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Colorado Spring Police Department
General Order 110
-- Emergency Notification

Active date: 5/11/2007 7:44:59 AM

Supersedes date: 5/24/2005

.01 Purpose

To assign the responsibilities for notifying Staff and on-call personnel of emergencies and serious incidents.

.02 Cross Reference

G.O. 1105, Staff Duty Officer

.03 Discussion

As police agencies must respond to an unpredictable variety of incidents, it is clearly impossible to devise a comprehensive and definitive policy for notifications. The best that can be done is to set up a basic guideline and to trust department personnel to demonstrate professionalism in their use of discretion. The fundamental question is, "Who needs to know in order to act?"

Similarly, an adequate list of cross-references would include most directives in this manual and, therefore, serve no purpose that is not equally well-served by the Table of Contents. Those charged with making notifications are advised to consult whatever directives pertain to the specific kind of incident at hand.

.04 Policy

It is essential that Department Staff Officers be informed immediately of emergencies, critical incidents and other matters that may significantly affect their operational areas or that may require that they take action. The procedures in this General Order are designed to ensure that appropriate Staff notifications are made whenever they are needed. For notifications to operational personnel, field supervisors or others concerned should refer to directives pertaining to the operational situation and cooperate closely with Communications.

.05 Definitions

This space intentionally left blank.

.10 Staff Duty Officer Responsibilities

The Staff Duty Officer will notify the Chief of any matters that require the Chief's attention, including deadly force incidents resulting in injury or death; on-duty or off-duty deaths of officers; serious injuries to officers that require hospitalization; any incident in which an officer seriously injures or kills someone; any situation that is politically sensitive or involves the risk of a major civil liability to the department. The Staff Duty Officer is available on weekends only.

.20 Patrol Sergeant Responsibilities

Patrol Sergeants will use their judgment and experience to determine which incidents require Staff notification, ~~except for the mandatory notifications listed in the next section.~~ ~~Mandatory notifications are listed below:~~

.30 Communications Responsibilities

Communications is responsible for making all emergency notifications other than those given individually to Staff. Communications will ~~routinely~~ notify Staff members via the "Red Team" page of all the incidents categorized by this General Order. ~~Other incidents which require a "Red Team" page or other type of notification will be made at the request of any Staff member or supervisor. and any other event that, at the discretion of a supervisor, may be necessary.~~

Mandatory notifications made by Communications via the "Red Team" page are:

- Change in National Alert Status (Voice notification to Division Commanders is also required.)
- Deadly force incidents resulting in injury or death
- Officer causes death or serious injury to someone
- Member is seriously injured (hospitalized) or killed
- Incidents involving

~~political sensitivity or a major liability risk~~

- Barricaded gunman or hostage incidents
- Explosives incidents of a serious nature
- Major fires, aircraft incidents, or other disasters that require police response
- Major civil disturbances/unlawful demonstrations
- Homicides or suspected homicides,

~~violent suicides, and kidnappings or foul play~~

- Major employee walk-outs or work stoppages

- Major equipment or communication failure
- Major incidents requiring unusual drain on Patrol manpower
- Arrests or other incidents of a sensitive nature involving political or other high profile figures

~~likely to generate special media attention; newsworthy" events~~

-

~~Department Member is charged with a crime~~

~~Communications will generally make emergency notifications at the direction of the on-duty field or investigative supervisors.~~

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Colorado Spring Police Department

General Order 112

-- Emergency Relief Plans

Active date: 5/24/2005

Supersedes date: 1/24/2000

.01 Purpose

To identify key Department personnel necessary for ensuring continuous police service to the community and provide transportation for them during natural disasters, severe weather conditions and other exceptional circumstances which limit the ability to report for duty.

.02 Cross Reference

CALEA Standards 41.2.1; 46.1.2; 46.1.8; 61.3.1; 61.3.2; 81.3.1

.03 Discussion

This space intentionally left blank.

.04 Policy

Only the Chief of Police or designee can activate the Emergency Relief Plan. The decision to activate the plan will be based on information provided to the Chief of Police or designee by on-duty Watch Commanders and collected from available resources: e.g., on-duty Patrol Officers, National Weather Service, etc. At the discretion of the Chief of Police, portions of the plan can be activated, or activation can be limited to certain geographical areas.

.05 Definitions

This space intentionally left blank.

.10 Identifying Key Personnel

The following personnel are considered key personnel in the context of the Emergency Relief

Plan and are included in the transportation program of the plan.

Patrol Bureau

- Division Commander(s)
- Assigned oncoming Watch Commander(s)
- Assigned oncoming Front Desk personnel
- Patrol Support Commander or one Sergeant from TEU/Explosives.
- Highest staffing level possible as determined by the on-duty Watch Commanders.
- Traffic Commander or one Sergeant from Traffic

Communications Section

- Communications Manager
- Minimum of two Public Safety Dispatchers working the Fire consoles
- Shift supervisor
- Minimum of ~~five~~ ~~four~~ Emergency Response Technicians
- Minimum of ~~five~~ ~~four~~ Public Safety Dispatchers working the Police consoles

Records Section

- Section Commander
- One I.D. Technician I (detention system)
- One I.D. Technician II (Headquarters)

Investigations Bureau

- Major Persons Crimes Commander or one Sergeant
- Metro VNI Commander or one ~~Lieutenant~~ ~~Lieutenant~~
- Special Services Commander or one Sergeant
- One investigator from each of the investigative units
- One civilian crime scene investigator

Department Staff

- All Deputy Chiefs

Information Technology ~~Computer Services~~

- One computer technician

Others

- Public Information Officer

.20 Transportation Priorities

The following priority transportation list will be adhered to by on-duty supervisor when coordinating transportation requests:

- Patrol Bureau
- Communications
- Department Staff
- Investigations Bureau
- Records
- Computer Services
- Others

.30 Transportation Requests

Key personnel, as defined in the Emergency Relief Plan, are responsible for notifying their Bureau, Division, Section or Unit supervisor, if available, of their need for transportation. That supervisor will then notify the appropriate on-duty supervisor, giving the employee's name and address. If the appropriate supervisor is not available, the employee will notify the on-duty Watch Commander directly.

The on-duty supervisor will coordinate the transportation program with the on-duty Communications supervisor. Priority for transportation of off-duty personnel, from work assignments to their homes, will rank behind the transportation of oncoming personnel. No off-duty transportation will commence until the on-duty supervisors are satisfied that key personnel transportation is complete and adequate staffing levels have been met, [unless it can be accomplished without significantly impacting the transportation of incoming personnel.](#)

.40 Transportation Vehicles

The Emergency Relief Plan authorizes on-duty supervisors to order the use of Department 4X4 vehicles for transportation purposes. No transportation, however, will be furnished for personnel who live outside the city limits, without the authorization of the Chief of Police or designee.

A list of all Department-owned 4X4 vehicles will be kept in the supervisor's office. If vehicles needed for the transportation program are stored at any location other than police facilities (e.g., the Colorado Springs Municipal Airport or an officer's home), the on-duty supervisor shall immediately take steps to have them moved to a central location for use as transportation vehicles. The Fleet Vehicle Coordinator shall be responsible for updating the vehicle list.

.50 Outside Assistance

The following agencies or individuals can be called on to supplement the provisions of the Emergency Relief Plan. The decision to request outside assistance will be made by the Chief of Police, or designee, in conjunction with the on-duty supervisor.

1. Fort Carson can provide vehicles and drivers to assist in transportation or other needs.

- Contact ~~the~~ Captain or Sergeant Major of Military Police Operations, ~~526-0095. If no answer, contact through~~ the Fort Carson Military Police Operations Desk, 526-2333.
2. The Colorado Mounted Rangers organization has access to tracked vehicles. Requests for their use should be made through the ~~Director of Disaster Emergency Services Agency-Office of Emergency Management~~.
 3. Snowmobiles can be obtained through snowmobile clubs. ~~(598-1219)~~. Drivers will be furnished with each snowmobile.

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Colorado Spring Police Department

General Order 120

-- Communications Protocols

Active date: 6/7/2005

Supersedes date: 6/21/2001

.01 Purpose

To guide personnel in using the police radio communications system in order to ensure effective and efficient command and control of police resources and to maximize employee safety.

.02 Cross Reference

G.O. 962, Vehicles: Emergency Operation
G.O. 965, Vehicles: Pursuits
G.O. 315, Response to Crimes in Progress
G.O. 110, Emergency Notifications
G.O. 1510, Criminal Records Information
G.O. 975, Mobile Computer Procedures
CALEA Standards 12.1.3; 72.4.9; 81.2.5; 81.2.9; 81.3.1; 81.3.4

.03 Discussion

The purpose of the radio communications system is to direct deployment to meet the needs of any situation, to facilitate coordination, to inform Department personnel of situations and responses, and to assure them that all appropriate resources will be used. The Department's communications protocols are based upon the use of disciplined clear speech, which is the clearest and most efficient means of communicating.

.04 Policy

All instructions or orders from Communications shall be accepted as if they had been issued personally by the Chief of Police. All such orders or instructions shall be followed, and attempts to resolve disputes arising from them shall be reserved until after completion of the assignments.

.05 Definitions

Talkgroups: A set of Trunked Radio system users who communicate with each other. For

purposes of discussion, a talkgroup is synonymous to a radio channel.

Radio ID: The internal numeric identifier in every radio operating on a Trunked Radio system. This identifier is transmitted to the system controller with each transmission, so that the radio can be linked to all other radios programmed with the same talkgroup. The Radio ID can be displayed as an alias, (i.e., Division, Section, the name and IBM number of the person assigned the radio).

Individual Call Sign: The personal radio designator for each radio user on the Department not assigned a permanent Unit designator. An Individual Call Sign is comprised of the prefix "PD" and the member's IBM number.

.10 Unit Designation

Each vehicle or employee of the Department is assigned a "unit designation" either as a permanent designation or as a temporary designation for a particular assignment. Whenever an employee uses the radio communications system, the appropriate unit designation shall be used to assure proper identification.

.12 Indication Of Duress

A Department employee will use the Trunked Radio "Emergency Alert" button on their radio to indicate duress when use of clear communication is prohibited by the nature of the situation (for example, the employee is in immediate need of assistance and cannot otherwise communicate the need). Note: The Emergency Alert function produces an audible tone on the user's radio when activated. Covert use of this function is limited in a hostage situation.

If performing departmental functions outside his/her normal duty assignment (for example, extra-duty assignments), the employee will use their individual call sign or the designated call sign for a specific assignment when appropriate.

.20 Use of Radio Channels

Radio channels to be used by the Commands of the Department will be assigned by the Operations Support Bureau Deputy Chief.

.21 Nature of Transmission

Employees shall restrict their transmissions to official business matters.

.24 Pursuit Procedure

See G.O. 965, Vehicles: Pursuits

.30 Radio Codes and Procedures

The following codes and phrases shall be used, when applicable, in local radio transmissions:

Officer Needs Help--This emergency call shall be broadcast when immediate aid is needed by an officer. The officer requesting shall include the location followed, if possible, by the unit identification and all other pertinent information. This emergency call may also be made by activation of the Emergency Alert button on the Trunked radio. A specific unit shall be

dispatched "Code Three" and other available units in the vicinity shall respond "Code Two." An "Officer Needs Help" call shall be broadcast when "emergency assistance" is needed.

In the event of an accidental activation of the Emergency Alert button, the member will immediately advise the dispatcher on the air that they are not experiencing any problem or emergency by giving a Code Four. The member is to then advise the dispatcher that they are going to clear the Alert on their radio. To clear the Emergency Alert status on a Trunked radio the Emergency Alert button is pressed for three (3) seconds and then released. A medium-pitched tone sounds until the button is released and the radio returns to normal operation.

Officer Needs Assistance--This emergency call shall be broadcast when additional aid is needed by an officer. The officer requesting shall include the location, followed by the unit identification and all other pertinent information, including the reason for request. A specific unit shall be dispatched "Code Two" and other available units in the vicinity shall respond when practicable.

Fireman Needs Help--This emergency call shall be broadcast when immediate police assistance is needed because firemen are being attacked, attack is imminent, or some other emergency exists. This emergency call may also be made by activation of the Emergency Alert button on the Trunked radio. A specific unit shall be dispatched "Code Three" and other available units in the vicinity shall respond "Code Two."

Fireman Needs Assistance--This call shall be broadcast when police assistance is needed because of hostile crowd action or some other incident. A specific unit shall be dispatched "Code Two," and other available units in the vicinity shall respond "Code Two."

Code One--This call may be issued by the dispatcher or a field unit informing all units to stand by--"To Stop Transmitting And Listen."

Code Two--Most calls will require a "Code Two" response. Officers will proceed to a "Code Two" call in accordance with all the provisions of this Manual, the Code of the City of Colorado Springs, and the Colorado Motor Vehicle Laws. Briefly, a "Code Two" response is when a Department vehicle is operated in compliance with all the rules of the road. The only time exemptions are granted for adherence to the rules of the road is during a "Code Three" response.

Code Three--A radio call accompanied by a "Code Three" designation is an emergency call. It shall be answered immediately, but in a manner that will enable the unit to reach the scene as quickly as possible with safety. The red light and siren shall be used whenever it is necessary to disregard provisions of the Code of the City of Colorado Springs and the Colorado Motor Vehicle Laws.

A call may justify a "Code Three" for any reason listed below:

- A serious public hazard.
- The preservation of life.
- A crime of violence in progress.

- The prevention of a crime of violence.
- An immediate pursuit.
- Any unit requests another unit "Code Three."

The final decision for the use of "Code Three," other than in response to a directed radio call or a field supervisor's authority, shall be made by the vehicle operator.

An officer shall immediately broadcast his/her intention to proceed "Code Three" when the decision is based on anything other than a directed police radio call. The "Code Three" broadcast shall include the nature and location of the activity and, when known, the starting point, route of travel, and destination.

When the "Code Three" has been terminated, the officer shall notify Communications as soon as is practical.

When more than one unit is "Code Three" in the same general area, they shall be notified by Communications that units are "Code Three" in the vicinity. No more than one vehicle shall be operated "Code Three" in any single incident, except with supervisory approval.

Code Four--Will be used to indicate a situation is secured; sufficient units are on hand for the situation; or assistance is not needed. Units which are not at the scene shall return to their assigned patrol area when a "Code Four" is broadcast.

Code Five--When a one-man unit receives a "Code Five" in answer to a request for information on a suspect, the officer shall place himself/herself in a position of advantage and wait for assistance. Communications will wait for the officer's request before broadcasting the information. Once control is established, the officer can choose to request the information or to wait until another unit arrives before doing so. When a "Code Five" is received by a two-man unit, the officers shall immediately place themselves in positions of advantage over the suspect. When control is obtained, the unit shall request the want/warrant information from Communications.

Code Five M--Indicates that the "want" is for a misdemeanor offense.

Code Five F--Indicates that the "want" is for a felony offense.

Code Five AD--Indicates a "want" is for an offense and the person should be considered armed and dangerous.

Code Six--Used by field units to advise the dispatcher that they are busy and not available to respond to calls for service; reasons for being busy and the location of the unit will be given.

Code Seven--Used to request meal times and coffee breaks. After receiving clearance for a "Code Seven" the requesting unit will give his/her location and will remain reachable by radio during the break.

Code Eight--Indicates a burglary or robbery alarm. Dispatchers will indicate whether the alarm is audible or silent and, if available, the exact location of the alarm, i.e., drive-up window, main building, branch office, etc.

Code Nine--Indicates a possible homicide, as opposed to a dead body (DB).

Code Twelve--Indicates an area is under temporary surveillance. All units shall avoid the vicinity except in an emergency or in response to a call.

Code Fifteen--Indicates that transactions on a particular channel are limited to calls for service only.

Code Seventeen--SHO/DI, indicates a juvenile serious habitual offender. Officers are encouraged to take formal action if circumstances permit. If no formal criminal action, FIR is required to alert the Crime Analysis Unit of the contact.

Code Twenty--Request for emergency assistance when the use of clear speech will cause an undesirable reaction from the person(s) with whom the officer is in contact. Basic Response Team is dispatched immediately.

.33 Phonetic Alphabet

The following phonetic alphabet is to be used in radio transmissions:

A -- ADAM	G -- GEORGE	M -- MARY	S -- SAM
B -- BAKER	H -- HENRY	N -- NANCY	T -- TOM
C -- CHARLES	I -- IDA	O -- OCEAN	U -- UNION
D -- DAVID	J -- JOHN	P -- PAUL	V -- VICTOR
E -- EDWARD	K -- KING	Q -- QUEEN	W -- WILLIAM
F -- FRANK	L -- LINCOLN	R -- ROBERT	X -- X-RAY
Y-- YOUNG	Z-- ZEB		

.35 Time Designation

Standard military time designation shall be used in radio transmission; e.g., 9 a.m. is 0900 Hours, 9 p.m. is 2100 Hours.

.40 Dispatching Procedures

The following procedures shall apply to the dispatching of Department vehicles.

.42 Dispatch to Call

Officers shall not respond to calls assigned to other units. If a dispatcher requests the location of Department vehicles in the immediate vicinity of a call requiring immediate attention, any officer in that vicinity shall reply and stand by until cleared to proceed to that call.

It may be necessary for officers to be dispatched to calls for service late in their shift. Officers receiving a call near the end of a tour of duty shall be responsible for properly completing the call, except when specifically relieved of that call by a supervisor or officer from an oncoming shift.

No overtime approval will be needed for Priority One calls for service that carry over a tour of duty. Should overtime be required for other calls for service, the officer is responsible to obtain overtime approval from an on-duty supervisor. ~~At the discretion of the dispatcher, Officers shall be dispatched to calls for service up to thirty (30) minutes prior to the end of their tour of duty. Officers receiving a call near the end of a tour of duty shall be responsible for properly completing the call, except when specifically relieved of that call by an officer from an oncoming shift.~~

.43 Arrival at Scene

Upon arrival at the location of a dispatched call, officers shall properly inform the dispatcher of their arrival.

.44 Leaving the Vehicle

Whenever an officer is assigned to duties requiring immediate radio contact and must leave his/her Department vehicle, the officer shall inform the dispatcher, giving the reason and location. Upon returning to the vehicle, the officer shall inform the dispatcher. See General Order 975.24, paragraphs four and six.

.46 Completion of Call

Upon completing an assignment or call, Department personnel shall notify the dispatcher, giving a description of the action taken and the address(es) involved.

.47 Acknowledgments

Neither field personnel nor dispatchers shall assume that their transmission has been received until a proper acknowledgment is received. After a reasonable pause, transmissions should be repeated until acknowledged.

.50 Requesting Wants, Warrants, Etc.

Personnel are to use the MDC, (G.O. 975.28) as their primary means for determining, and confirming, wants on persons, vehicles, or items.

~~To determine if persons, vehicles, other items, etc., are wanted, personnel are to use the MDC, (G.O. 975.28) as their primary means for obtaining this information.~~

If an MDC is unavailable, the following information must be provided to the NCIC operator in Records and ID, or to the ~~Communications for a~~ dispatcher, if the NCIC operator is unavailable: ~~to be able to obtain this information.~~

Persons: Name, date of birth.

- Vehicles: License number and state of issuance or vehicle identification number.
- Other Articles: Item description, brand, serial number.

If the officer needs information on an extensive list of items, persons, etc., a telephone call should be placed directly to the Records Section. Radio channels should be used only if telephone contact is not possible.

.51 Requesting Criminal History Information by Radio

The radio shall not be used for routine transmission of criminal history information. Criminal

history information is protected under various federal and state laws and can only be broadcast over the radio in the following situations:

1. When there is a situation affecting the safety of a law enforcement officer or the general public.
2. When a law enforcement officer determines that in order to further the investigation, an immediate need for the information is required.

Absent either of the above situations, all criminal history information shall be requested from personnel authorized to obtain such information and the requests shall be made in person or by phone or MDC (General Order 975).

.53 Description Information

If suspects have fled from the scene of an incident, descriptions of the suspects and/or vehicles involved, etc., shall be given to Communications, as soon as possible, to be aired on all appropriate channels.

.60 Advising Adjoining Law Enforcement Agencies of Serious Crimes

When Communications personnel receive information of a felony crime of violence (i.e., armed robberies with suspect vehicle information, serious assaults with suspect or suspect vehicle information, etc.), information will be directed to Colorado law enforcement agencies by a State Teletype "Be On the Lookout" (BOLO) via the NCIC operator. ~~This will be followed up by telephone calls to appropriate adjoining agencies as circumstances permit.~~

The information on a crime and/or suspect must be sent to adjoining agencies as soon as possible after the Colorado Springs Police Department determines a crime has taken place and sufficient information is available to alert outside agencies of the crime.

Suspect and additional information may be sent as an update to the original State Teletype BOLO.

.63 Simulcast

When dispatchers are notified of a serious incident, the ~~information will be broadcast alert tone will be sounded and a simulcast will be used~~ immediately on all primary and secondary talkgroups by each Area Command dispatcher so that ~~to alert adjoining sector officers so they~~ can be on the lookout for suspicious persons in their areas, ~~as radio traffic permits. Less critical situations may be simulcast without the use of the alert tone.~~

.70 Missed Calls

If an officer who is required to be in radio contact with Communications (i.e., Patrol Units, etc.) fails to respond to a radio call and has not arrived at the scene of a call or notified Communications that she/he will be out of radio contact, these procedures will be followed: See General Order 975 .

Each time a radio call for that unit is made the time shall be recorded.

Attempts to call the unit shall continue for fifteen minutes after the first missed call. The dispatcher will use the Private Call function of the Trunked radio system to attempt direct radio contact with the officer's issued portable radio.

After the fifteen minute lapse, the ~~Communications appropriate Supervisor, the appropriate Patrol Supervisor or supervisor~~ or Command Officer shall be notified in order that the proper procedures be initiated to locate the missing officer(s).

When a missing officer is located, the Patrol Sergeant will ascertain why the officer was not available and report the findings either orally or in writing to the Watch Commander. The Watch Commander may take immediate action which is appropriate and authorized, or may forward the report for action by the Division Commander.

The involved supervisor or Command Officer shall attach the list of recorded call times to the memorandum to assist in determining if disciplinary action is warranted.

.72 Failure of Radio Communications System

If the radio system experiences a system wide failure, officers shall attempt contact on all available talkgroups. If the radio system experiences a localized failure officers will still have unit to unit communications. Under these circumstances officers shall attempt contact with communications via their cell phone, or go to the nearest Fire Station and contact the Public Safety Communications Center. The officers should give their location and remain by the phone until contacted by a dispatcher. The officers shall continue to monitor their primary talkgroup using the portable units, until the radio system is repaired. If a Police Dispatcher is unable to respond, officers should then contact the Fire dispatcher and await instructions.

.80 Portable Radio and Pager Units

Portable radio units are intended to provide mobility and security. Portable units, and pager units are the responsibility of the person to whom the unit is issued or assigned. Damage to units through neglect or abuse is the responsibility of that person.

Portable units are to be used only for police functions and are not to be used in any manner that violates this purpose or contributes to neglect of duty. In the event of an emergency, when a member is unable or prevented from using a Department radio, the mature family members or significant other of the officer are authorized to advise the Communications Section of the emergency. The family members, spouse or significant other who need to use an officer's radio in an emergency are to use the officer's Individual Call Sign adding a suffix "F" to identify themselves. It is the officer's responsibility to instruct family members in the proper use of the radio, including the identifying call sign.

Use of check-out units must be cleared with the appropriate authority before use (generally, the on-duty Supervisor.)

.83 Inoperative Radios or Pagers

An employee who encounters a defective radio or pager unit shall fill out a radio repair work order and provide copies to the appropriate personnel.

.84 Calls for Service at Hospitals

Incidents that are reported from hospitals will be investigated by officers assigned to the area command in which the incident occurred. As much as possible, the officer assigned to the sector of occurrence will be dispatched to the reporting hospital to conduct the initial investigation. Additional officer(s) will be dispatched as needed to the scene to handle in-progress situations, or to address scene safety or scene preservation concerns.

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Colorado Spring Police Department

General Order 150

-- Offense Reports

Active date: 11/6/2008 2:47:46 PM

Supersedes date: 12/10/1998

.01 Purpose

To specify criteria and procedures for taking and submitting offense reports.

.02 Cross Reference

SOP P1-62, Criminal Offense Exceptions

[CALEA Standards 1.2.8; 71.1.7; 82.2.1; 82.2.2](#)

.03 Discussion

The mechanisms for taking offense reports depend upon the technology used by the Department at any particular time. Whether an officer physically writes a report, dictates it for typing, or submits it by electronic means, the criteria governing the reporting process are identical, accuracy, completeness, and timeliness.

.04 Policy

Officers shall make all required reports promptly, accurately and completely.

.05 Definitions

This space intentionally left blank.

.10 Criteria for Taking Reports

Officers will complete and submit reports in accordance with the following criteria:

Felonies: All incidents involving an actual or suspected felony offense will be reported

regardless of whether any enforcement or investigative action is taken or anticipated.

Misdemeanors/Petty Offenses: Violations involving a misdemeanor or petty offense will be reported whenever any enforcement or investigative action is taken, or anticipated, or when necessary to justify a lack of enforcement or investigative action.

Special Exception--Indecent Exposure: All incidents involving an indecent exposure violation will be reported, regardless of whether any enforcement or investigative action is taken or anticipated.

Incidents that are unfounded, or do not normally require a report, need not be reported. However, the officer making the decision not to report such an incident may be required to justify the decision to higher authority. An easy guide to determine if a report needs to be submitted is, "When in doubt, report it."

.15 Timely Submission

All reports, except those authorized delayed by a field supervisor or Division Lieutenant, will be submitted before going off duty. All reports will be completed before starting days off. [If necessary and with supervisor approval, Officers may submit for overtime in order to complete reports.](#)

Officers failing to submit reports on time will be subject to disciplinary action. Following are guidelines:

- First failure will be cause for a written reprimand.
- Second failure within one year will be cause for a day's pay to be forfeited.
- On subsequent occasions when an officer fails to turn in reports, the officer shall forfeit additional days' pay.

.20 Altering Documents

Employees shall not unnecessarily change, alter, or otherwise distort the information on any summons or other official Department document.

.25 Removal/Destruction of documents

Employees shall not remove Department records, reports or documents from the immediate area where they are maintained without proper authorization. Additionally, to permanently remove or destroy any such document, except as allowed by law or upon order of the Chief of Police, is forbidden.

.30 Cassette Tape Recorders

Patrol officers, and certain other persons, are issued tape recorders for dictating reports during uncommitted time. This permits officers to remain in their vehicles and be available for

assignment while completing lengthy narrative reports. Brief supplements should be handwritten to improve expediency.

Face sheets and property descriptor forms will be handwritten, as will brief narratives. Recorders are the responsibility of the person to whom they are assigned, and should be returned to Supply with an explanatory memorandum if they are damaged or inoperable.

.40 Criminal Offense Exceptions

There are instances in which officers must use special procedures when investigating certain cases/offenses. Officers should refer to SOP P1-62 for specific guidelines to follow in these instances.

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Colorado Spring Police Department **General Order 155** **-- Missing Persons Reports**

Active date: 8/4/2005

Supersedes date:

.01 Purpose

To define the procedures governing missing persons reports for adults.

.02 Cross Reference

G.O. 520 Juveniles
G.O. 540 Mentally Ill Person
S.O.P. I4 - 520 Processing Pick Up Forms
S.O.P. I4 - 362 Computer Entry / Cancellation of Missing Persons
S.O.P. I4 - 361 NCIC Validation List
S.O.P. I4 - 345 Verification of Computer Entries
S.O.P. I4 - 307 NCIC / CCIC / NLETS Message Switching
S.O.P. P1 - 15 Police Service Representatives
S.O.P. P1 - 25 Runaway / Missing Person Reports
NCIC Operations Manual, Part 8, Section 1 -- Missing Person File

.03 Discussion

The basic legal issue in most missing persons cases is that it is not against the law for an adult to be absent without explanation. If a person is voluntarily absent, he/she is legally entitled to his/her privacy. Said another way, competent adults (those age 18 years or over) may choose to disappear if they wish. In our society adults are free to make what others would consider to be bad decisions. They can choose to leave home with no advanced warning, to abandon their jobs, ignore friends, and even cut all ties with family members.

Even if a law enforcement agency were to locate the person, it could not divulge any private information

about the person (such as the person's location) without specific permission from that person. This is because in ~~in~~ some cases persons who are voluntarily absent may have a valid reason for this such as fleeing from an abusive relationship.

As a result, rules of the National Crime Information Center (NCIC) regulate the entry of "wants" into that nationwide computer system for missing persons. These rules prohibit the entry of a person into the NCIC/CCIC "missing persons files" unless the person is a juvenile missing without parental permission, or is an adult who is missing **and** endangered, or is a person believed to be involuntarily missing such as a victim of abduction or other foul play. (Reference: NCIC Operations Manual, Part 8, Section 1.1)

Further, the Police Department has an obligation to attempt to locate adults who have disappeared under mysterious circumstances and may be endangered or the victims of foul play.

The purpose of this General Order is to attempt to strike a balance between these factors.

.04 Policy

For the purpose of this policy only, the term **adult** shall include juveniles who are legally emancipated by marriage, military service, or order of a Court of competent jurisdiction.

Normally, missing persons reports must be made in person at the police facility because these reports must be signed. Exceptions to this requirement must be approved by an on-duty lieutenant or his/her acting designee. Missing person reports shall be made on forms approved by the State of Colorado for this purpose.

There is no required waiting period to report a person is missing. What is required is that there is sufficient evidence that the person is truly missing before a report is made (not just unexpectedly late or known to be voluntarily absent). Additionally, there must be some nexus between the missing person and the City of Colorado Springs (e.g. the person resides here and is missing; the person was traveling in Colorado Springs and is missing, etc.)

The Police Department will vary the investigative response to a report of a missing person based upon facts in the case. The three basic categories for which a missing person report will be accepted are:

1. **Competent adults who are suddenly absent (missing)** without explanation and because of the circumstances it cannot be safely determined that this is voluntary and that individual is not in danger. Thus, it would seem prudent to confirm that the individual is safe.
 - This would include situations where the missing person has not contacted the reporting party after he/she left and there was no prior indication that they would leave, etc.
2. **Incompetent adults or others who are missing and are thereby endangered.** Examples include:
 - Adults who are mentally ill or impaired, developmentally disabled, suicidal, etc.
 - Adults with severe medical conditions that could result in the person being incapacitated and unable to return home and thereby endangered.
 - Those adults missing during catastrophic weather (such as a blizzard) or similar circumstances and thereby endangered.
3. **Anyone missing under circumstances indicating the substantial possibility of foul play.**

There are a number of factors that will be considered when deciding into which category the

missing person falls. Some examples of these are:

- Did the person leave a note or otherwise make contact indicating he/she was voluntarily leaving?
- Have they failed to perform an important task? (i.e., pick up children from babysitter, failed to pick up a loved one from work)
- Do they suffer from any mental or cognitive impairment?
- Do they have a history of being missing?
- Is the person having relationship problems?
- Is the person having financial or employment problems?
- Has the missing person been despondent or depressed?
- Are any of the person's belongings missing? (i.e., clothing and toiletries)
- Has the person recently suffered the loss of a loved one, or the end of a long-term relationship?
- Is the person's car missing?
- Is the person's wallet missing?
- Has the person taken substantial amounts of money from his / her bank account?
- Is the person having difficulties at work or school?
- Did the person take necessary medications?

Facts related to these and similar factors should be addressed in the narrative of a missing person report. Cases where there appears to be an exigent situation should be immediately brought to the attention of the on-duty lieutenant and his/her designee.

If a person is missing and falls into one of the three categories listed above, regardless of which of the categories is involved, information about the missing person will be entered into NCIC/CCIC and the Police Department's own computer system by Records and Identification Section after the submission of the report.

Any law enforcement officer with whom the individual comes into contact will be able to swiftly learn his/her status by checking these systems. These systems automatically notify the Police Department of the query.

.05 Definitions

This space intentionally left blank.

.10 Persons Missing from Other Jurisdictions

NCIC rules prohibit entering persons as missing" unless the entering agency is actively handling the case. (CIC Operations Manual Section 8.1.1.2.) Cases involving persons missing from jurisdictions other than Colorado Springs will be referred to the jurisdiction from which he/she is missing.

Nothing shall prohibit the Department from making a report for "Outside Agency Assistance" for a person missing in another jurisdiction being reported by a person here, and forwarding that report to the appropriate agency for action, where request to do so by that agency. When approved by an on-duty lieutenant or his/her acting designee, the Department may send an NLETS message (e.g. teletype) to another agency to request a "check the welfare" on a person believed to be missing and endangered in that jurisdiction or otherwise seeking direction on how to proceed on that agency's behalf.

.20 Cases Which Will Not Be Accepted

Official missing persons reports will not be made in cases that do not meet the previously discussed

criterion. Prohibited reports include but are not limited to the following:

- Cases where the complainant knows that the adult has left voluntarily and there is no evidence that the person is otherwise endangered, yet the complainant wants the assistance of the Department in locating the individual.
- Cases where the complainant wants to locate the individual so as to collect a debt, sue him/her, serve him or her with divorce papers, probate a will, etc.
- Cases where the complainant wants to locate a family member or friend with whom he/she has lost contact over an extended period of time.
- Cases when there is no nexus between the missing person and the City of Colorado Springs, unless requested by another law enforcement agency as an "outside agency assist" discussed previously.

.30 Information To Be Include In Reports

When a missing persons report is made, the following information should be included:

- The missing person's full name, date of birth, social security number, and physical description.
- Details of where and when they were last seen or heard from the circumstances of the disappearance.
- Details of any vehicle that may be involved.
- Any known travel plans or destinations.
- Details of any persons in the company of the missing person.
- A description of what the missing person was wearing.
- A description of any unique physical or speech characteristics
- Information of the dentist who has treated the missing person
- Other information required by the Colorado Missing Persons Report Form

.40 Cancellation of Missing Person ♦ Wants ♦

A "want" for a missing person that has been entered into NCIC/CCIC should be cancelled when one of the following occurs:

- The original complainant contacts the Department and indicates that the individual has returned, made contact, or the complainant has otherwise determined that the individual is no longer believed to be missing or endangered. Identity of the complainant shall be established by the totality of the circumstances.
- The missing person is in contact with the Department or another law enforcement agency or other government entity and is determined to not be endangered. Identity of the missing person shall be established by the totality of the circumstances.
- It has been determined that the original "want" was entered into violation of NCIC criterion.

