATION, BENEFITS, CONDITIONS OF EMPLOYMENT

I. POLICY

All full-time employees are assured of compensation, benefits, and conditions of work based on the Warren County Sheriff's Office Personnel Policies. The Sheriff's Office recognizes that these items are necessary to provide excellent service, for the recruitment and retention of competent personnel, and to reward/recognize superior performance. This policy will apply to all personnel, sworn and civilian until it is superseded, revoked, or rescinded.

II. COMPENSATION

A. The Sheriff authorizes the salary program to include:

1. Salaries as determined by the Sheriff

- a. The salaries for the office of the Sheriff based on the budget submitted each year by the Sheriff and approved by Warren Fiscal Court. The Salary or hourly wage for all personnel of the Warren County Sheriff Office is review each calendar year and submitted to the Warren County Fiscal Court for review and approval, and to be put into effect as of January 1st of each calendar year.

2. Overtime Policy

- a. Employees will follow the Kentucky Revised Statutes, with regards to overtime pay. The KRS states that overtime pay rate of one and one-half times (1 ½) their rate of pay is due to an employee when that employee has worked over 40 hours in a work week. Any employee subject to overtime pay shall work forty hours in a week prior to being eligible for overtime pay. No paid leave, such as sick leave, vacation leave or holidays, shall be counted toward the forty hours of work. This will be given to the employee through pay or compensatory time in which they elect.

With the only exception to this rule for the Sheriff Office is, if an

“APPROVED” holiday falls in a work week, then the holiday is counted a full day worked for administrative employees.

Example- New Year’s Day falls on a Wednesday and is an “APPROVED” holiday, the administrative employee is able to be off that day, meaning that the employee has earned (even though the employee is off) eight (8) hours worked and that the employee will need to work an additional thirty-two (32) hours to complete the work week.

- b.** Any special detail, special event, or traffic-related detail that is outside “regular duty” will be paid at the rate of one and one-half times ($1 \frac{1}{2}$) the member’s normal rate of pay.

Regular duty for a patrol deputy would be considered calls for service, court time, etc. Special details, special events, or traffic related details, including but not limited to, security details, federal overtime, and other traffic safety assignments. The Sheriff or Chief Deputy will have final discretion on the categorization of these details. Notice will be provided to the employee as to the classification prior to the deputy being assigned the event.

- c.** Compensatory time – full time eligible employees who elect compensatory time shall not accrue more than 240 hours. If this occurs, the employee’s immediate supervisor shall schedule this employee off duty until the accrued time is less than 240 hours. Employees who submit a request for leave time, the time should be taken from accrued comp time before the employee earned time off.

3. Salary Augmentation

- a.** Sworn Deputies that obtain their Police Officer Professional Standards (POPS) Certification and annually complete forty (40) hours of continuous education will receive a salary supplement from the Kentucky Law Enforcement Foundation Program Fund (KLEPF). This supplement is figured in the total salary of the eligible employee’s salary. The supplement amount is determined by state legislators.
- 4.** The final salary and assignment of all employees, including those with specialized skills / training, within the Office rests with the Sheriff.

III.BENEFITS

- A.** The Sheriff authorizes the administrative, military, vacation and sick leave programs.

- B. Vacation Leave – FULL TIME EMPLOYEES ONLY**

- 1.** The Sheriff recognizes employees’ length of service and work contributions and demonstrates appreciation by providing time off with pay. Vacation benefits are provided to all regular full-time employees at (8) hours earned at the end of month of

service. Once an employee has reached (10) years of continuous full-time service, the vacation time is then (12) hours earned at the end of each service month.

2. Scheduling of mandatory in-service training for the upcoming year should be completed by December 31st. The training coordinator will supply a list of dates for all scheduled training during the upcoming year.
 - a. In-service training will be taken into consideration when scheduling vacations.
 - b. In-service training will generally take priority over vacation requests. However, if the training conflicts with a member's vacation request and cannot be rescheduled, every effort will be made by the Office to accommodate the member's vacation.
3. Scheduled vacation days are subject to cancellation during time of any anticipated or ongoing emergencies or special events.
4. All reserved vacation time periods are scheduled at the discretion of the Sheriff under the guidelines outlined in this procedure. The Sheriff, will be the arbiter in any disputes involving the selection and reservation of vacation time periods that cannot be settled by the designated supervisor.
5. Annual leave may be accumulated. However, not more than twenty-eight (28) days of accumulated vacation leave may be carried forward from one calendar year to the next.
6. If an employee has accumulated more than the twenty-eight days by the end of a calendar year, and said accumulated vacation leave was not able to be taken during that calendar year, under certain conditions the employee will be compensated according to the incentive plan listed in Section (G,(g)).

C. Holiday Leave

Days Observed - The Warren County Sheriff's Office will observe the holidays listed in Policy Section 10.10.

1. Holidays with Pay
 - a. Except as listed below, classified employees shall receive full pay for the holidays listed in Policy Section 10.10, provided, the employee works the remainder of the scheduled workweek or is on approved paid leave.
 - b. Rather than observing the days listed in Policy Section 10.10, sworn deputies and the dispatch center personnel shall receive up to twelve days in addition to their annual vacation, which may be used as holidays with pay. These days are to be used within the calendar year they are earned, and may only be taken after approval of a supervisor. When these individuals work their designated holiday, it will be paid at the straight time rate.

2. Holidays are earned as follows:

- a. Sworn deputies, and dispatch center personnel who work a 40-hour workweek shall receive up to twelve days (96 hours), with the employee accruing three holidays in each quarter of the calendar year. The same employees will accrue one additional holiday for each inauguration day for the Governor of Kentucky.

D. Sick Leave Accrual / Sick Leave Donation – FULL TIME EMPLOYEES ONLY

1. Sick Leave Accrual - Every full time employee earns eight, (8) hours of sick leave per month worked. (1440) hours is the maximum allowed sick leave accrual.*
 2. Sick Leave Donations - In order to receive donated sick leave sharing benefits, an employee must meet **ALL** of the following criteria:
 - a) The employee or a member of his/her immediate family suffers from a “medically certified” illness, injury, impairment, or physical / mental condition which has caused, or is likely to cause, the employee to go on leave for at least 10 consecutive working days.
 - b) The employee has exhausted all of his/her available paid leave.
 - c) The employee has complied with administrative regulations governing the use of sick leave.
 - d) The donating employee must have 80 hours of remaining paid leave after the donation.
- E. The Warren County Sheriff's Office Personnel Policies describes the family medical leave policy and as set forth in the Warren County Sheriff's Office Personnel Policy Manual.
- F. Any member's supervisor may require a statement from a doctor explaining the employee's absence for any sick leave occurring before or after a holiday or other scheduled day off or for sick leave in an instance where:
1. Sick leave occurs before or after a holiday or other schedule day off; and/or
 2. Sick leave is in excess of two (2) days; and/or
 3. An employee has a record of repetitious usage of short amounts of sick leave over an extended period of time.

The employee's personnel record is maintained by this agency and shall contain an accounting of sick leave earned, accumulated and used. The agency shall be responsible for maintaining an accurate accounting of sick leave.

G. Maximum Leave Accrual Incentive Payment and Termination Payment

Upon resignation, retirement, termination, or interruption of employment, accrued vacation leave and accrued sick leave, may be paid under proper conditions:

- a. If at least six months of employment has been completed and the employee has given and worked the required notice of termination, the employee will be paid for any accrued vacation, except as provided in "(H)" below. Retirement contributions are not withheld.
 - b. Vacation leave payment shall be based on the base rate of salary last earned prior to termination, not to exceed the vacation leave accumulation limit previously stated.
 - c. *Sick leave incentive program - Employees are paid for any hours in excess of the (1440 hours), in an amount of \$25 per 8-hour increment per calendar year at the direction of the Sheriff. Employees will be allowed to "opt-out" of the sick leave incentive program and accrue more than (1440 hours). However, the employee will be required to acknowledge they are waiving the incentive money during employment and understand the sick leave service credit limitations.
 - d. The employee should work the notice period in order to be paid for accumulated leave. The date of termination of employment shall be considered to be the last active working day of the employee.
 - e. In the event of an employee's death, payment for any accrued vacation, or sick leave will be made to the deceased's estate.
 - f. An employee may be discharged without notice or without further pay, including accrued leave, for willful violation of rules, misconduct, or similar causes.
 - g. Payment for accrued leave over maximum allowed levels will be made near the end of each calendar year according to the normal payroll schedule; following receipt and verification of leave records. Retirement contributions are not withheld from the vacation leave payment, nor is the lump sum payment included in retirement benefit calculations.
 - h. Payment for accrued leave will be contingent on the employee leaving employment in good standing, which includes returning all property of the WCSO, keys, and required uniforms in compliance with IRS taxable benefits; repayment of any outstanding payroll correction amount; repayment of any insurance premiums referenced in the family/medical leave policy; or any other identified repayment.
 - i. Non-exempt personnel eligible for paid overtime shall be paid for any accrued compensatory time at the base rate of salary.
- H. Failure to Give Notice - Failure to give proper notice may affect the employee's eligibility for reemployment with the WCSO. Any employee who does not notify the appropriate supervisor and fails to report for work for three consecutive working days

shall be considered to have voluntarily resigned his or her position, with no vacation pay allowed.

I. Exceptions

- a. The Sheriff reserves the right to allow sick leave accrual beyond (1440) hours in cases involving serious health conditions or anticipated medical related procedure/recovery.

II. CONDITIONS OF EMPLOYMENT

The Sheriff can authorize the provision of physical, psychological, and medical examinations of all employees (required by the Sheriff's Office) which are provided at no cost to the employee.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 10.02	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: HEALTH INSURANCE/ RETIREMENT/ LIABILITY INSURANCE		

HEALTH INSURANCE/RETIREMENT/LIABILITY INSURANCE

I. POLICY

To establish a policy regarding employee insurance benefits, retirement benefits, and comprehensive liability insurance. This policy will apply to all personnel, sworn and civilian until it is superseded, revoked, or rescinded.

II. PROCEDURE

A. Health Insurance

1. The Warren County Sheriff's Office shall have group health insurance available to all full time employees and their family. The plan information will be what is adopted by Warren County Fiscal Court each year.

B. Retirement

1. All eligible regular full-time employees of the Sheriff's Office shall participate in the Kentucky County Employees Retirement System (C.E.R.S.) with contributions from employees and the Sheriff's Office according to the amounts mandated by the Retirement System for hazardous duty and non-hazardous duty employees.

- a. Any employee hired under Tier One or Tier Two and having accumulated unused sick time can, at time of retirement, rollover up to six months of unused sick time towards their retirement as actual time worked. Any unused sick time in excess of six months will be lost at time of retirement. Employees are paid per (WCSO 10.01) for any hours in excess of the (1440 hours), in an amount of \$25 for each 8-hour increment per the sick leave incentive program. Retirement contributions are not withheld.

- b. Any employee hired under Tier Three **will not** be eligible to have any unused sick time rolled over towards retirement benefits.

C. Re-employment After Retirement

State statute places restrictions on KERS, CERS, and SPRS retirees returning to work after retirement with a participating employer of the systems. The Warren County Sheriff's Office complies with all pertinent retirement statutes listed in the Kentucky Revised Statutes and Kentucky Administrative Regulations.

D. Liability

- 1.** The Warren County Sheriff's Office maintains comprehensive liability insurance thru Warren County Fiscal Court to cover liability claims against the Sheriff and its employees. The Sheriff also maintains bonding insurance for those employees where such coverage is appropriate. Insurability of an employee is a condition of employment. Additional information regarding the Sheriff's Office insurance program is available upon request. Liability insurance is provided for the Office's personnel through an insurance company selected by the County.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 10.03	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: SECONDARY EMPLOYMENT		

SECONDARY EMPLOYMENT

I. POLICY

The Warren County Sheriff's Office does not discourage deputies from seeking secondary employment as long as the employment does not interfere with or diminish the capabilities and responsibilities required to maintain their positions within the Office. This procedure shall apply to all Warren County Sheriff personnel, sworn, and civilian until it is superseded, revoked, or rescinded.

II. DEFINITIONS

- A. Secondary Employment: Any outside employment, which is either extra-duty or off-duty.
- B. Extra-Duty Employment: Any secondary employment that is conditioned on the actual or potential use of law enforcement powers by the deputy-employee.
- C. Off-Duty Employment: Any secondary employment that is not conditioned on the actual or potential use of law enforcement powers by the off-duty employee. (Non-uniform employment.)

III. PROCEDURE

A. Secondary Employment

- 1. Members are not discouraged from engaging in secondary employment, but must receive approval according to the following:
 - a. Extra-Duty Employment: Approval from Sheriff.
 - b. Off-Duty Employment: Approval of the Sheriff.
- 2. Members may not use their position with the Office to gain personal advantage in secondary employment.

3. Secondary employment schedules must not interfere with the Office's scheduling needs. Members are subject to immediate recall in the event of an emergency.
4. Members engaged in secondary employment shall, at all times and in all places, conduct themselves in a manner creditable to the Office. Members may not knowingly seek employment where illegal activities are conducted and should avoid dealing with persons and/or organizations that they know or should know are under investigation or indictment or have been convicted for involvement in criminal behavior.
5. Members shall immediately report in writing, through the chain of command to the Sheriff, any incidents arising from or connected with their secondary employment which might adversely affect the Office or its personnel.

B. Extra-Duty Employment

All requests by prospective employers for extra-duty employment of members of the Office which are police-oriented and/or an extension of members' duties with the Office will be made to the Sheriff. The Sheriff will decide whether such agreement may be entered. Extra-duty employment may or may not require use of the police uniform.

1. In Uniform with Police Powers
 - a. Compensation must be paid according to guidelines established by Sheriff. Members will be paid, at minimum, a rate set by Sheriff.
 - b. Members of the Office who participate in such employment:
 1. Will comply with all Office rules, regulations, policies, procedures, etc.
 2. Will be subject to the control and supervision of the on-duty / on-call supervisor unless otherwise approved by the Sheriff.
 - c. Injury as a result of this extra-duty employment will be handled in the following manner:
 1. If on the "Extra-Duty Employer" payroll, it will be handled through the Extra-Duty Employers workman's compensation and liability insurance.
 2. If through the Office as normal overtime, it will be handled by the county as any normal work related injury.

2. Non-Uniform

Compensation for non-uniform extra-duty employment Compensation must be paid according to guidelines established by the Sheriff. Members will be paid, in the same manner as uniform details.

3. Deputies may engage in extra-duty employment as follows:

- a. Where a private or public organization requests of the Sheriff's Office for deputies in uniform who are able to exercise police duties.
- b. Types of extra-duty services that may be considered for contracting are:
 1. Traffic control and pedestrian safety
 2. Crowd control
 3. Security and protection of life and property
 4. Routine law enforcement for public authorities
 5. Plainclothes assignments.
- c. Police equipment may be issued to deputies engaged in extra-duty employment providing:
 1. The equipment is essential to the safety of the deputy or the success of the operation.
 2. A supervisor has approved the use of said equipment.

C. Off-Duty Employment

1. Employees may engage in off-duty employment that meets 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 as police deputy and their duties for the secondary employer. Some examples of employment representing a conflict of interest that are prohibited:
 1. Process server, repossession, or bill collector, towing of vehicles or in any other employment in which police authority might tend to be used to collect money or merchandise for private purposes.

2. Investigations for the private sector or any employment which might require the deputy to have access to police information, files, records or services as a condition of employment.
 3. In uniform in the performance of tasks other than that of a police nature.
 4. Employment which assists, in any manner, the case preparation for the defense in any criminal or civil action or proceeding.
 5. For business or labor group that is on strike.
- c. Employment that does not constitute a threat to the status or dignity of the police as a professional occupation. Examples of employment representing a threat to the status or dignity of the police profession are:
1. Establishments which sell pornographic books, magazines, sexual devices, or videos, or that otherwise provide entertainment or services of a sexual nature.
 2. Any employment involving the sale, manufacture or transport of alcoholic beverages as the principal business.
 3. Any gambling establishments not exempted by law.

D. Limitations On Secondary Employment

1. In order to be eligible for secondary employment, a deputy must be in good standing with the department. Continued departmental approval of a deputy's secondary employment is contingent on maintaining a satisfactory service performance.
2. Prior to obtaining secondary Employment, a deputy employee shall submit a request in writing through the chain of command and receive written permission.
3. Supervisory personnel receiving a request shall make a recommendation based on the requesting deputy's service performance.
4. Work hours for all secondary employment must be scheduled in a manner that does not conflict or interfere with the police employee's performance of duty.
5. A deputy engaged in any secondary employment is subject to call-out in case of emergency, and may be expected to leave his secondary employment in such situations.
6. Permission for a deputy to engage in secondary employment may be revoked where it is determined, pursuant to departmental procedure that such secondary employment is not in the best interests of the department.
7. Unless approved by the Sheriff, those deputies who have not completed their probationary period shall not engage in any secondary employment.

- 8.** Unless approved by Sheriff those deputies who are off sick or on light-duty status shall not engage in any secondary employment from the time of the off sick call or start of light-duty status until the deputy returns to a regular duty shift or starts his regularly scheduled days off.
- E.** The Sheriff or his designee shall be responsible for coordination, review and administration within the agency to oversee adherence to departmental policies, procedures, and other matters deemed appropriate by the agency.
- F.** Documentation shall be kept on each deputy's secondary employment to include:
 - 1.** Date, Time, and Place of employment.
 - 2.** Incidents that involve use of law enforcement powers, injury to deputy or others, complaints received, and court appearances (scheduled and actually attended) resulting from secondary employment.
 - 3.** Liability and indemnification concerns stemming from actions during secondary employment.

Warren County Sheriff's Office

GENERAL POLICY

IDENTIFIER

10.04

EFFECTIVE DATE: 05/01/2014

REVISION DATE: 02/01/2021

AUTHORIZED BY: Sheriff Brett Hightower

TITLE: APPEARANCE AND UNIFORMS

APPEARANCE AND UNIFORMS

I. POLICY

All employees of the Warren County Sheriff's Office will strive to present themselves in a professional manner by maintaining a neat and well-groomed appearance. When on duty, employees will comply with Office standards for uniforms, other clothing, and grooming. The Sheriff must approve any exceptions. This policy will apply to all Warren County Sheriff's personnel until such time it is superseded, revoked or rescinded.

II. CIVILIAN EMPLOYEES

Civilian employees are normally the first person the public meet when entering into our office, thus the importance of an initial professional appearance become incumbent upon them. Civilian members will be held to the same standards as those listed below, except those that refer to uniforms and hair length. Business casual or issued uniforms may be worn but should not be combined. (i.e., Civilian clothing with a uniform jacket.) Blue jeans are acceptable when worn with an agency issued T-shirt, "polo" style logo shirt, or business casual shirt/blouse.

Proper business attire should not be too tight and skirts should not be too short or have extreme slits. Shorts are not permitted for attire while on duty. Shoes will be clean, polished, in good repair, appropriate for the outfit and conservative in style and heel height. Backless shoes, open or closed toe, are acceptable as long as they have a "dress" or business attire appearance and do not interfere with the safety of the employee. Flip flops, beach sandals, etc shall not be worn. Shoes shall be worn by the employees at all times during working hours. Apparel should be conservative and in good taste for a professional business environment. Civilian employee's hair can be of any length as long as it is kept in a professional manner and it does not restrict the employee's ability to perform their required duties. (Certain assignments may allow for a variance to this policy and requires supervisor's approval.)

III. SWORN EMPLOYEES

Since the Sheriff's Office is one of the most publicly visible elements of local government, it becomes incumbent upon the administration to establish and enforce standards of appearance to encourage and maintain public respect and confidence.

A. Hair

Sworn uniformed employees are required to have their hair trimmed or arranged to allow for secure wearing of the uniform hat without presenting a safety hazard. Male sworn employees' hair will not extend below the collar of the uniform shirt or below the top of the ear. Female sworn employees' longer hair must be secured away from their face and in a manner that does not pose a hazard or impair the deputy's vision. Hair accessories may be used but are limited to those of subdued color that blends well with the hair color and uniform.

Unusual or faddish hairstyles such as dread locks, corn rows, mohawks, or mullets are not allowed while on duty. Artificial hair coloring must be natural in appearance and cannot be multicolored.

Moustaches, if worn, will be of moderate length and neatly trimmed and will not extend more than one quarter inch below or one quarter inch past the corners of the mouth. No handle-bar mustaches will be allowed. Full Beards must be kept neat and well-trimmed. Classic style Goatees that include a moustache will be allowed if kept short and must be neat and well-trimmed. A "chin beard" extending from the corners of the mouth around the chin will be allowed if kept short and neat in appearance. Soul patches are not permitted. No portion of the beard may be exceptionally longer than the rest, and beard hair length shall not exceed $\frac{1}{2}$ inch.

Sideburns, if worn, will not extend below the bottom of the earlobe. They will be of an even width and with a clean shaven and horizontal line not extending forward or flared. Muttonchops are not allowed.

B. Jewelry

Sworn employees will not wear jewelry that is gaudy, perverse, or that jeopardizes safety. Employees will comply with requests to remove jewelry due to specific Occupational Safety and Health Administration (OSHA) regulations. Rings are limited to two per hand. Bracelets are limited to one per arm. Necklaces may be worn if kept invisible under the uniform shirt. Male sworn employees will not wear earrings while on duty. Female sworn employees may wear small post earrings, attached to the ear lobe, with no hanging parts, limited to one earring per ear.

Exceptions may be made in the course of undercover or special investigative assignments at the discretion of the Sheriff.

C. Body Piercing and Tattoos

In such that a professional appearance is vital in the public's perception of the WCSO's values and community commitment to service, all employees shall adhere to generally accepted business department and personal appearance standards of law enforcement agencies for appearance; particularly with respect to tattoos, body art and intentional physical alterations*.

(*Intentional physical alterations includes, but is not limited to, any outwardly visible branding, scarring, resection, tooth filing, microdermal or transdermal implantation, eye tattoos, or unnatural tooth coloring. It does not include medically necessary procedures or generally accepted surgical procedures or augmentation.)

- 1) Sworn and civilian uniformed WCSO employees are prohibited from displaying any tattoos, body art, or markings of an offensive, provocative nature or that are obscene and/or advocate sexual, racial, ethnic, religious discrimination or that undermine WCSO values or are contrary to generally accepted business standards of law enforcement agencies.

Examples of offensive tattoos, body art, or markings include but are not limited to:

- a) Depictions of intolerance or discrimination against any race, religion, gender, or national origin,
 - b) Sexually explicit or vulgar art, words, phrases, or profane language,
 - c) Symbols likely to incite a strong reaction in the work environment (for example, swastikas or similar symbols), or
 - d) Initials, acronyms, or numbers that represent criminal or historically oppressive organizations (for example, any street gang names, numbers, and/or symbols).
- 2) Employees who have direct contact with the public are prohibited from acquiring any tattoos, body art, markings that would be visible above the collar bone or below the wrist, except for cosmetic tattoos (tattoo makeup on the eyes, lips, or eyebrows with a natural appearance).
 - 3) Any tattoos, body art, markings that would be visible while in the authorized WCSO Class "A" uniform and WCSO Class "B" uniform must comply with generally accepted business standards of law enforcement agencies.
 - 4) For civilian employees, any tattoos, body art, markings that would be visible, while attired in business attire must comply with generally accepted business standards of law enforcement agencies. Likewise, civilian employees are prohibited from displaying excessive tattoos or body art that would detract from an appropriate professional appearance for law enforcement agencies.
 - 5) Visible intentional physical alterations of the body that are not consistent with generally acceptable business standards for law enforcement agencies of appearance are prohibited.
 - 6) Employees are prohibited from displaying excessive tattoos or body paintings that would detract from an appropriate professional appearance.

- 7) Visible physical alterations of the body that are not consistent with generally acceptable business standards of appearance are prohibited (i.e., tongue splitting).
- 8) These provisions would not preclude employees from undergoing required medical procedures to ensure the health of the employee.
- 9) While attending a Jury Trial, a funeral, a ceremony, etc. the WCSO Class A long sleeve uniform will be worn to cover all tattoos, with the exception of cosmetic tattoos (tattoo makeup on the eyes, lips, or eyebrows with a natural appearance) and wedding ring tattoos.
- 10) Tattoos on the hands, fingers, neck, head and face with the exception of those listed above are prohibited while in uniform.
- 11) These provisions would not preclude employees from undergoing required medical procedures to ensure the health of the employee
- 12) The Sheriff or designee is the final authority as to the appropriateness of any tattoo, body art or marking.

D. Grooming

Sworn employees will keep fingernails clean and neatly trimmed; employees may wear conservative or subdued finger nail polish. Sworn employees are not permitted to wear jewelry on the nails.

Makeup will be conservative in nature and should not be worn in quantities or in a manner that allows it to transfer from the face to the uniform or to the clothing of others.

E. Accessories

Sworn employees may wear sunglasses with metal or dark-colored plastic frames. Sworn employees may wear black or brown, gloves or plain knit caps, in cold weather. Other personal accessories not covered by this policy will be approved on a case by case basis with approval of the Sheriff.

F. Clothing

All uniforms and clothing apparel will be purchased in accordance with WCSO Policy, from a pre-approved uniform and apparel list maintained by designated vendors, selected by the Sheriff. Whenever possible, uniforms will not be worn earlier than one hour prior to beginning a shift or longer than one hour after completing a shift, including attendance in court on days off or working an approved off-duty assignment. All uniforms and clothing apparel will only be purchased from a pre-approved list maintained by designated vendors, selected by the Sheriff. Issued uniforms should not be combined with civilian clothing.

G. Uniform Description

The Class A uniform will consist of either a short or long sleeve silver tan polyester shirt and green agency issued pants with a black stripe on the leg. The long sleeve shirt can be worn with a tie, tucked in, or open with the black mock turtleneck. Basketweave duty gear will be worn with the Class A uniform. A brown campaign style hat with badge pin may be worn with the Class A uniform. Black leather boots or shoes with black socks will be worn. A metal badge, nameplate, serving since plate, collar brass, and whistle chain will be worn with the uniform. The academy pin, approved awards, and approved specialty pins may also be worn. Court Security Officers may utilize nylon duty gear with the Class A uniform.

The Class B uniform will consist of a short or long sleeve black polo style agency issued shirt and green cotton polyester blend cargo style agency issued pants. Agency issued duty gear will be worn with the Class B uniform. A black undershirt will be worn with this uniform combination. Black leather boots or shoes will be worn. The Class B uniform will utilize an embroidered badge and nametape. A baseball cap can be worn with the Class B uniform. The Class B uniform can be utilized inclement weather in lieu of the Class A uniform.

H. Shirts, Trousers, and Vests

Deputies are authorized to wear Class A or Class B uniforms in long or short sleeves while assigned to Patrol. Deputies should wear a Class A uniform or business suit with tie for court appearances. School Resource Officers should wear Class A uniforms while working in the schools unless authorized to wear a Class B uniform for a special event or unusual circumstance. Court Security Officers should wear the Class A uniform.

1. Trousers should be clean and pressed with a sharp crease from the fly line to the cuff. The bottom cuff of the trousers should extend to the top front of the shoe with one small break in the front of the trousers.

I. Footwear

Sworn uniformed employees will wear only issued or approved uniform shoes which are kept clean and in good repair.

J. Hats

Sworn uniformed employees will wear uniform hats as directed by the Sheriff or immediate supervisor. Sworn uniformed employee may wear uniform hats during inclement weather. The uniform hat will be worn squarely on the head and not tilted to the side or back. The band of the hat should be parallel to the ground. Agency issued baseball caps are not to be worn with the Class A uniform but are authorized for wear with the Class B uniform.

K. Jackets

1. Only Office issued or approved outerwear (i.e. winter coat, light jacket, sweater, fleece and pullover).

L. Insignias

Class-A

The uniform badge will be worn on the uniform shirt above the left breast pocket. It will be kept clean and untarnished. The nametag with "Serving Since" plate will be worn on the uniform shirt centered and placed on the right breast pocket flap. The back pinpoints of the nametag will be in line with the top seam of the pocket. The whistle chain will be attached to the right side epaulet and placed into the right breast pocket.

1. Ties will be tucked in the uniform shirt for safety.
2. All pins should be centered above others and should have one-fourth inch spacing between them when possible. Advanced certificate pins and awarded metals, if applicable, will be worn on above the right breast pocket flap. Specialty pins may be worn between the academy pin and the top of the right breast pocket flap, if applicable. Other pins, such as religious pins and mourning bands, may only be worn with the prior approval of the Sheriff.
3. Agency collar brass "WCSO" shall be worn parallel with the leading edge of the collar even with the seam. (See diagram.)

Class-B

1. The Class B uniform rank insignia will be worn on the external vest as issued by the agency.

M. Leather Gear

The Warren County Sheriff's Office will only use leather gear approved by the Sheriff. Leather Gear will be kept clean and polished and in good repair. (Nylon gear may be worn depending on assignment at the discretion of the Sheriff.

N. Exceptions

1. Exceptions to the policy can be made for investigative/undercover and non-uniform assignments, only with the approval of the Sheriff.

O. Reflective Safety Vests

Reflective safety vests will be issued to all officers. Only Office issued vests may be worn.

1. A reflective safety vest must be worn on the exterior of the officer's clothing during times that high visibility is warranted. Such use shall include, but is not limited to, collision investigations, road blocks, traffic control, etc. Use of the vest is required for all operations on federally funded roads. Exceptions may be made for rapid reaction situations such as traffic stops; however, as soon as practicable the reflective vest must be worn. This reflective vest shall be considered part of the uniform and must be utilized as indicated above. The reflective vest may also be utilized at other events where high visibility is needed.

II. REQUIRED UNIFORMS and EQUIPMENT

The following uniforms and equipment will constitute the minimum uniform and equipment which each patrol deputy will be furnished upon appointment and which must be maintained in good serviceable condition at all times. All issued uniforms and equipment remain the property of the Warren County Sheriff's Office. Whenever a deputy is separated from the Office, a serviceable basic uniform and equipment issue must be returned by the deputy.

UNIFORM ITEMS	ISSUED
a. Short Sleeve	3
b. Long Sleeve	3
c. Hat w/band	1
d. Winter Coat	1
e. Pair Shoes	1
f. Shirts for basic academy (if required)	3
g. Pants for basic academy (if required)	3
h. Inner Belt	1
i. Raincoat	1
j. Brown Tie	1
k. Body Armor and Carrier	1
l. Breast Badge	1
m. Hat Badge	1
n. Collar Brass	1
o. Name Plate	1
p. "Serving Since" Plate	1
q. Whistle Chain	1

LEATHER GEAR	ISSUED
a. Duty Belt w/buckle	1
b. Holster	1
c. Belt keepers	4
d. Baton holder	1
e. Magazine holders	1

f.	Handcuff case	2
g.	Radio holder	1
h.	Glove Pouch	1

EQUIPMENT	ISSUED
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a.	Service Weapon/Pistol	1
b.	Back-up Weapon/Pistol	1
c.	Patrol Rifle	1
d.	Magazines	3
e.	Handcuffs/ Handcuff Key	2 sets
f.	Baton	1
g.	Ammunition	
h.	X26 Taser (or like variant)	1

MISCELLANEOUS ITEMS	ISSUED
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a.	WCSO Policy & Procedure Manual	1 (Electronic)
b.	Portable Radio	1
c.	Mobile Data Computer	1
d.	Cellular Phone	1
e.	Traffic Vest	1
f.	Flashlight	1
g.	Department I.D.	1
h.	Proximity Access Card	1

A. Prohibited Equipment

Any member of the Sheriff's Office found to be in the possession of any of the following items while on duty will face disciplinary actions in accordance with Office policy.

1. Slapjacks
2. Brass Knuckles or Gloves with lead fillings
3. Any Sword/Knife with a blade longer than 8 inches, unless approved by the Sheriff.
4. Any Firearm not previously registered and approved by the Sheriff.
5. Any other piece of equipment capable of inflicting injury on another which is not specifically authorized by procedure is prohibited.

B. Care and Maintenance

Each member of the Office will be responsible for the condition, maintenance, and safekeeping of all items of departmental property and equipment issued or assigned to them. No member will alter, add to, remove, or in any way change parts or accessories of any Office property without permission of the Sheriff or his designee.

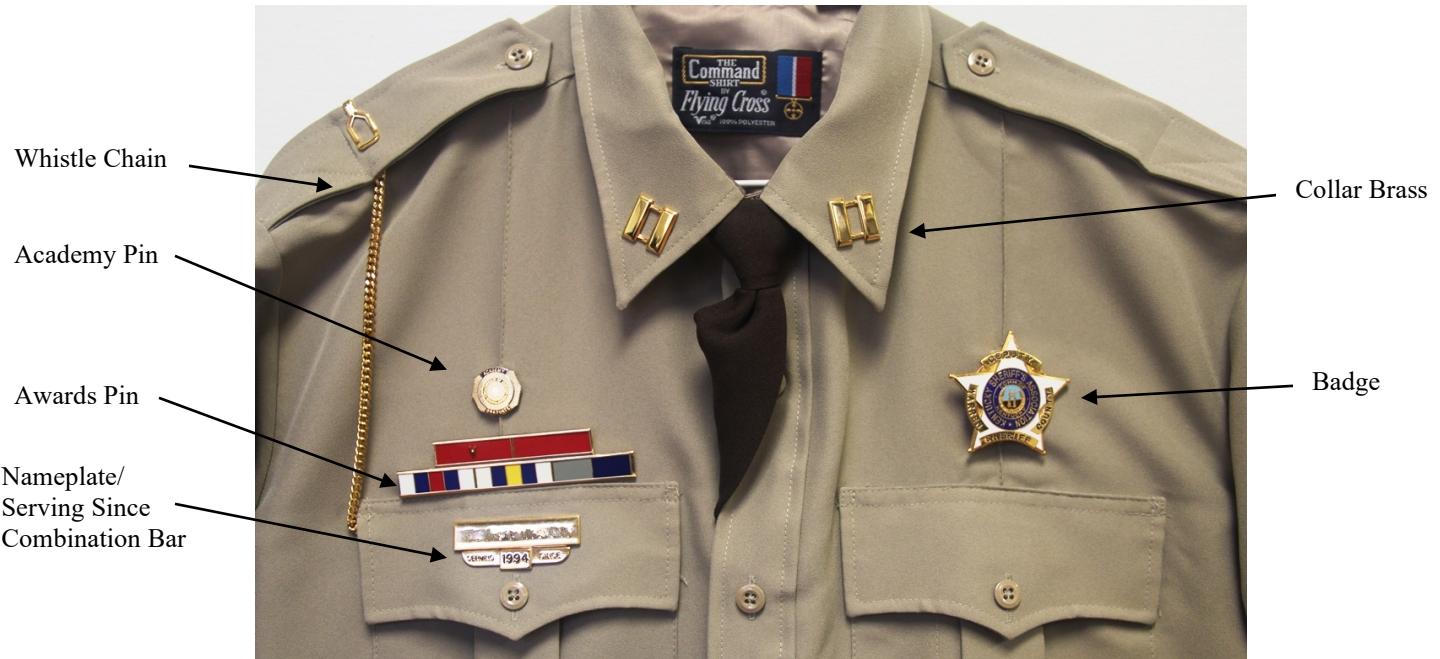
C. Specialized Assignment

Deputies assigned to specialized assignments may require additional uniforms and/ or equipment not issued to other deputies. All items requested must be approved by the Sheriff prior to purchase. All special equipment and uniforms will remain the property of the Warren County Sheriff's Office.

D. Personal Equipment

Any sworn member wishing to use any personal equipment not covered by this policy or purchased by the Office must receive permission by the Sheriff prior to its use.

Warren County Sheriff's Deputy Uniform



Collar Brass



Deputy



Advanced Deputy



Master Deputy



Sergeant



Captain



Major

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 10.05	EFFECTIVE DATE: 05/01/14 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: EMPLOYEE ASSISTANCE PROGRAM		

EMPLOYEE ASSISTANCE PROGRAM

I. POLICY

The Warren County Sheriff's Office provides assistance to employees of the Office exhibiting below standard, unusual or less than professional job performance attributable to trauma or personal stresses rather than negligence, lack of knowledge or illegal behavior. Due to the need to avoid harm to themselves, fellow employees of the department or the general public, and because of the scope of responsibility and consequence of error for positions in the Office, psychological fitness must be maintained at all times. This policy will apply to all Warren County Sheriff personnel until such time it is superseded, revoked or rescinded.

II. IDENTIFICATION OF EMPLOYEE NEEDING ASSISTANCE

- A. Each supervisor is responsible for continuous, daily performance review to enable him/her to assess when an employee has departed from usual or routine behaviors. Supervisors will receive training in the program services, the supervisor's role and responsibilities, and the identification of employee behaviors which would indicate the existence of employee concerns, problems and/or issues that could impact employee job performance.
- B. Job behaviors which may lead a supervisor to conclude that an employee requires mental health assistance are:
 1. A series of sustained citizens' complaints.
 2. Repeated complaints of a similar nature.
 3. Abrupt change in expected response and/or behavior which may be indicative of severe emotional disturbance (excessive and continuous tardiness, absenteeism, sleeping during duty hours, excessive impatience, violent reaction to others, overeating, non-eating, poor personal appearance, smell of alcohol, physical symptoms of drug use).

III.PROCEDURE

A. Department Initiated Referrals

Office authorized psychological services, including diagnostic testing and treatment, may be paid for by the Office when:

1. A supervisor believes that an employee may need psychological assistance; he/she will prepare a written report and submit it to the Sheriff. If the Sheriff concurs, the Sheriff will initiate the referral and diagnostic processes with Office authorized psychological services. The Sheriff will determine, with the supervisor, whether or not the employee needs to be removed from his/her current position.
2. A supervisor suspects alcohol and/or drug abuse, he/she must refer the employee to the Sheriff through a written report.
3. An employee refers him/herself to psychological services through a written request to the Sheriff.
4. An employee is involved in a shooting, accident, or other major incident which results in death or serious injury to any of the parties involved.

B. Psychological Services Process

1. To ensure confidential, appropriate, and timely assessment services, the Sheriff will initiate psychological services for an employee who requests the services or has been referred by a supervisor.
2. Periodically, the Sheriff, the psychologist and the employee's supervisor will review the recommendations of the psychologist as to the placement and status of the employee.

C. Private Physicians and/or Psychological Services

1. Employees of the Office may consult with or receive treatment from their private physician or psychologist without notifying their supervisor. These services will be supported to the extent the employee's medical insurance allows.
2. The Warren County Sheriff's Office offers the Employee Assistance Program (EAP) to its employees needing counseling and/or assistance in dealing with personal problems. The EAP is a valuable resource to obtain confidential and professional assistance. Personal Stresses may include, but are not limited to, health, marital status, family, financial, substance abuse, emotional/stress, and other personal matters.

D. Job Security and Confidentiality

1. All communication between a psychiatrist, psychologist, and/or physician and a member will be considered privileged by the Office except:
 - a. Matters which involve violations of the law.
 - b. Indications that the employee presents an immediate physical danger to him/herself or others.
2. In the event of such occurrences, the Sheriff will be notified, or action taken to ensure the protection of those concerned and the welfare of the Office.
3. Job security and promotional opportunities shall not be jeopardized by an employee's participation in psychological counseling services. However, failure to correct deficiencies in job performance may eliminate promotional consideration or jeopardize continued employment.

E. Peer Counseling

1. Employees are encouraged to seek the assistance of other members of the Office who are willing to listen and have been through similar situations and/or involvements.
2. This will develop awareness among employees of the Office that they are not alone and that others care about them.
3. Peer counseling also provides a referral system to those who seek additional help and do not know where/who to seek.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 10.06	EFFECTIVE DATE: 05/01/14 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: MATERNITY LEAVE		

MATERNITY LEAVE

I. POLICY

The Warren County Sheriff's Office provides maternity leave to eligible female employees. This policy will apply to all Warren County Sheriff personnel until such time it is superseded, revoked or rescinded.

The Warren County Sheriff's Office will not terminate, refuse to hire, or not promote a woman solely because she is pregnant. The Warren County Sheriff's Office treats pregnancy and childbirth the same as other disabilities with regard to benefits.

The reinstatement rights of woman on leave for pregnancy-related reasons, including occurred retirement benefits and accumulated seniority are preserved.

Regular full-time employees are entitled to four weeks maternity leave with pay. Employee benefits will continue during this four week maternity leave period. Additional unpaid leave may be taken in accordance with applicable federal law. The Pregnancy Discrimination Act, an amendment to Title VII of the Civil Rights Act of 1964, shall be followed by Warren County Sheriff's Office..

II. PROCEDURE

The employee shall provide written request for the maternity leave if it is extended by additional paid or unpaid leave.

Warren County Sheriff's Office

GENERAL POLICY

IDENTIFIER

10.07

EFFECTIVE DATE: 05/01/14

REVISION DATE: 02/01/2021

AUTHORIZED BY: Sheriff Brett Hightower

TITLE: MILITARY LEAVE

MILITARY LEAVE

I. POLICY

The Warren County Sheriff's Office will ensure that members of the Office that are in the National Guard, any component of the Armed Forces of the United States or the Reserve Corps of the United States Public Health Service, shall be entitled to leave of absence with full pay. In any one (1) federal fiscal year (October-September) officers or employees, while on military leave, shall be paid their salaries or compensations for a period or periods not exceeding twenty-one (21) calendar days. Any unused military leave in a federal fiscal year shall be carried over to the next year. Any unused military leave shall expire two (2) years after it has accrued.

Warren County Sheriff's Office members attached to Military Reserve Units which are called up to active duty will follow the provisions set forth in the Uniformed Services Employment and Re-employment Rights Act, 38 U.S.C. Section 4301, et seq., Enacted in October 1994.

II. PROCEDURE

The employee shall provide written request for the leave and provide his/her immediate supervisor a copy of their military orders prior to their departure.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 10.08	EFFECTIVE DATE: 05/01/14 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: VOTING LEAVE		

VOTING LEAVE

I. POLICY

The Warren County Sheriff's Office will ensure that members of the Office are given the right to exercise their right to vote. Members will be given ample time off to vote, without loss of pay. In accordance with KRS 118.035, employees shall be allowed up to four hours of time to exercise his/her right to vote.

II. PROCEDURE

If time off is necessary, the member shall notify his/her immediate supervisor prior to Election Day. The Sheriff, or designee, may check the voting records and if the employee requesting leave failed to vote, he/she may be subject to disciplinary action.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 10.09	EFFECTIVE DATE: 05/01/14 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: BEREAVEMENT LEAVE		

BEREAVEMENT LEAVE

I. POLICY

The Warren County Sheriff's Office will ensure that full time employees of the Office are allowed time off for deaths that occur in the member's immediate family. Leave will be granted for bereavement for a period of three days. If the employee is full time, then it will be paid time off. Immediate family is limited to the parents, siblings, grandparents, spouse, children or grandchildren of the member. Members may be granted bereavement leave for the death of family members other than the immediate family at the discretion of the Sheriff. Part-time employees can be granted time off up to 3 days, but without pay.

II. PROCEDURE

If bereavement leave is necessary, the member shall notify his/her supervisor as soon as possible.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 10.10	EFFECTIVE DATE: 05/01/14 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: HOLIDAYS		

HOLIDAYS

I. POLICY

The Warren County Sheriff's Office official holidays will observe the following list of holidays. The holidays will vary from year to year as directed by Warren County Fiscal Court. The following is a list of generally observed holidays:

- The first day of January/New Years Day;
- The third Monday in January/ Martin Luther King Jr. Day
- The Friday before Easter Sunday/Good Friday
- The last Monday in May/Memorial Day;
- The fourth day in July/Independence Day;
- The first Monday in September/Labor Day;
- The eleventh day in November/ Veteran's Day
- The fourth Thursday in November/Thanksgiving Day;
- The fourth Friday in November/the day after Thanksgiving;
- The twenty-fourth day in December/Christmas Eve;
- The twenty-fifth day of December/Christmas Day;
- The thirty-first day of December/New Year's Eve.
- Each inauguration Day for the Governor of Kentucky.

When any holiday listed above falls on Saturday, the preceding business day shall be considered the holiday. When any holiday listed above falls on Sunday, the following business day shall be considered the holiday. In addition to the above, any day may be designated a holiday by proclamation of the Warren County Sheriff.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER	EFFECTIVE DATE: 05/01/14 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: FAMILY AND MEDICAL LEAVE ACT		

FAMILY AND MEDICAL LEAVE ACT

I. POLICY

The Warren County Sheriff's Office will comply with the Family and Medical Leave Act (FMLA).

The United State Department of Labor's Employment Standards Administration, Wage and Hour Division, administers and enforces compliance with all Family and Medical Leave Act (FMLA) for all private, state, and local governments employees, and some federal employees. Most Federal and certain congressional employees are also covered by the law and are subject to the jurisdiction of the United State Office of Personnel Management or the Congress.

FMLA became effective on August 5, 1993, for most employers. If a collective bargaining agreement (CBA) was in effect on that date, FMLA became effective on the expiration date of the CBA or February 5, 1994, whichever was earlier.

FMLA entitles eligible employees to take up to 12 weeks of unpaid, job-protected leave in a 12 month period for specified family and medical reasons. The employer may elect to use the calendar, a fixed 12 month leave or fiscal year, or a 12 month period prior to or after the commencement of leave as the 12 month period.

The law contains provisions on employer coverage; employee eligibility for the law's benefits; entitlement to leave; maintenance of health benefits during leave, and job restoration after leave; notice and certification of the need for FMLA leave; and, protection for employees who request or take FMLA leave. The law also requires employees to keep certain records.

II. EMPLOYER COVERAGE

FMLA applies to all:

1. Public agencies, including state, local and federal employers, local education agencies (schools)
2. Private-sector employers who employed 50 or more employees in 20 or more workweeks in the current or preceding calendar year and who are engaged in

commerce or in any industry or activity affecting commerce – including joint employers and successors of covered employers.

III. EMPLOYEE ELIGIBILITY

To be eligible for FMLA benefits, an employee must:

- 1. Work for a covered employer**
- 2. Have worked for the employer for a total of 12 months**
- 3. Have worked at least 1,250 hours over the previous 12 months**
- 4. Work at a location in the United States or in any territory or possession of the United States where at least 50 employees are employed within 75 miles.**

IV. LEAVE ENTITLEMENT

A. A covered employer must grant an eligible employee up to a total of 12 workweeks of unpaid leave during any 12 month period for one or more of the following reasons:

- 1. For the birth and care of the newborn child of the employee**
- 2. For the placement with the employee of a son or daughter for adoption or foster care**
- 3. To care for an immediate family member (spouse, child, or parent) with a serious health condition**
- 4. To take medical leave when the employee is unable to work because of a serious health condition**

B. Spouses employed by the same employer are jointly entitled to a combined total of 12 work weeks of family leave for the birth and care of the newborn child, for placement of a child for adoption or foster care, and to care for a parent who has a serious health condition.

Leave for birth and care, or placement for adoption or foster care must conclude within 12 months of the birth or placement. Under some circumstances, employees may take FMLA leave intermittently – which means taking leave in blocks of time, or by reducing their normal weekly or daily work schedule.

- 1. If FMLA leave is for birth and care or placement for adoption or foster care, use of intermittent leave is subject to the employer's approval.**
- 2. FMLA leave may be taken intermittently whenever medically necessary to care for a seriously ill family member, or because the employee is seriously ill and unable to work.**

3. Also, subject to certain conditions, employees or employers may choose to use accrued paid leave (such as sick or vacation leave) to cover some or all of the FMLA leave.
 4. The employer is responsible for designating if an employee's use of paid leave counts as FMLA leave, based on the information from the employee.
- C. "Serious Health Condition" means an illness, injury, impairment, or physical or mental condition that involves either:

Any period of incapacity or treatment connect with inpatient care (i.e. an overnight stay) in a hospital, hospice, or residential medical-care facility, and any period of incapacity or subsequent treatment in connection with such inpatient care, or

Continuing treatment by a health care provider which includes any period of incapacity (i.e. inability to work, attend school, or perform other regular daily activities due to any of the following:

1. A health condition (including treatment therefore, or recovery therefrom) lasting more than three consecutive days, and any subsequent treatment or period of incapacity relating to the same condition, that also includes:
 - a. Treatment two or more times by or under the supervision of a health care provider
 - b. One treatment by a health care provider with a continuing regimen of treatment
2. Pregnancy or prenatal care. A visit to the health care provider is not necessary for each absence
3. A chronic serious health condition which continues over an extended period of time, requires periodic visits to a healthcare provider, and may involve occasional episodes of incapacity (e.g. asthma, diabetes). A visit to a health care provider is not necessary for each absence
4. A permanent or long-term condition for which treatment may not be affective (e.g. Alzheimer's, a severe stroke, terminal cancer). Only supervision by a health care provider is required, rather than active treatment
5. Any absences to receive multiple treatments for restorative surgery or for a condition which would likely result in a period of incapacity of more than three days if not treated (e.g. chemotherapy or radiation treatments for cancer).

D. Health Care Provider

1. Doctors of medicine or osteopathy authorized to practice medicine or surgery by the state in which the doctors practice

2. Podiatrists, dentists, clinical psychologists, optometrists, and chiropractors (limited to manual manipulation of the spine to correct a subluxation as demonstrated by x-ray to exist) authorized to practice, and perform within the scope of their practice, under state law
3. Nurse practitioners, nurse-midwives, and clinical social workers authorized to practice, and performing within the scope of their practice, as defined under state law
4. Christian Science practitioners listed with the First Church Christ, Scientist in Boston, Massachusetts
5. Any health care provider recognized by the employer or the employer's group health plan benefits manager

E. Maintenance of Health Benefits

A covered employer is required to maintain group health insurance coverage for an employee on FMLA whenever such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work. If applicable, the agency head, or elected official, shall devise a payment plan in order that the employee shall pay their share of health insurance premiums while on leave. The payment plan shall be signed by the employee, and a copy placed in the employee's personnel file.

In some instances, the employer may recover premiums it paid to maintain health coverage for an employee who fails to return to work from FMLA leave.

F. Job Restoration

Upon return from FMLA leave, an employee must be restored to the employee's original job, or to an equivalent job with equivalent pay, benefits, and other terms and conditions of employment.

In addition, an employee's use of FMLA leave cannot result in the loss of any employment benefit that the employee earned or was entitled to before using FMLA leave, nor be counted against the employee under a "no fault" attendance policy.

Under specified and limited circumstances where restoration to employment will cause substantial and previous economic injury to its operation, an employer may refuse to reinstate certain highly-paid "key" employees after using FMLA leave during which coverage was maintained. In order to do so, the employer must:

1. Notify the employee of his/her status as "key" employee in response to the employee's notice of intent to take FMLA leave
2. Notify the employee as soon as the employer decides it will deny job restoration, and explain the reason for this decision

3. Offer the employee a reasonable opportunity to return to work from FMLA leave after giving this notice
4. Make a final determination as to whether reinstatement will be denied at the end of the leave period if the employee then requests restoration

A “key” employee is a salaried “eligible” employee who is among the highest paid ten percent of employees within 75 miles of the work site.

G. Notice and Certification

Employees seeking to use FMLA leave are required to provide 30 day advance notice of the need to take FMLA leave when the need is foreseeable such notice is practicable.

1. Employers may also require employees to provide:
 - a. Medical certification supporting the need for leave due to a serious health condition affecting the employee or an immediate family member
 - b. Second or third medical opinions (at the employer’s expense) and periodic recertification
 - c. Periodic reports during FMLA leave regarding the employee’s status and intent to return to work
2. When intermittent leave is needed to care for an immediate family member or the employee’s own illness, an is for planned medical treatment, the employee must try to schedule treatment so as not to unduly disrupt the employer’s operation.
3. Covered employers must post a notice approved by the Secretary of Labor explaining rights and responsibilities under FMLA. An employer that willfully violates this posting requirement may be subject to fin of up to \$100 for each separate offense.
4. Also covered employers must inform employees of their rights and responsibilities under FMLA, including giving specific written information on what is required of the employee and what might happen in certain circumstances, such as if the employees fails to return to work after FMLA leave.

H. Unlawful Acts

It is unlawful for any employer to interfere with, restrain, or deny the exercise of any right provided by FMLA. It is also unlawful for an employer to discharge or discriminate against any individual for opposing any practice, or because of involvement in any proceeding related to FMLA.

I. Enforcement

The Wage and Hour Division investigates complaints, if violations cannot be satisfactorily resolved, the United States Department of Labor may bring action in court to compel compliance, and individuals may also bring a private civil action against an employer for violations.

J. Other Provisions

Special rules apply to employees of local education agencies. Generally, these rules provide for FMLA leave to be taken in blocks of times when intermittent leave is needed for the leave is required near the end of a school term.

Salaried executive, administrative, and professional employees of covered employers who meet the Fair Labor Standards Act (FLSA) criteria for exemption from minimum wage and overtime under Regulations, 29 CFR Part 541, do not lose their FLSA-exempt status by using any unpaid FMLA leave. This special exception to the “salary basis” requirements for FLSA’s exemption extends only to “eligible” employees’ use of leave required by FMLA.

The FMLA does not affect any other federal or state law which prohibits discrimination, nor supersede any state or local law which provides greater family or medical leave protection. Nor does it affect an employer’s obligation to provide greater leave rights under a collective bargaining agreement or employment benefits plan. The FMLA also encourages employers to provide more generous leave rights.

K. Further Information

The final rule implementing FMLA is contained in the January 6, 1995, Federal Register. (An interim final rule was published in the Federal Register on June 4, 1993.) For more information, please contact the nearest office of the Wage and Hour Division, listed in most telephone directories under United States Government, Department of Labor, Employment Standards Administration.

Warren County Sheriff's Office

GENERAL POLICY

IDENTIFIER

10.12

EFFECTIVE DATE: 05/01/14

REVISION DATE: 03/01/2020

AUTHORIZED BY: Sheriff Brett Hightower

TITLE: JURY DUTY / COURT TESTIMONY

JURY DUTY / COURT TESTIMONY

I. POLICY

The Warren County Sheriff's Office will ensure compliance with members that receive summons for jury duty. Warren County Sheriff's Office members who are subpoenaed for court in their official capacity shall be compensated for their court testimony and court appearances.

A. Jury Duty

In the event a regular full-time employee is required to serve on a jury, he/she shall be compensated at the normal rate of pay while serving on jury duty. All employees serving on jury duty shall be absent from work only during the times required by the court. The employee shall provide his/her immediate supervisor with an excuse issued by the clerk of the court in which the employee served as a juror. The employee may not be compensated without such excuse. If called for jury duty and released, the employee must return to work for the remainder of the scheduled shift. The employee will receive regular pay, plus whatever pay is received for the jury duty.

B. Court Testimony / Court Appearances

In the event, during the course of their employment, an employee is needed to testify in a court proceeding, and that court proceeding is related to their job duties with the Warren County Sheriff's Office, the employee shall be paid their normal rate of pay during the time in which they are called to testify. The employee shall obtain an excuse or provide court documents and present them to his/her immediate supervisor. If the employee fails to provide proof, the employee may not be paid. If called as a witness and released, the employee must return to work for the remainder of the scheduled shift.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 10.13	EFFECTIVE DATE: 05/01/14 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: AUTOMATED EXTERNAL DEFIBRILLATOR		

AUTOMATED EXTERNAL DEFIBRILLATOR

I. POLICY

The Warren County Sheriff's Office will maintain an automated external defibrillator in the Office.

Warren County Sheriff's Office will maintain the device and training in accordance with the device's manufacturer policy and procedures.

Warren County Sheriff's Office

GENERAL POLICY

IDENTIFIER

10.14

EFFECTIVE DATE: 05/01/14

REVISION DATE: 03/01/2020

AUTHORIZED BY: Sheriff Brett Hightower

TITLE: AMERICANS WITH DISABILITIES ACT

AMERICANS WITH DISABILITIES ACT

I. POLICY

The Warren County Sheriff's Office will provide services in an equal and impartial manner. This policy includes providing services to all persons who have disabilities. This Office shall take steps to protect persons with disabilities from inequitable treatment based on their disability. These disabilities include, but are not limited to mobility impairment, visual impairment, and hearing impairment. Warren County Sheriff's Office staff will make every effort to accommodate persons with disabilities to ensure equal service.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 10.15	EFFECTIVE DATE: 06/01/2016 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: INCLEMENT WEATHER POLICY		

INCLEMENT WEATHER POLICY

I. POLICY

The Warren County Sheriff's Office will follow this policy anytime there is inclement weather resulting in a closing of Warren County Government by the Judge Executive's Office. Non-essential staff of the Warren County Sheriff's Office will not be charged leave time if the Office is closed by the Warren County Judge Executive's Office or at the direction of the Sheriff. Essential staff that works during an inclement weather day will be paid for their hours worked in accordance with the hours required for that work week. Additionally, employees that worked during the closure will also receive hour for hour in their compensatory time to be used at a later date. This accounting of the time shall be well documented and signed by the employee and employee's supervisor.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 10.16	EFFECTIVE DATE: 08/01/2017 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: PROBATIONARY PERIOD		

PROBATIONARY PERIOD

I. POLICY

The probationary period shall be regarded as an important part of the selection process and shall be utilized for closely observing the employee's work, for securing the most effective adjustment of a new employee to their job position and for rejecting any employee whose performance is not satisfactory. Probationary status may be defined as that period during which one's employment may be sustained or terminated by the Sheriff.

The probationary requirement of this policy applies to all regular full-time and regular part-time appointments. A temporary appointment does not require a probationary period. The probationary period is generally one year from the date of hire. However, the one-year probation period for a new patrol Deputy starts on the date of release from their post-academy training program. The employment services of an employee may be extended at the end of the probationary period unless the Sheriff recommends dismissal.

A job performance review will be conducted at the end of the probationary period by the employee's immediate supervisor. Upon successful completion of the probationary period an employee shall become either a regular full-time or regular part-time employee.

At any time during the probationary period, upon recommendation of the immediate supervisor to the appropriate chain of command, the employee may be removed if the performance is deemed unsatisfactory.

As a safeguard against the promotion of employees beyond their capability, the Warren County Sheriff's Office includes a probationary period as the final step in the promotion process. Upon appointment to an existing vacancy, Deputies are on probationary status for one year from date of promotion. Deputies on probation should be closely observed and evaluated. An incumbent's probationary status may be extended or the employee may be returned by the Sheriff to the former rank, depending upon an evaluation of progress. As early as possible during the probationary period, unsatisfactory incumbents should be alerted about their need for improvement and told that lack of improvement would be cause for return to their former rank.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 10.17	EFFECTIVE DATE: 08/01/2017 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: PROBATIONARY PERIOD		

10.17 DRUG AND ALCOHOL FREE WORKPLACE - SUBSTANCE ABUSE POLICY

Purpose and Goal

The Warren County Sheriff's Office is committed to protecting the safety, health and well-being of all employees and other individuals in our workplace. The County recognizes that alcohol abuse and drug use pose a significant threat to county goals. In the interest of assuring the safety of the general public by employing persons in safety sensitive positions that do not abuse illicit substances, illegal drugs, and alcohol, this drug-free workplace policy establishes the balance of respect for individuals with the need to maintain an alcohol and drug-free environment.

Likewise, it is the WCSO's additional purpose(s) and intent to accomplish the following with the establishment of this policy:

- To comply with all requirements of 803 KAR 25:280 regarding the establishment and maintenance of a Drug Free Workplace for the purposes of obtaining Certification from the Department of Worker's Claims.
- As a recipient of Federal funds, to comply with the Drug Free Workplace Act of 1988 (PL100-690, Title V, Schedule D).
- To comply with the Federal Department of Transportation regulations regarding employees holding Commercial Drivers Licenses (CDL).
- To reduce the number of accidents and injuries to employees, other persons, and property.
- To reduce absenteeism and tardiness, and to increase the productivity of all employees of the county.
- To help ensure that the reputation of the WCSO as a whole and of the employees throughout the community.
- In line with County's stated goals and objectives, to provide leadership in helping to stem the tide of the abuse of alcohol, illicit substances, and illegal drugs throughout the County and the Commonwealth of Kentucky as a whole.

It is with these stated goals in mind that the Warren County Sheriff's Office issues this policy, declaring itself a Drug and Alcohol Free Workplace and hereby issues these accompanying rules regarding drug and alcohol use in the workplace. This policy is based upon and created

in direct relationship to the policy established for Warren County employees by the Warren County Fiscal Court.

The unlawful manufacture, distribution, dispensation, possession, or use of alcohol or a controlled or illicit substance is prohibited in the workplace.

Definitions

- **Accident:** an unexpected and undesirable event resulting in damage or harm. For the purposes of this policy, the resulting damage or harm may constitute an injury which requires off-site medical attention be given to a person or damage to a vehicle or other property. Any such incident resulting in the need for a reasonable person to file a police report shall be considered cause for post-accident drug/alcohol testing of the involved employee.
- **Alcohol:** any intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols, including methyl or isopropyl alcohol. This includes over-the-counter and prescribed medications which contain more than one-half (1/2) of one percent (1%) of alcohol by volume.
- **Alcohol concentration:** the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test.
- **Commercial motor vehicle:** a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:
 - Has a gross combination weight of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds; or
 - Has a gross vehicle weight of 26,001 pounds or more; or
 - Is designed to transport 16 or more passengers, including the driver; or
 - Is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which require the motor vehicle to be placarded under the Hazardous Materials Regulations (49 CFR 172(f)).
- **Controlled substance:** has the meaning as assigned by 21 U.S.C. 802 and includes all substances listed on Schedule I through V as they may be revised from time to time (21 CFR 1308). See also *Drug*.
- **Driver:** any person who operates a commercial motor vehicle. This includes, but is not limited to: full time, regularly employed drivers; casual, intermittent or occasional drivers; leased drivers and independent, owner operator contractors who are either directly employed by or under lease to any employer or who operate a commercial motor vehicle at the direction of or with the consent of an employer.

- **Drug:** a controlled substance as defined in KRS 218A.010(5) and as established in 902 KAR Chapter 55, including:
 - Amphetamines
 - Cannabinoids (THS)
 - Cocaine
 - Opiates
 - Phencyclidine (PCP)
 - Benzodiazepines
 - Propoxyphene
 - Methaqualone
 - Methadone
 - Barbiturates
 - Synthetic Narcotics
 - Illicit Substances as defined in KRS 351.010
 - Volatile Substances as defined in KRS 217.900(1)
- **Drug or Alcohol Rehabilitation Program:** a service provider that provides confidential, timely, and expert identification, assessment, treatment and resolution of employee drug or alcohol abuse.
- **Drug Test:** a chemical, biological, or physical instrumental analysis administered by a qualified laboratory, for the purpose of determining the presence or absence of a drug or its metabolites or alcohol pursuant to standards, procedures, and protocols established by the U.S. Department of Health and Human Services Substance Abuse and Mental Health Services Administration (SAMHSA).
- **Employee:** an individual employed by the County.
- **Illicit Substance:** those prescription drugs used illegally or in excess of therapeutic levels as well as illegal drugs.
- **Medical Review Officer {MRO}:** a licensed physician with knowledge of substance abuse disorders, laboratory testing, and chain of custody collection procedures, and who has the ability to verify positive, confirmed test results. The MRO shall possess the necessary medical training to interpret and evaluate a positive test result in relation to the person's medical history or any other relevant biomedical information.
- **Qualified Laboratory:** a laboratory certified in accordance with the National Laboratory Certification Program (NLCP) by the U.S. Department of Health and Human Services Substance Abuse and Mental Health Services Administration (SAMHSA).

- **Random Selection Process:** means that alcohol and drug tests are unannounced. Tests conducted annually for employees who are CDL drivers shall equal or exceed twenty-five percent (25%) for alcohol tests and fifty percent (50%) for drug tests of the total number of drivers subject to testing.
- **Reasonable Suspicion:** a belief that an employee is using or has used drugs or alcohol in violation of this policy, drawn from specific, objective, and articulable facts and reasonable inferences drawn from those facts in light of experience, training, or education. Reasonable Suspicion may be determined by two or more supervisory personnel who will attest to their observations. The Executive Authority will make the final determination.
- **Refusal to Submit:** the failure to provide adequate breath for testing without a valid medical explanation after the employee has received notice of the requirement for breath testing; refusal to take the required test(s) or the failure to provide adequate urine for controlled substances testing without a valid medical explanation after the employee receives notice of the requirement of urine testing; and/or engaging in conduct that clearly obstructs the testing process.
- **Safety Sensitive Position(s):** those jobs that would involve exceptional care and due diligence in the area of Public Safety to the County's citizenry and to all employees of Warren County. This includes any employee who performs a duty(s) that requires a CDL or any employee that holds a CDL or other classifications identified within the random selection section of this policy.
- **Substance Abuse Professional:** a licensed or certified psychologist, social worker, employee assistance professional or addition counselor with knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substance-related disorders.
- **Volatile Substance:** any glue, cement, paint or other substance as described in KRS 217.900(1).

Covered Workers

Any individual who conducts business for the County, is applying for a position or is conducting business on the County's property is covered by our drug-free workplace policy. This policy includes, but is not limited to supervisors, full-time employees, part-time employees, off- site employees, contractors and applicants.

Applicability

The drug-free workplace policy is intended to apply whenever anyone is representing or conducting business for the WCSO. Therefore, this policy applies whenever conducting business or representing the WCSO. This policy applies during all working hours, while on

call or paid standby and while performing work on behalf of the WCSO while on or off County property. Additionally, applicants for such WCSO employment are subject to pre-employment drug testing. It also applies to all WCSO employees with special provisions designated to those employees identified as holding Safety Sensitive positions. These positions are ones in which their performance requires an extra degree of care and diligence in the area of safety to the community.

Those positions identified as Safety Sensitive include, but not limited to:

- WCSO sworn deputies.
- Personnel driving CDL regulated vehicles.
- Any personnel operating County owned vehicles.
- Any personnel assigned to handle evidence.

NOTE: The positions identified above as being "Safety Sensitive" include, but are not limited to, those regulated under 49 CFR 40. While this program includes those federally mandated employees, this Drug and Alcohol Free Workplace Policy is not intended to replace and shall be separate from any Drug and Alcohol Free Workplace Policy previously adopted and implemented by the County which may have included only federally regulated employees.

Policy Requirements

1. Training

The County shall conduct substance abuse awareness training for all employees. This substance abuse awareness training shall consist of the following minimum requirements:

- Upon a conditional offer of employment, each applicant shall be provided a copy of and will be asked to read the Court's Drug & Alcohol-Free Workplace policy. All current employee will also be asked to read and sign an acknowledgement of the drug and alcohol free policy.
- Initial training shall consist of at least 1-hour for all employees.
- Annual refresher training should be conducted for all employees in substance abuse awareness and should consist of no less than thirty (30) minutes.
- All alcohol and substance abuse awareness training shall include, at a minimum, information concerning:
 - Alcohol and drug testing policy and procedures;
 - The effects of alcohol and drug use on an individual's health, work and personal life;
 - The disease of alcohol or drug addiction;

- Signs and symptoms of an alcohol and drug problem;
 - The role of co-workers and supervisors in addressing alcohol or substance abuse; and
 - Referrals to an employee assistance program.
- In addition to all of the above training, all supervisory personnel shall receive an additional thirty (30) minutes each year of alcohol and substance abuse education and awareness training. This additional supervisory training shall consist of at least, all of the following:
 - Recognizing the signs of alcohol and substance abuse in the workplace;
 - How to document signs of employee alcohol or substance abuse;
 - How to refer employees to an employee assistance program or other alcohol and substance abuse treatment program; and
 - Legal and practical aspects of Reasonable Suspicion testing for the presence of drugs and alcohol.

DRUG AND ALCOHOL TESTING

The WCSO utilizes a designated laboratory as its laboratory of choice for the collection of urine samples in the case of testing for controlled substances, and for the administration of breathalyzer tests for alcohol concentration. This designated laboratory is also the WCSO's third-party administrator of choice for the random selection category of testing. Employees are selected using a statistically valid method of selection of specific employee codes. This random testing will be reasonably spaced over a twelve (12) month period. Because of the random nature of the selection process, any employee may be tested more than once, or not at all. Once collected, all urine samples are forwarded for analysis to different laboratory, which is a laboratory approved by the National Laboratory Certification Program (NLCP) under the United States Department of Health and Mental Services Substance Abuse and Mental Health Services Administration (SAMHSA).

The WCSO shall administer alcohol and drug tests in circumstances which include but may not be limited to the following:

Pre-Employment Testing

Breath alcohol and urine drug testing shall be required of all new hire applicants after their receipt of a conditional offer of employment. After receiving the conditional offer of employment, applicants will have twenty-four (24) hours in which to submit to testing at a testing facility of the WCSO's choosing. The WCSO requires that every newly hired employee

test free of controlled substances and have a breath alcohol concentration of not more than 0.02. Each offer of employment by the WCSO shall be conditional upon the passing of controlled substance and alcohol tests.

Refusal by any applicant for employment with the WCSO to take the controlled substance test will result in the conditional offer of employment being withdrawn. All testing under this policy will be in accordance with testing protocols described elsewhere in this policy.

- An applicant with a confirmed positive test for controlled substances and/or breath alcohol in a concentration of 0.02 or greater which is not legitimately explained to and accepted by a Medical Review Officer, will not be considered for employment.
- Any applicant who fails a controlled substance or breath alcohol test may not be considered for future employment with the County.
- Any applicant who refuses to take a controlled substance or breathe alcohol test will be disqualified from future consideration for employment.
- Any applicant who tampers with, or attempts to tamper with, a urine specimen in any manner shall be disqualified from current and future consideration of employment with the County.
- An applicant whose positive test is confirmed and upheld by the Medical Review Officer (MRO) may request that the same sample be retested at her/his own expense at a County approved laboratory.

Individuals undergoing pre-employment testing shall not begin official employment with the WCSO until after all test results are received and shown to be negative.

Random Testing

Employees in a Safety Sensitive position will be required to participate in a statistically valid, unannounced random selection process, which will subject them to mandatory drug and/or alcohol testing. This category of testing will conduct random tests for alcohol at a rate of no more than ten percent (10%) for non-federally regulated Safety Sensitive positions. Employees holding positions in which a Commercial Driver License (CDL) is required, must also be tested at a minimum rate of ten percent (10%) for alcohol annually to satisfy Department of Transportation (DOT) requirements. In the case of random testing for drug use, non-federally regulated Safety Sensitive positions will be tested at a rate of no more than ten percent (10%). Employees holding positions in which a CDL is required, must be tested for drugs at a rate fifty percent (50%) annually to satisfy DOT requirements. All employees in federally regulated Safety Sensitive positions shall be selected from a pool that is

separate from the random selection pool for other non-federally regulated Safety Sensitive positions. The County Judge-Executive shall utilize a third party to conduct the random selection of Safety Sensitive employees, including employees holding a CDL, to be tested. This random testing shall be unannounced and will take place throughout each calendar year. Safety Sensitive employees are selected using a statistically valid, random method of selection using specific employee codes. Because of the random nature of this testing process, Safety Sensitive employees may be selected for testing more than once or not at all. Once an employee is notified that he/she has been selected for testing, the employee must proceed immediately to the testing site of County's choosing

NOTE: Employees in Non-Safety Sensitive positions will be included in the random selection pool. Non-Safety Sensitive employees will also be subject to testing for other reasons. Procedures and protocols for "Reasonable Suspicion", "Post Accident", "Return-to-Duty" and "Follow-up" testing all of which testing types are described elsewhere in this policy will apply in their case.

Reasonable Suspicion Testing

A reasonable suspicion test shall be based on a belief that an employee is using or has used drugs or alcohol in violation of this policy, drawn from specific objective facts and reasonable inferences drawn from those facts in light of experience, training or education. The reasonable suspicion testing shall be based upon:

- While at work, direct observation of drug or alcohol use or of the physical symptoms or manifestations of being under the influence of a drug or alcohol;
- While at work, abnormal conduct, erratic behavior, or a significant deterioration in work performance;
- A report of drug or alcohol use provided by a reliable and credible source;
- Evidence that an individual has tampered with a drug or alcohol test during employment with the WCSO;
- Information that an employee has caused, contributed to, or been involved in an accident while at work;
- Evidence that an employee has used, possessed, sold, solicited, or transferred illegal or illicit drugs or used alcohol while on the WCSO's premises or while operating the County's vehicle, machinery or equipment.

The Sheriff or his/her designee shall be notified immediately of any indication of reasonable suspicion. Both the observing supervisor and the Sheriff or his/her representative will review the policies and procedures herein and if necessary make arrangements with a testing facility of the WCSO's choosing to conduct reasonable suspicion drug and/or alcohol testing as soon as possible.

When a reasonable suspicion test is ordered, the employee must submit to testing within 45 minutes of being notified that he/she will be tested. The observing supervisor and/or

designee shall remain at the testing site with the employee being tested, until the collection process is completed. Any employee who is tested for reasonable suspicion shall be placed on leave with pay until the results of the test are known. After submitting to the drug/alcohol test, the employee may not return to work until the results of the test are known and only then if the results are negative. Only the Sheriff or his/her authorized designee may order a reasonable suspicion test.

Post-Accident Testing

Drug and alcohol testing will be conducted following an employee's involvement in an accident in which property damage occurs, on or off the WCSO's premises while on duty, or in the course of employment for the WCSO, or which requires off-site medical attention be administered to a person.

Qualifying Event Exception:

Due to varying types of accident cause, all accidents categorized as a "qualifying event" may not require post-accident testing. Exceptions to the "qualifying event" for requiring post-accident drug and alcohol testing will include, but may not be limited to the following types of accidents:

- Injuries whose onset is cumulative or gradual - such as carpal tunnel syndrome, progressive hearing loss, mental disorders, dermatitis, respiratory diseases, skin disorders, etc.
- Injuries where the employee can be completely discounted as the contributing factor (i.e. injuries caused by a third party or some other uncontrollable force or event such as weather, insects, toxic plants, etc.)
- Injuries where the employee can be completely discounted as the major contributing factor or those injuries occurring during physical fitness or a training event, in which the employee did everything within reason to avoid the injury accident, (i.e. was performing training as instructed).

In each case, the Sheriff or his/her designee shall determine the necessity of drug and alcohol testing and shall communicate such testing with the involved employee and the employee's respective supervisor. The Sheriff or his/her designee shall coordinate all required tests with the appropriate medical facilities. An employee involved in an accident while on an out-of-town assignment, shall notify their supervisor or the Chief Deputy as soon as possible but no later than two (2) hours after the accident occurred. The supervisor shall notify the Sheriff or her/his designee to discuss possible drug/alcohol testing requirements.

Other Qualifying Event:

The supervisor or his/her designee shall request controlled substance/breath alcohol testing when an employee caused or cannot be completely discounted from causing a vehicular or any other type of accident in which death, serious bodily injury or major property damage did result or could have resulted. If a post-accident controlled substance/breath alcohol test is required, a confirmed positive test result will result in the employee's immediate termination.

Return-To-Duty Testing

Warren County maintains a "No Tolerance" policy for drugs and/or alcohol. "No Tolerance" means that once you are selected for a drug or alcohol test, should your test be positive, without a valid medical or bio-medical reason as confirmed by a Medical Review Officer, you will be immediately terminated from your employment with the WCSO.

Only in circumstances in which the employee *voluntarily* elects to seek assistance for a substance abuse problem through the Employee Assistance Program prior to being selected for a test, completes whatever form of treatment a Substance Abuse Professional recommends and is willing to sign a Return to Work/Treatment Plan Agreement, will the WCSO consider allowing the employee to return to work after treatment is successfully completed as confirmed by a Substance Abuse Professional.

In all cases, it shall be at the discretion of the WCSO, subject to all applicable laws and regulations, as to whether to allow an employee to return to work. In the event that an employee who has voluntarily sought assistance, prior to being selected for a controlled substance or breath alcohol test is allowed to enter a controlled substance/alcohol abuse rehabilitation program, the employee may be allowed to return to work only under the following circumstances.

- a. The employee may resume regular duties only after the employee tests negative in an alcohol and/or controlled substance test administered by the WCSO-approved laboratory and can provide a release to return to work from an appropriate substance abuse treatment facility or confirmation of continued and on-going participation in a WCSO recognized substance abuse assistance program. An employee must test negative within a reasonable period of time from receipt of the initial test results not to exceed forty-five (45) days. Any repeat occurrence of substance abuse or violation of any other aspect of the County's Drug Free Workplace Policy will result in immediate termination.
- b. Prior to returning to work, the employee shall be required to meet with the Sheriff or his/her authorized designee to receive an explanation of the terms

of continued employment; and to sign a written *Return- To-Work/Treatment Plan Agreement*, detailing the terms under which the employee will be allowed to return to work. Such agreement shall stipulate that the employee, at the WCSO's request, may be required at any time, to submit to interviews and/or evaluation by the professional staff at an appropriate chemical dependency treatment facility approved by the WCSO's Employee Assistance Program (EAP). The return-to-work agreement will also stipulate that the employee be required to submit to unannounced controlled substance and/or alcohol testing for up to twelve (12) months after resuming duties.

Follow-up Testing

Any employee returning to work from successful completion of an Employee Assistance Program for drug and/or alcohol- related problems, or a drug and/or alcohol rehabilitation program, shall be required to undergo one (1) year of quarterly drug and alcohol testing. The frequency of the follow-up testing shall consider recommendations of any involved Substance Abuse Professional (SAP) but shall be not less than once per quarter (every three months) for at least one (1) year. All follow-up testing may be requested at any time and shall be unannounced.

Testing Protocol

The collection of samples and administration or drug and alcohol tests shall follow all standards, procedures and protocols set forth by the U.S. Department of Health and Human Services Substance Abuse and Mental Health Administration (SAMHSA). Test results will be obtained by a qualified laboratory as defined elsewhere in this policy and results shall undergo a medical review as follows:

- All test results shall be submitted for medical review by a Medical Review Officer (MRO) of the WCSO's choosing, who shall consider the medical history of the employee or applicant, as well as relevant biomedical information.
- If there is a positive test result, the employee or applicant will be given an opportunity to report to the MRO the use of any prescription or over-the-counter medication.
- If the MRO determines that there is a legitimate medical explanation for a positive test result, the MRO may certify that the test results do not indicate the unauthorized use of alcohol or a controlled substance.
- If the MRO determines, after appropriate review, that there is not a medical explanation for the positive test result other than the unauthorized use of alcohol or a prohibited drug, the MRO shall refer the individual tested to the Sheriff or his/her authorized representative for further proceedings in accordance with the County's Drug Free Workplace Policy.

Note: MRO determinations concerning the use of alcohol or a controlled or illicit substance shall comply with all procedures outlined in the U. S. Department of Health and Human Services (SAMHSA) "Medical Review Officer Manual for Federal Drug Testing Programs".

Testing Process

Employees shall report to the collection site of the WCSO's choosing immediately after being provided the notification to test. In the case of reasonable suspicion testing, a supervisor or designee shall escort the employee to the collection site. Drug testing will be conducted by urine sample while alcohol testing will be analyzed using a breath alcohol testing/screening device. Drug and alcohol analysis will be performed by a trained technician.

To ensure that the test specimen is actually that of the donor, collection site staff will require positive identification of the test subject. To ensure the accuracy and fairness of our testing program, all testing will be conducted according to Substance Abuse and Mental Health Services Administration (SAMHSA) guidelines where applicable and will include a screening test; a confirmation test; the opportunity for a split sample; review by a Medical Review Officer, including the opportunity for employees who test positive to provide a legitimate medical explanation, such as a physician's prescription, for the positive result; and a documented chain of custody.

All drug-testing information will be maintained in separate confidential records.

Alcohol

The WCSO shall require all tests for alcohol to be performed by a Certified Breath Alcohol Technician (BAT).

Drugs

An eleven (11) panel urine test will be conducted and shall include analysis for the following substances:

- Amphetamines;
- Cannabinoids (THC);
- Cocaine;
- Opiates;
- Phencyclidine (PCP);
- Benzodiazepines;
- Propoxyphene;
- Methaqualone;
- Methadone;
- Barbiturates;
- Synthetic Narcotics

Each employee, as a condition of employment, will be required to participate in pre-employment, random, post-accident, reasonable suspicion, return-to-duty and follow-up testing upon selection or request of management.

Any employee who tests positive will be immediately removed from duty, referred to a substance abuse professional for assessment and recommendations, required to pass a Return-to-Duty test and sign a Return-to-Work Agreement, subject to ongoing, unannounced, follow-up testing for a period of five years and terminated immediately if he/she tests positive a second time or violates the Return-to-Work Agreement.

An employee will be subject to the immediate termination of employment if he/she refuses the screening or the test, adulterates or dilutes the specimen, substitutes the specimen with that from another person or sends an imposter, fails or declines to take a second drug test when directed, will not sign the required forms or refuses to cooperate in the testing process in such a way that prevents completion of the test.

Prohibited Behavior

It is a violation of the drug-free workplace policy to use, possess, sell, trade, and/or offer for sale alcohol, illegal drugs or intoxicants.

Prescription and over-the-counter drugs are not prohibited when taken in standard dosage and/or according to a physician's prescription. Any employee taking prescribed or over-the-counter medications will be responsible for consulting the prescribing physician and/or pharmacist to ascertain whether the medication may interfere with safe performance of his/her job. If the use of a medication could compromise the safety of the employee, fellow employees or the public, it is the employee's responsibility to use appropriate personnel procedures (e.g., call in sick, use leave, request change of duty, notify supervisor, notify company doctor) to avoid unsafe workplace practices.

The illegal or unauthorized use of prescription drugs is prohibited. It is a violation of the WCSO's Drug-Free Workplace Policy to intentionally misuse and/or abuse prescription medications. Appropriate disciplinary action will be taken if job performance deterioration and/or other accidents occur. The WCSO reserves the right to define and interpret prohibited activities that specifically include, but may not be limited to:

Alcohol

Prohibited conduct involving the use of alcohol includes the following:

- The performance of or being immediately available to perform work duties while having an alcohol concentration greater than 0.02.
- The consumption of alcohol or products containing alcohol during the performance of or being immediately available to perform work responsibilities.

- In the case of Safety Sensitive employees, containing alcohol during the performance of or being immediately able to perform Safety Sensitive work responsibilities. This includes the possession of medicines containing alcohol (prescription or over-the-counter) unless the seal is unbroken and/or the medication is prescribed by a licensed physician, and said physician has confirmed the necessity of the Safety Sensitive employees' said possession of the prescribed substance containing alcohol and has confirmed that the use of such substance will not deter from the employees ability to safely perform assigned Safety Sensitive responsibilities. In the latter case, a *Prescription Drug Notification Form* must be on file with the WCSO.
- The performance of, or being immediately available to perform those responsibilities designated as Safety Sensitive, within four hours after using alcohol.
- The transportation and/or possession of alcoholic beverages (open or closed containers) within County owned vehicles or equipment unless functioning within the scope of their official duties.
- The use of alcohol for eight hours immediately following an accident requiring a post-accident alcohol test or until a post-accident test is administered, whichever occurs first.
- Refusal to submit or cooperate with any of the required testing types.
- The operation of a County owned vehicle following consumption of alcoholic beverages shall be considered a violation of this policy and shall result in disciplinary action.

NOTE: Employees attending training programs and/or conferences related to their employment with the County may participate in social functions associated with the program or conference. If alcoholic beverages are present at the social function and the employee chooses to engage in consumption of said beverage(s), they shall do so at their own discretion. Employees who choose to engage in the consumption of alcoholic beverages as part of a work related social function shall do so in a responsible manner, maintaining a conduct that would not reflect adversely upon the County. Any unbecoming conduct by an employee who has chosen to consume alcohol at such conference or training program that has an adverse effect upon the County will be subject to disciplinary action up to and including termination of employment.

NOTE: Alcohol includes any intoxicating agent in beverage alcohol, methyl, and isopropyl alcohol whether used for medicinal purposes or not. Many over-the-counter and prescription medications contain high percentages of alcohol.

Drugs or Controlled Substances

Prohibited conduct involving the use of drugs or controlled substances includes, but may not be limited to, the following:

- a. Prescription and over-the-counter drugs are not prohibited when taken in standard dosage and/or according to a physician's prescription. However, any Safety Sensitive employee taking prescribed or over-the-counter medications will, in all cases, be responsible for consulting the prescribing physician and/or pharmacist to ascertain whether the medication may interfere with the safe performance of his/her Safety Sensitive job duties. Prior to initiating usage after such medications are prescribed, the Safety Sensitive employee shall submit a *Prescription Drug Notification Form* to their immediate supervisor who shall in turn, submit it to the Sheriff or his/her designee as soon as possible.

After receiving such form, the County Judge-Executive or his/her authorized designee may request written medical authorization showing the Safety Sensitive employee may possess/use such medication, that it was used in the prescribed manner and showing the Safety Sensitive employee is fit to safely perform Safety Sensitive assigned duties. If the use of such medication could compromise the safety of the Safety Sensitive employee, fellow employees, or the public at large, it is the Safety Sensitive employee's responsibility to use appropriate personnel procedures (e.g., call in sick, annual leave, request change of duty and notify his/her supervisor) to avoid unsafe workplace practices. No prescription drugs shall be brought onto County property, or consumed on County property by anyone other than the individual for whom the drugs have been prescribed by a licensed medical practitioner. The illegal or unauthorized use of prescription drugs is strictly prohibited. It is a violation of the WCSO's Drug Free Workplace Policy to intentionally misuse and/or abuse prescription medications.

Appropriate disciplinary action will be taken if job performance deterioration and/or other accidents occur as the result of the intentional misuse and/or abuse of prescription medication.

The WCSO reserves the right to have a designated physician of its choosing to determine if a prescription drug or medication produces effects that would be considered unacceptable in the performance of assigned Safety Sensitive work duties. The designated physician has final determination on whether the medication will have or is having an unacceptable effect on the Safety Sensitive employee's performance of duties. In such instances of temporary impediment to safe performance of regular Safety Sensitive duties, the Safety Sensitive employee may be temporarily reassigned to duties requiring a lesser safety awareness level if such duties are available.

All doctor's statements and related medical information shall be confidential and maintained in a separate medical file in the office of the Sheriff.

- Testing positive for any of the prohibited substances during the performance of or upon being immediately available to perform work responsibilities.
- The performance of or being immediately available to perform Safety Sensitive work responsibilities while using any controlled substance, except when the use is under the instructions of a physician who has advised that the

- use will not adversely affect the Safety Sensitive user's ability to safely perform Safety Sensitive responsibilities as assigned.
- In the case of Safety Sensitive employees, having in possession, drugs or controlled substances except during the course of their official duties or when the use is under the instructions of a physician who has advised that the use will not adversely affect the Safety Sensitive user's ability to safely perform Safety Sensitive responsibilities as assigned during the performance of or being immediately available to perform Safety Sensitive work responsibilities.
 - Refusal (as defined elsewhere in this policy) to cooperate with any of the requested testing types.
 - Tampering with or attempting to alter, or actual altering of a test specimen is strictly prohibited and is grounds for immediate termination from employment with the WCSO.

Volatile Substances

The intentional misuse, manufacture, sale, distribution, dispensation, or possession of a volatile substance as defined in KRS 217.900 which includes any glue, cement, paint or other substance containing a solvent or chemical having the property of releasing toxic vapors or fumes which when intentionally inhaled may cause a condition of intoxication, inebriation, stupefaction, dulling of the brain or nervous system, or distortion or disturbance of auditory, visual, or mental processes while at work, while on County property, or while conducting County business while off County property, is strictly prohibited and is considered cause for immediate discipline, up to and including termination.

Consequences

One of the goals of our drug-free workplace program is to encourage employees to voluntarily seek help with alcohol and/or drug problems. If, however, an individual violates the policy, the consequences are serious.

In the case of applicants, if he or she violates the drug-free workplace policy, the offer of employment can be withdrawn. The applicant may reapply after six months and must

successfully pass a pre-employment drug test.

If an employee violates the policy, he or she will be subject to progressive disciplinary action up to immediate termination of employment and may be required to enter rehabilitation. An employee required to enter rehabilitation who fails to successfully complete it and/or repeatedly violates the policy will be terminated from employment. Nothing in this policy prohibits the employee from being disciplined or discharged for other violations and/or performance problems.

Return-to-Work Agreements

Following a violation of the dmg-free workplace policy, an employee may be offered an opportunity to participate in rehabilitation. In such cases, the employee must sign and abide by the terms set forth in a *Return-to-Work Agreement* as a condition of continued employment.

Assistance

Alcohol and dmg abuse and addiction are recognized as diseases responsive to proper treatment. The County provides a level of care through its Employee Assistance Program (EAP). It also realizes that early intervention and support improve the success of rehabilitation. To support the employees, the County's Dmg-Free Workplace Policy:

- Encourages employees to seek help if they are concerned that they or their family members may have a dmg and/or alcohol problem.
- Encourages employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help.

Treatment for alcoholism and/or other chug use disorders may be covered by the employee benefit plan. However, the ultimate financial responsibility for recommended treatment belongs to the employee.

Employees who voluntarily report a substance abuse problem *prior* to being required to take a controlled substance or alcohol test as defined in this policy, will not be subject to disciplinary action if they voluntarily and conscientiously seek substance abuse assistance and agree to a treatment plan. However, such an employee must understand that if the problem is not corrected and satisfactory job perfonnance is not maintained, he or she will be subject to disciplinary action up to and including termination of employment. Failure to seek such assistance, or failure to abide by the terms of the treatment plan, shall be grounds for termination. Upon voluntarily reporting a substance abuse problem, the employee will be required to sign a *Substance Abuse Treatment Plan Return- to-Work Agreement Form* that will further define conditions of continued employment.

Confidentiality

All information received by the County through the drug-free workplace program is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

The County shall maintain records and documents of all alcohol and drug test results, schedules for follow-up tests and records relating to evaluation and referrals. These records shall be maintained for a period of at least five (5) years. The County shall provide test result information or other pertinent information relating to an applicant or existing employee's alcohol or controlled substance tests upon the applicant or existing employee's written request, and shall do so within five (5) working days of being notified of the request.

Policy Administration and Enforcement

It shall be the responsibility of the County Judge-Executive to administer and enforce this policy. This policy and its programs are not to be interpreted or modified by any other County supervisor or Department Head.

Responsibility

While it is ultimately the County's legal, ethical, and moral responsibility to create and maintain a safe and productive drug-free workplace for its employees, and the citizens of County, such safety is achieved through cooperation and shared responsibility. Both employees and management have important roles to play.

All employees are required to not report to work or be subject to duty while their ability to perform job duties is impaired due to on- or off-duty use of alcohol or other drugs.

In addition, employees are encouraged to:

- Be concerned about working in a safe environment.
- Report dangerous behavior to their supervisor.

It is the supervisor's responsibility to:

- Inform employees of the drug-free workplace policy.
- Observe employee performance.
- Investigate reports of dangerous practices.
- Document negative changes and problems in performance.
- Counsel employees as to expected performance improvement.
- Clearly state consequences of policy violations.

Communication

Communicating the drug-free workplace policy to both supervisors and employees is critical

to its success. To ensure all employees are aware of their role in supporting the County's drug- free workplace program:

- All employees will receive a written copy of the policy.
- The policy will be reviewed in orientation sessions with new employees.
- The policy and assistance programs will be reviewed at safety meetings.

- Every supervisor will receive training to help him/her recognize and manage employees with alcohol and other drug problems.

NOTE: The County Fiscal Court may change, modify, amend or rescind any part of this policy at any time that deals with the actual administration of the policy itself However, changes may not be made to the policy that would circumvent any requirements associated with 803 KAR 25:280.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 11.01	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: GRIEVANCE PROCEDURE		

GRIEVANCE PROCEDURE

I. POLICY

The Warren County Sheriff's Office ensures that employee's complaints arising from misunderstandings and application of policies, procedure and work rules are to be promptly heard, answered and action taken appropriate to the particular situation. The department wishes to provide fair, equitable and clearly defined means for the resolution of complaints. This policy will apply to all Warren County Sheriff personnel until such time it is superseded, revoked or rescinded.

II. PURPOSE

- A. To identify and attempt to solve differences between employee and employer, the Office will formally recognize conflicts within the Office and offers a structured method to resolve these conflicts.
- B. All employees, including probationary, shall have the right to file complaints without prejudice. No employee shall be disciplined, harassed or dealt with in any unfair manner as a result of filing a complaint or testifying in a complaint hearing.
- C. Nothing in this policy is intended to deny employees any rights available by law to have redress to their legal rights, and/or their right to appeal to the Kentucky Civil Rights Commission, the Equal Employment Opportunity Commission or any court of competent jurisdiction. However, once an employee elects as his/her remedy the provisions or procedures of any of the above-named commissions or courts, he/she is denied the remedy of the complaint procedure provided herein.

III. DEFINITIONS

- A. GRIEVANCE – a disagreement between an employee and management as to the interpretation or application of official policies, ordinances, anything subject to state or federal law, departmental rules and regulations, or other disagreements perceived to be unfair or inequitable relating to discipline, treatment, or other conditions of employment.
- B. COMPLAINANT – An Office member who feels unjustly or unfairly affected by a circumstance and who desires to bring the matter to higher authority for resolution.
- C. GRIEVANCE PROCEDURE – An element of the Office's formal personnel system designed to resolve differences between the employee and employer.
- D. WORKING DAYS – For the purposes of this policy, the term shall mean all days that the Warren County Sheriff's Offices are open to the general public for normal business purposes.

IV. PROCEDURE

A. Administrative Guidelines

1. Notification of Employees

A copy of the grievance procedure, clearly stating the steps, time limits and the individual management personnel involved in each step, shall be issued to all employees and included in their procedure manuals. All employees shall sign a statement that they have seen and have knowledge of the complaint procedure.

2. Dispositions

Complaints are to be settled at the earliest possible step of the procedure. The employee must proceed through all steps of the complaint procedure in proper order and within the prescribed time limits, except as otherwise noted.

3. Waiver of Time Limits

Time limits as set forth in the procedure may be extended by mutual agreement of the parties in writing.

4. Forms

All grievances filed under this procedure shall be written using the following format:

- a. A written statement of the grievance and the facts upon which it is based;
- b. A written allegation of the specific wrongful act and harm done; and
- c. A written statement of the remedy or adjustment sought.

5. Health and Safety Complaints

Complaints relating issues of health or safety shall be expedited through the steps of the procedure.

6. Coordination of Grievance Procedures

The Sheriff or his designee shall be responsible for the coordination of the grievance procedures in the Sheriff's Office.

7. Completed grievance records shall be filed in the employee's personnel file in the Sheriff's Office.

B. Procedures in Grievance Resolution

1. Within five (5) calendar days after the occurrence or condition giving rise to an issue, the affected employee shall first discuss the problem with his immediate supervisor; however, if the problem is with the supervisor, the employee may go to the supervisor's immediate supervisor. The supervisor shall make a careful inquiry into the facts and circumstances of the problem. The supervisor shall orally attempt to fairly resolve the problem within three working days. Issues of a serious nature or that may involve a monetary solution shall only be resolved by the Sheriff.
2. In the event the effected employee is dissatisfied with the decision of the supervisor, he/she may submit a written grievance to the Sheriff for resolution within 5 working days of the supervisor's decision.
3. Upon receipt of the written grievance the Sheriff shall:
 - a. Acknowledge receipt by noting the date and time received and signature;
 - b. Analyze the facts or allegations;
 - d. Affirm or deny, in writing, the allegations in the grievance;
 - e. Identify the remedy or adjustments, if any are to be made; and
 - f. Reply in writing or meet with in person, within fourteen (14) days after receipt of the employee's grievance, setting forth the reasons for rendering his decision.
 - g. The decision of the Sheriff is final.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 11.02	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: INTERNAL AFFAIRS		

INTERNAL AFFAIRS

I. POLICY

The Warren County Sheriff's Office investigates all complaints of alleged misconduct in order to ensure professional conduct within the Office. Complaints may be received from citizens by telephone, letter, electronic formats, in person, by referral or may be anonymous. This policy will apply to all Warren County Sheriff's personnel until such time it is superseded, revoked or rescinded.

II. PURPOSE

The purpose of this policy is to inform all employees of Office procedures for addressing complaints of misconduct. The internal affairs function includes:

1. Recording, registering, and controlling the investigation of complaints against employees of the agency.
2. Supervising and controlling the investigation of alleged or suspected misconduct within the agency.
3. Maintaining the confidentiality of the internal affairs investigation and records.

III. DEFINITIONS

1. "General employment policies" means the rules, regulations, policies, and procedures commonly applicable to the general workforce or civilian employees that are not unique to law enforcement activities or the exercise of peace officer authority, regardless of whether those rules, regulations, policies, and procedures exist or appear in a departmental manual or handbook that is solely applicable to a law enforcement department or agency within the unit of government employing the officer;

2. “Law enforcement procedures” means only those policies, rules, and customs that:
 - a. Are specific to the conduct of officers in the exercise of law enforcement powers and functions, including, without limitation: use of force, conduct in the course of pursuits, conduct during stops or detentions of citizens, conduct in the course of interacting with, assisting, or questioning of citizens, and investigative conduct;
 - b. Are carried out in the course of peace officer functions;
 - c. Are not general employment policies; and
 - d. That may exist in either written form or in the form of unwritten standards, practices, or protocols generally accepted and applied in the law enforcement profession.

IV. DISSEMINATION OF INFORMATION

1. All written directives, including all updates when published, that relate to the internal affairs function will be disseminated to the public and staff by the following methods:
 - a. All persons requesting information on the internal affairs process shall be sent a copy of the overview of the formal complaint process.

V. PROCEDURE

The Sheriff shall be responsible for the internal affairs function within the Office.

- A. Complaints against the Office or its employees are divided into three categories:
 1. Internal Complaints,
 2. Informal Citizen Complaints,
 3. Formal Citizen Complaints.

Any supervisor of the Office may accept a complaint.

1. Internal Complaints

Internal complaints may be brought to the attention of the Office by:

- a. Employees of the department who report them to supervisory or commanding deputies.

- b. Supervisory or commanding deputies.
2. Informal Citizen Complaints
- Complaints of violation of department rules of conduct (i.e. rudeness, tardiness, inefficiency, sleeping on duty, etc.) of a minor nature will generally be investigated by the immediate supervisor of the involved employee.
- The supervisor's investigation will include:
- a. Upon becoming aware of or receiving notification of potential misconduct by a deputy under his/her command, a supervisor shall begin an immediate investigation of such allegations. The supervisor may attempt to resolve a complaint by an exploration of departmental policies and procedures, where applicable.
 - b. The supervisor's investigation shall be limited to requiring the deputy to complete a written account of the incident, interviewing witnesses and complainants, and securing all relevant evidence.
- Upon completion of the investigation, if appropriate and necessary, the supervisor shall forward to the Sheriff, though appropriate channels:
- a. A report of the alleged violation;
 - b. All documents and evidence relating to the investigation.
3. Formal Citizen Complaints
- All citizen complaints pertaining to a violation of Office policies or of alleged deputy misconduct of a more serious nature shall be documented and investigated by the Office.
- a. Formal complaints may be given in person, over the telephone, by any electronic format, or in writing.
 - b. Formal citizen complaints may be accepted by any supervisor of the Office who is approached for such assistance, or by a Clerk.
- B. Receipt of Formal Complaints

1. When an individual wishes to register a complaint against the Office or an employee of the Office, the individual shall be provided with the opportunity and any assistance needed to record the complaint. The procedures below shall be followed immediately when an individual informs an employee of the Office of a desire to file a formal complaint:
 - a. The formal complaint form will be provided to the individual, with instructions and assistance in filling it out. If the individual cannot write, the on-duty supervisor will offer to record a videotape or audio tape of the complaint.
 - b. A copy of the complaint (except video and audio tapes) shall be made and given to the complainant acknowledging receipt of the complaint.
 - c. The completed Formal Complaint Form (and/or video and audio tapes) shall be placed in a sealed envelope and sent directly to the Sheriff.
 - d. The supervisor may attempt to resolve a complaint by an exploration of departmental policies and procedures, where applicable. Attempts to resolve complaints shall be noted on the Complaint Form.
 - e. If the complainant refuses to complete the Formal Complaint Form, the supervisor shall complete a written description of the complaint and forward directly to the Sheriff.

C. Investigation of Complaints

The Office will document and investigate all complaints, alleged or suspected, either signed or anonymous, that are made against the Office or its employees. KRS 15.520 will be utilized and followed during the course of any formal complaint investigation.

1. All complaints and disciplinary action which are to be handled in accordance with the provisions of the procedure include alleged or suspected violations of statutes, ordinances, Office rules, and orders by sworn or civilian employees of the agency.
2. Responsibility for investigating complaints is as follows:
 - a. Complaints of violations of criminal law, internal corruption, brutality, misuse or force, breach of civil rights and allegations of soliciting improper compensation, etc., will generally be investigated by a sworn member of the agency assigned by the Sheriff. The Sheriff reserves the option to request any criminal investigation be conducted by the Kentucky State Police or other outside law enforcement agency as he deems appropriate. After the criminal investigation has been completed, the

Sheriff may assign a sworn member of the WCSO to conduct an internal investigation and submit a report of the findings. For cases involving alleged criminal conduct, liaison with the City Attorney's office and/or the Commonwealth Attorney's office is maintained.

- c. Internal affairs investigation shall be completed, if possible, within 30 days from the time of their receipt, with status reports to the Sheriff provided periodically. Extension to this time frame may be granted by the Sheriff.
- d. The Sheriff, at his discretion, may temporarily remove from duty any employee pending disposition of an internal investigation. Such removal is not disciplinary in nature and should not reflect upon the member's innocence or guilt. The member's payroll status is not affected by such action.

D. Use of a Polygraph in Internal Affairs Investigations

- 1. The Sheriff may request an employee of the Office who is the subject of, or witness in, an internal affairs investigation to submit to a polygraph examination. The questions asked in the polygraph exam will be narrow and specific in scope, relating only to the internal affairs investigation.
- 2. When an employee is requested to submit to a polygraph examination, the information gained cannot be used against the employee in any subsequent criminal proceedings. Disciplinary action may not be taken against the employee based solely upon the results of the examination. Failure or refusal to obey an order to submit to any of the above will constitute insubordination.

E. Notifications and Interrogations

- 1. When employees of the Office are notified that they have become the subject of an internal affairs investigation, they shall be furnished with a written statement of the allegation and their rights and responsibilities relative to the investigation. Employees will be afforded their rights as contained within KRS 15.520.
- 2. The assigned investigator shall notify complainants when the complaint is received. The investigator will provide the complainant with periodic updates as appropriate.
- 3. In the event an employee of the Office is suspended pending investigation or disposition of a complaint, the employee will be advised of the reason for the suspension, in writing, within 24 hours of the suspension in accordance with KRS 15.520.

4. Prior to any hearing, any employee who is the subject of an investigation shall be notified, in writing, of the hearing and given copies of any sworn statements or affidavits or wrongdoing and any exculpatory statements or affidavits to be considered by the Sheriff in accordance with the provisions contained in KRS 15.520.
5. If a hearing is based on the complaint of an individual, that individual shall be notified by certified mail, return receipt requested, to appear at the time and place of the hearing.
6. If an employee of the Office is under arrest, likely to be arrested or a suspect in any criminal investigation, he/she shall be afforded the same constitutional due process rights that are accorded to any civilian, including but not limited to, the right to remain silent, the right to counsel and shall be notified of those rights before any questioning commences.
7. Employee may be required to answer the questions of an investigator so long as it pertains to a violation of Office rules and regulations. Questioning will be clear and specific to the incident in question and the employee will not be entitled to legal representation at this level.

F. Hearing

In the event an employee of the Office is charged by written complaint with a violation of Office rules and regulation or other misconduct which might result in suspension or dismissal; he/she may request the written complaint be reviewed and decided by the Sheriff.

1. After an internal affairs investigation has been completed, the subject of the investigation will meet with the Sheriff.
 - a. The employee will be shown the results of the investigation.
 - b. The employee will be advised of the disciplinary action which could occur as a result of the investigation.
 - c. The employee will decide whether to (1) accept the results of the investigation and any disciplinary action issued or (2) request a hearing.
 - d. If the employee wishes to accept the decisions, the employee must sign a discipline waiver form giving up the right to pursue the matter further.
2. If a hearing is requested by the employee, the hearing authority will be the Sheriff.

G. Disposition of Complaints

1. All complaints assigned for investigation shall be routed to the Sheriff for final disposition.
2. A finding shall be made on all investigations. The finding shall be in one of the categories listed below:
 - a. Unfounded - the allegation is false.
 - b. Exonerated - the allegation is true but the action was lawful and proper.
 - c. Not Sustained - there is insufficient evidence to either prove or disprove the allegation.
 - d. Sustained - The allegation is supported by sufficient evidence and the action violates either criminal law or Office rules of conduct.
 - e. Policy Failure - Policy failure or lack thereof, facilitated the complaint.
 - f. Withdrawn - The complainant withdraws the complaint prior to the completion of the investigation.
 - g. Misconduct Not Based on Complaint - The investigation reveals sufficient evidence to indicate other infractions not based on the original complaint.
3. When the investigation is completed and the investigator's recommendation has been submitted to the Sheriff, the subject of the investigation will be notified to meet with the Sheriff as soon as practical and as schedules allow.
4. When the final disposition on the complaint has been made, the Sheriff will notify the complainant as to the disposition of the complaint.

H. Discipline

Discipline may be imposed for various reasons, including but not limited to, violations of the Office's rules and regulations, insubordination or poor job performance. The severity of the action generally depends on the nature of the offense and the employee's work record and may include dismissal, suspension, verbal counseling or a written warning.

I. Internal Affairs Records

A record of all complaints against the Office or its employees and all records pertaining to internal affairs investigation will be maintained in a secure area and under the control of the Sheriff, or his designee. An annual review will be held concerning these records.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 12.01	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: CODE OF CONDUCT		

CODE OF CONDUCT

I. POLICY

It shall be the policy of the Warren County Sheriff's Office that all members, both sworn and civilian, shall conduct themselves at all times in such a manner as to reflect most favorably on the Office. Conduct unbecoming a member shall include that which tends to reflect discredit upon the member as a representative of the Office, or that which tends to impair the operation or efficiency of the department or its members. Such offenses do not need to be specifically defined or set forth in this manual. Codes of conduct cannot be established to cover all incidents that may arise in the usual discharge of deputy duties or in the personal activities of individual members. Therefore, it is the duty of each individual employee to regulate his or her own actions and conduct themselves in a professional and ethical manner on-duty, as well as off-duty. Any act of omission contrary to good order, moral or discipline shall be subject to disciplinary action. Moreover, all personnel will participate in ethics training biennially, as determined by the Sheriff. This policy shall apply to all Warren County Sheriff's personnel; sworn and civilian until such time it is superseded, revoked, or rescinded.

- 12.1.1 Members shall not commit any acts or omit any acts that constitute a violation of any of the rules, regulations, procedures, policies, directives, or orders of the Office.
- 12.1.2 Civilian members of the Office shall be held accountable to those tenants in this manual that are applicable to their duties and responsibilities.
- 12.1.3 Members shall obey all laws and ordinances.
- 12.1.4 Members shall exercise the responsibility and authority of the position to which they are assigned in accordance with job specifications and work rules of that agreement.
- 12.1.5 Members of the Office shall promptly obey the legitimate orders of superior deputies and other members acting in a supervisory capacity.
- 12.1.6 When two or more members of equal rank are simultaneously employed in the same operation, the senior member shall be in charge, except when otherwise ordered.

- 12.1.7 Members of the Office shall conduct official business through channels as indicated in the current organizational structure. Rank shall not be disregarded in conducting official business except where authorized by the Sheriff, or by law.
- 12.1.8 Members of the Office, having a disagreement involving another member that cannot be resolved amicably, shall consult their immediate supervisor.
- 12.1.9 All command and supervisory personnel will be addressed by their correct title and last name when in public and/or when appropriate.
- 12.1.10 Members will keep their commanding deputy informed of their current residence and telephone number.
- 12.1.11 Members of the Office shall always be civil, orderly, and courteous in dealing with the public, subordinates, superiors and associates. They shall avoid the use of coarse, violent or profane language. They shall not express any prejudice concerning race, sex, religion, national origin, life style, or similar personal characteristics.
- 12.1.12 Members of the Office shall provide necessary advice and/ or assistance to citizens in a prompt and courteous manner, whether the request is by telephone or in person. Information that is from citizens relating to complaints or reports will be thoroughly documented in accordance with existing Office procedure.
- 12.1.13 Members shall submit all necessary reports on time and in accordance with established Office procedures. Reports submitted by deputies, as well as official statements, shall be truthful and complete. No member shall knowingly state, enter, or cause to be entered any inaccurate, false, incomplete, misleading, or improper information.
- 12.1.14 Members of the Office shall not remove or attempt to remove any official record, report or citation from any file or take any official record from the office where it is kept except in the performance of their official duties.
- 12.1.15 Members shall not exhibit or divulge the contents of any criminal record to any person except in the conduct of Office functions or in accordance with the provisions of law.
- 12.1.16 Members shall treat the official business of the Office as confidential. They shall not disclose information concerning Office activities when such disclosures would hinder accomplishment of law enforcement objectives.
- 12.1.17 Members shall not recommend or suggest in any manner, while acting in an official capacity, the employment or procurement of a particular attorney, product, or professional or commercial service.

- 12.1.18 Members shall not publicly criticize or ridicule the department, its policies, or other members by talking, writing or expressing themselves in any manner, when such expression:
- A. Is directed towards a person with whom the member has a working relationship and that the expression would impair the working relationship.
 - B. Is stated or inferred as the official position of the Office, without obtaining the prior approval of the agency.
 - C. Improperly disclosed investigative or confidential information.
 - D. Would impair the operation of the Office by interfering with its efficiency; interfering with the ability of supervisors to maintain discipline; is made with reckless disregard for truth or falsity.
- 12.1.19 Members of the Office shall not authorize the use of their name, a photograph that identifies them as being affiliated with the Office, or their official title, in connection with testimonial or advertisement of any commodity or commercial enterprise without official approval.
- 12.1.20 Members shall not engage in any other employment or business without the permission of the Sheriff. Requests for permission to engage in outside employment shall be in written form.
- 12.1.21 Members shall report for duty at the time and place required by assignment or orders. Members shall be neatly and properly groomed, as well as physically and mentally fit to perform their duties. They shall be properly equipped and cognizant of information required for the proper performance of duty so that they may immediately assume their duties.
- 12.1.22 Members reporting for duty in civilian clothing will wear acceptable civilian attire of conservative color and design. Male member's attire to include a coat and tie when applicable.
- 12.1.23 Sworn members on duty assigned to the uniform force will report to court in the uniform of the day. Members who are off-duty may report to court in the uniform of the day or in acceptable civilian attire, of conservative color and design. Male member's attire is to include a coat and tie.
- 12.1.24 Civilian members reporting for duty will wear acceptable attire of conservative design. Cutoffs, shorts, halter tops, patched clothing, and other bizarre type clothing are expressly prohibited.
- 12.1.25 Members of the Office shall not be absent from duty without first obtaining permission.

- 12.1.26 Members, when reporting for or ending their tour of duty, will report to their immediate supervisor or that person designated as being in charge.
- 12.1.27 Members of the Office shall not be absent from any trial or hearing except for a good cause. In such instances, they shall notify their supervisor at a reasonable time before the trial or hearing begins.
- 12.1.28 Members of the Office will be thorough in the preparation of their cases for trial by proper execution of legal documents, analysis and preservation of evidence, summoning of witnesses, and review of their testimony.
- 12.1.29 Members shall not play games, watch television or movies or otherwise engage in entertainment while on duty, except as may be required in the performance of their duty. They shall not engage in any activities or personal business that would cause them to neglect or be inattentive to their duties.
- 12.1.30 Members shall remain awake while on duty. If they are unable to do so, they shall report to their immediate supervisor, who shall determine the proper course of action.
- 12.1.31 Members shall not use any Office computer or internet service for the purpose of playing games, inquiring for personal business or for the purpose of entertainment. The use of Office computers, email service, internet service, televisions, DVDs, and/or VCRs, for viewing, transmitting or receiving pornographic materials, images containing nudity, messages that contain images or words of a sexually suggestive nature is strictly prohibited, except as may be required in the performance of their duty.
- 12.1.32 Members shall not consume alcoholic beverages while in uniform or on duty.
- 12.1.33 Members shall not report for duty or be on duty while under the influence of alcoholic beverages, controlled substances or with an odor of either on their person.
- 12.1.34 Members shall not possess or use any controlled substances except when prescribed in the treatment of members by a physician or dentist. When controlled substances are prescribed, members shall notify their supervisor when reporting for duty.
- 12.1.35 Members shall not have alcoholic beverages, controlled substances or contraband on their person or in any Sheriff's installation or Sheriff's vehicle, except for legitimate purposes.
- 12.1.36 Members shall not at any time use or attempt to use their official position, badge, or credentials for personal gain.
- 12.1.37 Members shall not use or attempt to use their position as a Sheriff's deputy to influence the decisions of government officials in matters relating to the member's personal advantage.

- 12.1.38 Members while acting in an official capacity shall not interfere with or attempt to influence business that is being conducted in a lawful manner.
- 12.1.39 Members shall not solicit or accept from any person, business or organization, any gift (including money, tangible personal property, food, beverage, loan, promise, service, or entertainment) for the benefit of the deputies, Office, or any other person or organization if it may reasonably be inferred that the person, business or organization:
- A. Seek to influence action of an official nature or seeks to affect the performance or nonperformance of an official duty, or
 - B. Has an interest that may be substantially affected directly or indirectly by the performance or nonperformance of an official duty.
- 12.1.40 Members shall immediately report to their commanding deputy any arrest or court actions instituted against them, except civil matters arising outside the scope of their employment.
- 12.1.41 Members of the Office shall not file claims for damages or make any legal compromise with any person without prior notification of the Sheriff, except in civil matters arising outside the scope of their employment.
- 12.1.42 Members shall not interfere with cases being investigated by other members of the Office or by any other governmental agency. Interference with a case include but is not limited to, actions taken which may affect an arrest, bond setting, prosecution, sentencing, or any other facet of the investigation.
- 12.1.43 Members shall not undertake any investigation or other official actions not part of their regular duties without obtaining permission from their supervisor unless the circumstances of the situation require immediate law enforcement action. Members shall not undertake any investigation or other official action involving family members without first consulting a supervisor, who will then decide the appropriate course of action and the extent of the member's involvement.
- 12.1.44 Members subpoenaed, in their capacity as a deputy (or when there is a probability that the member's position will be made known to the court), to testify on behalf of the defense shall notify their supervisor of said subpoena.
- 12.1.45 Members shall not participate directly or indirectly in any unethical or unlawful compromise, arrangement or settlement between criminals and their victims. They shall report to their supervisor any knowledge of such arrangement in which any other member of the Office is involved.
- 12.1.46 Members of the Office shall not support, join or be a member of any organization or society designed to interfere with the orderly process of

government by illegal acts, or designed to disrupt the discipline and control of members of the Office.

- 12.1.47 Members of the Office shall not wear on their uniform any insignia of a fraternal organization, or any insignia that would prejudice their position or neutrality. Authorized insignia for service or achievement in the Sheriff's Office may be worn.
- 12.1.48 Members of the Office will keep their clothing or uniform in good repair, cleaned and pressed, their shoes shined, belt and holster shined, and metal parts of their uniform polished, and will wear their uniform completely fastened.
- 12.1.49 Members shall not use tobacco products in uniform, while in direct contact with the public. Use of tobacco products is prohibited in all Office vehicles when: any member of the public is in the vehicle or when any member of the Office is in the vehicle and objects to it.
- 12.1.50 Members shall not undertake any financial obligations that they know or should know they will be unable to meet, and shall pay all legally enforceable debts when due.
- 12.1.51 Members are obligated, whenever prudent and feasible, to take action in any criminal or emergency situation coming to their attention whether on or off duty, in accordance with any ordinance or law, and Office policy. Members shall respond promptly when ordered to emergency duty.
- 12.1.52 Sworn members of the Office shall carry their badge and identification card when carrying their Office approved firearm.
- 12.1.53 Members shall not knowingly or with malice make any arrest, search or seizure that is not in accordance with law and Office policies and procedures.
- 12.1.54 Members shall not orally and/ or physically mistreat persons who are in custody, and shall protect them from mistreatment by others. Members shall handle such persons in accordance with the law and Office policy.
- 12.1.55 Members shall use force in accordance with the law.
- 12.1.56 Members of the Office, while acting in an official capacity, shall not fire any weapon except as authorized by policy.
- 12.1.57 Members of the Office shall only draw or display firearms in time of demonstrated need or for official inspections. Members shall not use or handle weapons in a careless or reckless manner.
- 12.1.58 Members of the Office shall not loiter or congregate in any place or in any manner as to bring discredit to the Office. Members shall be available for

service at all times. They shall direct their efforts to those places and conditions that will have the greatest impact on current crime and traffic conditions.

- 12.1.59 Members of the Office, at all times, will respond promptly and safely to radio calls. They shall when practical, make themselves available for further calls for service.
- 12.1.60 Members of the Office, while using a radio, shall conduct themselves in a professional manner at all times and will adhere to proper radio discipline.
- 12.1.61 Members of the Office shall immediately report to their supervisors all information they acquire concerning crimes or criminal conditions.
- 12.1.62 Members of the Office shall not knowingly visit any place of questionable character, such as a house of prostitution, gambling establishment, or any place frequented by criminals, except in the line of duty. No members shall knowingly associate with operators or individuals that patronize such places.
- 12.1.63 Members of the Office shall not conduct social or personal associations or relationships with another person while on duty, which would impair the operation or efficiency of the Office.
- 12.1.64 Members of the Office shall not permit any person to remain in secure office areas or vehicles unless the person's presence is necessary to conduct official business.
- 12.1.65 Members of the Office shall not permit any other person to possess, control or use their badge or Office credentials.
- 12.1.66 Members of the Office shall not use equipment or other resources for personal business.
- 12.1.67 Members of the Office shall not operate any Sheriff vehicle or equipment unless they are qualified and authorized to do so.
- 12.1.68 Members of the Office shall operate Office vehicles in a careful and prudent manner, and shall conform to Office procedures pertaining to such operation.
- 12.1.69 Members, before use, shall examine any Office vehicle or equipment assigned to them, and report unrecorded damage or operational defects to their supervisor, and makes necessary reports.
- 12.1.70 Members of the Office will be responsible for the care of Office property of every description and the prompt reporting of loss damage or defect.

- 12.1.71 Members assigned to operate Office vehicles are responsible for the cleanliness of such vehicles.
- 12.1.72 Members of the Office are responsible for insuring the safety and welfare of persons and their personal property when transporting or having custody of persons who are sick, injured, arrested, or incapacitated in any way.
- 12.1.73 A member of the Office must, upon direction of the Sheriff or his designated representative, respond completely and truthfully to all questions that are specifically, directly or narrowly related to the performance of their duty as a Sheriff's Deputy or member of the Office.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 12.02	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: DISCIPLINARY SYSTEM		

DISCIPLINARY SYSTEM

I. POLICY

The Warren County Sheriff's Office supports a disciplinary system that helps to promote professionalism and achievement of Office and personal objectives. Discipline is a process to help train or develop an employee, preferably through constructive rather than punitive measures. Discipline is not merely a means of punishment, but a process of promoting cooperation and coordination throughout the Office. The Warren County Sheriff's Office will utilize KRS 15.520 (Police Officer's Bill of Rights) in all instances where an employee receives funds pursuant to KRS 15.410 through KRS 15.992. This policy shall apply to all Warren County Sheriff's Office personnel; sworn and civilian until such time it is superseded, revoked, or rescinded.

II. PROCEDURES

A. Code of Conduct

The Code of Conduct for Sheriff's Office employees can be located in the General Policy 12.1 "Code of Conduct". The Code of Conduct specifies both required and prohibited conduct by employees. The Law Enforcement Code of Ethics describes the behavior expected of Deputies. Uniform specifications and appearance standards are outlined in General Policy 10.04 "Appearance". Each employee shall receive a copy of both General Policies upon hiring and when subsequent changes are approved.

B. Disciplinary System

1. Discipline is the responsibility of each individual, and a self-disciplined Deputy is one that voluntarily and ungrudgingly conforms to all rules and orders.
2. The Office employs a structured disciplinary system to be followed in cases of alleged or suspected violations of policies or procedures, rules or regulations, orders, city ordinances or any applicable state or federal statute by employees.

C. Training

The Sheriff shall be responsible for ensuring in-service training for employees designed to further their knowledge and understanding of proper and effective law enforcement methods and techniques. This training should foster positive and constructive

techniques for improving employee productivity, effectiveness, and morale. The Office may mandate remedial training for employees found to be deficient in some necessary skills.

D. Administration of Discipline

Discipline may be imposed for various reasons including, but not limited to, violations of the Office policies and procedures, rules and regulations, or poor job performance. Discipline will generally be administered in a progressive fashion from minimum to maximum and may include verbal counseling or a written warning. In some situations, the Sheriff may require employees to attend and complete counseling through the Employee Assistance Program, as another form of positive reinforcement.

1. The severity of the discipline generally depends on the nature of the offense, the seriousness of and the circumstances surrounding the incident, the employee's work and past disciplinary records, the overall negative impact on the organization the incident caused, and the prognosis for similar problems.
2. If, at the conclusion of an investigation, it is apparent that an employee is guilty of a violation and disciplinary action is appropriate, discipline will be administered as follows:
 - a. Verbal counseling - If the employee's misconduct is minor, consisting of only a minor procedural mistake or inappropriate judgment, the supervisor may simply inform the employee of the problem or situation. Employees as a general rule will be counseled or given appropriate remedial training.
 1. The supervisor shall avoid, when possible, censuring a subordinate in the presence of others.
 - b. Written Warning - If the employee misconduct is serious or is part of a continuing pattern of behavior involving repeated minor misconduct or mistakes, employees as a general rule will be reprimanded and given a written warning. The employee may also be required to participate in a remedial training program or the Employee Assistance Program.
 1. Written warnings will contain charges (what rules have been violated) and specifications (description of the conduct that constituted the rule violation).
 2. Written warnings documented on the employee counseling report will become a part of the employee's personnel file.
 3. The original report will be forwarded to the Sheriff for review and placement into the employees personnel file.
 - c. Suspension/Demotion/Reassignment/Dismissal - A supervisor must file a written complaint with the Sheriff if, as a result of continuous written warnings or a severe single action, the employee may be facing a suspension with or without pay, a reduction in rank or grade, or dismissal. The Sheriff

will initialize an investigation into the written complaint. If the investigation finds that the violation warrants an employee to receive suspension, demotion, reassignment, or dismissal, the Sheriff, or his designee, will provide a detailed written report outlining the finding of the investigation. Unless otherwise provided by law, discipline of an employee through reduction in salary, demotion, suspension of more than one day or dismissal, is hereby limited and reserved to the Sheriff as provided by Kentucky Revised Statute.

1. The Office complaint process may be found in General Policy 11.01, "Grievance Procedures" and General Policy 11.02 "Internal Affairs".
2. If an investigation of employee misconduct results in dismissal, the employee shall receive written notice which includes the following information:
 - (a) Reason for dismissal (charges and specifications);
 - (b) Effective date of dismissal;

E. Supervisor's Role in the Disciplinary Process

1. To observe the conduct and appearance of employees and detect those instances when commendations or disciplinary actions are warranted.
2. To support employees acting within their rights and in accordance with Office policy.
3. To investigate allegations of employees misconduct, when within the scope of their authority and responsibility.
4. To recommend the most effective methods of discipline, taking into consideration the behavior history and personality traits of the personnel under their supervision.
5. To implement the disciplinary action approved by the Sheriff.

F. Supervisory Authority

1. Supervisors who personally observe employee misconduct have the authority and the responsibility to exercise limited disciplinary action.
2. Persons making verbal complaints against an employee of the Office should, if possible, make the complaint to the employee's immediate supervisor.
 - a. The supervisor, after having discussed the matter with the employee(s) involved and making any other necessary inquiry into the complaint, may:
 1. Dismiss the complaint without further incident,
 2. Counsel the employee and record the incident by using the Office employee counseling report form, and/or

3. Refer the complaint to the Sheriff with recommended disciplinary action.
3. Supervisors may relieve an employee from duty and place the employee on temporary administrative suspension for up to one day under the following circumstances:
 - a. The employee exhibits conduct personally observed by the supervisor which is extremely serious in nature and/or creates potential harm to the employee or others.
 - b. The employee is unfit for duty due to physical or psychological reasons.
4. The supervisor imposing the temporary administrative suspension shall notify the Sheriff as soon as possible.
 - a. The employee receiving the suspension will be notified to report to the Sheriff at a specific time prior to the employee's next scheduled tour of duty.
 - b. The supervisor imposing the suspension shall also appear at the specified time and provide the Sheriff with a written report regarding the suspension.
5. Employees receiving a temporary administrative suspension shall receive pay for the remainder of their shift.

G. Disposition of Complaints

1. All complaints assigned for investigation shall be routed for final review through the Sheriff or his designee, who shall review the file for completeness and final disposition.
2. A finding shall be made on all investigations.

H. Accepted andAppealed Discipline

1. If any employee wishes to accept the recommended discipline by their supervisor, the employee must sign a waiver form giving up the right to pursue the matter any further.
2. If for any reason an employee is not satisfied with the final disposition of a disciplinary action, they may file a grievance in accordance with policy.

I. Disciplinary Records

Disciplinary records shall be retained in the employee's personnel files permanently, unless otherwise stated in the policy.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 12.03	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: RACIAL PROFILING		

RACIAL PROFILING

I. POLICY

The purpose of this policy is the protection of and the preservation of the constitutional and civil rights of individuals and remains one of the paramount concerns of government and law enforcement in particular. To safeguard these rights, law enforcement personnel shall not engage in any behavior or activity that constitutes racial profiling. The decision of an deputy to make a stop or detain an individual, or conduct a search, seize property as the result of a vehicle stop, asset seizure/forfeiture or conduct a field interview shall not be solely motivated by consideration of race, color, or ethnicity. Stops, detentions, or searches shall be based on articulable reasonable suspicions, observed violations or law or probably cause, and shall comply with accepted constitutional and legal provisions, and with the Code and Cannon of Ethics adopted by the Kentucky Law Enforcement Council through Peace Office Professional Standards. This policy shall apply to all Warren County Sheriff's Office Personnel, until it is superseded, suspended or revoked.

II. DEFINITIONS

- A. Racial Profiling** - means a process that motivates the initiation of a stop, detention, or search (including asset seizure and forfeiture efforts) which is solely motivated by consideration of an individual's actual or perceived race, color, or ethnicity, or making discretionary decisions during the execution of law enforcement duties based on the above stated considerations. Nothing shall preclude a deputy from relying on an individual's actual or perceived race, color, or ethnicity as an element in the identification of a suspect or in the investigation of a crime, a possible crime or violation of law or statute.
- B. Search** - means any physical search by a deputy based either on consent or probable cause for the purpose of determining if evidence of a violation of law is present. Search does not mean a visual inspection or other inspection of the interior, exterior or contents of the motor vehicle permitted by law not consistent with the legal definition of a search.

III. TRAINING

All deputies shall complete the training related to bias based profiling which may be included in the Department of Criminal Justice Basic Training Academy, mandatory

annual in-service training, or roll call training. Such training shall comply with Federal Law, state statutory provisions, case law and other applicable laws, regulations, and established rules.

IV. DISCIPLINE

Any deputy who violates a provision of this policy shall be subject to the agency's disciplinary procedures, which shall be consistent with other penalties imposed for similar deputy misconduct.

V. REVIEW

The Office will conduct an annual analysis of agency practices concerning profiling and citizens concerns of profiling.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
12.04		

AUTHORIZED BY: Sheriff Brett Hightower

TITLE: HARASSMENT AND DISCRIMINATION

HARASSMENT AND DISCRIMINATION

I. POLICY

The Warren County Sheriff's Office prohibits all types of harassment and discrimination of any person because of ethnic origin, gender, religion, age, or the presence of any sensory, mental, or physical disability. All employees will adhere to a standard of conduct that is respectful, courteous, non-offensive, and nondiscriminatory. In compliance with the requirements of Title VII of the Civil Rights Act of 1964, as amended, and pursuant to the guidelines on sex discrimination issued by the U.S. Equal Employment Opportunity Commission, the Warren County Sheriff's Office does not tolerate harassment or discrimination in any form. This policy will apply to all Warren County Sheriff's personnel until such time it is superseded, revoked or rescinded.

II. DEFINITIONS

- A. Discrimination - Taking an action against an employee as a result of that employee's ethnic origin, gender, religion, age, or disability.
- B. Harassment - Verbal or physical conduct that belittles or shows hostility or aversion toward an individual because of his/her ethnic origin, gender, religion, age, or disability or that of his/her relatives or associates. Such conduct may be illegal if it:
 - 1. Creates an intimidating, hostile, or offensive work environment,
 - 2. Unreasonably interferes with an individual's work performance,
 - 3. Adversely affects an individual's employment opportunities
- C. Sexual Harassment – Sexual harassment is deliberate misconduct which takes various forms that are unwelcome by the recipient. Sexual harassment undermines the integrity of the employment relationship and interferes with the productivity of its victims and their co-workers. Unwelcome sexual advances, requests for sexual favors and/or other conduct of a sexual nature, constitutes sexual harassment.

III. PROCEDURE

- A. Any employee who believes they have been the subject of harassment or discrimination by another worker should report the alleged problem to their

immediate supervisor and/or the Sheriff. If the offending employee is in the reporting employee's immediate chain of command, the employee should report the alleged problem to the offending employee's immediate supervisor and/or the Sheriff. An investigation of all complaints will be undertaken immediately and confidentially. Any worker found guilty of harassment or discrimination of another worker will be subject to appropriate disciplinary action, depending on the circumstances involved. Purely voluntary personal or social relationships between employees are not prohibited.

B. Confidentiality

All complaints will be handled as confidentially as possible. However, once a supervisor becomes aware of an incident of harassment or discrimination, he/she is required to bring it to the attention of a higher-level supervisor, and the Sheriff.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 12.05	EFFECTIVE DATE: 02/01/2021 REVISION DATE:
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: DUTY TO INTERVENE		

Duty To Intervene

I. PURPOSE

This policy explains the legal and moral obligation members have regarding their duty to intervene. This duty is embodied in the law enforcement officer's code of ethics and in the law. Members of the Warren County Sheriff's Office shall have a clear understanding of this agency's expectations pertaining to conduct and activities while on and off duty.

A law enforcement officer has an affirmative duty to intervene on behalf of a person whose constitutional rights are being violated in his or her presence by other law enforcement officers.

Deputies of this agency also have a duty to intervene when they observe or hear conduct by a fellow member of this agency that is unethical, clearly violates the law or violates agency policy.

II. POLICY

The policy protects the residents of Kentucky by educating and informing deputies on their duties to intervene. This agency is committed to protecting deputies who act on their duties to prevent or minimize misconduct by another agency member.

III. DEFINITIONS

- A. Deescalate – Reduce the intensity of a conflict or potentially violent situation.
- B. Intervene — To come between, whether verbally or physically, to change the course of events that clearly violate the law or agency policy.

IV. DUTY TO INTERVENE

- A. Response to resistance: Deputies of this agency have an affirmative duty to intervene if they witness a response to resistance that is clearly unreasonable. Any deputy present and observing another deputy or law enforcement officer

using force that is clearly beyond that which is reasonable under the circumstances shall, when in a position to safely do so, intervene to prevent the use of unreasonable force. A deputy who observes another employee's response to resistance that exceeds the degree of force permitted by law must promptly report these observations to a supervisor.

- B. Deputies of this agency must recognize and act upon the duty to intervene to prevent or stop any member from conducting any act that clearly violates the law or agency policy. Intervention may be verbal and/or physical. Failure to intervene may subject a deputy of this agency to disciplinary and or legal action.

V. REQUIRED ACTION

- A. Deputies should take a proactive approach to deescalate situations that clearly indicate a risk of misconduct.
- B. Deputies must notify a supervisor after conducting any type of intervention in response to a clear violation of law or agency policy.
- C. Render Aid: If any person is injured and requires medical attention, deputies of this agency shall request medical assistance and may render aid in accordance with their training.
- D. Supervisor Responsibilities:
 - 1. Instruct deputies involved to complete appropriate documentation of the event subject to KRS 15.520.
 - 2. Conduct a preliminary investigation into circumstances surrounding the intervention and submit appropriate documentation.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 12.06	EFFECTIVE DATE: 02/01/2021 REVISION DATE:
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: EARLY INTERVENTION		

EARLY INTERVENTION

I. PURPOSE

The comprehensive Personnel Early Intervention System is a supervisory tool and not a disciplinary process. The early identification of employees exhibiting symptoms of stress or other behavior that could pose a liability to the community, the agency, or the deputy must be detected as soon as possible. When appropriate, an intervention consisting of a menu of remedial actions can increase agency accountability, increase morale and offer employees a better opportunity to meet the agency's values and mission statement.

II. POLICY

The Warren County Sheriff's Office will establish an Early Intervention System to identify agency employees who may require agency intervention efforts. The system should identify patterns of behavior that might be symptomatic and that should indicate an individual employee requires an intervention. The system should review at a minimum,

- A. Complaints
- B. Foot pursuits
- C. Vehicle pursuits
- D. Incidents of Response to Resistance
- E. Shooting incidents
- F. Use of sick leave
- G. Injuries
- H. Damage to property
- I. Vehicle collisions
- J. Domestic misconduct incidents
- K. Civil litigation
- L. Performance Evaluations
- M. Commendations
- N. Lateness-tardiness

III. DEFINITIONS

- A. Early Intervention System (EIS): A data based management tool designed to identify deputies/officers whose performance exhibits potential problems, and then to provide interventions, usually counseling or training, to correct those performance problems.

Early Intervention Systems have emerged as an effective mechanism for enhancing accountability within law enforcement agencies.

IV. PROCEDURE

- A. The Early Intervention System will be maintained by either the Sheriff or designee.
- B. The agency will establish thresholds in each of the indicated categories in Section II of this document.
- C. The review of the data will generate periodic reports identifying deputies who have met the established thresholds triggering the Early Intervention System. These reports should be prepared on a monthly, quarterly and annual basis or more frequently if the data is available online.
- D. It will be the responsibility of the identified deputy's chain of command, to recommend, in writing, the appropriate action initiated to correct any deficiency that might be identified. The recommended actions could include the following:
 1. No further action required. The officer's actions that triggered the EIS have been thoroughly reviewed and do not indicate any concern for corrective action.
 2. supervisory counseling;
 3. periods of observation in the field by the first line supervisor;
 4. peer counseling;
 5. referral to the Employee Assistance Program;
 6. referral to psychological services;
 7. referral for remedial training;
 8. re-assignment;
 9. referral for anger management training;
 10. referral for stress reduction training;
 11. other action as deemed appropriate;
 12. When it is determined that the conduct is related to medical, psychological, employee assistance or other issue which is subject to confidentiality under Kentucky State law, all records shall be maintained as confidential.
- E. Process: Once the recommended action plan is discussed with the deputy, and approved by the chain of command, the intervention will be engaged, and reported back in writing to the individual charged with the responsibility of maintaining the system. A follow-up component will be established in the action plan to ensure the behavior that triggered the intervention is no longer a concern.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 13.01	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: APPLICATION AND SELECTION PROCESS		

APPLICATION AND SELECTION PROCESS

I. POLICY

It is the policy of the Warren County Sheriff's Office to maintain an efficient, effective, and fair selection process for all members; that results in the appointment of those individuals who best possess the skills, knowledge, and abilities necessary to maintain an effective and respected law enforcement agency. The Warren County Sheriff is an Equal Opportunity Employer and shall maintain policies and procedures to ensure this result. This policy will apply to all Warren County Sheriff personnel until it is superseded revoked or rescinded.

II. DEFINITIONS

Applicant - Any person who has indicated an interest in being considered for employment by completing an initial application form.

Certification – means the act by the council of issuing certification to a peace officer / deputy who successfully completes the training requirements established or approved by the Kentucky Law Enforcement Council pursuant to KRS 15.440 and the requirements set forth within this chapter.

Entry-Level Applicant – means an applicant that is not certified or eligible for certification through the Kentucky Law Enforcement Council (KLEC)

Equal Employment Opportunity - The provision of equitable opportunities for employment and conditions of employment to all employees regardless of race, creed, color, age, sex, religion, national origin, or physical impairment.

Employment At-Will – Employment within Warren County Government is at-will, unless otherwise specified in a written employment agreement or otherwise provided by law. This means employment within any County Agency is not for any specified and may be terminated by the employee or by the employed County Office (Sheriff Office) at any

time, with or without cause or advance notice. In connection with this policy, the County Agency (Sheriff Office) reserves the right to modify or alter the employee's position, in its sole discretion consistent with applicable law, with or without cause or advance notice,

through actions other than termination, including demotion, promotion, transfer, reclassification, or reassignment. In addition, the County Agency(Sheriff Office) reserves the right to exercise its managerial discretion in imposing any form of discipline it deems appropriate.

Applicable State and Federal Laws – The rights and terms of employment with the Warren County Sheriff Office employees are governed by several state and federal laws, including, but not limiting to the following:

- The Kentucky Civil Rights Act
- The Kentucky Workers' Compensation Act
- State and Federal Wage and Hour Laws
- State and Federal Occupation Health and Safety Laws
- Title VII of the Civil Rights Act of 1964
- The Age Discrimination in Employment Act of 1967
- The Americans with Disabilities Act
- The Family Medical Leave Act of 1993
- The Drug-Free Workplace Act

Warren County Sheriff Office through this Policy and Procedure manual strives to comply with all Federal and State Statutory workplace requirements. Nothing in this manual shall be construed to supersede or modify any such statutory requirement.

III. APPLICATION PROCESS

A. An applicant must have the following minimum requirements and qualifications:

- 1. Citizen of the United States;**
- 2. Minimum educational level is a high school diploma from an accredited high school or General Education Diploma (GED).**
- 3. Police minimum age of 21 years, civilian minimum age of 18 years;**
- 4. No class "A" misdemeanor or felony conviction;**
- 5. A valid driver's license with no points against the license at the time of appointment**
- 6. An honorable discharge from military service, if applicable**
- 7. Applicants must possess high moral personal and professional fitness**

IV. SELECTION PROCESS

A. The Sheriff is responsible for administering the selection process including:

1. Identifying specific needs of the Office,
2. Determining required skills,
3. Determining personal attributes required for positions,
4. Conducting the final oral interview of each prospective employee, and
5. Final approval of all applicants

B. Uniform Application

The selection process will include: oral interview, physical agility test (for Entry-Level Sworn Applicants), drug/alcohol screen, background investigation, polygraph examination, psychological examination and physical examination. All elements of the selection process will be administered, scored, evaluated and interpreted in a uniform manner. The Sheriff may choose to include a pre-employment written test. (Applicants for Telecommunications / Court Security Officer will follow a similar process except for the physical agility testing. The Sheriff will follow the Kentucky Law Enforcement Council / Police Officer Professional Standards checklist.

C. Application Criteria/Disqualification

Any applicant who in any way falsifies or gives incorrect facts, answers or information on an application shall be disqualified from taking the examination. In the event it has not come to the attention of the proper officials at the time of filing or taking the examination that any such fact, answer or information stated therein is false or untrue and an applicant is thereafter appointed, the applicant shall, notwithstanding the appointment, forfeit and be subject to removal from any position to which the applicant may have been appointed as the result of the filing of the application and taking of the examination.

V. TESTING COMPONENTS

A. Physical Fitness Assessment

1. The Physical Fitness Assessment for the Sheriff's Office shall be in compliance with or exceed all required state standards.
2. Prior to taking the physical capabilities test the candidate will be required to sign a waiver of liability for any injury that the candidate may either directly or indirectly sustain as a result of participation in any part of this physical Fitness Assessment.
3. The Physical Fitness Assessment consists of tests to measure an applicant's physical ability to perform various police-related activities.

B. Personal History Questionnaire

1. All approved applicants scheduled to participate in the written test will complete and return a Personal History Questionnaire (PHQ) prior to testing.

The Personal History Questionnaire (PHQ) is the basis for a pre-employment inquiry designed to verify the information furnished in support of the application, as well as to obtain comments regarding an applicant's honesty, reliability, and general suitability for employment in the position applied for. The inquiry will also include a query of appropriate law enforcement agencies regarding a possible criminal history. Personal data such as sex, date of birth, social security number, and physical description are necessary to obtain accurate information, and to prevent mistaken identity. The dissemination of information furnished on the PHQ, or obtained through the pre-employment inquiry, will be governed by reasonable discretion. The PHQ and results of the pre-employment inquiry are restricted and not available for public disclosure.

C. Written test

- 1.** The applicant for the Sheriff's Office may be required to take a written examination on subjects prescribed by the Sheriff that would provide an indication of the applicant's ability to be a deputy recruit/deputy.

D. Oral test

- 1.** The applicant shall satisfy the Sheriff by oral interview and personal characteristics exam that he has a neat appearance, general intelligence, positive personality traits and an aptitude with adequate ability to understand and deal with the public. The oral interview will be conducted after the Physical Fitness Assessment and Written Assessment has been administered and graded. If the applicant fails to appear for his interview after due notice has been given, he shall be deemed to have withdrawn his application.

E. Psychological/personality profile

- 1.** The Sheriff shall select a testing agency for administering and grading a psychological/personality profile test. Only qualified professionals will be used to assess the emotional stability and psychological fitness of candidates. The psychologist's final report will identify the strengths and weakness of each candidate and a recommendation whether to hire the candidate.
- 2.** The Sheriff shall evaluate and analyze the results of the psychological/personality profile test to determine if the applicant is qualified for appointment. Failure of this test shall disqualify the applicant from appointment.
- 3.** After review by the Sheriff, the psychologist who conducted the testing will retain a record of the results of the psychological examination. A copy of the results will be retained in the employee's professional standards file. This file is to remain separate from the employee's personnel file.

F. Polygraph test

- 1.** All applicants that have passed the psychological test may be required to take

a polygraph test administered by a certified examiner selected by the Sheriff. Polygraph results shall not be used as the single determinant of denial of employment.

G. Police background check.

1. A background investigation of each candidate will be conducted prior to appointment to probationary status. Whenever practical, the investigation should be done in person; i.e., the investigation should routinely involve a home visit with the candidate and his/her family, as well as interviews with neighbors. Background forms provided by the Police Officer Professional Standards (POPS) Office may be utilized.
2. The background investigation will include the verification of the candidate's qualifying credentials, including:
 - a. Review of criminal record, if any,
 - b. Interviews with at least three personal references,
 - c. Educational achievement,
 - d. Employment history,
 - e. Credit History,
 - f. Military records,
 - g. Residency, and
 - h. Citizenship
3. The records of each candidate's background investigation will be maintained on file for in the office of the Sheriff.

H. Medical/drug-alcohol examination

In this examination the applicant must meet the following requirements:

1. Medical examination: All candidates must successfully pass a medical examination by a qualified physician approved by the Sheriff.
2. Drug/alcohol Screen: All candidates must successfully complete a drug/alcohol screen assessment by a qualified physician or agency.
3. Record: A copy of the records and the drug-alcohol examination will be retained in a file with the Sheriff's Office.

VI. SELECTION OF CANDIDATES

Following successful completion of the deputy applicant process Sheriff will have the final say on all appointments.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 14.01	EFFECTIVE DATE: 01/01/2018 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: BASIC TRAINING		

BASIC TRAINING

I. POLICY

This policy shall apply to all sworn Warren County Deputies until it is revoked, rescinded, or suspended.

II. PROCEDURE

All recruits shall attend the Police Basic Training Academy administered by the Department of Criminal Justice Training prior to being sworn in. Recruits shall begin the Academy within one year of their date of hire. Deputies who laterally transfer without Kentucky Law Enforcement Council (KLEC) certification must successfully meet the training requirements of the KLEC within one (1) year of their date of hire. Each recruit shall be furnished with and is required to follow all policies and procedures as set out by the Academy.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 14.02	EFFECTIVE DATE: 01/01/2018 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: SUPERVISORY TRAINING		

SUPERVISORY TRAINING

I. POLICY

This policy shall apply to all sworn Warren County Deputies until it is revoked, rescinded, or suspended.

II. PROCEDURE

Deputies promoted to a first line or mid-management supervisor position shall complete either Kentucky Law Enforcement Council approved supervisory training or comparable supervisory training at the discretion of the Sheriff. Supervisory training should be attained within one (1) year of their promotion.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 14.03	EFFECTIVE DATE: 01/01/2018 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: IN-SERVICE AND ADDITIONAL TRAINING		

IN-SERVICE AND ADDITIONAL TRAINING

I. POLICY

This policy shall apply to all sworn Warren County Deputies until it is revoked, rescinded, or suspended.

II. PROCEDURE

All deputies shall attend at least 40 hours of in-service training annually conducted by the Department of Criminal Justice Training or other Kentucky Law Enforcement Council approved organization. Deputies shall be assigned to specific courses based upon individual and Department needs.

In addition to classes presented by the Department of Criminal Justice Training, employees may also attend training presented by other agencies. Requests for additional training should be forwarded to the Major for consideration. Advanced training may count as credit toward the employee's annual in-service training requirement upon verification by the Major. These requests will be considered based on the need for training, benefits to the agency, manpower, and cost.

Deputies assigned to specialized positions or units shall receive priority for training that should be initiated as soon as practical. Specialized positions or units may include but are not limited to: Supervisors, Detectives, Police Training Officers, Firearms Instructors, and Collision Reconstructionist.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 14.04	EFFECTIVE DATE: 01/01/2018 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: FIELD TRAINING AND EVALUATION PROGRAM		

FIELD TRAINING AND EVALUATION PROGRAM

I. POLICY

This policy shall apply to all sworn Warren County Deputies until it is revoked, rescinded, or suspended.

II. PROCEDURE

Deputies shall complete the Police Training and Evaluation Program before being assigned to routine patrol duties. The program shall serve as a formalized evaluation process of the deputy's ability to perform and apply appropriate procedures and techniques. This program, through individual evaluation guidelines, will provide constructive feedback to the deputy and the training director for future in-service training. A field police training officer (PTO) is defined as a deputy who is trained and committed to assisting new deputies by demonstrating assigned procedures and tasks to the probationary deputy. The PTO shall evaluate the progression of the probationary deputy's performance and make constructive recommendations throughout the program. A mentoring relationship between the PTO and probationary deputy shall be initiated and developed during the training. The PTO program is defined as training that supplements the deputy's basic training for a minimum time determined by the Sheriff after consultation with the training director. Probationary deputies shall be required to satisfactorily meet the standards of assigned tasks and shall be evaluated on the progression of their performance during this training.

- A. The responsibility for the PTO program shall rest with the Major (Training Director), or his/her designee, who shall directly supervise probationary deputies. Each PTO will report directly to the Major.
- B. The Training Director shall serve as the central repository for all documentation regarding the PTO program and deputy evaluation reports of the probationary deputy.
- C. The PTO program shall utilize qualified and trained deputies to perform the role of a trainer/evaluator. The selection process of PTO's is based on the PTO applicant's years of service, specialized training, and the dedication to train deputies.
- D. It shall be the responsibility of the Training Director to schedule and/or coordinate

the training of each PTO and to continually provide updated training as necessary. Newly appointed PTO's will attend specific PTO training within a year of appointment.

- E. Each PTO will evaluate probationary deputies assigned to them on a daily basis. In addition, PTO's shall be responsible for training probationary deputies with SOP and ensure they have a working knowledge of policy, KRS, city ordinances, landmarks, hospitals, detention facilities, jail booking procedures, juvenile procedures, and geographic knowledge. Written documentation shall be completed and submitted daily detailing the progress of the probationary deputy.
- F. At the completion of the PTO phase, PTO's will meet with the Training Director to make recommendation of assignment for probationary deputy. The Training Director shall make recommendations to the Sheriff for final assignment, or if necessary, extension of the PTO program training phase.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 14.05	EFFECTIVE DATE: 01/01/2018 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: REMEDIAL TRAINING		

REMEDIAL TRAINING

I. POLICY

This policy shall apply to all sworn Warren County Deputies until it is revoked, rescinded, or suspended.

II. PROCEDURE

Remedial training is personalized to correct a specific deficiency usually identified by testing or other evaluation during training or by a supervisor evaluating an employee during routine job performance. The goal of remedial training is to ensure that employees do not suffer deficiencies in basic skills, knowledge and abilities required to perform their assigned tasks. Once the need for remedial training is recognized, action shall be taken as soon as possible to correct the deficiency. The appropriate Supervisor or Instructor shall send a memorandum to the affected employee instructing them when to report for training.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: PROMOTION PROCEDURES		

PROMOTION PROCEDURES

I. POLICY

To identify and evaluate personnel that possess promotional potential, due to demonstrating the appropriate knowledge, skills, abilities and character necessary to be an effective leader and supervisor within the Office. The procedures used by the agency for promotion are job-related and nondiscriminatory. This policy will apply to all Warren County Sheriff personnel until such time it is superseded, revoked or rescinded.

II. PROCEDURE

- A. The Sheriff is responsible for the overall administration of the promotional process for deputies. The Sheriff will be involved in the design, administration, and other stages of the promotional process. The Sheriff will maintain the primary responsibility for the administration of the probationary periods. The Sheriff retains final approval of all candidates for promotion.
- B. The Sheriff is vested with the authority and responsibility for administering the Office's role in the promotion process. This role includes performing appropriate administrative and liaison activities to carry out the process, including those for:
 1. Determining eligibility,
 2. Evaluating the promotional potential of candidates,
 3. Conducting interviews prior to appointment to probationary status,
 4. Defining exceptions to the probationary period, and
 5. Monitoring the progress of those promoted.
- C. Whenever vacancies exist in the rank above deputy and a decision to fill the position is made, a written announcement will be posted at least 30 days prior to process initiation.
 1. A description of the position or job classification for which a vacancy exists;
 2. A description of eligibility requirements;

3. A schedule of dates, times, and locations of all elements of the process;
 4. A description of the process to be used in selecting personnel for the vacancy; and
 5. Instructions that eligible candidates must, at least (10) days prior to the date of the process initiation, indicate his/her desire to participate in the process by signing and dating the sign-up sheet. All deputies will sign an announcement of the vacant position and indicate their interest or lack of interest and submit it back to the Sheriff or designee. Any deputy desiring to remove his/her name from consideration shall submit a letter with signature requesting to be removed from the process.
- D.** The Sheriff has the authority to appoint supervisory officers.
1. The Sheriff may choose to use any of the following components to assist in determining eligibility:
 - a. Personal Interview,
 - b. Performance ratings (evaluations),
 - c. Psychological review,
 - d. Training records,
 - e. Longevity, and
 - f. Disciplinary Actions/ Suspensions.
- E.** The probationary period is regarded as an integral part of the overall appointment process. It is a period used to closely observe the employee's work, for securing the most effective adjustment of an employee to the higher position, and for demotion or separation of any employee whose performance does not meet the required standards.
1. The minimum probationary period for any newly promoted employee shall be 12 months.
 2. As early as possible during the probationary period, unsatisfactory incumbents will be notified about their need for improvement and told that lack of improvement will be cause for demotion to their former rank.
 3. Under those circumstances where an employee is failing the probationary period due to poor performance, the Sheriff may, at his discretion, extend the probationary period or reduce the employee to his previous rank or position.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 16.01	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: PERFORMANCE EVALUATION		

PERFORMANCE EVALUATION

I. POLICY

The Warren County Sheriff's Office has outlined fair and impartial methods of evaluating the work behaviors of members of the Warren County Sheriff's Office to assure management and members of the public that all members of the office are qualified to carry out their assigned duties and to ensure optimum job satisfaction on the part of each employee. This policy shall apply to all personnel; sworn and civilian until such time it is superseded, revoked, or rescinded.