Third-party requests to cancel a "want" by someone other than the complainant or the missing person shall be evaluated on a case-by-case basis. Ultimately, the decision as to whether to cancel the "want" in these latter cases shall rest with the on-duty supervisor who shall decide how to proceed based upon the credibility of the information as determined by the totality of the circumstances.

Whenever a "want" is cancelled for whatever reason, this fact shall be documented in the cases report along with the circumstances of the cancellation.

.50 Advice to Complainants

When making a missing persons report, the complainant shall be advised that if the missing person contact him / her to advise the Police Department promptly.

In some cases, the Social Security Administration can help make contact with a missing person when the person has been gone long enough to become employed elsewhere. Unfortunately, Social Security cannot provide a relative with a missing person's new address. However, in some cases Social Security will forward that person a letter. Individuals should be directed to call Social Security at 1-800-772-1212 to determine eligibility for the letter forwarding service and to ascertain if the social security number is active.

In more immediate cases, friends and family may hold the key. The complainant can greatly assist the Department in its efforts doing the following:

- ☒ Checking with missing person's friends, school, neighbors, relatives, or anyone else who may know of their whereabouts. Ask them to notify you if they hear from or see the missing person.
- ☒ Keeping a log of names, phone numbers, and addresses (if known) of everyone you talked to before and after reporting your loved one missing. Note the information received and date of the contact in the event you need to get back to them for additional information.
- ☒ Obtaining caller ID and log all calls, even hang up calls.
- ☒ Provide cell phone and land line phone bills belonging to the missing adult for any calls that may not be routine.
- ☒ If the missing person uses a computer, provide the name of the Internet Service Provider to law enforcement.
- ☒ Retain personal items of the missing adult such as toothbrushes and hair brushes, razors, underwear, eyeglasses, dental molds, retainers, mouth guards, any other item worn frequently by the person, or items that only they have used. Put these items in a paper bag in a secure place. (These could provide a source of known DNA in the future).
- ☒ Establish the missing adult's habits. Make a list of places they frequent and check for any sightings of the missing person there.
- ☒ If the missing adult was employed, check with their employer and inquire if the MA has picked up his / her last paycheck or left employment with direction on where to send their last paycheck.
- ☒ Check with the missing adult's landlord to ascertain any problems that may have occurred at the place of residence. Find out if rent has been paid or if the missing person has given notice to vacate. If the missing person resides in another city or state, ask the local law enforcement agency to stop by and check on their welfare.
- ☒ Check with the missing adult's bank to establish if there has been any activity in the account. It will be necessary for the complainant to emphasize his / her relationship with the missing person and the fact that you are not interested in the value of the account, but need to establish if there has been any activity after a certain date or if the account has been closed and transferred to another location. Provide the name of the bank to law enforcement.
- ☒ Provide the name and number of the missing adult's dentist.

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Colorado Spring Police Department

General Order 160

-- Motor Vehicle Thefts

Active date: 6/13/2005

Supersedes date: 10/18/1990

.01 Purpose

To make clear the methods and responsibilities for handling stolen vehicles; i.e., the reports, the pickups, and notifications to the vehicle owners.

.02 Cross Reference

G.O. 290, Towing and Impound Procedures
G.O. 831, Collection of Physical Evidence
CALEA Standards 61.4.3; 82.2.2

.03 Discussion

This space intentionally left blank.

.04 Policy

The Department has an obligation to the public and the owners of motor vehicles to ensure the most efficient reporting, locating and return of vehicles that have been reported stolen. The reporting officer is responsible for the proper reporting and notification and is not to leave these duties to someone else.

.05 Definitions

This space intentionally left blank.

.10 Local Vehicle Theft

The officer who makes the case report on a stolen vehicle will see that a formal pickup is made as soon as possible. This shall be done immediately after the investigation either by going to the Records Section or by dictating a formal pickup to Records personnel by telephone.

Officers shall always complete the formal pickup before going off duty.

The pickup must be filled out completely. If the pickup does not contain the vehicle's Vehicle Identification Number (VIN), it cannot be processed. The Records Section, in most cases, will be able to obtain the VIN for the officer while s/he waits, and then the officer can complete the pickup. Completion of the pickup is the responsibility of the reporting officer, not the Records personnel. If there are suspects to include with the vehicle pickup, be sure to cross-reference these suspects on the vehicle pickup. When the Records Section receives the formal pickup information, they shall type the formal pickup on the proper form and enter the vehicle into NCIC, CCIC and PDIC.

.20 Local Vehicle Recovery

The officer recovering a stolen vehicle shall be responsible for notifying the owner of the vehicle's recovery. If contact is not made after the officer's reasonable attempts to do so, it will be noted in the officer's report of the recovery. Final responsibility shall be that of the Auto Theft Unit if the recovering officer is unable to contact the owner. The officer recovering the vehicle will process the recovered stolen vehicle and contents for evidence and will document this procedure in a written supplementary report. Any evidence collected should be handled in accordance with G.O. 831, Collection of Physical Evidence.

.24 Towing Of Recovered Vehicles

When a vehicle is both stolen and recovered within the jurisdiction of the Colorado Springs Police Department, but the owner cannot be contacted to ascertain his/her choice of a wrecker, the current Colorado Springs Police Department contract towing company shall be used, and the vehicle will be taken to the Colorado Springs Police Department Impound Lot, 2725 East Las Vegas Street. Vehicles stolen within the CSPD jurisdiction but recovered outside will be processed by the recovering agency. CSPD officers will not be dispatched to effect the recovery.

If the recovered vehicle has already been impounded by another law enforcement agency or has been picked up by another towing company, the officer receiving the information shall be responsible for making a report, noting the law enforcement agency impounding the vehicle, the location of the vehicle, the date and time the information was received and from whom, and whether or not the owner was notified.

The vehicle will be left in the custody of the recovering agency or at the towing company having possession of the vehicle, and the owner will be notified of its location by the officer making the report.

This will avoid a double tow bill for the owner.

.30 Motor Vehicle Theft--Outside Recovery

When the Colorado Springs Police Department recovers a stolen vehicle that had been reported as stolen to another law-enforcement agency, the officer making the recovery shall initiate a case report titled, "Motor Vehicle Theft -- Outside Recovery," and obtain a Colorado Springs Police Department case number for the report. The recovering officer will obtain all the information needed to initiate a case report. It may be necessary for the recovering officer to obtain the teletype information from the Records Section and also call the agency making the original report to obtain sufficient information to complete the recovery report.

.40 Canceling Pickups for Stolen Vehicles

The officer making the report on the recovery of a stolen vehicle shall be responsible for canceling the pickup through the Records Section either in person or by telephone. Notifications and contacts are the responsibility of the reporting officer, not of Communications personnel or Records personnel.

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Colorado Spring Police Department

General Order 170

-- Citations

Active date: 2/16/2009 8:53:48 AM

Supersedes date: 2/5/2003

.01 Purpose

To set policy and procedures for use of the Summons and Complaint. Procedures specifically

related to its use for traffic violations are found in G.O. 210, Traffic Law Enforcement.

.02 Cross Reference

G.O. 210, Traffic Law Enforcement

G.O. 524, Juvenile Offenders

G.O. 740, Determining Probable Cause

.03 Discussion

Law enforcement officers and agencies have an obligation to respect the liberties of citizens, recognize the limitations of available detention space, and ensure the judicious use of public funds. Powers of arrest, therefore, should be used in a well-considered manner. Incarceration may often be a less suitable option than serve and release, and should be used only when less severe alternatives are inappropriate.

.04 Policy

Serving and releasing a defendant, via a citation (Summons and Complaint), will be used as an alternative to physical arrest in all petty offense or misdemeanor arrest situations except those in which the arresting officer or the Department can articulate specific factors that make the "cite and release" process inappropriate. A Summons and Complaint (Citation) may be issued:

By any peace officer for an offense constituting a misdemeanor or a petty offense committed in his presence or, if not committed in his presence, which he has probable cause to believe was committed and probable cause to believe was committed by the person charged. (C.R.S. 16-2-104)

When a decision is made to issue a citation, officers will obtain adequate information to ensure that the person receiving the citation can be located later, in case of failure to appear.

.05 Definitions

This space intentionally left blank.

.10 Procedure Prior to Issuance

When the circumstances surrounding an arrest allow for the issuance of a Summons and Complaint, the arresting officer should conduct a brief background investigation to determine if the arrested person should be cited and released.

This investigation should include, if the information is available, the following items:

- Adequate proof of identity
- Adequate proof of residence
- Length of time at present residence
- Occupation, employer and length of time employed
- Previous criminal record
- Marital and family status
- Any other facts that would assist the arresting officer in determining if a Summons and release is appropriate

.20 Release or Detention

While the various courts have different policies regarding such variables as transients, previous records, etc., a general rule guiding the decision on whether to release an arrestee, is found in section 16-3-105, C.R.S.

When a person has been arrested without a warrant, he may be released by the arresting authority on its own authority if...the offense for which the person was arrested and is being held is a misdemeanor or petty offense, and the arresting officer or a responsible Command Officer of the arresting authority is satisfied that the person arrested will obey a Summons commanding his appearance at a later date. If the person is released in accordance with these provisions, he shall be given a Summons and Complaint...and shall sign a written acknowledgment of its receipt and a promise to appear at the time and place specified.

Officers will hold defendants for bond, rather than serving and releasing, on petty and misdemeanor charges only after obtaining approval from a supervisor, unless specifically directed otherwise by a written directive.

.30 Booking and Citable Violations Combined

When a person is arrested and booked but also has citable violations, no citations (Summons) shall be issued. Rather, all charges shall be levied at the time of booking.

.32 Completing the Summons

Information required on the face of the Summons must be filled in as completely as possible. See section 16-2-106, C.R.S.

.33 Timely Submission

All citations [and written warning notices](#) written during a tour of duty will be submitted before going off duty.

.34 Time of Arraignment

Arraignments will be set in accordance with procedures established by the respective courts.

.40 Traffic and Criminal Violations Combined

In order to facilitate record-keeping at both the municipal and state levels, traffic and criminal charges shall not be cited on the same Summons and Complaint. If a violator must be charged with both traffic and non-traffic violations, they shall be cited on separate Summonses.

For record-keeping purposes, any violation of Municipal Code Chapter 10, violations relating to traffic and vehicles, shall be considered as a traffic violation. All other Code violations shall be considered criminal violations.

Any violation of Article 42 of Colorado Revised Statutes relating to traffic and vehicles shall be considered a traffic violation with the following exceptions, which are criminal:

42-2-206: Driving after revocation prohibited

42-2-408: Unlawful acts-penalty (Identification cards)

42-5-103: Tampering with a motor vehicle

42-5-104: Theft of motor vehicle parts

.45 Traffic Violations to be Cited into Municipal Court

Colorado Springs is a home-rule city. By virtue of the decision to exercise these powers and enact traffic ordinances, the City Council has clearly established its desire for such matters to be handled in Municipal Court whenever practical. Officers are bound by this determination of policy and are not free to substitute their own judgment in this area.

The only instances in which a traffic violator shall be cited into County Court on a State charge are when the violator is cited for one or more traffic violations for which there is no corresponding Municipal charge, when the violator is a City employee, when the violator is cited with compulsory insurance involving a traffic accident, or when the violator is cited for a traffic violation involving a traffic accident which causes bodily injury requiring emergency transport to the hospital. Any exception to this policy will be cleared through a supervisor.

.50 Citations to Juveniles

Traffic charges involving a juvenile will be made on a regular Summons and Complaint form with the exception of charges relating to Vehicular Homicide or Vehicular Assault.

Criminal charges involving violations of Municipal Ordinances will be made on a regular

Summons and Complaint and set for Municipal Court.

Criminal charges involving violations of state statutes shall be made on a Juvenile Complaint and Referral form. In the case of related traffic charges, place the traffic charges on a regular Summons and Complaint form and set for county traffic court. Note the traffic charges and summons numbers in the case report for the criminal offense. (Exception: Vehicular Homicide, Vehicular Assault and Illegal Possession/ Consumption of Ethyl Alcohol by Underage Person.) Any criminal charges filed against a juvenile, into Juvenile Court (State Charges), must be accompanied by a separate offense report in addition to the summons.

Vehicular Homicide and Vehicular Assault charges shall be made on the Juvenile Complaint and Referral section of a Summons and Complaint form and all related traffic charges shall be placed on the same summons.

.60 Civilian Complaints

When an officer responds to a civilian complaint, it is his/her duty to evaluate the allegations to determine whether there is probable cause to believe there has been a violation of City or State law. If the facts of the allegations do not support probable cause that a crime has been committed, the officer shall not accept a signed complaint. If the officer determines there is probable cause to believe that a crime has been committed, s/he has the discretion to accept a signed complaint from the civilian complainant. After evaluating the allegations made by the civilian complainant, the officer may determine that further investigation is warranted or that a supervisor should be contacted for the purpose of determining whether to accept a signed complaint. There may be rare cases in which it is proper for the officer or supervisor to contact either the City Attorney's or District Attorney's Office to explain the circumstances and solicit their opinion on the taking of a signed complaint. If a signed complaint is accepted from a complainant, the identity of all known witnesses to the alleged criminal act should be included in the affidavit.

.64 Service of the Signed Complaint

Every attempt must be made to serve the signed complaint as soon after acceptance as reasonably possible. If the officer is unable to serve the signed complaint before the end of his/her tour of duty, the complaint must be sent to the Records Section and a pickup must be completed for the suspect. Any additional information, which may facilitate correct service of a signed complaint, should be included on the affidavit by the initiating officer. Such information may also be included on the pickup.

.68 Errors Discovered After Service of Signed Complaint

If an error or an omission of necessary information is discovered after a signed complaint has been served to a defendant, officers should not correct the summons unless the defendant is recontacted and the same corrections are made on the defendant's copy. If the officer is unable to recontact the defendant, the summons should be turned in without corrections. The officer is then responsible for contacting the proper prosecutorial agency (City Attorney or District Attorney, as appropriate) and that agency will amend the information.

.70 Cancellation of Summons and Complaints

Once a Summons and Complaint has been signed by a civilian and/or officer complainant, whether for traffic or criminal violations, it cannot and shall not be voided by any officer of the Department. However, circumstances do arise where a Summons and Complaint and its purpose demand review. Therefore, the following procedures apply:

If the Summons has been served on a defendant, the Summons cannot be canceled or voided by any officer of the Department, or the complaining witness, and can only be dismissed on a motion by the City or District Attorney in open court. Officers must also comply with 10.1.111 of the Municipal Code:

10.1.111: Illegal Cancellation of Summons or Notice: It shall be unlawful for any person to cancel or solicit the cancellation of any traffic Summons or notice in any manner other than process of law.

This does not preclude officers from providing information that may affect the outcome of charges filed. The officer should send a memorandum through the chain of command to the Division Commander for forwarding to the Court Liaison Officer, who will personally deliver the memorandum to the Chief Prosecuting Attorney of the appropriate court.

If a Summons and Complaint has not been served and the complainant no longer wishes to pursue the complaint, and it has already been sent to the Department's Records Section, the complainant must appear in the Department's Records Section with proper identification and sign the Summons and Complaint Cancellation Form in the presence of the Records Section Commander or designee. Note: This subparagraph does not apply to any Summons issued for an offense identified as domestic violence. In such cases the Department will take no action except to refer the person to the District Attorney.

If a Summons has not been served on the defendant and must be rewritten because it is improperly filled out, the officer shall complete a new Summons correctly and submit it. The officer should then attach all copies of the incorrect Summons to a completed Summons and Complaint Cancellation Form, describing the errors, and forward these to the Division Commander through the chain of command.

If a Summons has not been served and is returned to an officer because it does not contain sufficient information to identify a suspect, or because further investigation is not warranted, the officer should prepare a Summons and Complaint Cancellation Form outlining the reasons for cancellation, attach all copies of the Summons, and forward these to the Division Commander for action.

If a Summons and Complaint **or written warning notice** must be canceled or voided for any reason other than the above, the officer should prepare a Summons and Complaint Cancellation Form outlining the reasons for cancellation or voiding, attach all copies of the Summons, and forward these to the Division Commander for action.

The Records Section will retain the Department's copy of all Summonses and Parking Citations that have been canceled. All other copies of the Summons or Parking Citation, along with the cancellation forms, will be forwarded to the Violations Bureau for filing.

.75 Cancellation of Parking Citations

If a parking citation has not been issued, it may be cancelled by writing cancelled across the front of the ticket, with a brief explanation.

If a parking ticket has been issued and needs to be cancelled, the Parking Citation Cancellation Request form should be used.

.80 Summons and Parking Citation Accountability

Individual supplies of summonses, [written warning notices](#) and parking citations will be obtained from designated issue points. The status of all issued summonses and citations shall be accounted for from the time of receipt to the time of turn in at the Data Entry Section.

The issuing person shall enter the following information into the summons accountability data base upon issuance of a book of summons and complaints, [written warning notices](#) or parking citations:

1. Beginning and ending numbers of each book issued
2. Receiving officer's ID and name
3. ID and name of the receiving officer's supervisor
4. Issuer's ID and name
5. Summons status

When served, voided, or canceled summons and complaints, [written warning notices](#) or parking citations are received at the Data Entry Section, the status of each individual summons or citation shall be updated to reflect the current status.

Officers must account for each summons and citation. Do not destroy, cancel or void any summons or citation without following the procedures outlined in this General Order. Every month, each Division Commander shall receive a report of those summonses and citations that are six months old and have not been received by the Data Entry Section.

Division Commanders shall collect all summonses and citations that are six months old and cause them to be reissued to personnel who will expend them within the next six months.

Failure to produce unaccounted for summons and complaints, [written warning notices](#) or parking citations may result in disciplinary action.

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Colorado Spring Police Department
General Order 180
-- Automated Notification System

Active date: 6/19/2002

Supersedes date: 6/5/2002

.01 Purpose

To guide personnel in the use of the Automated Notification System in order to ensure effective and efficient command and control of resources.

.02 Cross Reference

This space intentionally left blank.

.03 Discussion

The Automated Notification System (ANS) is a Police Department resource that uses computer technology to activate telephone communications with lists of individuals or telephone numbers in selected areas of the City. ANS consists of two computer programs:

- The Communicator that contacts individuals via telephone, wireless devices, pagers and or Fax machines.
- The Geo Notifier that calls all known telephone numbers in its files using a digital map of the City.

In support of the Police Department's commitment to Community Policing, the ANS is to be used to transmit real time Public Safety information to identified segments of the City, provide a call in bulletin board information service to the public, and augment Problem Oriented Policing projects.

Internally, the ANS is to be used to disseminate information to Department personnel.

.04 Policy

The ANS Geo Notifier shall be used only for situations involving a direct threat to life.

Requests for Geo Notifier activation by officers in the field must be made to the shift supervisor or lead dispatcher. Non supervisory personnel must have authorization from their supervisor to request Geo Notifier activation.

Direct activation of either the ANS Communicator or Geo Notifier, from within the Communication Center, must be authorized by a Communications Shift Supervisor, the Communications Manager, or an appropriate sworn Supervisor.

Neither the Communicator nor the Geo Notifier is to be used for any for-profit activity, advertising of any product or service, political messages, or personal use.

.05 Definitions

ANS: Automated Notifications System, a computerized telephone-messaging device that makes calls via a digital map or rosters.

COMMUNICATOR: The ANS software package that uses rosters of individuals and businesses containing telephone numbers by which each can be contacted, and that permits remote recording of messages and activation.

GEO NOTIFIER: The Communicator software package in the ANS used to highlight an area of a digital map of the City to establish a call group of known telephone numbers in that area with a recorded message.

SCENARIOS: A numbered and titled set of individuals, Sections, Divisions, groups or businesses, formed with the file of rosters in the ANS.

.10 Updated Responsibility

System maintenance will be the responsibility of the System Administrator and designated Communications Section personnel.

In addition to all current policies and procedures, all personnel are required to be able to activate the Phone Number Update Scenario to keep all contact information current.

.15 Security Levels

The ANS system is located in the Public Safety Communication Center. Two levels of security restrict access to ANS: System Administration, and System Use. System Administration access is limited to those authorized by the Communications Manager and or the ANS System Administrator. System Use access is authorized to all Supervisory and Communications Section personnel.

.20 The Communicator

The ANS Communicator can be activated either from one of the networked terminals in the POC or remotely, via a touch tone telephone. Supervisory personnel shall use the remote activation of Communicator scenarios unless circumstances prevent it. Remote activation requires the use of an approved personal identification number (PIN).

The specific instructions for performing Communicator scenario activation will be located at each area command duty desk. These instructions will also be located at each ANS programmed PC in the Public Safety Communications Center. This information is to be used to assist Department members in their use of the system, by explaining the steps necessary for remote activation. Each activation of a scenario is to be recorded in the ANS Log Book, which is kept adjacent to the ANS computer in the Communications Center.

The ANS Communicator shall be used to make notifications of incidents and situations as required by General Order or SOP, and/or as authorized by the appropriate supervisor. Remote activation of the Communicator must be authorized by the appropriate sworn supervisor, or by

the Communications Supervisors or Manager.

Note: Only the Communicator can be remotely activated.

.25 The GEO Notifier

The ANS Geo notifier can only be activated from one of the networked terminals in the communications center. Upon authorized request, or as directed, Communications personnel shall highlight the designated area to be called on the ANS digital map as requested. The message to be used in the notification shall be recorded into the Geo Notifier at the main ANS terminal. The specific content of all area notifications must be documented in writing, (i.e., Case Report, Interoffice Memo, etc.). All communications section personnel are to be trained in the activation of Geo Notifier area notifications

Geo Notifier area notifications dealing with incidents of a specific duration require a follow-up notification to the same area to close out the alert or notice. These follow-up area notifications are the responsibility of the authorizing authority and will be performed by the Communications Section.

Decisions to make a Geo Notifier notification are to include consideration of:

- Time of day
- Unique situations and circumstances of the area selected for notification
- Worst case possibilities that could result from the notification

Every activation of an area notification is to be recorded in the ANS Log Book, kept adjacent to the ANS computer in the Communications Center.

Geo Notifier messages content is to be clear and concise in providing only objective information that would directly result in positive response to the public safety situation in question. Special attention must be paid to details or circumstances that may incite panic or unnecessary fear.

.30 Reports

Activation of specific reports on ANS usage will be made available to supervisory personnel only as requested.

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Colorado Spring Police Department

General Order 190

-- Direct Line Reporting (DLR) & Internet Crime Report (ICR)

Active date: 11/21/2008 4:51:16 PM

Supersedes date: 12/16/2004

.01 Purpose

To establish and set policies and procedures for Direct Line Reporting (DLR) and [Internet](#)

Crime Reporting (ICR), alternate police report taking processes.

.02 Cross Reference

SOP P1-15 PSR Duties

.03 Discussion

The Direct Line Reporting and Internet Crime Reporting programs ~~is~~ are ~~an~~ important tools that allows the Colorado Springs Police Department to improve its ability to provide prompt and responsive service to its citizens while efficiently utilizing manpower for calls that may require a more immediate officer response. ~~This~~ These programs ~~is~~ are designed to provide the citizens of Colorado Springs ~~an~~ efficient alternate methods of reporting incidents that require a police report.

In order to implement the ~~Telephone~~ DLR and ICR programs, Officers are assigned to work out of the Public Safety Communications Center and take qualified case reports instead of having Officers dispatched to the scene.

.04 Policy

This space intentionally left blank.

.05 Definitions

DLR : Direct Line Reporting, a program by which specified call types and incidents can be received and documented via telephone ~~or counter reporting~~.

ICR: Internet Crime Reporting, a program by which specified call types and incidents can be received and documented via the internet.

Telephone DLR: ~~Police reports taken by an Officer via telephone in accordance with the procedures of the DLR program.~~

.10 Criteria for Reports

~~Before a report can be taken, the following criteria must be met in order to qualify as a DLR report:—~~

~~1.—~~

~~There is no known suspect or specific suspect information available~~

~~2.— An incident must not be in progress~~

~~3.— There is no physical evidence present~~

- ~~4. The Reporting Party is not under the age of 16~~
- ~~5. There is no apparent physical injury~~

The following guidelines are to be used when determining if a call for service may be reported either through DLR or ICR. If any of the following conditions exist, an officer should be sent.

1. The suspect can be named or identified. Identification is to include information definitive enough that could lead an investigating officer to the name and/or whereabouts of the individual.
2. The suspect's vehicle can be identified. Identification is to include either a full license plate or some very unique identifying marks or damage to the vehicle that could make it identifiable to any officer seeing the same vehicle at a later time.
3. Significant evidence is present. Significant is defined as some item (i.e., a board with blood, a piece of glass with fingerprints, etc.) or circumstances (i.e., footprints leading to a residence, tire tracks leading to a garage, etc.) that could lead to the identification of a suspect. Surveillance tapes are to be considered significant evidence and an officer should be sent to recover the tape.
4. There are witnesses to the crime.
5. It is a "crime spree" or "crime pattern" type call. At least one officer should be sent to the scene for a physical presence and to initiate the face sheet and any follow up that may need to be done. DLR can take any further supplements that are called in. If the initial call was processed through DLR, and after subsequent calls a "crime spree" is determined, an officer should then be sent to the scene to take a supplement to the original DLR case report.
6. The incident is in progress or has just occurred. There is a viable chance that the suspect is still in the area and responding officers might be able to make contact as they are responding to or in the area.
7. The reporting party is under the age of 16.
8. There is apparent physical injury.

.12 DLR and ICR Call Types and Incidents

Only the following call types and incidents are qualified for DLR and/or ICR reporting:

1. **Bike Theft**: These include those taken from structures. DLR & ICR
2. **Burglary (Cold)**: ◆ All Third Degree Burglaries (i.e. vending machines), and Second Degree Burglaries from open attached garages, open or unlocked detached garages, or any shed regardless of lock/unlocked/open/closed will be taken. DLR & ICR
3. **Criminal Mischief (Cold)**: ◆ (i.e. damage to property, etc.) DLR & ICR
4. ~~**Traffic Accident HR (Cold)**: ◆ (Internet and Automated DLR only) Private Property and/or incidents without any suspect information or physical evidence.~~

Lost or Stolen Property: -- DLR & ICR

5. **Gas Drive Offs:** (Businesses only) ICR only
6. **Motor Vehicle Theft (Cold):** - ~~(Telephone DLR only)~~ When reported by registered owner. DLR only
7. **Supplement to Case:** (i.e. burglary) DLR only
8. **Theft From Vehicle (Cold):** ~~Cold with~~ no suspect information DLR & ICR
9. **Theft (Cold):** to include theft of auto parts, construction thefts and shoplifts with no suspect information. DLR & ICR
10. **Assault (Cold):** Taken from adult RP s only, no apparent physical injury, not a domestic situation, not requiring medical attention and no weapon involved. Send Officer for photographs if necessary. DLR only
11. **Harassments:** ~~(Telephone DLR only)~~ Obscene, harassing or threatening phone calls where the caller does not believe they are in imminent danger (excluding domestic situations) DLR only
12. **Trespass:** ~~(Telephone DLR only)~~ When only telephone verbal warning is requested. DLR only
13. ~~**Runaway Validation:** (Telephone DLR only) The Records and Identification Section receives a monthly printout of runaways that NCIC wants confirmed or validated. A supplemental form, to record the activity of validating the runaways, is found on the library drive in the templates folder named "Runaway." Officers working direct line reporting should attempt to contact the reporting party to determine if the NCIC entry is still valid, or if the runaway has been located or returned. If the runaway has been located and returned, then the officer shall complete a supplement and ensure that the pick-up has been cancelled. If the entry is still valid, then the officers will use the supplemental form and indicate that the person is still missing.~~

Fraud/Identity Theft (Cold): - ~~(Telephone DLR only)~~ DLR only

14. **Miscellaneous Insurance reports:** DLR only
15. **Incarcerated Victims:** Any crime in which the victim is incarcerated in the El Paso County jail or correctional facility. Those crimes reported with suspect information will be assigned for follow-up upon review by a patrol supervisor.

.13 Staffing Responsibilities

The Patrol Bureau is responsible for staffing the DLR program **Telephone function**. The staffing schedule for the **Telephone** DLR function is set by, and can be modified by the Deputy Chief of Patrol.

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Active date: 2/16/2009 8:51:01 AM
Supersedes date: 12/20/2005

.01 Purpose

To furnish guidelines on enforcement of state and local traffic laws.

.02 Cross Reference

G.O. 170, Citations
G.O. 215, Delayed Enforcement Action
G.O. 290, Towing and Impound Procedures
G.O. 560, Diplomatic and Legislative Immunity
G.O. 602, Off-Duty Enforcement Action

.03 Discussion

The traffic enforcement objectives of the Colorado Springs Police Department are to reduce traffic accidents and to aid in the safe and expeditious flow of vehicular and pedestrian traffic. The department seeks to achieve these objectives through a combination of effective enforcement, public education, and cooperation with the City's Traffic Engineer.

.04 Policy

Although the department maintains specialized [traffic motor](#) units, every officer on the department shares in the responsibility for traffic enforcement, just as every officer assigned to [Traffic Motors](#) also has the duty to enforce criminal laws.

.05 Definitions

This space intentionally left blank.

.10 General Guidelines

The following guidelines are to be followed in traffic enforcement:

Officers shall take appropriate enforcement action whenever a violation is detected. This includes provable violations determined through accident investigation, as well as those violations observed by the officer.

Juveniles involved in traffic offenses will be treated as adults, except in cases where the filing of felony charges is possible.

Military personnel and non-residents involved in traffic offenses will be handled in the same manner as other traffic violators.

Handling of transients shall be in accordance with the guidelines established by the respective

courts of jurisdiction.

Handling of Foreign Diplomats or Consular Officials shall be in accordance with G.O. 560, Diplomatic and Legislative Immunity.

Parking regulations shall be effectively enforced and shall be provided as a service to the public to assure all citizens of proper time and use of available street space.

.16 Hazardous Conditions Requiring Immediate Attention

Any officer learning of, or observing, any hazardous condition that requires immediate attention or repair shall notify Communications. Communications will ensure prompt notification of appropriate agencies (such as street/highway departments and/or public utilities) to effect emergency repairs or restore essential services and assist in removal of debris from the roadway.

.17 Problem Conditions

A problem condition may exist that enforcement action cannot correct; for example: design, traffic education, or engineering deficiencies. In such cases, officers should:

- Recognize the problem
- Report minor maintenance problems, such as downed signs and inoperative lights, to Communications for notification of the proper agency
- Document problems, other than minor maintenance, to formally establish the department's awareness of the problem
- Forward the documentation to the shift lieutenant who shall act as liaison with groups involved with traffic safety

.20 Traffic Stops

Complete rules of procedure for traffic stops are not possible, as situations vary widely. Some general guidelines, however, if combined with law enforcement experience and common sense, can reduce risks to officers and to violators.

Officers in marked vehicles making traffic stops should attempt to direct the violator to a suitable stopping point. The following should be considered in making stops:

Location: When choosing a location to stop the violator, keep in mind lighting conditions, visibility to other motorists, traffic flow, and escape routes. If the violator does not stop in accordance with the directions, the violator can be asked to move the vehicle to a more appropriate location after the initial contact.

Do not block private driveways and accesses to businesses or residential areas by a traffic stop

when you can avoid doing so. If this is not possible, make reasonable efforts to minimize the inconvenience.

If a traffic contact has to be made at a hazardous location, assist drivers to get safely back into the traffic flow.

Positioning of Vehicles: Park behind and slightly to the left of the violator's vehicle when possible and practical, thereby providing yourself some cover in the event of a sudden confrontation. Additionally, this leaves you a space protected from other traffic when making contact with the violator.

Use of Emergency Lights: In order to give as much warning as possible to other motorists, use your available emergency lighting. These lights are also extremely useful in marking your location if you should need assistance.

During hours of darkness, use your available lights (e.g., spot light, high beams and "take-down" lights if available) to illuminate the interior of the violator's vehicle as much as possible. Additionally, these lights can provide you a certain amount of concealment during your approach to the violator.

Notification of Communication Center: Prior to initiating a stop, officers should inform Communications of the vehicle type, license number, projected location of the traffic stop, and occupant information if pertinent. This allows the officer to concentrate solely on the actions of the occupants once the vehicle is stopped, and it allows for Communications to relay pertinent information about the vehicle prior to the officer exiting the vehicle. Additionally, if possible, write the vehicle information down before contacting the violator, thereby providing some information if you should become incapacitated during the stop.

Use caution in approaching the violator's vehicle. Safety procedures include checking other traffic before exiting the police vehicle, watching the violator and passenger actions inside the vehicle, and proper positioning at the violator's vehicle while contacting the occupants.

You should usually make the contact on the driver's side of the vehicle, but some situations may call for contact to be made on the passenger side. If contacting on the driver's side, you should stand immediately behind the rear edge of the driver's door, or at least at a position slightly behind the driver. This requires the driver to turn off-balance to talk to you and, thus, gives you a physical advantage as well as a vantage point to observe activity in the rear seat. Additionally, standing outside the trajectory of the door will prevent injury in the event the violator opens the door abruptly.

While approaching the violator, special attention should be given to activity in and around the vehicle, such as driver and passenger movements. One helpful tactic is to check the trunk or side of the vehicle by touch. Often an officer can feel movement when movement cannot otherwise be detected. Also, by touching the vehicle, you leave an identifiable print on the vehicle.

While approaching the vehicle, you should try to keep your weapon hand free, and if carrying a

flashlight, it should be held away from your body. Keeping the flashlight in this position can distract the violator from your actual location and position. After having determined that the stop is a "safe" traffic stop, you may elect to move forward of the driver's window and complete the contact facing the driver. This also permits better visual contact with traffic in the adjacent lane.

Driver Contact: Upon initial contact, you should tell the violator why s/he is being contacted, obtain driver's license, registration, and insurance information, and explain what action you intend to take, i.e., citation, warning, etc. Do this courteously but briefly, and do not argue with the violator about guilt or innocence. You should complete the contact quickly without delaying the violator any longer than is necessary. Whenever appropriate, you should help the violator get back into traffic safely.