II. DEFINITIONS

- A. Counseling - A discussion between an employee and a supervisor leading to advice to the former concerning aspects of job performance; the giving of advice or direction
- B. Performance - Actions taken or omitted with regard to specific tasks and assignments on the job; something done, accomplished, or completed
- C. Evaluation - Judging or determining the value of specific actions; the appraisal of
- D. Rating (or rating score) - An indication of the quality of work performance or of personal attributes; an appraisal; an estimate of the value, worth, strength, desire, ability, etc
- E. Below Standards - Employee behavior or work competence which fails to meet minimum standards and could lead to termination of employment
- F. Rating Period - A period of time with a specified starting and ending date during which an employee's work performance will be evaluated
- G. Probationary Employee - Any deputy or supervisor in the first year of assignment from the date of appointment
- H. Contested Evaluation - Any performance evaluation which an employee feels is unfair and which results in written comments by the employee and the supervisor specifying the areas of dispute

- I. Evaluation Interview - A meeting between the employee and the rater to discuss the performance evaluation given by the latter

III. PROCEDURE

- A. Objectives of the Performance Evaluation System
1. Identify areas of strength and weakness in each employee's job performance in order to maintain or improve skills, knowledge, and ability
 2. Give credit for work well done.
 3. Express Office objectives in categories considered crucial to successful job performance.
 4. Allow fair and impartial personnel decisions for promotions, disciplinary actions, terminations, probationary status, counseling, pay raises and other areas of personnel management.
 5. Provide a medium for periodic supervisor-employee communication on work expectations and job performance.
 6. Identify training needs and career development recommendations.
- B. All members of the Office (unless specified otherwise) will be evaluated on their job performance at least once each year and may be evaluated more often. A normal rating period will be from May 1st to April 30th with evaluations to be completed by the end of the month following evaluation period.
- C. Supervisors may counsel subordinates at any time during the rating period to explain specific duties and/or responsibilities that need improvement or change. Counseling may be verbal, or if documentation is needed, by using the WCSO Specific Contact Report.
- D. All non-sworn probationary personnel will be evaluated at least biannually, all sworn probationary personnel will be evaluated throughout the Field Training Deputy Program and then quarterly, until the next annual evaluations. An evaluation with a recommendation to appoint or discharge a probationary employee must be completed at least 30 days prior to the end of the employee's one (1) year probationary period.
- E. Evaluation Considerations
1. All employees will be evaluated by their immediate supervisor
 2. Performance evaluations will be based solely upon work during the rating period. The rating period will be recorded with the "beginning" and "end" dates marked clearly on the performance evaluation record form.

3. Each performance evaluation will be specific to the position held by the employee. Deputy's will be rated upon tasks applicable to that position; patrol supervisors on criteria applicable to supervisory duties and certain specified patrol duties; clerical and other civilian personnel and administrative personnel on criteria applicable to their positions and duties.
4. Each performance evaluation and counseling form will be signed by the supervisor preparing the evaluation and by the Sheriff. Employees will be given the opportunity to comment on and sign the completed performance evaluation record form.
 - a. Signature of the employee indicates only that the employee has read the report, and not that the employee is in agreement or disagreement with the content.
 - b. If the employee refuses or otherwise fails to sign the form, the presenting supervisor will make a notation on the form if there is any stated reason for the refusal.
5. Each employee will be offered a copy of all performance evaluation record forms and other counseling forms completed by the Office. Copies of these records will remain active in the employee's personnel jacket for an indefinite period of time.

F. Contested Evaluations and Unsatisfactory Evaluations

1. Supervisors who record an overall unsatisfactory rating must document their reasons for that rating and recommend actions that should be taken to improve performance. This provision is only for overall evaluation and not for a rating in any one or more specific categories or aspects of performance.
2. A supervisor who rates an employee as unsatisfactory or outstanding in any category must record a narrative comment with the specific reason(s) for the rating on the performance evaluation rating form.
3. Employees will be given provision to comment on the evaluation form or to attach an addendum to their evaluation form with the particular portion(s) of the rating which is being contested and the reason(s) for their disagreement. The supervisor will be given the option to either change the rating or to let it stand. If the supervisor allows the rating to stand, the employee's comments will be reviewed by the Sheriff who will make a decision on the matter. If the Sheriff allows the rating to stand, a copy of the employee's protest will be filed with the evaluation.
4. As the reviewer of the performance evaluation rating form, the Sheriff may require a rater to justify in writing any overall rating or rating in specific categories which, in the Sheriff's opinion, may be inappropriate.

G. Supervisory Personnel

1. Prior to completing performance evaluations, each rater will be required to review this procedure, the standards for each of the rating categories, any rating manuals or publications, and any other material deemed appropriate by the Sheriff.
2. All supervisors in the Office will be rated by their immediate supervisor in categories specific to their assignment. Included in the ratings of supervisors will be an evaluation regarding the fairness and impartiality of ratings given subordinates, the participation of the supervisor in the counseling and guidance of rated employees, and the supervisor's ability to carry out his/her role in the performance evaluation system.
3. Supervisors conducting performance ratings will base their judgments on personal observations, written reports, daily activities, citizen/police interactions and any other source the supervisor deems appropriate. Whenever possible, documentation may be used to support these judgments, but documentation is not necessarily required, except in instances requiring termination of a permanent or probationary employee.
4. A supervisor must hold an evaluation interview with an employee regarding the performance evaluation given the employee. The supervisor should be prepared to discuss any questions from the employee regarding his/her evaluation.
5. At the beginning of each rating period, supervisors shall council employees and answer any questions concerning the tasks of the position occupied, the level of performance expected, and the criteria and format of the performance evaluation system. Supervisors should discuss training and specific needs for the employee to assist the employee with career development.

H. Utilization of the Results of the Performance Evaluation

1. The completed performance evaluations shall be of primary use as a counseling device to allow supervisors to guide the work of employees toward achieving the goals and objectives of the Office.
2. The performance evaluation will be used to judge the suitability of probationary employees for their positions. Employees who receive an unsatisfactory rating will generally not be retained by the Office.
3. The performance evaluation will be considered in promotions, with the exact weight of the performance evaluation in the testing process to be determined by the Sheriff.
4. Performance evaluations will be used for disciplinary actions and as a part of the termination process for employees who do not perform their jobs satisfactorily.
5. Performance evaluations will be used as a factor in selecting employees for specialized assignments.

- 6.** Performance evaluations shall be used to identify training needs and career development recommendations.

I. Retention of Evaluation Forms

- 1.** All employee evaluation forms will be confidential and placed in the personnel file of the employee, available for review by the employee, their immediate supervisor, and the Sheriff.
- 2.** Employee Evaluation Forms are retained, in accordance with the retention schedule, for five (5) years after the end of employment.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 17.01	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: PATROL FUNCTION		

PATROL FUNCTION

I. POLICY

Patrol is the backbone of the Warren County Sheriff's Office. The uniformed deputy is the most visible representative of the Warren County Sheriff's Office. A professional service oriented patrol function is essential to the continued success of the Warren County Sheriff's Office in developing and maintaining positive relationships with the community. This policy shall define the patrol function and the appropriate handling of commonly encountered patrol issues. This policy will apply to all Warren County Sheriff's Personnel until such time it is rescinded, suspended, or revoked.

II. PATROL FUNCTIONS

A. The primary functions of the patrol division shall be:

1. Preventive patrol (including inquiry and inspections activity) oriented toward prevention of crimes and collisions, maintenance of public order, the discovery of hazards and safety and security within Warren County;
2. Crime prevention activities;
3. Response to requests for services from the public;
4. Investigation of crimes, offenses, incidents and conditions, including the arrest of offenders;
5. Traffic direction and control;
6. Maintenance of public order;
7. Provision of emergency services;
8. Development of a positive relationship between the public and the Warren County Sheriff's Office; and
9. Reporting of information concerning criminal activity or other items of interest to the Office;

B. Patrol Performance Objectives

1. The following general performance objectives will be followed by patrol deputies in the interest of effective law enforcement:
 - a. To reduce personal injury and property damage relating to auto accidents collisions through the use of directed patrol and aggressive traffic law enforcement;
 - b. To reduce the overall crime rate by increasing the efficiency in preventive patrol, investigative efforts, and reporting; and
 - c. To promote community support through service efforts.

C. Patrol Administrative Procedures

1. Patrol units and all other components of the Office shall communicate, coordinate, and cooperate in order to achieve the objectives of the Sheriff's Office.
 - a. Information obtained by a deputy concerning criminal activity or criminal intelligence will be detailed on the briefing sheet and will be read by deputies at shift changes.
 - b. All information concerning training announcements, off-duty details, new legislation, and memos shall be posted on the bulletin board in the patrol office or distributed by email.
 - c. Administrative reports and directives from the Sheriff or any other source which is of a personal nature shall be placed in the individual deputy's mailbox.
 - d. Court notifications will be placed in the individual deputy's mail box for processing.
 - e. The Sheriff, or his designee, will conduct staff meetings, on an as needed basis to discuss issues concerning important matters. Deputies are encouraged to have items of interest brought to these staff meetings by their immediate supervisor for discussion by the entire Patrol supervisory staff.
2. The Office operates 24 hours a day, seven days a week to provide citizens with law enforcement services. The Office will provide, generally, the same services at all hours of the day or night in relation to answering calls for service, emergencies, preventive patrol, or traffic enforcement.

D. Patrol Responsibilities

1. Deputies shall be held accountable for the good order of the sector, area, or detail to which they are assigned.
 2. Notwithstanding the assignment of specific duties and responsibilities, deputies shall perform all other such duties as may be required of them by competent and legal authority.
 3. Deputies assigned to respond to a call for service should make personal contact with the complainant whenever possible so the complainant will know the call was answered and what action, if any, was taken. Deputies who find themselves in a position where no action can be taken shall advise the complainant of this fact and further explain why the deputy is unable to take action. Deputies should show discretion if advising the complainant of other courses of action open to them. In the event the deputy is not sure of a course of action, the deputy should not advise the complainant but contact a supervisor for assistance.
 4. Patrol deputies who receive or initiate a call which indicates that a back-up may be necessary shall request by radio that a second unit be dispatched. When possible at least two patrol units will respond to situations which have the actual or potential presence of any of the following factors:
 - a. Assault on a deputy or requested assistance;
 - b. On-scene arrest for a felony or violent misdemeanor;
 - c. Resistance to arrest;
 - d. Use of force;
 - e. Any crime in progress or activated emergency alarm;
 - f. Fleeing suspect;
 - g. Domestic disturbance;
 - h. Reports of unknown trouble;
 - i. Accidents involving injuries or in which the vehicles are blocking moving lanes of traffic;
 - j. Disorderly crowd reports or reported fighting;
 - k. Suicides
 - l. Gun Calls
 - m. Disturbances involving intoxicated or disorderly persons;
 - n. Vehicle searches, when there are more than one occupant or when the vehicle driver is not in custody, and
 - o. Calls for service that, in the judgment of the dispatcher or supervisor, two deputies be sent due of the known serious nature of the call, insufficient information or for the safety of the deputies.
- E. Whenever possible, the notification of a supervisor to assist or respond and assume command, conduct investigations and give direction shall be required at the scene of any incident involving the following circumstances:
- a. A deputy uses force of any type to effect an arrest;

- b. Any collision involving a Sheriff vehicle;
- c. Any major crimes to include but not limited to homicides, robbery, kidnapping, or an assault where death may occur.
- d. When any deputy receives a complaint concerning questionable conduct of a member of the Warren County Sheriff's Office.
- e. Serious injury to a deputy.
- f. Any crime where a detective/investigator is needed to respond for crime scene processing and investigation.
- g. Disasters, catastrophes, or severe weather producing emergency conditions.
- h. Serious collision, injury, or incident involving on-duty personnel or property.
- i. Execution of search warrants.
- j. Whenever any patrol deputy feels that a decision must be made by a person with more authority than the requesting deputy.

F. Patrol Methods

- 1. Deputies assigned to patrol duties shall patrol their assigned area constantly while on duty and not otherwise assigned to a call for service.
- 2. Deputies should patrol at a speed that will enable effective patrol of their assigned areas. A recommended speed below the posted limit will better enable deputies to effectively patrol their area; however, patrol at a speed that will not interfere with the normal traffic flow.
- 3. Deputies should patrol assigned areas observing, recording, and investigating any unusual or strange occurrence and should not establish routine patrol patterns.
- 4. Tactics and strategies for traffic law enforcement should be consistent with the nature of the violation and its potential for interfering with the free and safe flow of traffic. This may involve one or more of the following types of traffic patrol:
 - a. Area Patrol
 - b. Directed Patrol
 - c. Stationary traffic observation:
 - 1. Visible stationary traffic observation
 - 2. Concealed stationary traffic observation
- 5. In normal patrol operations, it is the policy of the Office to maintain a visible traffic patrol as a deterrent for traffic violators.

G. Roll Call/Shift Briefing

1. Deputies must check their email for Roll Call information regarding schedules or assignment changes, detail information and notification of new directives or changes in current directives prior to initiating patrol.

H. Traffic Enforcement by Office Personnel

1. Since there is a close interrelationship between traffic enforcement and all other law enforcement activities, all uniformed deputies in the Office share the responsibility for enforcement of traffic laws and regulations.

I. Radio Communications

1. Deputies shall ensure that their radios are on at all times, except in circumstances that may jeopardize deputy safety (i.e., bomb searches, undercover investigations).
2. Deputies, when out of their patrol vehicle, shall maintain radio contact with dispatch regarding their location, nature and status of activities, out of service and in-service time, etc.
3. Deputies shall be identified by their badge numbers for radio communications.

J. Investigations by Patrol

1. Patrol deputies shall conduct preliminary investigations on all cases not delegated to the Criminal Investigations Section at the time the initial report is taken.
2. Follow-up investigations should be conducted by the investigating deputy on any assigned complaint in a thorough manner.

3. Handcuffed Prisoners

- a. Unless it is necessary to remove the handcuffs in order for the prisoner to receive medical treatment, the handcuffs or restraints shall remain in place while in deputy's custody.

K. Preliminary Death Investigations

After arriving at the scene and until convinced to the contrary, all deputies should consider every death as a possible homicide.

1. Responsibilities of the First Deputy on the Scene.

If the death appears to be from other than natural causes, the deputy should direct attention to the following in the order that his or her discretion dictates after an

evaluation of the situation.

- a. Assuring the safety of persons to prevent further injury or death.
 - b. A preliminary determination that the subject is actually deceased.
 - c. Preservation of the scene and possible evidence.
 - d. Notify dispatch for assistance, if needed.
 - e. Gather and separate witnesses.
 - f. Notify their immediate supervisor.
2. All deaths must be pronounced by the Coroner or appropriate medical personnel. The deputy should include in his/her report the time of pronouncement, the name of the person doing the pronouncing, and where the body is to be taken.

L. Residential Security Checks

The Office will honor requests from citizens to conduct security checks of their homes when the owners are on vacation. The citizen should contact the Warren County Sheriff's Office and provide all necessary information to be added to the briefing sheet.

M. Deputy – Special Considerations

1. Deputies will employ the utmost care to protect themselves when stopping violators for infractions of the law. Consideration must also be given the stopping of vehicles from a safety standpoint, during inclement weather, on hills and curves, in dense traffic, or in any instance where life and property may be endangered.
2. When a deputy observes a violation of the law, he will either (1) issue a warning, (2) issue a citation to the violator to appear before the court having jurisdiction, or (3) make an arrest.
 - a. Deputies should avoid controversy incident to the warning, citation, or arrest. The deputy will merely inform the offender:
 1. The nature of the offense.
 2. Why the offense was detrimental to the safety of the public.
 3. The specific charge if a charge is made.
 4. The procedure the violator will follow in order to bring the matter to a conclusion.
3. Without exception, when deputies are transporting prisoners of the opposite sex they

shall notify dispatch of the transport. The deputy will give the point of origin, vehicle's odometer reading, and the destination. Upon arriving at the destination the deputy will notify the dispatcher of the arrival and the odometer reading. The dispatcher will log the information and record the time of each notification.

4. In accordance with their training and qualifications, deputies shall provide general and emergency assistance to motorists. This includes providing information and directions, assisting stranded or disabled motorists, and obtaining medical and other emergency assistance. Deputies will ensure that the requested service is provided in a timely fashion. If, after arranging for assistance, the deputy is unable to remain with the motorist until help arrives, he/she will take the necessary steps to provide safety to the motorist or arrange for transportation. However, this does not preclude transporting the motorist to a place of safety when a need arises.

N. Emergency Medical Services

Deputies should refrain from making medical related decisions outside their level of training.

1. Anytime a deputy is enroute to a call for service where EMS may be needed, WCSO should not cancel their response. Deputies should allow EMS to continue to the scene and make the medical evaluation. If the information provided in the initial call for service was erroneous and there was never a medical need, EMS can be cancelled. (Example: Initial caller states there is a medical emergency, and when units arrive, it was actually a motorist assist.)
2. Deputies should not transport injured persons unless there is no other option and life safety is of the essence.
3. Deputies should always use their own discretion with regard to response to calls for service requested by EMS.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 17.02	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: PERSONNEL SCHEDULING		

PERSONNEL SCHEDULING

I. POLICY

The purpose of this policy is to establish work schedules, work shifts, and days off for all sworn and non-sworn members. The assignment of personnel to shifts will be the administrative prerogative of the Sheriff, though efforts will be made to maintain continuity of assignments and rotations, shift rotation and shift times may be alter or changed at the Sheriff's discretion. This policy will apply to all Warren County Sheriff's Office members until it is superseded, revoked or rescinded.

II. PURPOSE

To ensure that the staffing needs of the Warren County Sheriff's Office are met by effective personnel scheduling.

III. PROCEDURE

- A. Staffing levels for each shift will be reviewed on an annual basis. The determination will be based on activity levels and available resources.
- B. Overtime may be scheduled to cover approved manpower levels.
- C. All full time employees will be scheduled to work a minimum of 40 hours per week.
 1. All Sheriff's deputies will work an 8 ½ shift with 30 minutes for lunch as dictated by calls for service.
 2. The work week covers the period starting at 12:00 A.M. Sunday through 11:59 P.M. of the following Saturday.
 3. The Sheriff, or his designee, may change the work hours of any employee or the length of any workday in order to meet the needs of the Office.
 4. Hours worked in excess of the 40-hour per week by hourly employees will be compensated at the appropriate overtime rate.
 5. All assignments within the Sheriff's Office shall be at the discretion of the Sheriff.

- D. The Sheriff, or his designee, shall schedule working hours or days off in order to meet the basic manpower requirements of the Office.
 - 1. As a general rule, scheduled days off may be changed (such as for training requirements or emergencies requiring unusual manpower), but should not be changed without notifying the affected employee.
 - 2. The Sheriff, or his designee, may also change days off or grant unscheduled vacation time to accommodate the needs of an employee. This should be done only when the basic manpower needs of the office are met. Whenever possible, overtime should be minimized when used to cover scheduling problems caused by the change.

IV. WORK SCHEDULES

A. Administrative and Civilian Staff

- 1. The Sheriff, or his designee, shall set the work schedule for civilian staff.

B. Patrol

- 1. Deputies assigned to patrol will work the schedule as directed:

- a. First Shift
- b. Second Shift
- c. Third Shift

- 2. Scheduled work hours are:

- 1. 0700 – 1530 (First Shift)
- 2. 1500 – 2330 (Second Shift)
- 3. 2300 – 0730 (Third Shift)

- 3. The Office provides 24 hour per day / 7 days per week coverage for the County.

Warren County Sheriff's Office

GENERAL POLICY

IDENTIFIER

17.03

EFFECTIVE DATE: 05/01/2014

REVISION DATE: 03/01/2020

AUTHORIZED BY: Sheriff Brett Hightower

TITLE: FIELD INTERVIEWS / TEMPORARY INVESTIGATIVE DETENTIONS

FIELD INTERVIEWS / TEMPORARY INVESTIGATIVE DETENTIONS

I. POLICY

This policy aids in providing a standard for police personnel to follow when conducting interviews in the field. This procedure shall apply to all Warren County Sheriff personnel until it is superseded, revoked, or rescinded.

II. PROCEDURE

Deputies may make field contacts and conduct interviews when they reasonably believe that an event is suspicious or illegal. The test of reasonableness is the deputy's ability to articulate why any reasonable person would have drawn the same conclusion and suspicions.

A. *Constitutional warnings need not be given to any individual who spontaneously volunteers information without questioning.*

B. *Deputies are not required to stop and warn an individual who:*

1. Enters a Sheriff's Office and states that he/she wishes to confess a crime.
2. Telephones the Sheriff's Office or approaches a deputy to offer a confession or any statement about a crime.

C. *An individual need not be advised of his/her rights if deputies are engaged in general, on scene questioning about a crime or other general questioning of witnesses or victims during the fact finding process as long as:*

1. The individual has not been taken into custody.
2. The individual has not been restrained from using full freedom of movement and action, such as a person who can leave any time he/she so desires.

D. Deputies may make field contacts when they reasonably believe that some investigative inquiry is warranted – *Terry vs Ohio (392 US 1, 1968)* even though there is not probable cause to make an arrest.

E. Field Interviews serve as the following:

1. a source of information
2. a means of identifying a suspect, and
3. a means of obtaining suspects or witnesses

F. Legal considerations on field interviews

1. A field interview is investigative in nature, and may not meet the criteria for a *Terry Stop*. A field interview therefore requires voluntary cooperation from the citizen. In the absence of reasonable suspicion for *Terry* or probable cause to arrest, the citizen may stop the interview at anytime. During a routine field interview, persons shall not be detained in any manner against their will. The duration of an interview must be as brief as possible.

2. Temporary Investigative Detentions (Terry Stops)

a. Detaining the Suspect

1. An deputy may stop (forcibly, if necessary) a person for questioning if the deputy has “*Reasonable Suspicion*” to believe the person has committed, is committing, or is about to commit a crime. To be reasonable the deputy must be able to articulate the circumstances that warranted the stop of the citizen. Such as:
 - (a) The place (high crime areas);
 - (b) The time (late at night);
 - (c) Suspicious conduct (unusual, furtive);
 - (d) Recent report of crime in the vicinity;
 - (e) Resemblance of suspect to description of wanted criminal;
 - (f) Deputy’s experience.

b. Frisk of Suspect

1. The deputy may frisk only if he has reason to believe the suspect is armed and dangerous. Some factors leading to such a belief are:
 - (a) Deputies observation (seeing a bulge in clothing),
 - (b) Report that the subject is armed, and
 - (c) Suspects conduct
2. When frisking, the deputy may only pat down the suspects outer clothes. He may not legally remove any soft object which is clearly not a weapon.

c. Search of Suspect Vehicle

1. If during a *Terry Stop* of an occupant of a vehicle, the deputy believes the suspect may gain control of weapons, the deputy may make a search

within the passenger compartment of the vehicle. A protective search may be conducted anywhere in the passenger compartment of the vehicle, that a weapon may be hidden.

d. Period of Detention

1. As with non-criminal field interviews, Terry Stops must be conducted as briefly as possible. If during the stop, reasonable suspicion is reinforced with additional information and probable cause develops, the period of detention could be lengthened; but most of these detentions should last no longer than necessary.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 17.04	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: RADIO COMMUNICATIONS		

RADIO COMMUNICATIONS

I. POLICY

The communications function of any law enforcement agency is the first link in the chain of deputy service. Recognizing the importance of this function, the Warren County Sheriff's Office continually strive to improve the operation of its communications systems, both in the course of the normal daily activities and during emergency situations. In doing so, it is also the policy of the Office to comply with all regulations pertaining to Federal, State, and Local Criminal Justice Information Systems.

II. PROCEDURE

A. Radio Access

1. Every Deputy engaged in a field assignment shall have access to radio communications either through portable or vehicle-equipped radio units.

B. Vehicle and Portable Radio Number

1. Deputies shall use their individually assigned radio number when in communication with the dispatch center either on or off shift.

C. Clear Speech

1. Communication between field personnel and the Communications Center should be conducted using acceptable clear speech as the primary communication.

D. Notification to Dispatch

1. To assure efficiency of operation and enhance deputy safety, deputies should notify dispatch of the following:
 2. Arrival and completion of assignments.
 3. Vehicle and pedestrian stops to include the location and description of vehicle and/or persons.
 4. Availability status.
 5. Situation under control.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 17.05	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: EMERGENCY, PURSUIT DRIVING, & TRAFFIC STOPS		

EMERGENCY, PURSUIT DRIVING, & TRAFFIC STOPS

I. POLICY

- A. It shall be the policy of the Warren County Sheriff's Office that the emergency or pursuit operation of a Sheriff vehicle is justified only when the necessity of immediate apprehension or emergency outweighs the dangers created by the manner of operation of the pursuing or responding Sheriff vehicle. Although pursuit is a necessary tool in law enforcement, community safety must come first. The Office recognizes its responsibility to apprehend criminals and lawbreakers, No deputy may disregard any traffic control device including posted speed limits at any time unless emergency lights and siren are activated and then only in conformance with the provisions outlined in KRS 189.910, KRS 189.930, KRS 189.940. This policy will be reviewed on an annual basis by the Sheriff, or his designee.

II. PURPOSE

The purpose of this policy is to establish Policy and Procedure for emergency and pursuit driving.

III. DEFINITIONS

- A. **EMERGENCY OPERATION** - For the purposes of this order, emergency operation of Sheriff Vehicles shall refer to the operation of a Sheriff vehicle by a deputy in response to a situation or occurrence that threatens public safety or property, and has developed suddenly and /or unexpectedly and demands immediate action and response.
- B. **PURSUIT DRIVING** - Pursuit driving is the emergency operation of a Sheriff vehicle as required in the pursuit and apprehension of a violator, or other suspect who is an occupant of a moving vehicle, where the driver of the fleeing vehicle is aware of the attempt and is resisting apprehension.

IV. KENTUCKY REVISED STATUE

A. KRS 189.940 Exemptions from traffic regulations

1. The speed limitations set forth in the Kentucky Revised Statutes do not apply to emergency vehicles:
 - a. When responding to emergency call; or
 - b. To Sheriff vehicles when in pursuit of an actual or suspected violator of the law, or
 - c. To ambulances when transporting a patient to medical care facilities, and
 - d. The driver thereof if giving the warning required by subsection (5) of this section. No portion of this subsection shall be construed to relieve the driver of the duty to operate the vehicle with due regard for the safety of all people using the street or highway.
2. The driver of an emergency vehicle, when responding to an emergency call, or of a Sheriff vehicle in pursuit of an actual or suspected violator of the law, or of an ambulance transporting a patient to a medical care facility and giving the warning required by subsection (5) of this section, upon approaching any red light or stop signal or any stop sign shall slow down as necessary for safety of persons using the street or highway. **Deputies need to stop or slow to a speed when facing a red light or stop sign to ensure that civilian drivers see and hear them, before entering the intersection. Deputies need to clear lanes at intersections one by one, observing for any obstructions or sight-line problems, should not use extreme speed.**
3. The driver of an emergency vehicle, when responding to an emergency call, or of a Sheriff vehicle in pursuit of an actual or suspected violator of the law, or of an ambulance transporting a patient to a medical facility and giving warning required by subsection (5) of this section, may drive on the left side of any highway or in the opposite direction of a one-way street provided the normal lanes of traffic are blocked and he does so with due regard for the safety of all persons using the street or highway.
4. The driver of an emergency or public safety vehicle may stop or park his/her vehicle upon any street or highway without regard to provisions of **KRS 189.930 and 189.450**, provided that, during the time the vehicle is parked at the scene of an emergency, at least one (1) warning light is in operation at all times.
5. The driver of an emergency vehicle desiring the use of any option granted by subsections (1) through (3) of this section shall give warning in the following manner:

- a. By illuminating the vehicle's warning lights continuously during the period of the emergency;
 - b. By continuous sounding of the vehicle's siren, bell, or exhaust whistle; unless
 - c. The vehicle is an ambulance and the driver is of the opinion that sounding of the siren, bell, or exhaust whistle would be detrimental to the victim's health. In the event the driver of an ambulance elects not to use the siren, bell, or exhaust whistle he shall not proceed past red light or drive in the opposite direction on a one-way street or in oncoming lines of traffic unless no other vehicle are within five hundred (500) feet of the front of the ambulance. The driver shall not extinguish the warning lights during the period of the emergency.
6. No driver or operator of any emergency or public safety or other vehicle shall use the warning light or siren, bell, or exhaust whistle of his/her vehicle for any purpose or under any circumstances other than those permitted by **KRS 189.910 to 189.950**.
 7. **KRS 189.910 to 189.950** does not relieve the driver of any emergency or public safety vehicle from the duty to drive with due regard for the safety of all persons and property upon the highway.

V. GUIDELINES FOR EMERGENCY DRIVING

- A. Deputies who are dispatched or otherwise authorized to respond to a priority call which permits the use of emergency equipment, shall:
 1. Operate their vehicle with due regard for the safety of all persons and property upon the highway. Deputies shall comply with the Provisions of **KRS 189.940**, when engaged in emergency response or in pursuit. When a deputy approaches an intersection and intends to enter or cross the intersection against the traffic signal (i.e. red light, stop sign, and yield sign), he/she shall slow or stop the Sheriff vehicle to allow motorists the opportunity to hear and observe the deputy's vehicle and permit them the opportunity to yield right of way to the Sheriff vehicle.
 2. Take into consideration the prevailing traffic, roadway, vehicle limitations, and environmental conditions when determining the speed with which the vehicle shall be operated.
 3. Taken into consideration their proximity to the destination, and determine if emergency equipment (lights or siren) should be turned off prior to arrival, for purposes of deputy safety and/or suspect apprehension. Once the emergency lights and/or sirens have been disengaged, the deputy shall obey all existing traffic laws.

4. Illuminate emergency lights when parked on the traveled portion of a roadway.
5. An emergency response shall be terminated:
 - a. When the responding deputy is made aware that the emergency no longer exists.
 - b. When the deputy is advised by a dispatcher or supervisor to disregard further response or action.
 - c. When in the deputy's opinion, a serious hazard is present to the public and/or the responding deputy, due to adverse conditions.

B. General Guidelines

1. Deputy shall take into consideration the prevailing traffic, road-way, vehicle limitations, and environmental conditions when making the determination to stop a vehicle, and when selecting the location for the stop.
2. Deputy shall adhere to prescribed training methods when performing traffic stops.
3. When performing a "routine" traffic stop, deputies shall inform the violator of the purpose for the stop, when requesting a driver's license or any other information.
4. Deputies are encouraged to utilize the spot light and all other emergency light when performing nighttime traffic stops
5. Deputies shall utilize emergency lights and siren when notifying a motorist of the intention to stop them. Deputies shall keep emergency lights on during the entire course of the traffic stop.
6. Deputies shall utilize the vehicle's public address system to address the occupant/driver of the stopped vehicle when the situation (i.e. felony stop) suggests that this would be the safest course of action.
7. Deputy assigned routine patrol or traffic enforcement complaints are permitted to use covert and/or overt observation locations, in the enforcement of traffic violations in their assigned areas or beats.

C. High-Risk/ Felony Stops

1. High-Risk/Felony stops require the use of additional precautions and procedures that are normally unnecessary when performing an unknown-risk stop. The following categories more accurately distinguish the types of traffic stops:

- a. Felony stop – a traffic stop in which an occupant(s) of a vehicle are suspect in the commission of a felony offense, or the stopped vehicle accurately matches the description of a suspect vehicle for any serious offense, and stolen vehicles.
- b. High-Risk Stop – a traffic stop in which an occupant(s) of a vehicle are suspect in the commission of any offense involving violence (assault), subjects are thought to be armed, or the behavior of the driver and/or passengers prior to the stop alerts the deputy to the possibility of increased danger when performing the stop.
- c. Unknown-Risk Stop – all other traffic stops. The level of threat and risk involved in performing an otherwise normal traffic stop may prove greater than anticipated.

2. Procedure

- a. **During High-Risk/ Felony Stops the deputy shall:**
 - 1. Notify Dispatch by radio of the impending stop and:
 - (a) Request a back-up unit,
 - (b) Advise present location & direction of travel,
 - (c) Advise vehicle registration and description,
 - (d) Specify the reason for stop (i.e. wanted subject, stolen, charges pending, etc.).
 - (e) Advise the number of occupants of the vehicle,
 - (f) Advise any other pertinent information.
 - b. Coordinate through dispatch, your direction of travel with back-up units.
 - c. When back-up arrives to assist on the stop, coordinate the general termination point of the stop with the assisting units. It is imperative that the stop be conducted away from large concentrations of civilian's as much as possible (i.e. shopping centers). This may be accomplished in some instances by simply delaying the stop until the vehicle passes a business district or until it pulls off of a main thoroughfare. Boxing-in an unaware suspect in order to avoid a pursuit is permissible in extreme circumstances.
 - d. Advise the dispatcher of the location of the stop.
 - e. Utilize emergency lights and siren to notify the driver of the suspect vehicle of the intent to stop them. Utilize the P.A. system if necessary.

- f. Off-set the cruiser behind the suspect vehicle at a safe distance.
- g. The deputy initiating the stop should utilize the P.A. system to give direction to the driver/passengers on turning off the car, displaying hands, exiting the vehicle individually, etc.

VI. PROCEDURE FOR PURSUIT DRIVING

A. Initiating the Pursuit: A deputy may only initiate a pursuit when there is reasonable suspicion that the driver or an occupant of the vehicle is fleeing from having committed a serious felony which includes:

1. Offenses where a suspect has killed a person
2. Assault in the first, second, or third degree
3. Kidnapping
4. Wanton endangerment in the first degree
5. Unlawful imprisonment in the first degree
6. Rape in the first degree
7. Sodomy in the first degree
8. Burglary in the first or second degree
9. Sexual abuse in the first degree
10. Robbery in the first or second degree
11. Escape in the first degree
12. Arson in the first degree
13. Or the attempt of any of the above offenses

Or,

Prior to initiating the pursuit, the officer has reasonable suspicion that the driver is engaged in outrageous, reckless driving such that the necessity of immediate apprehension outweighs the level of danger created by the pursuit, excluding serious traffic offenses such as DUI, unless there are extenuating circumstances.

1. When directed by a supervisor to assist in a pursuit. (The assist may be for another agency but **the pursued person must be suspected of committing a serious felony as outlined above.**)

B. No other policy concerning pursuit driving shall exist outside this general order. When a traffic pursuit develops from contact with a suspected criminal or traffic violator, the deputy shall immediately notify the radio dispatcher and advise him/her of the following:

1. The known law violation(s) or the reason for the pursuit.
2. Location and direction of travel.

3. Description of the pursued vehicle and any registration information.
4. Approximate speed and roadway conditions being maintained at reasonable intervals.
5. Number of known occupants of the wanted vehicle. If the identification of the operator is known, this information shall be relayed to the dispatcher.
6. Location of termination point when reached.

C. RESPONSIBILITIES OF DEPUTY INVOLVED IN A PURSUIT

1. The initiation deputy shall be held accountable for the following:
 - a. Operate their vehicle with due regard for the safety of all persons and property upon the highway. Deputies shall comply with the provisions of **KRS 189.940** when engaged in emergency response or in pursuit. When a deputy approaches an intersection and intends to enter or cross the intersection against the traffic signal (i.e. red light, stop sign, yield sign), he/she shall slow or stop the Sheriff vehicle to allow motorists the opportunity to hear and observe the deputy's vehicle and allow other motorist the opportunity to yield the right of way to the Sheriff vehicle.
 - b. Shall utilize emergency lights and siren during the course of the pursuit. In the event the Sheriff vehicle's lights or siren should fail to work during the pursuit, the deputy operating the vehicle shall permit another vehicle to pursue, if available, otherwise the pursuit shall be terminated.
 - c. The primary decision as to whether the pursuit should be terminated, based in whole, or in part, on the circumstances outlined in subsection VI,
 - d. Deputies shall obey any direct order to terminate a pursuit issued by supervisor or commanding deputy.
 - e. Maintain composure while transmitting on the radio.
 - f. Notify the dispatcher when the pursuit is likely to go out of county.
 - g. If a deputy in an unmarked vehicle requests assistance from a deputy in a marked cruiser, the deputy in the marked unit shall become the primary pursuit vehicle.
 - h. The initiation deputy shall maintain a position as "lead vehicle" in a pursuit, unless he/she is unable to continue due to vehicle damage, mechanical failure, emergency equipment failure or a marked unit assumes control at his/her request.

- i. Upon notification to the location of a spike system deployment, the pursuing deputy shall give more frequent updates concerning the pursuit's location, direction of travel, speed, and traffic flow.
- j. Upon approach to a spike system deployment location, pursuing deputies shall increase the distance between the Sheriff vehicles and the pursued vehicle, in order to provide ample time for the deployed spikes to be removed for clear passage of cruisers. Deputies should never swerve or take extreme evasive actions to avoid a spike system lying on the roadway.
- k. Assume command at the termination point of the pursuit until the arrival of a supervisor.
- l. Complete a WCSO Incident Report and forward it to his/her immediate supervisor prior to the end of the shift.
- m. The completed WCSO Incident Report will be forwarded to his/her immediate supervisor for approval and a complete investigation of the incident.

NOTE: the summary section of the incident report should contain detailed facts regarding the pursuit. The analysis/critique section should contain an evaluation of the following:

- 1. Efficiency of pursuit.
 - 2. Effectiveness of the pursuit.
 - 3. Problems encountered during the pursuit.
 - 4. Recommended solution to these problems.
2. Responsibilities of the backup deputy shall be the same as those of the primary deputy, as outlined in section VI, B, 1, a, b, d, and e.
- a. The backup deputy who takes control of a pursuit, due to the inability of the initiating deputy to complete it, assumes the responsibilities of the initiating deputy, including the authority to terminate the pursuit. An incident report is required from each deputy that becomes the primary/lead unity in the pursuit.

3. Prohibited procedures during a pursuit are as follows:

- a. Ramming a pursued vehicle with a Sheriff vehicle.
- b. Running a pursued vehicle off the road.

- c. The discharging of a weapon from Sheriff vehicles. A vehicle traveling at high speed with a wounded or dead person at the controls would be far more dangerous than the pursuit.
- d. Use of civilian vehicles to form any type of moving or stationary roadblock.
- e. Deputy shall not immediately follow a pursued vehicle traveling in the wrong direction on a limited access highway, rather they shall follow from the correct side.
- f. Roadblocks or blocking the road with Sheriff Vehicles is prohibited.
- g. Units equipped with a spike system shall not pass the fleeing vehicle in order to drive ahead for the purpose of deploying the system.
- h. Whenever possible, a deploying deputy should **NOT** use their vehicle for cover when utilizing the spike system. The recommended locations shall be behind a concrete barrier, guard rail or large un-moveable object such as a tree. The location chosen should provide an area where the deputy can retreat to in the event the vehicle being pursued loses control or targets the deputy.

D. A pursuit shall be terminated or is prohibited:

- 1. When the deputy's opinion a serious hazard is present to the public and/or the pursuing/responding deputies due to prevailing traffic, roadway conditions, environmental conditions or extremely high speeds. Once the risk or danger of pursuit outweighs the necessity for immediate apprehension, the right thing to do is to terminate pursuit.
- 2. The decision as to whether the pursuit should be terminated; the deputy has the responsibility to discontinue a pursuit, as well as a supervisor. **A Deputy may never be disciplined for terminating a pursuit, but can be disciplined for pursuit policy violations where the pursuit is improper.**
- 3. When a deputy has non-sworn passengers in the cruiser to include ride-alongs.
- 4. When the pursuit creates a greater risk to the public safety than the original offense for which the suspect is being pursued.
- 5. The pursued vehicle's location is no longer known and/or the deputy loses visual contact with the suspect for an extended time. The deputy may continue to look for the suspect, but at no greater than posted speed limits when emergency equipment is no longer in use.
- 6. The wanted party(s) can be identified to the point where later apprehension can be accomplished and the violator is not a threat to the public.

7. While operating a Special Purpose Vehicle (i.e. motorcycle, surveillance van, etc.) When initiating a traffic stop, special purpose vehicles shall immediately terminate pursuit, once it is evident that the violator will not stop.
8. The pursuing deputy knows, or is reasonably certain, that a juvenile operates the fleeing vehicle.

NOTE: the pursuing deputy(s) must use his/her best judgment in evaluating the pursuit and make a continuous appraisal of it in deciding whether to continue the pursuit. The element of personal challenge should never enter into the deputy's decision. **The proficient deputy is aware that the decision to abandon pursuit is, under certain circumstances, the most intelligent and professional course of action.**

- E. Upon notification that a pursuit has been terminated, or the pursuing deputy advises that the pursuit is being terminated, the pursuing deputy(s) shall cease and desist all efforts and attempts to follow, overtake or otherwise apprehend the suspect vehicle. The pursuing deputy shall de-activate all emergency equipment, and reduce his/her speed to the speed limit. The assigned supervisor will make a determination if deputies can search the area for the suspect's vehicle.
- F. Pursuits shall be limited to the number of motor vehicle units necessary to successfully complete and effect an arrest. All other deputies shall monitor the progress of the pursuit, remaining alert to its location.
- G. **Upon being notified of the pursuit, the supervisor shall assume responsibility for the following:**
 1. Ensure that only the required or necessary units are involved in the pursuit.
 2. Ensure proper radio procedure is being utilized and no unnecessary transmissions are being made.
 3. Continually evaluate the need for the pursuit utilizing the guidelines in section VI, C, while taking into consideration the information or lack of information, being relayed by the pursuing deputy (i.e. speed, direction of travel, charges, etc.), while also considering the prevailing roadway and environmental conditions. Furthermore, the supervisor may take into consideration the deputy's experience/length of service with the Department.
 4. Proceed to the location of the pursuit and provide guidance and necessary supervision.
 - a. The assigned supervisor may participate directly in the pursuit as needed, but at a minimum, should follow the pursuit and provide supervision at the termination point.

5. Obtain an incident report from the deputy who initiated the pursuit and a separate report from any deputy who may have taken over the pursuit, in the event the initiating deputy was unable to complete the pursuit. The Supervisor shall ensure that the incident report and all other necessary reports are completed and submitted it to their immediate Supervisor prior to the end of shift, via the chain of command. Copies of the report shall be immediately forwarded to the Sheriff or designee for review, so an administrative review may be conducted of each pursuit. The Sheriff or designee will retain the incident report in a safe and secure location.
6. Ensure that personnel have been assigned to complete any necessary reports related to vehicle collisions and property damage resulting from the pursuit or reports related to any incident that gave rise to the pursuit (i.e. burglary, robbery).
7. Nothing in this policy would preclude other sworn supervisors with better vantage point or other pertinent information from making a decision regarding termination of a pursuit, regardless of its location to terminal point.

H. Use of a Spike System

The Spike System shall be deployed in an effort to safely and quickly end vehicle pursuits in order to minimize the risk of personal injury or property damage. Deputies using the Spike System device must carefully consider the circumstances, alternatives, and consequences, for each individual situation.

1. Deputy may use Office approved road spikes to end a pursuit, according to the following guidelines:
 - a. Only personnel that have been issued Office owned road spikes, and been trained in the use, shall be permitted to carry them in their vehicle and deploy them.
 - b. **Deputies may deploy a road spike system in an effort to terminate a pursuit of a fleeing felon and/or to terminate a pursuit that is causing a life threatening situation.** Personnel assigned this task shall locate suitable position ahead of the pursuit, in order to effectively deploy a spike system. Additional deputies may be utilized to assist in setting up the spike system for deployment and/or communications with the pursuing deputies. Prior to deployment, personnel deploying the system shall notify the pursuing deputies and Communications Dispatcher of the proposed location of the spike system deployment. All deputies shall be notified of the location of spike system deployment by radio, once the spikes are prepared for deployment or actually deployed.
 - c. Deployment of the road spike system shall be in accordance with prescribed training methods.

- d. Placement of Sheriff Vehicles at the location of deployment should be to the sides(s) or shoulder of the roadway. Deputies shall be positioned so that their vehicle or other appropriate objects afford a level of protection from traffic.
- e. The preferential deployment location shall be limited access roadways. In the event that deployment must take place on a non-limited access roadway, the efforts to limit traffic access to the section of roadways should be made prior to deployment.
- f. Following deployment, the deploying deputy shall be responsible for removal of the spike system, and shall ensure that all loose spikes and related debris is removed from the roadway and adjoining areas.
- g. Following deployment of the spike system, the system shall be repaired or replaced, if necessary, prior to reinstallation in the Sheriff cruiser. Repaired models shall be inspected for proper function and tested prior to reinstallation in the Sheriff cruiser.
- h. Use of a spike system (actual deployment) either successfully, or unsuccessfully, shall be documented on the WCSO Incident Report. Moreover, the deploying deputy will complete a Response to Resistance, before the end of his/her shift. This report should include information on the fleeing subject and a copy to the arresting agency's citation and offense report. Copies of this paperwork will be sent to the deputy's immediate supervisor, who shall review all reports pertaining to the incident and he/she will forward copies to the Sheriff or his designee.

2. Prohibited deployment practices shall include:

- a. Deployment where pedestrian traffic is present.
- b. Deployment to stop a two-wheel, three wheel, or off-road vehicle (i.e., all-terrain bikes and buggies); unless deadly force would be authorized to stop the vehicle. The type of vehicle being pursued should always be considered prior to deployment.
- c. Deployment to stop a vehicle known to contain passengers, unless approved by a supervisor,
- d. Deployment on a vehicle clearly marked as containing hazardous material.
- e. Deployment on unpaved roadways.

VII. UNITS PURSUING FROM OTHER JURISDICTIONS

- A. Deputies shall assist other jurisdictions involved in a pursuit which enters Warren County or is initiated by an agency within Warren County, only as a backup unit

for the other agency. Deputies will not leave the County to become involved in another agency's pursuit. The Office's purpose for participating in the pursuit shall be to track the course of the pursuit through Warren County in order to alert units to the pursuit location, so that deputies and citizens can be protected. Deputies assigned to assist pursuing deputies from another jurisdiction shall:

1. Comply with the requirements of section VI, B, 1, a, b, e, and f, of this order.
 2. Assume a position at the rear of the pursuit.
 3. Relay information concerning direction of travel, vehicle description, speed, etc.
 4. Provide logistical assistance to the foreign jurisdiction in obtaining any needed collision reports, wreckers, etc.
 5. Assume primary control of the pursuit only when:
 - a. All foreign jurisdiction units are disabled and unable to continue the pursuit, AND
 - b. Authorization has been received from a supervisor to become the primary deputy in the pursuit.
 - c. Deputies who continue pursuit out of the County will remain as the primary pursuit unit until relieved of the responsibility by the agency that has jurisdiction.
 6. Submit an incident report to the supervisor concerning the pursuit, charges placed by the foreign jurisdiction, and any other pertinent information.
- B. Deputies are not permitted to assist another jurisdiction in establishing a roadblock, box-in, or ramming a vehicle.
- C. A spike system deployment shall be approved only when the deputy utilizing the equipment feels that the use of the device would facilitate the ending of the pursuit, and the out-of-city participants in the pursuit have been notified of the use of spikes, and the location for deployment. Supervisors shall comply with Section VI, G of this order when deploying or authorizing the deployment of a spike system.

VIII. PURSUIT DEBRIEFING

- A. If a death or serious physical injury is sustained by any violator, deputy, or others during the course of a pursuit, or after a pursuit is terminated, then the following procedure shall be followed:
1. The highest ranking supervisor on-duty shall coordinate the following:

- a. Communications shall be contacted by telephone and advised of available information concerning the incident, and shall be instructed to notify the Sheriff.
2. All personnel involved in the pursuit shall be instructed to report to the Sheriff's Office, for debriefing, once their services are no longer needed at the incident scene.
3. The Communication dispatcher that worked the pursuit shall be requested to participate.
4. Ensure that all necessary reports and/or written statements are completed by personnel involved in the pursuit. Reports should be reviewed for content and clarity.
5. Evaluate the need for drug/alcohol testing for employees directly involved in the pursuit.

B. The Sheriff's Designee shall:

1. Conduct the debriefing of all personnel involved in the pursuit.
2. Collect copies of all completed reports and statements related to the pursuit.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 17.06	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: PROTECTIVE VESTS		

PROTECTIVE VESTS

POLICY

It is the policy of the Warren County Sheriff's Office that ballistic vests/ body armor is made available to all Deputies excluding the Court Security Division. The vest provided will conform to the quality standards of the National Institute of Justice. The wearing of body armor will be mandatory for all Deputies during routine shift assignments, traffic details, transporting prisoners, planned high risk and tactical situation; including warrant execution or drug raids. Deputies working a plain-clothes assignment are not required to wear body armor; however given the inherent danger of the job, body armor should be readily available. Off duty details (example: homecoming parade, basketball and football games) Deputies have the discretion to wear body armor, unless otherwise stipulated by individual commanding officers. If a Deputy is issued body armor and decides not to wear it, this shall be sufficient proof that the body armor was made available. This policy shall apply to all sworn Warren County Sheriff's personnel until it is superseded, revoked or rescinded.

Warren County Sheriff's Office

GENERAL POLICY

IDENTIFIER

17.07

EFFECTIVE DATE: 05/01/2014

REVISION DATE: 03/01/2020

AUTHORIZED BY: Sheriff Brett Hightower

TITLE: FOOT PURSUIT

FOOT PURSUIT

I. POLICY

The purpose of this policy is to secure a balance between protecting the lives of our deputies, the public and upholding our duty to enforce the law and apprehend violators. This policy shall apply to all Warren County Deputies until it is superseded, suspended or revoked.

II. DEFINITIONS

- A. FOOT PURSUIT – means to the physical attempt by a deputy, without the aid of a vehicle or other motorized device, to detain, arrest, or otherwise take physical custody of an individual who attempts to flee on foot.
- B. VIOLATOR – Includes any individual who a deputy reasonable believes has committed an offense or poses an immediate threat to the safety of the public or other deputies.
- C. TEAM CONCEPT – Describes the practice of having two or more deputy's work together during a foot pursuit. The deputies work in unison via direct or indirect communication to coordinate their efforts, remain aware of the location of deputies and suspects, and keep abreast of the status of the pursuit.

III. PROCEDURE

- A. The Warren County Sheriff's Office recognized that our deputies have the authority, at all times, to attempt to stop any individual suspected of committing any criminal offense, violation, or traffic infraction. However, the Office realized that while the deputy initiates the stop, the violator provokes the pursuit by fleeing. Therefore, pursuing deputies will base their decisions on whether to pursue a fleeing suspect on the degree of risk to them-selves or others.

B. Risk factors to be considered:

- 1. Whether the suspect is armed;

2. How serious is the suspect's offense i.e. does he or she pose a serious threat to the community if allowed to escape;
3. Deputy acting alone
4. Backup deputies availability in a timely manner
5. Number of suspects being pursued
6. Deputy's physical condition
7. Location:
 - a. Nature of area- (i.e. residential, commercial, freeway) which impacts the safety of all those who may be affected by the foot pursuit.
 - b. Conditions of structures: abandoned and condemned.
 - c. Environmental factors: weather conditions or darkness.
 - d. Area of pursuit is hostile to law enforcement personnel
8. Ability to apprehend the subject at a later time. i.e. identity is known
9. Communications Issues:
 - a. Deputy familiarity with location- being able to identify subject's location with accuracy during pursuit.
 - b. Radio frequency and coverage- Is deputy in area where radio coverage may fail.

C. Deputies should not conduct foot pursuits:

1. Into vacant or occupied buildings, structures, confined spaces, or wooded/ isolated locations without using the team concept or without supervisory authorization, except in the event of extreme urgency, such as the immediate threat to the safety of the general public or other deputies;
2. If they believe that the danger to pursuing deputies or the public outweighs the necessity for immediate apprehension;
3. If they get disarmed or lose possession of their service weapons;
4. If they lose visual contact with the violator and become unsure of the suspect's whereabouts or continued direction of travel;
5. If they lose contact with their fellow deputies or the communication center;
6. If directed by their immediate supervisor.

D. Pursuing Deputy Responsibilities:

1. The decision to initiate or continue a foot pursuit requires weighing the need to apprehend the suspect against the degree of risk to which the deputy and others who are exposed to as a result of the pursuit.

2. Once an deputy decides to engage in a foot pursuit, the deputy must immediately relay the following information to communications:
 - a. Deputy identifier
 - b. Location (continuing responsibility)
 - c. Direction of travel
 - d. Description of suspect
 - e. Whether suspect is armed
 - f. Reason for foot pursuit
 - g. Coordinating with other deputies to establish perimeter for containment.
3. Deputies should always wait for backup if they believe that the suspect is armed or extremely dangerous.
4. The primary deputy should maintain sufficient tactical gap between him or herself and the suspect to allow time for maintaining cover and allow for the arrival of backup deputies before engagement.
5. If other deputies are on the scene or arrive shortly afterward, primary deputy or supervisor should communicate with them to set up a perimeter in the area to contain the violator.
6. If a supervisor is not on duty, the primary deputy should have communication center contact and apprise the on-call supervisor as soon as possible.
7. Pursuing deputy should always ensure that suspects who flee from vehicles do not have accomplices in the car that may attack from behind.
8. Deputies should always take their vehicle keys with them to avoid having suspects return to the scene and flee in police units.
9. Deputies should always try to follow the same general path as the suspects so that the deputies will discover any hidden obstacles – such as clotheslines, wire, cables, holes, and sprinkler heads, etc.
10. Deputies should always remain cautious, in control and alert for additional threats and other changes in the situation.

E. Supervisor's responsibility:

1. Monitor the pursuit and direct available resources to provide for the swift and safe apprehension of the suspect.
2. Terminate any foot pursuit where the risk to the deputy, the public, or the suspect outweighs the need for the foot pursuit.
3. Consider the use of specialized units/personnel to aid in the apprehension i.e. canine, should be undertaken by involved deputies.

F. Incident Review:

1. At the conclusion of a foot pursuit as defined by this policy, deputies shall complete an incident report and submit it to their immediately supervisor along with all supporting documentation.
2. The immediate supervisor will forward the deputy's report with supporting documentation and his/her review through the chain of command to the Sheriff, or his designee for review.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 17.08	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: DOMESTIC VIOLENCE		

DOMESTIC VIOLENCE

I. POLICY

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

- A.** Make an arrest for any violation of an Emergency Protective Order (EPO), any violation of a Domestic Violence Order (DVO), any violation of a Temporary Interpersonal Protective Order (TIPO), any violation of an Interpersonal Protective Order (IPO), any violation of a Foreign Protective Order (FPO) or any violation of a condition of release or bond when authorized by state law;
- B.** Reduce the incidence and severity of domestic violence crime;
- C.** Afford maximum protection and support to adult and child victims of domestic violence through coordinated services of law enforcement and victim assistance; and
- D.** Reduce the risk of civil liability for deputies, supervisors and administrators, and the employing unit of government.
- E.** To accomplish these goals, every deputy shall:
 - 1.** Make an arrest when authorized by state law as the preferred response, instead of using dispute mediation, separation or other police intervention techniques;
 - 2.** Treat all acts of domestic violence as criminal conduct;
 - 3.** Respond with the same protection and sanctions for every domestic violence incident, regardless of race, religion, creed, national origin, gender, sexual orientation, disability and socio-economic status, including cases where any of the alleged parties may be a law enforcement deputy, public official or prominent citizen; and immediately report all known or suspected cases of domestic violence and abuse, adult abuse, or child abuse as required by state law; Receive training on domestic violence as required by state law.

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

- F. The following facts shall not be considered as an independent compelling reason not to arrest the perpetrator. These facts may be used as background information to complete a domestic violence investigation for prosecution.
1. The marital status of the suspect and the victim;
 2. Whether or not the suspect lives on the premises with the victim (except as may be necessary to qualify the parties as “members of an unmarried couple”);
 3. Whether the victim has not obtained a protective order against the perpetrator;
 4. The potential financial consequences of arrest;
 5. Whether there have been previous law enforcement responses to domestic calls at this address;
 6. Verbal assurances that the violence will cease;
 7. The victim’s emotional status;
 8. Whether or not physical injuries suffered by the victim can be personally observed at the time of the law enforcement response;
 9. The location of the incident (i.e. public or private);
 10. Speculation that the victim may not follow through with the prosecution, or that the arrest may not lead to a conviction;
 11. The victim’s initial reluctance regarding an deputy-initiated arrest;
 12. The fact that the victim and suspect are of the same gender; or,
 13. The use of alcohol or drugs by either or both parties.

II. PROCEDURES

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

1. General responsibilities at the scene (see attached checklist)
 - a. Respond promptly to the call - utilize two deputies when available;
 - b. Establish control;
 - c. Assess the situation for risks to all parties including children;
 - d. Attend to the emergency medical needs of those involved;
 - e. Interview parties/witnesses separately and away from the line of sight and hearing of the perpetrator; (use direct quotes of witnesses about their fears and concern);
 - f. Effect an arrest of the perpetrator as the preferred response, if legally possible;
 - g. Seize any weapons used in the incident;
 - h. Inform the victim of rights;
 - i. Provide victim information on legal remedies and community services available for protection and safety planning;

- j. Assist the victim in securing medical attention which shall include arranging for the transporting of the victim to obtain medical attention;
- k. Assist the victim in securing legal protection (warrant, protective order) which may include transporting the victim to obtain the legal protection, if appropriate;
- l. Report all actual and suspected incidents of abuse to the Cabinet for Health and Family Services, Department for Social Services, using the "Child Abuse, Adult Abuse and Domestic Abuse Standard Report" for (JC-3) when the victim is a child or a vulnerable adult;
- m. If the exigent circumstances have ceased, obtain a consent to search or obtain a search warrant when appropriate;
- n. Collect and photograph all relevant evidence required for successful prosecution (use body map with checklist to document injuries);
- o. Arrange for follow up photographs of the victim in order to demonstrate the extent of the injuries that may later become more obvious;
- p. Attend to any children or dependent adults
- q. If the complainant reports a violation of an EPO / DVO – the deputy shall have the complainant complete a Declaration of Violation EPO / DVO Form.
- r. Check LINK and NCIC for outstanding warrants, history file on protective orders and whether there are any active EPO(s), DVO(s), TIPO(s), IPO(s) or Foreign Protective Order (FPOs).
(For various reasons, not all valid domestic violence orders may be in the LINK system).

2. Arrests

- a. Arrest is the preferred response to domestic violence. All arrests shall be made in conformity with Kentucky State Law, Agency Policy and Procedures.
- b. Warrant-less arrest for domestic violence related felonies is the preferred response.
- c. Misdemeanant arrests without a warrant:
 - 1. As long as there is probable cause to believe an offender has intentionally or wantonly caused injury to a family member or a member of an unmarried couple, or another person with whom the person was or is in a dating relationship, the deputy may arrest for Assault in the Fourth Degree. **KRS 431.005 (2) (a).**
 - (a) Effective July 1996, the deputy does not have to determine whether the offender will present a danger or threat of danger to others if not immediately restrained in order to effect an arrest for an Assault in the Fourth Degree. **KRS 431.005(2) (a).**
 - (b) If the misdemeanor assault charge is a third or subsequent offense, the penalty for the arresting offense can be enhanced by one degree. In

order for the enhancement of the penalty, it is not necessary that the victim be the same person. **KRS 508.032.** The deputy should make a reasonable effort to determine if there is a prior history.

- (c) If there is probable cause to believe that any condition of a bond or pre-trial release has been violated and the deputy has verified that the offender has had notice of the conditions, he shall arrest the offender without a warrant. **KRS 431.005(5)**

d. Emergency Protective Orders (EPO)

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

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

e. Domestic Violence Orders (DVO)

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

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

f. Temporary Interpersonal Protective Orders (TIPO)

1. Temporary Interpersonal Protective Orders are immediately enforceable only if the respondent has been served or given notice of the contents;
2. The deputy should check through the LINK-Domestic Violence File to verify service of the Emergency Protective Order;

3. If personal service has not occurred, the deputy shall immediately give the respondent notice of the contents of the Temporary Interpersonal Protective Order;
4. After notice has been given to the respondent, its terms are binding and enforceable for subsequent acts;
5. The deputy shall then make arrangements for personal service of the “TIPO” if possible and make notifications to dispatch and notification to the responsible agency for LINK entry of the orders.

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

g.. Interpersonal Protective Orders (IPO)

1. IPO's shall be enforced immediately upon issuance.
2. The deputy shall make sure that the conditions for which an arrest is made are prohibited in the “IPO”.
 - a. All deputies should be aware that pursuant to the Carrying a Concealed Deadly Weapon Statue, “...when a Domestic Violence Order or Emergency Protective Order is issued under (the law), the holder of the permit shall surrender the license to the court or to the officer serving the order”. KRS 237.110(10);

h. Foreign Protective Orders (FPO)

1. General

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

2. Arrest procedures

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

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

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

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

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

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

i. Mutual Violence

- 1. Where the deputy has probably cause to believe that two or more persons committed a misdemeanor or felony, or if two or more persons make complaints to the deputy, the deputy shall try to determine who was the primary aggressor and whether one party acted in self-defense;
- 2. The deputy should arrest the primary aggressor;
- 3. Where there is probable cause to believe that all parties are equally responsible, the deputy should contact his immediate supervisor for assistance in a resolution;

4. Deputies should not use mutual arrests as a substitute for a thorough investigation;

NOTE: Arresting both parties is not the preferred response.

5. Factors to consider in mutual violence situations to determine the primary aggressor:

- (a) The history of domestic disputes/violence between the persons;
- (b) The degree of injury inflicted upon each person keeping in mind that many injuries to the head and body may not be visible at the time;
- (c) Objective and testimonial evidence from the parties and other persons at the scene including children;
- (d) Whether one person acted in self-defense;
- (e) The presence of fear of the parties involved and the level of fear (who is afraid of whom); and
- (f) The likelihood of future injury.

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

3. Obtaining Warrants/Protective Orders

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

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

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

- a. Whether or not an arrest has been made, if the deputy has reason to suspect that a family member, member of unmarried couple, or persons who are or have been in a dating relationship, has been the victim of domestic violence, dating violence, sexual assault or stalking, the deputy is required by **KRS**

403.785 (2) (for family members or members of an unmarried couple) or **KRS 456.090 (2)** (for persons of a dating relationship, victim of sexual assault or stalking), to use all reasonable means necessary to prevent further domestic violence, including but not limited to:

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

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

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

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

2. 5. Special Circumstances

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

B. Domestic Violence Protocol

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

1. Terminology
 - a. **“Domestic Violence and Abuse”** means physical injury, serious physical injury, sexual abuse, assault, or the infliction of fear of imminent physical injury, serious physical injury, sexual abuse, or assault between family members or members of an unmarried couple. **KRS 403.720 (1)**.
 - b. **“Family Member”** means a spouse, including a former spouse, a grandparent, a parent, a child, a stepchild, or any other person living in the same household as a child if the child is the alleged victim. **KRS 403.720 (2)**.
 - c. **“Member of an Unmarried Couple”** means each member of an unmarried couple which allegedly has a child in common, any children of that couple, or a member of unmarried couple; who is living together or have formerly lived together. **KRS 403.720(5)**
 - d. **“Dating Relationship”** means a relationship between individuals who have or have had a relationship of a romantic or intimate nature. It does not include a casual acquaintanceship or ordinary fraternization in a business or social

context. The following factors may be considered in addition to any other relevant factors in determining whether the relationship is or was of a romantic or intimate nature:

- (1) Declarations of romantic interest;
- (2) The relationship was characterized by the expectation of affection;
- (3) Attendance at social outings together as a couple;
- (4) The frequency and type of interaction between the persons, including whether the persons have been involved together over time and on a continuous basis during the course of the relationship;
- (5) The length and recency of the relationship; and
- (6) Other indications of a substantial connection that would lead a reasonable person to understand that a dating relationship existed; **KRS 456.010(1)**

e. **“Dating violence and abuse”** means physical injury, serious physical injury, stalking, sexual assault, or the infliction of fear of imminent physical injury, serious physical injury, sexual abuse, or assault occurring between persons who are or have been in a dating relationship. **KRS 456.010(2)**

- f. **“Sexual Assault”** refers to conduct prohibited as any degree of rape, sodomy, or sexual abuse under KRS Chapter 510 or incest under KRS 530.020. **KRS 456.010(6).**
- g. **“Stalking”** refers to conduct prohibited as stalking under KRS 508.140 or 508.150. **KRS 456.010(7)**

2. Policy

- a. It shall be the policy of the Warren County Sheriff's Office to view complaints of domestic violence as alleged criminal conduct, and shall respond to such complaints and investigate them accordingly, and make an arrest if merited.

3. Arrest Authority

- a. Deputies may arrest, per **KRS 431.005,**
1. Pursuant to a warrant;
 2. Without a warrant when a felony is committed in his/her presence;
 3. Without a warrant when he/she probably cause to believe the person has committed a felony;
 4. Without a warrant when a misdemeanor, as defined in **KRS.431.060**, is committed in her/her presence.

5. Without a warrant when a violation of **KRS 511.080** (Criminal Trespass, Third Degree) or **KRS 525.070** (Harassment) has been committed in his/her presence; or
 6. Without a warrant when the peace deputy has probably cause to believe that if a person is not arrested, the person will present a danger to others if not immediately restrained and in addition, the deputy has probably cause for believing that the person has intentionally or wantonly caused physical injury to a family member or member of an unmarried couple.
- b. Deputies may arrest, per **KRS 431.015(1)(c)**, without a warrant when the deputy has probably cause to believe a violation of a Protective Order has occurred, after service on the respondent or notice to the respondent of the existence and terms of the order by a deputy or the court.

4. Providing Domestic Violence Petitions and Verification of Petitions

- a. During regular business hours of the District Court Clerk's office, it is the policy that petitions for Emergency Protective Orders or Temporary Interpersonal Protective Orders be sought from that office.
- b. The following persons are hereby authorized to provide Motion/Petition for Orders of Protection forms to any person who meets the definition "family member", or "member of an unmarried couple", persons who are or have been in a "dating relationship", been a victim of "sexual assault" or "stalking" as set out herein and who is seeking an Emergency Protective Order or a Temporary Interpersonal Protective Order:
 1. Circuit/District Court Clerk and all Deputy Clerks;
 2. Commonwealth Attorney, Assistant Commonwealth Attorneys and the Commonwealth Attorney's Office staff;
 3. County Attorney, Assistant County Attorneys and the County Attorney's office staff;
 4. Sheriff of the County and all Deputy Sheriffs;
 5. All Peace Officers as defined by KRS.
- c. All persons listed in Paragraph 4(b) are hereby authorized to take the oath of the person making a petition for Domestic Violence Orders and to verify the signature of the petitioner.
 1. The person receiving the completed Domestic Violence Petition shall administer an oath of the Petitioner affirming the truthfulness of the contents of the Petition.
 2. The person giving the oath shall sign their name and office in the space provided on the petition.

5. Post Arrest Procedure

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

6. No Arrest Made

- a. Responding deputies, after establishing control of the situation, shall complete the JC-3 (victim statement) and any offense/report forms required by his/her department.
- b. A Motion/Petition for an Order of Protection should be offered to the alleged victim for completion. Upon completion, the petition must be signed by the person seeking protection and must be verified by the deputy present at the scene. **KRS 456.030.**
- c. If the court is not in session, the peace deputy shall contact pretrial services for notification of the on-call judge that an order has been requested.
- d. The deputy shall take the signed and verified petition to the on-call judge for review and, if merited, the issuance of an Emergency Protective Order or Interpersonal Protective Order. The judge shall keep the original petition and order for filing with the clerk.
- e. A copy of the signed order shall be sent to the local entering agency for the Law Enforcement Network of Kentucky (LINK). The victim shall be informed by the deputy that the order has been signed, entered into LINK, and that a copy is available to him/her.

- f. The deputy shall attempt to serve a copy of the signed order and petition upon the alleged perpetrator. If this is not accomplished within a reasonable time, the deputy should attempt to give notice of the existence and terms of the order to the alleged perpetrator. The time and place of service or notice shall be set out on the order. A copy of the order shall be filed with the Warren District Clerk.
- g. If the deputy is unable to serve the alleged perpetrator within a reasonable time, a copy of the order, the notice setting the hearing and a copy of the petition shall be forwarded to the sheriff for personal service.
- h. Within forty-eight (48) hours, the law enforcement agency initiating the report shall report the suspected violence and abuse to the Cabinet for Human Resources, Department for Social Services, use of the JC-3, in cases where the victim was a child or a vulnerable adult. In cases where the victim is an adult, the deputy shall keep a copy of the JC-3 in his/her investigative file.

7. Miscellaneous

- a. Whenever an Emergency Protective Order is not issued by the court, the court shall note on the petition any action taken or denied and the reason for it, **KRS 403.730(2)(b)** or **KRS 456.040(2)(b)**, and accept the same for filing.
- b. Deputies acting in good faith shall be immune from criminal and civil liability. **KRS 403.785(4)** or **KRS 456.090(4)**.
- c. Motions/Petitions for Order of Protection shall be made available to law enforcement agencies and shall be in the possession of deputy at all times.
- d. At least six copies of petitions and orders shall be completed. After hours, the original shall be maintained by the judge for filing with the clerk on the next business day. A copy shall be served on the alleged perpetrator, and a copy returned to the clerk. The victim shall be given a copy, a copy shall be sent to LINK and the peace office shall retain a copy.
- e. Pursuant to statute, if no District Judge can be found within the county, the petition shall be presented to any judge of the Warren Circuit Court found within the county.
- f. A petitioner for an order of protection under KRS Chapter 403 (family member or member of an unmarried couple) may apply for a temporary permit to carry a concealed deadly weapon on or about his/her person under the same terms and conditions as a person holding a CCDW license issued under KRS 237.110. **KRS 403.754**

C. Offender or Victim has Left the Scene

- 1. If probable cause exists that an alleged perpetrator has committed an assault on a family member or member of an unmarried couple, or has violated a Protective Order, a Domestic Violence Order, or a Foreign Protective Order, but the perpetrator has left the scene, the responding deputy shall interview all available witnesses, record or document these interviews and collect all available physical evidence.

2. If the deputy is unable to arrest the alleged perpetrator within a reasonable time, the deputy should assist the victim in seeking an arrest warrant and/or Emergency Protective Order to deter future domestic violence;
3. If probable cause exists that there has been an assault on a family member or a member of an unmarried couple or that a protective order has been violated, but the victim has left the scene, the responding deputy shall, in addition to investigating the offense at the scene, attempt to locate the victim, determine whether the victim needs medical assistance and continue the investigation where the victim is located;
4. Effecting an arrest consistent with state law is the preferred response even when one party or the other has left the scene. This may include an arrest based on probable cause or the deputy applying for an arrest warrant himself.
5. If a deputy is unable to execute a probable cause arrest due to not being able to identify the location of the suspect in a reasonable time frame and only if the offense alleged committed was a misdemeanor, the deputy shall:
 - a. Provide the victim with a copy of the JC-3, in cases where the victim is a child or a vulnerable adult, along with any other completed police reports. The deputy will provide a copy of the victim's rights from the bottom of the JC-3 to all victims, regardless of age or status. **KRS 209A.120**
 - b. Direct the victim to respond to the Warren County Attorney's Office as soon as they open for business to secure an arrest warrant for said charges.
 - c. However, if exigent or special circumstances exist, nothing in this section shall preclude the investigating deputy from securing an arrest warrant himself on behalf of the victim.
 - d. If probable cause exists that a felony was committed, the deputy shall take it upon himself to secure the arrest warrant.

D. Domestic Violence Perpetrator is a Juvenile

1. Deputies shall handle juvenile perpetrators of domestic violence in the same manner as when the alleged perpetrators is an adult perpetrator;
2. If a juvenile is taken into custody, deputies shall process the juvenile under the provisions of the Juvenile Code (**KRS Chapters 600-645**);
3. Deputy should not release juvenile perpetrators at the scene.
4. Deputies should contact the Court Designated Worker (CDW) for an alternative placement for the juvenile perpetrator.

E. Special Needs Victims

1. Some domestic violence victims have special needs because of their relationship to the perpetrator, limited physical or mental abilities, or some other factor. These

factors make it extremely difficult for them to report their victimization, call for assistance, or participate fully in the investigation and prosecution of their case.

2. Such special needs victims may include:
 - a. Pregnant women;
 - b. Physically or mentally disable persons;
 - c. Alcohol or chemically dependent persons;
 - d. Males;
 - e. Adolescents, and;
 - f. Culturally diverse populations.
3. Deputies should treat all victims respectfully and as seriously as any other criminal case;
4. Deputy should refer these victims to specialized support services to ensure the victim receives protection, physical assistance, medical treatment or other services as needed. (eg. BRASS, Hope Harbor, etc.)

F. Marital Rape/Sexual Assault

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

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

G. Children, Dependent Adults and Elderly Adults

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

H. Domestic Violence Or Dating Violence Stalking

1. Deputies should complete a full report and investigation where a domestic violence victim alleges that he or she has been stalked;
2. Deputies shall offer the Motion/Petition for Order of Protection to victims of stalking, whether it be domestic violence, dating violence or when no relationship exists between the victim and the perpetrator, in accordance with KRS 456.
3. Deputies should advise staling victims to notify the Warren County Sheriff's Office of subsequent incidents.

I. Special Relationship/Prominent Citizen

1. A responding deputy shall notify his/her supervisor when he/she responds to a domestic violence call involving a public official, or a prominent citizen.

- a. A responding deputy and supervisor shall apply this policy equally to all members of the community;
 - b. This applies whether the person is the victim or the perpetrator.
2. A responding deputy shall notify his/her supervisor when he/she responds to a domestic violence call involving law enforcement personnel.
 - a. When possible, the investigation should be handled by an deputy at least one rank higher than the party involved;
 - b. The investigating deputy shall notify the highest ranking deputy on duty of the investigation.
3. When a law enforcement deputy is investigating a member of another law enforcement agency, that investigating deputy should notify the highest ranking deputy / officer on duty of the agency with whom the deputy under investigation is employed.
 - a. This applies whether the person is the victim or the perpetrator.

J. Duty to Warn

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

K. Involuntary Hospitalization

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

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

B. Other Related Matters

3. Confidentiality

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

4. Training

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

5. Good Faith Immunity from Liability

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

- a. Enforcing Emergency Protective Order or Domestic Violence Orders **KRS 403.485(4)**.
- b. Enforcing Temporary Interpersonal Protective Orders or Interpersonal Protective Orders **KRS 456.090(4)**.
- c. Enforcing Foreign Protective Orders. **KRS 403.7521(2)**.
- d. Making a report or investigation for adult abuse or neglect **KRS 209.050**.
- e. Making a report or investigation for child dependency, abuse or neglect. **KRS 620.050(1)**.

III. DEFINITIONS

1. General Definitions

- a. **“Domestic Disturbance or Dispute Call”** means a call involving an argument or disagreement between family members, unmarried couples, or household members.
- b. **“Domestic Violence Call”** means a call where an adult, child, or family member or member of an unmarried couple is alleged to be the victim of:
 1. Physical injury or fear of imminent physical injury (explicit or implied threats);
 2. Sexual abuse or in fear of imminent sexual abuse;
 3. Unlawful imprisonment/kidnapping;
 4. Property crime;
 5. Stalking; or,
 6. Violation of terms or conditions of a protective order by the other party.
- c. **“Dating Violence Call”** means a call where persons who are or have been in a dating relationship is alleged to be the victim of:

1. Physical injury or fear of imminent physical injury (explicit or implied threats);
2. Sexual abuse or in fear of imminent sexual abuse;
3. Unlawful imprisonment/kidnapping;
4. Property crime;
5. Stalking; or,
6. Violation of terms or conditions of a protective order by the other party.

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

- d. **"Victim or Complainant"** means any person who has been subjected to threats of or actual domestic and abuse or dating violence and abuse. This includes persons who, at that time, may be reluctant to see the perpetrator arrested, file charges, or see the perpetrator prosecuted. It also includes victims of sexual assault or stalking when no relationship between the victim and perpetrator exists.
- e. **"Exigent Circumstances"** means those circumstances or emergencies which authorized deputies to enter a dwelling without consent or a warrant. Examples of such emergencies are:
 1. Hot Pursuit of a fleeing felon;
 2. The imminent destruction of evidence;
 3. The need to prevent a suspect's escape;
 4. The risk of danger to the police or others;
 5. Reasonable belief that a person inside is in need of immediate protection or assistance.

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

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

NOTE

1. The victim's statement is a factor that should be considered in determining whether probable cause exists.

2. The deputy shall use the JC-3 form (Child Abuse, Adult Abuse and Domestic Abuse Standard Report) to document the evidence giving the deputy probable cause to make the arrest, and/or report suspected abuse.

2. Domestic Violence and Abuse Definitions

- a. **“Domestic Violence and Abuse”** means physical injury, serious physical injury, sexual abuse, assault, or the infliction of fear of imminent physical injury, serious physical injury, sexual abuse, or assault between family members or members of an unmarried couple. **KRS 403.720 (1)**.
- b. **“Physical Injury”** means substantial physical pain or any impairment of physical condition. **KRS 500.080(13)**.
- c. **“Family Member”** means a spouse, including a former spouse, a grandparent, a parent, a child, a stepchild, or any other person living in the same household as a child if the child is the alleged victim. **KRS 403.720 (2)**.
- d. **“Member of an Unmarried Couple”** means each member of an unmarried couple which allegedly has a child in common, any children of that couple, or a member of unmarried couple; who is living together or have formerly lived together. **KRS 403.720(5)**

NOTE

1. The AOC Clerk’s Manual lists the following as being included: the parent of the victim’s child even if the parties are not married, any children of that couple or member of an unmarried couple who are living together or formerly lived together;
2. The statutes do not define “couple” or “living together”. Deputy should make a determination of whether or not parties are a “couple” or “living together” without being influenced by gender or sexual orientation or whether or not sexual activity is involved.

3. Dating Violence and Abuse Definitions

- a. **“Dating Relationship”** means a relationship between individuals who have or have had a relationship of a romantic or intimate nature. It does not include a casual acquaintanceship or ordinary fraternization in a business or social context. The following factors may be considered in addition to any other relevant factors in determining whether the relationship is or was of a romantic or intimate nature:
 1. Declarations of romantic interest;
 2. The relationship was characterized by the expectation of affection;
 3. Attendance at social outings together as a couple;

4. The frequency and type of interaction between the persons, including whether the persons have been involved together over time and on a continuous basis during the course of the relationship;
 5. The length and recency of the relationship; and
 6. Other indications of a substantial connection that would lead a reasonable person to understand that a dating relationship exists.
- b. "**Dating violence and abuse**" means physical injury, serious physical injury, stalking, sexual assault or the infliction of fear of imminent physical injury, serious physical injury, sexual abuse, or assault occurring between persons who are or have been in a dating relationship.
 - c. "**Sexual assault**" refers to conduct prohibited as any degree of rape, sodomy, or sexual abuse under KRS Chapter 510 or incest under KRS 530.020.
 - d. "**Stalking**" refers to conduct prohibited as stalking under KRS 508.140 or 508.150.

4. Protective Orders

- a. "**Emergency Protective Orders**" ("EPO") means an ex parte court order (an order issued at the request of one party without a hearing) issued under the provisions of **KRS 403.740** against a family member or a member of an unmarried couple who has been determined to present an immediate and present danger and which is valid for up to 14 days (the date of expiration should appear on the order).
- b. "**Temporary Interpersonal Protective Orders**" ("TIPO") means an ex parte order (an order issued at the request of one party without a hearing) issued under the provisions of **KRS 456.040** against a person who is or has been in a dating relationship, the alleged perpetrator of sexual assault or stalking (where a relationship may or may not exist between the perpetrator and victim) who has been determined to present an immediate and present danger and which is valid for up to 14 days (the date of expiration should appear on the order).

NOTE

1. The deputy seeking to enforce the order shall determine that certain conduct has been prohibited on the order form or in the LINK system - - he cannot assume that any particular provision is in force;
 2. He must also determine whether service or notice of the order has been completed.
- c. "**Mutual Protection Order**" is an order of protection against both the Petitioner and Respondent only if each has filed a separate petition seeking protection against the other. The order must be specific so as to make clear to any peace office which party has violated the order. **KRS 403.745(4)**.

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

- d. **“Domestic Violence Order” (“DVO”)** means a court order issued under the provisions of **KRS 403.750** following a hearing against a family member or a member of an unmarried couple where the court has found violence has occurred and is likely to occur again. In Kentucky, a “DVO” is valid for up to three years (the date of expiration should appear on the order.)
- e. **“Interpersonal Protective Order” (“IPO”)** means a court order issued under the provisions of **KRS 456.060** following a hearing against a person who is or has been in a dating relationship, a victim of sexual assault or stalking where the court has found violence has occurred and is likely to occur again. In Kentucky, an IPO is valid for up to three years (the date of expiration should appear on the order.)
- f. **“Foreign Protective Order” (“FPO”)** means any judgment, decree, or order of protection issued by a court of any state of the United States or tribal court which is entitled to full faith and credit in this state pursuant to 18 U.S.C. sec 2265. **KRS 403.7521(1).** Foreign Protective Orders shall be enforced as written.

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

2. Adult Abuse or Neglect/Exploitation Definitions

- a. **“Abuse”** means the infliction of physical pain, mental injury, or injury of an adult; **KRS 209.020(7)**
- b. **“Neglect”** means a situation in which an adult is unable to perform or obtain for himself the services which are necessary to maintain his health or welfare , or the deprivation of services by a caretaker which are necessary to maintain the health and welfare of an adult, or a situation in which a person deprives his spouse of reasonable services to maintain health and welfare.
1. KRS 209.020(15).
- c. **“Adult”** means a person eighteen (18) years of age or older or a married person without regard to age, who because of mental or physical dysfunction, or who is the victim of abuse or neglect inflicted by a spouse, is unable to manage his own resources, carry out the activities of daily living, or protect himself from neglect, hazardous or abusive situations without assistance from others and may be in need of protective services; or a person without regard to age who is the victim of abuse and neglect inflicted by a spouse. **KRS 209.020 (4).**

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

3. Abuse or Neglected/Dependent Child Definitions

- a. “**Abused or Neglected Child**” means a child whose health or welfare is harmed or threatened with harm when his parent, guardian or other person exercising custodial control or supervision of the child, inflicts or allows to be inflicted upon the child physical or emotional injury by other than accidental means; commits or allows to be committed an act of sexual abuse, sexual exploitation, or prostitution upon the child; creates or allows to be created a risk that an act of sexual abuse, sexual exploitation, or prostitution will be committed upon the child; abandons or exploits such child; does not provide the child with adequate care, supervision, food, clothing, shelter and education or medical care necessary for the child’s well being; a person twenty-one (21) years or older commits or allows to be committed an act of sexual abuse, sexual exploitation, or prostitution upon a child less than sixteen (16) years of age. A parent or other person exercising custodial control or supervision of the child legitimately practicing his religious beliefs shall not be considered a negligent parent solely because he fails to provide specified medical treatment for a child for that reason alone. This exception shall not preclude a court from ordering necessary medical services for a child. **KRS 600.020(1)**
- b. “**Dependent Child**” means any child, other than an abused or neglected child, who is under improper care, custody, control, or guardianship that is not due to an intentional act of the parent, guardian, or person exercising custodial control or supervision of the child. **KRS 600.020 (19).**
- c. “**Person Exercising Custodial Control or Supervision**” means a person or agency that has assumed the role and responsibility of a parent or guardian for the child, but that does not necessarily have legal custody of the child. **KRS 600.020 (45).**

4. Stalking Definitions

- a. “**Stalking**” means an intentional course of conduct directed at a specific person which seriously alarms, annoys, intimidates or harasses; which serves no legitimate purpose; and which would cause a reasonable person to suffer substantial mental distress. **KRS 508.130(1)(a).**
- b. “**Course of Conduct**” means a pattern of conduct composed of two or more acts, evidencing a continuity of purpose; it does not include constitutionally protected activity. **KRS 508.130(2).**

5. Other Definitions

- a. **“Self Protection” or “Protection of Another”** means a person’s justifiable use of physical force upon another person when the person believes such force is necessary to defend himself or a third person from the use, or imminent use, of unlawful physical force by such other person. **KRS 503.050; KRS 503.070.**
- b. **“Imminent”** means impending danger, and, in the context of domestic violence and abuse as defined by **KRS 403.720**, belief that danger is imminent can be inferred from a past pattern of repeated serious abuse. **KRS 503.010(3).**
- c. **“Peace Officer”** for purpose of this policy means:
 - 1. “A full-time sworn deputy of the Kentucky State Police, a full time sworn officer of the Kentucky Horse Park, a commissioned full time state park ranger, a full time state water patrol officer, a full time city policeman, a full time county policeman, a full time university safety and security deputy appointed pursuant to **KRS 164.950 to KRS 164.970 and KRS 15.380**, a full time city/county policeman, a duly elected sheriff, or a full time paid deputy sheriff or,
 - 2. A part time law enforcement officer, or a special paid deputy, who has completed a Kentucky Law Enforcement Council approved education and training program referred to in **KRS 15.334**.

9. The Violence Against Women’s Act Federal Crimes

- a. **“Interstate Domestic Violence”** means crossing a state line in order to commit domestic violence and subsequently committing the act. This crime occurs when:
 - 1. A person who travels across a state line or enters or leaves Indian country with the intent to injure, harass, or intimidate that person’s spouse or intimate partner; and,
 - 2. Who, in the course of or as a result of such travel, intentionally commits a crime of violence and thereby causes bodily injury to the person’s spouse or intimate partner. **18 U.S.C. see 2261(a) (2).**
- b. **“Interstate Domestic Violence”** means causing another to cross a state line due to domestic violence. This crime occurs when:
 - 1. A person who causes a spouse or intimate partner to cross a state line or to enter or leave Indian country by force, coercion duress, or fraud; and,
 - 2. In the course or as a result of that conduct, intentionally commits a crime of violence and thereby causes bodily injury to the person’s spouse or intimate partner. **18 U.S.C. sec 2261(a) (2).**

- c. “**Interstate Violation of a Protection Order**” means: crossing a state line in order to commit domestic violence in violation of a protection order and subsequently violating the protection order. This crime occurs when:
1. A person who travels across a state line or enters or leaves Indian country with the intent to engage in conduct that violates the portion of a protection order that involves protection against credible threats of violence, repeated harassment or bodily injury to the person or persons for whom the protection order was issued; or;
 2. Would violate the protection order if the conduct occurred in the jurisdiction in which the order was issued; and,
 3. Subsequently engages in conduct which violates the protection order. 18 U.S.C. sec. 2262(a) (1).
- d. “**Interstate Violation of a Protection Order**” means: causing another to cross state lines fleeing because of domestic violence committed in violation of a protection order. This crime occurs when:
1. A person who causes a spouse or intimate partner to cross a state line or to enter or leave Indian country by force, coercion, duress, or fraud; and
 2. In the course or as a result of that conduct intentionally commits an act that injures the person’s spouse or intimate partner in violation of a valid protection order issued by a state. **18U.S.C. sec. 2262(a) (2).**

Warren County Sheriff's Office

GENERAL POLICY

IDENTIFIER

17.09

EFFECTIVE DATE: 05/01/2014

REVISION DATE: 03/01/2020

AUTHORIZED BY: Sheriff Brett Hightower

TITLE: PRISONER TRANSPORTATION

PRISONER TRANSPORTATION

I. POLICY

The Warren County Sheriff's Office is dedicated to ensuring the deputy's and prisoner's safety during prisoner transportation. This policy will apply to all Warren County Sheriff Personnel until such time it is rescinded, suspended, or revoked.

II. PROCEDURE

A. To reduce the presence of weapons and contraband, every Sheriff's vehicle shall be searched by the assigned deputy:

1. At the beginning and end of that deputy's shift, and
2. Prior to and after transporting prisoners.

B. At the beginning of each shift, the assigned deputy shall examine the police vehicle to ensure that it is in good operating condition and properly equipped.

C. Prisoners transported by Warren County Sheriff's deputies shall be searched and secured in handcuffs. Every prisoner shall be placed in the patrol vehicle and secured with seat belts. This provides for safety for the prisoner in the event of an auto accident as well as additional security for the deputy. If readily available, female deputies are to search female prisoners and male deputies search male prisoners.

1. Although no one is exempt from the seat belt restraints, a supervisor may grant permission to exempt handcuffing individuals in special transport situations. In each of these situations, the transporting deputy must request and receive permission from the supervisor in advance. These exemptions will be limited to the following:
 - a. Elderly or ill persons arrested for minor offenses.
 - b. Juveniles who pose no apparent threat of violence or escape.
 - c. Persons who physically incapacitated and incapable of escape.

D. RESTRAINTS

The Warren County Sheriff's Office shall utilize the following types of restraints to

secure prisoners prior to transportation or for temporary detention:

1. Handcuffs -- Handcuffs shall be the recommended method for restraining arrested persons or for persons who are detained temporarily for security reasons;
2. Leg Shackles/ Leg Cuffs – Leg Shackles are extra large handcuffs with an extended connecting chain between them, used to restrict walking capabilities.
3. Flex Cuffs -- These restraints are intended as temporary, emergency restraining devices. Deputies utilizing flex cuffs should replace flex cuffs with handcuffs as soon as practicable.
4. Deputies utilizing handcuffs to restrain prisoners or to temporarily detain persons shall be handcuffed. Handcuffs must not be applied in a manner that inflicts injury or pain to the prisoner. In instances where the individual cannot physically place his hands behind his back, the deputy may elect to use two sets of handcuffs linked together. Such circumstances may be due to the physical stature of the person being handcuffed, or because of an injury or illness sustained by the prisoner. In all circumstances, handcuffs will be double locked and check for proper fit.

E. Additional transporting considerations:

1. Prisoners may be restrained with leg shackles. These restraints will be used, according to the manufacturer's specifications, to assist in restraining uncooperative or combative prisoners, or as an alternative means of restraining a prisoner when handcuffs are not feasible. (Example: a prisoner who has a cast or brace on one arm, and handcuffs can not be used, leg shackles may be used to restrain the prisoner.) Leg shackles will not be used to "Hog Tie" a prisoner or to intentionally or unintentionally cause injury or unnecessary pain to any prisoner.
2. All prisoners will be transported in a seated, up-right, position, facing forward. Due to the inherent risk of "Positional Asphyxia", deputies are strictly prohibited from transporting any prisoner, under any circumstance, in any prone position in a police vehicle. If due to illness, injury or non-compliance a prisoner must be transported in a prone position, the deputy will request EMS to transport the prisoner by stretcher.
3. No person shall be handcuffed to any stationary object or to any part of the transporting vehicle except in an emergency situation where no other alternative exists. If such a situation arises, proper documentation of the incident shall be required. Under no conditions will a prisoner be handcuffed to any part of the Sheriff vehicle during transportation.
4. A single deputy transporting a single prisoner in a screened vehicle will transport the prisoner in the rear seat, handcuffed and with seat belt fastened. A single deputy transporting two prisoners will transport with one prisoner in rear seat, passenger side, and one prisoner in rear seat driver's side. For long distances or

long time periods, both prisoners shall be handcuffed, shackled, and seat-belted. A single deputy shall not transport a prisoner in an unscreened vehicle except under emergency circumstances AND with supervisor's approval.

5. Deputies may transport prisoners for another agency when requested, with the approval of the supervisor.
- F. If a prisoner becomes disorderly during transport:
1. The transporting deputy should continue to the detention center if the prisoner does not pose a threat to safe operation of the vehicle. The communications center should be notified that there is a disorderly subject in the vehicle, and assistance will be required when the prisoner is removed from the vehicle. The prisoner must be kept in the vehicle until help arrives.
 2. If the prisoner poses a threat to the safe operation of the vehicle, the deputy should pull to the side of the road, notify the communications center of the location and problem, then use only the necessary force to control the prisoner. The prisoner should be kept in the rear passenger compartment of the Sheriff vehicle.
- G. Whenever there is an indication that a prisoner may be a potential hazard to the safety and security of anyone, including the prisoner, while undergoing transportation, confinement or trial, this fact shall be noted in the bold letters in the post-arrest complaint section of the Kentucky Uniform Citation.
1. Specific reasons such as escape or suicide risk, mental disturbed, etc. shall be detailed.
 2. In the intake deputy at the detention facility and the judge of the court shall be notified so that additional personnel or restraining devices may be used.
- H. Prior to being transported to or from a detention facility, the transporting deputy shall ensure that a positive identification of the prisoner has been made and that all required paperwork has been completed and accompanies the prisoner.
1. Identification verification may be accomplished by comparing the prisoner's physical appearance with jail records, comparing fingerprints, comparing signatures, interviewing the prisoner, or any other method, which will assure the deputy of the correct identity of the prisoner.
 2. The appropriate paperwork and all personal property, except that which the detention center will not accept, shall be transported with the prisoner. For interstate transports, a properly executed governor's warrant, extraditions warrant or waiver shall be obtained in advance and transported with the prisoner.
- I. The primary duty of the transporting deputy is the safe delivery of the prisoner. Diversionary incidents, whether instigated by the prisoner or others, may enhance the chances for an escape or the potential danger to the safety of the prisoner.

Therefore, a deputy transporting a prisoner shall stop to render assistance only when there is a clear, immediate and grave risk of physical harm to a third party, and no other Sheriff vehicle is readily available to render the assistance.

1. Under such circumstances, the communications center will be notified of the identity of the unit, the fact that the deputy is in the process of transporting a prisoner, and the location and nature of the incident.
 2. The deputy shall remain at the location only until other emergency assistance has arrived.
- J. Deputies who are transporting prisoners shall not become involved in a pursuit, roadblock or other situation, which might potentially cause harm to the prisoner.
- K. Transporting deputies will be able to visually observe prisoners in their custody at all times. If prisoners are not viewed while using toilet facilities, they will be searched immediately after leaving the restroom.
- L. Sheriff vehicles used for transporting prisoners will have a safety barrier present that separates the driver from the prisoner, and will be modified to minimize opportunities for the prisoner to exit from the rear compartment without the aid of the transporting deputy. This will be accomplished by making the windows inoperable from the rear seat and removing or disabling the door handles from the inside compartment.

III. SPECIAL TRANSPORTATION CONSIDERATIONS

- A. When a meal is required during the transport of a prisoner (i.e., when transportation is from a long distance away and takes several hours) the eating-place will be selected randomly so that predicted patterns of behavior by transporting deputies may be avoided.
- B. When transporting a juvenile, KRS 605.080(3) provides that no child shall be transported to any residential treatment facility or other facility, pursuant to order of any court, unless accompanied by an attendant of the same gender, unless that child, when authorized in writing by the court, the Department of Juvenile Justice, or the cabinet, is transported by a parent, grandparents, or adult brother or sister.
- C. When a prisoner is transported to a local hospital for any reason, the following shall
 1. Extreme caution will be taken to ensure the prisoner is isolated from other patients and is not left unattended, or permitted to escape the immediate control of the transporting deputy.
 2. The transporting deputy will not leave the medical facility until relieved by another deputy or instructed to do otherwise by a supervisor. Should the prisoner need to be admitted to the hospital, the transporting deputy must notify the on-duty supervisor of the circumstances. The on-duty supervisor shall notify the Sheriff or his designee, who will make the decision on whether or not the

prisoner must be guarded or cited and released.

3. The transporting deputy will remove the restraints only when it is deemed necessary, and he/she is requested to do so by the medical staff. This is at the deputy's discretion.
 4. When the prisoner has been released by the hospital or medical facility, the detainee's condition should be carefully recorded. All instructions for future treatment and medication should be obtained in writing and signed by the attending physician. The transporting deputy shall re-search the detainee prior to leaving the medical facility. The transporting deputy shall give a complete review of the detainee's condition and all medical paperwork and any medications to the detention center deputies or medical staff upon arrival at the detention center.
- D. When transporting a prisoner, the deputy will call the communications center and advise the current mileage and destination. Upon arrival, the deputy will again contact the communications center and advise the exact location and mileage. These items will be logged in the CAD system which provides the system time.
- E. Physically and mentally handicapped prisoners present conditions for their transportation that dictate special care and attention. Deputies shall use their discretion in deciding the type of transportation and restraint for these prisoners.
- F. Any prisoner who is sick or injured shall be examined by EMS personnel and offered treatment for their injury or illness prior to being transported to any jail or detention facility.
1. If the prisoner refuses treatment, a copy of the "refusal form" from the hospital or EMS will be presented to the jailer upon admission to the detention facility.
 2. If the prisoner was injured incidental to arrest, a supervisor shall respond to the hospital, take photos of the injury and record statements from the prisoner. A use of force investigation shall be conducted as specified in procedure 06.03.
 3. If necessary, EMS may be called to provide an ambulance for transportation to a medical facility. A deputy will accompany the ambulance, and the prisoner will remain under guard by the deputy.
 4. While being transported, a sick or injured prisoner shall be restrained or handcuffed unless the handcuffs would further compound the injuries. A second deputy will be called to assist in transporting an unrestrained prisoner.
 5. Unconscious prisoners shall not be transported in a Sheriff vehicle, but shall be taken to a hospital or medical facility by ambulance. If while being transported, a prisoner becomes unconscious or unresponsive, the transporting deputy shall immediately notify the communication center of the situation and his/her location, immediately pull over and check the prisoner's medical condition. If necessary, the prisoner may be transported to a medical facility to be evaluated

by EMS or by Sheriff vehicle depending upon the prisoner's condition.

G. Mentally disturbed prisoners may pose a significant threat to themselves and/or the transporting deputies. Therefore mentally disturbed prisoners are to be restrained securely without causing injury.

- 1.** If the prisoner is violent, two deputies may be used to transport.
- 2.** When it appears that a prisoner's violent or bizarre behavior may constitute risk of harm to himself or others, the prisoner may be transported on a stretcher in the EMS with handcuffs and/or body restraints applied. This method of transportation should only be used after other methods have been eliminated as unfeasible.

H. Deputies shall not knowingly handcuff juveniles to adults or male to female.

IV. Processing of prisoners into detention facilities

Adult prisoners will be transported to the Warren County Regional Jail for processing unless otherwise instructed by a supervisor or court of competence. Juvenile prisoners will be transported to the Warren Regional Juvenile Detention Center for processing unless otherwise instructed by a supervisor or court of competence.

- A.** Transporting deputies will follow detention facilities posted requirements pertaining to securing of firearms.
- B.** Upon arriving at the Warren County Regional Jail (WCRJ), the deputy will escort the prisoner to the holding area of the WCRJ. The prisoner will remain restrained until accepted by WCRJ Deputies.
- C.** Once in the WCRJ receiving area, the detention deputy will move the prisoner to the WCRJ processing area and remove the restraints.
- D.** The deputy will give the receiving jail official the detention copy of the uniform citation and any other documentation.
- E.** The deputy will turn over any personal property belonging to the prisoner to jail personnel.
- F.** The WCRJ personnel will be notified of any potential medical or security hazards that the prisoner poses.

V. ESCAPES

Following the escape of a prisoner during transport, the transporting deputy must take actions, which include the following:

- A.** Persons to be Notified

1. The Dispatch Center (immediately by radio) with a description of the escapee.
 2. The immediate and all surrounding police jurisdictions (immediately).
 3. Police jurisdictions of the escapee's residence and jurisdictions of known associates.
 4. Warren County Sheriff's Office Supervisor.
- B. Reports to be Prepared**
1. Incident report (escape from custody).
 2. Detailed report to the deputy's immediate supervisor and the Sheriff, or his designee, specifying the circumstances of the escape.
 3. Any other reports deemed necessary by the supervisor.
- C. Other Actions to Be Taken**
1. Send a teletype message to all jurisdictions in the area, with additional messages directed to any agencies with a likelihood of coming into contact with the escapee.
 2. Place additional charges and ensure warrants are entered into the computer.

VI. EMERGENCY MENTAL DETENTION TRANSPORTS

The Warren County Sheriff's Office is responsible for the transportation of persons who have been "certified" by a qualified mental health provider in accordance with the agreement approved by the Sheriff. The procedures and guidelines followed by the WCSO EMD Transport Team are contained within the WCSO EMD Transport Team Standard Operating Procedures Manual.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 17.10	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: MENTALLY ILL PERSONS		

MENTALLY ILL PERSON

I. POLICY

The Warren County Sheriff's Office recognizes that dealing with the mentally ill can be dangerous due to the unpredictable nature of the individual involved. The safety of both the responding deputy and the individual involved is the most important priority. This policy will apply to all Warren County Sheriff's Personnel until such time it is rescinded, suspended, or revoked.

II. DEFINITIONS

- A. Mentally Ill Person - A person with substantially impaired capacity to use self-control, judgment or discretion in the conduct of his affairs and social relations, associated with maladaptive behavior or recognized emotional symptoms can be related to physiological, psychological and/or social factors. KRS 202A.011(9)
- B. Danger - Substantial physical harm or threat of substantial physical harm upon self, family or others, including actions which deprive self, family or others of the basic means of survival including provision for reasonable shelter, food or clothing. KRS 202A.011(2)
- C. Custody or Detaining - For the purpose of this policy is defined as the control of and/or responsibility for one who is believed to be suffering from a mental illness.

III. PROCEDURE

A. On Scene Assessment/Dealing with Mentally Ill

1. Upon arrival at the scene, attempt to obtain as much information as possible about the mentally ill person.
2. Request a second deputy be dispatched in case it becomes necessary to restrain the person.
3. Take steps to calm the situation. Where possible, eliminate emergency lights and sirens, disperse crowds, and assume a quiet non-threatening manner when approaching or conversing with the individual. Try to contact a relative or someone who is familiar with and who is not the source of the person's disturbance. He/she

can be utilized to help calm the person.

4. Move slowly and do not excite the disturbed person. Provide reassurance that the deputies are there to help and that he/she will be provided with appropriate care.
5. Communicate with the individual in an attempt to determine what is bothering him/her. Relate your concern for their feelings and allow them to ventilate their feelings. Where possible, request professional assistance if available and appropriate to assist in communicating with and calming the person.
6. Do not threaten the individual with arrest or in any other manner as this will create additional fright, stress, and potential aggression.
7. Avoid topics that may agitate the person and guide the conversation toward subjects that help bring the individual back to reality.
8. Always attempt to be truthful with a mentally ill individual. If subject becomes aware of deception, he may withdraw from the contact in distrust and may become hypersensitive or retaliate in anger.
9. When it is determined that such an individual presents a danger to themselves or others and must be taken into custody or detained, deputies should try to persuade the individual to surrender voluntarily and peacefully.

B. Recognizing Abnormal Behavior

1. Mental illness is often difficult for even the trained professional to define in a given individual. Deputies are not expected to make judgments of mental or emotional disturbance but rather to recognize behavior that is potentially destructive and/or dangerous to self or others. The following are generalized signs and symptoms of behavior that may suggest mental illness although deputies should not rule out other potential causes such as reactions to narcotics or alcohol or temporary emotional disturbances that are situational motivated. Deputies should evaluate the following and related symptomatic behavior in the total context of the situation when making judgments about an individual's mental state and need for intervention absent the commission of a crime.

a. Degree of Reactions

Mentally ill persons may show signs of strong and unrelenting fear of persons, places, or things. The fear of people or crowds, for example, may make the individual extremely reclusive or aggressive without apparent provocation.

b. Appropriateness of Behavior

An individual who demonstrates extremely inappropriate behavior for a given context may be emotionally ill. For example, a motorist who vents his frustration in a traffic jam by physically attacking another motorist may be emotionally unstable.

c. Extreme Rigidity or Inflexibility

Emotionally ill persons may be easily frustrated in new or unforeseen circumstances and may demonstrate inappropriate or aggressive behavior in dealing with the situation.

d. In addition to the above, a mentally ill person may exhibit one or more of the following characteristics:

1. Abnormal memory loss related to such common facts as name, home address, (although these may be signs of other physical ailments such as injury or Alzheimer's disease);
2. Delusions, the belief in thoughts or ideas that is false, such as delusions of grandeur ("I am Christ") or paranoid delusions ("Everyone is out to get me.");
3. Hallucinations of any of the five senses (e.g. hearing voices commanding the person to act, feeling one's skin crawl, smelling strange odors, etc.);
4. The belief that one suffers from extraordinary physical maladies that are not possible, such as persons who are convinced that their heart has stopped beating for extended periods of time; and/or
5. Extreme fright or depression.

C. Taking Custody or Making Referrals

1. Based on the overall circumstances and the deputy's judgment of the potential for violence, the deputy may provide the individual and family members with referrals on available community mental health resources or take custody of the individual in order to seek an involuntary emergency evaluation.
2. As a matter of law and departmental policy, only in the following situations will the mentally ill be taken into custody or detained:
 - a. When that person has committed a crime for which an arrest would be normal procedure.
 - b. When the deputy reasonably believes that the individual poses a substantial risk of harm to himself or others.
 - c. When the deputy believes that reasonable protection cannot be provided without taking the person into custody.
 - d. When there is a valid arrest warrant or commitment papers issued for the person.
 - e. When the person has departed from a mental institution without properly being

released.

- f. Once the decision has been made to take an individual into custody, do it as soon as possible to avoid prolonging a potentially volatile situation. Remove any dangerous weapons from the immediate area, and restrain the individual if necessary. Using restraints on mentally ill persons can aggravate their aggression. Deputies should be aware of this fact, but take those measures necessary to protect their safety. Interviews and interrogations shall be done with care to protect their rights and when legally justified.
- g. Report the incident using the uniform citation. Ensure that the report is as explicit as possible concerning the circumstances of the incident and the type of behavior that was observed. Terms such as “out of control” or “psychologically disturbed” should be replaced with descriptions of the specific behaviors involved. The reasons why the subject was taken into custody or referred to other agencies should be reported in detail.

D. Hospitalization

Deputies are encouraged to seek medical assistance for the mentally ill person. The following are methods which may be used to get a mentally ill person admitted to the hospital:

1. Voluntary admission is the preferred method if the mentally ill person can be convinced that he has a problem and should seek medical attention.
 - a. Deputies will ensure transportation to a mental health facility.
2. If the deputy has reasonable grounds to believe that the person is mentally ill and presents a danger or threat of danger to himself or others if not restrained, the deputy shall take the person into custody and transport them to mental health facility.
 - a. The deputy will provide the attending mental health professional with a copy of the Uniform Citation describing therein the behavior of the person which caused the deputy to make a warrantless arrest.
 - b. If, after evaluation, the attending mental health professional finds that the person does not meet the criteria for involuntary hospitalization, the person shall be released immediately and transported back home.
 - c. If, after evaluation, the attending mental health professional finds that the person does not meet the criteria for involuntary hospitalization, and the deputy can arrest for a criminal offense, the deputy can place the person in jail. KRS 202A.041
 - d. When a mentally ill person named in a Mental Health Warrant is taken into custody, that person will be transported to the location specified in the warrant.

3. If a patient undergoing involuntary treatment on an in-patient basis is absent from the hospital without or in excess of authorization from the hospital staff, the person in charge or that person's designee may contact the appropriate sheriff or other peace officer who shall take the patient into custody and return the patient to the hospital. KRS 202A.185
4. The hospitalization of minors alleged to be mentally ill, except those provided for in KRS Chapter 640, shall be governed by KRS Chapter 645.
5. If a deputy has contact with a person who is not able to communicate due to what he/she believes is a reaction to medication or the lack thereof, the deputy should request EMS to transport the person to hospital.

E. Release From Custody

1. In the event that a family member or responsible adult can be contacted and will accept custody of the mentally ill person, the subject may be released to this person.
2. Upon the recommendation of a hospital staff physician, the mentally ill person may be given into the custody of the hospital.
3. An authorized staff physician of a hospital shall discharge any voluntary patient who has recovered or whose hospitalization the staff physician determines to be no longer necessary or advisable.
4. A voluntary patient shall be released upon the patient's written request unless further detained upon the filing of a petition by a qualified mental health professional. KRS 202A.021(4)

F. Cabinet for Health and Family Services (CHFS) Notification

If appropriate, the deputy should file a Domestic Violence and Abuse Form (JC-3) to notify CHFS of substandard living conditions, abuse or neglect concerning the mentally ill.

G. Training

All personnel will receive training on dealing with individuals affected by mental health issues and this policy upon hire either through the Department of Criminal Justice or this agency.

H. Emergency Mental Detention Transports

The Warren County Sheriff's Office is responsible for the transportation of persons who have been "certified" by a qualified mental health provider in accordance with the agreement approved by the Sheriff. The procedures and guidelines followed by the WCSO EMD Transport Team are contained within the WCSO EMD Transport Team Standard Operating Procedures Manual.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 17.11	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: INFORMANTS		

INFORMANTS

I. POLICY

The Warren County Sheriff's Office recognizes that in the course of investigations certain situations and circumstances necessitate the use of confidential informants. The confidential informant is a human source of information, insight and access to an otherwise unavailable avenue of investigation. The positive outcome of an investigation can be greatly affected by the proper utilization of the confidential informant by the deputy/detective. This policy shall apply to all sworn Warren County Sheriff's Deputies until it is revoked, rescinded or suspended.

II. PURPOSE

To guide sworn personnel in the proper use of confidential informants based in legal and ethical precepts.

III. PROCEDURE

A. Confidential Informants

A confidential informant file will be completed by the deputy. The confidential informant file will be reviewed by a supervisor for accuracy and integrity. The supervisor will make a final decision as to whether the confidential informant may be used in the investigation.

1. Each confidential informant file will contain the following documents:

- a. Complete **Personal History and Conduct of Confidential Witness** form
- b. Current photograph and criminal history, if any.
- c. A record which provides a summary of informant payments.
- d. **Authority and Consent for Electronic Monitoring** form

- e. Any code name or number of each informant.
- f. Receipts (if any) for purchase of information.
- g. Any administrative correspondence pertaining to the informant, including documentation of any representations made on his behalf or any other non-monetary considerations furnished.

2. Maintenance of Confidential Informant Files

For each informant in an active status, the Sheriff or his designee shall review the informant file on an annual basis to assure it contains all relevant and current information. Where a material fact that was earlier reported on the establishment report is no longer correct (e.g., a change in criminal status, means of locating informant, etc.), a supplemental report should be submitted with the correct entry. Informant files will remain secured in a locked cabinet with access controlled by the Sheriff or his designee.

3. General Precautions to be taken with Confidential Informants

- a. Common sense and prudent judicial management dictate that the below listed general guidelines be adhered to protect the integrity of the individual deputy and to enhance investigative results:
 - 1. Deputy/informant contacts will be of a strictly professional nature. Social or business contacts are expressly prohibited.
 - 2. Contacts with informants will be such that their knowledge of law enforcement facilities, operations, activities, and personnel is kept to the minimum necessary to their successful utilization.
 - 3. All personal contact with the informant especially those of the opposite sex should be witnessed by another law enforcement official be it from this Office or another.
 - 4. All information provided by an informant should be corroborated by an independent source or investigation.
- b. Informants (and sources of information) shall be advised at the outset that:
 - 1. They shall not violate criminal law in furtherance of gathering information or providing services without prior notification and approval of the deputy or investigator.
 - 2. They have no official status, implied or otherwise, as agents or employees of the law enforcement agency.

3. The information they provide may be used in a criminal proceeding; and although the agency will use all lawful means to protect their confidentiality, this cannot be guaranteed.
 4. All informants must agree to testify as a witness in court proceedings and be available for said proceedings in order to be approved as a confidential informant.
 5. The deputy and/or detective cannot make any deals or promises concerning any pending legal proceedings concerning charging, pleading or sentencing. Deputies may, however, consult with the Commonwealth Attorney, Federal Prosecutor or County Attorney regarding these matters as they pertain to cases for which the inquiring deputy is responsible.
- c. When an informant is to participate in an undercover operation in which the informant may come in contact with either, official funds, controlled drugs, or anything else of potential evidential value, the informant and vehicle that the informant is in possession of, will be thoroughly searched before and after the undercover encounter; and, when possible, be kept under continuous observation by visual/audio means. The reason for this is to preclude questions as to the validity or integrity of the evidence. When applicable audio/video recording equipment will be utilized to enhance the safety of informants. Video or audio recording devices will be utilized while engaged in undercover operations in the field unless pre-approved by the Sheriff.
- d. All interactions with the informant including his development, establishment, and utilization should be carried out with the highest regard for confidentiality.
1. Although ill advised, when the informant must be brought to the Office, it should be done in a manner so as to attract minimal attention.
 2. Unnecessary disclosure of the informant's identity in discussions should be avoided.
 3. Documents and reports concerning his informant status should be kept secured.
 4. Meetings outside the Office should be done insofar as possible in "neutral" locations.
 5. Where the disclosure of the informant status to a prosecutor is necessary, the prosecutor should be reminded to handle this fact with similar regard for security.
4. Special Precautions to be taken with Juveniles
- a. The use of juveniles as informants is discouraged and cannot be undertaken without the advance permission of the Sheriff.

- b. Deputies will diligently strive to protect a juvenile informant from physical or emotional harm and shall not allow the juvenile to be placed in possible danger without the parent or guardian's full permission and knowledge.
- c. Advance written permission of the parents or guardian must be obtained. The parent must be fully briefed, with this briefing videotaped or voice recorded, as to the exact use and possible dangers to the juvenile.

5. Payments for Information

- a. The criteria for the payment for information leading to the seizure of narcotics and/or money will be based on amount of the seizure with the prior approval of the Sheriff or designee. This includes any person who may be considered a source of information and is not considered a confidential informant.
- b. If confidential informants are used, the criteria for payment should be commensurate with the value of services and/or information provided and should be based on the following factors:
 1. The level of the targeted individual, organization or operation.
 2. The amount of the actual or potential seizure.
 3. The significance of the contribution made by the confidential informant to the desired objectives.

B. Accounting of Funds

- 1. The department has a Forfeited/ Confidential Fund budgeted to support the intelligence / informant operations.
- 2. The Sheriff or designee will be responsible for accounting of the Forfeited/ Confidential Fund.
- 3. Any requests for funds will be submitted to the Sheriff or designee for approval, who will in turn be responsible for the disbursement of funds from the Forfeited/ Confidential Fund. The Sheriff or designee must approve all disbursements.
- 4. The requesting deputy will submit a receipt after payment to the Sheriff. The receipt will include:
 - a. Amount and purpose of payment;
 - b. Deputy's name;
 - c. Informant's name, if any;
 - d. Information or material purchased;

- e. Deputy/Detective witnessing the payment
 - f. Date; and
 - g. Case number.
5. A redacted copy of the Confidential Funds Receipt / Outlay will be provided to the bookkeeper for auditing purposes.
 6. The Forfeited/ Confidential Fund is reviewed by the Sheriff or designee monthly. Once each year, the Sheriff will have an independent audit of the fund completed. At any other unannounced time, the Sheriff or his designee may also audit the fund.

C. Drug Informants

All deputies wanting to use confidential informants in the furtherance of a drug investigation shall contact a Warren County Sheriff's Office detective assigned to the Bowling Green- Warren County Drug Task Force. The Drug Task Force detective will provide case deconfliction, assistance, and guidance to accomplish the investigative needs of the Office. In most cases, due to funding and resources, the Drug Task Force will be the appropriate agency for the handling and use of this type of informant. The final decision in this matter will be that of the Sheriff or designee.

Warren County Sheriff's Office

GENERAL POLICY

IDENTIFIER

17.12

EFFECTIVE DATE: 05/01/2014

REVISION DATE: 03/01/2020

AUTHORIZED BY: Sheriff Brett Hightower

TITLE: MISSING PERSONS

MISSING PERSONS

I. POLICY

The purpose of this policy is to establish responsibilities and guidelines regarding this agency's response to reports of missing, abandoned, runaway, abducted, unidentified, or persons of other missing status. This policy shall apply to all Warren County Sheriff Personnel until it is superseded, suspended or revoked.

II. POLICY STATEMENT

It shall be the policy of this agency to thoroughly investigate all reports of missing, abandoned, runaway, abducted, unidentified, or persons of other missing status. In addition, this agency holds that every person reported in any missing status will be considered "at risk" until significant information to the contrary is confirmed.

III. DEFINITIONS

A. The term "missing child" includes a person who is:

1. Younger than eighteen (21) years of age, and
2. Whose whereabouts are unknown to a parent, guardian or responsible individual

B. The term "missing adult" includes a person who is:

1. 18 years of age or older.
2. Has a verified mental or cognitive impairment. (Verbal confirmation of the mental or cognitive impairment by the complainant shall be considered verification of the condition.)
3. Whose disappearance poses a credible threat to the health, or safety, of the person (e.g. Alzheimer's, dementia)

C. The term "Unusual Circumstances" refers to a missing person who is:

1. Thirteen (13) years of age or younger. This age was established by the federal Missing Children Assistance Act because children of this age group have not

established independence from parental control, and do not have the survival skills necessary to protect themselves from exploitation on the streets.

2. Believed to be (one or more of the following):

- a. Out of the zone of safety for the missing person. In the case of an infant, for example, the zone of safety will include the immediate presence of an adult custodian, or the crib, stroller, or carriage in which the infant was placed. For a school age child, the zone of safety might be the immediate neighborhood or the route taken between home and school and for a mentally diminished adult it may be their home.
- b. Mentally diminished. If the missing person is developmentally disabled or emotionally disturbed, he or she may have difficulty communicating with others about needs, identity, or address. The disability places this child in danger of exploitation.
- c. Drug dependent, including both prescription and illicit substances. Any drug dependency puts the missing person at risk. The diabetic or epileptic missing person requires regular medication or his/her condition may become critical. The illicit drug abuser, on the other hand, may resort to crime or become the victim of exploitation.
- d. A potential victim of foul play or sexual exploitation. Significant risk to the missing person can be assumed if investigation reveals indications of a possible abduction, violence at the scene of abduction, or signs of sexual abuse.
- e. In a life threatening situation. The environment in which the person is missing may be particularly hazardous.
- f. Absent from home outside of the person's normal routine.
- g. Believe to be with people who could endanger his or her welfare. A missing person in such circumstances is in danger not only of sexual exploitation, but also of involvement in criminal activity such as burglary, shoplifting or robbery.
- h. Is absent under circumstances inconsistent with established patterns of behavior. Most people have an established routine that is reasonably predictable. Significant, unexplained deviations from that routine increase the probability of risk to the missing person or whose disappearance involves circumstances that would cause a reasonable person to conclude that the missing person should be considered at risk.

3. Determination of unusual circumstances

- a. If it is determined that unusual circumstances are involved in the report of a missing child, a thorough investigation, including the use of all appropriate

resources **will commence immediately**. While all missing children incidents should be investigated thoroughly, those involving unusual circumstances indicate a heightened likelihood of risk to the child and, therefore, require an intensive response.

- b.** If appropriate, existing interagency response protocols should be activated. Pre-planned strategies for responding to missing child reports are essential for successful case resolution. By identifying all the services and resources a region has available to search for missing children, multi-agency agreements can be reached before hand and activated promptly when the need arises - mutual aid, fire department (**See Activation of Amber Alert**).

D. PROCEDURE

- 1.** Warren County Sheriff personnel shall respond to all calls of missing children, child abduction and reported missing endangered adults promptly and safely.
- 2.** Warren County Sheriff personnel shall thoroughly investigate all reports of missing children, child abductions, and missing endangered adults by utilizing every available resource within the guidelines of state, federal and local laws.
- 3.** Upon arrival at the scene of a missing person, the investigating deputy must determine the proper response. This shall include the completion of a Kentucky Missing Persons Report and a KYIBRS report to document the investigation.
- 4.** Child Abduction: Amber Alert
 - a.** The responding deputies on the scene confirm that abduction has occurred and the child is under eighteen years of age. The deputy believes the abduction poses a credible threat of imminent danger of serious physical harm or death.
 - b.** Deputies should verify the accuracy of the complaint information, description of victim, and the circumstances at the time of the disappearance, the health and custody status of the child.
 - c.** Investigating deputy shall notify his/her immediate supervisor and detective of the situation.
 - d.** Ask what has already been done to locate the missing child.
 - e.** Conduct a search of the immediate area, especially areas where a child may hide, i.e., closets, under beds, storage buildings, vehicles.
 - f.** Locate any possible witnesses, interview them separately if possible and compare details.
 - g.** Identify the exact location the victim was last seen and secure the scene until it can be searched and examined for possible evidence.

6. Activation of a GOLDEN ALERT

Activation of the system will follow guidelines as established in KRS 39F.180

- a. Any law enforcement deputy within Warren County may activate a GOLDEN Alert through this protocol.
 - b. The reporting process used for a GOLDEN Alert shall be the same process used for an AMBER Alert.
 - c. A search for a person who is known or reported to have an organic brain disorder, including but not limited to Alzheimer's disease, shall immediately be reported as a Golden Alert to the local emergency management director, local search and rescue coordinator if different from the local emergency manager, local media outlets, and the duty officer of the Kentucky Division of Emergency Management by the person managing the search or by the organization conducting the search.

7. Activation of AMBER ALERT

Activation of the system will follow guidelines as established in KRS 16.175.

- a. If a juvenile had been abducted or all available evidence strongly indicates that a juvenile has been abducted based on the investigation conducted as mentioned in this policy;

- b. Public notification is the most appropriate method of recovering the child in a safe and efficient manner;
- c. The following criteria is being considered:
 - There are indications the child is in danger of serious bodily harm or death.
 - There is sufficient descriptive information about the child, the abductor, and/or the suspect's vehicle. It is imperative that activation of the AMBER Alert through the Emergency Alert System (EAS) is utilized only in instances meeting these criteria so as to not diminish the importance of and public attention given to AMBER Alert through overuse.
- d. A request for activation of the AMBER Alert system should be made with the Kentucky State Police, Post 3. The KSP will forward the request to their headquarters in Frankfort, KY for determination of request approval or denial.
- e. The initiating deputy will be responsible for ensuring that all LINK/NCIC entries are completed and submitted within 2 hours of gathering of required entry information.

8. Termination / Cancellation of an AMBER ALERT / GOLDEN ALERT

- a. An Amber Alert / Golden Alert may be terminated or canceled under any of the following criteria:
- b. Upon receipt of information from an official law enforcement authority that the missing person has been recovered.
- c. Credible information has been received from an official law enforcement authority that the direction of travel of the abductor does not include the area, and that the further broadcast of the information will be counter-productive.
- d. A deputy may request additional broadcast if there is information that the missing person may possibly still be in the general area.
- e. A deputy shall contact Communications immediately to cancel an AMBER Alert.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 17.13	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: UNIVERSAL DISTRESS CODE		

UNIVERSAL DISTRESS CODE

I. POLICY

The purpose of this policy is to provide immediate assistance to any member of the emergency responder community who identifies they are in distress. This policy will apply to all Warren County Sheriff's Office members until it is superseded, revoked or rescinded.

II. PURPOSE

To ensure a plan for immediate response to a call of distress to any member regardless of discipline in the emergency responder community that gives the code. This policy will provide clear communication and confirmation to any member who receives or needs to transmit this code for universal distress.

III. PROCEDURE

The code "10-75" was chosen as a universal distress code / request for assistance to be understood and defined by all emergency responders in Warren County to decrease response time during a life-threatening incident. All response agencies including EMS, Warren County Fire, Bowling Green Fire, and Bowling Green Police have adopted "10-75" as a distress code.

The code should be utilized in situations that would be negatively affected by an overt request that could be overheard. The use of "10-75" should be immediately followed by an assignment of the response level. The response levels are defined as:

Level One - Urgent. Response time is urgent. The situation is an emergency and assistance is needed immediately.

Level Two - Prompt. Response time is prompt but is not an emergency. The situation is currently stable but has high potential to change and another deputy is needed as soon as possible.

For example,

Deputy - "402 to County"
Dispatch - "402"

Deputy- "10-75 Level 2"

Upon receipt of the request Dispatch should notify an available Deputy to respond and repeat the response level.

In the event a member of the Warren County Sheriff's Office broadcasts "10-75", the communications center will immediately dispatch a units to the location where the requesting member is located. The communications center will also notify other law enforcement agencies and EMS to respond until more details become available if appropriate. Other than the specific location, the communication center should minimize the amount of details broadcasted regarding the member in distress in an effort not to further comprise the member's emergency situation. Once other members arrive, the communications center can cancel other responders if they are not needed.

In the event the communications center receives a call from another agency of "10-75", the response is very similar. All available units are to be dispatched immediately if requested by the other agency and given whatever details were made available at the time of the call. There shall be no delay in the dispatch of units. Once additional units arrive, unneeded units can be cancelled.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 17.14	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: CANINE UNIT		

CANINE UNIT

I. POLICY

The purpose of this policy is to provide for the use of a canine and the deputy assigned as its handler. The canine unit is a part of the Special Services Division and it an effective tool for the law enforcement. The canine unit will assist the Warren County Sheriff's Office with crime prevention, detection, and criminal apprehension capabilities, and officer safety.

II. PURPOSE

The use of the Sheriff canine is a valuable and legitimate tool for law enforcement. The primary purpose of the canine unit is to provide Warren County with a trained Sheriff canine and handler to assist deputies in, but not limited to, the following situations:

1. Felony apprehensions
2. Narcotic detection
3. Tracking and deployment
4. Searches
5. Other selected calls for service

III. PROCEDURE

A. Use of Force

All Office personnel, particularly the canine handler, must recognize that the use of a Sheriff canine in any situation constitutes the use of force, or the implied threat of the use of force. Therefore, any decision to use a Sheriff canine will be made with full knowledge of the degree of force justified.

Canines shall be trained and equipped by the Warren County Sheriff's Office and owned and insured by the Warren County Sheriff's Office.

B. Training

1. Training includes building/structure and area searches, and article/evidential searches. Each Sheriff canine will be trained to find detection of scent:

- a. Persons
 - b. Things touched and handled by persons
 - c. Certain drugs and contraband
2. Each Sheriff canine will be trained to be aggressive and demonstrate pronounced willingness and ability to bite and apprehend human suspects on command of the canine handler and without command if the handler is being assaulted or injured. Canines are permitted to bite:
 - a. Any person who resists force
 - b. Any person inciting civil disturbance in large or unruly crowds
 - c. Any known or suspected fleeing felon or concealed felon
 - d. Any fleeing or concealed suspect known to have committed a serious misdemeanor.
 3. Canines are not trained to bite a specific part of a suspect's body, any part might be bitten. However, they are trained to stop biting on command of the handler.
 4. Canines are trained to pursue and continue pursuit of a fleeing suspect beyond the sight of voice range of its handler.
 5. Certification, maintenance, and recertification training shall be conducted by a contracted trainer. All training shall be documented on a monthly K-9 report submitted to the Special Services Captain. (Any performance deficiencies shall be noted and addressed appropriately.) Each handler is responsible for maintaining the proficiency of his canine.

C. Command and Control of Canines

It is the intent of the Warren County Sheriff's Office to protect innocent parties from accidental property damage or injury from Sheriff canines by providing a high level of command and control of Sheriff canines at all times.

Warren County Sheriff canines are required to be under command and control at all times by adhering to one of the following conditions:

1. If the canine deputy is unable to care for the canine (i.e. injury, illness, etc.) or if the canine deputy will be away from the home for a period of time longer than 24 hours, the canine will be secured at an approved animal boarding facility.
 - a. At-home care for the canine shall be provided by the assigned handler or his designee at his discretion.
2. When off-duty, while at the canine deputy's residence, the canine may either be secured inside the Office provided outdoor canine kennel or inside the assigned canine deputy's home.
 - a. The canine may only be in the home when the assigned canine handler is present and only when visitors (non-residents) are not present in the home. In the event

the canine handler is not present in the home, the canine must be secured in the Office provided/approved outdoor kennel or other designated area.

3. While on-duty or transporting the canine, the canine may be secured inside the Sheriff vehicle.
4. The canine may be under the direct on-lead control of the canine handler.
5. The canine may be under the care and control of a veterinarian or other animal health care professional.
6. While in a controlled training environment, the canine may be deployed on or off-lead, under the physical or verbal control of the assigned canine officer.
7. For tracking, apprehension, or drug detection – while in the line of duty, the canine may be deployed, on or off-lead, while remaining under the physical and/or verbal control of the canine handler. Off-lead deployment should only be used when on-lead deployment is impractical or ineffective.

The canine shall never be outside of the direct command and control of the handler, an animal health care professional, or an approved secure enclosure.

D. Canine Unit Procedures

1. Felony Apprehensions

The use of the Sheriff canine is making and maintaining felony arrests is authorized when circumstances of a particular incident justify such use.

2. Deployment

- a. The decision of whether to deploy the canine is the responsibility of the canine handler. It is not the responsibility of the requestor. Any decision, however, may be superseded by a supervisor.
- b. The mere presence of a canine team is usually a deterrent to crime. However, if the canine is going to be used, its handler must give a proper warning before it is deployed. Except in the case of the team being unexpectedly attacked or if other safety circumstances apply, any deployment of the canine is prohibited prior to giving a warning. Examples are:

For building or area search: "Sheriff's Canine! Come out or the dog will be released!"

For fleeing or combative suspect: "Sheriff's Canine! Halt or the dog will be turned loose!"

- c. Before deployment of the canine, all efforts will be made to clear innocent bystanders from the search area or building. Time for the suspect's surrender will be allowed after the warning is given.

3. Building Searches

A building search is the search of a building or other structure for the purpose of locating and apprehending a felony suspect who has concealed himself for the purpose of avoiding arrest.

When any residential, public, or commercial building has evidence of forced entry and when there is reasonable suspicion to believe criminal suspects are attempting to hide or elude capture a building search, a search of the premises will be conducted at the discretion of the canine handler.

The first deputies on the scene where a canine team is dispatched shall not enter the building to be searched, but will secure an outside perimeter and allow no one to enter.

In all cases, except those in which the handler perceives extreme danger, a verbal warning will be made announcing the immediate release of a Sheriff canine in the building if suspects refuse to surrender.

4. Area and Article Searches / School Searches

Areas may be searched for persons or evidential objects such as weapons or contraband. When conducting area searches, the handler will remain cognizant of any possible hazards associated with the canine. The canine will remain on lead at all times during a school search.

School property may be searched for contraband. The responsibilities of the Office and the City / County School systems regarding the use of the Sheriff canine units while on school property is detailed by a memorandum of understanding signed by all parties.

5. Crowd Control

The use of a Sheriff canine for crowd or riot control will be considered only as a last resort. Authorization may be given by a supervisor.

6. Canine Deputy Down

In the event a canine handler is ill or injured and unable to control his dog, the dog will probably stand guard over the handler and prevent anyone from approaching to render aid. In this type of situation:

- a.** Deputies should ask the handler to call the canine off, if possible
- b.** Deputies shall contact the on-duty supervisor
- c.** The on-duty supervisor should attempt to contact another canine handler for assistance
- d.** In critical situations, the bite sleeve in the Sheriff canine vehicle can be used to capture the dog
- e.** Animal Control can be used to sedate the canine with a dart gun

- f. In extreme circumstances, the spouse or significant other may be called to the scene (Only if the scene is safe.)
- g. In extreme circumstances and only as a last resort, deadly force may be necessary

7. Deputy in Physical Confrontation

When a deputy is involved in a physical confrontation and a canine deputy is on the scene, the canine deputy will, under most circumstances, keep the canine under their physical control until the canine can focus or target the suspect. If at all possible the deputy(s) involved in the confrontation should disengage with the perpetrator before the canine is released.

8. Canine Demonstration

Canine teams are sometimes assigned to give dog-handling demonstrations for public educational purposes. When participating in these types of demonstrations, deputies will conduct themselves and handle their canines in a professional manner.

- a. All canine demonstrations will be approved by the Special Services Captain and documented
- b. At no time will a member of the audience be used to demonstrate bite or protection work.
- c. At no time will the canine handler allow the dog off lead during a public demonstration

9. Canine Health Care

The Warren County Sheriff's Office budgets for food and veterinarian care for canines. It is the responsibility of each canine handler to arrange veterinarian care for his/her assigned canine. Regular health maintenance should be provided, e.g. rabies heart worm prevention, grooming, and flea and tick prevention. Each canine's medical history will be documented by the handler in a Health Maintenance Log.

In the event of a death of canine, a detailed written report will be provided to the Special Services Captain documenting cause of death, and any preventative measures taken prior to the death.

At the end of each Sheriff canine's working life, it will be retired and its ownership will be offered to its handler. If its handler does not want to assume the responsibility, its ownership will be offered to other deputies within the Sheriff's Office, who have had training in handling canines. If no other trained deputies want the dog, it will be euthanized.

If the handler claims ownership of the retired canine, he/she assumes full responsibility for the canine including food, veterinarian health care, and liability.

10. Injuries

In the event a person is bitten, the handler or other deputies at the scene will arrange for medical treatment. If the bite was accidental – all bills incurred will be the responsibility of the agency.

In the event a suspect is bitten after failing to comply with the handler's commands, the agency is not liable for medical bills incurred.

All bites, on or off duty shall be reported to an on-duty supervisor as soon as possible. Each bite will be photographed and the handler will complete a detailed incident report concerning each incident. Any canine handler injuries will be properly documented by an on-duty supervisor. The Special Services Captain will complete an investigation of each case and will report the findings to the Sheriff, or his/her designee.

11. Vehicles, Kennels, and Handler's Equipment

- a.** Canine vehicles shall be maintained by each handler to ensure proper working condition.
- b.** Canines will not be left unattended in vehicles unless all measures have been taken to ensure the safety of the animal.
- c.** Each canine will be kept at the home of his/her handler in a kennel supplied by the Warren County Sheriff's Office or in the assigned canine handler's home (subject to terms provided in this policy) and subject to periodic inspection by a supervisor.
- d.** Each handler is responsible for the upkeep and sanitation of his/her canine's kennel.
- e.** Each handler will maintain the issued canine equipment.

12. Records and Reports

Each canine handler is responsible for submitting all canine reports to the Records Section. This includes all health care reports and monthly reports.

Warren County Sheriff's Office

GENERAL POLICY

IDENTIFIER

17.15

EFFECTIVE DATE: 06/01/2016

REVISION DATE: 03/01/2020

AUTHORIZED BY: Sheriff Brett Hightower

**TITLE: AFTER HOURS – EMERGENCY PROTECTIVE ORDERS / TEMPORARY
INTERPERSONAL PROTECTIVE ORDERS**

**AFTER HOURS – EMERGENCY PROTECTIVE ORDERS / TEMPORARY
INTERPERSONAL PROTECTIVE ORDERS**

POLICY

It is the policy of the Warren County Sheriff's Office that anyone who fits the criteria as set forth in the Kentucky Revised Statutes with regard to access to Emergency Protective Orders or Temporary Interpersonal Protective Orders shall be given the opportunity to complete a petition to be reviewed by a judge. A Deputy Sheriff shall ensure that the relationship criteria are met and then the appropriate on-call member of WCSO shall be contacted to complete the process. Anytime an after-hours petition is completed, the deputy shall complete a domestic report (JC-3) or criminal case report if required. This policy shall apply to all sworn Warren County Sheriff's personnel until it is superseded, revoked or rescinded.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 17.16	EFFECTIVE DATE: 01/01/2018 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: SUSPECT IDENTIFICATIONS		

SUSPECT IDENTIFICATIONS

I. POLICY

This policy shall apply to all sworn Warren County Deputies until it is revoked, rescinded, or suspended. The policy of this agency is to respect the rights of all persons with whom officers come into contact with during any law enforcement operation in which witness identification will be conducted.

II. DEFINITIONS

Show-Up/Drive-by: The process by which a complainant or witness is driven to the location of a suspect, who has been stopped in the area of the crime, for purposes of excluding or verifying the suspect as the person responsible for the crime through recognition by the complainant or the witness.

Photo-Array: The process by which a complainant or witness is shown a series of photographs which may contain a suspect in the crime for purposes of excluding or verifying the suspect as the person responsible for the crime through recognition by the complainant or the witness.

Single Photo Verification: The process by which a complainant or witness is shown a single photograph due to the fact that they have thorough familiarity with the person who is suspected in the criminal activity and law enforcement is simply verifying that the suspect identified by the law enforcement is the same subject known to the witness.

Line-up: The process by which a complainant or witness is allowed to view a group of individuals, in person, for purposes of excluding or verifying the suspect as the person responsible for the crime through recognition by the complainant or the witness.

Field View: The exposure of an eyewitness to a group of people in a public place on the theory that the subject may be among the group. A field view differs from a show-up in that it may be conducted well after the commission of the crime, and may be conducted with or without a suspect in the group.

III. PROCEDURES

Where feasible the identification procedures will be recorded through the use of video and audio recording devices.

In all identification procedures, deputies should take steps to ensure that the procedure is not suggestive by the manner in which it is carried out. If there are multiple witnesses, they should be separated; and all identification procedures should be done separately with each individual witness. Deputies should use caution as to the manner in which suspects are presented, such that a suspect may later claim that the officer influenced the witness' identification of the suspect. Each eyewitness who views a lineup or photo spread shall sign a form containing the following information:

- The suspect might not be in the lineup or photo spread and the eyewitness is not obligated to make an identification.
- The eyewitness should be told the officer who is conducting the identification process does not know the identity of the suspect.
- Whether an identification is made or not the investigation into the crime under investigation will continue.

The Validity of identification procedures rests on the following considerations:

- a. Witness' opportunity to view suspect at the time of the crime.
- b. Witness' focus of attention at time of crime.
- c. Accuracy of witness' description of suspect prior to identification procedure.
- d. Level of certainty exhibited by the witness in making the identification.
- e. The length of time that has passed between the crime and the identification.

Note: Deputies should document the existence/lack of existence of these points when compiling reports on identification procedures.

Show-Up/Drive-by identification: Although the United States Supreme Court has not affixed a duration of time within which these procedures are to be conducted, generally this type of identification occurs within a short period of the crime and within a reasonable proximity (geographically) from the crime.

Deputies shall complete the eye witness show-up identification form prior to the identification procedure.

Unless an extreme emergency exists, the complainant or witness shall be taken to the location where the suspect has been stopped. The movement of the suspect to the witness' location may constitute an arrest for which probable cause is required. To the extent that probable cause is lacking without identification, movement may be determined to have been an unlawful arrest.

Suspects should not be brought into a crime scene as contamination may result. For the same reason, clothing articles found at the crime scene should not be placed on or in contact with a suspect. A suspect should not be brought back to the home of a victim or witness unless that was the scene of the crime.

Deputies must not do or say anything that might convey to the witnesses that they have evidence of the suspect's guilt. Deputies should turn down their radios so that the witness they are transporting does not pick up information about the stop of the suspect.

To the extent that a deputy may safely do so, the deputy should take steps to minimize the suggestiveness of the identification. The following should be considered:

- a. Have suspect standing outside of any law enforcement vehicle rather than in the vehicle.
- b. Have the suspect standing without handcuffs or with handcuffs not visible to the witness.
- c. Any steps taken which give the appearance that the suspect is free to leave will undercut suggestiveness.
- d. If items taken or used in the crime have been recovered, do not allow the witness to view or become aware of the recovery until after the identification proceeding is complete.
- e. The witness' failure to recognize the stopped subject must be documented and included in any materials forwarded to the prosecutor who ultimately handles the case. Such evidence may be exculpatory to the suspect who is charged with the crime. As such, it must be forwarded to the prosecutor. Additionally, if the witness identifies a suspect in the future, this failure to identify the first subject presented to them may add credibility to their identification.
- f. Deputies shall complete the eye witness show-up identification form prior to the identification procedure.

Photo-Array: Deputies shall complete the eyewitness identification form prior to the identification procedure.

The array must contain six or more photographs including some persons who are similar in appearance i.e. facial hair, glasses, age, etc. The array should be based on descriptions provided by any eyewitness(es). All photos must include persons of the same race and sex as the suspect.

Photos should be presented in a way that does not suggest that the subjects in the photos are criminals, i.e. mug-shot with numbers. (Mug shots may be used, but portions of photo that would indicate that photo is a mug-shot should be cropped or hidden from the witness.)

Avoid fillers who so closely match the suspect that a person familiar with the suspect would have difficulty distinguishing the filler.

Change the order of photos from one witness to the next and document the location of the suspect for every viewing. Change the order of the photos and document the location of the suspect when a witness asks to see the array a second time.

When showing a witness an array containing a new suspect, avoid using fillers from a previous array. During the process deputies shall not, in any way, prompt the witness toward a particular photo.

Double-blind presentation: The deputy who conducts the photo-array shall be someone who is not aware of which photo in the array is that of the suspect in the case. The witness should be told the deputy conducting the photo-array does not know who the suspect is. The investigating deputy should leave the room while the array is being shown by the administrator.

Witness instruction: The person viewing the photo-array should be told that the perpetrator may or may not be in the photo-array and that the investigation will continue regardless of whether an identification is made or not.

If there are multiple witnesses, the suspect should be placed in a different position in the photo-array for each witness. Witnesses should be segregated before, during and after the procedure and instructed not to discuss the identification process with each other.

Photos will not be shown at the same time as in a six-pack, instead the officer shall show the photographs to a witness one at a time, as if dealing a deck of cards, and ask the witness whether or not he/she recognizes the person.

When the witness signals for the next photograph, the officer should move the first photograph so that it is out of sight and ask the witness whether he/she recognizes the next photograph.

The procedure should be repeated until the witness has viewed each photograph. If the witness identifies a subject before all the photographs have been viewed, the deputy should remind the witness that he/she is required to show the rest of the photographs.

If the witness fails to make an identification, but asks to view the array a second time, the deputy administering the identification should ask the witness if he/she was able to make an identification from the original viewing. If the witness is unable to make an identification, but feels that it would be helpful to repeat the procedure, then it is permissible to show the entire array a second time. The order of the photographs should be shuffled before the array is shown for the second time. An array should not be shown more than twice.

If more than one witness is to view an array and a witness has already marked one of the photos, a separate unmarked array shall be used for each subsequent witness.

If an independent administrator is not available, the investigative deputy shall follow the following procedures:

- a. Place the suspect photo and filler photos in separate folders. Include four (4) blank folders that contain no photographs for a total of ten (10).
- b. Shuffle the folders before giving them to the witness.
- c. The officer administering the array should position himself or herself so that he or she cannot see inside the folders.
- d. Allow the eyewitness to open the folders one at a time to view the single photograph.

At the time of the identification, the eyewitness should provide a statement in his/her own words indicating their level of confidence in the identification. The presentation/order of presentation must be documented.

The witness who selects a photo as the suspect should sign and date the photo they have selected with a full signature and initial and date the other photos presented to them.

The time and date shall be recorded from the moment the witness begins to view the photographs until an identification is made. If no identification is made, the beginning and end times of the entire procedure shall be documented.

The witness' selection of a photo that is not the suspect must be documented and included in any materials forwarded to the prosecutor who ultimately handles the case. Such evidence may be exculpatory to the suspect who is charged with the crime. As such, it must be forwarded to the prosecutor.

All photographs, video and audio recordings, written warnings/instructions and statements made by witnesses, whether an identification is made or not, are evidence. As such, all materials related to the identification procedures and investigation will be properly documented and stored with appropriate chain of custody documentation in accordance with department policy and procedures related to storage of crime scene evidence.

Single-Photo Verification: This process shall only be used where the witness is thoroughly familiar with the suspect and the officer is merely attempting to ensure that the witness and the officer are both referring to the same person.

Line-Ups: Deputies shall complete the eye witness identification form prior to the identification procedure.

A line-up must be conducted with at least six persons and include at least some persons who are similar in appearance to the suspect, i.e. facial hair, glasses, general age, etc.

All persons in the line-up must be of the same race and sex of the suspect.

Double-Blind Presentation: The deputy who conducts the line-up shall be someone who is not aware of which person in the line-up is the suspect in the case. The witness should be told the deputy conducting the line-up does not know who the suspect is.

Because line-ups will be administered by a deputy who does not know the identity of the suspect, the fillers selected should not be known to the deputy administering the line-up. In selecting line-up fillers, abide by the guidelines for photo array fillers as described above.

All persons in the line-up should carry cards that identify them only by number and should be referred to only by their number. As with photo arrays, each witness must view the line-up independently, out of the presence and hearing of the other witnesses.

The investigating deputy should explain to the witness that a second deputy (the line-up administrator) will be conducting the line-up, and that he/she does not know the identity of the people in the photographs.

The investigating deputy should carefully instruct the witness by reading from a departmental Line-up Instruction Form, and the witness should be asked to sign the form indicating that he/she understands the instructions. The officer should also sign and date the form.

The investigating deputy should leave the room while the line-up administrator conducts the line-up.

The line-up should be conducted so that the suspect and fillers do not actually line up, but rather so that they are displayed to the witness one at a time. This can be accomplished either by having them stand with their back to the witness and then face the witness one at a time, or by having them enter the room individually and leave before the next one enters.

The procedure for showing the participants to the witness and for obtaining a statement of certainty is the same as for photo arrays. If practical, the officer should record the procedure through the use of audio and video.

During the process officers shall not in any way prompt the witness toward a particular subject in the line-up.

Although suspects do not have a right to refuse to stand in a line-up, a line-up should not be conducted where the suspect's resistant conduct will set him or her apart from the other participants in the line-up.

Suspects may be required to speak during a line-up for comparison purposes only. If deputies are going to require a suspect to speak, they must require all persons participating to speak the same words in turn.

Suspects may be required to put on clothing recovered from the crime for identification purposes. If officers are going to require the suspect to put on the recovered clothing, they must require all persons participating in the line-up to put on the clothing in turn.

All line-ups must be documented by photographing or video-taping the line-up as presented to the witness. The photo will document positions of the participants as well as the inclusion of the participants.

At the time of the identification, the eyewitness should provide a statement in his/her own words indicating their level of confidence in the identification.

The witness' selection of a person that is not the suspect must be documented and included in any materials forwarded to the prosecutor who ultimately handles the case. Such evidence may be exculpatory to the suspect who is charged with the crime. As such, it must be forwarded to the prosecutor.

Attorneys: A suspect does not have a right to counsel at a line-up, which is conducted before the suspect has reached a "critical stage" in the justice process. A critical stage is reached when the suspect is arraigned, indicted, or otherwise formally charged with a crime.

A suspect has the right to counsel at a line-up if the suspect has reached a critical stage in the justice process.

If the suspect has an attorney but has not yet reached a critical stage, deputies should consider allowing the attorney's presence at the identification proceeding. The presence of an attorney undercuts later claims that the process was somehow suggestive with respect to the suspect.

In any case, where an attorney is present they serve only as a witness to ensure the fairness of the procedure.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 17.17	EFFECTIVE DATE: 01/01/2018 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: RECORDING POLICE ACTIVITY		

RECORDING POLICE ACTIVITY

I. POLICY

This policy shall apply to all sworn Warren County Deputies until it is revoked, rescinded, or suspended.

II. PURPOSE

Individuals have a First Amendment right to record police officers in the public discharge of their duties. The right to record is not limited to streets and sidewalks -- it includes areas where individuals have a legal right to be present, including an individual's home or business, or other private property where the person has a right to be present.

III. PROCEDURE

Members of the press and members of the public enjoy the same rights in any area accessible to the general public. No individual is required to have or to display "press credentials" in order to exercise his/her right to observe, photograph, or record police activity taking place in an area accessible to, or within view of, the general public.

In situations where members of the public are photographing or recording a police action, officers must not search or seize a camera or recording device (including cell phones) without a warrant, except under very limited circumstances as described herein.

Deputies are prohibited from threatening, intimidating or otherwise discouraging any individual from photographing or recording police activities. Deputies must not intentionally block or obstruct cameras or recording devices in any manner. Deputies are prohibited from deleting recordings or photographs, and from damaging or destroying recording devices/cameras under any circumstances.

A person may record/photograph public police activity unless the person engages in actions that jeopardize the safety of the officer, the suspect, or others in the vicinity, violate the law, or incite others to violate the law. Examples of such actions include but are not limited to:

- a. Physically interfering with the police officer's official duties. (Interviews with

- suspects and witnesses/gathering evidence).
- b.** Hindering a lawful arrest;
 - c.** Inciting bystanders to hinder or obstruct an officer in the performance of their duties. Conduct, taken on its own, which would be insufficient to meet hindering or obstructing would include, but not be limited to:
 - i.** An individual's recording/photographing of police activity from a safe distance without any attendant action intended to obstruct the activity or threaten the safety of others does not amount to interference.
 - ii.** A person's expression of criticism of the police (or the police activity being observed) does not amount to interference.

The U.S. Supreme Court has held that “a properly trained officer may reasonably be expected to exercise a higher degree of restraint” than the average citizen when it comes to reacting to insults. Courts have given First Amendment protection to persons who made obscene gestures and yelled profanities at police officers, and they have prohibited the police from interfering with such speech.

The warrantless seizure of material protected by the First Amendment (photos, videos, etc.) will be strictly scrutinized by a court. In ordinary circumstances, the seizure of cameras or recording devices without a warrant will not be reasonable. Cameras or recording devices will not be seized without a warrant unless:

- a.** Officers have probable cause to believe that critical evidence of a felony crime is contained on/in the camera or recording device; and officers first have explained the circumstances to the person in the possession of the recording device;
- b.** The seizure of the camera/recording device is for no longer than reasonably necessary for the officer, acting with diligence, to obtain a search warrant to seize the evidence; and supervisory approval has been granted for the seizure.
- c.** If a camera/recording device is seized without a search warrant pursuant to above, officers are prohibited from seizing or viewing the evidence contained in the device until a warrant is obtained for that seizure.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 17.18	EFFECTIVE DATE: 01/01/2018 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: VIDEO RECORDING DEVICES AND MANAGEMENT		

VIDEO RECORDING DEVICES AND MANAGEMENT

I. POLICY

This policy shall apply to all sworn Warren County Deputies until it is revoked, rescinded, or suspended.

II. PROCEDURE

In-car mobile video and audio recording equipment enables deputies to document events, conditions, and statements made during police action to enhance investigations and for officer evaluation and training.

Mobile video recording (MVR) equipment shall be the responsibility of the deputy assigned to that vehicle and shall be maintained according to manufacturer's recommendations. Deputies shall inspect their MVR equipment at the beginning of their shift to include camera position and adjustments, proper operation of the microphone, and an adequate supply of recording media. Deputies shall immediately report any problems to their shift supervisor.

MVR equipment shall activate automatically when a vehicle's emergency equipment is in operation. The MVR equipment may be manually deactivated during non-enforcement activities such as protecting collision scenes.

Unless articulable circumstances exist, officers shall activate MVR equipment to record incidents including but not limited to the following: field interviews of victims or suspects, DUI investigations, arrests, documenting collision or crime scenes, evidence collection, or any situation in which a deputy feels video evidence would be useful.

Deputies shall document in their reports when MVR equipment is utilized and inform their shift supervisor of any sequence that may be necessary for review.

Deputies shall only use agency issued recording media and shall not alter or erase any recording media. Completed recordings shall be properly labeled and logged in per normal protocols.

Mobile video recording (MVR) media shall be considered evidence and be subject to security restrictions and chain of custody. Original media shall not be released or

removed from the agency unless exigent circumstances require and after approval from the Sheriff or his designee. Copies of original media may be released pursuant to Open Records laws. MVR media shall be maintained per the Records Retention Schedule prepared by the Kentucky Department for Libraries and Archives.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 17.19	EFFECTIVE DATE: 03/01/2019 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: OPIOID / DRUG INTOXICATION MITIGATION DEVICE		

VIDEO RECORDING DEVICES AND MANAGEMENT

I. POLICY

This policy shall apply to all sworn Warren County Deputies until it is revoked, rescinded, or suspended. The purpose of this policy is to provide sworn officers with guidelines, instructions and procedures to utilize naloxone in order to reduce fatal opioid overdose. It is the policy of this Agency to provide assistance to any persons(s) who may be suffering from an opioid overdose. Deputies trained in accordance with this policy shall make every reasonable effort to use naloxone to revive victims of any apparent drug overdose.