.30 Professional Demeanor and Actions During Contact

Traffic violation enforcement is one of many routine police tasks. For violators, however, it frequently is an emotionally traumatic experience. In many cases, this is the only contact that a person has with this department. Officers should be aware of these conditions and should strive to make each contact educational and to leave the violator with the impression that the officer has performed a necessary task in a professional and friendly manner.

Racial/ethnic/gender status may form part of the basis for making a stop only if there is specific suspect descriptor information that justifies doing so.

The officer should respond calmly to confrontation. Professional law enforcement officers do not permit their own emotional responses to a violator to affect their judgment or actions, and penalties or bonding requirements shall neither be imposed nor withheld on such grounds.

.31 Breaking off Contact

Often officers make contact with vehicle occupants (via traffic stops) and pedestrians in order to verify that they are, or are not, the vehicle or person being sought. The officer should always maintain a courteous attitude toward the person stopped, consistent with officer safety. If the vehicle or individual stopped doesn't match, or is determined not to have been involved, then the officer must break contact in just as professional a manner as the initial contact. Therefore, how this person is treated after the initial contact but before it is terminated, is extremely important.

After it has been determined that the individual was not the party being sought, officers should take the time to explain why it was necessary to stop them; also to explain the reason for the manner of stop, i.e. felony versus non-felony stops. A brief explanation that their vehicle, clothing, description, proximity to the call, etc., matched the information the officer had at the time and warranted contact to verify if they were involved.

The importance of incorporating such persons as our partners in maintaining public safety

cannot be overemphasized. We must always be willing to explain in these situations why we stopped them, and thank them for their cooperation with us. If it appears desirable, the officer can provide the party with the name and phone number of the on-duty supervisor (duty desk number) for verification.

Parties react differently to contacts with police so an officer should be sure that the person is "okay" and calm enough to continue on their way. Officers should also provide the individual with the description of the individual(s) and/or vehicle(s) being sought and the 444-7000 phone number, as well as the officer's ~~cellular~~ voice mail phone number and case report number if it has been assigned. This gives them a sense of involvement as one of our community partners and provides us with an extra pair of eyes.

As a final note, officers should thank individuals for their cooperation and apologize for the minor inconvenience while reminding them that the stop was necessary and important for their safety as a member of, or visitor to, our community. ~~If necessary, officers should log the stop on their Daily Activity Report (log sheet) and fill out a Field Interview Report (FIR), if necessary. In case no enforcement action is taken, a business card will be provided.~~

.32 Impaired Drivers

Officers should be aware of the many possible influences on a violator's behavior, such as alcohol, drugs, and emotional problems. With this in mind, the following should serve as a guide when contacting a traffic violator:

Any officer who contacts a driver suspected of driving under the influence of alcohol/drugs shall assess the driver's ability to operate the motor vehicle safely before the driver is released. The officer ~~may~~ shall utilize Standard Field Sobriety Training that each officer has obtained from the department. The assessment ~~could~~ should include Horizontal Gaze Nystagmus evaluation (if certified in its use), the walk and turn, and the one-leg stand. ~~other field sobriety tests recommended by the department, p~~ Preliminary breath-testing (PBT) may be used, but the decision to arrest must not be based solely on the results of the PBT. ~~or any combination of these techniques.~~ It is the officer's responsibility to maintain proficiency in administering these evaluations.

The officer should use courtesy, discretion and good judgment in dealing with intoxicated persons. If the driver is arrested for a driving offense related to alcohol or drugs, the officer should comply with state motor vehicle laws, regulations, and department procedures in processing the driver for the offense.

If the officer is unable to determine whether the person is intoxicated, mentally distressed, or fatigued, the officer should use discretion in making alternate arrangements for the person to prevent driving before recovery from the impairment.

The officer shall also make arrangements for proper disposition of any intoxicated passengers;

e.g., taxi, Detox, or calling a friend for a ride.

The driver of the vehicle will have a choice on disposition of the vehicle. Choices to be considered are C.S.P.D. Impound Lot, requested towing company, or having the officer park the vehicle legally, at the scene, and secure it.

The driver will be released on signature of summons for court unless circumstances conflict with other directives of this department.

Impaired drivers shall be released to some responsible person who can ensure their well-being, and who agrees to do so, until the drivers are capable of taking care of themselves. If no one is available, the officer should consider Detox or County Jail as an alternative to release.

.40 Warnings (Written and Verbal)

Although it is each officer's responsibility to recognize a violation and to take enforcement action, proper enforcement does not always involve a citation. In many instances, the ends of justice and the object of enforcement are adequately served by **issuing a written warning**. The courtesy traffic warning should be used for non-hazardous violations that did not contribute to an accident, such as minor speeding violations (less than 10 mph over the posted speed limit and not in a construction or school zone), tail light or stop light burned out, headlight burned out, failure to sign an Affirmation of Insurance, no registration in vehicle, or other minor equipment violations or administrative violations. When using the courtesy traffic warning, a copy of the citation should be given to the offender which includes all the basic information regarding the traffic contact and the officers identifying information. In instances where a written warning is given, the officer does not have to provide a business card documenting the stop. The original copy of the traffic warning will be submitted to Data Entry for record keeping purposes. In instances where a higher priority call for service prevents the completion of a written warning, officers are authorized to break off the traffic contact and issue a verbal warning in a courteous manner and tone of voice and document the stop on a business card. ~~This action should not be taken except in worthy cases, determined by considering the circumstances of the violation. Deliberate violations of the traffic laws do not deserve leniency. Warnings shall be given in a courteous manner and tone of voice. When a warning is given, it will be in a firm, efficient, and courteous manner.~~

.41 Multiple Violations

In the case of multiple violations, it shall be the officer's discretion to cite or give a verbal warning for any, or all of the violations.

.45 Traffic Citations

General instructions on usage of the citation, or Summons and Complaint, are found in G.O.

170, Citations . The following instructions are supplementary to those and are specifically related to traffic violations.

The purpose of enforcing traffic laws is to affect the violator in such a manner that the violation will not occur again, thereby making the roadways safer and reducing traffic accidents. The following procedures shall govern the enforcement of traffic laws by issuance of citations.

.50 Completing and Issuing Citations for Moving Violations

When issuing a citation to a violator, an officer should explain the appearance requirements even though they are printed on the citation. Unsafe vehicles shall be cited and the driver advised to discontinue use of the vehicle until it is repaired or properly equipped. Unsafe vehicles may be impounded if conditions warrant.

.54 Notes On Citations

The officer issuing a citation should use the back of the appropriate copies for making notes about a violation. The notes should include:

- Road Conditions: loose material, road work, width, surface conditions, engineering deficiencies
- The number, sex and location of passengers in the vehicle
- Details of the violation itself
- Pertinent remarks of the driver
- Characteristics of the driver which may assist in court identification
- Officer's location and direction of travel when violation was observed
- Any other pertinent details

.56 Refusal Of Violator To Sign Citation

When a traffic violator refuses to sign a citation, the officer should make it as clear as possible that in signing the driver is not admitting guilt but only promising to appear in court. Make sure the violator understands that the promise to appear is not an admission of guilt but that the penalty assessment notice, if signed, is an admission of guilt.

Violators with Colorado Driver's License:

The refusal of a traffic violator who has a valid Colorado driver's license to sign a traffic summons or penalty assessment notice shall not constitute reason for a department officer to arrest the traffic violator and require the violator to post bond.

Officers dealing with a traffic violator refusing to sign a summons or penalty assessment notice shall write "Refused to Sign" on the defendant's signature line and serve the violator the

appropriate copy.

Violators Without Colorado Driver's License:

If the traffic violator does not possess a valid Colorado driver's license, the violator will be required to sign the defendant's line promising to appear. If the violator refuses to sign the traffic summons or penalty assessment notice and, as specified, does not have a valid Colorado driver's license, the violator may be required to post bond. If the violation is a traffic infraction, the violator cannot be made to post bond.

The final decision to require bond of a violator who refuses to sign a citation shall be made by a supervisor. If the officer reasonably believes that the violator will not appear as required, and refusal to sign a promise to make such appearance lends credibility to the belief, then the supervisor must be contacted to decide if the violator should be taken into custody to post bond.

.60 Driver

If the traffic violator does not have a driver's license in his/her possession and no record of a valid license is found, officers should exhaust all reasonable means of determining the license status of the violator. However, in the event the status cannot be determined, or the violator is not properly certified to drive, the violator should not be allowed to drive any further.

Appropriate summonses should be completed in accordance with G.O. 170, Citations and the violator's vehicle should be handled within the guidelines of G.O. 290, Towing and Impound Procedures.

Drivers who hold a valid driver's license from any state or country (verified through the Department of Revenue) and have no restrictions against their driving privilege in Colorado, but do not have the document in their possession, can be allowed to drive.

Those drivers whose driving privileges have been suspended, revoked, or denied in Colorado should not be allowed to drive.

.65 Referral of Driver(s) for License Re-Examination

In the course of an officer's related activities, he/she may identify certain individuals that have a physical, mental, or other condition, that prevents or limits that individual from exercising adequate care and/or operation of a motor vehicle. In cases where the officer feels it is necessary to request administrative action from the Department of Motor Vehicles, the following procedure shall apply:

The Officer should complete the Colorado Department of Revenue, Motor Vehicle Division, Request For Driver License Re-Examination form (DR2536) and forward it to his/her supervisor. In addition to reports/summonses related to the action or incident for which the motorist was contacted, the actual or suspected impairments should also be documented.

.70 Motorist Assists

Officers who encounter a motorist in need of assistance should stop to assist that motorist. In instances where the motorist is stranded in a location that is dangerous to either the motorist or the public, the officer will make every attempt to assist unless the officer is assigned to a high priority call.

Officers may assist these motorists by calling for the fire department to assist with fire, illnesses or injuries. They may transport a motorist, with supervisory approval, to a safe location where the motorist may secure assistance. The officer may have dispatch contact a specific tow company requested by the motorist or arrange through dispatch for a private tow from the rotating list. Officers may also assist the motorist by calling a friend or taxi, pushing the vehicle from the roadway or taking other necessary action.

.80 Traffic Direction - Conditions and Responsibilities

During special events or unusual occurrences, the direction of traffic at a location may require traffic signal operations to be modified. To facilitate traffic flow, City Traffic Engineering Division's Signals Section can be called to modify a traffic signal to facilitate traffic movement or re-route traffic at a control point. The modification may be possible by computer from the Traffic Management Center or a field technician may need to respond to the scene. The on-scene supervisor or special events coordinator will be responsible for determining if such measures are warranted. Considerations for this would include prolonged interruptions of the normal flow of traffic.

The City of Colorado Springs Utilities Company can also respond to control points, and temporary barriers can be put in place to aid with traffic direction. If a traffic signal cycle is modified or temporary barriers are put in place to alleviate traffic congestion or modify traffic flow, arrangements must be made before reopening the control point to return the traffic signal to its normal cycle and to remove any temporary barriers, barricades or signs from the roadway.

Officers have discretion to remove such barricades or barriers and place them out of traffic lanes for later pickup. As the City of Colorado Springs has a computerized traffic control system, officers or other untrained personnel should not attempt to adjust or modify any signal.

.85 Traffic Direction - Hand Signals and Gestures

When conducting manual traffic direction and control, all members will utilize uniform hand signals and gestures that will not confuse vehicular or pedestrian traffic. To assure standardization, members will use only the techniques approved through the Training Section for traffic direction and control.

The following illustrations and descriptions are examples of uniform hand signals and gestures

that are approved for use:

To stop traffic, you should first turn to stand with your shoulder and side toward the traffic to be halted. Look directly at the driver of the car to be stopped, and extend your arm and index finger toward the driver. Then raise your hand at the wrist, so that the palm faces the driver. This position should be held while sounding one long blast of your whistle.

To start traffic, you should first turn to stand with your shoulder and side toward the traffic to be started. Look directly at the driver of the car to be started, and extend your arm and index finger toward the driver. Sound two short blasts on the whistle. Then swing your pointing arm, from the shoulder only, upward through a vertical semi-circle. Repeat this gesture as appropriate to continue smooth traffic flow.

In both stopping and starting traffic, you should always take into consideration the volume of traffic flow, natural breaks in traffic, and any other considerations (such as weather or roadway conditions) that may affect a driver's ability to proceed safely. Special care should be taken to ensure that turning traffic is safely controlled.

.90 Reflective Vests, Department Members to use

All department officers, when directing vehicular traffic, shall wear a reflective vest or other high-visibility clothing to increase officer safety and recognition by drivers.

Exception: Exigent circumstances may cause a reflective vest or high-visibility clothing to become a hindrance to law enforcement functions. Department supervisors may grant exceptions for special situations; for example, traffic control at a TEU call-out, sniper attacks, emergency calls for service.

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Colorado Spring Police Department

General Order 215

-- Delayed Enforcement Action

Active date: 10/19/2005

Supersedes date: 4/16/1989

.01 Purpose

To outline appropriate situations and procedures for delayed enforcement of traffic violations.

.02 Cross Reference

G.O. 210, Traffic Law Enforcement

CALEA Standard 61.1.5

.03 Discussion

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.04 Policy

The Colorado Springs Police Department will enforce traffic laws impartially, no matter who the violator may be. In some circumstances, it may be beneficial to delay enforcement for reasons of safety or the public interest. Delaying the enforcement action does not imply that the Department excuses the violation or condones it; the issue in question is the proper balance to be struck between the urgency of the situation and the need for immediacy in enforcement.

.05 Definitions

This space intentionally left blank.

.10 Criteria For Delaying Enforcement

Officers should take prompt and proper police action when laws are violated. However, some situations may call for delayed enforcement action for certain traffic violations. These situations usually occur when a citizen is making an emergency response in a non-emergency vehicle.

Officer discretion must be used in determining when delayed enforcement is advisable, as all possible contingencies cannot be foreseen. Some examples of applicable situations are furnished here to serve as guidelines:

- A physician or nurse making an emergency response to a hospital or clinic.
- Volunteer fireman responding to a call, if the requirements for emergency equipment as called for in CRS 42-4-213 219 are met.
- City personnel responding to an emergency situation (e.g., explosion or power outage).
- A citizen responding to a hospital or clinic because of a medical emergency.

.20 Delayed Enforcement Procedures

The following guidelines shall govern officers' actions when delayed enforcement is chosen:

- Advise the violator of the violation
- Advise the violator that a summons will be issued, but s/he will be allowed to proceed to his/her destination
- Obtain all the necessary information to re-contact the violator, if necessary
- Follow the violator, if in city limits, to his/her destination. Complete and issue the summons
- If the delay is lengthy or the violator's destination is out of the city, arrange for a date, time and place to issue the summons
- An officer shall give a verbal warning to the violator if appropriate. The officer's decision to cite should be based on whether the nature of the emergency is more significant than the traffic hazard to the public

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Colorado Spring Police Department
General Order 230
-- Traffic Accident Investigations

Active date: 12/12/2005
Supersedes date: 1/24/2000

.01 Purpose

To furnish guidelines for accident investigations, in general, and to refer to specialized directives for certain kinds of accidents.

.02 Cross Reference

G.O. 231, Counter Reports
G.O. 232, Hit and Run Accident Investigation
G.O. 234, Fatal or Serious Injury Accidents
G.O. 250, Accidents Involving Department Members
G.O. 290, Towing and Impound Procedures
SOP P1-152 Interstate 25 Incident Management
CALEA Standards 61.2.1; 61.2.2; 61.2.3; 61.2.4; 61.3.2; 82.2.1; 82.2.4; 83.2.6

.03 Discussion

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.04 Policy

Use of consistent methodology in investigating traffic accidents is essential to ensure that proper action is taken for each kind of accident. This General Order provides guidelines for accident investigation in general. Specialized procedures, as listed under paragraph .02 above, will be followed for the accidents to which they pertain.

.05 Definitions

This space intentionally left blank.

.10 Immediate Steps

Upon arrival at the scene of an accident, an officer shall:

Take all necessary actions to prevent the accident from becoming worse. This includes determining the need for additional assistance, caring for injured persons and protecting property. Officers should attempt to get the vehicles involved in an accident removed from the roadway as expeditiously as possible when the accident causes a disruption to the traffic flow or creates a traffic hazard. The exception to this would be serious injury or fatality accidents or where there is obvious city liability. When responding to I-25 accidents where the vehicles involved are capable of being driven, the drivers should be directed to drive to, and meet at, a location off the interstate where the investigation and report can be completed.

Determine classification of accident:

- Fatal
- Evident incapacitating injury
- Evident non-incapacitating injury
- Complaint of injury
- Non injury
- ~~Fatality Incapacitating injury Non-incapacitating injury Non-injury.Hit and run~~

Follow appropriate procedures for each classification of accident.

If the Fire Department is called to assist at an accident scene, the investigating police officer at the scene shall be in charge.

.20 Field Investigations

The following steps should be taken in the course of an accident investigation to assure proper documentation and handling:

- Locate and identify all drivers involved in an accident. If a Traffic Investigator is assigned, the first officer on the scene will, if possible, obtain driver's licenses, registrations and proofs of insurance from the drivers involved, and will hold them for the Traffic Investigator.

~~Make diagrams on all serious injury and fatality accidents. Diagrams will also be made on all City-owned property accidents when a Colorado Investigator's Traffic Accident Report Form, DR 447, is completed and there is obvious city liability.~~

- Locate all witnesses, if possible. If a Traffic Investigator is assigned to the accident, the first officer at the scene will be responsible for having witnesses fill out written statements.
- Observe driver's physical condition. If a driver appears to be under the influence of alcohol or controlled substances, the appropriate procedure shall be followed.
- Note all physical conditions at the accident scene. ~~Take accurate measurements and obtain all that is necessary for a diagram.~~ Obtain necessary scene measurements to document in the narrative or in the diagram.
- Obtain all physical and photographic evidence necessary to clarify the chain of events that produced the accident.
- Check the scene and area for hazards and defects in the road, lighting, signs, signals, etc. The investigating officer has the responsibility to see that debris from the accident is cleared from the roadway.

If city property has been damaged in the accident, Communications is to be notified of the type of city property damaged and its location. In such cases, the investigating officer shall obtain liability insurance information, including, if known, the name of the company, policy number and local agent from the responsible driver(s).

The investigating officer shall notify Communications of any existing hazardous condition that requires immediate attention or repair.

Vehicles involved in the accident should be checked for defects, mechanical or otherwise, which may have contributed to the accident. If a defect is found that would make the vehicle unsafe to drive, it will be towed from the scene.

Investigating officers ~~will complete~~ or have the involved drivers fill out and exchange the Department collision information form.

In accidents involving unattended vehicles or property, it is the investigating officer's responsibility to properly notify the owner of the vehicle or property in person or in writing. Notification shall include the date, time and location, and the accident report number.

If accident victims are unable to take custody of their personal property at the scene, the investigating officer is responsible for assuring that the items are properly protected. If no authorized person can assume custody of such items, the investigating officer shall follow the same procedures as for personal items found in impounded vehicles; i.e., make an inventory and enter the items as personal property on a Custodian's Invoice. The officer shall further assure that the owner is properly notified.

.30 Completion of Reports

All reports of investigated traffic accidents will be made on the proper report form (see following paragraphs) and submitted to the officer's supervisor before going off shift, unless the officer is excused from doing so by his/her supervisor. Reports on all hit and run incidents with suspects, and on all accidents involving major damage, serious injury, or death, will be made before going off shift, without exception. All reports must be completed and submitted to the officer's supervisor before the officer goes on days off or vacation.

.32 Supervisor Review

~~Traffic supervisors in each area command will review all traffic accident reports completed by officers assigned to their division and Supervisors will review all traffic accident reports submitted to them~~ and ensure that reports are properly completed and submitted according to section .30 of this policy. Upon completion of the review, supervisors will initial and date the upper right hand corner of the accident report. Reviewed reports will then be forwarded through interoffice mail to the ~~Data Entry Major Accident~~ Unit.

.34 Accident Reports - State Form

Documentation of a traffic accident is made on the State accident report form. For uniformity, the following procedures are mandatory:

Any accident report that may result in a vehicular assault, or ~~vehicular~~ homicide charge, or that involves serious injury will be dictated for typing or typed by the investigating officer. ~~Diagrams will be drawn to scale.~~

In accidents involving minor injury or damage, the report may be handwritten or dictated. ~~The~~

~~diagram need not be drawn to scale, unless City property has been damaged.~~ If more than two vehicles and/or pedestrians, or more than 8 injured occupants are involved, additional standard State Accident Report Forms will be used. If the report is handwritten, ~~it shall be written the entire report, with supplements, shall be handwritten~~ in non-water base black ink. ~~If the report is typed, all supplements shall be typed.~~

.36 Completion of State Reports

The Department of Revenue has established a manual of acceptable forms that shall be submitted to the State as part of an accident report. Any accident documentation on CSPD forms (e.g., witness statement form, driver statement form, supplement form , etc.) can be used and will be entered in the Department's CRIS system, but will not be forwarded to the State as a part of the accident report.

The accident description is a chronological narrative of the accident and shall include the following:

1. Set the stage
2. Crash the vehicles together
3. Bring the vehicles to rest

The narrative description is based on the officer's investigation. Witness statements and driver statements shall be obtained, however, are not to be included in the narrative.

~~Traffic accident reports shall be completed following the guidelines established in the Investigating Officer's Traffic Accident Reporting Manual. Statements from the drivers of the vehicles are not required unless there is a difference of opinion between drivers of what occurred and there is a lack of physical evidence or independent witnesses.~~

Statements from drivers and witnesses ~~to the accident may will~~ be taken, but will not be included in the narrative. ~~The name, address and telephone number of the witnesses will be included at the end of the narrative.~~

All street names will be complete, including avenue, street, drive, lane, etc. ~~Named streets will be in alphabetical order. Numbered streets will be used first and sequentially.~~ All north-south alleys will assume the name and hundred block of the street to the west of the alley. All east-west alleys will assume the name and hundred block of the street to the north of the alley.

In classifying traffic accidents by location (intersection or non-intersection), the following criteria will be utilized:

- Accidents that occur within the confines of the legal definition of an intersection will be classified as intersection collisions. Note that, by City ordinance, the junction of an alley with a street is not considered an intersection, and in reports should be considered similar to a driveway.

~~When factors contributing to the collision are related to an intersection, the intersection should be used as the location. Accidents typical of this type might involve vehicles that are struck while waiting for a traffic signal to change or an accident in which a pedestrian is struck in~~

~~proximity to a crosswalk.~~

- Accidents that are not within the confines of the legal definition of an intersection (e.g., approach to intersection, ~~related to an intersection~~ (e.g., driveways, parked cars, fixed objects) will be classified according to the hundred block in which the collision occurs and include the distance in the number of feet from the nearest permanent reference point, preferably the nearest cross street
 - For Example: (200 E. Rio Grande Street ♦ 125 feet east of Nevada Avenue)
- Private property accidents shall use the exact business address of the property instead of the hundred block
 - For Example: (707 S. 8th St. for the Walmart parking lot)
- I-25 accidents shall use the milepoint (MP) to the hundredth decimal place for all I-25 locations except for ramp locations
 - For Example: (NB I-25 MP 145.50 for the location between Fillmore and Garden of the Gods; NB I-25 off-ramp at Fillmore St. for an accident in the intersection of the off-ramp and Fillmore; and NB I-25 off-ramp 200 feet south of Fillmore St. for an accident on the ramp approaching Fillmore St.)

Measurements are required for all accidents when evidence is present, e.g. skid marks, point of impact, point of rest, etc. If the path measurements are included in the narrative they do not need to be included again in the diagram. Measurements should include pre-impact marks, point of impact marks, post impact tire marks, and uncontrolled positions of rest.

Diagrams are required for all accidents completed by Department members when the injury severity is classified as evident incapacitating injury or fatal. ~~except for accidents classified under \$1000, private property, non-injury and private property, or minor injury accidents.~~ Diagrams need not be drawn to scale but should be proportional.

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Colorado Spring Police Department

General Order 231

-- Counter Reports

Active date: 5/6/2008 7:17:43 PM

Supersedes date: 1/24/2000

.01 Purpose

To establish and set policies and procedures for an alternate police traffic accident report taking process, counter (cold) reporting.

.02 Cross Reference

G.O. 230, Traffic Accident Investigation

.03 Discussion

The counter reporting program allows citizens an alternative to report traffic accidents directly

to the Department of Revenue (DOR) under certain circumstances. The two methods of reporting include internet reporting on the computer and counter-reporting with forms available on-line or at the divisional substations. The department does not accept or maintain counter accident reports. The reports are mailed by citizens or submitted on line directly to the Department of Revenue (DOR).

.04 Policy

The Public Safety Communication Section may refer drivers to counter report an accident when the criteria for counter reporting are met due to accident alert status, private property, or minor damage.

An officer that is dispatched or arrives at the scene of a traffic accident may refer drivers to counter report when the criteria for counter reporting are met due to accident alert status, private property, or minor damage.

Citizens may file a counter report with the State of Colorado by going directly to the CSP Website <https://crash.state.co.us/> or by going to <http://www.springspolice.com> website to access counter reporting instructions and forms.

All divisional substations shall maintain copies of the State Accident Report DR-447-E with the CSPD instructions available for walk-in traffic desiring to counter report a traffic accident.

.05 Definitions

Accident Alert: Accident Alert is the procedure to suspend the investigation of certain types of traffic accidents due to weather and road conditions or manpower limitations.

Counter Reporting: Counter reporting is the procedure a citizen utilizes to complete and submit a traffic accident report directly to the State of Colorado that is not investigated by law enforcement.

Online Reporting: Online reporting is the use of the Colorado State Patrol website <https://crash.state.co.us> to complete the counter report.

Private Property: Private Property for accident investigation purposes is property that is not included in the traffic way. It is property not maintained or regulated by state or local transportation departments. When an accident starts on a public roadway or highway (i.e., ran off the road on to private property) the accident is not considered a private property accident.

.10 Accident Alert

When the department activates or cancels the accident alert status it will be done simultaneously

in all area commands. The decision to activate or discontinue the accident alert status will be done by a shift commander, his/her designee or the Public Safety Communication Section supervisor.

The decision shall be based on a variety of criteria to include the roadway and weather conditions throughout the city, the backlog of traffic accidents and others calls for service, the current and future staffing levels in each area command, and the weather forecast. Shift commanders shall attempt to communicate with each other to decide on the activation and cancellation of the accident alert status to avoid multiple changes of the accident alert status.

An Enhanced Tactical Communication System (ETACS) entry shall be made by the supervisor that makes the decision to activate or cancel the accident alert status. The ETACS will serve as a media notification of the accident alert status.

Citizens shall be directed to counter report their traffic accident when accident alert is activated and the following criteria is met:

- No fatality or injury requiring medical attention and transport to a hospital by ambulance was sustained by any person(s) involved in the accident
- No driver involved in the accident is suspected of driving under the influence of alcohol or drugs
- No damage to any public property (a road sign, utility pole, etc.) other than wildlife
- No driver left the scene prior to exchanging the necessary information
- No driver failed to provide valid license, registration, and insurance information
- No Colorado Springs City vehicle in motion is involved

When damage to any vehicle requires a wrecker, a counter report can still be made providing the above criteria is met.

.20 Private Property Accidents

Drivers involved in an accident on private property shall be directed to counter report when the following criteria is met:

- No fatality or injury requiring medical attention and transport to a hospital by ambulance was sustained by any person(s) involved in the accident
- No driver involved in the accident is suspected of driving under the influence of alcohol or drugs
- No damage to any public property (a road sign, utility pole, etc.) other than wildlife
- No severe damage to another's property; e.g., vehicle through a building
- No driver left the scene prior to exchanging the necessary information
- No driver failed to provide valid license, registration, and insurance information

.22 Hit and Run Accidents Involving Unattended Motor Vehicle

Hit and run accidents involving an unoccupied, parked vehicle on a city street or on private property, and hit and run accidents involving property damage, to include city property, shall be counter reported unless:

- The suspect driver is known by name
- The suspect vehicle can be described to include the license plate number
- The location of the suspect vehicle or suspect driver is known

The Colorado State Patrol website at <https://crash.state.co.us> does not allow the on-line reporting of hit and run accidents. Vehicle owners, owners with property damage, or victims of a hit and run accident without suspect information as listed above, must utilize the DR-447 available with instructions at the area commands of the police department or on the CSPD website.

.24 Minor Damage Accidents

Drivers may choose to counter report a traffic accident that occurs on a city street that involves minor damage, with the apparent amount of damage to any one vehicle or other property being less than \$1,000, and all of the following criteria are met:

- No fatality or injury requiring medical attention and transport to a hospital by ambulance was sustained by any person(s) involved in the accident
- No driver involved in the accident is suspected of driving under the influence of alcohol or drugs
- No damage to any public property (a road sign, utility pole, etc.) other than wildlife
- No driver left the scene prior to exchanging the necessary information
- No driver failed to provide valid license, registration, and insurance information
- No one insists that the police respond

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Colorado Spring Police Department General Order 232 -- Hit and Run Accident Investigations

Active date: 12/27/2006

Supersedes date: 12/7/2005

.01 Purpose

To prescribe fixed procedures for investigating hit and run accidents.

.02 Cross Reference

G.O. 230, Traffic Accident Investigations

G.O. 831, Collection of Physical Evidence

.03 Discussion

This space intentionally left blank.

.04 Policy

In addition to requirements in G.O. 230, the procedures in this directive will apply to all hit and run accidents.

.05 Definitions

This space intentionally left blank.

.10 Actions at the Scene

- Obtain and broadcast a description of the run vehicle, its driver and occupants, as soon as possible.
- Concentrate on witnesses who can identify the driver and vehicle.
- Thoroughly check the scene for any physical evidence. Make note in the report of all evidence found and turned in to the [Evidence Unit Custodian's Office as detailed in G.O. 831, Collection of Physical Evidence](#).
- Conduct a neighborhood check for additional witnesses and information.
- Obtain home and work telephone numbers of victims, witnesses, suspects (i.e. anyone involved in the investigation).

.12 Determinations Concerning Witnesses

Location: Where was the witness in relation to the point of impact? Could the witness have seen what took place?

Observation: What, and where, was the first thing connected with the accident observed by the witness? Were there any unusual actions on the part of those involved?

Identification: Can the witness identify the parties in the accident? Did the witness overhear any conversation, or engage in conversation, with any of the parties?

.14 Follow up

- If a suspect address is developed, attempt contact at that address. Obtain and document any information received.
- Attempt contact at neighbors of the suspect. Obtain and document any information received.
- If the run vehicle is impounded, ensure that the report is completed and sent to the Traffic Sergeant prior to going off shift.
- Run listings on all hit-and-run suspect vehicles. Attempt to contact owner of the vehicle by driving to registered address, if in the City limits, and check for the vehicle and/or suspects. Document efforts to contact suspect and vehicle in the accident report and turn in the report prior to going off shift.

- If the vehicle registers outside the City limits a teletype may be sent to the agency where the vehicle is registered to have another law enforcement agency check the address.
- A QQ (Query Query) should also be done on the suspect vehicle so the investigating officer can contact whoever recently queried the vehicle to determine the circumstances.

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Colorado Spring Police Department

General Order 234

-- Fatal or Serious Injury Accidents

Active date: 4/19/2007 10:07:41 AM

Supersedes date: 12/10/1998

.01 Purpose

To prescribe mandatory procedures for investigating fatal and serious injury traffic accidents.

.02 Cross Reference

G.O. 230, Traffic Accident Investigations

G.O. 350, Death Notifications

G.O. 355, Organ Donor Programs

G.O. 831, Collection of Physical Evidence

.03 Discussion

This space intentionally left blank.

.04 Policy

In addition to the procedures in G.O. 230, the following procedures are mandatory in investigating and processing all fatal and serious injury accidents. If the accident involves multiple fatalities, the relevant procedures shall be repeated for each.

.05 Definitions

SERIOUS BODILY INJURY (CRS 18-1-901): Bodily injury which either at the time of the actual injury or at a later time, involves a substantial risk of death, a substantial risk of serious permanent disfigurement, a substantial risk of protracted loss or impairment of the function of any part or organ of the body, or breaks, fractures, or burns of the second or third degree.

VEHICULAR HOMICIDE: 18-3-106, (1)(a) If a person operates or drives a motor vehicle in a reckless manner, and such conduct is the proximate cause of the death of another, such person commits vehicular homicide.

(b)(1) If a person operates or drives a motor vehicle while under the influence of alcohol or one or more drugs, or a combination of both alcohol and one or more drugs, and such conduct is the

proximate cause of the death of another, such person commits vehicular homicide.

VEHICULAR ASSAULT: 18-3-205, (1)(a) If a person operates or drives a motor vehicle in a reckless manner and this conduct is the proximate cause of serious bodily injury to another, such person commits vehicular assault.

(b)(I) If a person operates or drives a motor vehicle while under the influence of alcohol or one or more drugs, or a combination of both alcohol and one or more drugs, and this conduct is the proximate cause of a serious bodily injury to another, such person commits vehicular assault.

.10 Notifications

The Major Accident Response Team (M.A.R.T.) shall be notified by the Communication Center with approval of a patrol supervisor for the following:

- Fatal accidents
- Vehicular assault accidents
- Officer involved traffic accidents where the officer or another person is seriously injured
- Officer involved accidents where there appears to be City liability
- Any person involved in the accident receives serious bodily injury as a result of the accident and the driver is suspected of reckless driving, DUI or DUID
- Enhanced investigations by the MART is necessary
- When the patrol supervisor on-scene believes the Major Accident Detective is necessary

The following options are available to an on-scene supervisor:

- Telephone consultation with a MART Sergeant
- Limited response to the scene by a Major Accident Investigator or Traffic Sergeant
- Complete team response to the scene by the MART

~~In all fatal accidents, serious bodily injury traffic accidents, traffic accidents involving a Department member where a person is injured, and in all accidents in which there is a likelihood of felony charges, Communications shall notify the Sergeant in charge of the Major Accident Unit on duty or the on-call Accident Response Team Sergeant.~~

.12 Authority

~~In all fatal and serious accidents, the on-call Major Accident Response Team Sergeant, or in his/her absence, the detective from MART, the Sergeant, or ranking officer from the Major Accident Unit at the scene, shall be in complete charge of the investigation, regardless of the rank of other officers present from other components of the Department.~~

In all fatal and serious traffic accidents, the on call Major Accident Response Team Sergeant, or in his/her absence, the detective from the Major Accident Response Team or the ranking traffic

officer from the Major Accident Response Team shall be in charge of the investigation, regardless of the rank of other officers present from other components of the department.