II. DISCUSSION:

This policy is intended to address one of the responsibilities of all sworn officers, which is to protect the safety and welfare of all persons and the community. In this regard, officers need to recognize the symptoms that victims who are suffering from an opioid overdose display so as to ensure that fast and effective medical assistance is dispensed. Drug overdoses are a major cause of preventable death in the United States. Increasingly, this includes prescription opioids, along with illegal opiate drugs like heroin. (Opioids are synthetic substances that mimic the narcotic effect of opium, from which heroin is derived.)

III. DEFINITIONS:

- A. Drug Intoxication: Impaired mental or physical functioning resulting from the use of physiological and/or psychoactive substances; i.e. euphoria, dysphoria, apathy, sedation, attention impairment.
- B. EMT: Emergency Medical Technician, medical care rendered by EMT practitioners, which ensure the provisions of emergency medical assistance in the field for those persons suffering from an illness or injury.
- C. MAD: The intranasal Mucosal Atomization Device which is used to deliver a mist of atomized medication that is absorbed directly into a person's blood stream and directly into the brain and cerebrospinal fluid via the nose to brain pathway. This method of medication administration achieves medication levels comparable to injections.
- D. Naloxone: An opioid receptor antagonist and antidote for opioid overdose which is produced in intramuscular, intranasal or intravenous forms.

- E. Narcan: (2) 4mg Naloxone HCl in 0.1 mL nasal spray units.
- F. Opioid: An opioid is a psychoactive chemical pain medication such as, fentanyl, morphine, buprenorphine, codeine, hydrocodone, methadone, and oxycodone.
- G. Heroin: A white, crystalline narcotic powder that is a highly addictive drug derived from morphine.
- H. Opioid Overdose: An acute condition due to excessive use of narcotics, indicated by symptoms including, but not limited to, extreme physical illness, decreased level of consciousness, respiratory depression, coma, or death, resulting from the consumption or use of an opioid or another substance with which an opioid was combined, or that a layperson would reasonably believe to be caused by an opioid-related drug overdose that requires medical assistance.
- I. Universal Precautions: An approach to infection control whereby all human blood and human body fluids are treated as if they were known to be infectious for HIV, HBV, and other blood-borne pathogens. The use of latex gloves for purposes of this policy is a highly recommended best practice.
- J. Signs of Overdose: A person who has overdosed may:
 - 1. be breathing very slow or not breathing
 - 2. have blue or purplish lips or fingernails
 - 3. be limp
 - 4. pinpoint pupils
 - 5. be vomiting or gurgling
 - 6. not wake up or respond if you try to rouse him
- V. Issuance of Naloxone:
 - 1. Naloxone for intranasal use will be issued to all Deputies assigned to Patrol. Each kit will include:
 - a. Instructions for administering intranasal naloxone.
 - b. (2) 4mg NARCAN (naloxone HCl) in 0.1 mL nasal spray units.
- VI. Procedure:
 - 1. Deputies shall receive Agency approved and authorized training on responding to persons suffering from an apparent opioid overdose and the use of naloxone prior to being issued an intranasal naloxone kit and/or being authorized to administer naloxone.
 - 2. Deputies of this Agency shall receive approved and authorized refresher training on responding to persons suffering from an apparent opioid overdose and the use of naloxone every two (2) years.

3. Whenever a Deputy encounters a person who appears to be the victim of a drug overdose, the Deputy shall:
 - a. Maintain universal precautions throughout the event.
 - b. Contact and advise the dispatcher of a possible overdose and request EMS response.
 - c. Keep the dispatcher apprised of the condition of the overdose victim.
 - d. Perform an assessment of the victim checking for unresponsive and decreased vital signs.
 - e. Check for Medic Alert tags or the like, which may indicate a pre-existing medical condition, around the wrist or neck of the victim.
 - f. Ask witnesses, family or friends of the victim what type of drug the victim ingested.
 - g. Observe your surroundings for any evidence of drugs that may indicate what the victim ingested such as; prescription drug bottles, heroin packages, needles and syringes.
 - h. Prior to the administration of naloxone, officers shall ensure that the victim is in a safe location and shall remove any sharp or heavy objects from the victim's reach, as the sudden onset of immediate opioid withdrawal may result in physical symptoms such as agitation, rapid heart rate, nausea, seizures and difficulty breathing.
 - i. Administer naloxone using the approved MAD.
 - j. Seize all illegal and/or non-prescribed narcotics found on the victim or around the area of the overdose and process in accordance with Agency policy and inform medical personnel of the drugs recovered.
 - k. Once used, the intranasal naloxone device is considered bio-hazardous material and shall be turned over to EMS or hospital personnel for proper disposal.
4. Reporting: After utilization of naloxone, Deputies shall:
 - a. Prepare an incident report to include a description of the individual's condition, symptoms and behaviors; the fact that naloxone was deployed; EMS response; the hospital to which the victim was transported; any narcotics seized; and the outcome of the agency and EMS response.
 - b. The on scene supervisor or the on-duty supervisor will review and approve the report.
 - c.
5. Storage and Replacement:
 - a. Inspection of the intranasal naloxone kit shall be the responsibility of the officer to whom it is issued and shall be conducted by the officer prior to each shift along with the rest of the Agency issued equipment.

1. Check the expiration date found on the box or vial.
 2. Check the condition of the MAD. When unopened it is considered sterile for 4-5 years.
- b. Naloxone will be stored in accordance with the manufacturer's instructions, avoiding extreme cold, heat and direct sunlight.
 - c. Missing, damaged and expired kits will be reported to the Deputy's immediate supervisor as soon as the discrepancy is noted.
6. Inadvertent Exposures related to Prescribed and Illicit Drugs

Narcotics and synthetic narcotics, prescribed or illicit, that cause sedation or pain relief effects can be unintentionally transmitted a number of ways. Deputies assigned as first responders will be trained in the recognition of inadvertent exposure. Each Deputy will be issued a dose of an opioid antagonist (Naloxone) to counter the effects of an accidental opiate exposure. The opioid antagonist (Naloxone) works by displacing the opiate from the receptors in the brain that control the central nervous system and respiratory system.

When a Deputy realizes that an exposure to an opioid may have occurred the following steps should be taken:

- a. Self-administer or have another Deputy present administer a dose of the opioid antagonist in accordance with the Deputy's training. Immediately notify dispatch of the situation and request EMS. Suspected drugs should not be field tested.
- b. The Warren County Drug Task Force should be notified of the circumstances and requested to respond.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 17.20	EFFECTIVE DATE: 03/01/2020 REVISION DATE:
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: SCHOOL RESOURCE OFFICERS		

I. PURPOSE

A prosperous future for the citizens of Warren County depends, in large measure, upon the County's ability to properly educate its children. Effective schooling requires a safe and orderly environment in which learning can occur. Consequently, the Warren County Sheriff's Office and Warren County Public Schools under the direction of the Warren County Board of Education, have partnered to create the School Resource Officer (SRO) Program in order to provide school administrators and staff with law enforcement resources and expertise they need to maintained safety, order, and discipline in the school environment. The SRO Program is intended to help create and maintain a safe and positive climate, which allows for respect of the rights of all participants in the schooling process.

II. PROCEDURE

The SROS shall investigate complaints relating to runaways, thefts, or any crime, relating to the students attending schools that the SRO serves.

The SRO shall maintain detailed and accurate records of operation of the School Resource Officer Program and shall submit reports of an instructional nature to the Sheriff.

The SRO shall not act as a school disciplinarian, as disciplining students is a school responsibility. It is agreed and understood that the principal and appropriate administrators shall be responsible for investigating and determining, in their discretion, whether a student has violated school and/or board disciplinary codes or standards and the appropriate administrative action to take. However, this shall not be construed to prevent the SRO from sharing information with School administration which may aid in the determination of whether a disciplinary offense occurred. The Administration will provide the SRO with up to date copies of the Board disciplinary policies and codes of each school they are assigned.

The principal, school administration shall advise the SRO of incidents or activities possibly

giving rise to criminal or juvenile violations and the SRO shall determine whether law enforcement action is appropriate.

HB SROs will be required to sign an agreement at the beginning of each school year that specifies their salary and expectations. HB SROs are asked to notify the WCSO of their intent to return at the end of each school year.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 02/01/2021
	18.01	

AUTHORIZED BY: Sheriff Brett Hightower

TITLE: JUVENILE OPERATIONS

JUVENILE OPERATIONS

I. POLICY

The Warren County Sheriff's Office's interest concerning juveniles is to provide protection and to promote self-responsibility and to establish methods of interacting with juveniles for prevention and control of juvenile delinquency. This includes the identification, apprehension, and conviction of juveniles charged with crimes as provided for in Title 51 - Unified Juvenile Code of the Kentucky Revised Statutes, Chapter 600. This policy will apply to all Warren County Sheriff Personnel until such time it is rescinded, suspended, or revoked.

II. DEFINITIONS

- A. Child, juvenile: Any person who has not reached his/her eighteenth birthday unless otherwise provided;
- B. CHFS: Cabinet for Health and Family Services
- C. Complaint: A verified statement setting forth allegations regarding the child that contains sufficient facts for the formulation of a subsequent petition.
- D. Court Designated Worker: An organization or individual delegated by the Administrative Office of the Courts for the purposes of placing children in alternative placements prior to arraignment, conducting preliminary investigations, and formulating, entering into and supervising diversion agreements and performing such other functions as authorized by law or court order.
- E. Detain: Upon a valid court order, to confine a child, pending further proceedings in an intermittent holding facility, a juvenile holding facility or a secure juvenile detention facility.
- F. Petition: A verified statement, setting forth allegations regarding the child, which initiates formal court involvement in the child's case.
- G. Public Offense Action: An action brought in the interest of a child who is accused of committing a public offense which, if committed by an adult, would be a crime, whether the same is a felony, misdemeanor, or violations, other than an action

alleging that a child sixteen (16) years of age or older has committed a moving vehicle offense.

- H. Status Offense Action: Any action brought in the interest of a child who is accused of committing acts, which if committed by an adult, would not be a crime. Such behavior shall not be considered criminal or delinquent and such children shall be termed status offenders. Status offenses shall not include violations of state or local ordinances that may apply to children such as a violation of curfew or possession of alcoholic beverages.
- I. Take into Custody: The procedure by which a deputy or other authorized person initially assumes custody of a child. A child may be taken into custody for a period of time not to exceed two (2) hours. Take into custody does not mean arrest.
- J. Youthful Offender: Any person regardless of age, transferred to Circuit Court under the provisions of KRS Chapter 640 and who is subsequently convicted in Circuit Court.

III.PROCEDURE

- A. Responsibility for maintaining a positive relationship with juveniles and supporting the Office's juvenile operations function will be shared by every deputy and supervisor of the Office. It shall be the responsibility of all Supervisors to ensure that Office personnel carry out the juvenile operations functions. The following activities will be included among these functions:
 - 1. Designing and implementing activities intended to prevent and control delinquent and criminal behavior by youths;
 - 2. Follow-up processing of youth arrests;
 - 3. Coordinating or preparing court cases in which a juvenile offender is involved; and
 - 4. If possible, assisting in diverting youthful offenders out of the juvenile justice system and adjusting cases.
- B. In compliance with the Kentucky Unified Juvenile Code, Kentucky Revised Statute (KRS) Chapters 600 to 645 and in the interest of best protecting juveniles (persons under 18 years of age) taken into custody by the Warren County Sheriff's Office, unless the juvenile is in need of medical attention, the deputy shall:
 - 1. Stay with the juvenile on scene until a parent or guardian can respond for release of juvenile. Transport to parent or guardian or a convenient location is acceptable if parent or guardian has no means to respond and if logistically possible. Juveniles may be transported to the Sheriff's Office in exigent circumstances, while at the Sheriff's Office the juvenile shall remain in constant sight of a deputy.

2. In cases where the juvenile is in need of medical attention the deputy shall immediately call for EMS to respond to the scene.
3. In minor offenses, the least coercive alternative consistent with preserving public safety, order, and individual liberty shall be used
 - a. Alternatives:
 1. Verbal or written warnings,
 2. Consulting with and arranging for corrective action by parent,
 3. Informal charges,
 4. Dropping charges,
 5. Citation or summons
 6. Factors to consider:
 - (a) Nature of alleged offense,
 - (b) Age and circumstances of the alleged offender,
 - (c) Alleged offender's record, if any; and
 - (d) The availability of community-based rehabilitation programs.
4. Contact the Court Designated Worker (CDW) if for any reason the juvenile must remain in the custody of the Office for more than two hours. The only exception is when personnel from another juvenile agency are with the juvenile and have requested the Office's assistance.
5. When a juvenile is taken into custody for a delinquency, status offense, or protective custody, is not being charged and can be released to a parent, guardian or responsible adult:
 - a. Contact a parent, guardian or responsible adult.
 - b. The deputy need only contact the CDW if assistance is needed. The CDW must be notified if it is not possible to release the juvenile within two hours.
 - c. Complete a record in Communications via CAD to record the information of the person receiving custody of the juvenile.
6. If the juvenile has been taken or received into custody on a charge of committing a public offense, the deputy shall:

- a. Immediately inform the child of his/her constitutional rights and afford him/her the protection required there under (KRS 610.200).
- b. Notify a parent, guardian or responsible adult that the child is in custody and of the charge(s) and the KRS pertaining to the charge(s). (KRS 610.200)
- c. Contact the CDW who may assist with the processing of the juvenile.
- d. If the juvenile is to be lodged, they should be transported to the intake facility without delay, unless an emergency medical treatment is required.
- e. Prepare a Kentucky Uniform Citation in the following manner:
 1. Complete the uniform citation as you normally would, but leave the court date blank.
 2. Be sure to give a thorough description of the incident in the POST-ARREST COMPLAINT because that is what the CDW will use to prepare the juvenile complaint/petition form.
 3. Indicate "JUVENILE" across the top of the citation.
 4. Complete the back side of the white COURT copy.
 5. The citation TYPE is "5"
 6. In the body of complaint section, put disposition of juvenile, i.e., released to parent, lodged in detention, etc.
 7. The deputy shall have the person who is receiving custody of the juvenile sign the back side of the "court" copy of the uniform citation.
 8. Either; release the juvenile to a responsible adult or to the CDW within two hours. Before the juvenile is released to a responsible adult, the deputy should consult with the CDW and consider the criteria used by the CDW's to determine if a juvenile is eligible for detention.
 9. The child should be detained if:
 - (a) The child is a fugitive from another jurisdiction for a public offense with a formal request from the home jurisdiction that the child be detained.
 - (b) The child has requested protection in writing.
 - (c) The child is charged with one of the following:
 1. Capital offense;

2. Class A or Class B felony;
 3. Manslaughter, first or second degree;
 4. Escape, first or second degree;
 5. Reckless Homicide;
 6. Assault, first or second degree;
 7. Class C or Class D felony and:
 - a. Is already detained or has another public offense charge pending,
 - b. Has been adjudicated delinquent within the last twelve (12) months of conduct resulting in physical injury to others, or
 - c. Has been adjudicated delinquent within the last twelve (12) months for a felony property offense.
 8. The child is AWOL from a secure or non-secure facility.
 9. The Cabinet for Health and Family Services (CHFS) has or will initiate an interstate action under KRS Chapter 615.
 10. The child has willfully failed to appear at a court hearing within the last twelve (12) months.
- (d) The child is dangerous to himself/herself or others, or child has been determined to be harmed or in danger of being harmed. Child shall be taken into protective custody and the proper authorities notified.
- (e) The child does not meet the criteria for detention but the judge or trial commissioner has ordered the child detained for a specific reason.
- (f) The option of releasing the child to parents, other responsible persons, relatives, emergency shelter, CHFS or other placement alternatives has been exhausted.
- (g) Consideration should also be given to the age and circumstances of the child.
- (h) The final decision as to whether the child will be detained shall be made by the CDW.
- 10.** KRS 610.220 states that a child may be taken into custody, not more than two hours without notifying the CDW, at Sheriff's Office for the following purposes:

- (a) Identification and booking;
 - (b) Attempting to notify the parents or person exercising custodial control of the child;
 - (c) Photographing;
 - (d) Fingerprinting;
 - (e) Physical examination, including examinations for evidence;
 - (f) Evidence collection, including scientific tests;
 - (g) Record checks; and
 - (h) Other inquiries of a preliminary nature.
7. The following guidelines shall be followed when issuing traffic citations to juveniles:
- a. All traffic citations issued to juveniles will be assigned a court date and not be pre-payable.
 - b. Juveniles under sixteen years of age are treated as juveniles in all circumstances.
 - c. If a juvenile is cited for both traffic and criminal offenses, two citations will be issued.
8. The following guidelines shall be followed when interviewing juveniles:
- a. The parents or legal guardian shall be notified and present before the interview begins. If notification cannot be made, the interview can proceed using the same standards as used for an adult. You must document and show that attempts were made to notify the parent or guardian.
 - b. Juveniles under the age of 12 years old or those that lack the mental maturity or capacity to understand their constitutional rights concerning a criminal investigation must have a parent or guardian present before an interview begins.
 - c. The juvenile shall be advised of his constitutional rights and also of the procedures of the juvenile justice system.
 - d. The interview shall not exceed two (2) hours, unless an extension of time is granted by the CDW due to extenuating circumstances. No more than two (2) deputies shall be involved in the interview.

- e. If the situation does not require immediate action, complaints received regarding juvenile abuse, neglect, abandonment or dependency shall be referred to the Cabinet for Health and Family Services.

9. Social Service Agencies

- a. A listing of social service agencies available in the Warren County area providing youth services shall be maintained in the communications center.

10. Maintenance of Juvenile Records

- a. The Sheriff or his Designee will be accountable for the collection, dissemination, and retention of all juvenile records. The Support Services Division will be accountable for ensuring the entry of juvenile records into the computer.
- b. Access to any juvenile records will be on a need-to-know basis only, as governed by KRS 610.320.
- c. Juvenile records are stored in a separate file cabinet marked "Juvenile Records". This drawer must be locked at all times.
- d. Juvenile records will only be expunged by court order, and the Records Coordinator will only carry out such orders.
- e. Juvenile records will be reviewed on a quarterly basis; any inactive juvenile records found to have reached the date of emancipation shall be removed from the active juvenile files. All citations and reports will be removed from the active juvenile file and placed in a sealed envelope to be destroyed in five years from the date of emancipation. Sealed envelopes are kept in the locked juvenile file drawer with the destruction date and the sealed date on the outside of the envelope.
- f. Juvenile and adult arrest and identification information will be maintained in separate files.
 1. The separation of juvenile and adult arrest records will be accomplished by having separate file cabinets for filing juvenile and adult records.
 2. Juvenile fingerprints and photographs will be maintained in separate files from adult fingerprints and photographs. Those records obtained for the purpose of identifying a child's participation in a crime, e.g., fingerprints and photographs, shall be surrendered to the court once the child is eliminated as a suspect in that matter.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 18.02	EFFECTIVE DATE: 05/1/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: SAFE INFANT ACT		

SAFE INFANTS ACT

I. POLICY

The Kentucky Safe Infants Act allows a parent, or a person acting on behalf of the parent, of newborn infant (less than 30 days old), to anonymously leave the infant at a safe place (e.g. Emergency Medical Services (EMS) provider, police station, fire station or a hospital) without fear of prosecution (KRS 405.075). The infant must not have indications of mistreatment, abuse or neglect after birth. If the parent leaves the infant and expresses no intent to return for the infant, the parent has the right to:

- A. Remain anonymous
- B. Leave at any time
- C. Not be pursued, and
- D. Shall not be considered to have abandoned or endangered the infant

II. PROCEDURE

It shall be the policy of the Warren County Sheriff's Office that, if an infant who appears to be under 30 days old is delivered to any member of the Warren County Sheriff's Office, by a parent or a person acting on behalf of the parent, the member shall immediately arrange for the infant to be taken to the nearest hospital emergency room by EMS. The member has implied consent to any and all appropriate medical treatment of the infant. The member should distribute a copy of the DPP1268 medical information for newborn infants form to the person delivering the infant. The form is voluntary on the part of the parent, or his/her designee, and can be completed at the time the infant is surrendered or the form can be mailed to the address at the bottom of the form. The information on the form will not be used to identify the parent. The member shall also inform the parent that he/she may change his/her mind about giving up the baby within thirty (30) days. If he/she does change his/her mind, the parent must contact the Cabinet for Families and Children at the phone number provided on the Medical Information for Newborn Infants form (KRS 620.350). The member should not let personal feelings cloud his/her judgment toward the person leaving the infant. The member shall not detain, follow or pursue the parent. The member shall not coerce, or otherwise force, the parent to reveal his/her identity or force the parent to keep the infant, nor shall the member coerce, or otherwise force, the parent to give medical information.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 19.01	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: UNUSUAL OCCURRENCES		

UNUSUAL OCCURRENCES

I. POLICY

The very nature of unusual occurrences precludes the development of specific procedures for every situation. If a disaster is encountered, command and control of the situation is essential. The Warren County Sheriff's Office is committed to providing prompt response, utilizing the emergency plan to minimize the loss of life and property. The procedures and plans contained in this policy give general guidelines for action. All emergency procedures are reviewed at least annually and updated if necessary. The procedures are contained in the Office procedure manual available to Office members. This policy and procedure shall apply to all Warren County Sheriff's Personnel until such time it is superseded, revoked or rescinded.

II. PROCEDURE

A. Planning

The Sheriff or his/her designee is responsible for planning responses to unusual occurrences. The role of the Warren County Sheriff's Office is to make situational use of law enforcement resources during an emergency situation, including providing law and order, aid to the injured, traffic and/or crowd control, and identifying and locating casualties. The events which precipitate the mobilization of personnel include, but are not limited to, tornadoes, airplane crashes, explosions, chemical spills, civil disturbances, and other types of disasters involving major destruction of property or disruption of communications or traffic flow.

By function, the Warren County Sheriff's Office will initiate counter measures to reduce the threat to lives and property caused by unusual occurrences. The Warren County Sheriff's Office shall cooperate to the fullest extent with other agencies. The success or failure of the disaster rescue efforts may well depend on the rapidity of response by those agencies whose role impacts on public safety. This plan outlines the duties and responsibilities of Sheriff's Office personnel, and establishes lines of authority in advance of such occurrences in order to eliminate confusion and enhance response.

B. Communications

1. Deputies will utilize the main channel for all communications.
2. Mobile telephones may be used for secure communications.
3. Whenever military authorities are involved, an attempt shall be made to have Sheriff communications equipment assigned to each unit of the military.

C. Field Command Post

Normally the command post shall be the Warren County Sheriff's Office because of the additional security and resources available. Upon occasion, there must be a field command post located at a site closer to the particular incident. The OIC shall select a field command post site when needed with particular attention to the safety of personnel. The ability to protect that site may change if a situation escalates or the problem shifts to another location.

D. Casualty Information

The fire chief shall serve as the person responsible for coordinating the handling of casualties. The fire chief shall request mutual aid for fire and EMS as needed. Removal of casualty victims will be at the direction and approval of the Fire Chief or his designee.

E. Court and Prosecutorial Liaison

The Sheriff or the OIC will notify the Warren County Attorney as soon as possible after the outbreak of problems that civil disturbance procedures have been implemented.

F. Community Relations/Public Information (Media briefings)

The Office's Public Information Officer will serve as the media liaison deputy during any unusual occurrence. Information designed to control rumors will be promptly disseminated to the news media, as well as responses to inquire by the news media.

G. General Liaison with Other Agencies

The Sheriff's Office will maintain a liaison with the local Fire Departments, other affected agencies, and legislative authorities to keep them aware of any needed resources.

In dealing with emergency situations all deputies should be aware of state laws, which give additional powers to law enforcement officials for dealing with these circumstances.

1. Kentucky Revised Statutes 65.210 to 65.300 enables local units of government to cooperate and provide services and facilities.

2. Kentucky Revised Statutes 38.030 and 39.409 enables the governor to activate the Kentucky National Guard and to declare a state emergency.

H. Other Law Enforcement Agency Support

Mutual aid assistance shall be requested through proper channels as outlined in the KRS and the guidelines of the Mutual Aid Policy, 19.8.1. Adjacent agencies may be requested by using their local number. The communications center will send a Teletype message to the surrounding law enforcement agencies advising them of the situation.

I. Military Support (Martial Law)

The authority to initiate a request for the Kentucky National Guard is limited to Sheriff through the Judge Executive. The Sheriff must call the Kentucky State Police post in Frankfort, Kentucky to contact the Governors Office (502) 564-4965.

1. Kentucky National Guard Troops will patrol in close proximity with Warren County Sheriff's Deputies when possible to provide full communications, power of arrest, and knowledge of the area.

J. Public Facility Security

Any public facility becomes a primary target during unusual occurrences. Deputies will be posted, if necessary, at disaster sites for perimeter security as manpower permits.

K. Traffic Control

It shall be the responsibility of the Sheriff's Office to take charge of traffic control. The perimeter of the disaster area must be secured and traffic may need to be routed around the scene. The decision about traffic control at the disaster scene should be made in conjunction with the fire chiefs in order to improve operations at the emergency.

1. Uniformed deputies should be used on all traffic posts. If deputies are needed at the scene of the disaster, assistance should be requested from adjacent agencies to man these traffic posts.
2. It shall be a responsibility of the traffic posts to ensure that only authorized and necessary persons are permitted to respond to the disaster scene. Unnecessary personnel at the scene only contribute to confusion and are usually counter productive.
3. At the first opportunity, the routes prohibited to traffic shall be blocked with moveable barricades, flashing lights, and other visible barriers until traffic is permitted access again.

L. Juvenile Offenders

Juvenile offenders shall be processed according the Juvenile Operations procedure 18.01.

M. Equipment Requirements

1. Deputies shall be asked to report in uniform with gun belt, radios, and personal equipment from their own agencies when called in for assistance or emergency mobilization.
2. The OIC will immediately assess the equipment needs of the situation and attempt to issue any additional equipment needed.

N. De-Escalation Procedures

At the time when the Fire Chief, Sheriff, and other authorities conclude that the disaster operation has concluded, they will advise all personnel of the return to normal operations. The OIC will advise the communications center to send a Teletype message to the surrounding agencies advising that the situation is over.

O. Rumor Control

The Public Information Officer will respond through the media to any rumors, which have the potential to add to the scope of the disaster, or which give erroneous information. When necessary, the public information officer may consult with the Sheriff, fire chief, or other official at the command post to advise of rumors and solicit responses.

1. To provide for unity of command during unusual occurrence operations, which may involve personnel from other agencies, an OIC is necessary. This person exercises command and control over all civil law enforcement resources committed to an operation with the county.
2. The Sheriff is designated as the OIC for operations. If the Sheriff is off duty but able to be contacted, the Sheriff will respond to the command post to assume command and control. If the Sheriff is unavailable, the order of contact will follow the chain of command.

P. Post Occurrence (aftermath) Duties

1. All primary back-up and supporting agencies will meet to critique the operation as soon as possible after the conclusion of any unusual occurrence.
2. A thorough inspection of all areas of the county will be conducted to ascertain damages, if any, that have been attributed to the unusual occurrence. A report shall be completed on such damage.

Q. After-Action Reports

1. After-action reports will be submitted by the OIC. These reports will contain as attachments:
 - a. All logs, assignment sheets, and summaries of significant events during the operation.
 - b. All response to resistance, deputy statements, citizen complaints, and internal investigative reports.
 - c. All damage reports to Sheriff equipment and a list of all expended supplies that need to be replaced.
 - d. Whenever possible, a list of estimated damages incurred to civilian property as a result of the unusual occurrence. A copy of all arrest/booking reports and case summaries will be submitted to the Sheriff, for review for completeness in preparation for court presentation.

R. Transportation

1. The OIC will immediately assess the transportation needs of the situation and take what action is necessary to secure the required transportation.
2. Sheriff vehicles will be used as the primary source of transportation. However, when mutual assistance is requested, personnel from other agencies will be requested to provide marked Sheriff vehicles to assist with transportation needs.

U. Arrest/Confinement Procedures

Although alternatives to mass arrests should be sought, contingency plans are made in the event such action becomes necessary to facilitate the restoration of order.

1. Persons arrested will be removed as soon as possible from the scene to a nearby holding area for initial processing and to await transportation to jail or a temporary detention area.
2. Upon arrival at the holding area, persons arrested will be identified, if possible, and photographed with a digital camera, these photos will be down loaded to a media source at a later time. The following information will be recorded and correlate with the aforementioned photograph:
 - a. Date and time;
 - b. Defendant's name, date of birth and social security number;
 - c. Location of arrest;
 - d. Offense charged: and
 - e. Arresting deputy's name.
3. Two deputies will be assigned to transport prisoners from the holding area to jail, a temporary detention area, or to a designated medical facility for treatment of any

injured prisoners. The Warren County Regional Jail will be contacted, and asked for assistance with the transportation, if there are a large number of prisoners.

4. Should the nature and size of the incident require assistance from other law enforcement agencies, those Law Enforcement Officers will be assigned first to provide security at the holding area, the temporary detention area and the designated medical facility when any prisoner is taken there for treatment. This will permit the Warren County Deputies to resume prisoner transport duties in a timely manner.
 - a. Law Enforcement Officers from other agencies will be assigned additional duties as needed.
 - b. Consideration should be given to using Law Enforcement Officers from other agencies primarily where detailed knowledge of the city geography and departmental policies and procedures is not essential.
5. Arrangements will be made for the use of a relatively large and conveniently located facility should the need arise for a temporary detention area.
6. A deputy will be assigned as booking deputy at the temporary detention area to complete the required paperwork for the arrest procedure based upon information for the photo discs as well as other information relayed by the transporting deputies. Upon completion of the booking process, the prisoners will be transported to the Warren County Regional Jail.
7. Should an incident develop into a mass arrest situation, the Warren County Attorney will be summoned at once to provide legal advice and assistance as well as expedite the presentation of charges and act as a liaison to the court,
8. The Public Information Officer will also be called in to coordinate and provide information to members of the news media regarding the incident.
9. During the operation at the incident scene, a deputy will be assigned to provide evidence collection work, in addition to other duties as determined by the OIC. Consideration may be given to having the scene and participants photographed for possible future use in identifying participants as well as for evidence in subsequent court proceedings.
10. Upon arrival at the jail or a temporary detention area, persons arrested at the incident scene will be provided the opportunity for defense counsel visitation, if requested. A secure and private area will be made available for this purpose at the temporary detention area.
11. Although persons arrested at the scene of an incident will be in the holding area for only a brief period of time, their stay in the temporary detention area may be of a longer duration, requiring attention to basic human needs of food, water, and sanitary facilities.

a. Site selection of a temporary detention area includes consideration of adequate existing sanitary facilities and water supply.

12. Medical treatment in all situations shall be rendered by the Local Fire Departments and EMS if at all possible. If the Local Fire Departments and EMS are not available, an adjacent EMS provider may be requested to respond. If no EMS providers are available, the victim may be taken to the hospital.
13. The Warren County Sheriff's Office shall maintain the responsibility for evidence collection, preservation, and storage during an unusual occurrence where arrests are made and/or crimes committed. Evidence collection shall be in accordance with normal procedures as outlined in the Collection and Preservation of Evidence Policy, in the Office's policy and procedures manual.

V. Correctional Facility

1. In the event that the Warren County Sheriff's Office is requested to assist with problems at the Warren County Regional Jail, Deputies will follow the guidelines in Policy 19.02, Mutual Aid.

W. Emergency Mobilization Plan

1. For procedures not covered in the policy, refer to the Warren County Emergency Operations Plan, Natural Disaster Operations.
2. The agency provides assistance to other jurisdictions in unusual occurrence situations when manpower permits and as outlined in Mutual Aid Policy, 19.02 in the Office's policy and procedure manual.
3. The Office participates in drills periodically to test the readiness of the Emergency Operations Plan. The Office also participates in rehearsals with other departments with their emergency plans.

- X. The equipment assigned to each deputy will be inspected monthly for operational readiness.**

Warren County Sheriff's Office

GENERAL POLICY

IDENTIFIER

19.02

EFFECTIVE DATE: 05/01/2014

REVISION DATE: 03/01/2020

AUTHORIZED BY: Sheriff Brett Hightower

TITLE: MUTUAL AID

MUTUAL AID

I. POLICY

This policy is to establish guidelines for activation and response to Mutual Aid Assistance requests. This policy shall apply to all Warren County Sheriff's Personnel, sworn and civilian until such time as it is superseded, revoked or rescinded.

II. PROCEDURE

- A. The Sheriff or his designee only, may initiate a request for Mutual Aid Assistance through the communication center. Supervisor or officers receiving a request for Mutual Aid Assistance will notify, through the chain of command, the Sheriff for approval prior to responding. The safety and security of the county is the Office's first concern and only that manpower and equipment which can be spared without leaving the county unprotected will be sent.
- B. When the Mutual Aid Plan is activated, the highest ranking, on-scene supervisor of the requesting agency is the OIC of the incident.
- C. Deputies responding to a Mutual Aid Assistance call will report to the Incident OIC or designated Staging Area for assignments. Supervisors from supporting agencies may be assigned to subordinate duties, or routine details such as perimeter control, containment, evacuation, crowd control, etc.
- D. Deputies responding to a call for Mutual Aid will notify the communication center and await further instruction.

Warren County Sheriff's Office

GENERAL POLICY

IDENTIFIER

19.03

EFFECTIVE DATE: 05/01/2014

REVISION DATE: 03/01/2020

AUTHORIZED BY: Sheriff Brett Hightower

TITLE: ALL HAZARDS PLAN

ALL HAZARDS PLAN

I. POLICY

The Warren County Sheriff's Office is dedicated to protecting the citizens of Warren County and ensuring that their property is protected in the event of an unusual occurrence. The Office will follow the guidelines of the National Incident Management System (NIMS) in addressing these situations and will meet training requirements associated with NIMS. This policy will apply to all Warren County Sheriff's Personnel until such time it is rescinded, suspended, or revoked.

II. PROCEDURES

The following procedures will be followed when handling unusual occurrences that affect Warren County. An unusual occurrence is an occurrence that is considered to be extremely unusual in the range of ordinary human experiences. The Warren County Sheriff's Office will work with Warren County Emergency Management in coordinating the agency's pre-planning of unusual occurrences.

The agency shall ensure appropriate resources, equipment readiness, and specially trained personnel, are available and prepared to respond to extraordinary situations or circumstances.

Law enforcement professionals involved in critical incidents become disorder managers, where prompt capacity to adapt, plan and react—with or without the presence of agency management—is as important as the responder's level of professional experience.

All Agency plans and procedures relative to special and unusual occurrences shall be reviewed and updated as needed.

Equipment designated for use in special and unusual occurrences shall be inspected monthly for operational readiness. Inspection shall be conducted and documented by the supervisor exercising responsibility for the equipment.

The Agency's selected law enforcement incident command system shall be utilized in providing security for VIP's, security for special events, response to all natural and manmade disasters, pandemics and utilization of special teams to include tactical operations. Particular procedures to account for the security of VIP's, special events, and the utilization of special teams shall be contained in the appropriate procedure manuals,

and analyzed for effectiveness through the submission of After Action Reports through the chain of command to the Sheriff.

A. Incident Command System (ICS)

1. The ICS will be utilized if circumstances dictate the necessity of expanding personnel and resources beyond the scope of the first responder. ICS is the combination of personnel, procedures, equipment, facilities and communications operating within a common organizational structure, and the responsibility for the management of assigned resources beginning with the first responder. ICS is interchangeable among all other public safety incident command disciplines. ICS must be applied to the global aspect of emergency management, such as capture of suspects, evacuations, media contacts, crowd control and scene security.
 - a. ICS develops a modular structure from the bottom up with command responsibility placed upon the first responder and based upon the nature of the incident. Only in rare cases is the entire agency mobilized for one incident. The first responder will often assume the first role as incident commander or Agency Representative. The specific organizational structure that may be established for any given incident will be based upon the management needs of the incident. The first responder/Incident Commander, regardless of professional rank, has the latitude and authority to assign any person to any assignment deemed necessary to deal with a particular critical incident. The first responder shall remain in command until relieved by higher ranking authority.
 - b. Based upon many unforeseen factors, some of which are individual levels of professional expertise, physical location at the time of the critical incident and the absolute need to insure sound incident command practice, personnel must be prepared to function at any level of ICS.
 - c. Unless emergency exigent circumstances exist, no one person, except the identified first responder/Incident Commander, shall make independent decisions when the incident command structure is activated.
 - d. Unless specifically ordered by a supervisor or the Incident Commander to respond to a critical incident that is reasonably considered to be outside the boundaries or scope of an employee's duty assignment, all personnel must maintain their current assigned duties or posts until directed otherwise. Abandoning assigned duty posts in order to respond to a critical incident outside their respective duty assignment only leads to a breakdown in the incident command system and loss of order among responders and will not be tolerated.

B. Definition of ICS Responsibilities

The following are examples of approved assignments and responsibilities in ICS. Duty assignments are created by the first responder/Incident Commander/Agency Representative with consideration given to the extent of the critical incident.

1. Command Functions

In most cases the Incident Commander is the first responder who assumes management control of a critical incident. However, the Incident Commander may be a subsequent responder who assumes management of the critical incident in the event that other first responders are engaged with an active threat. Without exception, the Incident Commander is responsible for all activities associated with the critical incident to include the final authority on all aspects of operations, logistics, finance, investigations, staging and communications. The Incident Commander has direct supervision over all other function deputies, in particular, public information dissemination, associated collateral duties at medical centers, government buildings and any liaison to other responding agencies.

In the event Fire/EMS has incident command responsibility for an unusual occurrence, such as a wild land fire, natural disaster or rescue, the first, and subsequent, law enforcement responder shall assume the duty of Agency Representative. With an active Fire/EMS incident commander present, the Agency Representative will not assume the authority of an incident commander. However, the Agency and all employees shall recognize the authority of the Agency Representative in making all policy decisions, as well as possessing supervisory authority over all Agency activities, associated with the occurrence. Working in partnership with the Fire/EMS Incident Command Structure, the Agency Representative shall direct all law enforcement related functions (similar to the authority of an incident commander) using approved ICS principles. (Note: The Incident Commander is synonymous with Agency Representative for the purposes of this policy)

The agency shall participate in memorandums of understanding and mutual aid agreements in order to facilitate regional response to critical incidents. Mutual aid agreements should, at a minimum, contain references to roles and responsibilities, allocation of costs, workers compensation, and notification procedures.

The modular progression of incident command may call upon additional personnel and resources to accomplish the following functions as deemed necessary by the Incident Commander:

- a. Activating the incident command system;
- b. Establishing a command post;
- c. Initiating the notification and mobilization of additional agency personnel;
- d. Obtaining support from other agencies;
- e. Establishing a staging area, if necessary;
- f. Providing public information and maintaining media relations;
- g. Maintaining the safety of all affected personnel; and
- h. Preparing a documented after action report.

2. Operations Function

This function is responsible for the management of all uniformed operations applicable to the critical incident to include, but not limited to, coordinating law enforcement related tactical and strategic plans, traffic control and perimeters. The Operations functionary may request additional resources and revise plans as necessary with the knowledge and approval of the Incident Commander.

- a. Establishing perimeters- set up inner and outer perimeters around the event.
- b. Conducting evacuations- Evacuation of victims from an emergency or disaster area is a monumental task. This procedure must be carried out with the cooperation of all agencies involved. The following guidelines should be followed.
 - 1. Determine the boundary of the area to be evacuated.
 - 2. Set up a security perimeter around the area this area.
 - 3. Break down the area to be evaluated among the personnel to be conducting the evaluation.
 - 4. Designate a place (*Community Collection Point “CCP”*) for the evacuees to be moved to.
 - 5. Go from building to building and notify the occupants of the problem, where they are to go and a route to take.
 - 6. Once contact has been made, mark the building to show that contact was made (FEMA standard markings will be used).
 - 7. Personnel will note whom they spoke to in a log.
 - 8. Log evacuees in at the relocation site.
 - 9. The PIO will notify the media of the evaluation and the relocation site.
- c. Maintaining command post and scene security- as soon as possible set up security around the command post and scene. Security may also have to be provided for important public facilities and vital areas.
- d. Providing for detainee transportation, processing, and confinement- work with corrections personnel in providing adequate transportation, processing and confinement procedures for those arrested during the event.
- e. Directing and controlling traffic- provide for the direction of traffic in and around the event and throughout the county if necessary. This may include the use of portable signage, barricades, deputies, or other means that may be adequate for handling the traffic issues in Warren County.
- f. Conducting post-incident investigation- all incidents will be investigated for possible criminal activity. This investigation will also include looking at the way incident was handled to determine any failures and strong points and make recommendations for improving in the future.

3. Planning Function

This function is vital to the success of the critical incident plan. Preparation of a documented incident action plan is one of the first responsibilities of this function.

It is also tasked with gathering and disseminating information and intelligence, and planning the post-incident demobilization.

- a. Incident Action Plan- will address the response activities and resource utilization for a specified period of time. This plan may be revised as needed.
- b. Gather and disseminate information and intelligence- responsible for making sure all available information and intelligence is supplied to the deputies that need this information for the successful completion of the event.
- c. Plan post incident demobilization- making sure that all activities are completed, releasing personnel, return of equipment, cleanup, and after action reporting completed.

4. Logistics

This function is responsible for providing facilities, services and materials in support of all personnel deployed at a critical incident. The Logistics functionary reports directly to the Incident Commander.

- a. Communications- will be through the Dispatch Center utilizing the agency radio frequencies. Should this system be down our backup radio system will be utilized. Other means of communication may also be utilized to include mobile data terminals, cell phones, or other instruments of communication.
- b. Transportation- responsible for issuing available vehicles to deputies, providing for special transportation needs (buses, ambulances, etc.) and the logging of who issued equipment is assigned to.
- c. Medical support- procuring adequate medical support from other jurisdictions to assist with the event, logging all information to include: agency, type of support, location of need, etc.
- d. Supplies- making sure all supplies that are needed to handle the event are available to personnel in the field, documenting all supplies used, date, and purpose of use.
- e. Specialized team and equipment needs- requesting assistance from any specialized units to include: water rescue, bomb squad, K-9 units, other personnel, or any other unit that may be needed. Supplying deputies with the equipment that is necessary to get the job done in the field. All personnel utilized and equipment used will be logged for the event.

5. Finance/Administration

This function is responsible for all financial and cost analysis aspects of the critical incident, to include processing of requisitions, field purchase orders and pay vouchers. The Finance functionary is also responsible for maintaining required personnel records, preparing all employee injury claims, coordinating State and Federal funding for employee injury and death compensation and setting up separate private and public accounts to receive money on behalf of injured or killed employees. The Finance functionary reports directly to the Incident Commander.

- a. Recording personnel time- keeping track of all personnel who work the event logging the date, time in and time out, agency, and assignment.
- b. Procuring additional resources- responsible for the documentation of additional resources procured for the event to include costs, reason for purchase, provider, date, and accountability for all resources procured.
- c. Recording expenses- documenting all costs associated with the event to include meals, equipment, personnel, supplies, or any other costs generated during the event.
- d. Documenting injuries and liability issues- keeping track of all personnel injuries and ensuring that all paperwork is properly completed. Documenting any liability issues that may arise due to event, to include type of issue, date, time, location, personnel involved, etc.

6. Other Duties & Assignments

The following are examples of other assignments that may or may not be necessary for emergencies.

Headquarters Supervisor

The Headquarter Supervisor is responsible for managing operations in the Sheriff's Office headquarters, managing security and operations for all government buildings, managing security and operations for Headquarters to include Prisoner Operations, and serves as advisor to the Incident Commander in making policy and deployment decisions through the duration of the incident.

Under the Incident Commander or Headquarters Supervisor, a Public Information Officer shall be appointed to represent the agency to the public during a critical incident. Public Information needs to be coordinated and integrated across jurisdictional lines, with all organizations participating in the crisis adhering to the laws of public disclosure and discovery while maintaining their right of independence. If necessary, the public information process will create a Joint Information System and center where all participating agencies can coordinate public information.

Hospital Deputy

The Hospital Deputy is responsible for the coordination of all agency activities at a hospital to include the management of employee-related injuries and casualties. The Hospital Deputy reports directly to the Incident Commander, and works in close partnership with the agency CEO and Sheriff during cases of employee injury or death.

Family Liaison

Working in Partnership with the Financial Functionary, the Family Liaison is responsible for managing the affairs of any Agency employee who is severely injured, incapacitated or killed in the line of duty, to include liaison for a decedent's beneficiaries. The Family Liaison reports to the Logistics Section.

Public Information Officer

Responsible for all news releases and media relations, community relations, and rumor control. All press releases and remarks will be made through this deputy. The PIO will only issue press releases for the police division. Questions and press releases concerning other departments (i.e.: fire, streets, etc.) will be handled by that department's PIO. The PIO will report to the Operations Section.

Staging Commander

Staging areas are maintained for collection of all personnel and resources until the Staging Commander allocates them to a particular assignment. They are responsible for equipment, procurement, personnel scheduling, transportation, other agency support and liaison, for water/sanitation, etc. The Staging Commander's responsibilities include keeping a log of all personnel used, the hours worked and the equipment used along with the associated costs. The Staging Commander will report to the Logistics Section.

Scene Commander

The Scene Commander is responsible for the scene of the emergency. The Scene Commander will report to the Operations Section.

Corrections Deputy

The Corrections Deputy is responsible for booking, identification, transportation, housing and rights of all prisoners, court and prosecutorial liaison. The Corrections Deputy will report to the Logistics Section.

Security Commander

The Security Commander is responsible for the security of public facilities, traffic control, staging area security, etc. The Security Commander will report to the Operations Section.

Investigation Deputies

This function is responsible for the investigation and case filing of any criminal conduct from actions at the scene of a critical incident. Other responsibilities include the collection and preservation of evidence, gathering of intelligence information, investigating the use of deadly force and maintaining and preserving the complete criminal case file. The Investigations functionary reports directly to the Incident Commander.

7. Statutory Responsibility

- a. The Warren County Sheriff's Office will assume statutory responsibility for the following functions:

1. Incident scene stabilization
2. Traffic control
3. Hazardous device incidents
4. Hostage negotiations
5. Evidence collection
6. Armed tactical intervention
7. Criminal investigations
8. Incident scene security
9. Victim services
10. Evacuations
11. Crowd control
12. Search operations when the subject has not been located
13. Terrorist incidents
14. VIP visits, such as Federal dignitaries, heads of state or other elected officials.

- b. Fire/EMS Services will assume statutory responsibility for the following functions:

1. Rescue operations
2. EMS
3. Hazardous materials
4. Fire suppression
5. Arson investigations
6. Pandemics
7. Weather/natural disaster related critical incidents.

8. FIRST RESPONDER Responsibilities

Responsibility of the FIRST RESPONDER shall include the following:

- a. The Agency recognizes the probability of altering traditional management concepts and normal job functions, in times of emergency, in order to support the extraordinary tactics and decisions that must be made by first responders when protecting lives, confronting active threats and achieving recovery.

- b. Now written organizational plan, or one procedural concept of tactical deployment, can be considered all inclusive for every event.
 - c. Selective application of various tactical protocols, professional maturity, application of sound law enforcement protocols, selfless conduct, problem solving capabilities and emotional resilience are concepts that bring about the control of critical incidents.
 - d. Determine Overall Priorities. The First Responder must assess the whole of the incident and is charged with immediately developing a response plan based upon the following priorities.
 - 1. First Priority- Tactical intervention into the incident is initiated when a definite interaction with readily identifiable suspects is required to neutralize the incident or prevent additional victimization. The first responder's mission is to prevent a person, or thing, from being an active threat, thereby decreasing the possibility of further injuries or deaths. Evacuations may be necessary to achieve this priority; however, evacuations are secondary to the eradication of active threats. Tactical intervention may be necessary by the first responders who utilize any and all special equipment, and initiates deployment specific to mitigate the threat.
 - 2. Second Priority- Stabilize the incident to prevent any threat escalation. Establish a perimeter.
 - 3. Third Priority- Protect property.
 - 4. Fourth Priority- Facilitate any criminal investigation.
 - 5. Fifth Priority- Establish the ICS system to manage all deployed and responding personnel and supplies.
- 9. Managing Disorder**

Critical incidents must be managed by a sense of order, and in most cases the first responder/Incident Commander must achieve order from chaos before any life safety or incident stabilization can occur. Failure to establish order immediately upon arrival of a critical incident will cause substantial problems in bringing the crisis to a successful conclusion. The first responder/Incident Commander must first establish immediate control over all public safety responders, who, in turn will assist in gaining control over the general public.

10. Transfer of Command

May take place from a first responder, and subsequently upward through the chain of command, to a latter arriving senior ranking person.

- a. Transfer of command should take place face to face to include a complete briefing of activities and circumstances.
- b. The person relieved of command shall complete a written report specifying the circumstances surrounding the transfer of command, to include the exact time and to whom the command was given. This report shall be forwarded to the Incident Commander.
- c. A ranking employee, normally at the middle or executive level management, may delegate authority to someone of lesser rank at any time during the tenure of the critical incident; however, the delegating ranking employee must understand that absolute singular command was also delegated.

11. Safety Alerts

The Incident Commander is responsible for issuing safety alerts, or warnings, to all responders describing any and all known hazards present or threatened at each critical incident scene. Safety alerts should be conducted whenever circumstances dictate but not less than once per hour.

12. Termination of ICS

The mobilization and response to a critical incident can be terminated when the critical incident has de-escalated to a point where all personnel and material resources have either been released or returned to routine service levels.

13. Post Incident Debriefing

As soon as practical, persons involved in any phase of the critical incident should be debriefed to mitigate the impact of the incident on personnel and to accelerate recovery processes. Provisions for follow up counseling should be considered for those having stress reactions to abnormal traumatic events.

- a. Post Incident Debriefings should also be used to share information among all responders in order to learn from the incident and achieve greater successes during future responses.

14. After Action Reports

The Incident Commander is responsible for submitting an After Action Report at the conclusion of the critical incident to the Sheriff through the chain of command. After Action Reports should be completed only if the critical incident has been exceptionally cleared by the Investigations Deputy or submitted to the Warren County Attorney for approval and amendments if criminal charges are pending. The purpose of the After Action Report is to evaluate the agency's overall response to the critical incident, with the intent of serving as a foundation for future similar responses.

a. After Action Reports shall contain the following information:

1. A brief description of the incident.
2. Description and detail of services provided for the incident to include personnel and equipment.
3. Cost analysis for the Agency to provide services, to include salaries, incidentals, equipment used and lost, and food costs.
4. Copy of any event log maintained by any person assigned to the incident.
5. Copy of all reports submitted by any person assigned to the incident.
6. Attachments, to include maps, forms used and any related documents.
7. Summary of casualties, injuries to employees and citizens and assessment of private and public property loss.
8. Final evaluation of the incident. Discussion of problems encountered and successes realized. Must be a critical evaluation of the overall response conducted by the Agency. The final evaluation shall provide suggestions to remedy any and all problems encountered during the critical incident. The suggestions may include policy changes, procedure changes, training solutions, and equipment acquisition or any other endeavor intended to prevent the problems from reoccurring in the future. Assignments can be made by any command staff to any employee to prepare the necessary changes or modifications to policy or procedure to correct any deficiencies in response identified by the After Action Report.

15. Training

- a. The Sheriff may coordinate annual training curriculum with the State/ County Office of Emergency Management.

16. Emergency Recall

- a. All Office members are subject to recall for duty in cases of emergencies with extenuating circumstances and/or unusual occurrences. Recall procedures shall follow the chain of command and will be initiated by the Sheriff or his designee.
- b. Recalled members will be notified by their supervisor or the communication center of the:
 1. Nature of the recall;
 2. Location or staging area to report to;
 3. And, any special equipment requirements.
- c. All recalled members will be listed in the final After Action Report.

Warren County Sheriff's Office

GENERAL POLICY

IDENTIFIER

19.04

EFFECTIVE DATE: 05/01/2014

REVISION DATE: 03/01/2020

AUTHORIZED BY: Sheriff Brett Hightower

TITLE: SPECIAL OPERATIONS/ SPECIAL EVENTS

SPECIAL OPERATIONS/ SPECIAL EVENTS

I. POLICY

During incidents involving armed and barricaded suspects, hostage situations, and other occurrences of a critical nature, the primary goal of the Warren County Sheriff's Office is to apprehend the suspect without injury or loss of life. Organization, teamwork, and discipline are required of each deputy to protect the lives of victims, other deputies, and suspects.

The first deputy to arrive on scene will become the Incident Commander (IC). This deputy will maintain command until command is transferred to a supervisor or another deputy based on expertise, knowledge, or certification. The first deputies to arrive on the scene have the most crucial responsibility. They must assess the situation quickly and accurately and report their findings to other involved personnel. They must communicate critical information that will enable other deputies to contain the suspect, control the situation, establish travel routes, and conclude the incident as safely as possible. Deputies will not jeopardize this responsibility by taking independent action and will attempt to avoid confrontation in favor of controlling and containing the situation until the arrival of Special Operations personnel.

However, when deputies reasonably believe they are faced with a situation involving the imminent loss of life, such as an active shooter, deputies are authorized to take appropriate and reasonable actions. The first arriving deputy or deputies can "pass command" to take appropriate and reasonable action to resolve the situation.

This policy shall apply to all Warren County Sheriff's Personnel, sworn and civilian until such time as it is superseded, revoked or rescinded.

II. SPECIAL OPERATIONS

The Warren County Sheriff's Office does not maintain either a full-time or a part-time tactical team and the following procedure shall be utilized if the need arises:

- A.** The Sheriff shall be responsible for determining the need for a tactical unit on a case-by-case basis and will direct the call-out of the necessary resources.
- B.** The following resources may be made available if the need arises:

1. Bowling Green Police Department Critical Response Team
 - a. Circumstances for deployment:
 1. Barricaded suspects;
 2. Hostage situations;
 3. Sniper situations;
 4. High-risk felony arrests;
 5. High-risk felony warrants;
 6. Riots;
 7. Terrorist situations;
 8. VIP protection;
2. State Police S.R.T.
 - a. Circumstances for deployment:
 1. Barricaded suspects;
 2. Hostage situations;
 3. Sniper situations;
 4. High-risk felony arrests;
 5. High-risk felony warrants;
 6. Riots;
 7. Terrorist situations;
 8. VIP protection;
3. Any other tactical team as approved by the Sheriff or his designee
- C. The supervisor of the incident will advise Dispatch what tactical unit to notify and provide the tactical team with the nature of incident and a number to contact the supervisor of the incident. Dispatch shall then give the supervisor of the incident an estimated time of arrival for the tactical unit and a phone number to contact the tactical unit commander.
- D. Dispatch will be advised by the supervisor of the incident to contact another tactical unit if the first is unable to meet the need or respond in a timely fashion.
- E. The supervisor of the incident shall attempt to establish the following before the arrival of the tactical team:
 1. Inner and outer perimeter;
 2. Command post;
 3. Staging area for tactical team and any required support services;
 4. Evacuations (if can be accomplished safely); and
 5. Emergency medical support.
 6. Obtain search warrants and/or arrest warrants.

- F. Upon arrival of the tactical unit, the on-scene supervisor shall coordinate activities with the tactical unit commander to ensure total understanding and success of the mission. The on-scene supervisor must give consideration to the established protocol of the tactical unit when coordinating activities.
- G. To maintain integrity in the operation, the on-scene supervisor shall disseminate information on a need to know basis to other operational units.

III. SPECIAL EVENT PLANNING

- A. The Sheriff shall designate one person as the Supervisor and Coordinator for the coverage of a special event. The Supervisor/Coordinator of the special event shall be responsible for the coordination of efforts inside the Sheriff's Office and with outside agencies and organizations. A special event may be any of the following:
 - 1. Parades;
 - 2. Festivals or fairs;
 - 3. Entertainment/sporting events;
 - 4. Highway construction/maintenance activities;
 - 5. Picketing/demonstrations; or
 - 6. Other events designated by the Sheriff or his designee.
- B. Special Event Planning

Logistical requirements shall be determined based on the estimates provided by the special event Supervisor/Coordinator. Planning for all special events should consider:

- 1. Ingress and egress of vehicles and pedestrians – The safety of all people attending the event will be the main goal of the Sheriff's Office. The event coordinator should anticipate and prepare plans for vehicle/pedestrian direction and control in and around the event and should address pedestrian crossing and major intersections near the event.
- 2. Parking lots and spaces – Event parking for larger event must be addressed and prepared for, off-site parking with public transportation should be considered by event coordinators as an alternative means of addressing limited on-site parking.
- 3. Spectator control – Some larger events may require the use of extra staff to assist in the control of or separation of event attendees, such events may include:
 - a. Concerts
 - b. Demonstrations
 - c. VIP attendanceSpectator control may also include restricting attendees access to specific event areas for safety and security reasons, such restriction may include:
 - d. Fireworks displays

- e. Alcohol restricted areas
 - f. Natural/Man-made dangers
4. Public transportation – If off site parking is considered, public transportation to and from the event should be considered, special considerations should address the ingress and egress of large buses used.
 5. Relief of personnel – Personnel used in traffic/pedestrian control positions will need subsequent relief and breaks throughout the event. Event coordinators should consider rotating staff for extended events.
 6. News media – The PIO should assist the event coordinator with pre-event press releases, during the event the PIO should be available to assist the media in attendance with access and information.
 7. Alternate traffic routes – Preplanned alternate traffic routes for emergency vehicles should be a top priority of the event coordinator, emergency vehicle parking, ingress, and egress from the event should be detailed and communicated to the all units involved and the communication center. Alternate traffic routes around the event should also be considered for citizens wishing to avoid the event.
 8. Use of special operational personnel – The use of special operational personnel (SRT, K-9, Drug Enforcement, etc.) may be considered for specific events. The event coordinator should submit a request to the Sheriff detailing the event and reasons for requesting the use of special operational personnel during the event; the Sheriff will have the final decision.
 9. Logistical requirements – The event coordinator should review the following logistical requirements during the pre-event planning for all events to determine the necessary personnel and equipment needs.
 - a. Personnel – Both sworn and non-sworn personnel may be required depending upon the event and responsibilities. Staffing requirement for events should consider:
 1. Shift/Street Coverage
 2. Traffic Posts
 3. Pedestrian Crossings
 4. Parking Lot ingress/egress
 5. Safety patrol/Crowd Control
 6. Post rotations/relief
 7. VIP participants/security
 8. Other aspects specific to the event.
 - b. Equipment – Weather, lighting and duration should be considered when determining needed equipment.
 - c. Other agencies – Coordination with other agencies should occur early on during the event pre-planning.

- d. Outside Agencies – If outside agency personnel or equipment is anticipated, the event coordinator should make the necessary requests/notifications as soon as practical during the pre-planning
 - e. Communications – Communication capabilities with all departments involved in the event should be considered a priority. Establishment of a command post with representations from each department maybe used to facilitate this.
10. Coordination inside and outside the agency – Larger events may require the use of outside agencies, the event coordinator should be the liaison with all outside agencies involved.
11. Temporary traffic controls and parking prohibitions – Event coordinators should consider the use of temporary traffic controls signage to warn approaching vehicles. Mechanical message boards maybe considered to give attendees parking and alternate route information in advance of the event. Restricting parking and/or temporary one-way streets may be used for safety reasons or the prevent congestion in or around events.
12. Emergency vehicle access – Emergency vehicle parking, ingress and egress should be pre-planned and announced to all participating units and the Communication's Center. Alternate routes for additional emergency units should also be considered in the planning of special events.
- C. As needed or requested, an after action report will be completed and submitted to the Sheriff detailing the event, any issues or problems identified, and any suggestions for future events.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 20.01	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: PUBLIC INFORMATION & MEDIA ACCESS		

PUBLIC INFORMATION & MEDIA ACCESS

I. POLICY

The Warren County Sheriff's Office is committed to informing the public through the news media of events within the public domain that are handled by and involve the Office. The Office cooperates fully and impartially with properly identified representatives of the news media in their efforts to gather and disseminate factual information that is consistent with established procedures so long as such activities do not subvert the ends of justice or infringe upon individual rights or privacy. This policy will apply to all police personnel, sworn and civilian until it is superseded, revoked, or rescinded.

II. DEFINITIONS

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

III. PROCEDURE

- A.** The Office's established uniform procedure for releasing information to the news media clarifies areas of information which can be released and restricts those areas in which release of information is unlawful or prejudicial to the successful completion of an investigation or prosecution.
- B.** The Sheriff may appoint a member to serve as the Office's Public Information Officer (PIO).
- C.** The Office's Public Information Officer (PIO) may have contact with the news media

and discusses procedural updates for their commentary/input and is responsible for the public information function of the Office which includes:

1. Assisting news personnel in covering routine news stories and at the scenes of incidents;
2. Being available for on-call responses to the news media;
3. Preparing and distributing agency news releases when the opportunity for such preparation exists;
4. Arranging for, and assisting at, news conferences; and
5. Coordinating with operations personnel the release of information concerning:
 - a. Victims, witnesses and suspects, and
 - b. Confidential agency investigations and operations, subject to the provisions of section "B" of this procedure.
6. Assisting in crisis situations within the agency.

D. Release of Information

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

2. When the agency is involved with other public service agencies in a mutual effort, the Sheriff, the PIO, or his designee, shall only approve the release of information.

E. Release of Information – Juvenile

1. At no time will the identity of a juvenile or any record concerning a juvenile be released to the news media. (This excludes collision reports.)
2. The release of any juvenile information (including all reports, photographs, fingerprints) to any outside agencies, other than news media, will follow WCSO Policy 18.1 and KRS 610.320.

F. Release of Information - Ongoing Investigations

1. The PIO may release the following investigative information unless otherwise restricted in this procedure:
 - a. Type or nature of an incident such as a fire, accident, robbery, etc.
 - b. Location, date and time occurred, damage, injuries sustained by victim or assailant, type of force used, and description of how incident occurred.
 - c. Casualty figures to include known dead or injured may be released.
 - d. The identity and general address of the victim if the identity is not one of the exceptions listed.
 - e. Number of deputies or people involved in an event or investigation and the length of the investigation.
 - f. Amount and type of property taken including value, if known.
 - g. Requests for aid in locating evidence, a complainant or suspect. A person's race may be released as descriptive information in such cases.
 - h. The name, age and address of any adult arrested or charged with a crime.
 - i. The fact that a juvenile has been taken into custody, including age, sex, general area of residence and substance of the charge.
2. After an incident and during an investigation but before an arrest, information which shall not be released except by the Sheriff, or his designee, to aid another agency's investigation or warn the public, includes:
 - a. The identity of:
 1. Any victim or related information which, if divulged would tend to lead to

the victim's identification of a sex crime, abduction, spouse or child abuse.

2. Any suspect who is under the age of eighteen.
 3. Any critically injured or deceased person prior to the notification of the next of kin.
 4. The location of any suspect; the existence of a suspect may be acknowledged without further comment.
 5. A prospective non-victim witness.
 6. A victim/witness, if such disclosure would prejudice an investigation to any significant degree, or if it would place the victim in clear personal danger.
- b. The specific cause of death until determined by the Coroner/Medical Examiner.
 - c. Investigative information of an evidential nature.
 - d. Contents of suicide notes.
 - e. Personal opinion not founded by facts.
 - f. Unofficial statement concerning personnel or internal affairs matters.
 - g. Home addresses and telephone numbers of investigating deputies.
 - h. Valuables or cash overlooked by crime perpetrators.
 - i. Results of an investigative procedure such as line-up, polygraph, fingerprinting, lab or ballistics test. The fact that tests are performed may be acknowledged without further comment.
 - j. Information which, if prematurely disclosed, would significantly interfere with an investigation or apprehension, particularly leads which have not been checked or information which has not been verified; specifics of the modus operandi; details known only to a suspect or deputy; information which may cause a suspect to flee or avoid apprehension.

G. Release of Information - Arrests

1. From the filing of any complaint, information, or indictment; the issuance of an arrest warrant; or time of arrest until the completion of trial or disposition without trial, information which generally may be released includes:
 - a. A factual statement of the accused name (except juveniles), age, residence, occupation, and family status.

- b. The identity of the investigating and arresting deputy or agency, and the length of the investigation.
- 2. In those instances where covert operations are necessary and a need exists to protect the identity of deputies involved, their identity will not be revealed.
- 3. Under no circumstances, will the home address or telephone number of an investigating deputy be disclosed.
- 4. The charge, including a brief description of the elements necessary in the KRS which constitute the charge.
- 5. The circumstances immediately surrounding an arrest:
 - a. Time and place of arrest,
 - b. Method of apprehension,
 - c. Resistance and injury resulting from,
 - d. Possession and use of weapons by the suspect, and/or
 - e. Description of items or contraband seized.
 - f. Amount of bond, scheduled court dates and place of detention.
- 6. After formal charging and arrest but prior to adjudication, the following information shall not be released:
 - a. The prior criminal record including arrests, indictments, or other charges of crime, character or reputation of the accused.
 - b. The existence or contents of any confession, admission, or statement given by the accused or the refusal or failure of the accused to make a statement.
 - c. The performance or results of any examinations or tests, or the accused refusal to submit to such examinations or tests.
 - d. The identity of any victim or witness or any related information which would tend to lead to the victim's identification of a sex crime, abduction, and spousal or child abuse.
 - e. The identity of any suspect who is under the age of eighteen.
 - f. Statements, prospective testimony, character or credibility of any victim or witness;
 - g. Normally the motive of the commission of the crime cannot be discussed unless it is an apparent motive such as robbery or murder;
 - h. Any opinion about the guilt or innocence of the accused, or the merits of the case, including arguments and evidence, or whether their use in court is expected;

- i. Possibility of a guilty plea, plea bargaining or other disposition;
- j. Reports, transcripts, or summaries of proceedings from which the press and public have been excluded by judicial order.

H. Release of Information - Incidents Involving Deputies

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

I. Release of Information - Office Files

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

- c. Copies of police reports may be obtained with the approval of the Sheriff or through the Support Services Division Monday through Friday from 8 AM to 4:30 PM.

J. Release of Photographs – Sheriff's Personnel

1. Under normal circumstances, photographs of Sheriff's personnel may be released to the media for a specific community relations purpose such as promotion of an official function or program, recognition for a meritorious act, promotion in rank, etc.
2. Photographs of personnel will not be released without permission of the Sheriff when:
 - a. The possibility of disciplinary action exists,
 - b. An arrest of a deputy is made,
 - c. Civil action is initiated,
 - d. A deputy commits suicide,
 - e. The deputy is working in a covert assignment, or
 - f. Any other circumstances exist which may reflect unfavorably on the individual deputy or the Office.

K. Release of Photographs - Arrested Persons

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

L. Release of Photographs - Victims and Witnesses

1. Photographs of victims or witnesses will not be released by personnel.

M. News Media Access and Other Media Concerns

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

N. Inter-Agency Coordination on News Releases

In instances where more than one agency is involved, the agency having primary jurisdiction will be responsible for the release of information, and all inquiries shall be directed to that agency. The word "agencies" as used in this section also applies to all other public service agencies such as the fire department, coroner's office, etc.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 20.02	EFFECTIVE DATE: 08/01/2017 REVISION DATE: 02/01/2021
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: SOCIAL NETWORKING/INTERNET POSTINGS		

SOCIAL NETWORKING/INTERNET POSTINGS

I. PURPOSE

The purpose of this policy is to direct the employees of the Warren County Sheriff's Office with respect to the use of the Internet, the worldwide web, and social networking as a medium of communication impacting this department.

II. POLICY

The internet, blogs, twitter, the world-wide web, social networking sites and any other medium of electronic communication shall not be used in a manner which is detrimental to the mission and function of the Warren County Sheriff's Office.

III. ON DUTY PROCEDURES

- A. Employees of the Warren County Sheriff's Office are prohibited from using agency computers for any unauthorized purpose including surfing the internet or participating in social networking sites.
- B. Employees of the Warren County Sheriff's Office are prohibited from posting, or in any other way broadcasting, without prior agency approval, information on the internet, or other medium of communication, the business of the Sheriff's Office to include but not limited to:
 1. Photographs/images relating to any investigation of the Sheriff's Office
 2. Video or audio files related to any investigation of the Sheriff's Office
 3. Video, audio, photographs, or any other images etc. which memorialize a law enforcement related action of the Sheriff's Office
 4. Logos/Uniforms/Badges or other items which are symbols associated with the Sheriff's Office
 5. Any other item or material which is identifiable to the Sheriff's Office

IV. OFF DUTY PROCEDURES

- A.** Employees of the Warren County Sheriff's Office who utilize social networking sites, blogs, twitter or other mediums of electronic communication in their off-duty time shall maintain an appropriate level of professionalism and appropriate conduct so as not to broadcast in a manner which is detrimental to the mission and function of this agency or otherwise impairs the efficiency of this agency.
- 1.** Employees shall not use references in these social networking sites or other mediums of communication that in any way represent themselves as an employee of the Warren County Sheriff's Office without prior agency approval. This shall include but not be limited to:
 - a. Text which identifies the Sheriff's Office.
 - b. Photos that depict the logos, patches, badge or other identifying symbol of the Sheriff's Office.
 - c. Accounts of events which occur within this agency where such information would reveal non-public information under state law; would violate confidentiality provisions of law; would impact ongoing investigations; or would otherwise impact the efficient operations of the Sheriff's Office.
 - d. Any other material, text, audio, video, photograph, or image that would be identifiable to the Sheriff's Office.
 - 2.** Employees shall not use a social networking site or other medium of internet communication to post any materials of a sexually graphic nature.
 - 3.** Employees shall not use a social networking site or other medium of internet communication to post any materials which promote violence.
 - 4.** Employees shall not use social networking or other medium to promote or disseminate information in favor of recognized subversive entities.
 - 5.** Employees shall not use a social networking site or other medium of communication to post or broadcast any materials that would be detrimental to the mission and function of this agency or otherwise impact agency efficiency.
- B.** Employees of the Warren County Sheriff's Office are prohibited from using their title, as well as any reference to this agency in any correspondence to include emails, postings, blogs, twitter, social network sites such as Facebook, unless the communication is of an official nature and is serving the mission of this agency. This prohibition also includes signature lines in personal email accounts. An employee may seek agency approval for such use.

C. Employees shall not post speech that negatively impacts the agency's ability to serve the public. As public employees, WCSO personnel are cautioned that speech on- or off-duty, made pursuant to their official duties, is not necessarily protected speech under the First Amendment and may form the basis for discipline if deemed detrimental to the agency. WCSO personnel should assume that their speech and related activity on social media sites will reflect upon their position and the WCSO.

Employees are free to express themselves as private citizens on social media sites as long as employees do not:

- Make, share, or comment in support of any posting that includes harassment, threats of violence, or similar conduct;
- Make, share, or comment in support of any posting that ridicules, maligns, disparages, expresses bias, or disrespect toward any race, religion, sex, gender, sexual orientation, nationality, or any other protected class of individuals;
- Make, share, or comment in support of any posting that suggests that WCSO personnel are engaged in behavior reasonably considered to be unlawful or reckless toward public safety;

Employees shall make reasonable efforts to remove content appearing on their social media account that violates this policy upon learning of the offensive content.

D. Employees shall not post or otherwise disseminate any confidential information they have access to as a result of their employment with the WCSO. Employees may not make any statements, appearances, endorsements, or publish materials that could reasonably be considered to represent the views or positions of the WCSO without authorization from the Sheriff or designee.

Warren County Sheriff's Office

GENERAL POLICY

IDENTIFIER

21.01

EFFECTIVE DATE: 05/01/2014

REVISION DATE: 03/01/2020

AUTHORIZED BY: Sheriff Brett Hightower

TITLE: VEHICLES

VEHICLES

I. POLICY

It shall be the policy of the Warren County Sheriff's Office that all deputies are required to exercise due regard for the safety of all persons. No task, call, or incident justifies disregard of public safety. Further, the public expects its deputies to demonstrate exemplary driving behavior. All Office personnel who operate Sheriff vehicles will comply with safe driving procedures outlined herein with particular attention to responding to calls for service or engaging pursuits. Emergency warning devices shall be used consistent with both legal requirement and the safety of the public and Sheriff personnel. This policy shall apply to all Warren County Sheriff's personnel; sworn and civilian until such time it is superseded, revoked, or rescinded. This policy will be reviewed on an annual basis.

II. DEFINITIONS

- A. Normal or routine driving - That driving which dictates vehicle speed consistent with the normal flow of traffic, obedience to vehicle laws and posted signs, adherence to commonly understood "rules of the road" and courtesy.
- B. Emergency Operation - For the purpose of this policy, emergency operation is intended to refer to the manner of operation of a Sheriff vehicle, by a deputy, in response to a situation or occurrence that is and/or poses a risk of life threatening or serious physical injury and has developed suddenly and/or unexpectedly and demands immediate actions and response. Both lights and siren must be on during emergency operation of Sheriff vehicles.
- C. KRS 189.910 - "An 'emergency vehicle' means any vehicle used for emergency purposes by a fire department; any vehicle used for emergency purposes by the State Police, a public police department, or sheriff's office; any vehicle used for emergency by a rescue squad; any publicly owned vehicle used for emergency purposes by a civil defense agency; ambulances; any vehicle commandeered by a police officer; or any motor vehicle used by a volunteer fireman while responding to an emergency."
- D. Marked vehicles - Sheriff vehicles used in routine or general patrol, which have distinct markings on them, i.e. striping, decals, and/or door emblems
- E. Emergency equipment - Flashing, blinking, or alternating emergency lights and a siren,

whistle, or air horn designed to give intermittent warning signals.

III. DEPARTMENT VEHICLES

Every deputy of the Office assigned to operate a Sheriff vehicle shall be held accountable for the proper use and care of the vehicle, and of all accessories, equipment and tools assigned to such vehicle. Standard equipment of vehicles shall not be changed, interchanged, altered or removed from such vehicle unless directed by a commanding deputy.

A. Marked Patrol Vehicles

1. All patrol vehicles will be marked so as to be easily recognizable to the general public both day and night. Marked Sheriff's vehicles will have the following minimum markings:
 - a. "Warren County Sheriff" decals;
 - b. emergency telephone number (911);
 - c. fleet number;
 - d. deputy badge number (4 locations on the vehicle)
 - e. lightbar, a siren, and speaker assembly with public address capability.
 - f. Any other markings as determined by the Sheriff.
2. All vehicles will be equipped with, at a minimum, the following emergency equipment:
 - a. Reflective traffic vest,
 - b. Hazardous materials handbook,
 - c. Fire extinguisher,
 - d. Binoculars, and
 - e. Bloodborne pathogen kit.

**Deputies are responsible for notifying their supervisor when equipment/supplies are used so that they can be replenished.
3. A security partition between the front and back seats provides protection for the deputy, but is constructed so as to allow for communication between the front and rear compartments.
4. The rear doors can only be opened from the driver's area or the outside of the vehicle.
5. Prisoners will only be transported in marked units equipped with security partitions.
6. Sheriff vehicles are normally to be driven within the limits of Warren County jurisdiction. Deputies shall not respond to radio calls in other areas unless authorized:
 - a. As backup for another agency's unit,
 - b. In pursuit situations,

- c. Responding in an authorized manner to emergency situations, or
 - d. On official business.
7. Deputies will not transport unauthorized persons in patrol vehicles unless such transportation is in connection with official business, except on direct orders of the Sheriff or supervising deputy.
- a. If a deputy observes a person in obvious distress, the deputy will render assistance as indicated by circumstances.
8. All passengers will use seat belts.
- a. If the circumstances require medical assistance, EMS will be summoned.
 - b. If small children or infants must be transported, Child Safety Seats or Booster Seats will be used, as required by state statute.
 - c. In all circumstances the deputy will advise the communications center of the following information:
 - 1. Reason for the transport,
 - 2. Destination,
 - 3. Beginning and ending mileage

B. Unmarked Vehicles

- 1. Unmarked Sheriff vehicles will be used mainly by Criminal Investigations or administrative members of the Office.
- 2. Although unmarked vehicles may be equipped with lights and siren, the use of unmarked vehicles and plainclothes deputies in the stopping of suspected vehicles will be avoided whenever possible.
- 3. Every effort will be made to employ a marked Sheriff vehicle to stop a suspect vehicle.
- 4. Unmarked vehicles should not be utilized as a primary unit in vehicle pursuits, but may be used as secondary/backup units.