.14 Preservation of Evidence

Special care should be taken in preserving all physical evidence at the scene, until it can be collected, measured, photographed, and statements taken as detailed in [GO 831, Collection of Physical Evidence](#).

At the discretion of the investigating officer(s), the Forensics Laboratory unit may be used to assist in the investigation of the accident.

.20 Initial Actions

The first unit to arrive at the scene shall be responsible for preserving the scene until released by the Major Accident Unit Detectives or Major Accident Unit Sergeant. Additionally, the first arriving unit shall notify Communications if additional assistance is needed, and if ambulances are needed to transport injured persons.

.30 Coroner

The body of the deceased, at the scene of an accident, shall not be moved or searched until a representative of the El Paso County Coroner's Office has arrived at the scene. ~~When the body has been examined by the coroner, it shall be placed on a sheet by ambulance attendants. The sheet will be of great importance when the accident is of a hit and run nature and, in all cases, should be treated with care in the preservation of evidence, and shall remain with the body until released by the coroner.~~

.40 Interviews

At the discretion of the investigating officer(s), witnesses, uninjured drivers and passengers involved in accidents that result in a M.A.R.T. response, may be transported to police department facilities for interviews. First responding officers shall take all necessary steps to interview and properly document the identity of all potential witnesses that leave the scene of the accident prior to the arrival of M.A.R.T. personnel. ~~all uninjured drivers and passengers in the involved vehicles may be transported to Police Department facilities for interviews.~~

.42 Disposition of Vehicles

Any vehicles involved in the accident will be towed to the City Impound Lot by the City contract wrecker service, if determined necessary by the investigating officer. If vehicles are towed from the scene by another wrecker service, the City contract wrecker service will tow involved vehicle(s) from the other wrecker service's lot to the City Impound Lot. All vehicles so

impounded will be held as evidence until released by the District Attorney's Office.

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Colorado Spring Police Department

General Order 250

-- Accidents Involving City Employees or Vehicles

Active date: 11/18/2005

Supersedes date: 12/10/1998

.01 Purpose

To establish procedures governing investigation of accidents involving City employees, including Police Department personnel [and volunteers](#), or City vehicles.

.02 Cross Reference

G.O. 230, Traffic Accident Investigations
CALEA Standards 61.2.2; 61.2.4

.03 Discussion

As the nature of emergency services exposes public safety personnel to various hazards, the Department attempts to develop driving techniques that minimize vehicle accidents. Further, if any governmental entity can be associated with an accident, attempts will almost certainly be made to make that entity a "deep-pocket" party to civil suits that may arise. For these and other reasons, the causes and circumstances of an accident involving City vehicles or on-duty personnel must be extensively documented.

.04 Policy

The Department shall ensure thorough and proper investigation of all accidents involving on-duty Department personnel, other on-duty City employees, or any City vehicles.

Note: Certain minor accidents involving fixed objects and unexplained or newly discovered minor damage to Department vehicles require only that a memorandum be submitted to the involved member's Deputy Chief. Further clarification should be sought from supervisory or Command Officers.

.05 Definitions

This space intentionally left blank.

.10 Driver

A Department member who is a driver involved in an accident with a City vehicle, or is involved in an on-duty accident with any vehicle, shall be responsible for the following:

- Notification of Supervisor: A field supervisor will be notified without delay. The ~~Command Duty Officer and the~~ member's Division Commander will be notified if the accident involves serious injuries.

- Statements: No oral or written statement concerning the cause of the accident will be made at the scene, unless made to an officer investigating the accident.
- Reporting Circumstances: The driver will submit a memorandum, giving the details of the occurrence, through channels to his/her Division Commander/[Director](#).

Exception: When the driver is incapacitated, the assigned supervisor will submit the memorandum for the driver.

In any event, no employees involved in a vehicle accident will investigate their own accident, but will cooperate in supplying driver's license and vehicle information to the investigating officer.

.12 Passenger Responsibilities

Department members riding as passengers will cooperate with the investigating officer in supplying information.

.20 Responsibility of Supervisor Assigned

Supervisors assigned to vehicle accidents, under this directive, shall ensure the following:

- Notification of City [Risk Management](#): ~~Safety Office~~: The City [Risk Management](#) ~~Safety Office~~ shall be notified without delay.
- Response to the Scene : The assigned supervisor shall respond to the accident scene and ensure that a proper investigation is being conducted, according to Department policy and procedure.
- Assigning Investigative Responsibility: Whenever possible, a Traffic Accident Investigator shall be assigned to investigate and report on the accident. If no Accident Investigator is on duty, or if all on-duty Accident Investigators are already involved in accident investigations, another Patrol Bureau officer shall be assigned. The supervisor may choose to co-investigate the accident with any investigating officer.
- Obtaining Photographs : Photographs shall be taken of all damage resulting from an accident involving a City vehicle.
- Supervisor's Report : Once the driver's memorandum report is submitted, the assigned supervisor will complete a memorandum detailing the supervisor's conclusions about the cause and preventability of the accident. The driver's memorandum and the supervisor's memorandum are to be jointly forwarded to the Division Commander/[Director](#).

.30 Investigating Officer

The officer assigned to investigate shall be responsible for the following:

- The investigation will be conducted in the manner required by State statutes, and the State of Colorado Investigator's Traffic Accident Report Form, DR 447, will be completed.
- A diagram will be made on all Departmental vehicle accidents when a state Report Form DR 447 is made, if there is moderate to extreme damage or injuries.

- The accident report shall carry unit numbers, in addition to license plate numbers.
- Home addresses of any Department members involved shall be shown as the address of Police Operations Center, 705 South Nevada Avenue, 80903.
- Members' home phone numbers shall not be shown on the report. All accident reports involving department members will be typed.

.40 Enforcement - Other City Employees (Non-Police)

When a traffic accident, occurring in the City of Colorado Springs, involves an on-duty employee of another City department, and the facts of the accident establish probable cause that a misdemeanor, petty offense or civil infraction violation has been committed by the City employee, the investigating officer and the supervisor shall issue the appropriate summons and complaint, citing the City employee into El Paso County Court.

.50 Enforcement - Police Department Members

When a traffic accident, occurring in the City of Colorado Springs, involves an on-duty Department member and the facts of the accident establish probable cause that a misdemeanor, petty offense or civil infraction has been committed by the Police Department employee, the member's Division Commander will make a written recommendation on whether a summons and complaint should be issued. This recommendation, along with the accident report, will be reviewed by the ~~Central Division Commander and~~ Patrol Bureau Deputy Chief. If directed, the member's Division Commander/Director will prepare a Summons and Complaint to have the violating Department member cited into the El Paso County Court.

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Colorado Spring Police Department

General Order 290

-- Towing and Impound Procedures

Active date: 12/27/2006

Supersedes date: 11/18/2005

.01 Purpose

To assist officers in determining whether a vehicle should be impounded and to give appropriate impound procedures.

.02 Cross Reference

All of this Section 2, Traffic Operations
 G.O. 160, Motor Vehicle Thefts
 G.O. 833, Evidence Office Procedures

.03 Discussion

This space intentionally left blank.

.04 Policy

The department has an obligation to the public and the owners of motor vehicles to assure the continued safety of vehicles on public ways. In some circumstances, this assurance is provided by impounding and towing certain vehicles to the Police Impound Lot. Such actions inform the owner of a vehicle that the vehicle is being protected and inform the public that dangerous vehicles/drivers on public ways will receive police attention.

.05 Definitions

This space intentionally left blank.

.10 City Contract Wrecker Service

The City of Colorado Springs maintains a contract with a wrecker service to tow certain impounded vehicles. The contract wrecker service shall be used when a vehicle is impounded for any of the following reasons, and, if appropriate, under paragraph .30:

- Abandoned car on public way (over 72 hours; 24 hours for metered business districts)
- Cars left in a traffic lane, or otherwise creating a hazard
- Cars on a public way blocking driveways, alleys, etc.
- Cars held for proof of ownership
- Expired or misused license plates
- Unsafe vehicles (on public ways)
- Driver was driving without a current and valid operator/chauffeur's license
- Driver drove without proper license endorsement
- Driver's license is denied, cancelled, suspended or revoked by the State
- Cars held for evidence processing (only if unable to process at scene)
- Cars involved in accidents that may lead to the filing of felony charges (vehicular assault, vehicular homicide), if determined necessary by the investigating officer
- Hit and run vehicles, if the driver is or has been arrested, or vehicle has been abandoned

.20 Signing of Tow Bills

If an officer needs to clear a scene before a contract wrecker has completed its work, the officer shall have the wrecker driver fill out the tow bill, in its entirety, before signing it and clearing the scene. No officer shall sign any tow bill that has not been completed by the contract wrecker driver.

.30 Owner/Driver Arrested

An owner/driver, who is arrested, shall be offered the following options:

- Properly parking and, if possible, locking the vehicle. As this is an option that the person may accept or refuse, the Police Department will not assume liability for the vehicle or its contents.
- Summoning a wrecker of the owner/driver's choice and at his/her expense
- Releasing the vehicle to another person at the scene. If this option is chosen, the officer shall ensure that the person to whom the vehicle is released is a licensed and unimpaired

driver.

- Towing by the city contract wrecker service to the department Impound Lot

These options shall be offered for all vehicles with the following exceptions:

- When a vehicle is to be held for evidence or investigation
- When the owner/driver is not competent to make a rational and timely decision
- When the owner/operator is not on scene and therefore is unable to contract with a tow company for towing and storage of the vehicle
- When an agreement for a public consensual tow cannot be reached, or cannot be reached in a timely manner, i.e., the same forty-five (45) minute time frame allowed in the towing contract

.40 Impounding

When a vehicle is impounded by this department, the following steps are required:

- An Impounded Vehicle Report, or car card, will be completed and will accompany the vehicle to the department Impound Lot.
- The officer impounding the vehicle, before releasing the vehicle to the wrecker service, shall conduct a complete custodial inventory search of the vehicle, for the protection of valuables in the vehicle, and for the protection of the public from potentially dangerous contents.
- All items of discernible, substantial value shall be removed from the vehicle and entered into personal property on an [Evidence/Property Custodian's Invoice](#). See [G.O. 833, Evidence Office Procedures Handling of Evidence and Property](#). If access to the trunk is available from use of the trunk key or through any other means such as an electronic latch or folding seat, the contents of the trunk shall be searched.
- While conducting the custodial inventory, should the impounding officer locate a container in or on the vehicle, it is the officer's responsibility to open such container and inventory its contents. Officers should remain alert to potential hazards of suspicious containers. Locked or sealed containers should not be opened.
- The ignition key of the impounded vehicle should accompany the vehicle to the Department Impound Lot.

Officers are cautioned that impounding is not to be used for punitive reasons. Impounding a vehicle because of the attitude of the owner/driver, or for minor infractions, is contrary to the purpose of this policy.

A vehicle is to be impounded only after making a genuine effort to properly park and lock the vehicle, or to release the vehicle to a responsible party.

.45 Administrative Release of Vehicle

An officer may place a hold on an impounded vehicle while completing further investigation [in the following cases: homicide, vehicular homicide, vehicular assault, careless driving involving death, drive-by crimes, assault/attempted murder, aggravated robbery, arson, and civil forfeiture or drug seizure. Holds on vehicles impounded for these reasons are considered permanent until released by the District Attorney's Office in writing. ~~The hold will only be effective for 30~~](#)

~~calendar days from the date of impound. Those vehicles impounded for proof of ownership are held until proof of ownership is provided. Those vehicles impounded as unsafe are required to be made safe, or towed out of the lot, before they are released.~~

Officers may not place a hold on a vehicle if it is strictly to serve a summons. Officers will write a note on the car card that a summons needs to be served. The Impound Lot will notify dispatch when the vehicle is being released so that dispatch can have an officer pick up the summons and respond to the Impound Lot to serve it.

~~At the end of 30 calendar days, hold period Impound Lot personnel will notify the officer or detective and the District Attorney's Office to determine if the vehicle can be released. This 30 day notification process will not apply to cases of homicide, vehicular homicide, or careless driving involving death. These cases will have permanent holds placed on them. start the procedures to will release the vehicle to the owner, if the hold is not extended. Officers may request extensions for 30 days at a time by notifying the Impound Lot, in writing, for each 30 day extension. It is the officer's responsibility to notify the Impound Facility and not the responsibility of the Impound Facility to notify the officer each 30 days. All requests will contain the impound number, car card number, as part of the identification of the vehicle. Vehicles being held for evidence in homicide, vehicular assault, fatal, civil forfeiture or drug seizure cases are exempt from the maximum 30 day hold.~~

~~Vehicles being held for aggravated motor vehicle theft, drug possession, hit and run, or vehicular eluding, can be released by the officer or detective after it has been processed or photographed to show the location of evidence.~~

~~Upon release after the hold period, Impound Lot personnel will provide notification to the owner as described in SOP E2-08 .~~

~~Only the City Manager or the City Manager's designated representative, may waive the imposition and collection of all or any part of the storage charges. Officers are not authorized to waive the storage charges and should not advise citizens that fees will be waived.~~

.50 Vehicles Causing Traffic Hazards or Blocking Traffic Lanes

The officer shall call the contract wrecker. If however, the city contract wrecker is unavailable during high demand times, due to adverse weather conditions, etc., officers may use discretion to call for the next available rotational wrecker service.

All vehicles towed by the Police Department contract wrecker, or towed by a private wrecker company at police direction, will be towed to either the Impound Lot or the private wrecker company's lot. At no time will the vehicle be left on a side street, parking lot or other place, unless specified by the owner of the vehicle. A dry run clause is built into the city contract with the wrecker service to cover the following:

- If the driver of the vehicle shows up and has the means, or will have the means very shortly to have the vehicle removed, the officer can cancel the wrecker, and the department will be charged for a dry run.
- If the wrecker and the driver arrive on the scene at the same time, or if the wrecker has not left the scene with the vehicle, the officer shall sign a tow ticket for a dry run,

provided that the driver is able to remove the vehicle.

- No citizen shall be made to pay for a wrecker that the citizen did not call, if s/he has already made arrangements for the vehicle to be removed from the street. An exception to this would be a vehicle blocking a traffic lane on I-25 and the city contract wrecker is on scene and the requested wrecker by the citizen has not yet arrived. The citizen can choose to continue with the impoundment of the vehicle or change the contact wrecker to a request tow utilizing the city contract wrecker on scene.

The free services of a highway courtesy patrol wrecker service may be utilized to move a vehicle to the shoulder of the roadway or to a safe drop zone. A wrecker request with the contract wrecker for impounding the vehicle or for a public or request tow by the citizen can be made following the use of the courtesy patrol service to move a vehicle from a traffic lane.

.60 Vehicles not Requiring Title/License

Certain vehicles that are not required by the laws of this state to be titled or licensed, may at times be impounded. Most of these are off-road vehicles, but certain on-road vehicles, such as mopeds and motorized bicycles, are included. Procedures concerning these, such as providing proof of ownership, are maintained in the SOP of the Police Impound Lot. Citizens' questions should be directed to Impound Lot personnel (667-2777).

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Colorado Spring Police Department

General Order 310

-- Routine Patrol Functions

Active date: 11/17/2008 10:07:52 AM

Supersedes date: 12/10/1998

.01 Purpose

To outline basic responsibilities of Patrol officers.

.02 Cross-Reference

G.O. 120, Communication Protocols

[G.O. 601, Enforcement Guidelines](#)

G.O. 705, Use of Force Continuum

G.O. 740, Determining Probable Cause

G.O. 750, Citizen Contacts

G.O. 1662 Work Performance

[G.O. 1663 Uniforms and Appearance Professional Ethics and Discipline](#)

[SOP P1-04 Roll Call Briefing](#)

SOP P1-84, Community/Problem Oriented Policing

.03 Discussion

This space intentionally left blank.

.04 Policy

The duties and objectives of patrol are many, but the basic duties are summed up in two words: protection and service. Specific demands upon patrol officers will vary somewhat according to the circumstances of a situation, and for this reason officers are both encouraged and expected to exercise discretionary judgment. Some general expectations and guidelines can be stated which apply to most situations and which serve as a framework for responsible and responsive patrol service. Department personnel will remain familiar with these guidelines and perform efficiently, effectively, and in accordance with professional law enforcement standards.

.05 Definitions

This space intentionally left blank.

.10 Accountability

Each police officer is the department's representative within the area to which the officer is assigned. Each officer is responsible for dealing with crime and hazards that exist in the assigned area and for preventing crime through effective community-based problem oriented policing.

.12 Routine Calls

Officers must remain sensitive to community needs and remember that although a request for service may be routine to an officer, it is unique and unusual to the community member involved. Therefore, each officer will provide reasonable and necessary service in an effort to properly resolve and/or record each complaint.

.13 Problem Solving

Officers shall be familiar with the department's philosophy of Community Based Problem Oriented Policing and will seek to apply the tactics and goals thereof in all aspects of their routine patrol functions. This emphasizes the identification and solution of problems affecting the level of disorder in the community, and is accomplished through a community/police partnership in the areas of problem identification and solution.

.14 Courtesy Services

Department personnel are often called upon to supply services that are not enforcement oriented. When this happens, officers are encouraged to provide courtesy services that are consistent with this manual, city policy, and the law.

.16 Daily Activity Reporting

Electronic Log Sheets will be used to record activities or actions taken, whether self-initiated or assigned. Each officer assigned to Patrol or other uniformed field activities is responsible for

notifying Communications of the following:

- Arrival on the scene
- Completion of assignment
- Disposition information
- Location and nature of self-initiated activity

Within reasonable limits, patrol officers are expected to maintain and have available their own notes, not a part of official reports, that may give supplementary information for use in court to refresh their memory or to improve their court performance. Unless otherwise directed by a superior officer or Court order, these shall be retained for as long as the officer feels they are necessary to accomplish a specific police purpose, after which they may be disposed of.

.20 Preparation for Patrol

During or after lineup Patrol officers shall be familiar with any information furnished, pertaining to persons or events, that may affect the public's welfare and safety and shall remain familiar with the following:

- Special conditions in their assigned areas, such as patterns of criminal incidents, location of known criminals and location of possible targets for criminal conduct
- Descriptions of wanted and missing persons
- Descriptions of property recently reported stolen in their assigned area
- Any conditions in the assigned sector which pose special traffic problems or other kinds of hazards

.30 Basic Functions

Officers assigned to patrol a sector will become familiar with sector boundaries and with any boundary modifications in effect during that watch. Officers will take positive action to inform themselves about crime-prone areas, businesses, possible targets for criminal activity and any other condition which is detrimental to life or property. Officers shall also continuously seek to prevent, detect or anticipate criminal activity. For this reason, they shall take the following actions as often as possible:

Inspect premises for doors ajar, broken windows, or other conditions conducive to crime or indicative of criminal activity.

Carefully observe and note the actions of persons who might be involved in crime, and take appropriate action.

When suspicion of any persons' wrongdoing has become definite, stop and question them. For guidelines, see Section 7 of this Manual, Force, Detention, and Arrest.

Obtain information on citizen's problems and concerns relating to quality of life issues, public disorder, and criminal activity, through frequent contacts with residents, workers, merchants and others in the assigned sector. Remember that the inhabitants of a neighborhood are the best sources of information about unusual activities or conditions.

Inform people in the sector of actions they can take to protect their persons or property from crime.

Frequently patrol areas or places where criminal activity most often occurs.

Contact business owners/managers to obtain/update after hours emergency contact information.

Obtain "No Trespass" letters from business and property owners.

Carefully observe all premises that may be used to facilitate criminal activity, such as fencing of stolen goods, illicit drug sales, prostitution, and gang activity. Take note of the identity of suspicious persons transacting business there and remain alert for the presence of contraband, evidence, and stolen property.

Observe all places of business and note the location of safes, cash registers, night lights, alarm systems, habits of the staff, time of opening and closing, nature of business, number and location of exits and means of securing, such as locking doors, windows, gratings and skylights or other barriers.

Monitor applicable licensing laws and regulations and take necessary enforcement action or refer the information to the proper enforcement authority.

When traffic becomes congested and assistance is needed, take measures to ease the congestion.

Inspect individual mailbox and access email and phone messages during a tour of duty.

.40 Frequency of Patrol

Officers will patrol their assigned sectors as often as possible. They will use the time available between particular assignments to observe conditions in the sector and take appropriate police action to correct and report any hazardous conditions or situations coming to their attention. Where practical, they will vary the sequence and schedule of their patrolling so that potential criminals cannot anticipate the officer's being in a given place at a given time.

.42 Leaving The Sector

Officers may leave an assigned sector, without prior supervisory approval, under any of the conditions listed below, however, they will advise Communications:

- When assigned or authorized by competent authority
- To aid and assist (to include POP/DA projects)
- When performing a follow-up process or pursuing a suspect
- When taking a meal break
- When ending a tour of duty

.44 Leaving The City

Officers shall not go outside the city limits in department vehicles except as specified below. Irregular City boundaries and enclaves frequently make it necessary to pass through non-City areas to reach an area which is within the city limits. For the present purposes, this activity does not constitute "leaving the City" and does not require permission. However, law enforcement action should not be taken in such areas except under the conditions specified.

- In cases of fresh pursuit
- When sent by proper authority at the request of a law enforcement officer having jurisdiction
- When there appears to be a grave emergency and an urgent need for assistance
- When authorized by a superior or by Communications
- When duty assignment involves joint jurisdiction

The dispatcher shall be notified as soon as possible when assistance is provided outside the city limits.

.46 Duties at the Start of Shift

Uniformed Officers/Sergeants will arrive at the station no later than the start of their shift and may be in street clothes/civilian clothes or in partial uniform at that time. At the beginning of their assigned shift, officers will immediately don their protective gear (bullet proof vest and duty belt). Officers will not be allowed to don any protective gear at home or arrive at the station wearing protective gear (bullet proof vest and utility belt).

Line-up will ordinarily begin 15 minutes after the start of each shift to allow officers additional time to check voice mails, department communications, check out equipment and weapons, and complete other activities customarily completed prior to the start of line-up during this 15 minute prep time. If all officers are prepared and ready to appear for line-up, then line-up may start earlier than 15 minutes after the start of shift.

If uniformed non-exempt police Officers/Sergeants are required by their assignment to don their protective gear at home, they will be allowed to call into service five minutes after the start of their shift in order to don their protective gear.

Officers and Sergeants are prohibited from conducting any work prior to the start of their shift

(including donning their protective gear) without prior supervisory approval.

.50 Duties At Completion Of Shift

Uniformed Officers will be permitted to return to the station 20 minutes prior to the end of each shift to complete work tasks, with the flexibility to return earlier depending on patrol demands and with supervisory approval. Officers will be allowed to use the last 5 minutes of their shift to doff their protective gear.

If uniformed non-exempt Officers/Sergeants are required by their assignment to doff their protective gear at home they will be allowed to call out of service 5 minutes prior to the end of their shift in order to doff their protective gear.

Department personnel assigned to a Patrol function will follow these procedures when a tour of duty nears completion:

- At the appropriate time, notify Communications of arrival at the substation to go off duty.
- If informed by Communications that off-duty status is not authorized, remain on assignment until relieved by Communications or a supervisor.
- Upon arrival at the substation, complete and submit all reports and process all evidence or other property, unless delay is authorized by a supervisor.
- Inform the relieving officer of any incidents or circumstances which may affect him/her.

.60 Patrol Sergeants

Patrol Sergeants' responsibilities encompass the duties of their subordinates and reinforce the subordinates with supervision, direction, control and other tasks specified in written directives or assigned by competent authority. Patrol Sergeants will meet with sector officers as often as necessary and practical to ensure that police services are properly and efficiently performed. At the end of watch, each supervisor will ensure that all reports, evidence, property and equipment are appropriately processed by the officers assigned.

.62 Inability To Locate Officers

Officer safety and proper sector coverage are major concerns of the field supervisor. When a supervisor is personally unable to locate an officer, the supervisor will initiate a thorough search using other officers assigned to the supervisor's area. If the missing officer cannot be located within a reasonable time, the supervisor will ensure that the sector is properly covered while continuing efforts to locate the officer. Once the missing officer is located, the Patrol Sergeant will ascertain why the officer was not available and will take that action he/she deems necessary to correct the situation and prevent its recurrence.

.64 Contacting Of Supervisor

Whenever officers are involved in traffic accidents or other significant incidents on or off duty requiring the attention of the Department, the investigating officer shall immediately notify a supervisory or Command Officer. As he/she deems necessary, the supervisory or Command Officer will respond to the scene to advise and assist the investigating officer.

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Colorado Spring Police Department

General Order 312

-- Deployment - Response Priorities

Active date: 4/16/1989

Supersedes date:

.01 Purpose

To establish general guidelines governing response priorities.

.02 Cross Reference

G.O. 120, Communications Protocols

G.O. 315, Response to Crimes in Progress

G.O. 1210, Manpower Availability

CALEA Standards 41.2.1; 81.2.5; 81.2.6

.03 Discussion

It is not possible, or even desirable, to dispatch an officer immediately to every call for service. Citizens and taxpayers--including Department members--correctly hold public agencies accountable for using their resources efficiently. A modern law enforcement agency must learn to live with limited resources and to develop cost-effective service delivery plans. Careful prioritizing and use of alternative response systems, when appropriate, are essential to match human and material resources with service demands. The Department will provide the highest level of service possible by using available resources effectively.

.04 Policy

Simultaneous handling of multiple calls for service requires that priorities be established in advance. The Department's major priorities in allocating resources to calls for service are: the comparative threat to human life and property, the probability of apprehension, the nature of the offense involved, and the nature of service required. Although dispatchers will routinely make most decisions about prioritization, field officers are expected to use good judgment and common sense in prioritizing situations that require immediate field decisions.

.05 Definitions

This space intentionally left blank.

.10 Deployment of Personnel

The Department's services are varied in character and must be rendered at all hours, in many locations. Deployment planning will therefore emphasize assigning officers for duty at places and at times that will be of maximum benefit to the community.

.15 Determining Manner Of Response

See G.O. 120, Communications Protocols

.20 Supervisor

Each supervisor is responsible for being aware of assignments that affect subordinates. Supervisors will, when practical, monitor assignments made through Communications to ensure that the subordinate assigned is furnished adequate information to determine the appropriate response.

.30 Intervening Incidents

Department personnel in the field may be required to decide whether to continue on an assigned call or handle a citizen's complaint, or other observed event. Determination of which to handle will be based upon their comparative urgency and the risk to life and property. When one or the other cannot be immediately handled, the involved officer should, if circumstances permit, give directions for obtaining assistance or initiate the necessary notifications themselves.

.32 Covering on Calls

When an incident is assigned to a unit, other units should not cover unless the responding unit requests assistance or the need for assistance is obvious or known.

.34 Coordination of Response

In the interest of officer safety and effectiveness, units should attempt to formulate plans when two or more are responding to the same incident. As an example, responding officers may determine which side of a house each will take, or they may plan to use different streets to provide greater coverage. Officers involved must, whenever possible, advise each other of the plan, their arrival at the planned location, and any divergence from an agreed-upon plan.

.36 Response Availability

When a unit can decrease response time to a call because it is nearer than a dispatched unit, the closer unit may notify Communications of its location. The dispatcher may then send the closer unit, at the dispatcher's discretion.

.38 Return to Service

Each officer has a responsibility to return to service as soon as possible after completing an assignment. Completion includes the disposition of an incident and appropriate reports, unless directed by a supervisor to return to service, or the volume and seriousness of activity requires delaying completion until later during the tour of duty. It is the duty of the on-scene supervisor to ensure that officers who are not needed for completing an assignment are immediately returned to service.

.40 Response to Civil Disputes

Department personnel will avoid involvement in disputes of a civil nature in which they or the City are not a party and where there is no crime or potential for violence. A citizen may believe s/he has some obligation or is deprived of some right by virtue of the officer's involvement. Likewise, officers should avoid rendering opinions concerning the rights of parties in civil disputes, except as may be necessary in the discharge of their duties. Officers may, however, explain their understanding of civil law either to obtain temporary resolution of a dispute or to avoid an arrest situation (e.g., landlord-tenant eviction disputes).

.42 Response to Labor Disputes

Strikes and mass or circular picketing are not violations of the law. The Department's concern is not with these acts but with any illegal acts that may arise from them. The effectiveness of the Department in labor disputes is maintained by remaining impartial regarding the parties and issues involved and by taking appropriate action whenever criminal violations are observed or reported. Department personnel will not normally be deployed to strike scenes. However, when deployment becomes necessary, the concerned Commanding Officer will assume the responsibility for taking action necessary to deter crime and keep the peace.

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Colorado Spring Police Department

General Order 315

-- Response To Crimes in Progress

Active date: 12/29/2008 3:44:01 PM

Supersedes date: 5/5/2005

.01 Purpose

To establish a method for responding to crimes in progress, whether reported by officers or by citizens.

.02 Cross Reference

G.O. 120, Communications Protocols

G.O. 310, Routine Patrol Functions

G.O. 312, Deployment: Response Priorities

G.O. 435, Canine (K-9) Unit

G.O. 450, Tactical Enforcement Unit

G.O. 455, Bomb Threats and Explosives Incidents

G.O. 458, Hazardous Materials Incidents

G.O. 460, Barricaded Suspects

G.O. 465, Hostage Incidents

G.O. 480, Civil Disturbances

.03 Discussion

This space intentionally left blank.

.04 Policy

When notified of an emergency requiring police action, the department will respond immediately with sufficient available resources to control the incident. Responses will be coordinated for effectiveness in resolving problems and restoring order. Department personnel, after considering the tactical situation, will initiate reasonable and necessary steps, consistent with their assignments, to protect life and property, and enforce the law.

.05 Definitions

BASIC RESPONSE TEAM: A basic response team will consist of the following [when staffing allows](#): One (1) unit dispatched Code 3, three (3) units dispatched Code 2, and a [field supervisor](#) dispatched Code 2. Other units will not move into the area unless assigned by Communications personnel or the field supervisor.

.10 Officer Assistance Calls

See G.O. 120, Communications Protocols

.12 Requesting Emergency Assistance

The officer making the request will use the following procedure, when possible:

- The requesting officer will clear the air by broadcasting ". . .[give unit designation] Code 1 3 Traffic."
- The requesting officer shall then broadcast "Officer needs help at (location)."
- If possible, the officer should give a brief statement describing the situation.

.20 Initiating the Response

When an emergency assistance call is received, the following procedure will be adhered to:

An officer may specify the number of units needed to control a situation. If no number is specified, or there is insufficient information, or a citizen initiates the call instead of an officer, a basic response team will be dispatched. [Keep in mind this is a "basic response team," more extreme situations can require an "enhanced" response.](#)

The dispatcher will broadcast a Code One on all appropriate channels. Department personnel not involved in the response will immediately discontinue use of their radios on that channel.

The dispatcher will then determine which units to send and appropriate response codes, in

accordance with the following:

- The dispatcher will determine the first and second units to respond either by designating specific units or requesting the closest units to respond. In any event, the dispatcher will have the authority to designate the first and second units.
- The dispatcher will then notify a Patrol Sergeant from that Division and supply a brief summary of the situation. If a Division Patrol Sergeant is not available, the dispatcher will notify any available Patrol Supervisor citywide.
- The dispatcher will then continue assigning the remaining response units. The initial action taken is critical. Units not dispatched will remain in service and available to respond, but will maintain radio silence until the Code One is cleared by on-scene personnel.

Radio broadcasts of an emergency nature, by either Communications or other field units, that are not relevant to the assistance call, will be made on a radio channel specified by Communications.

For the duration of Code One incidents, all transmissions (radio and/or MDC) will be specifically and directly related to the event at hand, or as needed to maintain dispatch functions. Officers will adhere to this strict radio and MDC discipline for the duration of the incident, or until the dispatcher otherwise releases the restriction. Dispatch will continue to use the MDC to dispatch calls for service and officers may continue to message information that they would handle via radio, under normal circumstances.

This policy strictly forbids the use of the MDC for any car-to-car messaging not related to the resolution of the referenced incident. This includes, but is not limited to, requesting information regarding the event.

.30 Duties of First Arriving Unit

The first unit to arrive will evaluate the situation to determine if adequate resources are at the scene or enroute. When making this evaluation, the officer arriving first will confer with the person making the initial request, if possible. When the assessment indicates that more units are needed, or response increased, on-scene personnel may make additional requests. In any event, the last arriving unit will relay an evaluation of the situation to Communications within two minutes of arrival.

.42 Subsequent Responsibilities of Dispatcher

The dispatcher has an obligation to dispatch all units requested by on-scene personnel. If two minutes have passed since the arrival of the final officer of a response team and no communications have been received, the dispatcher will send an additional team to the scene.

.50 Supervisors

With the exception of the first unit to respond, the supervisor in charge of the situation may modify any aspect of the response, when warranted. Supervisors are responsible for ensuring

that a proper response is conducted.

.60 Crimes of Violence

When an in-progress crime involves a significant potential for violence, a multiple unit response is appropriate.

Responding units will notify Communications of the following:

- Their arrival;
- Their location at the scene, if possible;
- Their intended actions, if possible;
- Any observations that confirm or deny the validity of the call.

In any event, responding units will coordinate their actions to use available resources effectively.

.62 Duties After Arrival

Department personnel assigned to in-progress crimes must carry out certain functions before gathering evidence or taking other investigative actions:

- Secure the area and protect bystanders and evidence.
- Control the situation in a manner that reduces the threat to life.
- Obtain descriptions of suspects and vehicles and notify Communications.
- Request assistance, as necessary, for effective action, such as additional police units, specialized police units, Fire Department units or ambulances.
- The first unit to arrive is responsible for assessing the situation and informing Communications within two minutes.

.70 Authority to Activate Specialized Units

The following personnel have the authority to activate specialized units:

- The on-scene supervisor;
- Any Staff Officer notified of the situation
- ~~The on-call Command Duty Officer;~~

When a specialized unit is authorized to respond, the supervisor authorizing the response will ensure that all appropriate command personnel in the emergency chain of command are notified. See G.O. 110, Emergency Notifications

Note: This procedure does not apply to calling the Crime Lab to the scene of a crime. If the Crime Lab is needed, simply because a crime scene requires special technical processing, no notifications are needed. On the other hand, if the Crime Lab is activated because of a major

crime, notifications should already have been made.

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Colorado Spring Police Department

General Order 330

-- Damage to Non-Police Property

Active date: 12/29/2008 3:44:37 PM

Supersedes date: 12/5/1994

.01 Purpose

To specify procedures for use when police action results in damage to property of others.

.02 Cross Reference

This space intentionally left blank.

.03 Discussion

Due to the nature of police efforts in law enforcement and emergency aid situations, property not belonging to this department may at times be damaged. Damage may also, at times, occur through traffic or other accidents.

.04 Policy

Because of potential civil liability, all employees of this department will ensure that any police-related damage to non-department property is documented thoroughly. Department personnel will not, under any circumstances, represent to citizens that the department will/will not pay for the damage to or removal of personal property.

.05 Definitions

This space intentionally left blank.

.10 Initial Actions

When non-department property is damaged, the department member concerned will immediately notify Communications to dispatch a field supervisor to the scene. The responding field supervisor will inspect the damaged property and ensure that proper documentation and photographs are made. The employee's own supervisor should be dispatched for this duty, whenever practical and appropriate; if another supervisor performs the duty, that supervisor will fully inform the employee's supervisor about the incident and furnish copies of all photographs and documentation.

.20 Follow-up Actions

The employee(s) involved will submit a separate Incident Report detailing the circumstances

surrounding the damage to property. Included in the Incident Report should be the date, time, location, owner's name, and any other pertinent information. A detailed description of damaged property should also be included.

Copies of the Incident Report will be delivered to both the City Attorney's Office and the City's Risk Management Office.

The investigating officer will be responsible for instructing the Police Lab to process the film immediately and deliver the photographs and negatives to the Fiscal Services Section. The Fiscal Services Section will maintain the photographs and copies of the Incident Report.

.30 Forcible Entry

Situations may require a department officer to forcibly enter a building. These situations include, but are not limited to:

- Execution of search or arrest warrants
- Suspicious circumstances/check the welfare
- Emergency action to prevent death or serious bodily injury

.32 Securing Damaged Property

If a building or [other property](#) is damaged, and cannot be secured, and no one is present who has a lawful right or owner's consent to occupy the structure [or property](#), the officer will:

- Attempt to locate the person responsible for the building [or property](#).
- Stand by until the responsible person arrives at the scene.
- Notify Communications, who will arrange for someone to respond and make the repairs. [The Colorado Springs Fire Department has tools and materials for a variety of temporary repairs. They can be of assistance with temporary repairs of doors, windows, fences, etc. If there is a question about the repair, an on-duty District Chief can be contacted for clearance.](#) An Officer should remain at the scene until the repair is completed.
- Follow the procedures outlined in paragraphs .10 and .20 above.
- The officer's immediate supervisor will forward copies of all relevant material to the Safety/Claims Office for review.

.40 Financial Responsibility

Employees must remember, while acting in the interest of the City and of the general public, they do not have the authority to accept, or to imply, financial responsibility on behalf of the City of Colorado Springs and the Colorado Springs Police Department. Employees should refrain from implying acceptance, either written or verbal, for costs of services that may or may

not be as a result of police action.

The Police Department is authorized to collect evidence deemed necessary to a criminal investigation. If private property is damaged as a result of this retrieval, the Police Department has no financial responsibility to replace or repair the damaged property. Officers are to refer inquiring property owners to the City Claims Office.

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Colorado Spring Police Department

General Order 350

-- Death Notifications

Active date: 4/19/2007 10:08:17 AM

Supersedes date: 3/17/1995

.01 Purpose

To furnish guidelines for making death notifications.

.02 Cross Reference

G.O. 1317, Chaplaincy Corps

G.O. 1950, Family Notification: Officer Death or Trauma

.03 Discussion

One of the most traumatic assignments that a department member can be asked to perform is that of making a death notification. Department members must be tactful and sensitive in their approach to this assignment, recognizing the emotional shock to the person receiving the notification.

.04 Policy

Realizing that delivering a death notice is very stressful for the person being notified, and also for the person delivering the message, the department will make every effort to use the services of on-call Police Chaplains. If a chaplain is not available, department members must be tactful and sensitive to the nature of the situation.

.05 Definitions

This space intentionally left blank.

.10 Chaplain

The on-call chaplain should be utilized whenever a death notice needs to be delivered. The

department member requesting the chaplain will meet the chaplain at a site designated by the chaplain, or provide transportation at the request of the chaplain. The department member will assist, and follow the guidance of the chaplain.

.20 Notification by Department Member

The following guidelines are given for situations in which a chaplain is not available and the department member has to deliver the death notice.

[The Communications Center will notify a field supervisor whenever a death notification is required.](#)

Whenever possible, death notification will be made in person.

- Be sympathetic and empathic, realizing the traumatic impact that the notice will have on the recipient.
- Whenever possible, set up a support system utilizing a chaplain, a neighbor, a relative, or a friend.
- When making a death notice, use a statement similar to this:
"I am (name and rank). I have some bad news for you. Can we sit down? There has been a bad accident, etc., and (name) has been killed (or has died)."
- After making the notification, remain at the scene to answer any questions to the best of your ability.

If no support system was obtained before delivering the notice, ask if there is anyone that you can call.

.30 Grief Reaction

Often, a person being notified of a death will become angry with the person delivering the notice. This is a grief reaction and should not be taken personally. Explain that you understand their anger and sympathize with them. Again, use tact and be sensitive to the nature of the notice.

.40 Telephone Notification

Only as a last resort will a death notification be made by telephone. As previously stated, use tact and be sensitive to the nature of the notice. Stay on the telephone long enough for the information to take hold. If requested to make an additional call, such as for support, do so.

When a member must deliver a death notice to someone out of [our jurisdiction](#)State, consider requesting that a peace officer where the recipient resides, make personal contact to deliver the message.

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Colorado Spring Police Department

General Order 355

-- Organ Donor Programs

Active date: 10/21/2008 10:01:21 AM

Supersedes date:

.01 Purpose

To establish the Department's policy concerning organ donor programs.

.02 Cross Reference

This space intentionally left blank.

.03 Discussion

This space intentionally left blank.

.04 Policy

The Colorado Springs Police Department will facilitate the efforts of medical personnel to preserve the bodily organs and tissues of ~~deceased~~ persons who have designated themselves as donors. Because rapid action is necessary for preservation, the Department will take positive action to determine if ~~a the deceased person~~ is a designated donor. The Department will also cooperate fully, when requested by medical personnel or other law enforcement agencies, in transporting organs or tissues within this jurisdiction.

.05 Definitions

This space intentionally left blank.

.10 Card Location

~~Colorado's organ donor, or anatomical gift certifications are on the reverse side of the Colorado Driver's License, or on a separate card for those who do not have a Driver's License. To be valid, the certificate must have been signed by the donor and by two witnesses.~~

Officers can determine if a person is an organ donor by checking the Colorado Driver's License or Colorado Identification Card for the following:

- a heart in the front of the card, or
- a signature and date reflected on the back of the card which indicates all or specific organs to be donated.

.20 Identification of Donors

~~An officer, at the scene of an immediate or recent death, shall check the deceased, or have medical personnel check the deceased, for an organ donor card. Whenever possible, the officer should have a witness present when handling the personal effects of deceased persons. If an organ donor card is found, and if CSPD policy indicates that there is no need to maintain a chain of evidence, the nearest hospital emergency room physician shall be contacted for instructions. This provision shall not apply if evidential considerations are present, such as in homicides or child abuse deaths.~~

In order for human organs to be medically viable for transplantation, the donor must be on life support at the time of harvesting. Human organs can not be harvested from persons who are obviously deceased outside of a hospital setting because, once the heart has stopped, the organs can't be used. Therefore, no efforts are necessary to preserve the organs of persons who died outside of a hospital.

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Colorado Spring Police Department

General Order 360

-- CJIS Information Request

Active date: 2/20/2007 10:05:32 AM

Supersedes date:

.01 Purpose

To create the CJIS Information Request process and to establish procedures for its use.

.02 Cross Reference

This space intentionally left blank.

.03 Discussion

It is often the case that an officer may need to locate some person for an interview or for some specific information, but does not have probable cause to justify a pickup for the person. The CJIS Information Request process will permit officers to place a temporary notice in the CJIS system, so that officers having contact with that person will be alerted to this need and can take appropriate action.

.04 Policy

The existence of an Information Request alert on the CJIS system does not constitute probable cause, or reasonable suspicion, to stop or detain a person. It merely informs an officer having contact with the person that another officer is trying to make contact with that person or obtain some sort of information from that person. The officer having contact will follow the instructions as closely as possible.

.05 Definitions

This space intentionally left blank.

.10 Procedure for the Requesting Officer

A special form, entitled Information Request, based generally on the existing pickup form, has been designed for the Information Request process. The requesting officer will fill out the form as thoroughly and specifically as possible. The officer must then receive supervisory approval for placing the request. Such supervisory approval authorizes any overtime that the request may generate. ID will enter the request into the CJIS system, labeling it Info Request in the Description field, and it will then be valid for up to 30 days. If the requesting officer desires a shorter time period, an earlier date may be placed in the cancellation blank on the card. Once the 30 days expires, the officer must fill out another Information Request if s/he wants to continue the request. This procedure may be repeated, as many times as necessary, but no extensions will be granted. A new card must be submitted each time the request is renewed.

The requesting officer must indicate on the card what kind of disposition the contacting officer is to make. ID will enter one of the following codes:

- Contact ID - Indicates that the officer having contact with the wanted person should call ID for further instructions.
- Complete FI - Indicates that the officer having contact should complete an FIR card and forward it to the requesting officer.

Page of C - Indicates that the officer having contact should page [or telephone](#) the requesting officer.

In the Caution field, the requesting officer will furnish contact information, consisting of his/her name, serial number, and Divisional code, such as SC, GH, MC, if an FIR card is desired; name, serial number, and pager number and/or telephone contact number(s), if voice contact is desired. Requesting voice contact signifies the requesting officer's desire to be contacted at any hour.

.15 Procedure for the Contacting Officer

The officer making contact with the subject of the request will follow the instructions on the want, as closely as possible. This officer will also cancel the request with ID. This officer will not use Dispatch or ID to make notifications, but will do so personally. If unable to complete the instructions, the contacting officer will inform the requesting officer of the actions taken and the reason(s) the instructions could not be completed.

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Colorado Spring Police Department

General Order 420

-- Airport Security

Active date: 6/14/2005

Supersedes date: 12/10/1998

.01 Purpose

To specify rules and procedures for police officers within the sterile concourse area of the

Colorado Springs Municipal Airport.

.02 Cross Reference

This space intentionally left blank.

.03 Discussion

This space intentionally left blank.

.04 Policy

This space intentionally left blank.

.05 Definitions

STERILE CONCOURSE AREA: Includes all parts of the airport terminal that must be reached by passing through the security checkpoint.

CERTIFICATE HOLDER: Any commercial airline company.

.10 Duty Status

On-duty officers, whether in or out of uniform, may be armed while in the sterile concourse area of the Colorado Springs Municipal Airport terminal. However, unless exigent/emergency conditions exist, the officer will contact an officer assigned to the Airport Security Detail in order to be escorted into the sterile concourse area.

.13 If out of Uniform and on Duty

It will be necessary for an officer who is out of uniform and on duty to discreetly advise the security screening people, as well as an officer assigned to the Airport Security Detail, of the fact that the officer is armed and going into the sterile concourse area. The officer must sign the log kept for this purpose at the screening point by security personnel. The visiting officer will then be escorted into the sterile concourse area.

.15 If off Duty

Off-duty officers will not be allowed to carry weapons while in the sterile concourse area. Officers are to check their weapons at the Airport Security Detail Office, which is located at the east end of the first level, near the rental car counters.

.20 Airline Regulations

The following procedure complies with standard airline policy and is hereby adopted by the Colorado Springs Police Department:

Each officer with a requirement to carry a dangerous weapon in the cabin compartment of an air carrier aircraft should provide a letter to the air carrier, in advance, that specifies the circumstances that create the need to be armed during the flight(s) being utilized. This letter should be on the letterhead of the jurisdiction employing the officer and signed by a supervisory official. Such letter should specify the trip itinerary and include a designated period during which the need to be armed in flight will exist. The officer may carry the weapon on the aircraft only with the approval of the air carrier and the flight Captain. The officer is responsible for

becoming familiar with, and adhering to, the specific airline's applicable procedures.

.22 Federal Aviation Regulation 108.11

An Individual To Be Armed During Flight Should:

- 1) Be authorized to have the weapon.
- 2) Notify the certificate holder he needs to have the weapon accessible in connection with the performance of duty during the period from the time the individual would otherwise have checked it, until the time it would have been returned to the individual after deplaning.
- 3) Notify the certificate holder of the flight on which he intends to have a weapon, at least one hour prior to flight departure, or in an emergency, as soon as practicable recognizing that emergency situations, on occasion, occur.
- 4) Identify himself to the certificate holder by presenting credentials that include his full-face picture, his signature, and the signature of an authorizing official.
- 5) Not drink any alcoholic beverage while aboard an aircraft operated by a certificate holder.

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Colorado Spring Police Department

General Order 435

-- Canine (K-9) Unit

Active date: 10/17/2005

Supersedes date: 12/10/1998

.01 Purpose

To outline call-out and operational procedures for the Canine (K-9) Unit and to specify conditions binding upon other Department personnel concerned.

.02 Cross Reference

G.O. 110, Emergency Notifications
G.O. 450, Tactical Enforcement Unit (T.E.U.)
G.O. 455, Bomb Threats and Explosives Incidents
G.O. 1008, Patrol Bureau: Functions
CALEA Standards 41.1.4; 41.2.6; 46.1.5; 46.2.5

.03 Discussion

This space intentionally left blank.

.04 Policy

The K-9 Unit of the Colorado Springs Police Department is designed to provide specialized support for general patrol operations. Additionally, the K-9 assists other components of the

Department, as well as other agencies, upon request. Special procedures in this General Order ensure that the advantages offered by the K-9 Unit are obtained with minimal risks to the public, to officers, and to the dogs.

.05 Definitions

This space intentionally left blank.

.10 Appropriate Utilization

The K-9 Unit is a support element of the [Operations Support ~~Patrol~~](#) Bureau and should be utilized in situations requiring its specialized capabilities. As a guideline for decision-making, it is recognized that police working dogs are effective in the following situations:

- Explosives searches and detection
- Building searches
- Tracking of suspects
- Open seeks (clearing open areas)
- Evidence searches
- Crowd control - limited application (see paragraph .20, Officer Responsibilities)
- Lost or missing persons - limited application (see paragraph .20, Officer Responsibilities)
- Any situation that requires the specialized capabilities of the K-9 Unit.

.20 Officer Responsibilities

Officers performing duties with, or in the presence of, a police working dog or its handler shall abide by the following rules:

1. Police working dogs shall be deployed to apprehend suspects only after due consideration has been given to the nature of the offense, safety of officers, and safety of the general public. In any case, police working dogs, as an application of force, should only be used in ways that are reasonable and necessary for performing official law enforcement duties.
2. Police working dogs shall be used to control a crowd only when necessary to prevent death or injury to innocent persons, or to prevent assaults on police officers. Requests for police working dogs for crowd control require the approval of a division lieutenant of the appropriate Patrol Division.
3. Police working dogs shall be used to search for missing persons or lost children only when there are grave extenuating circumstances, such as evidence of foul play or grievous harm. Minimal exceptions to this rule may be granted, by a division lieutenant, for the best interest of the Department and the public.
4. Officers shall heed the directions of the K-9 handler when in a tactical situation.
5. Police working dogs shall not be used to apprehend persons under the influences of drugs or intoxicants unless a crime has been, or is about to be, committed warranting the K-9's intervention.
6. Police personnel are prohibited from teasing or harassing police working dogs, assigned

trainers or handlers in any manner. K-9 Unit personnel are excused from this provision for legitimate training purposes.

7. Police personnel may pet police working dogs only with the permission of, and in the presence of, the assigned handler.
8. Police personnel shall not hug or lean close to the head of a police working dog while petting it.
9. Police personnel shall not offer food or drink to police working dogs unless permission has been obtained from the assigned handler.
10. With the exception of emergencies, or prior approval of any assigned handler, other police personnel shall not give commands to police working dogs.

.30 K-9 Unit Responsibilities

In that the K-9 Unit is intended to support all components of the Department, the procedures below will be followed by members of the K-9 Unit and, where applicable, all other members of the Department.:

Arrests made or evidence located, as the result of a request for K-9 assistance, shall be considered to have been accomplished by the requesting officer. Reports, suspects and evidence obtained through K-9 assistance will be processed by normal Departmental procedures. Whenever a K-9 Unit responds to a request for assistance, the K-9 handler shall be responsible for completing required supplemental reports, documenting actions taken by the K-9 Unit, and turning in evidence seized by the K-9 Officer.

All K-9 Units shall be responsible for taking appropriate police action concerning on-view criminal activity and shall be responsible for completing necessary reports.

Requests for public demonstrations and appearances of K-9 Units will be coordinated through the designated unit supervisor and scheduled in accordance with the operational needs of the Department. Media requests for K-9 Unit appearances must be coordinated through the Department's Public Information Office.

.40 Bomb Squad Responsibilities

~~In that some police working dogs are specialized in detecting explosives, the Bomb Squad will be responsible for providing necessary explosives training aids for proficiency training, in accordance with established unit operating and safety procedures.~~

.50 Call-Out Procedures

Requests for off-duty call-outs of K-9 Units may be made by any on-duty sworn supervisor. Off-duty call-outs should only be made when there is a compelling need for K-9 Unit assistance. Communications will be responsible for contacting the on-call K-9 Unit.

.60 Request By Outside Agencies

Requests by outside agencies for K-9 assistance outside the jurisdiction of the Colorado Springs Police Department shall be coordinated and approved by the Patrol Support Commander. The

request must be initiated by an on-duty Watch Commander, or equivalent official, in the requesting jurisdiction.

.70 Canine Tactical Considerations

Scene containment is essential in order to effectively utilize the K-9 Unit. Crime scenes should be quickly cordoned off, utilizing as many officers as needed to effectively prevent escape, pending the arrival of the K-9 Unit.

Containment officers coming into an area should consider using emergency lights and siren to announce their presence, thus causing the suspect to slow his escape for fear of apprehension.

Containment officers should remain in, or close to, their vehicles (as opposed to entering the search area) to prevent their scent from distracting the K-9 while tracking a suspect.

Consider calling for air support in addition to the K-9 Unit. Air support will aid in slowing the suspect's escape, giving the K-9 Unit a greater chance of success.

A K-9 is much more effective if a scene is not inundated with the scent of several officers. If you lose sight of a suspect during a foot pursuit, consider setting up a perimeter and calling a K-9 Unit immediately as opposed to conducting an extensive search with several officers.

A patrol officer should accompany the K-9 handler on all deployments to cover the handler who must focus his attention on the dog. The assisting officer should remain slightly behind and to the side of the handler.

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Colorado Spring Police Department

General Order 450

-- Tactical Enforcement Unit

Active date: 12/10/1998

Supersedes date: 10/18/1990

.01 Purpose

To furnish guidelines and call-out procedures for the use of the Tactical Enforcement Unit (T.E.U.).

.02 Cross Reference

As T.E.U. can be called upon for a wide variety of situations, see General Orders relating to specific kinds of situations; for example:

G.O. 455, Bomb Threats and Explosives Incidents

G.O. 458, Hazardous Materials Incidents

G.O. 460, Barricaded Suspects

G.O. 465, Hostage Situations

G.O. 480, Civil Disturbances and Demonstrations
G.O. 762, Mass Arrests
CALEA Standards 46.1.2; 46.1.9; 46.2.1

.03 Discussion

The Tactical Enforcement Unit of the Colorado Springs Police Department is a mobile, specially-trained response team for coping with certain exceptional situations encountered by the Department from time to time. Additionally, the Tactical Enforcement Unit assists other components of the Department, as directed.

.04 Policy

The Tactical Enforcement Unit is primarily a support element assigned to the Operations Support Bureau and should be used in all situations requiring its specialized capabilities.

.05 Definitions

This space intentionally left blank.

.10 Utilization Guidelines

As a guideline for decision-making, the following represent some typical situations where the resources made available through the Tactical Enforcement Unit may be utilized:

- Large fights, such as potential or known riots, gang fights, fights with weapons, civil disturbances, large bar fights, etc.
- Sniper or suspected sniper
- Barricaded or suspected barricaded gunman
- Hostage or suspected hostage situations
- Mass arrest situations
- V.I.P. security
- Enforcement/arrest/seizure raids
- Serious crime-in-progress calls
- Security for crime scene or bomb threat area
- Hijack or suspected hijack when vehicle is in the City or aircraft is on the ground
- Protection of Police and Fire Department units involved with mob actions, arsonists, etc.
- "Officer needs help" calls
- Any situation that requires a highly mobile and flexible police unit.

.20 Notifications

When Department personnel become aware of a situation within this jurisdiction that may require deployment of the Tactical Enforcement Unit, they shall notify the appropriate supervisor, as soon as possible. After notification, the supervisor shall be kept informed of developments to ensure that the most current information is used in making decisions.

.22 Call-out Procedure

The decision to call out the Tactical Enforcement Unit, in response to any situation, shall be

made by an on-duty supervisor, ~~Command Duty Officer~~ or by any Staff Officer.

Upon a decision to call out the Tactical Enforcement Unit, its Commanding Officer and Sergeant shall be informed of the situation, including details of the need, location, and time needed. If the Tactical Enforcement Unit Commanding Officer or Sergeant is not available, another member of the unit will have been designated by the Sergeant as the unit leader and shall have the authority to mobilize the unit. In such cases, the designated unit leader shall notify the supervisor of the fact.

If the Tactical Enforcement Unit is not scheduled for an assignment of a higher priority, the Sergeant or unit leader shall then mobilize the unit.

Whenever there is a need for Tactical Enforcement Unit officers to supplement other operational components of the Police Department, such as conducting stakeouts or directed activities, the following guidelines will be used:

- The supervisor of the requesting unit will contact the Commanding Officer of the Patrol Support Section, or designee, and supply sufficient information for assessing the request.
- Officers may then be assigned as either an entire unit to be supervised by the Tactical Sergeant, or as individual officers falling under the direct authority and supervision of the requesting supervisor.

.24 Coordination with other Components

In order to alleviate potential problems between Patrol officers and Patrol Support officers engaged in undercover surveillance/stakeout activities, Patrol Support officers will follow these procedures:

- Whenever possible, Patrol Support personnel will attend roll calls of the Patrol Division in which a surveillance is being conducted.
- In all cases, during normal business hours, the Division Shift Lieutenant of the affected Patrol Division, or the Command Duty Officer during off hours, will be notified of all undercover surveillance/stakeout operations. If dissemination of the information to operational components could jeopardize the operation, the appropriate Lieutenant should exercise discretion.

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Colorado Spring Police Department
General Order 455
-- Bomb Threats and Explosive Incidents

Active date: 12/29/2008 3:37:39 PM
Supersedes date: 12/10/1998

.01 Purpose

To specify the responsibilities of initial units responding to the scene of calls which may involve explosives; the proper methods of dealing with bomb threats; and authorized procedures for handling explosives. Includes call-out and operational information concerning the Bomb Squad.

.02 Cross Reference

G.O. 458, Hazardous Materials Incidents
G.O. 435, Canine (K-9) Unit
G.O. 110, Emergency Notifications
G.O. 450, Tactical Enforcement Unit (T.E.U.)
G.O. 810, Investigations Procedures
G.O. 1008, Patrol Bureau: Functions
[CALEA Standard 46.1.5](#)

.03 Discussion

The responsibilities of the Bomb Squad are to remove and dispose of explosive and incendiary materials and to conduct investigations into incidents of accidental explosions, bombings, found bombs, explosives, fire bombings and related incidents. In addition, the Bomb Squad will provide technical assistance, knowledge and training when appropriate.

.04 Policy

In all incidents involving explosives, the protection of human life will dictate the exact procedure to be followed in a given situation. Use of a specialized unit trained in the handling, disposal, and investigation of such incidents is mandatory to help assure the safety of all persons concerned and the proper handling of the technical investigation. Supervisors who are not familiar with explosives disposal procedures will not order or direct the handling or disposal of an explosive, or suspected explosive item, without first consulting the Bomb Squad.

.05 Definitions

This space intentionally left blank.

.10 Bomb Squad Organization and Operation

The ~~Metro~~ [Regional](#) Explosives Unit consists of ~~a supervisor~~ [an Explosives Unit coordinator](#) who coordinates the Unit's activities, and specially trained officers from the CSPD and EPSO who are assigned to other duties. When an incident involves explosives, bombs, etc., these officers shall respond to the scene and function jointly as the Bomb Squad. Upon completing duties in that capacity, members will resume their normal duty assignments. The ~~Bomb Squad supervisor~~ [Explosives Unit coordinator is responsible](#) reports to the ~~Patrol Support~~ [Tactical Operations Lieutenant](#).

.12 Bomb Squad Responsibilities

The Bomb Squad shall be responsible for conducting preliminary investigations into incidents of accidental explosions, bombings, found bombs, explosives and related incidents.

In the event that the use of explosives is incidental to another crime (i.e. homicide, attempted homicide or serious assault, etc.) the bomb squad will coordinate with the Major Crimes Section covering all findings, suspects, and the significance of the evidence.

The Bomb Squad is also responsible for safely removing and disposing of all explosives found or recovered by this Department.

.20 Bomb Threats--General

When a bomb threat is received by personnel of this Department, or is reported by other persons, these procedures will be followed:

A Patrol supervisor and field unit will be dispatched to the location of the bomb threat and contact the person in charge of the premises. That person shall be given the facts then known and shall then decide whether or not those premises shall be evacuated and/or searched.

- If consent to evacuate and/or search is given, the supervisor should ask Communications to send adequate field units to make a quick and thorough search of the premises, using the involved establishment's personnel whenever possible and proper.
- Should any known or suspected explosives be located, Communications shall be notified immediately to dispatch the Bomb Squad. The Bomb Squad will respond to the scene and assume command.
- Officers at the scene shall evacuate all persons from the premises and secure the area, doing everything possible to minimize the risk of injury or death. In determining the extent of evacuation required, it shall be assumed that a bomb or explosive may cause damage to property, and fatal or serious injury to persons within at least 300 feet from the point of the explosion.
- All nonessential personnel should also be evacuated to a distance of 300 feet. At that distance, cover behind solid, protective cover is strongly recommended. At even further distances, persons should be instructed not to remain behind glass windows, so as to prevent serious fragmentation injuries.
- As a safety precaution, no radio transmission shall be made within 300 feet of a suspected bomb. Police officers may keep their radios in the "On" position to receive transmissions; however, under no circumstances should they transmit, as sufficient energy may be released to detonate the bomb.
- Cellular telephones should not be on, if within 300 feet of a suspected bomb.
- The Patrol Bureau field unit, initially dispatched to the scene of a bomb threat, shall be responsible for completing an offense report if no bomb, explosive, etc. is found.

.25 Bomb Threats--Airport

If a bomb threat concerns the Colorado Springs Airport, the Bomb Squad shall be notified and will respond to the scene.

If the bomb threat involves a commercial aircraft, the Federal Bureau of Investigation will be in charge of the investigation. The Patrol Bureau supervisor and field units assigned to the incident will assist the Federal Bureau of Investigation as needed. The Patrol Bureau units shall not assist in the search of passenger luggage, except at the direction of the Federal Bureau of Investigation.

.30 Handling Known or Suspected Explosives

Ammunition ~~smaller than~~ .50 caliber ~~or smaller~~ will not be considered explosives and may be handled by an investigating officer. All other known or suspected explosives, such as nitroglycerin, dynamite, blasting caps, mortar shells, grenades, artillery shells, bombs, or other homemade explosive or pyrotechnic devices, shall be handled only by members of the Bomb Squad. Molotov cocktails will be handled by either the bomb squad or the arson unit, as needed. If any explosives or suspected explosives are found, the area will be evacuated and these procedures will be followed:

- Patrol units shall make no attempt to neutralize, disarm, move, transport, or release explosives or devices, unless so directed by a member of the Bomb Squad, or unless further threat to life cannot be avoided.
- Officers responding to calls involving such explosives or incendiary devices shall request Communications to notify the Bomb Squad. Should explosives be verified, the Bomb Squad will respond for their removal.
- Explosives shall not be brought into ~~Police Headquarters~~ any police facility. All explosives will be transported by the Bomb Squad for destruction, proper storage, or release to the military Explosive Ordnance Detail.

In incidents involving injury or death because of a bomb, explosive, etc., the Major Crimes Section shall conduct the principal investigation with assistance from the Bomb Squad.

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Colorado Spring Police Department

General Order 458

-- Hazardous Materials Incidents

Active date: 5/11/2005

Supersedes date: 1/24/2000

.01 Purpose

To establish policy and procedures, for police actions, in incidents concerning hazardous materials.

.02 Cross Reference

G.O. 110, Emergency Notifications

G.O. 450, Tactical Enforcement Unit (T.E.U.)

G.O. 455, Bomb Threats and Explosives Incidents
G.O. 1008, Patrol Bureau: Functions
CALEA Standards 61.2.1; 61.2.2; 61.2.3

.03 Discussion

The Colorado Springs Police Department is often called upon to respond to emergency situations requiring the expertise of other governmental and private agencies. The proper handling and disposal of hazardous materials is one such situation. When required to handle hazardous waste or other hazardous materials, officers will follow these rules, promulgated pursuant to the Resource Conservation and Recovery Act, Colorado SB 172, and the City Code of Colorado Springs.

.04 Policy

The Police Department response in hazardous substance incidents will be to secure the scene, control vehicular and pedestrian traffic, and assist the Fire Department and other City departments. The Fire Department is the designated Emergency Response Authority for the City of Colorado Springs and, as such, will be in charge at the scene of hazardous substance incidents. The Fire Department has expertise in the handling of hazardous materials and compliance with Federal regulations.

.05 Definitions

HAZARDOUS WASTE: A waste is any substance that a person intends to get rid of, or a substance that is no longer usable for intended purposes. A hazardous waste is any waste which appears on the EPA's lists of hazardous waste, or which meets any of the following EPA criteria: toxicity, corrosiveness, reactivity or ignitability.

HAZARDOUS MATERIALS: A hazardous material means a substance or material capable of posing an unreasonable risk to health, safety and property and includes, but is not limited to, all petrochemicals, liquid gases, compound gases, acids, corrosives and other flammable, toxic or noxious substances.

.10 Non-Emergency Incident

If disposal is needed, when no hazardous discharge to the environment has occurred or is imminent, the Colorado Springs Police Department should instruct the owner to call the El Paso County Health Department, Environmental Protection Agency and the State Health Department for advice. The owner can get an emergency permit to dispose of hazardous waste, if the disposal must be expedited for emergency reasons. The owner should handle as many of the necessary arrangements as time and circumstances allow. Obviously, each case must be handled with due regard to public safety.

.15 Emergency Permit Number

If the Colorado Springs Police Department must assume responsibility for disposing of a waste, the Colorado State Health Department must be called in order to get an emergency permit number.

The contact telephone number is [1-888-569-1831](tel:1-888-569-1831) or [is \(303\) 692-3355](tel:303-692-3355), 0800 hours to 1700, or

1-877-518-5608 during other hours.

If the Colorado State Health Department advises that no emergency permit number is required, the Department employee will document this on a memorandum that includes the name and title of the Colorado State Health Department employee contacted, the property disposed of, and the method of disposal. The memorandum will be sent, through channels, to the City Attorney's Office, Environmental Division. The Colorado State Health Department can help facilitate disposal at a Federal facility such as Ft. Carson.

.20 Command Post

When notified of a hazardous substance incident, the area supervisor shall be dispatched to the Fire Department Command Post, which may be identified by a flashing green light. The Fire Department incident commander will have command of the incident and will advise the Police Department's area supervisor which precautions need to be taken, including:

- Scene protection/Isolation
- Traffic routing
- Crowd control
- Escorting necessary non-law enforcement emergency equipment
- General search and rescue
- Evacuation notification of threatened areas

.30 Evacuation

The decision to evacuate an area, in a hazardous substance incident, is generally that of the Fire Department. Implementation of the Fire Department's decision to evacuate is the Police Department's responsibility. If no Fire Department officials are present to make that decision, CSPD command or supervisory personnel are empowered to make such a decision.

The policy of this Department is to request voluntary compliance to requests for evacuation, and not to evict persons forcibly from their homes and businesses. In cases involving the mentally or physically ill, those unable to understand, including children, etc., proper action will be dictated by the circumstances. Non-residents, and those without lawful business in the area, may be required to leave, if deemed necessary. Properly credentialed members of the press must be allowed access to the area, after they are fully advised of the hazards involved.

.33 Evacuation Procedure

The notification procedure will be decided by the ranking CSPD officer at the scene. It may include one or both of the following methods: car P.A. system, [Automated Notification System](#), or door to door by officers on foot. Radio and television stations may be requested, via the Watch Commander or Public Information Officer, to assist by broadcasting evacuation requests, but broadcasts alone are not sufficient. Evacuation should be approached in a calm, professional manner that will inspire confidence by the public and prevent panic. Residents should be advised to take their pets with them and to lock their homes. If fire or explosion is possible, gas and electricity should be turned off at the meters. Evacuees should be directed to a designated

evacuation center. Time permitting, officers should note names and addresses of persons refusing to evacuate. This will assist in later civil or criminal court action, and perhaps future rescue.

.35 Care for the Property of Those Evacuated

Every reasonable effort must be made to safeguard the homes and property of those evacuated. This includes limiting access to the area and, if possible, patrolling to prevent looting and vandalism.

.40 Traffic Control

Major routes should be established and maintained. Private vehicles will be prevented from entering the area and will be removed if blocking emergency equipment. Road blocks and alternate routes should be established, as needed.

.50 Crowd Control

Crowd control measures should be implemented, as soon as possible, to keep spectators away from the evacuated area, as well as from the scene of the incident. This will reduce the possibility of looting and other crimes in the affected area and minimize interference and injury.

.70 Handling of Radioactive Materials

The El Paso County Health Department is responsible for the supervision and storage of all radioactive materials within the City of Colorado Springs. Radiation detection equipment for establishing safety zones is located in stations of the Fire Department and at the Health Department.