IV. PROCEDURE

A. Daily Operations of Sheriff Vehicles

- 1. All deputies note the following information in CAD daily:
 - a. Vehicle fleet number (when changing from normally issued vehicle).
 - b. Vehicle mileage
- 2. All members of the Office will use seat belts when operating Sheriff vehicles.

B. Driving Rules

1. Circumstances permitting, the driver must check the safety features of his/her vehicle before commencing operation. The check should include (but not be limited to) all lights, brakes, horn, siren, and steering.
2. No driver shall modify, remove, deactivate, or otherwise tamper with the vehicle safety belts, emission control device, or any part of the vehicle that affects its operation.
3. During periods of inclement weather when Sheriff vehicles cannot be washed regularly, the driver must assure that the headlights and tail light lenses are kept clean.
4. An employee shall report to their supervisor any operational issues they believe would make their assigned vehicle unsafe to operate. .
5. The driver shall exercise careful observation of surrounding conditions before turning or backing any vehicle.
6. Unless on the scene of an incident, a Sheriff's vehicle should not be left unattended with its engine in operation. (This excludes any Deputy assigned a canine.)
7. The driver must recognize the variable factors of weather, road surface conditions, road contour, and traffic congestion, all of which directly affect the safe operation of any motor vehicle, and shall govern the operation of the vehicle in accordance with these factors.
8. The nature of certain crimes in progress may call for the use of the siren to be discontinued upon close approach to the location of the occurrence, and although such action is permitted by authority of this order, vehicle operations under these conditions require extreme caution. **Keep in mind that KRS 189.940 states no exemption when lights and siren are not in continuous use. Under no circumstances shall a deputy respond in emergency mode without both lights and siren in operation.**
9. Emergency driving to the scene of a motor vehicle accident is permissible ONLY when an emergency exists, or when specific information indicates that the conditions at the scene require the immediate presence of a deputy.
10. When approaching an intersection or other location where there is great possibility of collision, the driver who is responding under emergency conditions shall reduce the speed of his vehicle and control it to avoid collision with another vehicle or pedestrian, stopping completely if necessary, before entering and crossing the intersection. When faced with a red traffic signal or stop sign, the deputy shall stop his vehicle and assure by careful observation that the way is clear before proceeding through the intersection.

11. The operator of a Sheriff vehicle shall be held accountable for the manner in which he operates his/her vehicle.
12. Drivers shall operate their Sheriff vehicle in accordance to this policy and procedure and KRS 189.910 through KRS 189.950 and Warren County Sheriff's Office Procedures.
13. Operators of Sheriff vehicles must bear in mind that traffic regulations requiring other vehicles to yield the right-of-way to any emergency vehicle do not relieve the emergency vehicle operator from the duty to drive with due regard for the safety of all persons using the highways nor shall they protect the driver from the consequences of an arbitrary exercise of such right-of-way. (KRS 189.930, 189.940)
14. Emergency warning devices shall be used consistent with both legal requirement and the safety of the public and Sheriff personnel.

C. Emergency Response

During an emergency response, deputies need to reach the emergency location by the most expedient means. In any emergency response situation when deputies exceed the speed limit and/or use any other means which contradict traffic regulations, emergency lights AND siren shall be in operation. (KRS 189.940)

1. Emergency operation of a Sheriff vehicle is authorized, but not limited to, the following emergency situations:
 - a. Deputy needs assistance,
 - b. Report of an explosion,
 - c. Report of shooting, cutting or other serious injury,
 - d. Fleeing vehicle pursuits,
 - e. Auto accident with reported injury, and
 - f. Crimes in progress or similar instances requiring the immediate and urgent presence of a deputy.
2. When responding to an emergency, the deputy will not operate the vehicle at a speed or in a manner that interferes with the deputy's complete control of the vehicle at all times.
 - a. Under no circumstances shall a deputy proceed through intersections or traffic signals until all other traffic and pedestrians have yielded the right-of-way.
 - b. The basic rules of traffic safety will be adhered to at all times, regardless of the nature of the assignment.
 - c. At no time shall the safety of any person be placed in jeopardy by the operation of a Sheriff vehicle.
 - d. No emergency response will be in such a manner that the principles of safety become secondary.

- e. Deputies will be held strictly responsible for the consequences of reckless disregard for the safety of others.
- f. Seat belts will be worn.
- g. The emergency lights and siren must be used.
- h. Four-way flashers interfere with turn signals and will not be used.
- i. Vehicles that have prisoners, witnesses, suspects, complainants or other non-law enforcement personnel as passengers will not be operated in the emergency mode.

D. Non-emergency Response

When a deputy is not on an emergency call, all normal safe-driving practices must be observed, including obedience to all traffic laws and basic rules of courtesy. Courteous, intelligent driving practices are to be adopted by all deputies. Non-emergency responses will be:

- 1. Complaints that are minor or service calls, and do not require an immediate response.
- 2. A minor criminal violation which requires only a reporting of the incident.
- 3. Generally, an incident which occurred more than half an hour prior to its being reported.

E. Defensive Driving

- 1. Sheriff vehicle operators are expected to be defensive drivers.
 - a. Defensive driving includes the following:
 - 1. Speed control - drive at a speed commensurate with weather, road surface, and traffic conditions.
 - 2. Follow properly - always keep a safe margin of stopping distance between your vehicle and the vehicle ahead so that if some unexpected emergency arises, you can stop in time to avoid an accident.
 - 3. Right-of-way - drive as if you never have the right-of-way and yield it without thought to other users of the highway.
 - 4. Obey all traffic regulations - traffic laws were established for the purpose of expediting the flow of pedestrian and vehicular traffic with safety.
 - 5. Observation - many drivers focus their eyes straight ahead and fail to observe overall traffic conditions.

- b. The defensive driver perceives what pedestrians and other motorists will do, and is prepared to meet any situation that may arise from actions of others. The defensive driver is actually five drivers in one. He/she must:
1. Operate his own vehicle;
 2. Sense what the driver ahead of him will do;
 3. Be alert to any actions of the driver behind him;
 4. Watch for actions of the driver of an approaching vehicle;
 5. Be careful of the driver who may suddenly pull into the traffic lane from the curb or side street.

F. Emergency Equipment

1. Change your siren patterns. The alternating sounds will draw more attention, especially through intersections.
2. Slow down when near pedestrians, especially in school zones and sub-divisions. This gives people more time to notice your approach and respond safely.
3. Expect the unexpected. Even with ample warning about your approach, the reactions of pedestrians and other motorists are unpredictable.

G. Take Home Fleet

This policy is established to ensure agency-owned vehicles are used in accordance with the mission of the Office. For the purposes of this policy, agency-owned vehicle includes any vehicle owned, leased or rented by the Office.

This policy provides for the security of the citizens of Warren County through an increased visibility and presence of marked and unmarked WCSO units on the streets, highways and neighborhoods; providing for expedited response of off-duty personnel called back into service due to an emergency or disaster.

1. The Sheriff may assign take-home vehicles based on Office need such as emergency response to critical incidents, tactical deployments, increased visibility in the community and other considerations. It is the policy of this agency to assign marked and unmarked vehicles to full time sworn deputies who reside within Warren County for use pursuant to the following guidelines and procedures. The Office may also assign law enforcement vehicles to full time sworn law enforcement deputies who are assigned to certain positions within the agency as identified by the Sheriff.

All personnel must recognize that they are representatives of the Warren County Sheriff's Office and must be cognizant of the constant public scrutiny they will be under while operating their take-home vehicles off-duty. Members must at all times conduct themselves in a professional manner.

The privilege of a take home vehicle may be revoked. Deputies shall exercise good judgment in utilizing the vehicle in order not to reflect discredit upon the Office. Operating a take home vehicle is a privilege afforded to the employee, not a right, and the removal of a take home vehicle from a deputy is not a reprimand or reduction in grade or pay. The provisions of KRS 15.520 and 95.450 shall not apply to a decision by the Sheriff to reassign a home fleet vehicle from a deputy.

The Sheriff reserves the right to allow out-of-county take home vehicles on a case by case basis.

2. Use of Vehicles:

- a) Deputies will be assigned either a marked or unmarked vehicle for use according to the responsibilities of the deputy's position and the needs of the agency.
- b) Probationary employees are not allowed to participate in the take-home car program until they have successfully completed the post-academy field training program.
- c) Any deputy on light-duty or suspension is not authorized a take-home vehicle.
- d) The following rules apply to those deputies who are assigned a take-home vehicle:
 - i. Deputies will maintain the vehicle in a state of readiness. The vehicle shall always have sufficient fuel to allow the deputy to respond directly to the scene of an emergency.
 - ii. Deputies shall not operate an agency vehicle with any measurable amount of alcohol or any other substance in their system that could impair their ability to do so.
 - iii. Deputies/passengers shall not transport any intoxicant, including alcohol or illegal drugs, in an agency vehicle, except as required in an official capacity.
 - iv. Deputies while in an off duty status and operating an agency vehicle, marked or unmarked, shall not stop at or frequent a business whose primary business is the sale of alcohol. Example: liquor store / barroom.
 - v. Deputies and passengers are prohibited from smoking tobacco products while in the vehicle.

- vi. Communications equipment such as radios and MDC will remain on during all vehicle usage. Deputies will monitor the mobile radio at all times while operating a take-home vehicle.
- vii. Deputies shall not engage in a pursuit when a civilian passenger of any type is present in their vehicle. (Crime victim, ride-along, witness, etc.)
- viii. While operating a take home vehicle deputies are required to respond to any life threatening call for service in their immediate vicinity and to stay on the scene until properly relieved (i.e., accident with injuries, etc.) regardless of their on or off-duty status.
- ix. Deputies shall obey all traffic regulations (e.g., speed limits, parking regulations, seat belts, shoulder harnesses, and child restraint seats.)
- x. Deputies shall not park their assigned take-home vehicle at any commercial, public, or private location for compensation.
- xi. Deputies shall not permit any other person to operate their assigned take-home vehicle (e.g., spouse, children, and friends.)
- xii. Deputies shall not use their take-home vehicle to transport pets, carry excessive loads, or carry protruding objects.
- xiii. Deputies may use the vehicle to conduct incidental personal business while traveling to or from work.
- xiv. The vehicle (marked or unmarked) may not be used for transportation to and from personal or family recreational activities including, but not limited to, swimming, golf and private clubs, etc., or for any purpose that would be considered solely for personal benefit.
- xv. Only authorized persons may be in the vehicle. Authorized personnel include the deputy's family members. Occupants, other than office personnel, shall not be exposed to dangers encountered during provision of law enforcement services. If an off-duty deputy is to respond to an incident that could expose the occupants to undue danger, that deputy shall remove their passengers to a safe area before responding to the incident. If removal of the occupants is not feasible, the deputy shall not respond to a call. The deputy is to notify dispatch of his intentions so another unit(s) can be assigned to handle the situation if necessary.
- xvi. Deputies, on and off-duty, will dress appropriately when using the marked patrol vehicle.
- xvii. Deputies will not wear tank tops, flip flops, etc. Deputies shall not wear T-Shirts with inappropriate wording or offensive logos.

xviii. Deputies will equip themselves with WCSO identification, badge, portable radio, handcuffs, firearm, and spare magazines.

xix. When driving an assigned vehicle to and from work outside of the jurisdiction of the Warren County deputies should avoid becoming directly involved in enforcement actions except in those circumstances where a potential threat to life or serious property damage exists.

3. Parking:

- a) The vehicle shall be parked in the driveway or garage at the officer's residence.
- b) In the event there is no residence parking the deputy will park the agency vehicle in a parking space closest to the residence, preferably within eyesight of the residence and under lighting during the nighttime.
- c) Vehicles will be locked at all times.
- d) If the vehicle is not secured inside a locked garage, all firearms and weapons shall be removed from the interior of the vehicle and properly secured in the residence with the exception of long-guns, which may be necessary for immediate response, may be stored in specially designed theft-proof rack systems. If a take home vehicle is to be parked unattended for more than a 24-hour period, all firearms shall be removed and placed in a safe storage locker in the member's home or an agency facility.
- e) All identification, portable radios and equipment should be secured.

4. Maintenance

- a) Officers are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles.
- b) Officers shall make daily inspections of their assigned vehicles for service/maintenance requirements and damage. It is the assigned officer's responsibility to ensure that his/her assigned vehicle is maintained according to the established service and maintenance schedule.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 21.02	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: VEHICLE MAINTENANCE		

VEHICLE MAINTENANCE

I. POLICY

This policy establishes guidelines and procedures for the proper use, care and operation of police vehicles. This policy shall apply to all sworn Warren County Sheriff's personnel until such time it is superseded, revoked or rescinded.

II. VEHICLE MAINTENANCE

It is each deputy's responsibility to see that his or her vehicle is properly maintained. Engine oil should be changed as recommended by vehicle manufacturer. Any maintenance or repairs needed to his/her vehicle shall be done in a timely manner.

III. PROCEDURE

A. VEHICLE SERVICE

1. Submit a request form for anything other than routine maintenance to the shift supervisor.
2. Upon approval, each deputy is responsible for scheduling an appointment to take their vehicle for maintenance.
3. Deputies will get a supervisor's approval when taking their vehicle for service.

B. INSPECTIONS

1. Deputies are responsible to check the cleanliness, general operability of equipment, and fluid levels (oil, gas, etc.) of their assigned vehicles. Deputies should ensure that their vehicles fuel tank is full prior to ending their tour of duty.

Note: Deputies should also ensure that unless exigent circumstances exist, cruiser fuel levels should not be below one-half tank at any time during their shift.

2. Deputies are responsible for seeing that their assigned vehicles are properly equipped with routine equipment (reflective vest, first aid kit, fire extinguisher, etc., as appropriate or required for their duties) at the beginning of their shift.

3. Deputies shall examine their vehicles at the beginning and the end of their shifts for damage. Deputies shall report any damage to the supervisor immediately. Deputies shall notify communications of the incident and complete an incident report.

In the event that a Sheriff's vehicle is found bearing evidence of damage which has not been reported, it shall be prima facie evidence that the last person using the vehicle was responsible.

4. Deputies shall examine their vehicles after transporting passengers or prisoners, to search for evidence, contraband, or property discarded by said prisoners or others. Such examination shall also be made if the vehicle has been in possession of another individual, such as being used by another deputy or at a service facility to receive maintenance or repair.
5. Deputies who discover a Sheriff's vehicle in need of extensive repair shall immediately inform their supervisor.
6. If, in the opinion of the Sheriff, vehicle damage resulted from the abuse or neglect of a deputy, disciplinary action may result.
7. The assigned supervisor shall conduct a monthly inspection on all vehicles assigned to patrol.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 22.01	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: TRAFFIC LAW ENFORCEMENT		

TRAFFIC LAW ENFORCEMENT

I. POLICY

The philosophy of the Warren County Sheriff's Office is to control traffic violations through preventive patrol and active enforcement efforts. Appropriate uniform enforcement action for traffic violations is important. The following is intended to provide general guidance for uniform enforcement action in routine situations. In unusual circumstances where normal procedures would not apply, the deputy must decide for himself/herself what enforcement action is proper by drawing on his/her training, experience, and good judgment. It is not the intent of this directive to supplant an individual deputy's judgment, as it would be impossible to regulate enforcement action for every individual traffic violation that is encountered. Good judgment by the deputy in consideration of the circumstances and conditions at the time of the violation will ensure appropriate action and gain the public confidence in traffic enforcement. This policy shall apply to all sworn Warren County Sheriff's Deputies until it is revoked, rescinded or suspended.

II. PROCEDURE

A. Physical Arrest

1. When traffic offenses are committed in conjunction with the commission of crimes for which arrest is lawful and necessary.
2. There may be other incidents in which a violator should be physically arrested. The decision to affect a physical arrest should be based upon sound legal principles as opposed to peripheral issues such as a violator's attitude, demeanor or previous contacts.

B. Violations

1. Kentucky Law prefers that for a violation, a deputy issue a citation for the violator to appear in court rather than make an arrest without a warrant.
2. Under KRS 431.015, a deputy may not make a warrant-less arrest for a violation unless it is committed in his/her presence and:

- a. There are reasonable grounds to believe that the defendant will not appear in response to a citation.
- b. A deputy may arrest for a violation of KRS 189A.010 (DUI involving a motor vehicle) even though not committed in his/her presence if he/she has probable cause.

C. Written and Verbal Warnings

1. A verbal/ written warning may be appropriate when, in the deputy's discretion, justice is better served. Written warnings are preferred.
2. Verbal/ written warning may also be used in lieu of a citation for newly enacted or changed traffic laws, newly erected traffic control devices, or violations at the discretion of the deputy. Written warnings are preferred.

D. Driving under the Influence (DUI) of Alcohol/Drugs

1. It is the policy of the Warren County Sheriff's Office to actively enforce the laws pertaining to driving under the influence of alcohol and/or drugs. Deputies will generally arrest any driver found to be in violation of these laws. Arrests will be determined by the driver's observed operations on the roadway or involvement in a collision, field sobriety tests and blood alcohol tests.
2. Drivers impaired by alcohol and/or drugs represent a serious threat to the lives and safety of persons using the streets, and consequently a comprehensive, coordinated and ongoing countermeasures program involving education, enforcement, adjudication, treatment and public support is essential if a program is to have long term success in combating the DUI problem.
3. Enforcement is one of the key elements in the DUI countermeasures program. If the Office does not detect and apprehend impaired drivers, the rest of the system cannot function.
 - a. Patrol deputies must be alert for signs of alcohol and/or drug impairment in all contacts with motorists. After conducting an initial examination at the scene of the traffic contact and upon determining that probable cause to arrest is present, the deputy will effect a physical arrest of the subject.
 - b. Chemical test(s) will be offered in accordance with the Kentucky Revised Statutes (KRS) and Office procedures.
 - c. Deputies are reminded that chemical tests are supplemental tools only, and a refusal to submit to a chemical test will not constitute cause to issue a citation for a lesser offense.
 - d. All deputies will be familiar with DUI detection and field sobriety tests. If deputies recognize a need for additional training in either area, they should

advise their supervisor.

4. Education is another element of the Office's DUI countermeasures program. All deputies have a responsibility for assisting in educational programs as directed by the Sheriff.

E. Speed Law Violations

1. Speeding violations are to be considered as a type of offense which generally causes auto collisions, property damage and injuries. The enforcement of speed violations is considered to be a high priority, especially in those areas which through data analysis, have proven to possess a high injury-collision potential. The following guidelines should be followed when taking enforcement action:
 - a. All detected speeding violations should be enforced by a verbal/ written warning or a uniform citation, especially at those locations and times known to be high accident areas.
 - b. Generally, the deputy may allow a 10 m.p.h. tolerance above the speed limit before issuing a citation. However, this tolerance is at the deputy's discretion and is not mandatory. In certain areas or at certain times (such as during inclement weather with hazardous road conditions), this tolerance may not be appropriate and stricter enforcement is acceptable.
 - c. Consideration should be given to the weather conditions, traffic volume and past history of speed-related collisions in issuing citations.
2. Whenever there exists sufficient reason to believe that factors such as improperly calibrated speedometers, marginal weather conditions, and other factors may give cause to believe the speed may have been somewhat less than the speed indicated by the radar or speedometer, deputies may exercise discretion by deciding that a warning is more appropriate than a citation. Under these circumstances, deputies are authorized to use their judgment to issue a verbal/ written warning in lieu of a uniform citation.

F. Hazardous Moving Violations

1. Hazardous traffic law violations are defined as those violations of any law or regulation affecting the use or protection of streets or highways and are enacted primarily to regulate safe movement of vehicles and pedestrians. There are two types:
 - a. Unsafe Behavior - an action or omission in compliance with traffic law which is hazardous even when vehicles, streets or highways, and people involved are in a legal condition.
 - b. Unsafe Condition - Causing or permitting an illegal and possibly hazardous condition of:

1. A driver or pedestrian in traffic,
 2. Streets or highways used by traffic, and
 3. Vehicles used in traffic.
2. It will be the practice to issue citations or arrest, if appropriate, for hazardous moving violations and operating unsafe or improperly equipped vehicles.

G. Equipment Violations

When a vehicle is found to be in violation of several equipment requirements, a citation should usually be issued for the most serious violation. This action should be taken even when each violation independently is worthy of only a warning. Only one citation will be issued for such multiple equipment violations unless each warrants arrest action separately.

H. Public Carrier/Commercial Vehicles

Public carriers and commercial vehicles will be treated the same as the general motoring public. Uniform enforcement policies and procedures delineated in this directive are applicable to the commercial carrier.

I. Non-hazardous Violations

Minor traffic infractions may be resolved by verbal/written warning. Subsequent violations may warrant a uniform citation.

J. Multiple Violations

1. When multiple violations are observed which can be classified separately as having distinctly different elements, they shall be dealt with independently. A motorist stopped for following too closely and subsequently found to be operating without a drivers' license should be cited for both violations.
2. In situations where two violations are similar to the extent that the elements of one law are included in the other law, only the most serious should be charged. A motorist who has been charged with Reckless Driving would not be charged also with operating on the left side of the roadway or speeding if these offenses occurred concurrently with and are important factors in the charge of Reckless Driving.
3. A verbal/ written warning may be issued at the deputy's discretion for a non-hazardous (and non-serious) violation in conjunction with another citation for more serious equipment or hazardous moving violation.

K. Off-Road and Recreational Vehicles

1. If misuse of private property occurs while operating a recreational vehicle, such as reckless operation, DUI, hit and run or criminal damaging, enforcement may be

taken by deputies.

2. Any recreational vehicle driven upon public roadways will fall in accordance with registration laws and drivers' license laws as would any other motor vehicle driven upon public roadways.
3. The towing of recreational vehicles will be in accordance with procedure.
4. Juvenile offenders (16 years or older) will be handled the same as adult offenders. The seriousness of the violation will be taken into consideration when determining if a custodian should be contacted.

L. Driving under Suspension

1. The patrol deputy is frequently in the position of encountering drivers, following the detection of a traffic violation or other contact, who are unable to produce a valid drivers' license. This could be the result of various actions not only of the driver, but of the court and/or the Department of Motor Vehicles (DMV).
2. The deputy should check through the computer by name, social security number, and date of birth for the current status of driving privileges. If the violator has a valid license, then the deputy's actions should be dictated by the initial violation or contact.
3. If the driver does not have a valid drivers' license through DMV on-line records, the deputy should determine if the violator was ever issued a license through this state or their state of residency. If it can be determined no license was ever issued, the deputy should cite for no operator's license, unless circumstances warrant a physical arrest (e.g., no supporting identification, out of state resident).
4. If the violator was issued a license in this state or their state of residence and the violator's driving privileges have been revoked or suspended, the deputy should cite for no operator's license or driving under suspension, unless circumstances warrant physical arrest (e.g., no supporting identification, out of state resident).
5. In either case the driver should not be allowed to drive from the location of the traffic stop, and other arrangements should be made (e.g., another licensed driver in the vehicle, or someone who can pick up the vehicle). Unless the vehicle is a safety hazard, the vehicle need not be towed if it is legally parked or on private property.
6. If there is a doubt about the correct status of a license suspension and verification of a court's action cannot be gained within a short period of time, the deputy should release the driver until verification by teletype is gained. A citation can then be issued when confirmation of the license suspension is received.

M. Request for Re-Examination of Driver

1. Routine enforcement, collision reporting and investigation activities frequently lead

to the discovery of drivers who may be suspected of incompetence through physical or mental disability, disease or other condition, which might prevent the person from exercising reasonable and ordinary care over a motor vehicle. Deputies detecting such a person will complete the appropriate forms to request a re-examination by the Department of Motor Vehicles.

2. The information to be entered is self-explanatory; however, certain portions must be specifically addressed.
 - a. The physical defects must be described in detail.
 - b. The specifics of incident must be written in such detail that reasonable grounds for the re-examination are conclusively established.

N. Non-Resident Traffic Violators

1. If a minor misdemeanor traffic citation is issued by a deputy pursuant to the applicable KRS and the violator does not reside within the jurisdiction of the Warren District Court and there are no extenuating circumstances, the deputy will issue a uniform citation and release the violator. Most non-resident violators are residents of states belonging to the non-resident violator's compact (which is almost all states in the country).

O. Juveniles

1. Generally, juveniles who have committed a traffic violation will not be taken into custody but will be issued a traffic citation with the following exceptions:
 - a. Driving while impaired by alcohol or drugs,
 - b. Accidental homicide by motor vehicle, or
 - c. Driving after revocation or suspension of license.
2. In all cases where a juvenile is taken into custody, the deputy is responsible for notifying the juvenile's parents of the circumstances as soon as possible.
3. If the deputy deems that further custody is required pending a hearing, he/she must contact the court designated worker for juvenile detention authorization. All juvenile custody situations will be handled in accordance with the provisions of procedure 18.1.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 22.02	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: KENTUCKY UNIFORM CITATIONS		

KENTUCKY UNIFORM CITATIONS

I. POLICY

This policy was established to give all Warren County Sheriff Personnel a set of guidelines to follow when issuing the Kentucky Uniform Citation. This policy shall apply to all sworn Warren County Sheriff's Deputies until it is revoked, rescinded or suspended.

II. PROCEDURE

A. Kentucky Uniform Citation (E-citation)

1. KRS 431.450 provides that all officers in the Commonwealth shall use the uniform citation for all violations of the traffic laws and for all felonies, misdemeanors, and violations. Under KRS 431.015, if an arrest is made and a citation issued for the same offense, the word “**arrested**” is to be placed on the citation in the place provided for the date of the court appearance. The local court system accepts the uniform citation as a post-arrest complaint.

B. Offenses Requiring Court Appearance

1. Some of the offenses listed in KRS 431.451 require the defendant to appear in court; that is, the defendant cannot prepay the fine and thus get out of having to appear in court.

C. Prepayment

1. Some offenses listed in KRS 431.451 allow prepayment; that is, the defendant, before his/her trial date may pay to the circuit clerk, the minimum fine for the offense plus the court cost. This is considered the same as a guilty plea, and the defendant does not have to appear in court. When an officer cites for a payable offense, he/she is to mark “**payable**” on the uniform citation. However, even if an offense is listed as payable, the citing officer may ignore this and require a court appearance if:
 - a. The commission of the offense created a substantial harm or threat of harm to lives or property.

- b.** The commission of the offense was due to the nature of the circumstances particularly aggravated or flagrant.
 - c.** The defendant was known by the officer to have been previously convicted of the same offense.

D. Officer Requires Violator to Appear In Court

- 1.** If a citing officer wishes to require a court appearance for an offense listed as pre-payable; he/she is to mark the citation in such a manner as to require a court appearance on the appropriate date (KRS 431.452). An officer may cite a person to appear in court (no arrest made) for any violation committed in his/her presence.

E. Information Provided By Officers

- 1.** At the time a motorist is charged with a traffic offense, the charging officer provides information relative to the specific charge to include:
 - a.** Court appearance date.
 - b.** Whether court appearance by the motorist is mandatory.
 - c.** Whether the motorist may be allowed to prepay a fine by mail or in person.
 - d.** The address of the court and clerk's office.

F. Post-Arrest Complaint Section

- 1.** The post-arrest complaint section of a citation shall be completed prior to giving a copy of the citation to the violator.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 22.03	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: CONTACT WITH VIOLATORS		

CONTACT WITH VIOLATORS

I. POLICY

This policy was established to give all Warren County Sheriff's Deputies a set of guidelines to follow when making contact with traffic law violators. This policy shall apply to all sworn Warren County Sheriff's Deputies until it is revoked, rescinded or suspended.

II. Deputy Professional Conduct

Deputies are expected to demonstrate a professional attitude and image and, if possible, seek to improve the relationship between the public and the Warren County Sheriff's Office.

Enforcement action does not provide the deputy a privilege to belittle, berate, or otherwise verbally abuse a traffic violator. The deputy and his/her uniform should present law enforcement at its best, firm, fair, impartial, and courteous. It is recognized that deputies exercise discretion in law enforcement duties; however, such discretion will not become bias, prejudice, or otherwise discriminatory.

III. Discretionary Powers

A. Discretion can be defined as individual choice or judgment, and/or the power of free decision or latitude of choice within certain legal bounds or guidelines. The Warren County Sheriff's Office recognizes that deputies of the Office must utilize discretion in the performance of their duties and responsibilities, especially at times when it is necessary to enforce a law(s). The latitude in which deputies may utilize discretion shall be governed by the following:

1. Federal, state laws and local ordinances
2. Written directives of the Office
3. Verbal orders from superior deputies

B. In the absence of laws, written directives or verbal orders governing a situation or incident, deputies shall take into consideration the following in using their discretionary powers:

1. The goals and objectives of the Warren County Sheriff's Office
 2. The best interests of the public
 3. Mitigating circumstances
 4. Volatility of the situation/incident
 5. Ability to reverse the course of action should the decision made by the deputy fail to properly resolve the situation/incident
- C. Incidents or situations of a minor nature may carry with them a wider range of latitude when choosing a course of action. However, the more serious the incident or situation, a lesser latitude shall prevail. Generally deputies shall take enforcement action in all domestic and felony cases. A wider use of discretion shall be allowed in misdemeanor or traffic cases where there are not specific laws or directives that disallow the action to be chosen. Factors that deputies shall take into consideration in exercising discretion include, but are not limited to the following:
1. Seriousness of the charge
 2. Mitigating circumstances
 3. Aggravating circumstances
 4. Prior record of the suspect
 5. Violator immunity under the law
 6. Outstanding arrest warrants for the suspect
 7. Probable cause requirements
 8. Availability of social service agencies which might better address the problem
 9. The appropriateness of issuing a citation in accordance with state law and Office policy
 10. The appropriateness of making a custodial arrest in accordance with the state law and Office policy
 11. The appropriateness of issuing a warning
- D. Levels of Enforcement
1. Verbal warning – for minor infractions of a law or ordinance where such violation has no direct impact on another citizen or his/her property, also used for secondary offenses wherein the offender received a higher level of enforcement for his/her primary offense.
 2. Written warning- documentation of infractions of a law or ordinance, usually traffic related, that require prompt correction by the offender but which are not perceived by the deputy to warrant a monetary fine, can be used for second and subsequent minor infractions or for secondary offenses.

3. Juvenile apprehension – the taking of a minor (under the age of 18) into custody for an offense that is in violation of city ordinance, county ordinance, or K.R.S. statute.
4. State citation / summons to appear – a state issued uniform citation used for traffic or criminal offenses that are in violation of a city ordinance, county ordinance, K.R.S. statute.
5. Adult arrest – the custodial arrest or detention of an adult for the purpose of transporting the subject to jail. The offense is punishable by monetary penalty and/or confinement.

E. Vehicle Stops (General)

1. Deputies are advised of the following pre-stop guidelines for “routine” vehicle stops.
 - a. A deputy should advise communications of the following:
 - i. Intended location of the stop.
 - ii. Brief description of the vehicle.
 - iii. License number.
 - b. The location of the stop should be planned. Stops on hills, curves, intersections, private drives and business locations having limited parking should be avoided.
2. The following are general guidelines for stopping a vehicle:
 - a. Pick your location for the setup where there is adequate lighting, if possible, and you will not be at too great of a disadvantage.
 - b. Position the cruiser at the rear of the violator and signal him/her to stop while using emergency equipment. If possible, signal which side of the road is safer for the driver to stop.
 - c. Normally the violator should stop at the right side of the road. Deputies are reminded that on multi-lane roadways, lane changes may be necessary. Should the violator stop abruptly in the wrong lane or in another undesirable location, he/she may be directed to move to a safer location.

- d. If time permits, do not attempt to stop vehicles in which felons are suspected to be or vehicles whose occupants are expected to render resistance unless backup units are readily available.
- e. If you choose during a solo “routine” vehicle stop to address the driver from the driver’s side of his/her vehicle, you may stop your vehicle behind and slightly to the left of his/her vehicle in order to provide a protected space for standing. Whenever possible, the deputy should leave about fifteen (15) feet to a full car length between the two vehicles. If the situation permits, the deputy may choose to do a passenger side approach on the traffic stop.
- f. For non-routine stops, two-deputy teams are the preferred vehicle stop procedure.
- g. If you choose to approach a stopped vehicle, always do so cautiously attempting to keep its occupants under close scrutiny:
 - i. Approach from the rear and look into the rear seat area.
 - ii. Stop at a point to the rear of the trailing edge of the left front door.
- h. Do not stand where a vehicle’s door may be used against you. Always be alert for emergencies.
- i. When returning to your vehicle for administrative purposes, advise the stopped vehicle’s occupants to stay within their vehicle, and proceed to back away from the stopped vehicle.
- j. Upon returning to the stopped vehicle, approach with caution.
- k. During any stop, always remain cognizant of your safety, the safety of those within the stopped vehicle, and the safety and convenience of other motorists upon the highway.

F. Vehicle Stops (Known or Suspected Felons)

- 1. Deputies are advised of the following pre-stop guidelines for vehicle stops involving known or suspected felons:
 - a. Advise communications of the following:
 - i. The vehicle’s location and direction of travel.
 - ii. A thorough description of the vehicle.

- iii. A description of the occupants.
 - iv. The approximate speed the vehicle is traveling.
 - v. The charges or possible charges that the deputy has on the suspect.
 - b. Keep the suspect's vehicle in view.
 - c. Request assistance for the stop.
 - d. Keep supporting units informed of the vehicle's location and direction of travel to facilitate their approach with minimal use of emergency equipment.
 - e. The suspect's vehicle should not be stopped unless absolutely necessary until adequate back-up is available and in position.
2. The following are general guidelines for stopping the vehicle:
- a. Plan to stop the suspect's vehicle in a location presenting minimal danger to other citizens.
 - b. Position the cruiser at the rear of the suspect's vehicle and signal the suspect to stop while utilizing emergency equipment.
 - c. If possible, stop the suspect on the extreme right side of the road.
 - d. If the suspect is known to be armed, have your weapon easily accessible and ready for use.
 - e. When the suspect's vehicle begins to stop, turn off the siren and activate the public address system.
 - f. Even during the day, all lights, especially the spotlights should be focused on the interior of the suspect's vehicle.
3. The following guidelines are preliminary to approaching the suspect(s):
- a. Exit the deputy's vehicle quickly but remain behind the door and accessible to the public address system microphone.
 - b. Using the public address system, or by verbal communication, the deputy in command should direct each occupant to remove

- himself/herself from the vehicle according to specific directions and into the street.
- c. The primary deputy should give instructions to any support deputy, even if not needed, to assure the suspects that additional support is present and available.
 4. The following guidelines for approaching the suspects:
 - a. When all occupants have been removed from the vehicle, the support deputy should position himself/herself to cover the arresting deputy while the suspect(s) is (are) being searched.
 - b. Caution should be exercised to stay out of the line of fire.
- G. Requesting Driver Information
1. Upon initial contact inform driver, immediately greet the driver and state your name, your agencies name. If you are not in uniform, present proper identification. Address the driver by name. Inform the drivers why they were stopped and describe the violation in terms of what the vehicle was seen doing, not the driver.
 2. Allow the driver to seek information about the violation.
 3. Ask the driver where they keep their driver's license and vehicle information. When requesting the driver's license and vehicle information, deputies should use the word "please". When requesting identification, vehicle registration or drivers license, accept only the document, not the wallet in which it might be contained.
 4. Avoid asking a series of random challenging questions just to inflict deputy control or to intimidate. Avoid automatically talking with violators with your hand on your weapon.
 5. Appear casual in observing and questioning, use the soft approach: Smile, Open Gestures, and Focus on the driver and occupants, Tone.
 6. Provide instructions to the driver and passengers before returning to your vehicle.
 7. Complete the forms required for the enforcement action taken or exercise a verbal warning in a timely fashion.
 8. If a citation is to be issued, explain to the driver exactly what he/she is supposed to do in response to the citation. If the enforcement action

requires a court appearance, make sure the violator knows where and when. Explain any alternatives to the driver, i.e. “Traffic School”, but do not predict the actions of the court.

9. Deputies issuing a “pre-payable” citation shall also issue them an “instruction” sheet; advising the driver how to use the “instruction” sheet, how to pay a payable citation and court date and time if they wants to contest the citation.
10. Return the driver’s license and a copy of the citation.
11. End the stop on a positive note, thank the driver for being cooperative or say something positive about safety, such as “Buckle up, Please Drive Safely”, or other words suitable to the incident and deputy style.
12. Be alert to any emotional stress exhibited by the driver. If stress is present the deputy may need to calm the driver down before letting him/her resume operation of his/her vehicle. The instructions may have to be repeated.
13. Practice the golden rule “Treat the driver and other occupants like you or a member of your family would want to be treated”. Everyone’s safety is above all other concerns.

H. Special Considerations

1. Reassure children and other occupants in the vehicle who may be frightened by the presence of a deputy.
2. Be aware of cultural differences. In some cultures, persons may talk softly, while in other cultures, person may talk loudly. Some persons my use less eye contact, stand close to the person they’re talking to or, on the other hand, feel uncomfortable if the deputy is standing too close.
3. Avoid automatically stating the specific fine, number of points, court costs. This could increase tension. If you are asked the amount of the fine respond accordingly.
4. NEVER base the stop or post-stop actions on race, gender, religion, disabilities, national or ethnic origin, sexual orientation, or socioeconomic status.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 22.04	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: SPEED MEASURING DEVICES		

SPEED MEASURING DEVICES

I. POLICY

To establish a policy for the enforcement of state statutes relating to excessive motor vehicle speed on public highways or trafficways, through the use of Laser or Doppler radar speed measuring devices. This procedure shall apply to all sworn Warren County Sheriff's Office personnel until such time as it is superseded, revoked or rescinded.

II. PROCEDURE

Speed measuring devices will primarily be operated in those areas that have shown a high collision rate caused by excessive speed, in answer to complaints received from the public, or in areas where excessive speed may create a hazard to the public. Procedures will vary in accordance with the type of equipment used. The type of enforcement action taken may depend on location of violation, severity of violation, etc., and should be guided by the Office policy, Traffic Law Enforcement.

A. Radar (Laser or Lidar)

1. The following guidelines govern the use of radar, which will always be operated in compliance with manufacturer's instructions.
 - a. The radar unit must be properly installed in the vehicle and connected to the appropriate power supply.
 - b. Operators must have been instructed in the operation of police Laser or Doppler radar, by the Kentucky Department of Criminal Justice Training, the radar manufacturer, Field Training Program, or other competent authority. While there is no certification requirement, deputies will have a working knowledge of the equipment prior to use for traffic enforcement actions.
 - c. The operator must choose an appropriate location that is conducive to the effective and safe operation of radar and apprehension of any violators.
 - d. The radar unit shall be maintained and properly calibrated to ensure accuracy in checking speed.

- e. The operator must follow the manufacturer's recommended specific methods of checking calibration without exception. Any problems with the operation of radar units or apparent malfunction shall be promptly reported to a supervisor.
- f. In court, deputy's must establish the following elements of radar speed:
 1. The time, place, and location of the vehicle, the identity of the operator, the speed of the vehicle, and the visual and radar speed check.
 2. Deputy qualifications and training in use of radar.
 3. Proper operation of radar unit.
 4. The unit was tested for accuracy before use and after use by an approved method.
 5. Identification of the vehicle.
 6. Speed limit in the zone in which deputy was operating and if signs were posted.
- g. The individual deputy is responsible for the proper care and daily inspection of the radar unit's calibration and operational checks. Any problems are to be reported to their supervisor.
 1. The Special Services Division is responsible for the management of radar units requiring service, maintenance, calibration, and maintenance of supporting records.
 2. Equipment Specifications for radar (Laser and Lidar)
 - a. All radar equipment will be in accordance with manufacture specifications
 - b. All radar equipment will be calibrated in accordance with the manufacture specifications.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 23.01	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: TRAFFIC COLLISION INVESTIGATION		

TRAFFIC COLLISION INVESTIGATION

I. POLICY

The Warren County Sheriff's Office is dedicated to the reduction of motor vehicle Collisions. Collision investigation and reporting are utilized to determine the cause of an automobile collision and to use the information gained to develop selective enforcement programs, engineering studies, and to promote street and highway safety. This policy pertains to all Warren County Sheriff's personnel ~~effective May 1, 2014~~ until it is suspended, revoked or superseded

II. PURPOSE

- A. To establish a general philosophy and overall guidelines for the Office's traffic collision management services and operations.
- B. To systematically obtain data about collisions in sufficient amounts and according to standard classifications for support planning and coordinated programs of motor vehicle collision countermeasures within the Office.
- C. To provide emergency medical services and other assistance to safeguard the lives and well-being of persons involved in a collision.
- D. To protect the property of persons involved in or in the vicinity of the collision;
- E. To determine whether there is probable cause to believe that a traffic offense has been committed that caused or contributed to the collision (serious physical injury or fatal only), and if so, to determine the appropriate enforcement action to be taken and obtain evidence to support a prosecution;
- F. To restore the safe and orderly movement of vehicular and pedestrian traffic at the collision scene as soon as practical;
- G. To create and maintain an accurate and adequately comprehensive base of collision related information to support analysis, planning and evaluation of traffic law enforcement and other traffic safety programs; and,

H. To engage in special temporary programs to obtain additional data about collision vehicles, roadways, drivers, pedestrians, results and related factors, as may be required for special research studies of the highway transportation system.

III. DEFINITIONS

- A. Traffic Collision Investigations** - Collection of factual information identifying and describing people, roads, and vehicles involved in a traffic crash; describing the results of the collision in terms of danger to vehicles and roadside objects, injuries to people, marks and residue on the road, and final positions of vehicles and bodies; interpretation of these facts in terms of behavior of road users involved and, sometimes, an attempt to specify the peculiar combination of factors required to produce that particular collision.
- B. Traffic Collision Reporting** - Basic data collection to identify and classify a traffic collision; the persons, vehicles, time/location, and planned movements involved; and possible contributing factors such as traffic law violations.

IV. PROCEDURE

A. Reporting/Investigation

- 1. Uniformed deputies dispatched to handle a traffic collision are to report and/or investigate the collision in a thorough and professional manner.
- 2. Minor, non-injury collisions generally require only the reporting of basic information. A more thorough investigation is required on the following types of collisions:
 - a. Death or serious injury,
 - b. Major Property damage,
 - c. Hit and run collisions,
 - d. Impairment due to alcohol and/or drugs, and
 - e. Hazardous materials.
- 3. It is important that collision reports be submitted promptly. It is the reporting deputy's responsibility to finish the investigation and submit the report within three working days. Any report not submitted within three working days requires supervisor's approval.
- 4. Hit and run collisions will be followed up by the reporting deputy unless the collision is serious enough to be investigated by a traffic collision reconstructionist.

B. Law Enforcement Response

1. Primary and secondary deputies will respond with emergency equipment (lights and siren) to all reported collisions involving the following, unless specific circumstances exist that justify response of another nature.
 - a. Death or injury;
 - b. Unknown injury;
 - c. Crash of vehicle w/hazardous materials;
 - d. Disturbance between principals involved; and
 - e. Collision involving extenuating circumstances which may create potential hazardous roadway conditions if not immediately addressed; i.e. roadway blockage causing traffic congestion, possible alcohol/ drug involvement, or parties attempting to leave the scene.
2. Deputies will respond to the following collisions using no emergency lights or siren and observing all traffic laws.
 - a. Known non-injury collisions,
 - b. Minor damage,
 - c. Traffic way not obstructed,
 - d. Hit and run collisions, and
 - e. All other collisions
3. During weather emergencies and when extremely poor road conditions exist, field collision reporting may be delayed. Non-injury, minor damage collisions may be reported at the Office rather than taken in the field. The supervisor will notify the communications center to respond to citizen's requests by informing them of the weather emergency, instructing them to exchange necessary information, and to respond to the Sheriff's Office to complete the report. The news media will be advised of this when they inquire as to road and traffic conditions.

C. First Deputy on the Scene

1. Immediately upon arrival, the first deputy at the scene of a collision will check for injuries, fire hazards, hazardous materials and/or electrical wires down and will summon appropriate fire, medical or utility assistance. The deputy will provide emergency medical aid and fire suppression services based on his/her level of training until fire/medical personnel arrive. Injured persons will not be transported in Sheriff vehicles unless authorized by a supervisor. In the case of hazardous material incidents, the deputy will isolate the hazard area, evacuate non-essential personnel, identify the vehicle and container placards, and notify responding fire department of this information.
2. The deputy will park his/her patrol vehicle in such a manner as to protect the scene, preserve evidence and protect the public, but not in such a manner that would create an additional hazard. Overhead emergency lights will be activated while the cruiser is on the roadway. When possible, deputies should establish a safe traffic route around the collision scene which will protect the collision scene and emergency workers.

3. If damage to the vehicles will require them to be towed, a tow truck should be summoned as quickly as possible so normal traffic flow can be resumed. If a re-constructionist is responding, the calling of tow trucks will be at his/her discretion.

D. Investigative Responsibility

1. Unless otherwise directed, the deputy originally dispatched to the scene by the communications center will investigate the collision.
2. A traffic collision re-constructionist should be notified to respond and investigate the following types of collisions:
 - a. Fatalities,
 - b. Serious injury which could potentially become a fatal collision, and
 - c. Collisions which carry a high potential for liability to the Warren County Sheriff's Office.
3. The Commonwealth Attorney's Office shall be notified on any incident involving a vehicular homicide or vehicular assault when the operator or operators of the vehicle or vehicles involved is under suspicion of operating a motor vehicle while under the influence of intoxicants.
4. The supervisor will determine if a collision is serious enough or has such a high potential for liability to the County as to require the notification of a collision re-constructionist. The supervisor will request through dispatch a re-constructionist to be notified.
5. If a serious collision occurs and no re-constructionist is available, the shift supervisor or OIC will see that a complete investigation is conducted including, if necessary:
 - a. Photographs of vehicles, victims and evidence
 - b. Witness statements
 - c. Marking and measuring of skid marks, and triangulation of vehicles, debris and victims
 - d. Detailed scene diagram
6. Photographs are required for any injury collision and for any collision involving County vehicles or property. Photographs of other collisions may be taken at the investigating deputy's discretion.

E. Collision Scene Procedures

1. When investigating collisions, the deputy will ensure that a Kentucky Uniform Police Collision Report is filled out completely and accurately. It will include:
 - a. Interviewing principals and witnesses,
 - b. Obtaining necessary witness statements,

- c. Listing all occupants of the vehicles, and
 - d. Examining and recording damage to vehicles, roadways or other public or private property
2. For detailed instruction about the collision report, refer to the Kentucky Uniform Police Collision Report Manual.
3. If evidence needs to be collected or if photographs or measurements need to be taken, the investigating deputy will take whatever actions are necessary to safeguard that evidence for collection. This includes the list of items in Policy 23.01 IV D(4)
4. When possible, on any incident involving a vehicular homicide or vehicular assault when the operator or operators of the vehicle or vehicles involved is under suspicion of operating a motor vehicle while under the influence of intoxicants the following investigative steps should be taken:
 - request two blood draws of the suspected driver to allow for potential extrapolation of their blood content at the time of the collision;
 - if the request for blood is refused, a search warrant should be sought for two blood draws of the suspected driver or drivers to allow for potential extrapolation of their blood content at the time of the collision.

F. Follow-up Investigation

1. Collision investigation follow-up is the responsibility of the initial reporting deputy or, if applicable, the investigator. If a collision needs further investigation, the following duties will be completed on an as-needed basis:
 - a. Collection of scene data,
 - b. Vehicle safety inspections,
 - c. Obtaining recorded formal witness statements,
 - d. Reconstruction of collisions, and
 - e. Preparation of formal reports to support criminal charges arising from the investigation

G. Technical Assistance

1. Should additional technical assistance beyond the capabilities of the Office's personnel be needed, it should be arranged by the investigator or the on-duty supervisor. Such technical assistance may include surveyors, mechanics, traffic engineers, physicians or other specialists.
2. When investigating a serious traffic collision involving a question about brake failure, the deputy may order the vehicle impounded for a brake inspection by a certified mechanic.
3. Care should be taken when ordering this inspection that the examination is pertinent to the collision investigation. Examples are:

- a. Fatalities,
 - b. Serious injury collisions where a strong possibility of civil litigation exists,
 - c. Warren County vehicle collisions with brake failure in question, or
 - d. Any time when liability may possibly be attached to the County
4. When the vehicle is impounded it should be towed directly to the impound lot and a hold will be placed on the vehicle. The requesting investigator is responsible for notifying the technician and arrangements for the inspection.
 5. Any time a Sheriff vehicle is involved in a collision involving possible equipment failure, the vehicle should be taken out of service and towed to a certified mechanic for further inspection.

H. Required Equipment

1. Sheriff vehicles will be equipped with the following basic equipment and supplies including, but not limited to:
 - a. Binoculars,
 - b. Hazardous materials handbook,
 - c. A fire extinguisher,
 - d. Blood borne pathogen kit, and
 - e. Reflective traffic vest.
2. Each deputy will be responsible for ensuring that all listed equipment and supplies are maintained in the Sheriff vehicle. When supplies are used the deputy will advise a supervisor, so that the items can be replaced.

I. Enforcement Actions in Collision Investigations

1. Whenever the investigating deputy determines that a chargeable offense has occurred and a sufficient amount of evidence exists to establish a case beyond a reasonable doubt and to support prosecution in a court of law, enforcement action should be taken. If a citation cannot be issued and enough evidence exists, the investigating deputy may seek a summons.

J. Private Property Collisions

1. Generally, a deputy will be dispatched to private property collisions and a written report completed whenever any of the following apply:
 - a. Death or injury
 - b. Hit and run where struck vehicle has not been moved or physical evidence exists at scene.
 - c. Operator impairment due to alcohol and/or drugs
 - d. Damage to a County vehicle or property
 - e. An intersection, or entrance or egress to a lot is blocked by vehicles or debris
 - f. Sheriff assistance is requested.

2. A Civilian Traffic Collision Report (KSP-232) will be issued whenever parties involved in a private property collision respond to the police station and wish to file a report.

K. Traffic Control

1. At collision scenes, deputies will use the patrol vehicle's emergency lights and other appropriate warning devices as necessary to protect the scene and alert approaching traffic. Flashing lights and other equipment can create traffic problems and their unnecessary use will be curtailed when a road hazard no longer exists. Once the scene has been cleared of vehicles and debris, the deputy will arrange for the prompt removal of warning devices that may have been used to protect the scene.
2. If damage exists which will require a longer closing of the roadway than normal, the Warren County Road Department or the Kentucky State Highway Department should be contacted to provide barricades, traffic cones, emergency lights or other appropriate devices for traffic control.

L. Special Hazards

1. An important responsibility of deputies responding to any collision scene is to keep the situation from becoming worse. This responsibility may become more important and complex when injuries, actual or potential fire hazards or hazardous materials are present at the scene. Deputies may be called upon to perform certain special activities and to coordinate their activities with those of other agencies. Priorities for action are likely to be affected by the extent and nature of the hazards.
2. The Office will continue to be aware of the responsibilities, practices and procedures of other agencies that respond to and/or provide technical assistance relating to injuries, fire hazards and hazardous material incidents. Deputies will be kept informed of these responsibilities, practices and procedures to ensure the best possible coordination and service delivery at traffic collision scenes involving such hazards.

M. Injury Collisions

1. Deputies sent to the scene of collisions involving injury will immediately call for EMS, if one has not already been dispatched, and for another deputy for assistance with traffic control. Victims complaining of back or neck injury should only be moved by rescue personnel unless conditions at the scene become life threatening to the victim, such as a fire. Any complaint of injury from any involved party will be investigated as an injury collision.
2. Once rescue personnel have arrived, deputies will provide whatever assistance the rescue personnel request while controlling traffic and conducting the collision investigation.

N. Fire Hazards

1. If a fire exists or there is a great potential for fire (spilled gasoline or live sparking wires), the fire department will be immediately summoned.
2. Any injured victim who cannot leave the immediate hazardous area should be assisted. All other persons in the immediate area should be evacuated.
3. Deputies will isolate the area to prevent unauthorized subjects from entering.

O. Hazardous Materials

1. Deputies should be aware that any traffic collision involving a cargo vehicle is a potential hazardous material incident and should be observant for any evidence of hazardous material or hazardous material placards before approaching cargo vehicles involved in collisions.
2. When there is a question whether spilled material at a collision scene may be hazardous, deputies will avoid contact with the material and will keep others from contact with the material.
3. Upon arrival at the scene of a traffic collision involving a cargo vehicle, deputies will immediately contact the fire department and attempt to make a preliminary identification of the cargo on the basis of placards visible from a safe distance.
4. Deputies will follow the procedures specified in the Emergency Response Guide to complete the identification of hazardous materials and take appropriate emergency action until the situation is remedied.

P. Property Control Safeguards

1. The deputy at the scene of a collision should ensure that property belonging to the collision victims is protected from theft and is removed to a place of safekeeping if the owner is unable to care for it.
2. When an injured driver is removed from a collision scene and/or it is necessary to tow the vehicle, a wrecker request will be called in to the dispatch center and an inventory may be made of the contents of the vehicle. In the absence of another responsible party, cash, firearms, and other items of significant value will be tagged and placed in the property room for safekeeping.

Q. Report Form

1. Deputies will use the computerized E-CRASH version of the Kentucky Uniform Traffic Collision Report form when preparing written traffic collision reports. The following forms may also be necessary when investigating certain types of collisions:

- a. Kentucky Uniform Police Traffic Report Supplementary,
- b. Collision Information Exchange (Civilian Report Form),
- c. Voluntary Statement,
- d. Implied Consent, and
- e. Request for driver license examination or recertification

R. Sheriff Vehicle Collisions and Damage

- 1. All members of the Office shall notify their supervisor as soon as practical when they, as a driver of a Warren County Sheriff's vehicle, are involved in a motor vehicle collision or damage is caused to the vehicle.
- 2. Traffic collisions in which Sheriff's vehicles are involved shall be investigated and will always be reported on the Kentucky Uniform Police Traffic Collision Report along with photos (even minor traffic collisions) and any witness statements. The shift supervisor shall be notified immediately. The supervisor may choose to have another law enforcement agency investigate the collision.
- 3. All collisions occurring within Office jurisdiction shall be investigated by the on-duty shift supervisor. If the collision involves a fatality, serious injury or major property damage:
 - a. The Sheriff, or his designee shall be notified immediately, and
 - b. The Sheriff, or his designee may request that another law enforcement agency investigate the collision.
- 4. If the collision occurs outside Office jurisdiction the on-duty supervisor shall:
 - a. Request the law enforcement agency of jurisdiction to investigate the collision.
 - b. Respond to the scene if it is within a reasonable distance from Warren County.
 - c. In the event no other law enforcement agency having jurisdiction is available to investigate, the on-duty supervisor may, with justification, complete the investigation.
- 5. The operator of the Office vehicle involved will submit the necessary reports through the chain of command to the Sheriff, or his designee. The supervisor must indicate on his/her report to the Sheriff whether the collision was chargeable or non-chargeable.
- 6. A chargeable collision involving a member of the Office while on duty or in a Sheriff vehicle shall be treated as a violation of Office rules and regulations, and the member shall be subject to disciplinary action.

7. Members of the Office shall notify their supervisor as soon as practical whenever they discover new or previously unreported damage (collision or criminal) to their Sheriff vehicle, or they are involved in minor damage to their vehicle that would normally not be reported on the Kentucky Uniform Police Traffic Collision Report.
8. Any damage to a Sheriff vehicle is to be reported to the shift supervisor.
 - a. The supervisor shall proceed to the scene of the incident and will determine what type of investigation is to be conducted. If the circumstances are unusual and it is not possible for a supervisor to proceed to the scene, then as soon as practical after being notified the supervisor shall check the Sheriff vehicle to determine the extent of damage and will decide what investigative reports are to be completed.
 - b. Photographs of damage to the vehicle and/or other property will be taken and shall accompany any report(s).

S. Roadway Clearance Procedures

1. When possible, the deputies should have vehicles involved moved to a safer location. Under no circumstances will deputies attempt to move a motor vehicle when the following circumstances exist:
 - a. A vehicle carrying HAZMAT has overturned or receives significant structural damage.
 - b. The vehicle is involved in a fatal or potential fatality.
2. Before having drivers remove vehicles deputies should insure that:
 - a. Movement will not cause injuries and any injuries will not worsen because of the movement.
 - b. The driver of the vehicle may legally operate the vehicle; i.e. the driver is not intoxicated, etc. Retain all driver licenses until the investigation is completed.
 - c. The vehicle has no major defects that may cause the driver to lose control.
 - d. If necessary deputies will assist the drivers with re-entry into traffic upon completion of the investigation.

IV. COLLISION RECONSTRUCTION

Collision reconstructionists shall both investigate and reconstruct serious motor vehicle collisions, especially vehicular homicide and vehicular assaults stemming from these incidents. They will also serve to enhance the overall quality of collision investigations

through the use of their technical and analytical skills in developing comprehensive reconstruction collision reports.

A. Definitions

1. Reconstructionist: A deputy who has completed three levels of reconstruction training by KSP Academy or similar approved training by another training school including but not limited to the Northwestern University or the University of North Florida Institute for Police Technology and Management.
2. Cause Analysis: A method to determine why a collision occurred and to establish the complete combination of contributing circumstances.
3. Complete Reconstruction Analysis: A comprehensive examination of all attainable evidence related to a collision for use as the basis to establish professional expert opinions relative to cause analysis.
4. Level 1 Response: A reconstructionist is the primary investigator of a collision. Includes, but is not limited to, a complete reconstruction analysis, scaled diagram, vehicle inspection sheets for each vehicle involved, event data recorder/engine control module information (if applicable), speed calculation(s) (if applicable), photos, laboratory test results, and any other items or information needed to complete the investigation. A determination is made of the events leading to the collision.
5. Level 2 Response: A reconstructionist assists in the investigation of a collision conducted by a non-reconstructionist. Includes one or more of the following supplemental reports: a complete reconstruction analysis, scale diagram, vehicle inspection sheet(s) for involved vehicle(s), speed calculation(s), and/or a written supplement to the investigation.
6. Level 3 Response: Completion of a scale diagram only and no other documents or analysis are requested from the collision investigator.
7. Scale Diagram: A diagram constructed using computer-aided design software from measurements gathered by traditional means or a forensic measuring tool. Scale diagrams shall include a pre-impact phase, collision phase, and a post-impact phase.

B. Utilization of Reconstructionist

1. A reconstructionist shall respond to all collisions involving two or more vehicles, with two or more operators resulting in a fatality to any person involved. The reconstructionist shall complete a Level 1 response, described elsewhere in this policy.
2. A reconstructionist could be utilized for other collisions including but not limited to:

- a) Collisions involving serious physical injury and felony criminal charges may result;
 - b) Vehicle vs. pedestrian;
 - c) Single vehicle collision with multiple occupants (occupant placement case);
 - d) These collisions may warrant a Level 1, 2, or 3 response, depending on the circumstances.
3. The Sheriff may assign a detective to assist the reconstructionist with the investigation.
 4. If an investigating officer requests a reconstructionist at a collision, but a reconstructionist is unable to respond, the responding investigative officer shall initiate the investigation.

The initial investigation shall include, at a minimum:

- a) Extensive photographs;
 - b) Painting the scene, unless the reconstruction is to be completed by another agency;
 - c) Taking measurements, unless the reconstruction is to be completed by another agency;
 - d) Gathering preliminary statements from involved parties (if capable) and witnesses;
 - e) Securing vehicles;
 - f) Informing the duty supervisor of needed blood and/or urine samples, when appropriate;
5. The reconstructionist shall respond as soon as practical and assume primary responsibility for the investigation.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 24.01	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: TRAFFIC DIRECTION AND CONTROL FUNCTION		

TRAFFIC DIRECTION AND CONTROL FUNCTION

I. POLICY

The purpose of this policy is to establish guidelines for the Office's direction and control of traffic hazards or obstructions. This procedure shall apply to all Warren County Sheriff's personnel, sworn, and civilian until it is superseded, revoked, or rescinded.

II. PROCEDURE

- A. Deputies may be required to direct traffic at any of the following locations:
 1. Collision scenes
 2. Fire scenes
 3. Locations affected by adverse road and weather conditions
 4. Any other location where vehicular or pedestrian traffic is impeded
- B. When a deputy encounters one of the above situations, he/she shall correct the situation if possible.
- C. If the deputy is impeded by private entity (e.g. telephone, electric, cable, etc.), that entity is responsible for traffic control in terms of repair. If there is an immediate traffic hazard, a deputy will remain on the scene until the private entity gets on scene.
- D. Normally patrol deputies will be assigned to this duty, however, all sworn deputies may be involved.
- E. Manual traffic direction will be accomplished with consideration for the safety of all sworn deputies at all times.
- F. When Sheriff vehicles are used, they should be appropriately positioned with all emergency lighting activated so that approaching motorists are adequately warned.
- G. Traffic cones should be utilized where appropriate.
- H. All deputies will have an OSHA approved high visibility vest issued to them. The issued OSHA approved reflective safety vest must be worn on the exterior of the deputy's clothing during times that high visibility is warranted. Such use shall include, but is not limited to collision investigation, roadblocks, traffic direction, etc.

III. Procedure- Specific:

A. Collision scene

1. Traffic control at a collision scene is the responsibility of the deputy in charge of the scene.
2. If there is only partial blockage of the traffic way, deputies on the scene will expedite traffic flow, but not to the degree that it endangers the safety of persons on the scene or that physical evidence is altered.
3. If a collision investigation involves the closing of the traffic way, the deputy in charge of the scene shall notify the Communications Center that the roadway is closed and the estimated time that such closure will continue.

B. Fire scenes

1. Deputies responding to the scene of a fire call will ensure observance of the following rules in regards to traffic control.
2. No vehicles, excluding emergency vehicles, will be allowed to drive into the area where fire apparatus is parked and operating.
3. Sheriff vehicles should be parked in such a manner that the movement of emergency vehicles (e.g. ambulances) is not impeded.
4. No vehicles will be allowed to cross fire hoses without the approval of the fire department.
5. Parked vehicles that interfere with fire operations may be towed as needed.
6. Deputies should remain on point control at the scene, until assistance is no longer required.
7. Fire personnel may relieve deputies, if conditions indicate the deputy's presence is more urgently needed elsewhere.

C. Disabled motorists

1. The deputy will position his/her vehicle such that it:
 - a. Warns approaching motorists of a potential hazard.
 - b. Protects the disabled vehicle and any persons on foot.
 - c. Does not adversely impede the flow of traffic around the disabled vehicle.
2. The deputy will assist the motorist in obtaining necessary assistance or in having the vehicle removed from the roadway.

3. Deputies are not responsible for the repair of disabled vehicles, nor under normal circumstances shall they use their Sheriff vehicle to “jump start” disabled vehicles.
4. If stopping and assisting would compromise an assignment or unduly impact the safety of the deputy or others under his/her control, the deputy should notify the Communications Center of the motorist’s location.
5. Deputies driving unmarked Sheriff vehicles should advise the Communication Center of any disabled motorists.

D. Special event traffic control.

1. For any other special event, the OIC of the scene will ensure the preparation/implementation of a special traffic plan which addresses:
 - a. Ingress and egress of vehicles and pedestrians.
 - b. Provisions for parking and spectator control.
 - c. Assignment of point control duties and relieves.
 - d. Alternate traffic routing.
 - e. Temporary traffic controls and parking prohibitions.
 - f. Emergency vehicles access.

E. Temporary Traffic Control Devices

1. As a general policy, temporary traffic control devices will be used only in pre-scheduled special events or road construction projects. The devices will normally be placed and removed by the construction company or the Warren County Road Department. Portable and temporary signs may also be used in emergency cases, including collisions, natural disasters, etc. when pre-approved by a supervisor.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 24.02	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: VEHICLE CHECKPOINTS		

VEHICLE CHECKPOINTS

I. POLICY

This policy describes the circumstances for warranting the use of vehicle checkpoints specifies procedures for implementation and insures the constitutionality of the process and the safety of the deputies and the motoring public. This procedure shall apply to all Warren County Sheriff's personnel, sworn, and civilian, until it is superseded, revoked, or rescinded.

To implement this policy the Warren County Sheriff's Office will:

- Satisfy federal, state and local legal requirements.
- Conduct checkpoints with a minimal amount of intrusion or motorist inconvenience.
- Assure the safety of the general public as well as law enforcement officials involved.
- Provide for an objective site selection process based on relevant data.
- Provide for public information and education to maximize the deterrent effect and heighten awareness of the traffic safety concerns.
- Provide for a systematic procedure for data collection and after impact analysis to monitor and ensure standardization and consistency of the checkpoint program.
- Operational procedures will be covered during a briefing period prior to each checkpoint.

II. PROCEDURE

A. Stationary vehicle checkpoints

1. Stationary vehicle checkpoints may be implemented to accomplish a legitimate law enforcement objective. Authorization for a stationary vehicle checkpoint must come from the Sheriff or his designee and is subject to the following procedures:
 - a. A supervisor must be present at the checkpoint site during the operation.
 - b. Marked Sheriff vehicles with emergency lights activated, shall be used at the vehicle checkpoints and positioned to give approaching motorist's sufficient warning of the activity.

- c. There will be a sequence in which vehicles are to be stopped at the checkpoint (i.e. every third vehicle, every second, etc.).
 - d. Deputies at checkpoints shall wear reflective traffic vests.
 - e. Checkpoints shall be staffed by uniformed deputies.
2. Under conditions of poor visibility, vehicle checkpoints shall be implemented only in extreme circumstances and then supplemental lighting sufficient to identify a legitimate law enforcement presence and function shall be used. This shall include, but is not limited to:
 - a. Headlights
 - b. Traffic cones
 - c. Spotlights
 - d. Hazard flashers
 3. The site location for the checkpoint shall provide for the following:
 - a. Sufficient visibility for approaching motorists so that they have adequate warning of the operation.
 - b. Safety of the deputies and motoring public;
 - c. Sufficient road surface or adjacent pull off area that will allow vehicles to be removed from the traffic lanes for investigation
 - d. The site should not unnecessarily interfere with the operation of businesses or disturb residents.
 4. The Sheriff or his designee shall be responsible for the following:
 - a. Determination of site location
 - b. Criteria utilized in the site selection process must be able to be objectively outlined and the location, time and procedures shall be determined by a supervisory law enforcement official. Supervisors shall consider:
 - Related traffic experiences.
 - Unusual incidence of alcohol/drug related crashes.
 - Alcohol/drug impaired driving violations.
 - Unusual number of single vehicle crashes.
 - Any other documented vehicular incidents.
 - c. Select locations which permit the safe flow of traffic through the checkpoint.
 - Consideration should be given to posted speed limits, traffic volume and visibility.
 - Ensure sufficient adjoining space is available to pull vehicles off the traveled portion of the roadway.

- Consider other conditions that may pose a hazard.
 - The site should have maximum visibility from each direction and sufficient illumination. If permanent lighting is unavailable ensure that portable lighting is provided.
- d. Giving specific instructions to deputies on how to conduct the checkpoint activities in order to accomplish the particular police objective while protecting the constitutional rights of the motorists. This shall include, but is not limited to:
1. Method of stopping vehicles
 2. Particular questions to be asked of the motorists
 3. Equipment and violations to be investigated
 4. Procedure to follow should the deputy have reasonable suspicion that criminal activity is being or is about to be committed
 5. Procedures to follow should traffic congestion occur that would endanger the motorists or cause unreasonable delays
5. Courtesy shall be extended to motorists at all times with delays kept to a minimum.

III. ADVANCE NOTIFICATION

1. For the purpose of public information and education, this agency will announce to the media that traffic safety checkpoints will be conducted.
2. The agency shall give no less than two weeks notice to the general public identifying the location, date, and planned duration of the traffic safety checkpoint.
3. This agency will encourage media interest in the traffic safety checkpoint program to enhance public perception of aggressive enforcement, to heighten the deterrent effect and to assure protection of constitutional rights.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 25.01	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: TRAFFIC SERVICES		

TRAFFIC SERVICES

I. POLICY

The general public relies upon the police for assistance and advice when faced with the many routine and emergency traffic situations which can and do develop in an urban society. The Office expects deputies to perform such services diligently and responsibly, mindful of the expectations of the community. The purpose of this policy is to provide standard services in those areas having an indirect effect on traffic flow and response to citizen-generated requests for assistance and to identify, report, and correct roadway and roadside hazards. This policy shall apply to all Warren County Sheriff's personnel, sworn and civilian until such time as it is superseded, revoked or rescinded.

II. PROCEDURE

A. General Assistance to Motorists

1. Because of the overall danger to the stranded motorist, and also to the motorist on the roadway potentially affected by the stranded motorist, the Office will offer reasonable assistance at all times to the motorist who appears to be in need of aid. This will apply at all hours of the day, but particularly during the nighttime hours when the hazards are higher.
2. Deputies should be constantly alert for roadway users who appear to need assistance. Deputies should freely provide information and directions upon request. In an effort to better serve the citizens, deputies should not only become familiar with the streets and services of the County, but also the various services and facilities available in the area.

B. Stranded Motorists

1. Many occasions present themselves that call for the immediate removal of a disabled vehicle from a traveled highway so further traffic problems and/or the possibility of a serious collision may be diminished.
2. Deputies may, at their discretion, transport stranded motorists to the nearest convenient location where assistance may be obtained; however, deputies should be certain that assistance is available. When transporting stranded motorists deputies should give the dispatcher their starting and ending mileage.

3. Stranded motorists should not be abandoned when exposed to a hazardous situation. Consideration should be given to traffic hazards, location, time of day, weather conditions and priority of calls for service. This does not preclude placing devices to warn oncoming traffic and clearing the scene if conditions are such that this can be done safely. Deputies should periodically check to ensure the condition does not deteriorate.
4. Deputies who assist stranded motorists should remain alert to the following possibilities: the vehicle in the possession of the motorist has not been authorized for their use; the vehicle is in unsafe operating condition; the motorist is unlicensed to drive; the motorist is incapable of safely operating the vehicle; and/or the vehicle's occupants have engaged in criminal activity.
5. Deputies may provide assistance to motorists in obtaining tow services, if needed, by calling for a specified wrecker of the motorist's choice or by calling for the next wrecker service the Office uses.

C. Emergency Assistance

1. Deputies will render all practical assistance to users of the roadway who are involved in emergency situations.
2. Vehicle Fires - Deputies will immediately advise the dispatcher upon discovery of a vehicle fire. The location, type of vehicle, location of fire, and cargo (if applicable) will be given to the dispatcher. The dispatcher will notify fire dispatch of these facts so an appropriate fire department response can be made.

3. Medical Emergencies

- a. Notification - upon discovery of a medical emergency, the deputy will request EMS. When requesting an EMS unit, the following information will be given to the dispatcher: type of emergency, location, condition of patient, and any other information available regarding the emergency.
- b. Assistance - after notifying the dispatcher of the nature of the emergency, deputies will render aid within their level of training.

D. Hazardous Roadway Conditions

1. Hazardous highway and/or environmental conditions are defined as:
 - a. Defects in the roadway itself (holes, ruts, or dangerous shoulders).
 - b. Lack of, or defects in, highway safety features (e.g., center and roadside striping and reflectors) or improper, damaged, destroyed or visually obstructed traffic control and information signs.
 - c. Lack of traffic control and information signs (curve and hill warnings, stop and

yield signs, speed limit signs, street and highway identification), or improper, damaged, destroyed, or visually obstructed control or information signs.

- d. Lack of mechanical traffic control devices or improperly located or malfunctioning traffic control devices.
 - e. Lack of roadway lighting systems or defective lighting systems.
 - f. Natural or man-caused obstructions (fallen trees and rocks, litter, debris, parts of vehicles, broken water mains and electrical wires).
 - g. Ice or heavy snow accumulations on roadway surfaces.
 - h. Fire and its attendant smoke in areas adjacent to the highway.
 - i. Vehicles parked or abandoned on or near the highway.
2. The term "roadside hazard" will refer to all physical features of the roadside environment which are such that a vehicle leaving the road surface for any reason, even momentarily, can impact with them, resulting in unnecessary injury to people or damaged property. Roadside hazards included in the definition are:
 - a. Rigid non-yielding supports for traffic control devices and lights, or the non-performance of safety installations (i.e., break away sign supports that fail to function properly).
 - b. Improperly engineered guard rails.
 - c. Unshielded bridge railings that may not be able to retain an impacting vehicle and redirect it parallel to the roadway, thereby minimizing damage to the vehicle and danger to traffic below the bridge.
 - d. Bridge abutments and other hazardous fixed objects built off the roadway, and into which the vehicle might crash with high injury probability.
 - e. Utility poles, trees, ditches, inappropriately steep banks, culverts, rock formations, and other fixed objects and features of the roadside environment into which a vehicle might crash instead of being able to come to a stop in a clear distance.
 3. The following procedure will be followed in identifying, reporting and correcting hazardous roadway, roadside, or environmental conditions.
 - a. When a hazard is identified and in the deputy's opinion such hazard requires immediate correction (such as a fallen tree or electrical wire across or on any part of the traveled portion of this situation), they will immediately inform dispatch of this situation and identify the assistance or special equipment required. The deputy will protect the scene and bystanders, and direct traffic or take any other action deemed necessary to correct the situation.

- b. When a hazard is detected that represents a potential accident situation but the threat of such is not imminent, as in the case of a discarded muffler, the deputy will pass this information on to dispatch. Dispatch will notify the proper authority to have the situation corrected. If the deputy can correct the situation (such as the discarded muffler), they will take appropriate action.
- c. A deputy may close a roadway, if in his/her opinion, the surface conditions and terrain are unusually hazardous. He/she should notify dispatch and request the appropriate maintenance assistance. If long term closure is anticipated, the deputy shall notify their immediate supervisor, who will determine the next course of action.
- d. If the hazardous conditions are due to a snow emergency, the snow emergency procedures should be implemented. The PIO will make the appropriate notifications (media, social media, etc.) concerning the adverse road conditions or closures that will affect the motoring public for an extended period of time.
- e. Deputies may be assigned to direct traffic and safeguard movement at the scene of downed power or telephone lines, broken gas or water mains, or highway construction, when the situation impedes the safe movement of traffic.

4. Documenting and Processing Traffic Engineering Concerns

- a. The Warren County Sheriff's Office will receive and investigate traffic related complaints for both environmental and engineering concerns.
- b. Deputies will observe and if needed collect data to determine the traffic engineering deficiencies and will report these findings to the supervisor and proper agencies.
- c. Upon receiving a traffic-related complaint deputies should observe and collect data if needed to determine whether the complaint has merit, and if so, whether the problem is environmental or design related if possible. The use of traffic counting and speed measuring devices may be employed for data collection and reporting if applicable.
- d. For complaints involving high collision locations, collision and enforcement data should be collected. A report of these findings and any recommendations of possible corrective actions should be submitted to the Sheriff, or his designee, for review and dissemination to the appropriate agencies.
- e. Upon completion of all collision reports, the deputy will submit the report to their supervisor for approval. Upon approval, all reports will be submitted to the Kentucky State Police Records Section via E-CRASH and the Office's Records Section. The Records Section will make copies of collision reports

available to all involved parties and traffic engineering agencies. The electronic database will be available to local and state transportation agencies.

- f. Electronic database information will be collected through the E-CRASH collision reporting software. The E-CRASH software will be used to compile crash data and be provided to the local and state transportation agencies upon request.