Officers will not handle known or suspected radioactive materials, in any way, but will protect the scene from unauthorized citizens and stand by for the Colorado Springs Fire Department Hazardous Materials Response Team and the Health Department personnel, who will be contacted by Communications.

Evacuation procedures and distances should be determined by radiation specialists from the agencies. If specialists are not readily available, keep all persons back at least 500 feet and out of smoke, fumes or dust.

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Colorado Spring Police Department

General Order 459

-- CBRN Awareness

Active date: 11/27/2007 10:49:36 AM

Supersedes date:

.01 Purpose

To provide basic awareness of chemical, biological and radiological events, specify the responsibilities of responding officers and detail basic self-protective measures for them and

others.

.02 Cross Reference

G.O. 455 Bomb Threats and Explosive Incidents Tactical Operations

G.O. 458 Hazardous Materials Incidents

CSPD Emergency Operations Plan (Hazardous Devices and Contamination Emergencies)

.03 Discussion

This General Order discusses the criminal or terrorist release of chemical, biological or radiological agents. Inadvertent hazardous materials releases are addressed in G.O. 458 Hazardous Materials Incidents.

The Fire Department is the designated Emergency Response Authority for the City of Colorado Springs and as such will be the lead agency at the scene of a CBRN incident. The Police Department will be tasked with security of the scene, controlling vehicle and pedestrian traffic, evacuation of surrounding areas, preliminary investigation of criminal events and preservation of evidence. During a terrorist CBRN event, officers must be mindful of suspects who may still be on scene and the possibility of secondary devices.

.04 Policy

In all incidents involving CBRN agents, the protection of human life will dictate the exact procedure to be followed in a given situation. Use of specialized units trained and equipped to operate in contaminated areas is mandatory to assure the safety of all persons concerned.

All sworn officers through the rank of Lieutenant have been issued a respirator, adapter, two air purifying canisters, a Level C suit, gloves and overboots which shall be worn if working in or near a contaminated area. The Colorado Springs Fire Department Hazardous Materials Unit will provide specific guidance on when this personal protective equipment (PPE) should be worn at a contaminated site.

.05 Definitions

Air-purifying respirator: a respirator (mask) with an air-purifying canister that removes air

contaminants by passing ambient air through the air-purifying element

CBRN: acronym for chemical, biological, radiological or nuclear event

PPE: personal protective equipment. For CSPD personnel, PPE is in the form of a respirator, Level C suit, gloves, and overboots

Isolation Zones:

- Cold Zone: the area that is considered safe and no PPE required. This is the area in which law enforcement should be located
- Warm Zone: the area where responders enter and victims leave the Hot Zone. This is also referred to as a decontamination corridor.
- Hot Zone: the contaminated area that should not be entered unless one is wearing the appropriate PPE

.06 Recognition of CBRN Agents

Chemical agents come in the form of the following:

- military nerve agents (Sarin, Soman VX)
- blood agents (Cyanogen chloride, Hydrogen Cyanide)
- choking agents (Mustard agents, Phosgene Oxime)
- toxic industrial chemicals (industrial chemicals that are immediately dangerous to life and health if inhaled or absorbed through the skin)

Many of these chemicals can cause injury or death within minutes to hours. Most, but not all, of these chemicals have distinct odors. Officers should not attempt to identify a chemical agent by smell; however, victims who have been exposed to a chemical may be able to describe the smell and thus assist with determining what agent has been released.

Chemical attack indicators include the following: dead animals, lack of insect life, unusual droplets or puddles, discolored or dead plant life, unexplained odors, low lying clouds, written or verbal threats. Additionally, indicators of nerve agent poisoning include SLUDGE symptoms: salivation, lacrimation (secretion of tears), urination, defecation, gastrointestinal distress, and emesis (vomiting).

Biological agents include the following:

- viruses (smallpox, viral hemorrhagic fevers)
- bacteria (anthrax, plague)
- toxins (botulinum, ricin)

Most biological agents do not cause immediate illness due to their incubation period. Biological agents cause flu-like symptoms and sometimes death, especially if left untreated.

Most biological related calls for service will be to investigate a suspicious powder.

Biological attack indicators include the following: unusual number of sick or dying people or animals, suspicious bombing incident, unscheduled or unusual dissemination of sprayed material, abandoned spray or dispersion device, casualties aligned with wind direction, or a group takes credit.

Radiological agents include the following:

- radiological dispersal device or dirty bomb (use explosives to spread radiological agent)
- improvised nuclear device
- nuclear bomb (fission or fusion of nuclear material)
- placement of a radioactive isotope where it will expose passersby

Radioactive materials are colorless, odorless and tasteless and do not cause immediate symptoms unless one is exposed to an acute dose in a short period of time. Symptoms include nausea, vomiting and skin burns.

Radiological attack indicators include the following: metal containers with thick shielding, radiological placards on vehicles or labeling on packages, alarms from detection devices, suspicious bombings, written or verbal threats.

CBRN agents pose a danger if they are inhaled into the lungs, absorbed through the skin, injected into the skin, or ingested into the gastrointestinal tract.

.07 Response Procedures

A CBRN event will be very chaotic and due to the dynamic nature of this type of event, there is no "one size fits all" response. Officers will be required to use their best judgment to stabilize the situation and prevent further injury.

.08 Emergency Decontamination

A police officer may not recognize that an incident involves CBRN until he or she has already become contaminated. If this occurs, the officer should perform emergency self-decontamination and then seek medical attention immediately.

.10 Employees Training

All employees who wear respirators will receive annual training to include:

- inspection and maintenance of the equipment

- proper donning and doffing procedures
- proper cleaning of the respirator

This training may be provided via Roll Call videos.

.11 Use of CBRN Equipment

A Scott AV-2000 (or 3000 series) mask has been provided to all sworn members below the rank of Commander. Except for specialized units, no other mask is authorized for wear. If a CBRN incident occurs, appropriate department staff, in conjunction with Fire Department personnel, will determine if the respirator will offer protection for the agent to which officers may be exposed.

Officers have been provided a Level C CBRN suit to use while responding to a chemical biological or radiological incident. Only officers assigned to specialized units who have received specialized training and have the appropriate level of protective equipment should enter a decontamination (warm) zone or a contaminated (hot) zone.

Patrol officers should work entirely in a non-contaminated (cold) zone. The Level C ensemble has been provided to accomplish the following: prevent officers from inhaling dangerous vapors that may be off-gassing from a victim's clothing, to prevent liquids from transferring from a victim to an officer during an arrest or escort situation; and as an escape suit should the wind suddenly increase or change direction. The Level C ensemble is not designed to protect an officer in a hazardous vapor atmosphere.

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Colorado Spring Police Department

General Order 460

-- Barricaded Suspects

Active date: 10/18/1990

Supersedes date: 4/16/1989

.01 Purpose

To specify procedures for initial and specialized units in situations involving barricaded suspects.

.02 Cross Reference

G.O. 110, Emergency Notifications

G.O. 450, Tactical Enforcement Unit (T.E.U.)

G.O. 465, Hostage Situations
G.O. 455, Bomb Threats and Explosives Incidents
G.O. 1008, Patrol Bureau: Functions
CALEA Standards 46.1.4; 46.2.1

.03 Discussion

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.04 Policy

Like hostage situations, barricaded suspects pose an extreme danger, not only to officers who seek to arrest them, but to other persons as well. Good judgment demands that a tactical plan be developed rather than immediately rushing a barricaded suspect, and that specially trained personnel be summoned to the scene. Nevertheless, certain preliminary procedures outlined in this directive must be followed to ensure that the Department's response is effective.

.05 Definitions

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.10 Initial Response

These procedures will be followed, when possible, by the units initially responding to the scene:

- Secure the area so that a barricaded suspect cannot escape. This may involve requests by the officer in command at the scene for additional units.
- Clear the area of bystanders and evacuate adjoining buildings or apartments, if necessary and possible.
- Re-route traffic from the scene; request a barricade truck and additional personnel, if necessary.
- Advise Communications of the situation and request the presence of a supervisor.
- Once a barricaded suspect is isolated, time is to the benefit of the Department. Officers initially responding should wait for arrival of a supervisor, unless there is imminent danger to life.
- When the situation has been verified as a barricaded suspect incident, or is reasonably believed to be so, the Tactical Enforcement Unit shall be notified.
- Officers initially responding will assist in obtaining necessary medical treatment for, and evacuation of, injured victims. If it is determined that evacuation may be unsafe for the officer or others, the on-scene supervisor may elect to proceed with a rescue plan or request the assistance of the Tactical Enforcement Unit to effect a rescue.
- Establish an inner perimeter to prevent the escape of the suspect. The first T.E.U. officers arriving on the scene will take over the inner perimeter positions. Replaced officers will advise the tactical officers of the situation and proceed to the Command Post for debriefing. They may then be used to establish an outer perimeter.
- The outer perimeter will be established as a buffer zone to prevent bystanders from entering a potentially dangerous zone. The Patrol supervisor will be responsible for establishing the outer boundary, usually 1 - 2 blocks in all directions from the suspect's location.

.20 Supervisor

The supervisor first notified of a barricaded suspect situation will respond to the scene immediately. While enroute, the supervisor will notify Communications of the response and estimated time of arrival.

When at the scene, the supervisor will:

- Review action taken and make necessary changes, as needed.
- Establish a temporary command center and advise Communications of the location.
- Have Communications relay a request, if not already made, to the appropriate Watch Commander, for activation of the Tactical Enforcement Unit and for performing appropriate notifications, as required in G.O. 110, Emergency Notifications.
- Perform any other duties or functions believed necessary.
- Supervisors should not attempt to make contact with the barricaded suspect before the arrival of the Tactical Enforcement Unit, except when a continued lack of communication causes the situation to deteriorate. In case of the latter, communications with the suspect, and attempts to persuade the suspect to voluntarily surrender, may begin at any time. These attempts will be made, in lieu of force, unless the lives of Department personnel or citizens are in jeopardy.

.30 Responsibilities and Authority of T.E.U. Commander

Upon being notified of a barricaded suspect situation, the Commander of the Tactical Enforcement Unit, or designee, will ensure that adequate unit personnel and equipment are assembled at a designated location. Communications will be notified of the assembly point. Upon arriving at the scene, the Commander or designee will contact the on-scene supervisor and set up a permanent command post.

When authorized to perform a specialized function, the Tactical Enforcement Unit Commander, or designee, shall assume command of tactical operations at the scene. Once command is assumed, coordination and tactics become the responsibility of the Tactical Enforcement Unit Commander or designee. Overall control and responsibility remain with the ranking officer present.

Except in exigent circumstances, any forced entry or use of tear gas must be authorized by the Patrol Support Commander or a Staff Officer.

It will be the responsibility of the T.E.U. Commander to ensure that the Fire Department, ambulance/medical personnel, and any other appropriate services are available at or near the Command Post. The T.E.U. Commander will also verify that the Public Information Officer is called to the scene to coordinate news media activities, in accordance with G.O. 1550, Public Information Office and News Media.

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Colorado Spring Police Department
General Order 465
-- Hostage Situations

Active date: 8/23/2006

Supersedes date: 11/9/2004

.01 Purpose

To designate responsibilities of initial response and specialized units in hostage situations.

.02 Cross Reference

G.O. 110, Emergency Notifications

G.O. 450, Tactical Enforcement Unit (T.E.U.)

G.O. 455, Bomb Threats and Explosives Incidents

G.O. 1008, Patrol Bureau: Functions

SOP C1-14 Crisis Negotiation Unit

[CALEA Standards 46.1.4; 46.2.1; 46.2.4](#)

.03 Discussion

Hostage incidents may arise from numerous causes, such as mental/emotional states or attempts by criminals to escape from law enforcement. Regardless of the cause, those who take hostages are desperate people who require special handling and who, if allowed to escape, will pose a continuing threat to their hostages and the public at large. As hostage situations almost invariably involve cooperative efforts by a variety of police units, as well as outside agencies, close coordination of effort and careful following of established procedures are essential.

.04 Policy

The safety of hostages, of the general public, and of police personnel is the paramount concern in any hostage situation. The safety of hostages can be best assured by keeping them in the presence of officers, by preventing their removal by the suspect, and by quickly summoning a specially trained Crisis Negotiator. See [G.O. 1008, Patrol Bureau: Functions, paragraph 43](#), [SOP C1-14, Crisis Negotiation Unit. Team](#) .

In all cases, when a negotiator is needed, the Tactical Enforcement Unit will be called out. The safety of the general public must be assured by police containment of the incident site and control of the vicinity, and by such other measures as the situation dictates, which will almost always include evacuation, traffic control, and control of spectators.

.05 Definitions

This space intentionally left blank.

.10 Primary Containment Procedure

The units initially responding to the scene will do the following, as quickly as possible:

- Secure the area so that the suspect cannot escape. This may involve requests for additional units, by the officer in command at the scene.
- Seek adequate positions that afford maximum cover and concealment.
- Communicate their positions to each other, being aware of cross-fire patterns and other hazards.
- Avoid provocations that may increase risk to the victim(s).

.20 Subsequent Actions

After the building or structure is contained:

- The field supervisor should assign additional units such as detectives, plain clothes officers, etc., to evacuate surrounding homes or buildings.
- All traffic, vehicular and pedestrian, should be immediately routed out of the inner perimeter. Traffic control units and a barricade truck should be summoned if necessary. Communications personnel will make notifications after obtaining situational information.
- Evaluate what avenues of escape are available to the suspect. Vehicles accessible to the suspect should be blocked, or disabled, whenever it can be done without incurring unacceptable risks.

Gather and forward all pertinent intelligence information while officers are in their containment positions. The following information about the suspect should be gathered, if possible:

- Specific location;
- Description (physical and clothing);
- Activities or movements;
- Type of weapon(s) used or available;
- Statements/demands made by the suspect.

All officers shall be aware of the high potential for injury or death to hostages and on-scene personnel. All movements and tactics shall be made only after careful consideration and upon sound judgment.

Strict adherence to Code 1 procedures is essential, with brief transmissions between field units and dispatchers.

After Patrol officers are relieved by TEU officers at their containment positions, they shall report to the Command Post to brief the TEU Commanding Officer on all pertinent information.

Adjoining police agencies should be notified of the hostage situation, should additional resources be necessary.

.30 Supervisor

The first supervisor notified, of an actual or suspected hostage situation, will respond to the

scene immediately. While enroute, the supervisor shall:

- Notify Communications of the response and estimated time of arrival.
- Ensure that a minimum of three (3) department negotiators ~~and the Command Duty Officer~~ are notified. Emergency Notification Procedures should be followed according to G.O. 110, Emergency Notifications .

When at the scene, the supervisor shall:

- Review action taken and determine if additional police or non-police resources are needed.
- Establish a temporary command center and advise Communications of its location.
- Advise Communications of current status of the incident.
- Inform ~~the Shift Lieutenant~~ ~~shift Lieutenant~~ ~~Command Duty Officer~~ of ~~the~~ details, action taken, and resources at the scene.
- Take action indicated by the situation, or at the direction of superiors.
- When specialized units report their arrival at the scene, inform such personnel, when possible, of the details of the incident.
- Determine that the area is secure and use every verbal and tactical tool to ensure the safety of the hostage and the arrest of the suspect.
- Ensure that a Department Crisis Negotiator is advised of the situation and is responding to the scene.
- Ensure that the Tactical Enforcement Unit Commanding Officer, or designee, is notified of the situation.
- Perform any other duties or functions believed necessary.

When it has been confirmed that a hostage situation does in all probability exist, the on-scene supervisor shall yield command of the scene to the Tactical Enforcement Unit Commanding Officer or designee.

.35 Department Negotiator

When notified, the officer designated as a Crisis Negotiator will:

- Respond to the scene immediately.
- On arrival, report to the officer in command of the situation.
- Remain under the functional supervision of the on-scene Commanding Officer, regardless of the ranks of the negotiator and on-scene Commanding Officer.
- Obtain the details of the situation from the on-scene Commanding Officer, as necessary to conduct negotiations.
- Prepare an after action report to be included with the after action report prepared by TEU.

Department negotiators will remain available to perform the negotiation function until relieved by the on-scene Commanding Officer. Once authority is given to begin negotiating, the officer doing the negotiation will be in command of all negotiation personnel. The designated negotiator will have authority to conduct the negotiations, under the guidance of the tactical

Commanding Officer, in a manner to peacefully resolve the situation, using all available resources, and in conjunction with the overall tactical plan.

Negotiators may use food, clothing, water, or other non-alcoholic beverages, as negotiable items. Certain items are not negotiable, without specific approval by the Tactical Enforcement Unit Commanding Officer or a Staff Officer. These are:

- Any weapons or ammunition
- Additional or replacement hostages, whether civilian or police
- Illegal narcotics or any controlled substance
- Alcohol

However, anything may be negotiated after specific review and approval by the TEU Commanding Officer or a Staff Officer.

.40 Responsibilities of Specialized Units (TEU, Explosives, Etc.)

When any specialized unit has been notified of a hostage situation, its Commanding Officer will ensure that adequate unit personnel and equipment are assembled at a designated location. Communications will be notified of the assembly area. The specialized unit will then stand by until notified to respond to the scene. Once notified to respond, these procedures will apply:

- While enroute, notify Communications of estimated time of arrival.
- Upon arrival, report to the on-scene Commanding Officer.
- Act under the direction of the Tactical Enforcement Unit Commanding Officer or designee, who will be responsible for all tactics; close coordination with the Crisis Negotiator is essential.

When the Bomb Squad is activated, its officers will report to the Tactical Enforcement Unit Commanding Officer, or designee, for assignment.

Under no conditions will any officer, or any other person acting for the Police Department, go into the inner perimeter of a scene without the knowledge and approval of the Tactical Enforcement Unit Commanding Officer, or designee, once the Tactical Enforcement Unit has assumed command.

It will be the responsibility of the T.E.U. Commanding Officer to ensure that the Fire Department, ambulance/medical personnel, and any other appropriate services are available at or near the Command Post. The T.E.U. Commanding Officer will also verify that the Public Information Officer is called to the scene to coordinate news media activities, in accordance with G.O. 1550, Public Information Office and News Media.

Except in exigent circumstances, any forced entry, use of force against the suspect, or use of chemical agents, must be authorized by the Patrol Support Commanding Officer or a Staff Officer.

The Tactical Enforcement Unit Commanding Officer should make chase vehicles available,

should the hostage taker move from the scene. Undercover surveillance vehicles should also be available, to supply intelligence information, if the deployment of marked units poses a threat to the hostage. Whenever possible, travel routes of the suspect and hostage should receive traffic control to reduce the risk of injury to bystanders.

.50 Crisis Negotiator Selection

Crisis negotiators must be carefully screened and selected. Candidates must undergo the following selection process:

- Submit a resume detailing experience as a law enforcement professional.
- Undergo an oral examination to demonstrate verbal and problem-solving skills.
- Successfully complete a psychological screening examination and interview with the Police Psychologist.

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Colorado Spring Police Department

General Order 470

-- Special Events

Active date: 6/14/2005

Supersedes date: 12/10/1998

.01 Purpose

To furnish guidelines for handling special events.

.02 Cross Reference

G.O. 450, Tactical Enforcement Unit (T.E.U.)

G.O. 710, Force, Detention, and Arrest ♦ Less-Lethal Force

G.O. 475, VIP Security

CALEA Standard 46.1.10

.03 Discussion

The Department handles a wide variety of special events each year. These events range from large scale, such as the Fourth of July celebration at Memorial Park and the Pikes Peak or Bust Rodeo, to parades, foot races, bicycle races and rides, and block parties.

.04 Policy

The Police Department will develop a specific plan for each special event requiring police services. The plan will include measures to ensure the safe and orderly flow of traffic, crime control, and adequate safety for those participating in or attending these events.

.05 Definitions

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.10 Supervision of Special Events

A single supervisor will be designated by the Chief of Police as the Special Events Coordinator. The Special Events Coordinator will also serve as the Colorado Springs Police Department representative on the City Special Events Team. Depending upon the size and scope of a particular event, a Staff Officer, Commander, Lieutenant or Sergeant may be designated as the Event Commanding Officer. The Event Commanding Officer is responsible for:

- Ensuring that sufficient manpower is available to handle the anticipated crime and traffic control problems. The Commanding Officer may elect to use Special Operations personnel such as Tactical Enforcement, Canine, N.P.U., Park Police or Cadets.
- Developing a written estimate of traffic control and crime problems that may be anticipated.
- Establishing a Command Post for major events and ensuring sufficient equipment is available for crowd and riot control, to include:
 - Chemical agents
 - Riot helmets and shields
 - Mass arrest kit
- Ensuring appropriate vehicles are available for transportation, in case of mass arrest.
- Providing adequate manpower for the logistical requirements of a prolonged event.
- Coordinating with other C.S.P.D. units to ensure the orderly and successful completion of the special event.
- Coordinating with outside agencies whenever a joint effort is required. This could include other police departments, the Sheriff's Department, military installations, or other City components such as Park and Recreation, Fire or Risk Management.

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Colorado Spring Police Department

General Order 473

-- Checkpoint Procedures

Active date: 6/14/2005

Supersedes date: 6/2/1995

.01 Purpose

To set forth procedures to be used at checkpoints established to control access to area protected by police lines.

.02 Cross Reference

G.O. 470, Special Events

G.O. 475, VIP Security

G.O. 480, Civil Disturbances and Demonstrations

G.O. 701, First Amendment Rights

.03 Discussion

At times, it is necessary to establish police lines at certain high-risk public demonstrations to separate demonstrators from observers, counter-demonstrators, etc. In some instances, checkpoints are set up to control movement across police lines and to prevent the presence of weapons inside secured areas.

.04 Policy

Colorado Springs Police employees shall follow the procedures set forth in this General Order, to insure the preservation of individual rights, when operating checkpoints in the interest of public safety.

.05 Definitions

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.10 Advisement and Consent to Security Procedures

Individuals entering a security checkpoint shall be advised of the procedures they must go through in order to cross police lines. The advisement shall include informing the individual of his/her option to decline to cross police lines and to view the event from a general viewing area. Advisements may be in the form of clear, visible signs and/or verbal advisements.

.20 Weapons Search Procedures

Weapons searches shall be conducted by the use of a magnetometer or similar weapons detection device. Prior to the weapons search, individuals shall be given an opportunity to remove any metal objects from their clothing. If the magnetometer indicates the possible presence of a weapon, a pat-down weapons search may then be conducted, as long as the advisement requirements of section .10 above have been satisfied. Officers, at all times, retain the ability to conduct searches based on all proper legal grounds.

.30 Information Gathering

Individual citizens have the right to attend events anonymously. Accordingly, officers shall not request identification information from anyone passing through a security checkpoint unless there is independent legal justification to support such a request. Officers shall not condition entry through a checkpoint by requiring the individual to submit to a photograph. Otherwise, lawful photographic and videotape surveillance of public events is proper.

.40 Variances from These Procedures

Reasonable and appropriate variations from these procedures may be made for individual public demonstrations, depending upon the circumstances involved. Any substantive variation in procedure must be approved by a Staff Officer, and a report, setting forth the reasons such altered procedures were used, must be prepared and supplemented to the tactical plan.

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-- VIP Security

Active date: 6/14/2005

Supersedes date: 12/10/1998

.01 Purpose

To establish guidelines for VIP protection duties.

.02 Cross Reference

G.O. 110, Emergency Notifications
G.O. 450, Tactical Enforcement Unit
G.O. 470, Special Events
G.O. 1008, Patrol Bureau Functions
CALEA Standard 46.1.9

.03 Discussion

The Colorado Springs Police Department is often called upon to provide security for VIPs, Very Important Persons, visiting our city.

.04 Policy

The Commander of the Central Division is designated as Incident Commander whenever VIP security is required. These occasions require close coordination of personnel from throughout the Department. The Commander of the Central Division will consult with the Commander of the Metro VNI Division to assess criminal intelligence information that may impact VIP security operations. The safety and security of the VIP is the overriding objective of all units involved.

.05 Definitions

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.10 Tactical Enforcement

The Tactical Enforcement Unit is specially trained and equipped to ensure a close working relationship with other Departmental components while providing protection to the VIP. The Tactical Enforcement Unit, therefore, will be notified of, and will participate in, planning for VIP activities.

.20 Duties of Incident Commander

The Commander is responsible for:

- Ensuring the availability of sufficient and appropriate equipment, which will include, at a minimum:
 - Body armor for the VIP, if necessary.
 - Special purpose weapons for Tactical officers.
 - Vehicles for necessary police functions, including escorts.
- Ensuring that travel routes and alternative routes are inspected in advance.
- Ensuring that facilities and sites to be visited by the VIP are inspected in advance, to

include bomb sweeps if deemed appropriate.

- Evaluating existing intelligence and initiating the gathering of additional information, if warranted.
- Coordinating the interaction of the CSPD with the Secret Service, and/or other security agencies assigned to the protection of the VIP.
- Establishing routes for emergency medical services while the VIP is mobile. Having a plan in place to accommodate the delivery of emergency medical services to the sites the VIP is visiting.
- Establishing a communication system among CSPD officers and implementing a plan for an inter-agency communications link.
- Establishing an identification system for plain clothes officers, from all involved agencies, either by display of official police identification cards or by a system using identifiers such as lapel pins.

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Colorado Spring Police Department

General Order 480

-- Civil Disturbances and Demonstrations

Active date: 11/17/2008 9:37:29 AM

Supersedes date: 1/24/2000

.01 Purpose

To specify guidelines for police response to and intervention in civil disturbances and demonstrations.

.02 Cross Reference

As civil disturbances or demonstrations can involve law enforcement agencies in an unpredictable variety of situations, a comprehensive list of cross-references is impossible. The General Orders listed below, however, should certainly be consulted.

G.O. 762, Mass Arrests

G.O. 760, Physical Arrest

G.O. 740, Determining Probable Cause

G.O. 1415, Mutual Aid Agreements

G.O. 1550, Public Information Office and News Media

.03 Discussion

Tactics employed by dissidents engaged in disruptive activities frequently include efforts to draw police, and other public officials, into responses likely to produce violence and injury to participants and, thus, garner support for their cause. Department personnel must therefore deal

with disruptive situations in a manner that will minimize the potential for violent confrontations.

Demonstrations are often highly emotional incidents. The demonstrators and others in the area are committed to their various causes and their possibly conflicting rights. In such situations, department personnel will strive to remain objective in order to maintain effectiveness. Once the appearance of objectivity is lost, the department's presence at a demonstration may increase tensions and make the police task even more difficult. Department personnel assigned to the scene of a demonstration will strive to maintain an outward appearance of calmness, whether the task involved is simply standing by protecting participants from hostile persons, or making necessary arrests of violent participants.

.04 Policy

It is neither the intention nor the desire of the department to suppress or restrain lawful activity. The department will expend whatever resources are necessary to protect the rights of any person, or group, to conduct a peaceful and lawful demonstration, at any permissible location within the City of Colorado Springs. However, unlawful activity, whatever its guise, requires prompt and effective action by the department. The department will take appropriate steps to discourage unlawful conduct, whenever it occurs.

.05 Definitions

This space intentionally left blank.

.10 Initial Response

The first officer at the scene of a civil disturbance or demonstration should observe the situation, from a distance, and evaluate it before taking action. If the situation demands, the officer shall notify Communications of the situation. The Communications Center will notify a supervisor to respond to the scene.

.15 Coordination of Effort

Officers' actions will be coordinated by a supervisor. Only requested units shall respond to the scene. Officers will report to the supervisor after parking their vehicles, in one group, away from the crowd. One officer will be assigned to guard the vehicles against damage. Individual officers should avoid driving their cars into the center of the crowd and acting individually.

.20 Coordination of Departmental Actions

In the event that intelligence information is received prior to a scheduled demonstration or disturbance, that information will be forwarded to the division shift lieutenant of the division in which the demonstration or disturbance is to occur and to the lieutenant of Patrol Support. The division shift lieutenant will request input and additional assistance from Patrol Support if necessary. The division shift lieutenant will have the responsibility to ensure that the appropriate planning is

coordinated, establishing the required personnel resources to be made available, strategies and contingencies to be utilized, and equipment needed. To the extent possible, guidelines from the C.S.P.D. [Unusual Occurrence Manual Emergency Operations Plan](#) will be adhered to. The Division Commander and Deputy Chief of Patrol will be briefed on all plans made to determine the level of involvement required.

Officers will strive to ensure that a disciplined and coordinated department response is maintained at the scene of a demonstration. Officers shall not act alone unless a loss of life or great bodily harm could result to persons from the conduct of participants. When mere property damage is imminent, officers will coordinate their response through assigned supervisors and perform tasks as directed. Supervisors will remain at the scene and continually seek information concerning location and number of demonstrators, emotional condition of the crowd and resources available to effectively maintain order.

.30 Response to Violent/Illegal Conduct

Often times, participants or on-lookers to a civil disturbance or demonstration will engage in violent or illegal behavior. Whenever a participant uses physical violence upon an officer, another person or property, officers should use the appropriate amount of force necessary to protect themselves, other persons, or property. Whenever possible, supervisors or staff members present shall make the determination whether to arrest or not based on the availability of resources and the volatility of the demonstration or disturbance. Whenever possible and appropriate, demonstrators engaging in illegal behavior shall be warned that their continued behavior could result in their arrest.

.40 Treatment of News Media

Department personnel assigned to the scene of a demonstration will cooperate with the press: writers, photographers, radio and television personnel. News media representatives have a constitutional right to cover demonstrations, though they must not violate the law.

Those with a right to cover or photograph demonstrations are obviously not limited to representatives of the papers, radio or television stations. Persons who represent some of this city's small newspapers or magazines, free-lancers, and other citizens are also entitled to take notes or photographs.

As a matter of law, the press has no special right to be present if an unlawful assembly is declared; nevertheless, in such situations, officers shall attempt to discriminate between non-obstructing members of the press and voluntary participants in the unlawful assembly.

.60 Equality of Treatment

Department personnel will treat demonstrators, onlookers or counter-demonstrators equally.

.66 Order to Disperse

A dispersal order must be given before a person can be guilty of remaining at a place of riot, rout or unlawful assembly. If the supervisor in charge at a disturbance scene decides to declare an unlawful assembly, such supervisor should go as near to the crowd as is safe and make an audible statement having the following form:

- This is (rank and name), a police officer of the City of Colorado Springs. I do hereby declare this an unlawful assembly and in the name of the People of the State of Colorado I command you to immediately disperse.
- A reasonable time must be allowed for compliance. An order for arrest may then be given.

.70 Requests for Assistance

While the control of riots is primarily the responsibility of the Police Department, the department can expect assistance from other agencies if the riot grows very large. If such assistance becomes necessary, the Chief of Police or, if unavailable, one of his/her immediate subordinates shall notify the highest ranking officer available at the Sheriff's Office, who will in turn make appropriate requests. The Chief of Police, or a designee, will have the responsibility for notifying the City Manager that a request for assistance has been made.

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Colorado Spring Police Department

General Order 510

-- Domestic Disturbances

Active date: 5/24/2005

Supersedes date: 11/13/2003

.01 Purpose

To specify actions to be taken and guidelines to be used in domestic disturbance incidents. Included are provisions relating to:

- Emergency Protection Orders;
- Temporary and Permanent ~~Protection Restraining~~ Orders;
- No Contact/Mandatory ~~Protection Restraining~~ provisions of the Personal Recognizance Bond for Domestic Violence Misdemeanor Offenses

.02 Cross Reference

[G.O. 612, Restraining Protection Orders](#)

G.O. 740, Determining Probable Cause

G.O. 760, Physical Arrest Patrol SOP P1-23

CALEA Standards 1.2.6; 1.2.7; 42.2.7; 55.2.2; 81.2.8

.03 Discussion

Domestic disturbance calls for service are serious matters requiring appropriate handling by police officers, particularly when there is probable cause that crimes against persons have been committed. Failure to take the appropriate action often leads to later personal crimes involving the same parties and to repeated calls for police service. State statute requires that peace officers arrest any suspect when probable cause exists that an offense involving domestic violence has been committed.

.04 Policy

In domestic disturbance calls, when probable cause is present for crimes relating to domestic violence, officers shall arrest the suspect. The overriding concern is taking appropriate action that assures the protection and safety of the victim and other potential victims. When probable cause is present, the officer will arrest the suspect regardless of the expressed wishes of the victim, and whether or not the victim agrees to sign a complaint. All persons arrested for offenses related to Domestic Violence, both felony and misdemeanor, will be booked into secure detention and required to post bond on the charges.

.05 Definitions

CENTRAL REGISTRY--A computerized database maintained by the Colorado Bureau of Investigation that contains information relative to active restraining orders issued or registered in Colorado. The database is accessible to law enforcement through the "wanted persons" query on MDCs, and other Department computers. Information is supplied by the issuing court clerks, however, as a practical matter, it is possible that some orders that are valid may not be listed, or that orders which have expired remain in the system. When in doubt, officers should attempt to verify orders through other sources.

DOMESTIC VIOLENCE--Means an act, or threatened act, of violence upon a person with whom the actor is, or has been, involved in an intimate relationship. Domestic violence also includes any other crime against a person, or crime against property, or any municipal ordinance violation against a person, or against property, when used as a method of coercion, control, punishment, intimidation, or revenge, directed against a person with whom the actor is, or has been, involved in an intimate relationship.

INTIMATE RELATIONSHIP-- Means a relationship between spouses, former spouses, past or present unmarried couples, or persons who are both the parents of the same child, regardless of whether the persons have been married or have lived together at any time.

EMERGENCY PROTECTION ORDER (EPO)--These temporary orders may be issued by a county or district court judge, by telephone, at all times that the courts are otherwise closed for judicial business. The grounds for issuing the order are that an officer believes that an adult is in

immediate and present danger of domestic abuse, based upon an allegation of a recent incident of actual domestic abuse, or threat of domestic abuse. The order shall expire not later than the close of judicial business on the third day of judicial business following the day of issue, unless continued by the court. The court may continue an [Emergency Protection Order](#) only if the plaintiff has filed a complaint for ~~an [restraining protection](#)~~ order, to prevent domestic abuse, pursuant to section [14-4-102](#), and the judge is unable to set a hearing on plaintiff's request for a temporary ~~[restraining protection](#)~~ order on the day the complaint was filed.

Officers may need to obtain EPOs in those domestic violence situations that involve non-intimate relationships, where the Domestic Violence ~~[Super Summons form](#)~~ cannot be used (e.g., violence between mother/son, brother/sister, father/son, etc.)

FOREIGN PROTECTION ORDER--Any protection or ~~[protection restraining](#)~~ order, injunction, or other order, issued for the purpose of preventing violent or threatening acts or harassment against, or contact or communication with, or physical proximity to another person, including temporary or final orders, other than child support or custody orders, issued by a civil or criminal court of another state, Indian tribe, or a US territory or commonwealth.

~~PROTECTION [RESTRAINING](#) ORDER~~--An order issued by a county or district judge, for the protection of a person, upon application by that person, or by someone legally authorized to act for that person, that restricts, in specific ways, the actions of some other person.

MANDATORY ~~PROTECTION [RESTRAINING](#)~~ ORDER--In accordance with C.R.S. 18-1-1001, at the time of their first appearance before a judge, any person charged with a violation of any Title 18 crime, including but not limited to Domestic Violence offenses, has an automatic Mandatory ~~[Protection Restraining](#)~~ Order placed against them, effective until final disposition of the court case, that restrains them from harassing, molesting, intimidating, retaliating against, or tampering with any witness or victim of the crime. Such an order is typically issued, in writing, to Domestic Violence arrestees before they are released from CJC. This order may or may not also contain 72 hour "no contact" provisions that prohibit the arrestee from having any kind of contact with the victim. When considering probable cause for an arrest, officers must determine if the alleged acts violate the terms of the order issued in each case (e.g. any contact, or harassing/intimidating behavior) If the protected person does not have a copy, the order can be verified by checking the CBI Central Registry and/or calling CJC Intake.

~~PERSONAL RECOGNIZANCE BOND FOR DOMESTIC VIOLENCE MISDEMEANOR OFFENSES (PR Bond): Describes a procedure used by the CSPD, prior to May 1999, for the release of certain DV suspects. These procedures will no longer be used subsequent to May 17, 1999. Officers encountering Summons & Complaints originated when these procedures were in effect, such as an old pickup or signed complaint, will disregard the PR Bond and No Contact Order provisions listed on the form and will book these suspects into secure detention.~~

NO CONTACT ORDER--No Contact Orders may be issued by the Court, as a provision of [Protection Restraining](#) Orders in domestic violence cases, and may prohibit any contact whatsoever by the suspect with the victim. Any such orders issued by the Court, or issued with the authority of the Court through the El Paso County Sheriff's [Department Office](#), will be

enforced by officers of this Department.

~~Prior to May 1999, CSPD arresting officers were authorized by the 4th Judicial Court to release certain persons arrested on misdemeanor Domestic Violence arrests on a Personal Recognizance bond, with provisions that they were to have No Contact with the victim for 72 hours. These provisions were changed in May 1999, and there are presently no provisions for CSPD officers to issue No Contact Orders, or for the release of DV arrestees outside of posting bond at jail.~~

There are no provisions for CSPD officers to issue No Contact Orders or for the release of DV arrestees outside of posting bond at the CJC. No Contact Orders that are part of the mandatory Protection Order are issued at the discretion of the judge at the time of advisement prior to release on bond.

MISDEMEANOR CRIME OF DOMESTIC VIOLENCE--For the purpose of this General Order only, this term applies to instances that are being considered for federal prosecution, related to firearms possession by persons previously convicted of DV misdemeanors, in any jurisdiction. Within this context, the term applies to convictions, not merely arrests, for misdemeanor crime and that include, as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent, guardian, a person with whom the victim is or has cohabited with, or shares parenthood of a child with.

.10 Arrest of Domestic Violence Assailants

If the officer finds probable cause that a crime has been committed, within the definition of domestic violence, suspect and victim are or have been involved in an intimate relationship, the officer shall arrest the suspect without undue delay. All persons arrested on offenses relating to Domestic Violence, including felonies, misdemeanors, and City ordinance violations, will be booked into a secure detention, facility, such as CJC or Spring Creek, as appropriate, and required to post bond.

When visible injuries are present, officers are required to document them with photographs, whenever possible. Any other evidence shall be collected to the degree it is reasonably possible, and preserved in accordance with existing policy.

All Domestic Violence initial investigations and arrests will be documented on a Domestic Violence (DV) ~~Super Summons Form~~, as follows:

- If possible, the officer will obtain the victim's signature on the "complaining witness" line on the face of the Domestic Violence Form. ~~Changes to the Domestic Violence Summons in March of 2004 include the removal of the signature line for the victims from the face of the DV Summons.~~ The refusal of a victim to sign the complaint does not eliminate the requirement that the suspect be arrested if probable cause is established.
- The victim will be asked to complete and sign a written Victim's Statement, as well as the face of the form, but shall not be required to do so. The fact that a victim declines to sign a complaint, or complete a statement, does not alter the obligations of the officer to make an arrest, based on probable cause. ~~In the event the victim does not complete a written statement, Probable probable~~ cause for the arrest must be clearly established in the investigating officer's written statement.
- If the victim is transported to the hospital or indicates that he/she will seek medical

attention, the "Authorization to Release Medical Information to the District Attorney/Law Enforcement HIPPA Authorization " form shall be signed, by the victim, and forwarded to the appropriate Investigations unit. This form can be found on the front of the eighth page of the DV Super Summons. ~~On older DV packets, this release is a signature line on the back of the last page.~~

- The victim of domestic violence shall be advised that he/she has the right to be notified when the suspect is released from jail. ~~If the victim requests notification, the officer shall obtain the victim's signature on the "Victim Notification" line, located on the back of the last page.~~ The Victim's Notification Program form (Pumpkin colored) shall be completed by the officer as part of the DV Super Summons, to include the victim's contact information. Additionally, the officer will assign the victim a PIN number to access the information via telephone and record it on the form. PIN numbers can be the victim's SSN or any other number that is provided by the victim. If the victim declines notification the officer shall obtain the victim's signature (or the officer can sign in victim's stead) on the form.
- Officers will provide the victim with the blue Victim Copy of the DV Super Summons ~~packet~~, incidental to their initial on-scene investigation, whether or not a suspect has been arrested or a pickup placed for a suspect at large. The original Victim Copy should not be returned to CSPD files, nor should it be left with the original DV Super Summons ~~packet~~ when a pickup is placed.
- Officers will provide a Notification of Victim's Rights form (Yellow colored) to the victim. The original white copy should be removed from the packet prior to booking or the placement of a pick-up and submitted through the regular Division report dissemination channels to the Record and Identification Unit.

Misdemeanor Arrest--If the officer finds probable cause that a misdemeanor crime has been committed, within the definition of domestic violence, the officer shall complete a DV Super Summons ~~Form Summons and Complaint~~ as follows:

- Charges shall be written into County Court rather than Municipal Court, unless the only violation for which probable cause exists is a Municipal Code violation having no corresponding State charge.
- ~~The officer will write "Post Bond" in the defendant's signature block of the DV Summons & Complaint.~~ When an arrest is made, the defendant's copy will be left with booking personnel when the suspect is booked into CJC or Spring Creek. ~~If the form being used still contains a Personal Recognizance Bond and No Contact Order section, the officer will draw a line through the entire section and will not otherwise use it.~~ Forms that still contain a Personal Recognizance Bond and No Contact Order section are no longer authorized for use and should be destroyed and an up-to-date form completed.
- When officers making a misdemeanor DV arrest determine that during the same criminal episode the suspect has committed non-DV misdemeanor offenses, against other victims with whom they have no intimate relationship, the charges should be written on separate summonses, having the same court date and cross referenced to each other. The DV charges relating to the original victim will be written on a DV Super Summons ~~form, used as a Summons & Complaint~~, and the other charges written on a regular, non-DV summons that identifies the victim of those offenses. If an offense report number is needed, the same number will be used on both summonses. The suspect must be booked

into CJC on the DV misdemeanors, however, may be served and released on the non-DV charges at the officer's discretion.

- All Juvenile DV arrests require a typewritten Probable Cause Affidavit for booking into Spring Creek.

Felony Arrests--If the officer finds probable cause that a felony crime has been committed, within the definition of domestic violence, the officer shall complete a DV Form. In felony cases, this form serves as the face sheet of the offense report.

- Officers should check the Offense Report and Felony boxes on the face of the [Adult or Juvenile box on the front page of the DV Super Summons form](#), ~~but not the Summons & Complaint box on older forms~~. The most serious Domestic Violence charge should be listed as Charge # 1 and will become the title of the DV offense report. In addition to the Department's file copy, officers will prepare a complete photocopy of the entire packet and forward it to the appropriate investigative unit.
- Officers shall check the appropriate class of the violation, felony, misdemeanor or both on the front page of the DV Super Summons.
- In felony cases, officers will complete separate offense report supplements to document the details of their investigations. ~~Neither The Summons Narrative nor the~~ PC Affidavit portion of the DV Super Summons ~~packet will be~~ shall not be utilized in felony cases.
- A separate, typewritten and notarized PC Affidavit will be prepared in accordance with existing policy governing all felony arrests.
- In any case involving the offenses of First or Second Degree Assault, in which the victim is treated at a hospital, officers will ask the attending physician to complete and sign [an Extent of Injury Physician's Statement](#) form. This does not relieve the officer from the responsibility for fully describing the victim's injuries, treatment, and prognosis in their own supplemental reports. [This form can be found on the back side of the HIPPA Authorization form on the eighth page of the DV Summons.](#)
- Occasionally, officers will encounter a case in which a Domestic Violence crime was committed, but events occurring during the same criminal episode result in a third party, with whom the suspect does not have an intimate relationship, being the victim of a felony offense, e.g. a suspect commits a 3rd Degree Assault against his wife, but during the course of his arrest, he commits a felony assault against a police officer or witness. In such cases, only the Domestic Violence charges should be listed on the DV Super Summons face sheet, and a separate, non-DV supplemental face sheet should be used to identify the associated felony crime(s) and victim(s). When the DV charges are misdemeanors, the DV Super Summons ~~form is being~~ used as one of two face sheets, and not as a Summons & Complaint for the misdemeanor offense(s). Officers will not serve this on the suspect or obtain the defendant's signature on it, nor will they utilize the PC Affidavit section ~~on the back of Page 1 to document the case~~ of the DV Super Summons. If both the DV and non-DV charges are felonies, they should likewise be separated onto two face sheets, each of which identifies the proper victim(s). Officers must use the same offense report number on both face sheets to insure that the crimes remain connected throughout the system. This will eliminate a mistaken assumption that the DV victim was the victim of all the charges arising from the episode. As in all cases involving misdemeanor and felony charges arising from the same criminal episode, all charges must be filed together on PC Affidavits, Information for Preliminary Procedure

forms, and custody reports.

- The defendant shall be taken to CJC or Spring Creek, as appropriate, and required to post bond. If the defendant is a juvenile, the Juvenile Screener must be contacted for authority to place him/her in any secure detention facility.

.11 Domestic Violence Investigations

Officers should remain cognizant of the fact that cases involving allegations of domestic violence may receive increased scrutiny from supervisors, prosecutors, judges, and community groups. For this reason, officers should make reasonable efforts to conduct as thorough an investigation as is practicable, under the circumstances, even in cases involving relatively minor criminal allegations. Officers should attempt to personally interview victims and suspects, as well as identify and interview witnesses, whenever practical. When visible injuries are present, officers shall photograph them whenever possible, and should carefully describe them in the narrative portion of their report or the DV [Super Summons packet](#). A statement from the attending physician should be included in the officer's report, if the victim receives medical treatment incidental to the initial investigation. Officers should review the victim's written statement, if any, for thoroughness and elements of the crime alleged, and should document their own observations, including those facts that serve to corroborate or refute statements of involved parties, ~~on the Summons Narrative~~, the old form, or ~~the PC Affidavit~~ [on the new form](#) portion of the DV [Super Summons packet](#) or in offense report supplements. Officers may, at their discretion, obtain an Offense Report number for those domestic violence events that would not otherwise require a case report if they feel it will facilitate the investigation or thorough documentation of details in supplemental reports.

Arrests for events that did not occur within an officer's presence must be based on probable cause, regardless of the insistence or reluctance of a party to sign a complaint. It is the responsibility of investigating officers and supervisors to determine if probable cause exists for an arrest; when it does, the facts supporting it must be clearly documented by the officer, the victim, or both. When probable cause cannot be established, officers shall not take a signed complaint, make an arrest, or file criminal charges, even if a complainant demands to sign a complaint. When officers are uncertain whether or not probable cause exists, supervisory guidance should be obtained. Colorado statute stipulates that an officer is not required to arrest both parties merely because both claim to be victims, nor does it require an officer to arrest either party when the officer believes that no probable cause exists. (CRS 18-6-803.6)

On occasion, officers will receive complaints of domestic violence from two or more persons. The officer shall evaluate each complaint, separately, to determine if a crime has been committed by one or more persons. In determining whether a crime has been committed by one or more persons, [according to Colorado Revised Statute 18-6-803.6](#), the officer ~~shall~~ [shall](#) consider the following:

- Any prior complaints of Domestic Violence
- The relative severity of the injuries inflicted on each person
- The likelihood of future injury to each person

- The possibility that one of the persons acted in self-defense

The acceptance of counter-complaints, in which both parties to the incident are charged, may be counter-productive and difficult to successfully prosecute. Officers faced with such a situation should make every reasonable effort to fully investigate the circumstances and should attempt to establish or rule out possible legal justifications for a participant's actions, including those of self defense and defense of another. Evidence that indicates one party to the incident was the initial aggressor, that one party used force in their own defense or in an effort to escape, and similar facts should be evaluated before a decision is reached to charge both parties. This does not preclude the arrest of both parties if probable cause exists that both committed a Domestic Violence offense.

In cases where probable cause for an arrest cannot be established, officers may consider other methods ~~for remediating of remediation the situation~~ when appropriate. Options that might be employed could include suggestions for the couple arranging for separate short term accommodations, providing reference to counseling or support groups, etc. In extreme cases, officers may consider seeking an Emergency Protection Order from the on-call judge. In domestic cases where no probable cause exists for an arrest, hence, no DV ~~Form-Super Summons~~ is completed, the officer shall ~~refer the victim to available DV resources such as T.E.S.S.A and provide them with a Domestic Violence Referral Card when possible. give the reporting person a Domestic Violence Referral Card.~~

Whether an arrest is made on a DV ~~Super Summons Summons & Complaint~~, or the crime ~~incident~~ is documented as a case report on a DV ~~Super Summons packet~~, CSPD Records must be provided with information on both suspect and victim. ~~Newer A DV Super Summons includes DV packets include a yellow CSPD-District Attorney copy with both suspect and victim information on the front and victim information on the back. which accomplishes this purpose.~~ Officers ~~utilizing older DV packets that do not include the yellow CSPD copy,~~ must submit a photocopy of the Defendant Information on the front ~~page of the DV Summons, and victim information on the back page,~~ Victim Information from the back page ~~of the District Attorney copy,~~ and ~~PC Affidavit Summons Narrative~~ portion of the DV Form to CSPD Records to serve as the Department's file copy. ~~Whether using old or new DV packets,~~ Officers will make a second complete copy of all pages, to include PC Affidavit and Victim's Statement, in any case that will be followed up or filed by any Investigations unit. This will be forwarded to the appropriate investigative unit as soon as possible. Because of additional filing requirements in Juvenile Court, officers charging any juvenile suspect in a DV case, whether misdemeanor or felony, will immediately forward these copies to Investigations.

If an investigation of an alleged DV incident yields no Probable Cause and there is no anticipated future arrest but it still warrants documentation, the officer should document the steps taken and decision made by completing an Incident Report on a regular CSPD Face Sheet entitled, ~~◆ Domestic Incident. ◆~~ In this particular instance, no DV Summons is required.

Misdemeanor and felony offenses occurring between family members who are not, and have not been in an intimate relationship, such as parent vs. child, sibling vs. sibling, etc., do not fit the statutory definition of Domestic Violence, and should be documented and charged on regular,

non-DV offense reports and forms. Such misdemeanors should be charged on a regular Summons and Complaint, and written into Municipal Court whenever possible. Felonies will be documented and charged in accordance with existing procedure for non-DV offenses.

.12 Domestic Violence Pickup Procedure

If the suspect cannot be located prior to going off-shift, the officer shall complete a pickup in accordance with SOP P1-23 and deliver it along with the following paperwork to Records and ID. Copies of the DV paperwork may be faxed to records and ID and the original paperwork described below sent via interoffice mail.

Misdemeanors: The completed DV ~~Summons Form~~ ~~Summons & Complaint~~, with an original probable cause affidavit and ~~the~~ handwritten ~~Summons Narrative or~~ PC Affidavit portion on the back of Page 4-6 of the DV Packet may be used as the PC Affidavit in misdemeanor cases, so long as it is legible and contains sufficient detail to establish probable cause. When so used, this original page will be signed by the officer affiant and notarized.

Felonies: A completed DV ~~Super Summons Form~~, used as a felony face sheet, with an original PC affidavit and Information for Preliminary Procedure attached. Felony PC Affidavits should not be handwritten, but will be typed on a separate page. The original must be signed and notarized. A photocopy of the PC Affidavit will be attached to each copy of the ~~summons packet~~.

.13 Domestic Violence Warrant Procedure

If the suspect cannot be located and has committed any felony, the investigations unit to which it is assigned will review the case for filing of a warrant through the District Attorney's Office.

.14 Retention of Dispatch Tape Recordings

All dispatch tapes will be retained by the Communications Section for a period of three months. The District Attorney has agreed to provide the Communication Center with a list of calls for service where a recording is needed for court forty-five (45) days following the call for service. The Communications Center will record the conversations from the call for service on a cassette tape. The tape will be provided to the District Attorney who will make additional copies and will allow the recording tapes to be reused at the end of 90 days.

.20 Obtaining Emergency Protection Orders (EPO)

In cases involving actual or threatened abuse of an adult, by a person he/she is related to (i.e., parent or sibling) that do not fall within the definition of Domestic Violence because no intimate relationship exists, Emergency Protection Orders may be issued when the court is not in regular session (CRS 14-4-101 & 103). For the purpose of issuing EPOs, regular court hours are Monday through Friday, 8:30 a.m. until 4:00 p.m., excluding holidays. Before issuing an Emergency Protection Order, the officer must contact the on-call judge and explain the domestic situation. The judge will verbally indicate to the officer what conditions should be entered. There are essentially three possibilities; any or all may be ordered:

- That the offender refrain from threatening, molesting or injuring the protected persons.
- That the offender leave the home or other premises.

- That temporary custody and care of any minors involved be awarded to an appropriate person.

After approval from the judge, the officer shall fill in the judge's and the officer's own names in the proper spaces, and list the supporting facts and the conditions of the judge's order. This information must be on all copies. The officer shall serve one copy of the order upon the offender. The procedure for service is identical to that for service of a signed complaint (see G.O. 170, Citations paragraph .64). When the order is served, write the serving officer's name in the proper space and indicate the date and time.

.22 Victim Transportation

At the victim's request, officers shall transport or make arrangements for transportation for the victim of domestic violence, and his/her minor children, to a division command for transfer to a shelter, providing that the shelter will accept the victim and his/her children. An on duty supervisor will notify the Domestic Violence Shelter, and personnel from the shelter will provide transportation from the division command to the shelter. The minor child, or children of the victim, may be transported to the shelter over the objection of the other parent. [Officers should use care never to air the address or location of the shelter over the radio or provide that information to the public.](#)

.25 Officer to Advise

To satisfy statutory requirements to the victim, in all Domestic Violence cases, officers will provide the victim with written notice of their rights, to include the right to participate in the setting of bond and in plea negotiations. This may generally be accomplished by providing the [Victim's Rights Notice, page 7](#) ~~Victim copy~~ of the Domestic Violence ~~Super Summons Form~~ to the protected person and advising the protected person. ~~of the Victim's Rights information contained on the back of the form.~~ In the event of statutory updates that may occur after the printing of the DV forms, the Department will prepare current victim notification forms, which officers will provide to DV victims.

[Officers will also advise the victim of resources available to them as indicated on the back of the Victim copy, page 4, of the DV Super Summons.](#)

Officers will advise Domestic Violence victims that application may be made to the court for the issuance of a Temporary ~~Protection Restraining~~ Order against the defendant. Assistance in applying for a Temporary ~~Protection Restraining~~ Order may be obtained through a private attorney or by calling TESSA, formerly the Center for the Prevention of Domestic Violence, at 633-1462. When officers make an arrest on a ~~protection restraining~~ order related to Domestic Violence, the officer will make all reasonable efforts to contact the protected party, and inform her/him of the suspect's arrest and disposition.

.30 Domestic Violence Stalking

[Research has shown that Stalking behavior in intimate relationships is often a precursor to homicide. Local research ventures have also shown that Stalking had often been overlooked in the context of arrest. Typically, arrests have been made for the crimes of Harassment and](#)

Violation of Protection ~~Restraining~~ Order. In many of these cases, probable cause existed to charge the suspect with Stalking. A person commits Domestic Violence Stalking 18-9-111(4)(b) if that person directly or indirectly:

- Makes a credible threat; and
- Repeatedly follows, approaches, contacts, surveils, communicates in any form with the victim of that threat and/or the victim's friends, family, past/current significant others; or
- Without a credible threat, the suspect causes the victim and/or the victim's friends, family, past/current significant other, to suffer serious emotional distress by repeatedly following, approaching, contacting, surveiling or communicating in any form

Examples of serious emotional distress are:

- Changes phone number
- Re-locates
- Changes routes
- Changes jobs
- Installs security system
- Purchases weapon(s)
- Changes daily habits
- Changes name(s)
- Obtains TRO/PRO
- Isolates self
- Changes locks

Follow up investigation of these cases is the responsibility of the initiating officer or divisional investigations unit. If additional follow up is required to obtain probable cause, the responding patrol officer should seek supervisory approval to complete a DVERT Complaint Review Form (color is yellow and is currently located in each Division's supply) and send it to DVERT with a copy of the report. DVERT will then make all reasonable attempts to complete the Stalking investigation.

If the case is serious or potentially escalating ~~complex~~ and requires additional multi-disciplinary resources (i.e. advocacy, children's services, etc.) it is recommended that the officer complete a DVERT referral. Referral forms are available at all substations. The case will then be screened for potential DVERT ~~both investigation and~~ team response.

As always, if a specific concern arises, the officer can page the on-call DVERT cell phone number (660-7997) to ask questions and receive immediate assistance.

.40 Federal Firearms Violations

Under federal law [18 USC 922(g)(9)], persons who have previously been convicted of a misdemeanor crime of domestic violence, as defined in Paragraph .05 above, are prohibited from possessing any firearm or ammunition. If officers encounter a suspect who is in possession of a firearm or ammunition, and appears to meet this definition, the firearm or ammunition should be seized as evidence and the facts immediately referred to the local office

of the Bureau of Alcohol, Tobacco, and Firearms. Unless so directed by federal authorities, the suspect should not be taken in custody if the only charge against him/her would be this particular federal violation. Officers shall fully identify the suspect, place the firearm/ammunition and any other relevant items into CSPD evidence, and prepare an Incident Report entitled Outside Agency Assist. In the report officers will include, at a minimum, the circumstances under which the suspect was contacted and found to be in possession, the reasons for believing he/she has previously been convicted of a DV misdemeanor, and other relevant facts. The officer preparing the report will insure that a copy is immediately sent via telefax, and/or mail, to the local ATF office for consideration of federal prosecution. In addition to DV misdemeanor convictions, officers should bear in mind that many felony convictions, whether or not DV related, may subject a suspect to State and/or Federal prosecution for possession of firearms.

.50 Protection Order Violations

Officers are required to make a custodial arrest of any person who violates a valid [Protection Restraining](#) Order issued in this, or any other state, if probable cause exists that the restrained person has been properly served with or received actual notice of the order, and has violated any provision of the order. In determining probable cause, officers shall use information concerning active [protection restraining](#) orders obtained through the CBI Central Registry maintained on the CCIC computer system, as part of their basis for determining whether probable cause of a violation exists. However, officers should exercise extreme caution if basing their probable cause for an arrest exclusively upon information from the registry, and shall make every reasonable effort to confirm through other sources that the [protection restraining](#) order is valid and active. This can be accomplished through viewing a printed copy of the order provided by the victim, through admissions from the suspect that he/she is aware of the order's validity, through interviews with third parties who were witnesses to its service, by contacting the issuing court, or other investigative means.

For the purposes of this section, [Protection Restraining](#) Order shall include foreign protection orders issued in other US states and territories, as defined in Section .10, above. A person entitled to protection under such an order may, but is not required to, file the order with Colorado courts and have it listed in the Central Registry. Officers shall presume the validity of and enforce any such order that appears to be authentic. Absent a printed copy, officers may attempt to confirm its validity through the central registry, NCIC, or communication with authorities where the order was issued. (CRS 18-6-803.8)

Victims are not required by statute to produce a paper copy of the [protection restraining](#) order as a condition of it being enforced by police, so long as probable cause of its existence and validity can be established through other means.

Permanent Or Temporary [Protection Restraining](#) Orders And EPOs - If any officer has probable cause to believe that the subject named in an active Temporary or Permanent [Protection Restraining](#) Order or Emergency Protection Order issued under 14-4-102, 14-4-103 or 14-10-108 has violated that order, the officer shall arrest and book into jail according to procedure and charge for:

18-6-803.5 C.R.S. [Crime of Violation of Protection Restraining-Order](#):

Cash Or Surety Bond - Before Domestic Violence suspects are released from jail, a Mandatory [Protection Restraining-Order \(MPO MRO\)](#) prohibiting the arrestee from harassing or intimidating the victim will be issued by the Court or by jail personnel acting on the Court's order, which will remain in effect until final disposition of the criminal case. In some instances No Contact provisions may be added to the [MPO MRO](#), which will expire three judicial days from the time of signature (when the defendant is released from jail). If an officer receives a call for service from a victim who claims the suspect has violated the [MPO MRO](#) or No Contact provisions of a bond issued from jail, the officer must verify the order through personal inspection, the Central Registry, or by calling CJC Intake to verify the defendant's bond and the expiration date of the No Contact provision. If the violation is prior to the No Contact expiration, probable cause exists to arrest the suspect for:

18-6-803.5 C.R.S. [Crime of Violation of Protection Restraining-Order](#)

18-8-212 C.R.S. Violation of Bail Bond Conditions

Officers do not need to obtain a copy of bonds for attachment to case reports.

[Protection Restraining-Order Warrant Procedure](#) - If the suspect cannot be located on the misdemeanor pick-up and Summons and Complaint within six months, the District Attorney's Office will deem that an arrest has become impracticable under the circumstances and shall seek a warrant for the arrest of the restrained person. The Records and ID Section will forward the Summons and Complain probable cause affidavit to the District Attorney's Office as soon as possible after the six month pick-up date has expired.

Officers are reminded that CRS 13-14-102 requires that civil protection ~~restraining~~ orders (often related to domestic violence situations) issued pursuant to that statute be served by any peace officer responding to a request for assistance. Officers on calls for service who are asked to effect service of such orders shall do so, provided that the person requesting service has valid copies of the unserved order in their possession, and the person on whom the order is to be served is immediately available to the officer. Officers will not take possession of civil protection ~~restraining~~ orders from victims for service at a later time. See GO 612, [Protection Restraining-Orders](#), for further details on effecting service of such orders. CSPD officers should not become involved in serving protection ~~restraining~~ or protective orders issued by courts outside the State of Colorado, however will enforce any such foreign orders which are already in effect.

Officers are cautioned against becoming involved in the service or enforcement of civil processes other than protection ~~restraining~~ or protective orders, as defined in CRS 18-6-803.5 and 803.8. Protection ~~Restraining~~ or protective orders will, as a rule, contain some type of language prohibiting a person from contacting or from harassing, intimidating, etc., another.

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General Order 520

-- Juveniles: General Applicability

Active date: 6/15/2005

Supersedes date: 12/10/1998

.01 Purpose

To specify legal and procedural conditions for certain law enforcement actions pertaining to juveniles generally, such as violation of custody orders, juvenile substance abusers, runaways and missing persons, and taking juveniles into temporary custody or protective custody.

.02 Cross Reference

G.O. 524, Juvenile Offenders

G.O. 526, Juvenile Victims

G.O. 1515, Juvenile Records

G.O. 170, Citations

G.O. 210, Traffic Law Enforcement

G.O. 510, Domestic Disturbances

G.O. 612, Restraining Orders

G.O. 530, Intoxicated Persons

G.O. 540, Mentally Ill Persons

G.O. 860, Interviews and Interrogations

CALEA Standards 1.1.3; 1.2.6; 41.2.6; 44.1.1; 44.1.2; 44.2.1; 44.2.2

.03 Discussion

Contacts with juveniles involve numerous procedures and conditions that differ from those pertaining to adults. All officers are expected to be generally familiar with the Colorado Children's Code, Title 19, Colorado Revised Statutes, which received a major revision in 1997. As the many regulations pertaining to juveniles are too complex and too voluminous to include here, the present directive is designed to provide major items of information that all Patrol officers must know thoroughly. Supervisors should be consulted whenever more detailed guidance is needed.

.04 Policy

The Colorado Springs Police Department is committed to a policy of active cooperation with all concerned agencies, groups, and parties to obtain appropriate services for children. The guiding principle in all instances will be to act in the best interest of each child. The Department shall participate actively with public and private agencies and groups in the fields of education, social services, medical services, criminal justice, recreation, rehabilitation, and other appropriate concerns to establish and maintain programs to prevent and control juvenile delinquency. Although specific responsibilities and duties are assigned to certain personnel, the Department, as a whole, and all its personnel, share the overall commitment to support and further these goals.

.05 Definitions

The following definitions apply to this Operations Manual and the Colorado Children's Code

(Title 19, C.R.S., as revised 1997).

CHILD: A person under eighteen (18) years of age.

JUVENILE: A child, as defined above.

DELINQUENT ACT: A violation of any statute or ordinance enumerated in 19-2-104 (1) (a). If a juvenile is alleged to have committed, or is found guilty of a delinquent act, the classification and degree of the offense shall be determined by the statute, ordinance, or order that the petition alleges was violated.

Note: Violations of Municipal Ordinances of the City of Colorado Springs do not fall into the category of "delinquent acts" because juvenile violators are specifically exempted from incarceration and are subject only to fines. However, officers should handle the interrogation of the juvenile offender as required in paragraph .40 below, since the municipal case may later be re-filed in Juvenile Court if a record check reveals past violation by the offender. Also exempted by CRS 19-2-104 (1) (a) are: non-felony state traffic, game and fish, and parks and recreation laws, offenses specified in 18-13-121 concerning tobacco products, offenses specified in 18-13-122 concerning illegal possession or consumption of alcohol by a minor, and offenses specified in 18-18-406(1) and (3) concerning marihuana.

.10 Role of Victim Services

Victim Services Investigative Specialists will respond to:

- All ~~cases of sexual assaults, both child and adult, including~~ incest
- Sexual assaults, both child and adult with prior approval of the Sex Crimes / Crimes Against Children Unit Sergeant, or his/her designee
- Other emergency situations, as needed by Patrol or Investigations

Victim Services will not be available for:

- After-hours calls from parents regarding parent/child conflicts
- Routine runaway situations. See appropriate paragraphs below
- Juvenile Detox placements. All arrangements will be made by the officer requesting placement

.20 Violation of Custody Reports

Whenever a member receives a report from a custodial parent alleging that the non-custodial parent has violated a Court Order granting one party ~~the~~ custody of a minor child, a case report shall be completed and entitled "Violation of Custody, 18-3-304". A copy of all court documents relating to the case shall be submitted with the case report.

When the location of the child is unknown, or when there is other evidence that the non-custodial parent intends to secret the child, a missing persons report shall also be completed so

that the child may be entered into the NCIC computer system. This report shall be cross-referenced with the violation of custody report. This will allow CSPD, or another law enforcement agency, to take the child into protective custody, if contacted. Except in emergency circumstances, further action on such reports shall be taken only by the [Sex Crime / Crimes Against Children Unit. Juvenile Section](#). When emergency action is taken, [the Sex Crime / Crimes Against Children Unit Juvenile Section](#) Sergeant will be notified immediately.

.25 Enforcement of Visitation Orders

Members shall not become involved in the enforcement of visitation rights other than to keep the peace. Disputants, in such cases, should be referred back to the Court issuing the original visitation order, for appropriate contempt proceedings.

.30 Juvenile Substance Abusers

If a juvenile is under the influence of alcohol or drugs, but is not otherwise appropriate for secure detention, officers should make every reasonable attempt to contact parents or guardians, in order to release him/her to their care. If it is not possible to contact the responsible adult(s), the juvenile should be transported to Memorial Hospital, for a medical clearance, and then transported to Detox. A physician's order must accompany the juvenile or admission will be refused. The officer must complete a Notice of Emergency Commitment, available at Detox, and contact the Juvenile Court for authorization. If appropriate, the officer may place a hold order on the juvenile. If detention is warranted, for reasons other than the fact of being under the influence, see G.O. 524, Juvenile Offenders.

.40 Runaways or Missing Persons

Case reports on runaways and missing persons will be taken on the Runaway/Missing Person case report form, 77CLEF9. The reporting party shall appear, in person, to make the report at a Patrol Division front desk, at any time. Pick-ups, PDIC, CCIC and NCIC will be made immediately after receiving the report by the receiving employee.

In addition to the information specifically indicated on the form, the Children's Code requires that dental information be obtained on missing juveniles. Employees taking such a report will record the name and address of the subject's dentist, as well as the approximate date of last dental treatment, if known, in the Narrative section of the report form.

Officers will take a Runaway/Missing Person report, on the scene, in any case involving a juvenile under the age of ten. It shall be the responsibility of the appropriate Patrol Supervisor to notify the news media of the missing juvenile, if such action might be helpful in locating the juvenile.

If circumstances in either a runaway or missing person case indicate foul play or suspicious circumstances, the employee taking the report will so note on the case report and make appropriate notifications.

Additional information, follow-up information, and cancellations will be documented on a Continuation/Supplement report form.

.44 Apprehension of Runaways

A supplement to the original runaway report will be completed by the officer who takes the juvenile into protective custody. This will cancel the pick-up. If the runaway is a first offense, the officer shall insure that fingerprints and photographs of the juvenile are taken for possible future identification. In subsequent runaways, the officer shall confirm that the juvenile has fingerprints and a current photograph on file (within one year). In any case where there are no photos or fingerprints, that juvenile shall be printed and photographed.