E. Radioactive and Hazardous Materials

1. Background

- a. A hazardous material is defined as any element, compound, or combination thereof which is flammable, corrosive, explosive, toxic, radioactive, an oxidizer, or is highly reactive and which, because of handling, storing, processing, and packaging may have detrimental effects upon operating and emergency personnel, the public, equipment, and/or the environment.
- b. Radioactive materials are in current use in hospitals, research laboratories, and numerous industrial and military applications, and are transported throughout the state by truck, rail, air and water borne transportation.
- c. In addition, numerous hazardous materials are transported throughout the state every day. While many of these are in common use, collisions, or spill present a serious threat to the health and safety of the general public, especially the deputy who happens to be first on the scene.
- d. Many collisions and other emergencies involve more than one agency and require a cooperative emergency response. It is of extreme importance for all deputies to be aware of what actions they should take during hazardous material emergencies.

2. Procedure

a. Radioactive Material

1. Complete information concerning the incident will be forwarded to dispatch by the quickest means available. This information will include:
 - (a) Basic description (explosion, fire, etc.);
 - (b) Exact location; and
 - (c) If possible, all information contained on the Interstate Commerce Commission (ICC) label or labels.
2. Upon being notified of any incident, dispatch will notify the local Fire Department, which in turn will notify one or more of the following:

- (a) State Division of Radiation Control,
- (b) Department of Natural Resources,
- (c) The Emergency Management Director, and
- (d) Hazardous Material Team.

b. Atomic Weapons

When it is believed that an accident or incident has occurred involving an atomic weapon (or weapon component) or radioactive material that can be identified with a military service, dispatch will, in addition to the notification specified in No. 2 above, request assistance from appropriate military headquarters.

c. Hazardous Material

First, and most importantly, is the identification of shipments considered hazardous. This is usually accomplished directly or indirectly by descriptive data in shipping documents, on containers, package labels, and vehicle placards. If this information is not readily obtainable due to an incapacitated driver, destruction of a bill of lading or other shipping papers, dispatch will immediately contact the Chemical Transportation Emergency Center (CHEMTREC) 800-424-9300. CHEMTREC provides technical expertise in handling hazardous material emergencies. They can also provide additional phone numbers for emergencies, such as accidental poisoning. When in doubt, the dispatcher should immediately contact CHEMTREC. Basic information needed:

1. Name of caller and call-back number,
 2. Location of problem,
 3. Shipper or manufacturer,
 4. Container type,
 5. Truck number,
 6. Carrier name,
 7. Consignee, and
 8. Local conditions.
- d.** In the case of hazardous material incidents, deputies will isolate the hazard area, evacuate, non-essential personnel, and make preliminary hazard identification (spill, leak, fire). The local fire department will be notified to aid in any such matter.

F. ESCORT SERVICES

1. Ill or Injured persons

- a.** Deputies shall not normally provide escort to other emergency vehicles. Deputies may direct traffic at intersections to expedite the movement of other emergency vehicles.
- 1.** A supervisor may authorize escorts of emergency vehicles when there is a life threatening situation and the escort by a Sheriff vehicle would be the

best option available. Deputies conducting these escorts must do so with due regard to the safety of others.

- b.** A deputy confronting a civilian vehicle containing ill or injured persons should offer to summon emergency medical assistance and should render first aid pending their arrival.
 - 1.** Deputies shall strive to discourage the escorting of civilian vehicles carrying ill or injured persons to hospitals. However this administration recognizes that during some occasions, it may be more practical and expedient to escort motorist to medical facilities, i.e. when a deputy comes upon a situation where the motorist is in close proximity to a hospital, and an escort would allow the injured/ill to get more rapid medical treatment, than relying on EMS response. Deputies may provide an escort, if the illness or injury is not life threatening and/ or the parties involved request assistance. The escorting deputy shall lead the motorist to the nearest hospital, but in non-emergency mode, adhering to all traffic control devices, and exercising due regard.

- 2.** Funeral escorts

- a.** Funeral homes are responsible for coordinating with other agencies if the procession passes into another jurisdiction.
- b.** Funeral homes must inform all procession participants of any requirements and provide all equipment necessary.
- c.** Deputy's responsibility
 - 1.** Deputies shall have the authority to refuse to start any escort, which presents a hazard to the safety of either the deputy or the public. If a deputy refuses to start an escort for any reason, he/she must contact his/her supervisor.
 - 2.** Deputies shall agree on the route to be taken based upon resources available, weather, and time of day, traffic flow, and road hazards.
 - 3.** In the event the procession is larger than anticipated, the OIC of the procession will consider the following:
 - (a) Completing the escort as requested.
 - (b) Waiting until additional assistance can arrive.
 - (c) Escorting a manageable number of vehicles to include the family vehicle and funeral coach.
 - (d) The requesting party may choose to proceed without the benefit of an escort.

4. All processions, which proceed on an interstate highway, will be advised that interstate traffic will normally not be stopped for the procession.

3. Parades

- a. Parade escorts or participation in parades must be approved by the Sheriff, or his designee. All such requests must be made as soon as possible.
 1. Parade sponsors are responsible for coordinating with other agencies if they are to be involved in the procession.
 2. Parade sponsors are responsible for obtaining any and all applicable permits or fees.
 3. Parade sponsors shall be responsible for the creation, organization, and maintenance of any staging areas that may be required.

b. Deputy's responsibility

1. Deputies shall have the authority to refuse to assist in any parade or withdraw from a parade when:
 - (a) The parade presents a hazard to the safety of the deputy or the public. If a deputy refuses to participate or withdraws from a parade for any reason, he/she must contact their supervisor.
 - (b) The deputy's presence is more urgently needed on a dispatched emergency call. Withdrawal under these circumstances requires the use of utmost caution for the safety of other parade participants.

4. Dignitary escorts

- a. The Sheriff, or his designee, must approve dignitary escorts. All such requests should be made as soon as possible.
- b. The requesting agency is responsible for coordinating with other agencies if they are to be involved in the procession.

c. Deputy's responsibility

1. Deputies are responsible for the prompt and proper reporting to their assigned duty position.
2. Deputies are expected to remain in the position until released from their assignment.

5. Other escorts

- a. All other escorts (e.g., commercial vehicles, house trailers, etc.) must be approved by the shift supervisor or the Sheriff. All such requests should be made at least 72 hours before the escort.
- b. Deputies shall have the authority to refuse to start or continue any escort, which presents a hazard to the safety of either the deputy or the public. If a deputy refuses to start or continue an escort for any reason, he/she must contact his/her supervisor.
- c. Deputies shall agree on the route to be taken based upon resources available, weather, and time of day, traffic flow, and road hazards

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 25.02	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: HAZARDOUS MATERIALS		

HAZARDOUS MATERIALS

I. POLICY

The purpose of this policy is to establish guidelines for the Warren County Sheriff's Office in the handling of incidents that involve Hazardous Materials. The Sheriff's Office responsibilities in such incidents includes traffic and pedestrian control, site security, and evacuation when needed. The actual handling of the substance and the neutralizing of the incident are the responsibilities of the appropriate area Hazardous Material Response Team. This policy shall apply to all Warren County Sheriff's Office personnel; sworn and civilian until such time it is superseded, revoked, or rescinded.

II. PROCEDURES

A. Initial Notification and Response

1. Whenever an deputy is involved with an incident involving hazardous materials, serious consideration must be given to the following:
 - a. Initial Response
 - b. Observe the area or scene from a safe distance with the use of binoculars or other optical enhancement device, before approaching the scene.
 - c. Approach the incident from an upwind direction.
 - d. Move people away from the incident scene and keep them away.
 - e. Refrain from walking into or touching any spilled material(s).
 - f. Avoid inhaling fumes, smoke, and vapors.
 - g. No smoking or ignition sources.

2. The Sheriff, or his designee shall be notified of the incident.
3. Attempt to identify the material that is involved. Identification should be made from a distance via the hazardous material placard or panel.
 - a. The code number is a four-digit number, which should be displayed on the sides and/or ends of the vehicle.
 - b. The number should also appear on the shipping papers.
 - c. The letters "UN" or "NA" will usually precede the four-digit number on the shipping papers.
4. The four-digit number can be cross-referenced in the Emergency Response Guidebook. The guidebook provides identifying data, specific hazards of the material(s) and precautions that must be taken while handling the materials.
5. The four-digit code shall be immediately relayed to the Communication Center for identification.
6. If it is determined that the substance presents a hazard to the safety of the deputy, actual approach to the site should be avoided, if possible.
 - a. Rescue operations must be conducted with the extreme care and the guidelines in section "1" above should be followed along with information provided in the Emergency Response Guidebook.
 - b. In the event of a deputy or equipment has been exposed to hazardous materials at the scene, the deputy should not leave the scene while contaminated. Unless certain dangers or emergencies exist, (e.g., pending explosion or fire, severe medical emergency or illness to the deputy, etc.).
 - c. The shift supervisor and the Incident Commander shall be contacted in case of possible exposure and/or contamination.
7. A perimeter, as specified in the Emergency Response Guidebook, shall be established and evacuation initiated as necessary to avoid further exposure by the public at large.
8. The Warren County Sheriff's Office operation generally will be limited to perimeter, evacuation, and support activities and will be coordinated with the incident commander. (The fire department on the scene shall be deemed the incident commander.)

B. Shift Supervisor / OIC Responsibilities

1. The shift supervisor / OIC shall respond to the location following the guidelines outlined in the procedures above.

- 2.** The shift supervisor / OIC shall establish an appropriate perimeter keeping the Emergency Response Guidelines and resources in mind.
- 3.** In the event of the deputies being exposed or contaminated, the shift supervisor / OIC shall arrange with the Incident Commander for decontamination at the site.
- 4.** The shift supervisor / OIC shall assist the Incident Commander as necessary.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 25.03	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: VEHICLE TOWING		

VEHICLE TOWING

I. POLICY

This policy establishes procedures and guidelines for the towing and removal of vehicles by the Warren County Sheriff's Office. The Warren County Sheriff's Offices responsibilities include the qualifying and administration of eligible private wrecker services for those purposes. This policy shall apply to all Warren County Sheriff's personnel; sworn and civilian until such time it is superseded, revoked, or rescinded.

II. PROCEDURE

A. Physically Arrested Persons:

1. If driver and/or owner is arrested and vehicle IS NOT to be held for evidentiary purposes:
 - a. The vehicle should, when ever possible and reasonable, be released to a responsible person designated by the arrested person.
 - b. The vehicle should, whenever possible and reasonable, be left properly parked at the scene of the arrest. The vehicle shall be locked securely and the driver is responsible for notification to a person to have the vehicle removed.
 - c. If the vehicle cannot be secured, legally parked at the scene, or is a traffic hazard, the Communication Center shall be notified to contact a wrecker service used by the Warren County Sheriff's Office.
 - d. Deputies will notify communications with information to complete a tow record containing the vehicle information and owner's information.
2. If driver and/or owner is arrested and vehicle IS to be held for evidentiary purposes, the deputy will:
 - a. Have the vehicle held for evidentiary purposes.
 - b. Request to have Communication Center notify a wrecker.

- c. Deputies will have the Communications Center complete a tow record containing the vehicle information and owner's information. The deputy will submit any items in plain-view of significant value that are in the vehicle to evidence for safekeeping.
- d. In the tow record; explain why vehicle is to be held and who should be contacted before giving a release.

B. Stolen Vehicles

- 1. If a vehicle is reported and confirmed as being stolen, the vehicle will be towed according to the procedures listed in "A.2."
- 2. The deputy will then attempt to make contact with the agency that reported the vehicle stolen.
- 3. The reporting agency will attempt to notify the owner of the vehicle as to when and where his or her vehicle can be picked up, providing the investigation is complete.
- 4. Cars towed to wrecker lots will be released after the owner obtains a release form from WCSO Records Section. The release will be presented to the wrecker agency, which will release the vehicle.

C. Vehicles Held on Request of Other Authorities

- 1. When properly notified by law enforcement agencies of other jurisdictions, the vehicle may be impounded as in procedure "Stolen Vehicles" and requesting agency immediately notified.

D. Vehicle Wanted for Hit & Run Auto Collision

- 1. Where vehicle is moving or attended:
 - a. If driver or occupant is physically arrested, follow procedures "A.2." above.
- 2. If vehicle is parked and unattended:
 - a. Attempt to locate driver and/or owner.
 - b. If owner or driver is arrested, follow procedure as described above under "A.2."
 - c. If unable to locate the driver or owner, the deputy will notify the Communication Center to then notify a wrecker, and follow procedure as described above under "A.2."

E. Parked Vehicle Involved in Auto Accident

1. If a parked vehicle is involved in a collision without the owner's knowledge, and is necessary to remove it, the deputy will attempt to contact the owner before removing the vehicle.
2. If contact is not made, the deputy will contact the Communication Center to notify a wrecker and have the vehicle held till owner is notified).

F. Moving Vehicles Involved in Auto Accident

1. After checking the conditions of the drivers and/or occupants, if the deputy determines the need for a wrecker, he/she will ask the owner/operator if they have a preference of a wrecker.
2. If the owner has a preference, the deputy will notify the Communication Center of the owner's request.
 - a. If the wrecker request is unavailable or will take an inordinate amount of time to respond, then the deputy will inform the owner/operator of this fact.
3. If the owner/operator has no further preference, the deputy will contact the Communication Center to notify a wrecker. The deputy shall inform the owner of the vehicle, the destination of it and the towing services telephone number.

G. Abandoned Vehicles

1. The deputy shall attempt to determine the ownership or the vehicle reported abandoned or found abandoned on public property or public roadways.
2. The deputy shall attempt to contact the owner to determine whether the owner can have the vehicle removed.
3. The deputy shall remove vehicles that are abandoned on the public roadways according to KRS 189.450, if no contact can be made with the registered owner.
4. If vehicles are abandoned on private property, the deputy shall inform the property owner that the WCSO cannot remove the vehicle because it is on private property, but the property owner can have it removed.

H. Shift OIC Responsibilities

1. If an owner responds to the Warren County Sheriff's Office to obtain the release of a vehicle, he/she will be directed to the towing company for pick up after a written release is provided.
2. If vehicle is not being held, owner must show proof of ownership and a valid ID. Owner then must settle tow fees with the tow company.

- 3.** If vehicle is being held at the Warren County Sheriff's Office, the owner must first settle the tow bill at the tow company, then return to the Sheriff's Office with a receipt showing the bill has been paid.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 26.01	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: RECORDS ADMINISTRATION		

RECORDS ADMINISTRATION

I. POLICY

The Warren County Sheriff's Office emphasizes a records system that is comprehensive, adequately indexed and centralized, that aids the Office and the general public. This policy will apply to all Warren County Sheriff's Personnel until such time it is rescinded, suspended, or revoked.

II. PURPOSE

The Warren County Sheriff's Office has procedures for the review, recording, maintenance, control and retrieval of records which are the responsibility of the Office. Official records may be prepared and maintained to document reported Sheriff activity, whether originated by a citizen or an Office member. It will be Office policy to prepare documentation for the following categories of incidents, if they were alleged to occur in the county:

- A. Citizen reports of crimes
- B. Citizen complaints
- C. All citizen requests for services of the Office when a deputy is dispatched, an employee is assigned to investigate, or an employee is assigned to take action at a later time.
- D. Criminal and non-criminal cases initiated by or coming to the attention of Office personnel.
- E. All collisions reported to the Sheriff's Office.
- F. Incidents involving arrests, citations, or summonses.

III. PROCEDURE

- A. Records Component

1. The Sheriff, or his/her designee, is charged with the responsibility for the supervision of the records component of the Office.

B. Records Section Function

The functional responsibilities assigned to the Records Section include report control, records maintenance and records retrieval.

1. Report Review

Report review is delegated to the immediate supervisor of the reporting deputy. This review is made to ensure completeness and accuracy of all reports submitted, and that all required reports are completed. The Records Section will conduct a secondary review of reports to insure any attachments to the reports are submitted to the proper divisions or individual deputies in the Office.

2. Report Control

The Records Section will control the availability and confidentiality of all reports and records.

3. Records Maintenance

The Records Section will maintain all reports and records and distribute copies to authorized persons/agencies.

4. Records Retrieval

Filing and retrieval of reports will be by the report number and the date the incident occurred.

C. Report Forms

Members of the Warren County Sheriff's Office will use the appropriate report form(s) as indicated by the nature of the incident being reported. The importance of having a well written and complete report cannot be overemphasized. The record system depends on the work product of the deputy in the field.

1. Forms Generally Used in Field Reporting

- a. Offense reports, (KYIBRS) Electronically
- b. Supplemental/follow-up reports, (KYIBRS) Electronically
- c. Property report forms and property labels or tags,
- d. Kentucky uniform traffic collision reports, (E-crash) Electronically
- e. Kentucky uniform traffic citations, (E-citation) Electronically or hand written
- f. Field interview (FIR) cards,
- g. Confidential reports, and
- h. Intelligence/drug reports.

2. Procedures to be followed in completing reports

a. Offense Reports

Offense reports will be completed in a neat, legible manner so as to be read without difficulty, by means of an office issued computer. An incident report shall be made on all of the following:

1. Reports of criminal offenses as described in the KYIBRS violation codes which occur within the county.
2. Criminal acts which are brought to the attention of the Office and occur within the county, even though the complainant does not wish to file charges or make an official report.
3. Certain specified types of incidents of a non-criminal nature such as incidents occurring on county property for which the county might be liable. All applicable information will be recorded in the report narrative and all persons and/or vehicles involved listed in the appropriate section of the form.
4. Non-criminal incidents such as death investigations, suicides, attempted suicides, missing adults, and missing juveniles.

b. Supplemental/Follow-up Reports (KYIBRS) Electronically

Supplemental/follow-up reports will be submitted by the investigating deputy when it is necessary to explain, expand, or continue with information from the incident report, or to record important confidential information not contained in the incident report (such as investigative leads, names of suspects, and any unsubstantiated information which could be of investigative use such as intuitions, hunches, possibilities, etc.).

1. Supplemental reports will be computer generated so they can be read without difficulty and attached electronically to the existing case report.
2. The supplemental reports will be submitted electronically by the reporting/investigating deputy and will be entered into the original incident report and filed with the original case report.
3. A supplemental report will also be used for an expanded narrative from the case report, if needed. This supplement should be printed and attached to all distribution copies of the report.

c. Domestic Disputes/Family Troubles

The Sheriff's Office is required to keep a record of domestic disputes and domestic violence problems.

1. A domestic report (JC3) report will be made by the deputy. The Warren County Circuit Court Clerk's Office will receive a copy of this report.
2. Deputies must report all incidents of actual or suspected domestic violence or abuse within their knowledge to the Cabinet for Health and Family Services within 48 hours of the incident. This is generally accomplished by the CHFS receiving the electronic copy of the domestic reports.
3. In the event an arrest is made, the deputy will complete a domestic report and a citation for the incident. An offense report will be completed if applicable.
4. The Records Section personnel will collect the deputies' reports and maintain a file of these reports in the Records Section.

d. Miscellaneous Reports

Other miscellaneous reports are to be used by deputies to report certain specialized situations.

1. A Field Information Report (FIR) may be completed at the discretion of a deputy to document a deputy-citizen contact.
2. An evidence form and property tag/label will be completed by deputies to report property taken into or released from custody.
3. A collision report will be completed by deputies conducting a collision investigation meeting criteria.

D. Supervisory Review of Reports

1. Every report submitted by an employee will be reviewed for completeness, accuracy, neatness, and legibility by a supervisor.
2. The supervisor will return unsatisfactory reports to the investigating deputy for necessary corrections electronically through the KYOPS program.

E. Distribution of Reports

1. The original copy of all reports, after having been proofread and approved by a supervisor, will be forwarded to KSP electronically through KYOPS. The reports are then copied, distributed, processed and filed according to established procedure.

2. During processing, the supervisor verifies the KYIBRS/incident report is correctly entered into the KYOPS computer system. This includes ensuring that information is entered into LINK/NCIC when applicable. The supervisor verifies that all auto accident information is correctly entered into the KYOPS E-crash computer system and approves in the same manner.
3. All follow-up reports are processed in the same manner.
4. In accordance with KRS 61.870 - 61.884, all public records are made available to individuals through the Sheriff, or his designee. Public records may be viewed according to established procedure/open records law at the Sheriff's Office during normal business hours (Monday - Friday, 8:00 AM – 4:30 PM) excluding holidays.
5. Release of reports to District/Circuit Courts, Government Entities, and other Law Enforcement Agencies
 - a. The court copies of any Kentucky State Citations that are hand written will be forwarded to the Warren County Circuit Court Clerk's Office for processing. A copy of these hand written records will also be forwarded to KSP Records in Frankfort for entry. Whenever possible, deputies should use their Office-issued computers to complete citations.
 - b. Copies of all JC3 Reports will be sent to the CHFS and Warren County Circuit Court Clerk's Office. (If completed through KYOPS – this happens electronically. If handwritten, the Records Section will be responsible for completing this task.)
 - c. Copies of all Animal Control animal-bite reports will be sent to the Warren County Health Department. This may be completed by the investigating deputy or the Records Section staff.
 - d. Only copies of original reports will be released, upon request, to any other government entity that has a verifiable reason for the requested report. The original report should always remain on file by the Records Section.

F. Status of Reports

1. Offense Reports
 - a. All incident reports will be completed in the KYOPS Reporting System. The original of all incident reports will be retained in the Records Section files. Whenever possible, copies of supplemental investigation reports are due within three working days and will be filed with the original.
 - b. Upon the review of a case report, a detective may take the complaint for additional follow up investigation. The detective will communicate this information to the investigating deputy.

2. Traffic Collisions

- a.** Deputies will complete collision reports using the KYOPS software provided by the Kentucky State Police Records section. Draft copies of all collision reports will be reviewed by a supervisor and then submitted to the Records Section.
- b.** Traffic collisions requiring further investigation or follow-up will be returned to the investigating deputy. The assigning supervisor will follow up on the rejected report to ensure it is submitted in a timely manner.
- c.** Completed collision reports will be submitted by a supervisor through the E-Crash program for approval by the Kentucky State Records section. Approved accident reports will be maintained in the Records Section for public release as provided in this policy.

G. Records Security and Privacy

- 1.** Information contained in reports stored in the Records Section will be released outside this agency in accordance with state and federal laws.
- 2.** Criminal history record information will only be released under the guidelines established in U.S. Department of Justice regulations (28 Code of Federal Regulations, Part 20) with regards to dissemination, completeness and accuracy, audits, security requirements, and access and review.

H. Records Retention Schedule

- 1.** When space permits, records are maintained in the Records Section files for a total of two years (the current year and the one previous year).
- 2.** At the end of each year the oldest year's records are boxed, marked with the appropriate retention information and stored in the secure storage area for long term storage.
- 3.** Records shall be destroyed based on the State of Kentucky retention schedule.

I. Handling Funds

- 1.** The Records Section is responsible for maintaining receipts and sending any collected funds to the Business Office for deposit.
- 2.** The Records Section will accept payment for copies of reports as directed by the Sheriff, or his designee. The typical fee is \$3.00 for any applicable reports.
- 3.** When money is accepted from a member of the public, a receipt shall be completed in the computer system and the citizen should be given a copy of the

receipt. A copy of this receipt also will be submitted to the Business Office at the end of the business day.

IV. RECORDS OPERATIONS

A. Accessibility of Records

1. Personnel assigned to the Records Section will control the accessibility of all reports, records, and other information stored in the Records Section. Sensitive information shall be placed in a locked file cabinet, encrypted, or under limited access in the computer.
2. At those times when the Records Section personnel are not present, access to general records will be restricted to preserve the integrity of the records.
3. Personnel files shall be secured in the Business Office and the Sheriff, or his designee, shall be responsible for the maintenance, retention, and access to said files.

B. Records Repository

1. The Records Section maintains a repository of records which includes:
 - a. Offense reports, (KYIBRS) Electronically
 - b. Traffic collision reports, (KYOPS) Electronically
 - c. Traffic citations, (E-citations) Electronically

C. Master Name Index

1. An alphabetical master name index is maintained in the Kentucky State Police Reporting System (KYOPS) computer system. Access to the master name index is restricted by Kentucky State Police to Records Sections personnel and supervisors. The KYOPS Computer System is separated into individual reporting components to include:
 - a. E-Crash (Traffic Collision Reporting)
 - b. E-NIBRS (Crime Reporting)
 - c. E-Citations (State Citations)
 - d. E-JC3 (State Domestic Violence Reporting)
2. The KYOPS computer system, master name index, is searchable by individual components by:
 - a. Agency Identifier (ORI)
 - b. Last Name
 - c. Incident Date
 - d. Local Report Number
 - e. Master File Report Number/ Control Number

3. The KYOPS master name index includes cross-referencing of persons manually.

D. Names to be Included in the Master Index

1. Traffic offenders,
2. Drivers/Pedestrians/Witnesses on collision reports,
3. Arrested persons,
4. All victims/complainants/witnesses on incident reports.

E. Index of Stolen, Found, Recovered, and Evidential Property

1. The evidence custodian maintains an index of all recovered and evidential property and property stored until it can be destroyed. One designated Records Section member and his/her supervisor will also have access to the property management system to maintain photographic evidence.
2. All reported stolen property that lists the serial number or any other distinctive identifying number will be entered into the appropriate National Crime Information Center (NCIC) stolen property file as soon as possible.
 - a. Weapon and vehicle entries shall be audited periodically to verify their status.
 - b. Any property that bears a serial number is checked for stolen before it is released.
3. The evidence custodian will maintain electronic records in the property management system of all property reported lost or found and property retained for safekeeping.

F. Arrest Files

1. A Uniform Citation/ E-citation are made for all physically arrested persons and minor offenses, such as disorderly conduct or warrant arrests. A copy of the Uniform Citation is maintained in the Records Section.
2. For more serious offenses such as theft, CCDW, drug charges, etc., the record will consist of an offense report and uniform citation. Case files may also contain fingerprint cards, photos and may contain the deputy's field notes. These records will be maintained on file by the Records Section.
3. A complete file as outlined in section 2, above, will also be made for these situations:
 - a. Assaults against deputies, and
 - b. Whenever a deputy feels that additional identification may be needed at a later date to definitively establish the identity of the person being processed.

G. Warrant and Wanted Persons File

1. LINK/NCIC

The Warren County Sheriff's Office will maintain full participation in the Law Information Network of Kentucky (LINK) and the National Crime Information Center (NCIC) as a terminal agency. This participation will be at the direction of the Sheriff and his/her CJIS Terminal Agency Coordinator.

a. Entering/ Removing Missing Persons or Stolen Items in LINK/NCIC:

Deputies will complete the appropriate LINK/NCIC forms for items to be entered. The terminal operator will complete the necessary paperwork for the system transactions.

b. Requesting NCIC Criminal History information:

A Deputy may submit a request to Communications Center for Criminal History information by completing the appropriate form. The terminal operator will enter the request information into the Criminal History Book and will complete the transaction if all criteria are met. The request MUST include:

1. Date Requested
2. Case number / incident number
3. Name & DOB of individual
4. Requesting Deputy information
5. Purpose of request (MUST be detailed)
6. Requesting Deputy's signature

Once the criminal history is provided to the deputy, it is his/her responsibility to see that the criminal history is signed for or destroyed when no longer needed. Criminal histories shall be destroyed as soon as they are no longer providing a benefit to an investigation. When deputies turn a criminal history over to a prosecutor, they shall get a signature and submit the request form back to the Records Section for compliance with the CJIS guidelines on criminal history dissemination.

H. Missing and Runaway Persons

1. The Warren County Sheriff's Office will enter all missing/runaway juveniles (under the age of 21) into the LINK/NCIC computer system immediately as directed by Suzanne's Law. The time frame to collect minimum data for entry and the transaction time of the CJIS entry shall be no longer than 2 hours. Deputies and terminal operators should work diligently to get the data collected and entered as soon as possible. (There is no waiting period on a missing person investigation).

2. All entries for a missing person who is declared an adult (over the age of 21) will be entered in the Missing Person File provided the entering agency has signed documentation in its possession supporting the stated conditions under which the person is declared missing. This will aid in the protection of the individuals right to privacy.
3. When a terminal operator enters a missing/runaway juvenile or adult into CJIS files, the deputy should assist in indicating one of following categories which best fit the individuals situation:
 - a. Disabled
 - b. Endangered
 - c. Involuntary
 - d. Juvenile
 - e. Catastrophe Victim
 - f. Other (MKE/EMO)
4. Dispatch shall be notified of detailed information regarding the missing /runaway person as soon as possible. Deputies should provide detailed descriptive information to communications unit for appropriate radio broadcast updates. As information becomes available regarding the person's appearance or circumstances of the case, deputies should ensure that other deputies and agencies are provided with up-to-date facts via request to the communications center.
5. Any missing person with Alzheimer's or other organic brain disorder should be reported to Warren County Emergency Management / Warren County Rescue Department as soon as possible. The investigating deputy / communications center should activate the Golden Alert system procedure.
6. Deputies will prepare a KYIBS report and a KSP Form 261, Kentucky Missing Persons Report and submit it to the communications center. The KSP Form 261 will allow for timely enter into the CJIS system and the KYIBS may be submitted at a later time. Information gathered by the first responding deputy(s) maybe instrumental in the eventual case solution. To record this important information, deputies should prepare a chronological account of their involvement and actions in the case from time of assignment to the point of dismissal. Reports should be as detailed as possible.
7. The investigating deputy is responsible for ensuring the accurate paperwork is submitted to the communications center for entry and removal of persons from the CJIS system.
8. The investigating deputy should organize and coordinate investigative/search efforts if needed. Systematic searches are common features of missing person investigations.
9. An Amber Alert should be activated by the investigating deputy / communications center when a child is missing and meets the requirements

specific in the Kentucky State Police Amber Alert criteria. If the criteria are met, procedures for Amber Alert should be followed as outlined in policy.

I. Traffic Citation Records

The citation form in Kentucky is the basis for prosecution and ultimate adjudication of traffic offenses, felonies, misdemeanors, and violations. Thus, it is essential that specific procedures be followed from the point that citation books are received, by the Warren County Sheriff's Office, through ultimate adjudication and disposition of each individual citation. The provisions codified in KRS 431.450 and 431.455 are designed to set up a system of accountability of uniform citations to the public. It is quite clearly the intentions of those statutes that all citations are to be dealt with uniformly and that they are not to be "**wrongfully destroyed, tampered with, or compromised in any manner**". The statutory scheme of accountability is set out in detail in KRS 431.450.

1. Kentucky Uniform Citations Books

- a. Kentucky Uniform traffic citation books are issued to the Office by the Kentucky State Police. Un-issued books are kept secured in a secure location. Accountability of citation books is maintained by the Kentucky State Police and the Special Services Division.
 - b. Citation booklets of 25 citations are issued to each deputy and/or received electronically when utilizing KYOPS. After the citation has been issued, and at the end of the deputy's shift, deputies will deposit citations into the citations box in the Records Section. The Records Section will ensure that the citations have been submitted to the Warren County Circuit Court Clerk and the Kentucky State Police provided that the deputy has transmitted the records. (This applies for any electronic citations). Deputy will transmit at the beginning and end of their tour of duty to ensure timeliness of submission.
 - c. In the case of a lost, stolen, damaged or voided traffic citations, the deputy will:
 1. Submit the citation to the Records Section
 2. Attach a note to the citation stating why it is not being used (damaged, voided, etc.) sign deputies name and date;
 3. Submit the citation and note to their immediate supervisor;
 4. Citations, written or e-filed, that have been issued and transmitted to the courts and/or Kentucky State Police Records sections will only be voided with the approval of a supervisor.
2. Electronic Filed - Kentucky Uniform Citations (E-Citations)
 - a. E-Citations Control Numbers are downloaded from the Kentucky State

Records sections using the KYOPS Program and are assigned to individual deputy's Mobile Data Terminals (MDT). E-Citation Control Numbers are downloaded in increments of 25, 50, or 100, and deputies are not permitted to have more than 150 control numbers on their MDT at any given time.

b. Printing E-Citations

1. Upon completion of a citation, deputies will print and sign the necessary number of citations depending.
 - (a) TRAFFIC CITATION - PRINT 2 COPIES (Violator/ SO)
 - (b) ARREST CITATION -- PRINT 3 COPIES (Violator/ SO/ Jail)
2. If deputies incur printing errors or problems while printing citations, deputies will immediately use a Kentucky Uniform Citation to complete their enforcement actions/ arrest in a timely manor. If possible, after the completion of their traffic stop/ arrest, deputies should attempt to repair the printing error prior to their stop. If technical problem persist, the deputy should contact the WCSO network administrator.
3. At the end of the shift, deputies will place a copy of the citation in citations box in the Records Section.

c. Transmitting E-Citations

1. Deputies will transmit to the Kentucky State Records sections through the KYOPS program at the beginning and end of their tour of duty.
2. When E-Citations are transmitted to the Kentucky State Records section, a copy of the citations is simultaneously transmitted to Warren County Circuit Court Clerk's Office. This process also establishes accountability for each downloaded control number.

J. Recording Arrest Information

1. An arrest citation is to be filled out for every arrest, including physical arrests on traffic offenses. This report should contain the details which led to and surrounded the arrest, and the processing of the suspect at the Warren County Regional Jail. This report should be filled out as completely as possible.
2. Fingerprints and photographs will be taken by the Warren County Regional Jail staff on all felony arrests and serious misdemeanors where the subject is placed in jail.

K. Records Maintained Outside of the Records Section

1. Most reports generated by Warren County Sheriff's Office personnel are maintained in the Records Section with older reports stored in the records storage area. Some records, usually of either a confidential nature or containing such

information which renders them more appropriately stored in a specific unit or section, are maintained outside the Records Section.

2. Other reports and records, both official and unofficial, which are maintained by the various supervisors and deputies within the Sheriff's Office, but are not limited to the following:
 - a. Business Office: Personnel records, Sheriff's correspondence files, applicant information records, department owned property, and internal affairs files.
 - b. Patrol Division: Deputy active case notes
 - c. Support Services: Professional Standards information, training files, and fleet inspection records, and active litigation files
 - d. Criminal Investigations Section: Copies of active case files and statistics, confidential informant files, intelligence files, sexual offender information, evidence, and property records.

L. Separation of Juvenile and Adult Records

1. The Records Section maintains separate files for juveniles and adult records including arrest reports and cases. This includes cases where the same person has both a juvenile and adult record. Juvenile files are secured in a locked area, labeled Juvenile, and access is restricted to the Records Section and sworn personnel on an as needed basis. The cabinet will be secured when the Records Section is closed.

M. Uniform Crime Reporting Procedures

1. The Warren County Sheriff's Office submits KYIBRS (Uniform Offense Reports) through the KYOPS (Kentucky Open Portal System). Each deputy submits their reports electronically through the Mobile Data Terminals or their office issued computer.
2. The Kentucky State Police is responsible for submitting all reports to the FBI NIBRS.

N. Recording the Disposition of Cases

1. All cases presented for prosecution in Warren County District Court or Warren County Circuit Court will have the final disposition recorded by the originating or investigating deputy in the computer via KYOPS by utilizing the KSP1/ e-disposition. A paper copy should be submitted to Records to be filed with the original case.
2. Mishandled or dismissed cases will be reviewed when the Office is notified by the court or prosecutor of cases they refused to prosecute or dismissed as a result of Office mishandling.

O. Open Records Request

All public records of the Warren County Sheriff's Office shall be open for inspection by any person, except as otherwise provided by KRS 61.870 to 61.884, after making written application describing the records to be inspected.

In accordance with KRS 61.870 - 61.884, all public records are made available to individuals through the Sheriff, or his/her designee. Public records may be viewed according to established procedure/ open records law at the Warren County Sheriff's Office during business hours. If the public record is in active use, in storage or not otherwise available, the official custodian shall immediately notify the applicant and shall designate a date, time, and place for inspection of the public records. The inspection date and time will not exceed three (3) days from receipt of the application. Unless a detailed explanation of the cause is given, for further delay, and the earliest date, time and place at which the public record will be available for inspection.

Requests for Open Records will be documented appropriately and forwarded to the Records Section Supervisor as soon as they are received to ensure timely compliance.

1. Open Records – Collision Reports

- a. Senate Bill 351, enacted July 1994, amends KRS 189.635 to address confidentiality pertaining to all collision reports. Unless a subpoena or court order is produced, only the following are entitled to information contained in a collision report:
 1. News-gathering agencies
 2. Parties to the collision (this includes the vehicle's owner, even if not involved in the collision)
 3. Parents or guardians of minors involved in a collision
 4. Insurers of the parties to a collision
 5. Attorneys of the parties to a collision (Attorneys will be required to submit a letter of representation to the Sheriff's Office before receiving information.)
- b. To ensure that we do not violate this law, identification will be required of anyone requesting information or a copy of a collision report unless it is the insurance company of an involved party or a news-gathering organization.
- c. No information will be given over the phone or faxed unless there is something unique to the situation. This will require the Records Section supervisor's approval.

- d. Except for parents or guardians of involved minors, family members who are not parties to any collision are not permitted a copy of the collision report unless written authorization is received from the involved family member.

Warren County Sheriff's Office

GENERAL POLICY

IDENTIFIER

27.01

EFFECTIVE DATE: 05/01/2014

REVISION DATE: 03/01/2020

AUTHORIZED BY: Sheriff Brett Hightower

TITLE: EVIDENCE COLLECTION AND PRESERVATION

EVIDENCE COLLECTION AND PRESERVATION

I. POLICY

The investigation of crime and the prosecution of offenders require information be obtained through the application of scientific knowledge and methods. In order to effectively use laboratory support services, physical evidence must be identified, collected, preserved properly and transmitted to the laboratory. The Warren County Sheriff's Office will diligently follow forensic methods of obtaining and protecting this evidence in order to carry out the functions of the Office. This policy will apply to all Warren County Sheriff personnel until such time as it is revoked, superseded or rescinded.

II. PROCEDURE

A. Responsibility of Reporting Deputy

1. It is the responsibility of the first deputy at the scene of a crime to secure the scene from all nonessential personnel. The scene of a crime must be secured as soon as possible to prevent the loss of evidence. The deputy securing the scene should initiate a log listing the time, name and reason for all personnel who enter the crime scene. All personnel at the scene will not disturb, touch or handle physical evidence unless a danger exists that the evidence will be lost or destroyed prior to processing by an investigator. Should such a situation arise, it becomes the responsibility of the deputy to mark, seal, tag and preserve the evidence using the proper container when possible. If the evidence is too large or is wet clothing, etc., the appropriate packaging for that item will be used.
2. When the scene is processed by a patrol deputy or detective, all evidence obtained will be marked, sealed, tagged, and submitted as evidence. Any transfer of custody in the field prior to submission will be documented on a property form in the chain of custody section.
3. The Request for Examination form (KSP26) or KSP Beast System submittal will be completed for all evidence that requires comparison or analysis. This request will be submitted with the property.
4. The procedures used for the collection and preservation of all evidence will be in conjunction with procedures established by the Kentucky State Police Physical Evidence Collection Guide.

5. The Warren County Sheriff's Office has deputies who are trained in crime scene processing and evidence collection. These deputies are available 24 hours a day. This could be for crime scenes, traffic collisions, and other investigative scenes. Deputies can also ask for assistance from the Kentucky State Police and Bowling Green Police if additional resources are needed.

B. Evidence Processing Procedures

1. In any arrest or investigation for driving under the influence (DUI) of alcohol and/or drugs if requested, the appropriate blood/urine collection kit for collecting blood or urine will be utilized.
2. Collection of Blood and/or Other Body Fluids at Major Crime Scenes

Blood, urine, semen, and other body fluids will be collected at a crime scene where they are found by deputies trained in collection procedures established by the Kentucky State Police Forensic Laboratory System.

- a. All collected specimens will be marked, sealed and tagged as appropriate to identify and preserve them for analysis.

3. Latent Prints

The following general guidelines will be followed when processing a crime scene for latent prints:

- a. The lifted print is to be placed on a latent fingerprint investigation card with the following information listed:
 1. Place of occurrence
 2. victim
 3. Type of offense
 4. Date processed
 5. Processed by (print name)
 6. Exact location processed
- b. A Request for Examination will accompany all completed latent print cards. All latent prints will be sent to the Kentucky State Police.
- c. When requesting a comparison of latent prints with fingerprints of a known suspect, the requesting deputy will include inked finger and palm prints and/or the fingerprint classification number of the suspect.

4. Computer Equipment

- a. In order to ensure the safe and secure search and/or seizure of computer information, hardware, software, and/or other associated items, the Warren

County Sheriff's Office will adopt best practices for searching and seizing computers as prepared by the United States Department of Justice, as the official guideline for operations. These guidelines can be found in the Digital Evidence Field Guide produced by the United State Department of Justice.

- b.** In general, the recommended procedure to save information and prevent damage to data or devices is to unplug the computer and modem or network connection(s) simultaneously. If the computer is a laptop and does not shut down when the power cord is removed, locate and remove the battery pack. Once the battery is removed, do not put it back into the laptop.
- c.** Employees must bear in mind that any search and/or seizure of data or equipment must follow established policy as well as any statutory or constitutional provisions for search and seizure.
 - 1.** It is always recommended that prior to search and/or seizure, a warrant and prosecutorial advice is obtained.

5. Other Items Collected as Evidence

- a.** Wet clothing collected as evidence should be dried in a secure area. As soon as the evidence is air-dried, it will be marked, sealed, and placed in a paper bag.
- b.** Documents that are wet for any reason will be handled in the same manner as wet clothing.
- c.** Perishable evidence is to be submitted as outlined in (27.01.II.D.2) of this procedure.
- d.** All firearms must be submitted with a property form, unloaded and with the ammunition packaged separately in a plastic bag to be stored with the firearm. All firearms will be checked for stolen by the submitting deputy
- e.** Dangerous drugs (including, but not limited to narcotics, hallucinogens and narcotic implements) submitted to the evidence room will be described and counted, if appropriate, by the submitting deputy. Each separate container of the material will be marked with the quantity (after packaging), and the deputy's initials and date.
 - 1.** The property form will list all dangerous drugs, including number of containers, quantity and count.
 - 2.** All dangerous drugs submitted to the evidence room will be sealed in a plastic bag or other tamper proof container. Each bag/container will have a separate property label. This excludes marijuana plants, which shall be stored in paper.

3. All dangerous drugs submitted to the evidence room will be placed in a temporary storage locker by the submitting deputy until the evidence custodian takes custody of the property.
- f. All money submitted will be counted by both the submitting deputy and a witness. All money will be sealed and tagged separately upon submission to the evidence room. Money will be stored flat not folded.
- g. Volatile fluid of evidential value will be stored in the evidence room only with the approval of the evidence custodian. Clandestine lab samples shall be packaged in flint glass vial with Nalgene overpack. Excess volatile fluid will be disposed of in accordance with EPA and Fire Department procedures for hazardous waste materials.
- h. No explosives, dangerous chemicals, nuclear material or ammunition greater than .50 caliber will be submitted to the evidence room. A supervisor or investigating deputy will contact the Environmental Protection Agency, Explosive Ordnance Disposal Team, or the ATF when such material is recovered. All such items are to be photographed and disposed of according to procedure. Handling of the items will be accomplished by the specialized agency requested at the scene.
- i. Bio-Hazard Materials that are collected will be placed in a proper container; a Bio-Hazard bag or SHARPS container. Bio-Hazard tape and labels will also be available. Bio-Hazards collected for evidentiary purposes will then be logged in for storage in a specific area in the evidence room. Bio-Hazards for disposal can be put in the marked SHARPS container or Bio-Hazard trashcan in the Deputy Room. These items will be disposed of by private contractor.

C. Crime Scene Documentation

1. A deputy will be requested to evaluate, photograph, and process the scene for physical evidence in the following incidents:
 - a. Homicide
 - b. Suicide
 - c. Rape
 - d. Arson
 - e. Robbery
 - f. Major assaults
 - g. Serious injury or fatal traffic collisions
2. The above list does not limit requesting detectives on other offenses where evidence requires processing.
3. All sworn personnel should be aware of what evidence is needed to meet the requirements of the offense being investigated.

4. If a deputy decides that no evidence can be collected or Video/photographs taken at a scene, the report submitted by the deputy will include the reason(s).

D. Submission of Evidence to the Crime Lab

All evidence is to be submitted to the evidence room as soon as practical to preserve the chain of custody.

1. Non-perishable evidence will be secured in the evidence room until it is transferred to the Kentucky State Police Crime Lab.
2. Perishable evidence is defined as fresh blood, blood stained objects, other physiological stains and tissue and biological materials. When collecting perishable evidence from a crime scene, the following procedures will be used:

a. Fresh Blood (wet specimen)

Wet blood samples, when collected, must be preserved in a suitable anticoagulant (EDTA for DNA analysis). These specimens must be submitted to the laboratory as soon as possible.

b. Dry Blood

Whenever possible the entire object that is bloodstained should be submitted. When the bloodstain is located on a wall, floor or other object that cannot be submitted, one of the following procedures should be utilized:

1. When a large amount of stained material is present, the easiest technique is to scrape several large flakes on to a clean piece of paper. The paper is then folded into a "druggist's fold" and placed in an envelope and properly sealed. Document, photograph, and sketch the bloodstained material as necessary.
2. When the stain is small, document, photograph and sketch the bloodstain pattern as necessary. The bloodstain may be scraped directly from the object or absorbed onto clean cotton threads moistened with sterilized saline or distilled water by rubbing the threads on the stained area. Threads are allowed to dry and then placed in a paper fold packet. Blood crust can be scraped directly on to a clean paper fold packet. The packet is placed in an envelope, sealed and properly labeled. Always obtain a control sample by repeating the procedure on an adjacent untainted area of the surface containing the bloodstain.

3. Bloodstained Materials

These items will be air dried prior to packaging. After thoroughly drying, the item will be packaged in paper bags, marked, sealed, and tagged. Multiple items must be packaged individually to avoid contamination.

4. Other Stains, Tissues or Biological Material

- (a) Other types of stains can be collected using the same procedures as previously described for wet and dry blood.
 - (b) Body tissue must be collected and placed in a sterile glass bottle in saline solution, capped or secured, sealed, marked, and tagged.
 - (c) Other biological material must be properly packaged, sealed, and marked.
3. All evidence is to be marked and submitted as outlined in this procedure.

E. Collection of Known Standards for Comparison

- 1. When the following types of physical evidence/trace evidence are collected from a crime scene, a known standard sample must be collected for comparison by the Kentucky State Police Lab: blood, hair, fibers, paint, glass, wood, metal soil, tool marks and footwear.
- 2. The location from which the samples are taken is critical for the Kentucky State Police Lab and should be documented on the lab report.
- 3. All standards for comparison will be collected by the deputies in accordance with procedures established by the Kentucky State Police.

F. Crime Scene Sketches

- 1. Detailed sketches will only be required for major crimes or accidents where property loss is substantial or serious assault or death has occurred. When crime scene sketches are drawn pursuant to the collection and preservation of evidence, they will contain the following information:
 - a. Location of significant features of the scene, including the victim
 - b. Location of items of physical evidence recovered
 - c. Dimensions
 - d. Direction of north
 - e. Date and time of preparation
 - f. Name(s) of person(s) preparing the sketch
 - g. Address, floor or room number as appropriate
 - h. Relationship of the crime scene to other buildings, geographical features or roads
- 2. Generally, the processor of the scene will make rough sketches and measurements, including sufficient additional information so a final drawing can be made at a later date.

G. Crime Scene Photography

- 1. Photography of major crime scenes, serious traffic collisions and other incidents of major importance will be the responsibility of the assigned deputies. The deputy

will photograph all aspects of the crime scene, traffic collision, or incident using digital photography equipment supplied by the Office. A video camera may also be used to video the scene. The following situations may require a detective or a collision re-constructionist.

- a. Homicide
 - b. Rape, abduction or kidnapping
 - c. Investigation of excessive force
 - d. Serious injuries to a deputy or citizen during arrest
 - e. Collisions, damage or injury involving Warren County property
 - f. Fatal or serious injury traffic collisions (collision re-constructionist)
 - g. Serious property damage collisions
 - h. Arson or suspected arson
 - i. Investigation of discharge of firearms by a deputy
 - j. Aggravated or felonious assaults involving a weapon
 - k. Any crime scene upon request of the reporting or investigating deputy; and
 - l. Any injury to a Warren County Sheriff's Office employee sustained on duty while involved in an arrest
2. When the exact size of an item being photographed is required, a scale will be placed next to the item to add dimension.
 3. If the evidence to be photographed is a fixed object, the dimension of that object should be taken to provide a scale of reference.
 4. Upon completion of the photography and scene processing, the deputy will transfer the photographs from the camera onto the appropriate median. The photographs will then be submitted to the Records Section.. A notation that photographs were taken at the scene will be made on the report.
 5. Requests from complainants, legal firms, insurance companies or outside agencies for copies of photographs taken by the deputy shall be directed to the Records Section.

H. Requesting Laboratory Examinations:

1. The responsibility for requesting laboratory examinations lies primarily with the collecting deputy. The evidence custodian shall deliver evidence to the laboratory by registered US Mail or by hand delivery.
2. The Kentucky State Police Lab Request for Examination form is to be completed by the submitting deputy. The deputy shall submit the Request for Examination form with the evidence.
3. It is the responsibility of the investigating deputy to review lab reports on cases they are assigned. If additional lab services are necessary, or new or additional evidence becomes available, the investigating deputy must submit a new Request for Examination form.

I. Procedures for Processing Stolen Vehicles

1. Vehicles that are reported stolen from the County will generally be examined by a deputy upon recovery. This examination may be conducted by the jurisdiction where the vehicle is recovered if it is outside Warren County.
2. The recovered vehicle should be processed for evidence at the recovery scene. If this is not practical, the recovered vehicle shall be towed and impounded in a secured storage facility. If the recovered vehicle requires restoration of serial numbers or has altered or missing serial numbers, it will be impounded.
3. Any evidence collected from the recovered vehicle will be marked, sealed, and submitted to the evidence room to maintain a chain of custody. The deputy processing the recovered vehicle shall document his actions and the collected evidence.
4. A deputy or detective will complete a recovered stolen property report on any vehicle recovered by the Warren County Sheriff's Office that was reported stolen by another jurisdiction. Disposition of the recovered vehicle will be handled in accordance with procedures and approval of the reporting jurisdiction. Recovered vehicles that were reported stolen to this Office require only a supplemental report, which will be added to the original report.
5. It shall be the responsibility of the deputy or detective recovering the stolen vehicle to notify the telecommunicator with the following information:
 - a. Time and date of recovery
 - b. Name and ID# of deputy making recovery
 - c. Vehicle location, condition
 - d. Time and date owner was notified or notification was attempted
6. The recovering deputy, through communications center personnel, will be responsible for the removal of the vehicle from the "stolen vehicle" file of LINK/NCIC. The communications center personnel shall check by running a query to ensure that the stolen entry cancellation was completed.

J. Evidence Records Procedures

1. Marking, Sealing, and Tagging Evidence
 - a. Physical evidence collected by investigating deputies or detectives shall be marked with a tag or similar method so as not to mutilate or destroy the value of the item. The mark shall consist of the report number, item number, date, and deputy's information.
 - b. The deputy or detective will seal the evidence in a proper container with evidence tape, placing his/her initials, unit number, and date on the seal.

- c. All pertinent information for the property will be provided by the submitting deputy by entering the information onto the property form.
- 2. Property Submitted for Lab Processing
 - a. Whenever items are submitted that are to be processed by the Kentucky State Police Lab, they must be properly tagged and packaged. Property will not be submitted to the Kentucky State Police Lab unless proper procedures are followed.
 - b. Submitted property must have the Request for Examination form properly completed.
 - c. No property is to be submitted to the crime lab without the lab request form.
- 3. Special Considerations - Weapons, Dangerous Drugs, Money, Explosives, and Hazardous Materials
 - a. Weapons
 - 1. All submitted firearms must be unloaded and the ammunition packaged separately in a plastic bag to be stored with the firearm.
 - 2. If the firearm is a revolver and was used in a high profile, homicide, suicide, or serious assault case, indicate the position of the cylinder as well as the chamber from which each cartridge or cartridge case was unloaded. This can be done by etching the cylinder on each side of the top strap (the part of the frame directly above the cylinder) and numbering each cartridge or cartridge case as it is removed. The deputy recovering the revolver will make a diagram indicating cartridge and cartridge case positions and submit the diagram with the firearm.
 - 3. All weapons will be checked for stolen by the submitting deputy.
 - b. Dangerous drugs (including but not limited to narcotics, hallucinogens and narcotic implements)
 - 1. Any dangerous drugs submitted will be described and counted by the submitting deputy. Each item will be packaged in a separate sealed plastic bag or tamper-proof container and will be marked with the deputy's initials, and the report number.
 - 2. Pills, capsules, and plants should be counted. Other drugs such as cocaine, methamphetamine, and marijuana shall be weighed after evidence packaging.
 - 3. The property form will list all dangerous drugs, including the number of bags submitted, along with the description and count in each bag.

4. All dangerous drugs submitted to the evidence room during hours when an evidence custodian is not on duty or is unavailable will be secured in a temporary storage locker by the submitting deputy.

c. Money

1. All monies submitted will be counted by both the submitting deputy and a supervisor or other witness.
2. All monies will be submitted in a sealed plastic bag or tamper proof container and initialed by the submitting deputy. The report must identify the amount of money, who submitted it, and who verified the count. Money shall be stored flat, not folded.
3. Money submitted to the evidence room when the evidence custodian is off duty or unavailable will be placed in the temporary storage locker.

d. Explosives or Hazardous Materials

1. Volatile fluid of evidential value will be stored in the property area only with the approval of the evidence custodian.
 - (a) The property report should indicate the total amount of fluid taken, the amount retained for evidence, and the amount disposed of.
 - (b) The total volume of fluid should be photographed prior to disposal.
2. Fireworks, railroad flares, fuses, and ammunition less than .50 caliber may be submitted. All other explosives will be considered unsafe. Such material will be photographed and safely disposed of according to the Kentucky Revised Statutes (KRS).
3. Other hazardous materials such as chemicals, biological specimens, nuclear material, or other unsafe matter will be photographed and disposed of according to the KRS.

4. Inventory Procedures for Collected Evidence

- a. All physical evidence collected from a crime scene by a deputy or detective shall be listed in the report.
- b. The report shall include the following information:
 1. Description of item (include make, model and serial number, if any)
 2. Source (from whom or location)
 3. Name of deputy collecting the evidence

5. Crime Scene Reporting / KYIBRS Report

- a. An accurate record of events that transpire at the scene of a crime, in connection with the investigation, is required at the time of trial. It is the responsibility of the investigating deputy who processes the scene to submit detailed reports.
 - b. If a detective is called to the scene, the date and time of the request and the requesting deputy's name will be added to the investigation.
 - c. The same responsibilities for accurate crime scene reporting also apply to deputies and detectives when completing a report or supplement.
6. Recording Photography/ Video Taping Information

The photography/ video taping of any major crime scenes are the responsibility of the assigned deputy. The deputy will maintain a Photography Log in the case file which includes:

- a. Date/Time of Incident
 - b. Case Number
 - c. Scene Location
 - d. Name/ID number of photographer
 - e. Camera Type Used
 - f. Time/Photo #/description of each photograph taken/length of video
7. Maintaining the Chain of Custody
- a. Deputies requiring access to property or evidence in the evidence room will contact one of the evidence custodians. No other person will have access to the evidence room.
 - b. Whenever any property or evidence is taken out of the evidence room, the property or evidence will be signed out by whoever receives it, and its destination will be noted.
 1. The evidence custodian will note when an item of property is temporarily removed from the evidence room for court or laboratory processing via the property management system.
 2. The property form chain of custody contains the following information:

- (a) Item number
- (b) Date
- (c) Time
- (d) relinquished by
- (e) received by
- (f) purposes of release

- c. Transfer to Crime Lab

1. The transporting member will be noted in the property management system and deliver the evidence for analysis to the crime lab.
2. The transporting member will obtain a signature on the property form from the receiving lab technician for the evidence that shows the time and date the evidence was transferred. The property form will be returned to the evidence custodian and filed.
3. When picking up evidence from the crime lab, the transporting member shall obtain a signature on a property form from the lab technician showing that the evidence was released to them.
4. The transporting member will transport the evidence to the evidence room. The evidence custodian will update the evidence status in the property management system.

d. Transfer to Court

Any time a deputy takes evidence to court, the deputy will sign the property form.

1. The deputy will take the property to court. If the court retains the property, the court security officer, bench clerk, judge, or other judicial officer will sign a property form for receipt of the evidence. The property form will then be returned to the evidence custodian.
2. When items are returned to the property room by deputies after court, the deputy returning the item will sign the property form and place the property into a temporary storage locker. The evidence custodian will log the evidence into the evidence room.

8. Written Results of Laboratory Analysis

- a. The Kentucky State Police Crime Lab provides a written report of laboratory findings as standard procedure on all requests for laboratory examination.

K. Crime Scene Evidence Training

1. Training in Crime Scene Processing

- a. Patrol Division deputies are usually the first deputies to arrive at a crime scene. They have a key function to perform in securing the scene and safeguarding evidence from damage or destruction.
- b. As a part of the Office's basic training curriculum provided by the Department of Criminal Justice Training (DOCJT) Law Enforcement Basic Training Academy, familiarization in the following subjects will be provided:
 1. Potentialities and limitations of the examination of physical evidence.

2. The Office's written directives concerning the role of the deputy and detective at a crime scene.
 3. Collection methods and procedures for fingerprints, footprints, blood, fibers and fabrics, weapons, hairs, paint, glass, tool marks, and the requirements for collection of materials from a known source for comparison purposes.
 4. Preservation methods for evidence.
 5. Maintenance of the chain of custody (marking, sealing, tagging, receiving, and transferring).
 6. Crime and collision scene sketches.
 7. Crime and collision scene photography.
-
2. Specialized Training for detectives
 - a. The Department of Criminal Justice Training conducts specialized training for personnel assigned as detectives. The course of instruction is recognized and approved by the Kentucky Justice Cabinet for providing sufficient training to detectives to process crime scenes for evidence and to preserve collected evidence for analysis and trial in the courts.
 - b. The Basic Investigator School established by the DOCJT for crime scene processing includes:
 1. Recovery of latent fingerprints and palm prints
 2. Recovery of foot, tool, and tire impressions
 3. Photographing crime and collision scenes
 4. Preparing crime and collision scene sketches
 5. Collecting, preserving and recording physical evidence.
 - c. Deputies working in the role of detectives may complete specialized training to assist in the subjects specified above in order to properly process evidence.
 3. Inter-Agency Coordination
 - a. The evidence custodian(s) will be responsible for handling evidence that requires further processing at the Kentucky State Police Crime Lab. The evidence custodian(s) or other members of the Office will transport evidence to the Kentucky State Police Crime Lab as necessary.
 - b. A supervisor may request a detective at any major crime scene believed to have physical evidence present. Upon request by the supervisor, the detective may report to the crime scene and assume the responsibility for collection and

preservation of evidence. The requesting deputy shall brief the detective on the incident and what evidence is present. Patrol deputies will assist the detective upon request and maintain protection of the scene.

L. DNA EVIDENCE COLLECTION

1. Every deputy, from the first responding deputy to the experienced detective should be aware of important issues involved in the identification, collection, transportation, and storage of DNA evidence. Because extremely small samples of DNA can be used as evidence, greater attention to contamination issues is necessary. Evidence can be contaminated when DNA from another source gets mixed with DNA relevant to the case. This can happen when someone sneezes or coughs over the evidence or touches his or her mouth, nose or other part of the face and then touches the area of the evidence containing the DNA.
2. When transporting and storing DNA evidence, keep the evidence dry and at room temperature. Once the evidence has been secured in paper bags or paper envelopes, it must be sealed, labeled and transported in a way that ensures proper identification of where it was found and proper chain of custody. Never place DNA evidence in plastic bags because the moisture retained in the bags can be damaging to the DNA. Direct sunlight and hot conditions also may be harmful to DNA. Avoid keeping evidence in places that may get hot, such as a room or sheriff vehicle without air conditioning.
3. To avoid contamination of evidence that may contain DNA, always take the following precautions:
 - a. Wear gloves. Change them before and after obtaining a sample
 - b. Use disposable instruments or clean them thoroughly before and after handling each sample
 - c. Avoid touching the area of the evidence where you believe DNA may exist
 - d. Avoid talking, sneezing, scratching, and coughing over evidence
 - e. Avoid touching your face, nose and mouth when collecting and packaging evidence
 - f. Air-dry evidence thoroughly before packaging (not in direct sunlight)
 - g. Put evidence into new paper bag or paper envelope; do not use plastic bags, or staples.
4. As with fingerprints, the effective use of DNA may require the collection and analysis of “elimination samples.” These samples are necessary to determine whether the evidence came from the suspect or from someone else.
5. One investigative tool available to law enforcement is CODIS (Combined DNA Index System). CODIS, an electronic database of DNA profiles that can identify suspects, is similar to the AFIS database. All states have implemented a DNA index of individuals convicted of certain crimes. Therefore, deputies have the ability to identify possible suspects when no prior suspect existed. The CODIS system is available through the FBI Laboratory.

- 6.** DNA evidence should be submitted only to agencies that have been accredited for processing DNA samples.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 27.02	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: PROPERTY / EVIDENCE SUBMISSION		

PROPERTY/ EVIDENCE SUBMISSION

I. POLICY

To maintain a high level of security and provide accountability for its safekeeping, the Office is dedicated to properly handling, documenting and disposing of all property and evidence in the custody of the Office. This policy will apply to all Warren County Sheriff's personnel until such time as it is revoked, superseded or rescinded.

II. PROCEDURE

The types of property subject to seizure include stolen property, property unlawfully possessed or contraband, property used or possessed for the purpose of being used to commit or conceal the commission of an offense, or property constituting evidence or tending to demonstrate that an offense was committed. The Office will also store property for safekeeping and abandoned property as outlined in this procedure.

A. Property/Evidence Submission

1. The submitting deputy shall be responsible for ensuring the submitted property is properly marked, labeled and packaged. The deputy will also ensure the property form is properly completed using the property form procedures, to include serial number(s) when applicable.
2. After the property has been properly tagged and packaged, the deputy will submit the property to the evidence custodian via the temporary storage lockers. The evidence shall be submitted prior to the end of the deputy's tour of duty. If the deputy is unable to log the evidence in by the end of their tour of duty, a supervisor must consulted. Evidence shall never be stored in Sheriff vehicle or personal residence after the deputy's tour of duty.
3. Any deputy who seizes or collects property shall make an attempt to locate the owner and notify them if property can be released. If the deputy is not able to contact the property owner, the evidence custodian shall attempt to make contact with the owner and notify them.
4. If the property is improperly packaged, marked or handled by the submitting deputy, the evidence custodian will notify the submitting deputy. A

notice will also be sent to the deputy's immediate supervisor. The evidence custodian will not assume control or responsibility of such property until the matter has been remedied.

5. The evidence custodian shall enter the property into the property management system.
6. The evidence custodian shall place the property in the evidence room, assign a storage location to each item of evidence, and record the information in the property management system.
 - a. Items having a very high value, narcotics/dangerous drugs, money, checks, credit cards or evidence of an especially sensitive nature will be placed in the high security area within the evidence room.
 - b. All narcotics/dangerous drugs shall be sealed in a plastic bag. Marijuana plants will be packaged in a sealed paper bag. The packaging deputy will record the quantity on the property form.
 - c. All cash shall be secured in a sealed plastic bag and the submitting deputy shall count the cash in the presence of a witness.
 - d. Evidentiary and/or recovered stolen motor vehicles, boats, etc., will be stored in one of the following secure locations. All property taken from the vehicle shall be packaged and submitted per department procedure. The property report for motor vehicles, boats and other similar property will include serial number (VIN), license number and/or any other identifying numbers. Equipment and accessories not permanently affixed to vehicle shall be listed separately.
 - e. A vehicle, etc., which needs to be processed will be stored in the towing facility garage or other location.
 - f. Items contaminated by a communicable disease will be stored in the evidence room and labeled with a biohazard warning label.
 - g. All weapons coming into Office control shall be handled in a careful and safe manner
 - h. All weapons submitted to the evidence room will have been made "safe".
 - i. It shall be the responsibility of the investigating deputy to ascertain if a weapon is stolen and take the appropriate action.

B. Temporary Storage

If the evidence custodian is unavailable, the property shall be stored in one of the following secure facilities.

1. The property will be locked in the temporary storage lockers.

- a. Open one of the empty lockers which has a lock on the exterior
 - b. Place the property in the locker
 - c. Place a copy of the property form in the locker
 - d. Close the locker door
 - e. Lock the pad lock
2. If necessary, an evidence custodian may be contacted at home to respond and secure the property in the property/evidence area. Only a supervisor will have the authority to request an off-duty evidence custodian to come to the Sheriff's Office to secure property.
3. The evidence custodian will remove the property from the temporary storage locker(s) and log and store the property according to the guidelines in (27.02.II.A).

C. Property not Submitted to the Evidence Room

When property that would normally be submitted to the evidence room is immediately released to the owner, a property form will be completed before releasing the property.

1. Indicate report number and owner information.
2. Property description.
3. The deputy will complete the chain of custody section of the property form.
4. The property form and any other related documents will be submitted to the evidence custodian

D. Property of Prisoners

1. All small personal items such as money, driver's license, etc., will remain with the prisoner.
2. All property, which will not be accepted by the detention center, will be given a cursory search for contraband, weapons or other harmful items in the presence of the prisoner (except when the prisoner is too disorderly to process at the time or otherwise incapable of comprehending, i.e., under the influence of alcohol and/or drugs). Another deputy or other member of the Office will witness the cursory search.
 - a. The deputy will complete the Property Report and
 - b. Secure the property, etc., with tape, and enter the property information into the property log.
 - c. Secure the item(s) in the temporary property locker.
 - d. Items of high value will be tagged and secured in the temporary property locker.

3. Contraband or evidence, etc., found on the person or among the effects of a prisoner shall be confiscated and processed as provided in (27.02.II.A) of this procedure.

4. Releasing Prisoner Property

- a. Any member of the department may release property that has not yet been placed into the property room.
- b. Members must complete a property release report. The owner of the property must sign the "Released To" section.
- c. Members of the Office must sign and date the property release report.
- d. Members must have the owner sign the property report.
- e. Members will give a copy of the property report to the owner to serve as a receipt.
- f. Members will send hard copy of property report to the property deputy for processing.

E. Property Held for Safekeeping

1. Any deputy may accept property to be held for safekeeping.
 - a. The deputy will complete a property form,
 - b. Give a copy of the form to the owner to serve as a receipt,
 - c. Submit a copy of the property form with the item(s),
 - d. Secure the item(s) in the temporary storage locker(s).
2. Releasing Property
 - a. Deputies must complete a property form.
 - b. Deputies of the Office must sign and date the property form.
 - c. The owner of the property must sign the "Received By" section of the property form.
 - d. Deputies will give a copy of the property form to the owner to serve as a receipt.
 - e. Deputies will be responsible for maintaining a copy of the property form with their case file.

F. Property Description

All property submitted to the evidence custodian shall be properly described on the property form. See below examples:

1. Drugs – shall be described as white powdery substance believed to be cocaine, etc.; 20 blue colored pills believed to be valium, etc; green leafy substance believed to be marijuana; etc. The weight of drugs will be recorded in total package weight.
2. Jewelry – gold colored ring with three clear-cut stones; 20 inch gold colored necklace; gold colored bracelet with one red stone and two green stones, etc.
3. Money – (5) \$20.00 bills; (3) \$10.00 bills; (5) \$1.00 bills. Coins will be counted in total value.
4. All other property – describe using the most accurate description possible; i.e., 20 inch red Huffy 10 speed boys bicycle with chrome colored wheel coverings and serial #111111111. Also describe anything that is unique to item (damage, special features, owner-applied numbers, etc.)

Warren County Sheriff's Office

GENERAL POLICY

IDENTIFIER

27.03

EFFECTIVE DATE: 05/01/2014

REVISION DATE: 03/01/2020

AUTHORIZED BY: Sheriff Brett Hightower

TITLE: PROPERTY / EVIDENCE MANAGEMENT

PROPERTY/ EVIDENCE MANAGEMENT

I. POLICY

The Warren County Sheriff's Office is dedicated to ensuring that property and/or evidence in its custody is properly secured and stored, readily retrieved, and that any changes in its custody are properly and fully documented. It is the responsibility of the Office to manage and control all confiscated and evidentiary property or any other property directed to them for safekeeping. As a part of this responsibility, accurate records will be maintained. Property will be stored, released, and disposed of according to the guidelines in this procedure and the Kentucky Revised Statutes (KRS). This policy will apply to all Warren County Sheriff's personnel until such time as it is revoked, superseded or rescinded.

II. DEFINITIONS

- A. Chain of Custody** - The continuity of the custody of physical evidence, which may be introduced in a judicial proceeding, from the time of original collection to the final disposition.
- B. Evidence Custodian** – The member of the Office accountable for the control and maintenance of found property and all evidence or property accepted by or stored in the evidence room.
- C. Evidence Room** – The secure facility utilized by the Office to store evidence and other recovered or confiscated property.
- D. Physical Evidence** - Any substance or material found or recovered in connection with a criminal investigation.
- E. Property Forms** – The forms accepted by the evidence custodian include: WCSO41, KSP41, or other agency equivalent property form.

III. PROPERTY MANAGEMENT

- A. Responsibility** for the Warren County Sheriff's Office's property management system is assigned to the Sheriff. The Sheriff shall assign one supervisor to oversee the property function of the Office and be responsible for:

1. The control and management of all found, recovered, confiscated and evidentiary property accepted by or stored in the evidence room and includes:
 - a. Ensuring that items of property requiring added protection are secured in the appropriate manner. This includes separation of money, firearms, controlled substances, and high value items.
 - b. The final disposition of evidentiary property.
 - c. The prompt, authorized disposal of property (destruction or return to the owner) within six months after legal requirements have been met or 90 days after holding found property or property held for safekeeping.
 - d. Office owned property / equipment shall be clearly marked.
2. The designation of personnel for the day-to-day management of found, recovered and evidentiary property.
 - a. The evidence custodian shall be responsible for storing, maintaining, and accounting for all found property in compliance with established Office policy.
 - b. The evidence custodian shall be responsible for receiving, storing, maintaining, releasing and accounting for all evidentiary, recovered and confiscated property in compliance with established Office policy.
3. Ensuring that an accurate records system is maintained for all property accepted by or stored in the evidence room. The system reflects the status of all property in the custody of the Office (whether held currently or in the past) and the dates and results of all inspections and inventories of property and audits of records.
 - a. The evidence custodian shall be responsible for maintaining a property records system which includes:
 1. Completion of property forms by deputies according to guide;
 2. Imputing data into property management system;
 3. Placing property into proper storage area;
 4. Maintaining chain of custody of property/evidence;
 5. Maintaining and transporting evidence to and from lab;
 6. Logging final disposition of property.
 - b. The evidence custodian shall be responsible for developing and maintaining a master file of all property forms submitted. This file may be either manual or automated. The evidence custodian shall maintain a records system which reflects:
 1. The location of the property stored in the storage facilities;
 2. Date and time when the property was received or released;
 3. Item characteristics, type and amount of property on hand; and

4. The chain of custody of the property through its final disposition.

B. Property Storage

All property stored at the Warren County Sheriff's Office will be within a designated secure area accessible only by authorized personnel.

1. Found Property

Found Property will be properly tagged and logged by the deputy of the Office who receives the property, then secured in the temporary storage locker.

2. Evidence

The usefulness of evidence in a criminal proceeding is, in large measure, dictated by the preservation of that evidence. Collection, assembly, packaging and supervision of evidence collected in the field is, therefore, a critical link in the process of producing usable evidence for prosecution. Evidence collection and processing by field personnel are in separate procedures and are not incorporated in an in-depth manner in this procedure. Nonetheless, this procedure does advocate the following with regard to the responsibility of evidence collection in the field.

- a. Any member of the Office who has evidence to be placed in the evidence room shall complete the necessary property forms.
- b. It is the responsibility of the submitting deputy to properly handle, tag, mark, package, photograph (when applicable) and transport all evidence to the evidence room or other authorized secure storage location by the end of the deputy's tour of duty.
- c. The evidence custodian will accept all evidence for storage, if properly processed and tagged, and log the evidence into the evidence room. In every case, every effort will be made to maintain the integrity of the evidence and the chain of custody.
- d. All evidence will be stored in the evidence room.
 1. Evidence requiring added security, including money, checks, credit cards, precious metals, jewelry, gemstones, weapons, narcotics and dangerous drugs shall be stored in a separate secured area within the evidence room.
 2. Evidence of a hazardous nature shall be appropriately packaged and stored in accordance with established Office policy. Such substances include but are not limited to items which may have been exposed to or contaminated by communicable diseases, or hazardous chemicals and waste products. Packages shall be marked indicating the hazard, such as with Biohazard labels, etc. Where appropriate, the evidence custodian will make arrangements and assume responsibility for storage and control of such substances outside the evidence room.

3. Evidence property which is too large for the property room (i.e., a vehicle which is to be processed before storing in a secured impound lot) may be temporarily stored in an approved area.
 - e. All recovered and evidentiary property will be logged into the evidence room property management system by the evidence custodian.

3. Court Order/Search Warrant

Any writ requiring the seizure of real or personal property will be executed by sworn law enforcement deputies. Property retrieved will then be processed the same as any other items of evidence.

C. After Hours Storage

At times when there is no evidence custodian on duty, deputies bringing in found, recovered or evidentiary property will follow the guidelines in the specific processing procedure for the particular property taken or received into their custody.

1. Temporary storage lockers for found, recovered, or evidentiary property.
2. Only a supervisor will have the authority to request an off-duty evidence custodian to come to the office to secure property. If in the opinion of the supervisor, property is of great value or potentially vulnerable to claims of tampering (such as a large quantity of narcotics evidence), one of the evidence custodians may be called in to secure the evidence in the evidence room.

D. Access to Evidence Storage Areas

Access to all evidence storage areas is restricted to authorized Warren County Sheriff's Office personnel engaged in official duties. Under no circumstances will unauthorized personnel be allowed access to the evidence storage areas.

1. Only members of the Office authorized by the evidence custodian or supervisor may enter the evidence room.
2. Only the evidence custodian will have unlimited access to all evidence storage areas and keys for facilities.
3. The door to the evidence room will be kept closed and locked anytime when authorized personnel are not physically in the area.
4. The evidence room will only be unlocked or open when authorized personnel are actually putting in or taking out items.
5. Only authorized persons may actually enter the evidence room. A log shall be kept by the evidence custodian which identifies each authorized member entering the

evidence room. Authorized persons are:

- a. The Sheriff,
- b. The evidence custodian and supervisor, and
- c. Sworn deputies when accompanied by one of the above personnel and under appropriate circumstances such as the inspection or inventory team during the periodic inspection or inventory.

E. Inspections and Inventories

1. Documentation shall be completed when conducting inspections or inventories of evidence and property. All paperwork pertaining to inventories and inspections are put in a folder, labeled, and kept on file in the Business Office.

2. Unannounced Inspections

The Sheriff will designate a person, not directly connected with property management, to conduct an unannounced inspection of the evidence room, in addition to and in support of any other inspections. This inspection does not necessarily have to be comprehensive, but may inspect any areas of property operations, and will include a random comparison of records with property presently in the evidence room.

3. Annual Audit

A general audit of property held by the Office shall be conducted annually. The Sheriff will appoint a person to examine a random sampling of contents of the property storage facilities, including drugs, money and weapons. No one routinely or directly connected with the control of the evidence room will serve on this team; however an authorized person will accompany the team to access the evidence room.

a. The audit will include inspection of the property logs, ensuring that dangerous drugs, money and weapons received have been properly logged; ensure that drugs, weapons or money have not been lost or checked out for an unreasonable length of time; an examination of the disposition files and property forms to ensure that all weapons, drugs, and money have been disposed of properly.

b. The audit team is authorized to open dangerous drug packages in the presence of the evidence custodian to verify quantity/count of drugs, and if necessary conduct qualitative analysis by a chemist. These packages will then be re-sealed in the presence of the evidence custodian. A notation will be made on the property report and in the property form of the inspection including the date opened and the person inspecting.

1. A random sample of containers of narcotics and dangerous drugs should be inspected during the inventory for tampering as a safeguard against the substitution of materials having the same characteristics.

- c. The audit team is authorized to open in the presence of the evidence custodian packages containing money to verify contents and amount of cash. The package will be re-sealed in the presence of the evidence custodian. A notation will be made on the property form and in the property log of the inspection including the date opened and the person inspecting.
- d. A complete report of the findings of the audit team will be forwarded to the Sheriff upon conclusion of the audit.

4. Property Inventory – Evidence Custodian

When a new evidence custodian is designated, a sufficient review of property will be conducted to ensure continuity of the property function. This inventory will be performed jointly by the newly designated evidence custodian and a designee of the Sheriff to ensure items are correct and properly annotated. Items of property selected will be accounted for on an individual basis.

- a. The inventory shall be thorough to ensure the integrity of the system and the accountability of the property.
- b. The new evidence custodian should ensure that records are current and properly annotated and that all discrepancies are recorded prior to the newly evidence custodian assuming accountability for the property.

F. Recording Transfers of Custody

- 1. The evidence custodian shall be responsible for developing and maintaining files that document all changes in custody of property. The information in the file pertaining to physical evidence shall readily identify the individual or organization currently maintaining custody of each piece of evidence.
- 2. A record of all transfers of property shall be made.
- 3. Members of the Office 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 upon demand, unless evidence is taken to the lab.

G. Final Disposition of Property

Final disposition of found, recovered and evidentiary property, and property held for safekeeping must be accomplished within a reasonable amount of time after legal requirements have been satisfied or after found property or property held for safekeeping has been in the custody of the Office for 90 days.

1. IN EVERY CASE:

- a. When property is released or disposed of, the final disposition of that property will be entered into the appropriate property management system and on the

property form.

- b.** The evidence custodian will make every reasonable effort to verify rightful ownership to property and the identity of the person to whom the property is being released.
- c.** The person to whom the property is released will sign the appropriate property form indicating he/she has received the property from the Office.
- d.** The member of the Office receiving the property and/or the investigating deputy will have the responsibility of ensuring that property is returned (if applicable) to the owner.
- e.** Items that have been designated for destruction may be segregated from main property into an area for the annual destruction.

2. Release of Property

- a.** Found property and property held for safekeeping may be released to the owner any time that proper identification is shown by the person claiming the item, except for those items which are stored in areas that are inaccessible except to specific personnel during specific hours. The person releasing the property will make every reasonable effort to verify the ownership or right to possess the property and the identity of the person to whom the property is being released.
 - 1.** After 90 days, if the owner is known, the evidence custodian will telephone the owner to inform the owner when and where the property may be claimed. If unable to make phone contact, the owner cannot be located or fails to claim the property after notification, the property will be considered unclaimed. Such property can then be disposed of.
 - (a)** Contraband and forfeited property will not be released except by court order.
- b.** Firearms and other weapons received as found property or for safekeeping will be released or disposed of in the following manner:
 - 1.** If the owner is not known, the weapon will be declared unclaimed after a period of 90 days and disposed of according to section d (below).
 - 2.** Weapons held for safekeeping will be declared unclaimed after having been retained for 90 day. This does not apply to weapons confiscated by court order.
 - (a)** At the conclusion of that time, the evidence custodian will notify the owner by phone that the weapon may be claimed. Notation of the phone call should be made in the property management system.
 - (b)** If unable to locate the owner by phone or the owner did not respond to

the notification and a total of 90 days has elapsed, the weapons will be declared unclaimed property and disposed of according to (27.03.III.G.2.d).

3. Weapons held as evidence may only be released after the court case is disposed of or dropped, and with a court order authorizing the release.
 4. In every case the person releasing the weapon should make every reasonable effort to verify proper ownership of the weapon and the identity of the person to whom the weapon is being released.
 5. Firearms and the persons claiming the firearms must be checked for wanted through NCIC and locally prior to release.
- c. Firearms and other weapons received through forfeiture or as evidentiary property will (after release) be given into the custody of the Warren County Sheriff's Office for disposal unless:
1. Court order authorizes use of the item by the Office, or
 2. State law requires, or a court order authorizes, the weapon be returned to its lawful owner. Weapons will not be released to any member of a deceased's family without proper documentation.
- d. Evidence will not be released until cleared for release by the investigating deputy or the prosecutor. The investigating deputy shall notify the evidence custodian when the case has been completed.
1. When no longer needed for 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.
 2. When an item has been cleared for release, the investigating deputy shall be responsible for returning evidence to the owner. The deputy will attempt to contact the owner by phone or mail with return receipt requested, advising him/her of procedures to claim the property.
 3. If the owner fails to claim the evidence or the court gives the property into the custody of the Office, the Office may as permitted under state law:
 - (a) Destroy it,
 - (b) Retain it for use by the Office.
- e. Upon releasing money, the evidence custodian will open the sealed package in the presence of the owner/finder and count the contents together. If there is any discrepancy, the Chief Deputy will be notified immediately.

1. Money held as found property will be released in accordance with what is set forth in (27.03.III.G.2.a).
2. Money held as evidence will be released to the rightful owner upon completion of the court case and on approval of the investigating deputy and prosecutor.
3. Money held for safekeeping or otherwise taken into custody may be released to the finder when:
 - (a) The evidence custodian has made a reasonable effort to locate the actual owner,
 - (b) The owner can not be located or has failed to claim the money
4. Money received through forfeiture or as evidentiary property will (after receiving the appropriate court orders) be placed into the Drug Seized Funds Account.
 - (a) The evidence custodian and bookkeeper together will verify the amount of money being added to the Drug Seized Funds Account.
 - (b) The bookkeeper will sign the property form accepting the money.
 - (c) The evidence custodian will maintain the property form for record of the exchange.

3. Property to be Destroyed

a. Dangerous Drugs

1. Prior to the scheduled destruction, the evidence custodian and their supervisor will check the selected items for tampering, if no discrepancies are found, they will ready the items for destruction. If discrepancies are found, the evidence custodian shall immediately notify the Chief Deputy. The Chief Deputy shall immediately initiate an investigation.
2. On the date of destruction, the evidence custodian and their supervisor will transport selected items to the destruction site and observe the destruction process.

b. Contraband, Obscene Materials, and Other Miscellaneous Property

1. The evidence custodian and supervisor will destroy the property by whatever means necessary.
2. After the destruction process is completed, the evidence custodian will input the appropriate information on the property form and in the property management system.

c. Miscellaneous Property of No Value

The property deputy may dispose of miscellaneous found property or released evidentiary property that is of little or no monetary value. This property might include small parts of cars, paint chips, personal address and appointment books etc.

4. Property to Be Turned Over for Department Use

- a.** Any property to be turned over for Office use will require a court order.
- b.** Any property turned over to the Office by the court will be disposed of according to KRS or a memorandum by the evidence custodian.

H. Major Case Disposition

- 1.** Annually the evidence custodian will contact the Sheriff, or his designee to discuss major cases.
- 2.** With the approval of the Chief Deputy, the evidence custodian may dispose of any property held as evidence in a major case, as outlined in this order.
 - a.** The evidence custodian will attempt to telephone the owner.
 - b.** If unable to contact by phone, the evidence custodian will send a letter, return receipt requested, to the last known address of the owner, informing the owner when and where the property may be claimed.
 - c.** If the owner cannot be located or fails to claim the property, after a period of 90 days the property will be considered unclaimed.

Warren County Sheriff's Office

GENERAL POLICY

IDENTIFIER

27.04

EFFECTIVE DATE: 05/01/2014

REVISION DATE: 03/01/2020

AUTHORIZED BY: Sheriff Brett Hightower

TITLE: FORFEITURE OF ASSETS

FORFEITURE OF ASSETS

I. POLICY

The Kentucky Controlled Substance Act, KRS 218A.410 et seq., authorizes law enforcement agencies to seize and forfeit any property or contraband article which has been used, is being used, or was intended to be used in violation of any provision of the Act.

It is the policy of the Warren County Sheriff's Office to utilize the forfeiture provisions to the fullest extent possible in order to impact upon crime, yet protect innocent owners, while providing our agency with the maximum amount of economic benefit for the continued enforcement of the Kentucky Controlled Substances Act. This policy shall apply to all Warren County Sheriff's Office personnel until it is superseded, suspended, or revoked.

II. PURPOSE

The purpose of this policy is to standardize Office policies and procedures used in seizing, maintaining and forfeiting assets pursuant to the provisions of law, and to ensure that seized property is seized and maintained in an efficient and lawful manner. The provisions contained in this policy are intended to guide our agency when involved in the seizure and forfeiture of property.

III. PROCEDURES

A. Seizure of vessels, vehicles, aircraft, currency, or other personal property or contraband articles.

1. The Warren County Sheriff's Office may seize property for forfeiture under the Act without process if it determines that:
 - a. The seizure is incident to an arrest or a search under a search warrant; or,
 - b. The property subject to seizure has been the subject of a prior final order of forfeiture; or,
 - c. Warren County Sheriff's Office has probable cause to believe that the property is directly or indirectly dangerous to health or safety; or,

- d. Warren County Sheriff's Office has probable cause to believe the property is subject to forfeiture pursuant to KRS 218A.410.
2. Probable cause seizures taking place at the time of violations may be made without prior judicial approval.
3. Property not seized at the time of violations presently located on private premises should be seized pursuant to a court order authorizing entry onto the private premises, unless otherwise authorized by law.
4. As soon as practicable following seizure, a Warren County Sheriff's Office supervisor shall make a diligent effort to determine ownership of the seized property, including the identification of the registered owner(s), title holder, and bona fide lien holder(s), if any.
5. Warren County Sheriff's Office shall give notice of the seizure to the owner(s) and /or bona fide lien holder(s) if any, once identified, within twenty-one (21) days after the identification is made. Such notice may be made by certified mail, return receipt requested.
6. Following Warren County Sheriff's Office's determination not to proceed with forfeiture based upon innocent-owner considerations, the agency shall release the seized property to the lawful owner or his legally authorized designee.
7. As soon as practicable after the seizure, the seizing deputy should complete an offense or seizure report, particularly describing the circumstances attendant to the seizure and forward same to the Commonwealth Attorney who will be handling the forfeiture action.

B. Seized vessels, vehicle and aircraft storage and maintenance.

1. At the time of seizure, vessels, vehicles, aircraft's, etc. towed to a secure storage facility or other appropriate storage location as may be authorized by Office supervisor.
2. A complete inventory of the seized property and all containers, open or closed, found therein, shall be completed at the time of the seizure. As soon as practicable after seizure, our Office shall make a good faith attempt to release to the lawful owner all personal property (e.g., clothing) seized with items impounded and not being retained as evidence or for forfeiture. If the owner is unknown, has been arrested, or is otherwise unavailable to take possession of the property, the property shall be placed in a secure location to be released to the owner at a later date.
3. Any personal property seized as evidence shall be packaged and stored separately and handled in accordance with established procedures for the processing of evidence.

4. Reasonable attempts shall be made to maintain the property in time-of-seizure-condition. Although all rights, interest in and title to seized assets vest immediately in the seizing agency upon seizure, seized items shall not be used for any purpose until the rights, interest in and title to the seized property are perfected by final order of forfeiture. This section does not prohibit use or operation necessary for reasonable maintenance of seized property.
5. If special maintenance is required to maintain seized property in time-of-seizure-condition as may be necessary with aircraft and vessels, Warren County Sheriff's Office shall ensure that such maintenance is provided within a reasonable time after seizure, with such care continuing through the pendency of the forfeiture action. Appropriate agency forms should be maintained with seized property to document special or required maintenance.
6. Agency personnel shall make periodic inspections of all property which has been seized to ensure the condition of the seized property remains the same as it was at the time of seizure. Such inspections shall be documented appropriately.

C. Seizure and Forfeiture of Real Property

1. Warren County Sheriff's Office may seize real property only with process:
 - a. Real property subject to forfeiture may be seized pursuant to final judgement and order of forfeiture by the court with jurisdiction over the forfeiture action; or,
 - b. Real property may be seized prior to final judgement by the agency if it obtains a seizure order from the court following a hearing. Seizure prior to judgement is only permissible on a showing by the Commonwealth that seizure is necessary to preserve the property pending final judgement.
2. Real property, which is seized prior to final judgement, must be maintained at time-of-seizure condition. On-going businesses, including agricultural enterprises, must be continued. For this reason, seizure of real property prior to final judgement of forfeiture is not recommended.
3. Agencies with probable cause to believe that real property is subject to forfeiture will as soon as practicable consult with the appropriate Commonwealth Attorney to perfect the lien created in KRS 218A.410. A lien is preferred over pre-judgement seizure of real property.

D. Release of Seized Property

1. If at the conclusion of the judicial process the claimant prevails, the seized property shall be released to the lawful owner immediately. Under these circumstances, the seizing agency shall not assess any towing charges, storage fees, administrative costs, maintenance costs, etc. against the claimant, unless so authorized by the appropriate court.

2. In all other instances, if a seized vessel, vehicle, aircraft, etc. is to be released to the lawful owner, the seizing agency may assess against the owner the actual costs of towing, storage, and maintenance of the seized property. Absent settlement, administrative costs that do not reflect actual expenses shall not be assessed.
3. Property, which has been seized as having evidentiary value, shall be treated accordingly, and shall NOT be released pursuant to this policy.

IV. RETENTION FOR OFFICIAL USE, SALE, AND DISTRIBUTION

A. RETENTION OF VEHICLES

1. Any vehicle seized and subsequently forfeited to the Warren County Sheriff's Office may be retained by our agency for official use.
2. The Warren County Sheriff's Office may sell any vehicle retained. Funds from such sale shall not be considered as funds to be distributed.
3. Proceeds from sale of retained vehicles must be spent on a specific law enforcement purpose. "Specific Law Enforcement Purpose" means any agency activity that materially facilitates enforcement of the law of the Commonwealth of Kentucky.
4. The Warren County Sheriff's Office must pay any bona fide perfected security interest on any forfeited vehicle retained for official use.

B. SALE OF FORFEITED PROPERTY

1. All sales of property forfeited pursuant to the Controlled Substances Act must be advertised, public sales.
2. The Commonwealth may transfer any forfeited real property sold by deed of general warranty.
3. All bona fide, perfected security interests on forfeited property must be paid from proceeds of sale of such property.
4. Controlled substances which have been forfeited but which have a lawful purpose may be sold to a proper buyer as determined by the regulations of the Cabinet for Health and Family Services.

C. DISTRIBUTION OF SALE PROCEEDS

1. Following deduction of any direct expenses related to the sale of forfeited assets, the agency retains eighty five percent of the sale of assets itemized in any final order of forfeiture. Fifteen percent of the sale of assets is paid to the office of the Commonwealth Attorney or County Attorney which handled the forfeiture action.

2. All proceeds from sale of forfeited property must be expended for specific law enforcement purposes.
3. When money or property is seized in a joint operation involving more than one law enforcement agency, the apportionment of funds shall be made among the agencies in such a manner as to reflect the degree of participation of each agency in the law enforcement effort resulting in the forfeiture. Taking into account the total value of all property forfeited and the total law enforcement effort with respect to the violation of law on which the forfeiture is based. The trial court shall determine the proper division and include the determination in the final order of forfeiture.

V. REPORTING REQUIREMENTS

A. SEIZURE REPORTS

1. When the Warren County Sheriff's Office seizes property subject to forfeiture without court order shall immediately prepare a report completely describing and inventorying the property so seized. The original of the report shall be included in the criminal case file. Duplicates of the report shall be forwarded to the appropriate prosecutorial office and the Kentucky Justice Cabinet.
2. Any Warren County Sheriff's Office supervisor who wishes to obtain a court order to seize property shall submit a "Request for Forfeiture" form to the appropriate prosecutorial office. Property seized pursuant to such order should be reported in the same manner as property seized without order. A copy of the Court Order shall be attached to the seizure report.
3. Any agency, which wishes to place a lien against forfeitable real property, shall submit a "Request for Forfeiture Lien" to the appropriate Commonwealth Attorney. A copy of the forfeiture lien notice shall be maintained in the criminal case file and copy shall be forwarded to the Kentucky Justice Cabinet.
4. The appropriate Commonwealth's Attorney shall forward a copy of all-final orders or forfeiture to the Kentucky Justice Cabinet.
5. Fiscal reports itemizing costs of sale, proceeds retained by the Warren County Sheriff's Office, proceeds paid to a local prosecutor, and proceeds paid into the Asset Forfeiture Trust Fund, shall be sent to the Kentucky Justice Cabinet within thirty (30) days after each sale of forfeited property.
6. The Warren County Sheriff's Office shall notify the Kentucky Justice Cabinet of each forfeited vehicle retained for official use or sold for the benefit of the agency.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 27.05	EFFECTIVE DATE: 11/18/2016 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: SEXUAL ASSAULT INVESTIGATIONS		

Sexual Assault Investigations

I. POLICY

The purpose of this policy is to provide sexual assault investigators with the guidelines for responding to reports of sexual assault, assisting victims, collaborating with local health and victim service agencies, submitting evidence for laboratory testing, and keeping victims notified.

II. GENERAL

It is the policy of the Warren County Sheriff's Office that all reported incidents of sexual assault are properly and ethically investigated in an unbiased and truth seeking manner that will support a fair and accurate decision in the criminal justice system. A victim-centered approach includes investigation practices that focus on the actions and choices of the offender, not the actions or inactions of the victim. Methods shall be employed throughout the investigation to reduce the physical and psychological trauma to the victim of sexual violence by responding in a compassionate, sensitive and non-judgmental manner.

III. DEFINITIONS

- A. **Investigating officer:** An officer assigned to investigate the report of a sexual assault. The investigating officer might be the responding officer or a detective as determined by the supervisor.
- B. **SAFE Kit – Sexual Assault Forensic Evidence Kit:** A forensic evidence collection kit consisting of instructions and labeled packages for properly collecting and storing potential DNA evidence. A victim's kit includes the victim's medical history and assault information form. A suspect's kit includes the request for examination form. SAFE kits are usually collected by trained medical personnel.
- C. **SANE – Sexual Assault Nurse Examiner:** A registered nurse who has completed required education and clinical experience and maintains a current credential from the Kentucky Board of Nursing to conduct forensic examinations of victims of sexual offenses who are 14 years of age or older.
- D. **SANE-ready Hospital:** An acute care hospital certified by the Cabinet for Health and Family Services that a sexual assault nurse examiner is available on call twenty-four hours a day for the examination of persons seeking treatment as victims of sexual offenses. A list of SANE-ready hospitals is available on the CHFS Inspector

General's webpage.

- E. **Sexual assault examination facility:** A licensed health facility, emergency medical facility, primary care center, or a child advocacy center or rape crisis center that is regulated by the Cabinet for Health and Family Services, and that provides sexual assault examinations under **KRS 216B.400**. Every hospital of this state which offers emergency services shall provide SAFE Exams. KRS 216B.400.
- F. **Victim advocate:** A rape crisis center advocate's priority is addressing the victim's full range of needs. Advocates assist with the victim's emotional, physical, psychological, economic, and spiritual needs. The advocate can work collaboratively with the investigator on behalf of the victim and acts as a liaison among sexual assault response agencies to identify and facilitate access to services.

STATUTORY PROVISIONS (SUMMARY OF PERTINENT KRS & KAR)

KRS 15.440, sexual assault investigation policy shall include the following requirements:

1. Evidence collected as a result of an examination performed under KRS 216B.400 is required to be taken into custody within five (5) days of notice from the collecting facility, with the consent of the victim. A victim may consent to having a kit collected, but **not** consent to report the assault to law enforcement. These are called non-reporting kits and are not required to be collected by law enforcement and sent to the lab.
2. Evidence received from a collecting facility relating to an incident which occurred outside the jurisdiction of the department shall be transmitted to a department with jurisdiction within ten (10) days of receipt by the department.
3. Evidence retrieved from a collecting facility shall be transmitted to the Kentucky State Police Forensic Laboratory within thirty (30) days of its receipt by the department.
4. A suspect standard, if available, shall be transmitted to the Kentucky State Police Forensic Laboratory with the evidence received from the collecting facility.
5. A process for notifying victims from whom evidence was collected of the progress of testing, whether testing resulted in a match to other DNA samples, and if the evidence is to be destroyed. The notice may be delayed until a suspect is apprehended or the office of the Commonwealth's attorney consents to the notification. Disclosure of the suspect's identity is not required.

KRS 17.175 (3)(a)

The department shall analyze and classify all sexual assault evidence collection kits it receives.

KRS 216B.400

(7) A minor may consent to an examination. Consent of the parents or guardians of the minor is not required for an examination. Hospital personnel will not perform a SAFE Exam on a minor without the consent of the minor.

(9) No charge shall be made to the victim for sexual assault examinations by the hospital, the sexual assault examination facility, the physician, the pharmacist, the health department, the sexual assault nurse examiner, other qualified medical professional, the victim's insurance carrier, or the Commonwealth.

(10)(a) Each victim shall have the right to determine whether a report or other notification shall be made to law enforcement. No victim shall be denied an examination because the victim chooses not to file a police report, cooperate with

law enforcement, or otherwise participate in the criminal justice system.

502 KAR 12:010

Section 2(2)(b)(1) The examination facility shall not contact law enforcement or release any information to law enforcement without the victim's authorization.

502 KAR 20:020 Detection of Deception Examiners

Section 4 (2) An examination shall not be requested, required, or conducted of a sex crime victim as a condition for proceeding with the investigation of the crime.

920 KAR 2:010 &502 KAR 12:010 Mandatory Notification to Regional Rape Crisis Center

Hospital personnel will notify the Regional Rape Crisis Center that a victim has requested a SAFE exam and request that an advocate be dispatched.

Title VI of the Civil Rights Act of 1964

Victims with limited English proficiency, or who have difficulty reading, writing, speaking, or understanding English, have the right to a competent interpreter at no cost. In no circumstance should a friend or family member be used to interpret, similarly, victims with a disability should be provided an interpreter or appropriate accommodation to ensure that they have no barriers to reporting a sexual assault.

KRS 431.600

Coordinate child sexual abuse investigations according to KRS 431.600. A referral to a regional Children's Advocacy Center may be appropriate if the victim is under 18 years of age.

IV. PROCEDURES

SEXUAL ASSAULT INVESTIGATION

- A. Sexual assault investigations shall be conducted in accordance with all agency policies including, but not limited to, preliminary investigation, follow-up investigation, and assignment of detective personnel.
 1. The investigating officer shall approach the victim in a respectful, non-judgmental manner while maintaining objectivity.
 - a. Individuals respond to trauma in a variety of ways. Victims may display a range of demeanor and emotions from crying and distress, to extremely calm and/or seemingly cheerful.
 - b. Trauma can affect a victim's ability to give a detailed or chronological statement. A person experiencing trauma often will recall and/or disclose information over a period of time as memories are triggered and as trust is established with responders.
 - c. A victim's demeanor or inability to articulate a chronological narrative should not be a determining factor in judging their credibility. Responses to trauma can appear to be contradictory.

2. A sexual assault investigation shall be conducted even when the report by the victim to law enforcement is delayed.
 3. The investigating officer shall advise the victim that a medical examination is recommended for their well-being and may yield evidence of the assault even if the victim has already showered or cleaned themselves.
 - a. Victims have the right to receive a medical forensic examination and have evidence collected even if they do not want to participate in the criminal justice process.
 - b. Submission to a medical examination or sexual assault forensic examination shall not be a condition of continuing the sexual assault investigation.
 4. When the investigating officer suspects that the assault may have been facilitated with drugs or alcohol, the necessity for collection of urine and/or blood samples should be determined as soon as possible. Consent from the victim must be obtained to collect any samples.
 - a. Submission of urine and/or blood samples by the victim shall not be a condition of continuing the sexual assault investigation.
 - b. A victim's voluntary use of alcohol, drugs, or illegal substances shall not be a determining factor in whether or not a sexual assault was perpetrated.
- B. The investigating officer shall offer victim assistance and support. If requested by the victim, the officer shall facilitate or provide the following:
1. Contacting a support person of the victim's choice.
 2. Arranging transportation to a safe place, if necessary.
 3. Advise the victim what to do if the suspect or the suspect's companions or family threatens or otherwise intimidates the victim.
 4. Inform the victim of subsequent steps in the processing of the case.
 5. Provide a telephone number so that the victim may call to report additional information about the case, additional injuries that have appeared, or to receive information about the status of the case.
 6. Ensure the confidentiality of the victim and their role in case development.
 7. Provide a copy or inform the victim how to obtain a copy of the Kentucky Crime Victims' Bill of Rights handbook, or an equivalent resource.
 8. Agency personnel shall provide appropriate assistance to victims who have been threatened or who express specific, credible reasons for fearing intimidation or further victimization. Assistance may include, but is not limited to, the following:
 - a. Advising the victim of available legal remedies and assist the victim in accessing those legal remedies (i.e. protective orders or warrants).
 - b. Discussing alternative safety plans with the potential victim.

PRELIMINARY INVESTIGATION

- A. When responding to a reported sexual assault, officers shall begin a preliminary investigation to include the following:
1. Responding to immediate needs – rendering aid to the injured, by noting such facts as the position of victims or injured subjects, listening for spontaneous statements, and observing any unusual actions or activities;
 2. Determining that a crime has been committed;

3. Initiating enforcement action – arresting or pursuing the offender (if applicable) and/or communicating apprehension information;
4. Conducting a thorough search of the crime scene. This may require securing and limiting access to the crime scene and protecting all evidence, especially short-lived evidence (impressions in sand or mud, etc.);
5. Assessing and advising supervisor(s) of the situation and determining the need for investigative personnel;
6. Initiating an investigation – collecting and preserving evidence, photographing the scene and evidence, checking for fingerprints, sketching the crime scene, and describing in detail all stolen property;
7. Interviewing victim(s), witness(es), and suspect(s), and identifying and describing the suspect(s);
 - a. The victim should be interviewed in a location that is convenient, accessible, and comfortable when possible.
8. Canvassing the area;
9. Compiling a thorough and accurate report of on-the-scene activities and completing all documents.

FOLLOW-UP INVESTIGATION

- A. The officer who adopts the case shall be responsible for the follow-up investigation and ensure all appropriate documents are included in the case report.
- B. A mandatory follow-up contact with the victim is required within 30 days of opening the case.
- C. The following activities are intended as a guide to ensure the investigation is complete and ready for prosecution:
 1. Review and analyze all previous reports prepared in the preliminary phase, including agency records, and results from laboratory examinations;
 2. Conduct additional interviews;
 - a. Confirm or update the victim's current contact information.
 3. Seek additional information (from officers, witnesses, victims, informants);
 4. Plan, organize, conduct searches, and collect physical evidence;
 - a. Re-photograph injuries to document changes since the preliminary interview.
 5. Identify and apprehend suspects;
 6. Determine involvement of suspects in other crimes;
 7. Check suspect's criminal history;
 8. Prepare case for court prosecution.

SEXUAL ASSAULT FORENSIC EVIDENCE

- A. If a sexual assault forensic examination of the victim is warranted, the investigating officer shall explain the examination and its importance to the investigation.
 1. Inform the victim that the sexual assault examination and evidence collection cannot be billed to them.
 2. Inquire whether the victim will consent to a forensic examination.
 - a. Inform the victim of their right to refuse any or all parts of the examination and explain how refusal to consent to the examination will affect the investigation.

- b. Encourage a victim who refuses a forensic examination to seek medical attention including testing for pregnancy and sexually transmitted disease.
 - c. When the victim initially chooses not to submit to a forensic examination but subsequently does seek the examination, the investigating agency shall retrieve any collected evidence within five (5) days of notification by the collecting facility. **KRS 15.440**
 - 3. A victim advocate or support person of the victim's choice may be allowed to be present during the examination.
 - 4. Transport the victim to a SANE-ready hospital. If a SANE-ready hospital is not available, transport the victim to the closest sexual assault examination facility or Hospital Emergency Department.
 - 5. Coordinate with the medical examiner to photograph injuries to genitalia or sensitive body parts with the consent of the victim, if needed.
 - 6. The investigating officer shall interview the medical examiner and document the interview in a case supplement report.
 - 7. The investigating officer shall receive the completed SAFE kit, and any other physical evidence collected during the examination. Coordinate with the medical examiner if photographic evidence is required. All evidence shall be identified, submitted for testing, stored, and retained according to the Kentucky State Police Forensic Laboratory *Physical Evidence Collection Guide* and agency evidence collection and storage policies.
- B. When the investigation identifies a suspect, the investigating officer shall attempt to collect a suspect DNA reference standard. A sexual assault forensic examination may be included.
- 1. If the suspect consents to submission of DNA evidence, the suspect's consent shall be documented in the case report.
 - 2. If the suspect refuses consent to submit DNA evidence, a search warrant may be required to collect the DNA reference standard.
 - 3. When a sexual assault forensic examination is performed on a suspect who is in custody, the investigating officer shall advise the suspect of his/her rights as required by the Miranda decision prior to his/her being asked any questions by the medical examiner.
 - 4. The investigating officer shall interview the medical examiner and document the interview in a case supplement report.
 - 5. The methods used to obtain the suspect DNA evidence shall be documented in the case report.
 - 6. The suspect's DNA evidence shall be collected, submitted for testing, stored, and retained according to the Kentucky State Police Forensic Laboratory *Physical Evidence Collection Guide* and agency evidence collection and storage policies.
- C. When notified by a medical facility that a sexual assault forensic evidence kit has been completed and the victim chooses to report the crime to law enforcement, an investigating officer shall retrieve the kit within five (5) days. An investigation shall proceed according to this policy. **KRS 15.440**
- D. All sexual assault forensic evidence (SAFE) kits shall be submitted to the forensic laboratory for testing within thirty (30) days of receipt. **KRS 15.440**
- 1. Other associated evidence with potential DNA evidence should not be submitted to the lab initially. If testing the kit does not generate a DNA profile of the

suspect, other items may be submitted for analysis.

- E. In sexual assault cases where suspect DNA evidence has been collected, the suspect DNA evidence shall be transmitted to the forensic laboratory at the same time as the victim's sexual assault forensic evidence or within thirty (30) days of collection, whichever is sooner. **KRS 15.440**
- F. All SAFE kits shall be submitted to the Kentucky State Police Central Laboratory Branch, Forensic Biology Section within 30 days of their receipt and in accordance with **KRS 17.175** and agency evidence collection and submission policies.
- G. In accordance with **KRS 15.440**, SAFE kits received from a collecting facility relating to an incident which occurred outside the jurisdiction of the agency shall be transmitted to a department with jurisdiction within ten (10) days of its receipt by the agency. A unique case number shall be obtained and a KSP-41 shall be completed for these SAFE kits per agency evidence collection policy.
- H. Retention of biological evidence shall be in accordance with **KRS 524.140**.
 - 1. After laboratory testing has been completed, remaining biological evidence including sexual assault forensic evidence kits and associated evidence shall be transferred back to the originating evidence room.
 - a. Biological evidence, including sexual assault evidence, in any Class A, B, C, felony or Class D felony under KRS Chapter 510 shall not be destroyed prior to a trial unless:
 - i. It has been in custody for fifty (50) years; or
 - ii. It has been in custody for at least ten (10) years; and
 - (a) the prosecution has determined the defendant will not be tried; and
 - (b) the prosecution has made a motion before the court to destroy the evidence.
 - b. Biological evidence, including sexual assault evidence, in any Class A, B, C, felony or Class D felony under KRS Chapter 510 shall not be destroyed following a trial unless:
 - i. The evidence was DNA tested and presented at trial; and the suspect was found guilty, pled guilty, or entered an Alford plea; or
 - ii. The evidence was presented at trial but DNA testing was not completed and the suspect was found guilty, pled guilty, or entered an Alford plea and the court has ordered the destruction of the evidence; or
 - iii. The court has ordered the destruction of the evidence, regardless of whether it was tested or presented at trial; or
 - iv. The trial resulted in the defendant being found not guilty or the charges were dismissed with jeopardy attached and the trial court ordered the destruction of the evidence; or
 - c. When the trial results in a dismissal of charges against the defendant, subject to retrial, the evidence shall be retained until after the retrial, subject to the provisions of (1)(a), above.
 - d. In the absence of a destruction order by the court, the evidence shall be retained for the period of time that any person remains incarcerated in connection with that criminal case. **KRS 524.140(3),(7)**

DNA EVIDENCE STATUS REPORTING

- A. The investigating officer shall notify the victim of the progress of DNA evidence testing including whether the testing resulted in a match to other DNA samples. **KRS 15.440**
- B. It is recommended that a victim advocate be present during the notification.
 - 1. Upon receipt of the results of DNA evidence testing, the investigating officer shall confer with a victim advocate prior to notifying the victim of the results.
 - 2. When a suspect is identified, notification may be delayed until the suspect is apprehended if the safety of the victim is of concern or if the office of the Commonwealth's Attorney consents to the delay.
 - 3. If a DNA match is made to a known person, the person's identity need not be disclosed to the victim.
 - 4. These provisions shall apply regardless of the time elapsed between evidence collection, test results, and DNA matching.
- C. DNA evidence shall be retained pursuant to **KRS 17.175** and agency policy for evidence storage and retention.

Warren County Sheriff's Office

GENERAL POLICY

IDENTIFIER

28.01

EFFECTIVE DATE: 05/01/2014

REVISION DATE: 03/01/2020

AUTHORIZED BY: Sheriff Brett Hightower

TITLE: COMMUNICATIONS SERVICES

COMMUNICATIONS SERVICES

I. POLICY

The Warren County Sheriff's Office maintains full-time communication services 24 hours per day, 7 days per week, and 365 days per year. It is the function of the Communications Section of the Support Services Division to provide immediate informational needs of the Warren County Sheriff's Office in the course of its normal daily activities and during emergency situations. These policies shall apply to all Warren County Sheriff's personnel unless suspended, revoked or superseded.

II. RADIO / TELEPHONE SERVICES

Dispatchers should always respond to calls for service, regardless of the type, with the up most respect, attention, courtesy, and professionalism. Dispatchers shall never engage in inappropriate language or any form of arguing during a call for service. Dispatchers should find a supervisor for citizens that become belligerent.

A. REQUESTS FOR ASSISTANCE

When any person applies for assistance, or makes a report or complaint in person or by telephone, all pertinent information will be properly obtained officially, courteously, and judiciously, and acted upon consistent with the established Office procedures. All persons making requests for assistance should be treated fairly.

B. 911 EMERGENCY CALLS

It is the policy of the Warren County Sheriff's Office to participate in 911 Emergency Services with Bowling Green Police, Kentucky State Police, Western Kentucky University Police Department, and Medical Center EMS. The Bowling Green Police Department is the primary Public Safety Answering Point (PSAP), and is responsible for receiving and the dissemination of all emergency telephone calls. Upon the transfer of an emergency call from BGPD, the dispatcher should answer the phone with, "Sheriff's Office Emergency Line" or "Sheriff's Office, Where is your emergency?" Of all telephone lines, the emergency line should be given priority over administrative lines or intercom calls.

C. ADMINISTRATIVE CALLS

It is the policy of the Warren County Sheriff's Office to answer all administrative lines within 3 rings whenever possible. All telephone calls for service shall be responded to as quickly as possible. Dispatchers should answer the administrative lines with, "Sheriff's Office, Dispatcher (last name)" or "Sheriff's Office, (last name)". The administrative lines should be given priority over the intercom calls.

D. INTERCOM CALLS

Warren County Sheriff's Office Dispatchers will strive to also be prompt in answering the intercom calls from inside our offices. It is understood that these calls are the lowest in order of priority when carrying out the communications function.

E. MISDIRECTED EMERGENCY CALLS

It is the policy of the Warren County Sheriff's Office to follow the written guidelines developed and implemented by the Bowling Green Police Department Communications Center's policy dealing with misdirected emergency calls.

F. MAPS

It is important to have up to date map files when taking calls for service. Electronic map files will be kept current with periodic updates from the Bowling Green Police Department / 911 center. Map data shall be made available via communications.

G. PORTABLE RADIOS

It is the policy of the Warren County Sheriff's Office that all patrol deputy deputies shall be issued a portable radio, with pre-set frequencies, recharging equipment, and one extra battery. Each deputy will be responsible for the charging; upkeep, and general care for their assigned portable radio. Any problems with radio communication shall be reported to a supervisor as soon as possible. The Support Services Division will be responsible for coordinating acquisition and repair when necessary.

H. RECORDINGS

It is the policy of the Warren County Sheriff's Office to follow the written guidelines developed and implemented by the Bowling Green Police Department policy dealing with 911 recordings. Once calls are transferred to the Warren County Sheriff's Office, all requests for recordings shall be directed to a Communications Supervisor or Support Services Division Manager. All requests for recordings will be documented and will be provided at the discretion of the Sheriff or Support Services Division Manager.

I. RELEASE OF RECORDINGS

It is the policy of the Warren County Sheriff's Office to follow the policies and guidelines set forth the Warren County Sheriff's Office Policy and Procedure Manual with regard to public release of recordings. Any requests, made for copies of recorded radio calls and/ or telephone calls, must have the approval of the Sheriff or his designee before its release.

J. DOCUMENTATION OF INCIDENTS

All calls for service shall be documented in the Computer Aided Dispatch system (CAD). Dispatchers should include as much information as possible to assist in the over-all mission of the Office.

K. LANGUAGE INTERPRETATION

Under Title VI of the Civil Rights Act of 1964, all agencies, including police agencies who receive Federal funding are required to provide clear meaningful access to all persons regardless of their national origin or by proxy, their ability to speak English. In the event of a call for service where language interpretation is needed, the dispatcher shall contact the approved vendor via telephone and conference in the interpreter. In the event a deputy requests assistance in the field, they should immediate contact the approved vendor to provide assistance. The dispatcher should forward a copy of the CAD incident to the Support Services Division Manager for vendor billing accountability.

L. TELEPHONE MESSAGES / VOICEMAIL

Each patrol deputy is given a voicemail box. If a call comes in for a deputy that is on-duty, the dispatcher will connect them to the call if available. If the deputy is not available, a deliver a message CAD incident will be created and given to the deputy when he/she is available. If the deputy is not on duty, the dispatcher will transfer the caller to the deputy's voicemail. A current list of these voicemail numbers will be kept on file in the radio room.

M. RADIO RESPONSIBILITY / PRIORITY / TRANSMISSIONS

The primary responsibility of a dispatcher is to transmit available information to responding units to ensure they have the necessary information to respond to the call in the safest and most efficient manner possible.

The radio will be given the first priority of communications and will be monitored closely at all times. All radio traffic should be **ACCURATE, BRIEF, AND CLEAR**. Deputies calling in will not be told to "stand-by" until the nature of their traffic is known. Deputies should be given the chance to make an emergency transmission if necessary.

Dispatchers will strive to keep all emotion out of their voice during each transmission. The dispatcher controls the tone of the call. If the dispatcher becomes excited, panicked, flustered, agitated or in any way too emotional, it will affect the responding units. Each dispatcher will speak in a clear voice with distinct enunciation and with sufficient volume to be easily understood at all times. Radio headsets are provided to each dispatcher and must be worn by the primary and back-up dispatch positions at all times.

N. EMERGENCY ALERT / PANIC BUTTONS

Portable and mobile radios are equipped with emergency alert / panic buttons. When the emergency button is activated, the radio monitor in the Communications Center will display the DEC ID of the portable radio or mobile radio that was activated. The dispatcher can search in CAD on the DEC ID and determine which unit activated the alert. When an emergency button is activated, the dispatcher shall hold traffic on the channel and get units dispatched to the location where the deputy is located. Normal traffic should not be resumed until the status of the deputy in questions is verified.

O. EMERGENCY MANAGEMENT / RESCUE DEPARTMENT NOTIFICATIONS

The following incidents are part of the reporting procedures for all Kentucky Emergency Management Agencies. These directives are from the Kentucky Division of Emergency Management and were effective November 1, 2004. The local Director or their designee shall create a local incident report and a summary report to the Kentucky Division of Emergency Management Duty Officer. The local Director or Designee and the KYEM Duty Officer shall be notified of the following incident Reponses:

- a. School bus accident with injuries – Please obtain which school the bus is from and the bus number.
- b. Diesel fuel spills > 75 gallons
- c. Gasoline spills > 25 gallons
- d. Any spill threatening a waterway
- e. Bomb Threats
- f. Search & Rescue missions lasting over 4 hours (State KYEM)(AMBER ALERTS)
- g. Missing Alzheimer's or brain disorder patient (GOLDEN ALERTS\)
- h. SARA Title III event (Facility chemical spill) including anhydrous ammonia
- i. Events requiring the Governor's office
- j. Severe weather causing significant damage (damaging winds, heavy rains with flooding, significant snow or ice storms and Tornadoes)
- k. Major power outages
- l. Evacuations
- m. Earthquakes
- n. Train derailments
- o. Aviation accidents
- p. Major urban fires
- q. Industrial fires or explosions
- r. Public utility fire or explosion
- s. Terrorist or WMD Incident
- t. Any transportation incident involving large quantities of propane, natural gas, diesel fuel, aviation fuel, kerosene or other volatile fuel, and spills of animal parts or waste
- u. Any medical event reported by local Health Departments to include “ White Powder Incidents”
- v. Outbreaks of foreign animal diseases
- w. Major road closures > 1 Hour
- x. Activation of the Local Rescue Squad for any service request.

P. RELEASE OF WARRANT INFORMATION

Warrant information shall not be given out to the public without supervisor approval. The service status of Emergency Protective Orders can be released to parties involved. Information on warrants and all other paperwork both criminal and civil may be released to other law enforcement and judicial agencies.

III. OPERATIONS / MISCELLANEOUS INFORMATION

A. ACCESS TO THE COMMUNICATIONS CENTER

CJIS security policy states that only the required number of staff to carry out the CJIS / Communications function is permitted to be in the radio room. For security of the CJIS system and to distract the dispatchers from providing communications, the radio room is restricted to authorized personnel only. Only personnel who have been background checked and fingerprinted will be permitted access to the communications center. Visitors or other non-authorized persons must be escorted by a communications supervisor. Access to the communications center is at the discretion of the Sheriff or the CJIS Terminal Agency Coordinator.

B. ON CALL INFORMATION

The dispatcher will have access to on call information for those persons who may be needed on a 24-hour basis. Communications personnel will maintain on call information for the following people:

- a. Detectives
- b. PIO
- c. Court Designated Workers
- d. Social Services personnel
- e. WCSO IT personnel
- f. Warren County Road Department / State Highway Department
- g. WCSO canine unit
- h. Collision reconstructionist
- i. Animal Control Deputies
- j. Warren County Emergency Management
- k. Warren County Rescue Department

Whenever possible, the on call information maintained will include the name, time span on call, home phone and cellular phone numbers.

C. PERSONNEL STAFFING / PUNCTUALITY

There will be no less than two dispatchers on duty at any time. If a dispatcher becomes ill or must leave work for any reason for a time period longer than a normally scheduled break, the communications supervisor on duty or on call should be immediately contacted.

All members should strive to be punctual according to the schedule.

D. DAILY WORK DUTIES

In addition to dispatching calls for service and paperwork responsibilities, dispatchers are responsible for the following duties each day they work:

- a. Reading Office email and checking their mailbox
- b. Checking the schedule for any changes
- c. Cleaning the assigned station in the radio room
- d. Briefing the on-coming shift of the calls / situations during the shift
- e. Reviewing the calls for service for the prior shift in CAD
- f. Checking the CJIS baskets and completing any paperwork pending

E. SICK LEAVE

All Support Services Personnel will notify a supervisor or the Manager on duty or on call if they will be unable to work their shift due to illness at least two hours prior to duty time if possible. A member calling in must speak with a supervisor. Leaving a message on voicemail or leaving a message with another member is not acceptable. If no supervisor is on duty, then the on call supervisor should be contacted. Sick leave shall be used only for legitimate instances of illness.

F. LEAVE REQUEST

Request for leave should be submitted by the Tuesday prior to the schedule being posted. All leave request require a supervisor's approval. It shall be understood that there is a 24 hour coverage requirement and not every request for leave will be granted. Members shouldn't make reservations or book vacations without approval for the leave.

G. TRAFFIC SIGNS AND SIGNALS

All traffic sign and signal requests shall be documented in CAD and reported to the appropriate agency for notification in a timely manner.

H. EMERGENCY PROTECTIVE ORDERS

From 0800-1600, requests for Emergency Protective Orders shall be forwarded to the Domestic Violence Division of the Warren County Circuit Court Clerk's Office. After hours requests, should be handled in the Warren County Sheriff's Office. The dispatcher shall take the information and have a deputy confirm that the situation meets the criteria for domestic violence. If the relationship and situation meets the criteria, a supervisor should be contacted to respond. The dispatcher should make all the necessary documentation in CAD.

I. BRIEFING SHEET

Dispatchers will prepare a briefing sheet for each oncoming patrol shift and send it via email:

The briefing sheet should include, but is not limited to, extra patrols, missing persons, stolen vehicles, attempt to locates, and any other information that may enhance officer safety and efficiency. Extra patrols should typically remain on the sheet 7 days unless it has been requested that the item remain longer. Items that are critical to

officer safety such as escapees or wanted persons should remain until the person is found. Each shift of dispatchers are responsible for preparing the briefing sheet for the next patrol shift and responsible for adding all pertinent information that occurred on their shift such as robberies, missing juveniles, etc. so the information will be available for the oncoming shift.

Information regarding incidents that occur in areas surrounding Warren County may be put on the briefing. Any teletype received from surrounding areas which impact officer safety should be placed on the briefing sheet, particularly if a vehicle description is included.

Items placed on the briefing sheet must contain on whose authority the item was added, the dispatcher's badge, and the date that it was added.

The Communications Center keeps a list of scheduled court dates from the Warren District Judges. Dispatchers are responsible for making sure the correct traffic and misdemeanor court dates and times are listed on the briefing sheet.

Dispatchers are responsible for keeping the on call information listed on the briefing up to date.

Each shift of dispatchers are responsible for sending the most current briefing out via email to all patrol deputies of the on-coming shift. First shift dispatchers are responsible for removing any outdated information and ensuring on call information and court dates are accurate.

J. REQUEST FOR TRANSPORTATION OF PRISONERS

The transportation coordinator is responsible for the processing of requests for prisoner transportation. During business hours, all requests shall be forward to the transportation coordinator for processing. Requests for transportation should include information about the prisoner, the holding facility, and the facility in which the prisoner is to be transported to. If after hours, the dispatcher should document the request and consult with a patrol supervisor. All pending transport orders should be directed to the next shift at shift change.

K. DEPARTMENTAL INCIDENTS

All work related injuries, Sheriff vehicle incidents, building security incidents, and unusual occurrences should be documented in CAD and on a Communications Incident Form. Any work related injury / Sheriff vehicle incident requires a patrol supervisor and communications supervisor notification.

L. WEATHER ALERTS

All Dispatchers will broadcast weather alerts that pertain to Warren County or alerts that could move into Warren County. The broadcast should be made via radio and logged in CAD.

M. PERSONAL COMMUNICATION DEVICES

Personal communication devices, to include cell phones, will not be allowed while on duty in the Communications Center or Records Section unless explicitly authorized by the Communications Center Supervisor or chain of command - on a case-by-case basis - or in the event all other telephone communication has failed. The use of a personal communication device for the purpose of calling, sending or receiving text messages or internet access, while in the Communications Center or Records Section, is expressly prohibited without authorization.

All "calls for service" will be dispatched by radio unless explicitly authorized by the Communications Center Supervisor or chain of command, or unless exigency requires an alternate form of communication – to include dispatching bomb threats or other, easy to articulate, officer safety/public safety considerations.

Deputies will not be dispatched to, or respond to, non-Sheriff related calls for service, to include other emergency responder calls for service (i.e., Medical Emergency) unless the agency of authority requests Sheriff presence. This does not prohibit Deputies from rendering aid to any person if they, in the course of their normal duties, are presented with an opportunity to do so.

Warren County Sheriff's Office

GENERAL POLICY

IDENTIFIER

28.02

EFFECTIVE DATE: 03/06/15

REVISION DATE: 03/01/2020

AUTHORIZED BY: Sheriff Brett Hightower

TITLE: CRIMINAL JUSTICE INFORMATION SYSTEMS

CRIMINAL JUSTICE INFORMATION SYSTEMS

I. POLICY

The Warren County Sheriff's Office maintains full-access to Criminal Justice Information Systems ("CJIS"). It shall be the policy of the Warren County Sheriff's Office to comply with the provisions and guidelines of the Kentucky State Police CJIS Audit Staff and the Federal Bureau of Investigations National Crime Information Center policies and procedures.

II. PROCEDURE

A. BACKGROUND CHECK

All employees having access to CJIS information shall be fingerprinted and have a background check completed, as provided by CJIS Security Policy. Every employee of the Warren County Sheriff's Office will sign a CJIS & Local Network Security Agreement upon employment. All employees will complete appropriate required CJIS training.

B. ADMINISTRATION

The Sheriff shall appoint someone to serve at the CJIS Terminal Agency Coordinator and the CJIS Security Point of Contact. These appointees shall have administrative authority over employees with regard to CJIS information, policies, and procedures. These appointees shall serve as a liaison between Warren County Sheriff's Office and the Kentucky State Police and the Federal Bureau of Investigations.

C. PERSONAL USE

No employee of the Warren County Sheriff's Office shall use any CJIS information for anything other than criminal justice purposes.

D. DISCIPLINARY ACTION

Any employee who is found to have used the system against policy is subject to disciplinary action, termination, and/or criminal prosecution. The severity of the infraction shall be decided by the Sheriff and can escalate at his discretion.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 28.03	EFFECTIVE DATE: 01/01/18 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: CJIS PHYSICAL, NETWORK, AND MEDIA PROTECTION		

CRIMINAL JUSTICE INFORMATION SYSTEMS SECURITY

I. POLICY

The Warren County Sheriff's Office will comply with CJIS Security Awareness policy in regards to physical and virtual access, media disposal, and incident reporting.

II. ACCESS

A. ELECTRONIC MEDIA

Only Authorized Users shall have access to electronic devices which support CJI. These devices will also be supported by appropriate security systems/programs and appropriate passwords.

B. PHYSICAL MEDIA

Authorized IT or other qualified and authorized staff will ensure Physical Media meet acceptable standards in regards to maintaining proper protection of data as technology and devices change. This will include adequate encryption and password protection as determined by any possible state and or federal regulations as well as IT recommendations.

C. ACCESS TO THE COMMUNICATIONS CENTER

The radio room is restricted to authorized personnel only: Only personnel who have been background checked and fingerprinted will be permitted access to the communications center. Visitors or other non-authorized persons must be escorted by a communications supervisor. See also 28.01 III, A.

III. MEDIA DISPOSAL

Any and all electronic media will be properly sanitized or destroyed according to CJIS Security Awareness policy: All electronic media (and component physical media) will be overwritten multiple times or completely destroyed in compliance with CJIS Security Policy.

IV. REPORTING

28.02: II, B: The Sheriff shall appoint someone to serve at the CJIS Terminal Agency Coordinator and the CJIS Security Point of Contact. These appointees shall have administrative authority over employees with regard to CJIS information, policies, and procedures. These appointees shall serve as a liaison between Warren County Sheriff's Office and the Kentucky State Police and the Federal Bureau of Investigations.

- A.** Any Security Incident shall be reported to the CJIS Security Point of Contact. Incidents shall then be investigated, properly documented, and appropriate action taken to address the situation.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 29.01	EFFECTIVE DATE: 05/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: OSHA AND KOSHA (FEDERAL AND STATE REGULATIONS)		

OSHA AND KOSHA (FEDERAL AND STATE REGULATIONS)

I. POLICY

The Warren County Sheriff's Office will provide and maintain Infectious Disease Kits (OSHA Kits) for all personnel having direct contact with the public during their normal tour of duty. All personnel are required to participate in the mandatory state training of blood borne infectious diseases and responses to hazardous materials shall do so, as prescribed by law. This policy pertains to all Warren County Sheriff's personnel until it is suspended, revoked or superseded.

II. PROCEDURE

A. Distribution of Protective Kits

1. Distribution, maintenance and inspection of protective kits will be the responsibility of the Sheriff, or his designee, who will establish control of the disbursement, re-ordering and upkeep of these kits.
2. As a general rule, OSHA kits should be stored in each deputy's vehicle used by street duty personnel. Personnel assigned to non-street duty functions shall have immediate access to these kits that shall be stored in a container, clearly marked. These items are provided to the employee at no costs. These kits shall contain:
 - a. Biohazard bags (red bag).
 - b. Change of clothing.
 - c. Mask for face protection.
 - d. Latex gloves.
 - e. Disinfecting solution.
 - f. Sharps container.
 - g. One way CPR mask or bag valve mask.

- h. Protective shoe coverings.
- i. Ballistic Vest - (All deputies operating marked units, assigned to street activities, will have a ballistic vest made available to them.)
- j. Traffic Safety Vest.
- k. Binoculars.
- l. Fire Extinguisher.
- m. Emergency Response Guidebook

B. Procedures for the use of OSHA Kits

- 1. In all cases where blood or bodily fluids are present and personnel are to come in digital (hand) contact with this material, double rubber gloves should be worn on the hands of the examining personnel.
- 2. In cases where there is blood present on the floor and personnel must walk through this material, deputies should use surgical shoe covers. Deputies should be aware that once leather is contaminated it is very difficult, if not impossible, to decontaminate.
- 3. In cases where personnel are required by the scene to crawl or otherwise come in contact with possible contamination other than feet and gloves, disposable barrier jump suits, should be worn.
- 4. Eye protective equipment and surgical masks should be worn only when personnel are required to examine or remove potentially contaminated material from ceiling or other overhead structures. After use, eyewear should be cleansed thoroughly with alcohol or 10:1 water and bleach solution before storing.
- 5. After one time use of the gloves, shoe covers, mask and jump suit, items should be placed into a biohazard bag or a proper container and marked as bio-hazardous material. This bag should then be disposed of properly. When in doubt, contact Fire, EMS, or local hospital facilities for recommendations for proper disposal.
- 6. Hearing protection will be provided as needed for all deputies.

C. Portable Fire Extinguishers

- 1. All deputies' patrol vehicles will have properly maintained fire extinguishers to be used in case of fire emergency.

- a. All personnel having immediate access to a fire extinguisher shall be properly trained and re-certified in its effective use annually. The Warren County Sheriff's Office will maintain records of such training.

D. TRAINING/ HAZARD COMMUNICATION

- 1. All deputies shall participate in the following mandatory training:
 - a. Confined space
 - b. Fire extinguisher use
 - c. Hazardous materials (as required by KRS).
 - d. HIV/Hepatitis and other blood borne pathogens
 - e. Employee Training(s) including Roll Call Training(s)
 - f. Labeling / Signs (such as posted in the evidence processing area at the Sheriff's Office)
 - g. Material Safety Data Sheets

E. HEARING CONSERVATION PROGRAM

- 1. All deputies shall have a base line audiogram preformed during initial hiring physical exam.
- 2. Deputy's will have access to ear protection that will be worn at all firing ranges and in other situations where they are needed.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 29.02	EFFECTIVE DATE: 03/01/2014 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: BLOODBORNE / INFECTIOUS DISEASES		

BLOODBORNE/ INFECTIOUS DISEASES

I. POLICY

It is the responsibility of the Warren County Sheriff's Office to take all reasonable measures to allow its members to perform their duties in a safe and effective manner. The safe performance of daily operations is threatened by the HIV, AIDS, and Hepatitis B (HBV) viruses that can be contracted through exposure to infected blood and several types of bodily secretions. Therefore, it is the policy of this agency to continuously provide its employees with information and education on prevention of these diseases; provide up-to-date safety equipment and procedures that will minimize their risks of exposure and to institute post-exposure reporting evaluation and treatment for all members exposed to these diseases.

This policy and the practices and procedures shall not conflict with the Office's role in the community. When appropriate protective equipment is available, no member shall refuse to arrest or physically handle or assist any person who may carry the HIV, AIDS, or HBV viruses. This policy pertains to all Warren County Sheriff's personnel until it is suspended, revoked or superseded.

II. PURPOSE

The purpose of this policy is to provide deputies with guidelines for preventing the contraction of HIV, the AIDS virus, Hepatitis B, and other communicable diseases.

A. Discussion

1. AIDS (Acquired Immune Deficiency Syndrome) is a disease that undermines the body's immune system, making individuals susceptible to infections and diseases not generally life-threatening to persons with normal immune systems. AIDS also causes disorders of the central nervous system.

2. AIDS is caused by a virus known as Human Immune Deficiency Virus (HIV). HIV infects and destroys certain white blood cells, thereby undermining the body's ability to combat infection. One can be infected with HIV for years without ever developing symptoms of AIDS. Infected persons can transmit the virus even though they may not have symptoms of AIDS.
3. Chronic Hepatitis B is a life-long liver disease caused by infection with the Hepatitis B Virus (HBV). HBV can survive outside the body; therefore it can survive for days after blood has dried.

B. General Infection Control Procedures

In order to help minimize the risk of exposure, members of the Warren County Sheriff's Office shall observe the following measures:

1. Avoid needle sticks and other sharp instrument injuries.
2. Wear gloves when contact with blood or body fluids is likely.
3. Use disposable shoe coverings if considerable blood contamination is encountered.
4. Keep all cuts and open wounds covered with clean waterproof bandages.
5. Avoid smoking, eating, drinking, nail biting, and all hand-to-mouth, hand-to-nose, and hand-to-eye actions while working in areas contaminated with blood or body fluids.
6. Wash hands thoroughly with soap and water after removing gloves and after any contact with blood or body fluids.
7. Clean up any spills of blood or body fluids thoroughly and promptly, using a 10:1 household bleach dilution.
8. Clean all possibly contaminated surfaces and areas with a 10:1 household bleach dilution.
9. Place all possibly contaminated clothing and other items in clearly identified impervious plastic bags labeled with the Universal Biohazard Symbol.

C. Specific Situations and Incidents

1. Human Bites
 - a. While the risk of infection through human bites is already very low, members of the Warren County Sheriff's Office shall observe the following precautionary measures, if a member is bitten.

- b. Encourage "back-bleeding" by applying pressure and milking the wound", as with a snakebite;
 - c. Wash the area thoroughly with soap and hot water; and
 - d. Seek medical attention as soon as possible
- 2. Searches

Cuts, needle sticks, and puncture wounds might be sustained by deputies while searching suspects, motor vehicles, residences, and a variety of other locations. There is a particular concern regarding searches of areas where sharp objects may be hidden from view - such as pockets and spaces beneath car seats. The following precautionary measures will help to minimize the risk of infection:

- a. Deputies should assume that all persons are potential carriers of HIV, AIDS, HBV, or other infectious diseases;
- b. Whenever possible wear disposable latex gloves and feel slowly and carefully.
- c. Whenever possible ask the suspect if they have anything on them that may stick, stab, or cut you;
- d. Whenever possible, ask suspects to empty their own pockets;
- e. Whenever possible a flashlight and/or mirror should be utilized to search hidden areas;
- f. Avoid putting your fingers or hands near the suspects mouth

3. Handling and Analysis of Evidence

When handling and/or analyzing evidence deputies should follow the following practices;

- a. All personnel who have direct or indirect contact with blood or body fluids should wear protective gloves.
- b. Gloved hands should not contact other items or non-contaminated pieces of evidence.
- c. Face shields or protective eyeglasses and masks should be worn if there is potential for splattering of blood or body fluids.
- d. Smoking, eating, and drinking are prohibited when handling potentially contaminated evidence.

- e. Fingers, pencils, and other objects should be kept out of and away from mouths, avoid wiping mouth, eyes, or any other part of the face while handling evidence.
- f. All sharp instruments such as knives, scalpels, and needles shall be handled with extreme caution and should be considered contaminated.
- g. Needles should never be recapped, bent, broken, removed from a disposable syringe or otherwise manipulated by hand.
- h. Needles and other contaminated or potentially contaminated sharp objects shall be placed or packaged in a puncture resistant, leak proof container and marked as biohazardous.
- i. Deputies working areas for extended periods of time where blood or other bodily fluids have been shed (for example, crime scene personnel working for protracted periods of time at homicide scenes) should wear anti-contamination clothing such as suits, masks, boot covers, and gloves.
- j. Evidence contaminated with blood or any other bodily fluids shall be completely dried, bagged in a paper bag and marked to identify potential or known communicable disease contamination.
- k. All potentially contaminated evidence shall be labeled with an orange or orange/red label bearing the universal biohazard symbol.
- l. All Evidence Processing areas should be cleaned thoroughly before and after the processing of any evidence to prevent cross contamination.
- m. Wash hands thoroughly after handling contaminated or potentially contaminated items.

D. Custody and Transport of Prisoners

- 1. Deputies should not put their fingers in or near any person's mouth.
- 2. Individuals with bodily fluids on their persons shall be transported in separate vehicles from other persons.
- 3. Deputies have an obligation to notify relevant support personnel during a transfer of custody when the suspect has bodily fluids present on his/her person, or have stated that he/she has a communicable disease by using the terms "Universal Precautions".
- 4. Suspects taken to the Warren County Regional Jail, Warren County Regional Juvenile Detention Center, or any other detention facility with bodily fluids on his/her person shall notify the intake deputy of presence of bodily fluids and all relevant facts pertaining to the fluids or any comments made by the suspect regarding communicable diseases.

E. Vehicle Disinfecting Procedures

1. In the event that a Sheriff vehicle becomes contaminated a supervisor shall be notified and the vehicle shall be removed from service until disinfected.
2. The contaminated vehicle shall be disinfected by the deputy utilizing said vehicle at time of contamination or other authorized personnel (with supervisor's approval).
3. Any vehicle that has become contaminated shall be disinfected prior to the affected deputy and supervisor ending his or her tour of duty for that day.
4. Supervisors are responsible for insuring that the contaminated vehicle has been properly disinfected before vehicle is returned into service.
5. Recommended disinfecting procedures shall be undertaken as quickly as possible and are as follows:
 - a. Protective disposable gloves will be worn during all phases of disinfecting. Deputies and maintenance personnel should be aware that rings, jewelry or long fingernails may comprise the structural integrity of the gloves. They should make certain the gloves are not torn before they attempt to begin any phase of the maintenance process.
 - b. Any excess of blood or bodily fluids should first be wiped up with disposable absorbent materials. Afterwards, the absorbent materials should be immediately placed in a plastic bag and placed in the designated "Contaminated Item Receptacle".
 - c. The affected area shall be cleansed with a 10:1 household bleach dilution and allowed to air dry for no less than ten minutes.
 - d. Deputies shall be careful not to contaminate themselves during this cleaning and disinfecting process or when removing their disposable protective gloves.
 - e. During the cleaning and disinfecting process deputies should pay special attention to any cracks, crevices or seams that may be holding fluids.

F. Property Contamination

1. When Office-issued or personal property is contaminated by blood or bodily fluids in the line of duty, deputies will place the items in a sealed plastic bag, until disinfected. The deputy will verbally inform the shift supervisor when possible infectious disease-contaminated items are transferred to their custody.
2. If the shift supervisor determines that effective disinfecting procedures are not

practical, deputies will leave the property with the shift supervisor for disposal and direct a letter through the chain of command to the Sheriff for replacement.

3. The correspondence should include;
 - a. The circumstances by which the property became contaminated.
 - b. The name of the shift supervisor who confirmed that disinfecting procedures were not practical.
 - c. Whether any person was charged with destruction of public or private property, due to the circumstances by which it became contaminated.

G. Vaccination, Exposure, Evaluation and Treatment

1. All members of this agency who have been determined to be at risk for occupational exposure to the Hepatitis B Virus shall be provided with the opportunity to take the HBV vaccination series at no cost to the employee. This vaccination series will be administered through the agency's designated health care provider.
2. Any member of this agency who has unprotected physical contact with blood or other bodily fluids of another person while in the line of duty shall be considered to have been potentially exposed to HBV and/or HIV.
3. In cases of exposure, an employee shall complete an incident report and medical (worker's comp) forms. The incident report documenting the means and circumstances under which the exposure occurred and forward through the chain of command to the Sheriff.
4. Immediately after exposure, the deputy shall proceed to the designated health care facility for tests of evidence of infection and treatment of any injuries.
5. This agency shall ensure continued testing of the deputy for evidence of infection and provide counseling as determined necessary by the health care official.
6. The deputy shall receive a copy of the health care provider's written opinion and information on any conditions resulting from the exposure that require further evaluation or treatment.
7. Unless disclosure to an appropriate departmental official is authorized by the deputy or by state law, the deputy's medical evaluation, test results and any follow-up procedures shall remain confidential and not be stored in the deputy's personnel file.
8. Deputies who test positive for HIV or HBV may continue working as long as they maintain acceptable performance and do not pose a safety and health threat to themselves, the public, or other members of this agency.

9. The agency may require an employee who has tested positive for HIV or HBV to be examined by the agency's designated health care physician to determine if he/she is able to perform his/her duties without hazard to self or others. All decisions regarding the employees work status shall be made solely on the medical opinions and advice of the designated health care physician.
10. All members of this agency shall treat employees who have contracted a communicable disease fairly, courteously, and with dignity.

H. Record Keeping

1. This agency shall maintain an accurate record for each employee with occupational exposure that includes information on vaccination status; the results of all examinations, tests and follow-up procedures; the health care physician's written opinion; and any other pertinent information provided by the health care physician.
2. These health care records shall be retained in a secured area with limited access for the duration of the member's employment plus thirty (30) years and may not be disclosed or reported without the express written consent of the employee.

I. Training

1. The agency shall ensure that all members with occupational exposure risks are provided with a complete course of instruction on the prevention of bloodborne diseases prior to their initial assignment.
2. All affected members of this agency shall receive training on a yearly basis on the prevention of bloodborne diseases. This training shall be done through a complete review of this policy and/or a complete course of instruction on the prevention of bloodborne diseases.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 30.01	EFFECTIVE DATE: 10/28/2016 REVISION DATE: 03/01/2020
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: BLUEGRASS AND CENTRAL KENTUCKY UNIFIED POLICE PROTECTION SYSTEM		

Bluegrass and Central Kentucky Unified Police Protection System (BACKUPPS)

I. POLICY

The purpose of this SOP is to provide policies and procedures for law enforcement officers employed by Member Entities of the Interlocal Agreement (“the Agreement”) creating the Bluegrass and Central Kentucky Unified Police Protection System (BACKUPPS) as required in paragraph 3.5 of the agreement.

II. GENERAL

- A. The policies and procedures contained herein are **mandatory** for all law enforcement officers employed by a jurisdiction participating in the Agreement, unless that jurisdiction obtains the approval of the BACKUPPS administrative Board to use a different SOP. Failure to follow these policies may result in disciplinary action. However, in no event shall failure to follow these policies affect the authority of an officer to exercise the rights, responsibilities, powers and immunities granted to him or her under the terms of the Agreement, including but not limited to the right to enter the jurisdiction of another member entity and to exercise the powers of arrest therein.
- B. Upon agreement of the chief law enforcement officers of the host and visiting Member Entities, any of the policies and procedures may be waived on a case by case basis.

III. DEFINITIONS

- A. The definitions contained in the Agreement are incorporated as though set forth herein.
- B. “Incidental enforcement action” means action of a law enforcement officer that is unrelated to the officer’s reason for entry into a host jurisdiction. Generally, only felonies or misdemeanors witnessed by a police officer while visiting a host jurisdiction require incidental enforcement action. This includes action taken by an officer who resides in the host jurisdiction.
- C. “Intended enforcement action” means action of a law enforcement officer that is directly related to the officer’s reason for entry into a host jurisdiction.

Investigations, undercover operations, and criminal interdictions are examples of direct enforcement actions.

- D. "Host jurisdiction" means the jurisdiction, other than an officer's home jurisdiction, in which an officer is performing law enforcement activities. If an officer is performing law enforcement activities in a county, but not within the corporate limits of a city, the county shall be the host jurisdiction. If an officer is performing law enforcement activities in the corporate limits of a city, the city shall be the host jurisdiction.

IV. PROCEDURES

- A. An officer shall not take incidental enforcement action unless he or she directly witnesses a risk to public safety or a risk of substantial injury to a person, or unless requested by the host jurisdiction to provide such action or assistance.
- B. Officers shall not perform routine traffic details (for example, radar checks and seatbelt and DUI checkpoints) in a host jurisdiction unless the chief law enforcement officer of the host jurisdiction requests such action.
- C. Officers shall coordinate intended enforcement action with the appropriate law enforcement agency (ies) of the host jurisdiction.
- D. Complaints of misconduct of an officer who performs law enforcement action in a host jurisdiction shall be directed to the officer's home jurisdiction for investigation. Officers in the host jurisdiction where the complaint occurred shall fully cooperate with the investigation.

V. NOTICE

- When Notice Shall be Provided
 - ▲ Whenever an officer, acting under the authority of the Agreement, enters a host jurisdiction for the purpose of performing an intended enforcement action, such officer shall, to the extent feasible, provide the host jurisdiction with the information sufficient to enable the host jurisdiction to provide assistance to the officer.
 - ▲ In the Event it is not feasible for an officer performing an intended enforcement action to provide notice to the host jurisdiction prior to entry, the officer shall provide such notice as soon as practical after entry.
 - ▲ Officers performing undercover operations shall, in all circumstances, contact the host jurisdictions on duty supervisor immediately prior to entry.
 - ▲ Whenever an officer, acting under the authority of the Agreement, has need to take incidental enforcement action within a host jurisdiction,

such officer shall, to the extent feasible, provide the host jurisdiction with notice prior to initiating the action. The officer shall provide the host jurisdiction with information sufficient to enable the host jurisdiction to provide assistance to the officer.

- ▲ In the event it is not feasible for an officer performing an incidental enforcement action to provide notice to the host jurisdiction prior to initiating the action, the officer shall provide such notice as soon as practical after taking action.
- How Notice is Accomplished
 - ▲ Notice to a host jurisdiction shall be accomplished through dispatch or by direct communication with the host jurisdiction. Under emergency circumstances, an officer may request his or her own dispatch provide notice to the host jurisdiction.

VI. JURISDICTION AND CUSTODY

In all enforcement actions performed within a host jurisdiction, the circumstances of the case and the discretion of the officers and prosecutors involved shall determine which Member Entity has jurisdiction over a case and/or custody of persons under arrest, evidence and seized property.

VII. COMMAND AND RANK STRUCTURE

An officer performing law enforcement action in a host jurisdiction shall remain under the rank structure and operating policies of his or her own agency. However, the on-scene supervising officer of the host jurisdiction shall be in command. Officers performing law enforcement actions in a host jurisdiction shall be respectful of the officers of the host jurisdiction, regardless of rank.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 31.01	EFFECTIVE DATE: 03/01/2020 REVISION DATE:
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: COURT SECURITY OFFICER FUNCTIONS		

Court Security Officer Functions

I. POLICY

ROLE AND AUTHORITY OF COURT SECURITY OFFICERS:

By order of KRS chapter 70.140, The Sheriff shall, by himself or deputy, attend and keep order in the fiscal court and any court of the Court of Justice and shall obey the orders of said courts, but a certified court security officer may only attend and keep order in any court of the Court of Justice and shall obey the orders of said court.

II. PROCEDURE:

Warren County Court Security Officers are prohibited from exercising law enforcement actions outside of the Warren County Justice Center property. If a crime is witnessed by the Court Security Officer outside of the Justice Center property, he or she shall immediately contact their supervisor and report the activity to dispatch or call 911 as circumstances require. All Court Security Officers shall report for duty on time and follow the grooming standards set forth by Warren County Sheriff's Office policy and procedure. Please refer to the Warren County Sheriff's Office Justice Center Standard Operating Procedures for topics not covered in this policy section.

Attend the Court Security Officer basic training two week course within the first year of hire unless already POPS certified.

Warren County Sheriff's Office

GENERAL POLICY	IDENTIFIER 32.01	EFFECTIVE DATE: 03/01/2020 REVISION DATE:
AUTHORIZED BY: Sheriff Brett Hightower		
TITLE: ADVANCED DEPUTY / MASTER DEPUTY		

I. PURPOSE

It is the policy of the Warren County Sheriff's Office to encourage employees to remain with the agency and to reward their years of service. The WCSO has created the Advanced Deputy / Master Deputy program to serve the following purposes:

- 1) Enhance the image of the deputy sheriff within the Warren County Sheriff's Office;
- 2) Provide more lateral opportunities to the deputies within the Office; and
- 3) Compensate deputies who have achieved a higher degree of skill and knowledge than that of the average deputy.

The Master/Advanced Patrol Deputy may also be required to perform limited supervisory duties and responsibilities to assist in the daily operations of the agency. The Advanced/Master Patrol Deputy should be a highly skilled, experienced employee who can function at a high level of professionalism and skill with very little direct supervision. The Advanced/Master Patrol Deputy will be expected to represent the Agency in a favorable manner at all times.

II. ELIGIBILITY

All deputies below the rank of Sergeant and meeting the minimum requirements for Advanced Patrol Deputy, or Master Patrol Deputy, will be eligible to apply by the method described below. Employees seeking the APD or MPD appointment must be off probation in order to be eligible.

III. CONDUCT

The Advanced Patrol Deputy, and the Master Patrol Deputy will be expected to maintain a higher standard of conduct than that of the average employee. All Advanced Patrol Deputy, Master Patrol Deputy, candidates will be expected to adhere stringently to the Code of Conduct policy. Any misconduct may result in removal of the assignment and associated pay. Removal of assignment from APD/MPD will be for a minimum of one year. Employees having APD/MPD will be notified at the time of the removal when they may re-apply for the assignment.

IV. AD / MD APPLICATION PROCESS

Each deputy will be responsible for completing and submitting his/her own application for consideration to the assignment of Advanced Deputy and Master Deputy. Applications will be accepted year-round.

The Chief Deputy will be the agency point of contact with the Kentucky Law Enforcement Council CDP program and will provide assistance to employees seeking CDP certificates.

Deputies applying will be eligible for the assignment after completing probation. The applicant must have an acceptable rating on their most recent employee evaluation. The applicant will be eligible to apply for AD / MD after receiving the below listed certificates corresponding to the appropriate assignment. (KLEC guidelines for each certificate must be met. Any changes made by KLEC to the forms or program should be considered changes to this policy).

KLEC: Certification Title	Current Title
Intermediate Law Enforcement Officer	Advanced Deputy
Intermediate Deputy Sheriff	Advanced Deputy
Advanced Deputy Sheriff	Master Deputy
Advanced Law Enforcement Officer	Master Deputy

It should be noted that other certifications may be eligible for consideration at the discretion of the Sheriff.

Completed AD / MD applications must be submitted to the employee's chain of command for consideration and approval. Approved applications will be forwarded to the Sheriff for final approval.

Any supervisor recommending the denial of an AD / MD application must attach a memorandum articulating the reason for denial prior to forwarding to the next in the chain of command.

V. ASSIGNMENT PROCESS

All applications will be submitted to the Sheriff through the chain of command. All approved applications for assignment to Advanced Deputy and/or Master Deputy will be forwarded to the Sheriff. All approved assignments will be effective immediately upon approval by the Sheriff. The associated pay increase will be effective the next pay period.

VI. APPEALS PROCESS

The appeals process will be the same as the procedure outlined in grievance procedures.

VII. MINIMUM REQUIREMENTS

Advanced Deputy

- 1) At least four (4) years of service with the Warren County Sheriff's Office.
- 2) Must have an acceptable evaluation for the most recent annual evaluation prior to application.
- 3) Receive KLEC CDP certificate "Intermediate Law Enforcement Officer" or "Intermediate Deputy Sheriff"; or equivalent as approved by the Sheriff.

Master Deputy

- 1) At least seven (7) years of service with the Warren County Sheriff's Office.
- 2) Must have an acceptable evaluation for the most recent annual evaluation prior to application.
Receive KLEC CDP certificate "Advanced Law Enforcement Officer" or "Advanced Deputy Sheriff"; or equivalent as approved by the Sheriff.