If the juvenile voluntarily returns home or to their guardian or custodian, and there are no photos or prints on file, the juvenile should be brought to the Police Operations Center by the responsible adult. A supplemental report shall be completed, and the juvenile photographed, fingerprinted and released. The employee making the contact should courteously inform the responsible adult that this procedure does not initiate or constitute a criminal record; it is a precautionary measure to discourage future runaways and to facilitate identification, if needed.

If the juvenile is both an offender and a runaway, the offense should be charged on a Juvenile Summons and Complaint, and cross-referenced with the runaway report.

.50 Taking Juveniles into Custody

A juvenile may be taken into custody by a law enforcement officer when the officer is executing a lawful warrant or, without order of the court, when there are reasonable grounds to believe that the juvenile has committed a delinquent act.

.54 Temporary Protective Custody

Police officers have the discretionary authority to remove a child from a home, and place that child in temporary protective custody, without a court order. This is based upon section 19-3-401, CRS, Taking Children Into Custody:

1. When the child is abandoned, lost, or seriously endangered in his surroundings, or seriously endangers others and immediate removal appears to be necessary for such child's protection or the protection of others;
2. When there are reasonable grounds to believe that he/she has run away or escaped from such child's parents, or legal custodian; or
3. When an arrest warrant has been issued for such child's parent or guardian on the basis of an alleged violation of custody (C.R.S.18-3-304). No child taken into temporary custody pursuant to this paragraph (c) shall be placed in detention or jail.

Note: It is recommended that whenever an officer takes a juvenile into protective custody as a result of physical or sexual abuse, the Juvenile Court be contacted either beforehand or at the earliest opportunity. The new Children's Code (1997) contains some ambiguities which, until they are resolved, have at least the possibility of exposing the officer and/or the Department to the risk of civil liability.

El Paso County Department of Human Services (DHS) caseworkers do not have such discretionary authority but must have a court order. The following guidelines are provided for

removal of a child from a home.

If investigators from DHS are not on scene, and the Department officer believes a victim of child abuse would be in imminent danger of further harm, the officer should remove the child from the home and place him/her in temporary protective custody. DHS should then be contacted for placement of the child in foster care. A Notice of Temporary Custody and a Notice of Rights and Remedies for Families should be served upon the parent, guardian, or custodian, and a copy of this notice should be attached to the Investigations copy of the case report's face sheet.

If the child is placed in temporary protective custody, the parent, guardian or legal custodian has a right to a prompt hearing to determine whether the child should be held further. The officer taking the child into temporary custody shall, without unnecessary delay, deliver to the parent, guardian or legal custodian a Notice of Temporary Custody Hearing form. The hearing shall be set for 3 p.m., no later than seventy-two hours, excluding weekends and court holidays, after the child is taken into protective custody. If the parent, guardian or legal custodian cannot be located, notification shall be made to the person with whom the child is residing. When the person with whom the child is residing is notified, the notifying officer shall note on the Notice of Temporary Custody Hearing form the person's name and relationship to the child. If an officer is unable to make contact with any person, the notification [of the child's removal](#) shall be posted at the child's residence in a prominent place.

In cases investigated by DHS, the DHS investigator must obtain a verbal or written order from the Juvenile Court in order to take a child into temporary protective custody. The DHS investigator also must make service of the Notice of Temporary Custody Hearing form, in the same manner in which an officer would make service. As a rule, officers should not use their discretionary authority to take children into protective custody in cases where a DHS caseworker is on scene and can obtain such an order. An exception would be where immediate action is necessary to prevent a disturbance or to prevent an attempt to hide the child by his/her custodian.

If the DHS investigator encounters difficulty in executing an order from the court, to take a child into temporary protective custody, a police officer shall assist the DHS investigator in enforcing this order. The officer should then obtain the following information and document it in a simple handwritten incident report titled Temporary Protective Custody, 19-3-405. This information may be documented in the Child Abuse report, if such a report is made; see GO 526, Juvenile Victims .

It should include the following information:

- The name of the DHS investigator obtaining the court order, and any other DHS personnel present.
- The date and time the order was received by the DHS investigator.
- The name of the Juvenile Court officer issuing the order.
- The name(s) of the child(ren) in whose interest the order is issued.

- Any resistance encountered and action taken by Police Department personnel.

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Colorado Spring Police Department General Order 524 -- Juvenile Offenders

Active date: 12/9/2005

Supersedes date: 5/24/2005

.01 Purpose

To specify law enforcement actions regarding juvenile offenders.

.02 Cross Reference

G.O. 520, Juveniles: General Applicability

G.O. 526, Juvenile Victims

G.O. 1515, Juvenile Records

G.O. 170, Citations

G.O. 660, Controlled Substance Violations

G.O. 210, Traffic Law Enforcement

G.O. 510, Domestic Disturbances

G.O. 612, Restraining Orders

G.O. 530, Intoxicated Persons

G.O. 540, Mentally Ill Persons

G.O. 860, Interviews and Interrogations

CALEA Standards 1.1.3; 1.2.6; 1.2.7; 41.2.6; 42.2.1; 44.2.1; 44.2.2; 44.2.3; 61.1.3; 82.1.1

.03 Discussion

Contacts with juveniles involve numerous procedures and conditions that differ from those pertaining to adults. All officers are expected to be generally familiar with the Colorado Children's Code, Title 19, Colorado Revised Statutes, which received a major revision in 1997. The many regulations pertaining to juveniles are too complex and too voluminous to include here. The present directive is designed to provide major items of information that all patrol officers must know thoroughly. A member of the Juvenile Offender Unit is on call 7 days a week, 24 hours a day, and should be contacted through dispatch whenever more detailed guidance is needed. Officers must call [or contact](#) a Juvenile Offender Detective on any juvenile SHO/DI arrest [24 hours a day](#).

.04 Policy

Community safety, balanced with the best interest of the child, will be the primary concern in working with juveniles suspected of, or charged with, offenses. Department personnel will use discretionary judgment in preferring the dispositional alternative that least restricts the minor's freedom of movement, but is also compatible with the best interests of the community. The Department supports and fully cooperates with the Juvenile Diversion Program of the District Attorney's Office in diverting juvenile offenders from the legal system, whenever such

diversion would be in the best interest of the child and of the public.

.05 Definitions

The following definitions apply to this Operations Manual and the Colorado Children's Code, Title 19, CRS, as revised 1996.

CHILD: A person under eighteen (18) years of age.

JUVENILE: A child, as defined above.

JUVENILE DELINQUENT: A juvenile, 10 years of age and less than 18 years old, who has been found guilty of a delinquent act, according to state statute.

DELINQUENT ACT: A violation of any statute enumerated in 19-2-104 (1) (a). If a juvenile is alleged to have committed, or is found guilty of a delinquent act, the classification and degree of the offense shall be determined by the statute that the petition alleges was violated.

Note: Violations of Municipal Ordinances of the City of Colorado Springs do not fall into the category of delinquent acts because juvenile violators are specifically exempted from incarceration, and are subject only to fines. However, officers should handle the interrogation of the juvenile offender as required in paragraph.40 below, since the municipal case may later be refiled in Juvenile Court, if a record check reveals past violations by the offender.

Also exempted by CRS 19-2-104 (1) (a) are: non-felony state traffic, game and fish, and parks and recreation laws, offenses specified in 18-13-121 concerning tobacco products, offenses specified in 18-13-122 concerning illegal possession or consumption of alcohol by a minor, and offenses specified in 18-18-406(1) and (3) concerning marihuana.

PHYSICAL CUSTODIAN: The term physical custodian was added in several sections of the Children's Code by the revision of 1987 and revised in 1997. The term, as used in section 19-1-103, includes a stepparent, or other responsible adult, with whom the juvenile has been residing. The term does include foster parents or staff members of placement facilities. When in doubt about whether an adult qualifies for legal purposes as a physical custodian, officers should attempt to locate a parent, a guardian, or a legal custodian.

EMANCIPATED JUVENILE: As used in section 19-2-210 (2), means a juvenile over fifteen years of age and under eighteen years of age who has, with the real or apparent assent of the juvenile's parents, demonstrated independence from the juvenile's parents in matters of care, custody, and earnings. The term may include, but shall not be limited to, any such juvenile who has the sole responsibility for the juvenile's own support, who is married, or who is in the military.

.10 Complaints Signed by Juveniles

A juvenile may sign a complaint, either into Juvenile Court or Municipal Court, against another juvenile, or an adult, if the action is necessary and the complaint appears to be valid.

.20 Municipal Ordinance Violations by Juveniles

The Code of the City of Colorado Springs, as amended in May of 1981, allows for juvenile offenders, ages 10 through 17, to be summoned to appear in Municipal Court for violation of any municipal ordinance, whether traffic or criminal. Therefore, officers shall issue a standard Colorado Springs Police Department Summons and Complaint to juvenile offenders apprehended for municipal ordinance violations.

If two Summons and Complaint forms are issued to the same violator, cross reference the two forms to each other by completing the line marked Companion No. on each summons.

Do not allege a criminal violation and a traffic violation on the same Summons and Complaint form. ~~unless they occur in the same criminal act.~~ Traffic and criminal charges which occur in the same incident shall be written on separate summonses and must be cross referenced by completing the line marked "Companion No." on each. Use the court date and time of the criminal charge for both the traffic and criminal summonses, so the defendant appears on both charges (traffic and criminal) on the same date and time in criminal court. ~~Then the charges should both appear on the same summons, such as motor vehicle theft damage to property and speeding.~~

~~If two Summons and Complaint forms are issued to the same violator, cross reference the two forms to each other by completing the line marked Companion No. on each summons.~~

On the top of the form, the words juvenile - "Parent Must Appear" shall be checked and this information shall be verbally communicated to the juvenile offender.

Regardless of age or residence status, juvenile defendants summoned to appear in Municipal Court shall be released on their own signature and shall not be required to post an appearance bond. If the juvenile defendant refuses to sign the promise to appear, the officer should insert the words "Refused To Sign" in the signature block. ~~Detectives of the Juvenile Offender Unit shall then attempt to insure the appearance of the defendant .~~

Officers shall complete the back of the affidavit copy with a brief statement of the facts. If the summons is a Signed Complaint, the civilian complainant shall complete this portion.

.30 Juvenile Summons and Complaint

The following provisions pertain to citations into Juvenile Court:

All Juvenile Court cases require the completion of a notarized juvenile petition, a case report, and a probable cause affidavit for felony offenses. In instances where the immediate arrest of a juvenile suspect is not practical, a probable cause affidavit (for felony offenses) and juvenile petition shall accompany the Juvenile Complaint and Referral when placed with a pickup at the Records and Identification Bureau.

When a juvenile is to be cited for both criminal and traffic charges resulting from the same criminal episode, the criminal charges shall be cited on a separate Juvenile Complaint and Referral from the traffic charges. If the criminal charge(s) is a felony offense, all appropriate charges, criminal and traffic,

may be included on the same probable cause affidavit if necessary.

If a Juvenile Summons and Complaint is signed against a juvenile, fourteen years of age or older, and the officer is unable to locate the juvenile's parent, guardian or legal or physical custodian, and the officer believes the juvenile in custody will answer the summons, the officer may release the juvenile on that juvenile's own signature. Officers should be aware that the District Attorney's Office does not consider this good service; therefore, if the juvenile fails to appear for court, a bench warrant will not be issued.

If an officer arrests a juvenile for an offense that can be cited into juvenile or municipal court, and the officer has prior knowledge that the juvenile is on probation, parole, or in placement, the officer should, when possible, cite the juvenile into juvenile court. [The ONLY charge that would place a SHO/DI client into Municipal Court is a curfew violation.](#)

.35 Arrest of Emancipated Juvenile

An emancipated juvenile, as defined in 19-2-210(2), can be served and released on a juvenile summons and complaint. If the emancipated juvenile is taken into custody, the juvenile will be transported to Spring Creek after approval is obtained by a screener, unless court ordered or direct filed, (see .60, Detention of Juvenile). Parents do not need to be called and do not need to be present during custodial interrogation of emancipated juveniles.

.40 Custodial Interrogation of Juveniles

Rules in this paragraph are mandatory in any custodial interrogation of juveniles about offenses that they may have committed. All department personnel shall insure that custodial interrogation does not begin until all listed conditions, which are applicable to the specific situation, have been satisfied.

- A parent, guardian, legal or physical custodian must be present.
- The parent, guardian, legal or physical custodian, and the juvenile must be advised of their rights pursuant to the Miranda Warning.
- Both parties must waive their rights pursuant to the Miranda Warning.
- If a Public Defender or other counsel representing the juvenile is present at such custodial interrogation, statements or admissions may be admissible in evidence, even though the juvenile's parents, guardian or legal or physical custodian are not present.
- Members may question a juvenile without the presence of a parent, guardian, or legal or physical custodian if the juvenile is at least fifteen (15) years old and is emancipated from them, with their apparent consent, by means including, but not limited to marriage other than common-law, military service, or court approval.
- Members may question a juvenile without the permission of the parent, guardian, legal or physical custodian if the juvenile is a runaway from another state and is of sufficient age to understand.

All waivers of rights should be obtained from the juvenile's natural parent or legal guardian, as well as the juvenile, if possible. Where the natural parent or legal guardian is unavailable, a waiver can be accepted from another responsible adult with whom the juvenile has been residing. The interviewing officer should establish, and record in the case report, any

information substantiating the authority of that person to consent to the waiver, such as the fact that the stepparent is legally married to the natural parent, the length of that marriage, and whether the stepparent routinely exercises control and supervision over the juvenile. Officers should use their discretion in each situation to determine the nature and extent of information needed.

Any custodial interrogation of juveniles about offenses that they may have committed will normally be done by only one member. Two members may question the juvenile in the event of special circumstances, extremely serious offenses, or at the direction of a Command Officer. Duration of the custodial interrogation will be limited to a reasonable period of time, with appropriate provisions for restroom access and refreshments.

During the custodial interrogation, members will make every effort to explain, in detail, the procedures of the department regarding the arrest and/or the detention of juveniles, as well as any aspects of the juvenile justice system that are relevant to the situation at hand. Explanations will be offered both to the juveniles and to their parents/guardians/custodians.

.50 Release or Detention of Juveniles

Whenever a juvenile is apprehended for a delinquent act, the department officer shall notify the parent, guardian or custodian of the juvenile without unnecessary delay. Whenever the juvenile is taken into custody for a runaway, or is apprehended for one of the following offenses, fingerprints and photographs must be made.

- Any felony offense
- A class one misdemeanor
- Any crime, the underlying factual basis of which include an act of Domestic Violence as defined in 18-6-800.3(3)
- DUI, DWAI, or DEAC pursuant to CRS 42-4-1301
- Any misdemeanor sexual offense or indecent exposure
- Any juvenile apprehended on a juvenile court warrant
- Any offense involving the possession or use of a weapon
- Any juvenile identified by the Crime Analysis Unit as a serious habitual offender, or SHO/DI, who has committed any offense other than a traffic offense

Fingerprints are mandatory under C.R.S. 19-2-503.5 for any juvenile who is charged with committing, summoned, or held in detention for committing a delinquent act that constitutes a felony, a class 1 misdemeanor, or a misdemeanor pursuant to section 42-4-1301, or a crime, the underlying factual basis of which included an act of domestic violence as defined in 18-6-800.3(3).

CBI and the courts require a new submission of prints each time a juvenile is arrested on any of the offenses listed in the above paragraph. A juvenile charged with one of the above offenses may not be released without fingerprints.

~~The only exceptions to this policy shall be when the Department already has fingerprints on file from the juvenile and the last photograph on file is less than one year old.~~

After any required fingerprints and photographs have been obtained, the juvenile shall be released to a responsible adult, unless the juvenile is detained. The juvenile shall not be detained any longer than is reasonably necessary to obtain his/her name, age, residence, fingerprints and photographs, where appropriate, and other information

necessary to contact his/her parents, guardian or custodian, and complete the Summons and Complaint or Juvenile Complaint and Referral, whichever is appropriate.

Whenever a juvenile arrest results in detention or placement, the original Juvenile Petition and a copy of the Juvenile Summons and Complaint shall be attached to the Investigations copy of the case report. A Juvenile Summons must have a completed case report to be filed by the District Attorney's Office.

Officers arresting an individual, on a juvenile court warrant only, will need to provide the ID Clerk with a Call Screen number to submit to CBI with the fingerprint card. The call screen number will be used as a unique arresting agency number (ARN/OAC) when there has been no case report number assigned or summons issued. The warrant number itself cannot be used for this purpose.

.60 Detention of Juveniles

Detention of juveniles is allowed only when the detention will prevent the endangerment of the juvenile or society. Prior to transporting any juvenile to the Spring Creek Detention Center, clearance for detention must be obtained from the Juvenile Screener. ~~at 578-5268~~. If contact with the screener cannot be made, the officer should request that Dispatch notify the on-call Juvenile Offender Unit detective, who will get approval for placement. If the juvenile is a SHO-DI, ~~Targeted offender~~ the Screener will be notified immediately. All SHO-DI ~~Targeted juvenile offenders~~ arrested on felony charges are to be detained at the Spring Creek Detention Center pending a detention hearing. There are LIMITED exceptions, which must be approved by a JOU Detective or Supervisor, under which a SHO/DI client may not be placed into Spring Creek.

Officers placing juvenile offenders into detention will transport the juvenile to the Spring Creek Detention Center. Zeb Pike will no longer accept transports or pickups from officers.

The following criteria shall be utilized in determining placement in the Spring Creek Detention Center.

The following categories of juveniles may be admitted to Spring Creek without judicial approval:

- Those juveniles arrested for felony equivalents with a hold request from the officers.
- Out-of-state runaways
- Juveniles ordered committed by the court as a part of a disposition or probation violation after a hearing is held. This also includes children sentenced by the Municipal Court for contempt of court
- Juveniles brought in on apprehension, arrest and bench warrants
- Juveniles wanted on county and state warrants
- All active SHO/DIs, if the charge is a felony
- Mandatory hold crimes as listed below:
 1. Possession of a handgun by a juvenile (C.R.S. 18-12-108.5) - the arresting officer is mandated by law to take these juveniles into custody and detain them

On the following mandatory hold crimes, if officer does not hold juvenile in

detention, officer must provide the reason in detail in a case report and list name and IBM of the supervisor who made final approval.

2. Possession of dangerous or illegal weapon, C.R.S. 18-12-102
3. Possession of a defaced firearm, C.R.S. 18-12-103
4. Carrying a concealed weapon, C.R.S. 18-12-105
5. Carrying a concealed weapon on school grounds, C.R.S. 18-12-105.5
6. Prohibited use of weapons, C.R.S. 18-12-106
7. Illegal discharge of firearms, C.R.S. 18-12-107.5
8. Any felony offense against a person in which the juvenile is alleged to have used, or possessed, and threatened to use a firearm
9. Any crime of violence - A crime of violence includes all of the offenses below in which the juvenile used, possessed or threatened to use a deadly weapon; or caused serious bodily injury or death to another person except another participant, C.R.S. 16-11-309. See list below:

- Any crime against an at-risk adult or at-risk juvenile
- Murder
- First degree or second degree assault
- Sexual assault
- Aggravated robbery
- First degree arson
- First degree burglary
- Escape
- Criminal extortion
- Any sexual offense in which the defendant causes bodily injury to the victim, or in which the defendant used threats, intimidation, or force against the victim, and the victim is under the age of 15.

The following categories of children shall not be admitted to Spring Creek Detention Center:

- Juveniles who are intoxicated without any other charges or difficulties. Intoxicated juveniles who should be placed at Spring Creek on other grounds, shall not be placed there until a medical screen for drugs and/or alcohol has been obtained at Memorial Hospital. See G.O. 520, Juveniles: General Applicability .
- Juveniles whose only violations are of wildlife, parks, outdoor recreation, or non-felony traffic statutes, or of any city ordinance.
- Juveniles who are injured require a medical screening prior to placement in Spring Creek. This screening could be in addition to a drug/alcohol screen required on intoxicated juveniles.
- No juvenile shall be detained in the El Paso County Jail without prior judicial approval, such as court order or direct file.
- If a juvenile has been direct filed on before, and has been to El Paso County Jail, the juvenile is considered an adult and should be detained in El Paso County Jail on a Juvenile Summons for felony charges. Officers may either ask the juvenile if he/she has

been direct filed on before, or can ask the screener.

.70 Juvenile Hold Order

If a juvenile is held in a state detention facility, county jail, etc., a full but brief explanation for the hold must be given in the remarks section of the juvenile summons explaining why the juvenile is either a danger to himself or society. The word "Hold" should be prominently written in the remarks section of the juvenile summons. The juvenile's parent, guardian or custodian must be notified by: the officer having custody; any other law enforcement officer; a probation counselor; a detention center counselor; or a jailer in whose physical custody the juvenile is placed, that the child has been placed in a particular facility. The Court will notify the responsible adult of the hearing date. The officer must complete all paperwork relating to the detained child prior to going off duty.

.80 Controlled Substances

The following procedures will be adhered to in all controlled substance violations involving juveniles. For definitions, and for procedures other than those governing arrests, see G.O. 660, Controlled Substance Violations . The Juvenile Offender Unit should be contacted whenever appropriate handling of an incident is in doubt.

Possession or transportation of marijuana - one ounce or less: officers arresting a juvenile for a marijuana law violation will issue a summons citing the juvenile into county court, and release the juvenile whenever the following elements are satisfied (in accordance with normal juvenile procedures).

- The amount of marijuana is one ounce or less, and is not concentrated cannabis. As long as the juvenile is not selling, offering to sell, or furnishing to others any form or amount of marijuana.

Possession or consumption of alcohol: officers arresting a juvenile for possession of alcohol will issue a summons and release the juvenile, in accordance with normal juvenile procedures.

The juvenile must provide satisfactory evidence of identity and give written promise to appear in County Court when notified.

Whenever possible, officers will notify a parent or guardian of the issuance of a summons.

Possession, transportation or giving away of marijuana -- More Than One Ounce: Officers arresting a juvenile for a marijuana law violation will process the violator, according to established juvenile procedure, when any of the following elements are satisfied:

- Whenever a sale or offer to sell any quantity of marijuana occurs.
- The juvenile furnished to others or gives away any form or amount of marijuana.

Possession of concentrated cannabis: whenever any juvenile possesses, transports, or furnishes

any form or amount of concentrated cannabis, the violator will be processed according to established juvenile procedure.

.90 Refusal to Sign Citation or Insufficient Evidence of Identity

A juvenile refusing to sign, or failing to produce satisfactory identification will be handled according to the following juvenile procedures:

- Misdemeanor charges: release to parent or guardian
- Felony charges: admit to Spring Creek Detention Center

.92 Escapes from Group Homes and Placement Centers

Whenever a juvenile leaves a home monitor program at a group home or placement center for more than 24 hours, a case report for escape must be taken. The degree of escape is based on the original charge, such as a felony charge would be a felony escape; a misdemeanor charge would be a misdemeanor escape. Escape requires that the juvenile was confined or in custody.

If the juvenile returns home before the report is made, the Officer is still required to make a report for escape and charge the juvenile for Escape on a Juvenile Summons and Complaint. Officers should also charge the juvenile with Criminal Mischief (F) if they damage a monitor, or with theft (F) if they take a monitor and it cannot be found.

An escape report requires the following information:

1. The original charge and the reason why the juvenile is on a home monitor or placement.
2. A copy of the rules/agreement signed by the child regarding:
 - If they are on the run, they will be charged with Escape
 - If they damage a monitor they will be charged with criminal mischief
 - If they take a monitor, they will be charged with theft.

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Colorado Spring Police Department

General Order 526

-- Juvenile Victims

Active date: 10/17/2005

Supersedes date: 12/10/1998

.01 Purpose

To specify law enforcement actions pertaining to juvenile victims, with special attention to victims of child abuse and/or neglect.

.02 Cross Reference

G.O. 520, Juveniles: General Applicability
G.O. 524, Juvenile Offenders
G.O. 1515, Juvenile Records
G.O. 510, Domestic Disturbances
G.O. 612, Restraining Orders
G.O. 530, Intoxicated Persons
G.O. 540, Mentally Ill Persons
G.O. 830, Crime Scene Assessment G.O.
G.O. 860, Interviews and Interrogations

.03 Discussion

Contacts with juveniles involve numerous procedures and conditions that differ from those pertaining to adults. All officers are expected to be generally familiar with the Colorado Children's Code, Title 19, Colorado Revised Statutes. As the many regulations pertaining to juveniles are too complex and too voluminous to include here, the present directive is designed to provide major items of information that all Patrol officers must know thoroughly. The Sex Crimes/Crimes Against Children or Juvenile Offender Units should be consulted whenever more detailed guidance is needed.

.04 Policy

The El Paso County Department of Human Services (DHS) has discretion to conduct a preliminary investigation of child abuse or neglect cases, without notifying law enforcement, and such preliminary investigations are often done in situations involving dirty house complaints, reports of children being left without adult supervision, or upon receiving other allegations that do not appear to involve imminent danger to a child. Once the Police Department is informed, by any means of a known or suspected instance, however, an immediate police investigation will be made unless DHS, through its own prior investigation, has determined the complaint to be unfounded.

As reports of child abuse or neglect can reach the department in a number of ways, the following guide should be used in conducting an investigation. Every effort shall be made to coordinate a child abuse investigation with the DHS caseworker assigned to the case. DHS shall have the primary responsibility to investigate, or arrange for the investigation, of all reported child abuse/neglect cases. All reports of child abuse/neglect shall be referred to DHS. However, officers should keep in mind that DHS does not undertake criminal actions and DHS caseworkers are not equipped or trained to perform criminal investigations. When an offense report is taken, DHS must still investigate the matter. Police investigations are undertaken in addition to, not instead of, DHS investigations.

.05 Definitions

The following definitions apply to this Operations Manual and the Colorado Children's Code, Title 19, C.R.S., as revised 1997.

CHILD: A person under eighteen (18) years of age.

JUVENILE: A child, as defined above.

NEGLECTED OR DEPENDENT CHILD: A Child is neglected or dependent if:

- A parent, guardian, or legal custodian has abandoned the child or has subjected him/her to mistreatment or abuse, or a parent, guardian, or legal custodian has suffered or allowed another to mistreat or abuse, and prevents it from reoccurring.
- The child lacks proper prenatal care through the actions or omissions of the parent, guardian, or legal custodian.
- The child's environment is injurious to his/her welfare.
- A parent, guardian, or legal custodian fails or refuses to provide the child with proper or necessary subsistence, education, medical care, or any other care necessary for his health, guidance, or well-being.
- The child is homeless, without proper care, or not domiciled with his/her parent, guardian, or legal custodian, through no fault of such parent, guardian, or legal custodian.
- The child has run away from home, or is otherwise beyond the control of his/her parent, guardian, or legal custodian.

ABUSE OR CHILD ABUSE OR NEGLECT: An act, or omission, in one of the following categories, that threatens the health or welfare of a child:

(I) Any case in which a child exhibits evidence of skin bruising, bleeding, malnutrition, failure to thrive, burns, fracture of any bone, subdural hematoma, soft tissue swelling, or death, and either: Such condition or death is not justifiably explained; the history given concerning such condition is at variance with the degree or type of such condition or death; or the circumstances indicate that such condition may not be the product of an accidental occurrence.

(II) Any case in which a child is subjected to sexual assault or molestation, sexual exploitation, or prostitution.

(III) Any case in which a child is a child in need of services because the child's parents, legal guardian, or custodian fails to take the same actions to provide adequate food, clothing, shelter, medical care, or supervision that a prudent parent would take. Notwithstanding any other provision of this article, no child who in good faith is under treatment solely by spiritual means through prayer, in accordance with the tenets and practices of a recognized church or religious denomination by a duly accredited practitioner thereof shall, for that reason alone, be considered to have been neglected within the purview of this article.

In all cases, those investigating reports of child abuse shall take into account accepted child-rearing practices of the culture in which the child participates. Nothing in this subsection shall refer to acts that could be construed to be a reasonable exercise of parental discipline or to acts reasonably necessary to subdue a child being taken into custody pursuant to section 19-2-502, such as for committing a delinquent act, which are performed by a Peace Officer, level I, acting in the good faith performance of his duties.

.10 Taking Children into Protective Custody

Information concerning taking children into protective custody is contained in G.O. 520, Juveniles: General Applicability.

.11 Case Reports

Police officers are among the persons specifically required by the Child Protection Act of 1997 to report all known or suspected incidents of child abuse or neglect. Failure to do so may expose the officer to civil and criminal liability.

Whenever an officer is dispatched to a call involving a report of child abuse or neglect, the officer shall make a thorough inquiry into the matter. If evidence is discovered that leads the officer to suspect or conclude that a child has been the victim of neglect, physical abuse, or sexual abuse, a case report shall be made. If no such evidence is discovered, no report need be made. If the officer is not sure how to interpret a given set of facts uncovered in an investigation, an incident report shall be made so that the matter may be reviewed by DHS and the Sex Crimes/Crimes Against Children Unit.

All such case reports or incident reports shall be completed and submitted before the officer goes off duty. At the officer's discretion, or with an order from the court, the child may be removed from the home and taken into temporary protective custody. See G.O. 520, Juveniles: General Applicability.

.12 Death or Substantial Risk of Death

In cases involving death, or a substantial risk of death, the Sergeant or Commanding Officer of the Sex Crimes/Crimes Against Children Unit shall be notified as soon as possible. This includes deaths attributed to SIDS - Sudden Infant Death Syndrome.

.14 Protection of Investigator

If the DHS investigator encounters hostility, or physical violence, directed toward the investigator in the course of the investigation, a police officer shall be dispatched to the scene, for the purpose of keeping the peace. This officer shall remain with the DHS investigator as long as the potential for violence exists, or until released by the DHS investigator.

.16 Enforcement Action

Officers should, when probable cause exists, take enforcement action in any misdemeanor child abuse case, to include child neglect cases.

.20 Officer Investigation

In cases where the investigation is conducted by a Department officer, the following steps should be taken:

- During the investigation, the Department officer must observe the child; word of mouth is not sufficient evidence with respect to the child's condition. A detailed description of the injuries should be obtained.
- If evidence of abuse/neglect is found, all children residing in the same residence shall be examined for evidence of abuse or neglect. The names, dates of birth, and condition of

these children shall be noted in the report.

- The Department officer shall examine the scene of the incident, normally the home, to note the general condition and process any evidence pertinent to the investigation. This may require a Search Waiver, (consent to search) or a Search Warrant.
- Any weapon, or object used to injure the child, must be placed in evidence.
- If conditions warrant, take the child to the hospital for medical examination. If the child is not to be removed from the home, 35 mm or digital color photographs should be taken during the initial investigation. If the child is taken to the hospital, photographs should be taken upon arrival. Photographs of the scene of the abuse/neglect should be taken, if warranted.
- If a medical examination is made, obtain a statement from the doctor indicating the results of the medical examination, possible cause of the injuries, and estimated time of injury. The officer should establish who had care/control over the child at the time of the injury.
- Any child who is able to talk shall be interviewed regarding how s/he was injured.
- Employees shall not discuss the outcome of the investigation with the parent, guardian or legal custodian of the child, and shall not give any information as to where the child has been taken, except to indicate that the child is in the custody of DHS.
- Prior to taking any possible incriminating statements, the parents or suspects should be advised of their rights.

.30 Abandoned Children

Abandonment of children is a form of child abuse and should be handled in accordance with the child abuse procedure.

.40 Incest/Sexual Assault Interviews

When Department personnel respond to calls of Sexual Assault on a Child and /or Incest, they will determine if immediate protective issues are present (ie: the suspect lives with or has immediate access to the child). If immediate protective issues are present or if the sexual contact has occurred within the past 72 hours, the officer should contact Victim Services personnel for assistance with the investigation.

If the suspect is a relative of the victim or otherwise in the house of the victim, the Department of Human Services should also be contacted. In-home sexual abuse investigations are done concurrently by Victim Services and Department of Human Services to reduce the number of times a child victim is interviewed. In these immediate cases, if Victim Services personnel are not available, the Sex Crimes/Crimes Against Children Sergeant should be contacted.

If the suspect does not have immediate access to the child and the sexual contact occurred more than 72 hours previously, the officer will initiate a face sheet, document the preliminary investigation and take custody of any evidence for follow-up by the Sex Crimes/Crimes Against Children Unit at a later time. On these cases the officer does not need to notify Victim Services personnel or the Sex Crimes/Crimes Against Children Sergeant.

Because the law strongly encourages videotaped interviews of children in sexual abuse cases, the officer should avoid detailed interviews with the child. Victim Services will schedule these interviews at the Children's Advocacy Center with few exceptions. If extenuating circumstances are present, officers should contact their supervisors for assistance.

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Colorado Spring Police Department

General Order 527

-- Amber Alert

Active date: 2/5/2003

Supersedes date:

.01 Purpose

To clarify the Colorado Springs Police Department's guidelines for determining when to initiate the **Amber Alert Program** CRS 24-33.5-415.7. By following these guidelines, the **Amber Alert Program** can be implemented within minutes of a reported abduction, creating a community-wide opportunity to more quickly locate victims and apprehend suspects.

.02 Cross Reference

G.O. 520, Juveniles: General Applicability

G.O. 526, Juvenile Victims

.03 Discussion

In April 2002, The Colorado General Assembly passed House Bill 1083. This new law is known as the **Amber Alert** Program. It is designed to broadcast critical information of a missing/abducted child believed to be in danger, using the Emergency Alert System (EAS). The new law states that a local law enforcement agency, after verifying that an abduction has taken place, may notify the Colorado Bureau of Investigation. The CBI then confirms the accuracy of the information and informs the state's designated EAS broadcaster in Colorado. The EAS broadcaster then issues the alert to radio, television and cable systems statewide.

.04 Policy

It is the responsibility of the Colorado Springs Police Department to investigate reports of abducted children. Members of the Colorado Springs Police Department shall take every step necessary to obtain detailed information on victims and suspects involving missing/abducted children. The information will then be evaluated to determine if the criteria are met so that the **Amber Alert** can be activated. Activation of the **Amber Alert** must meet the following criteria set by the National Center for Missing and Exploited Children:

- ◆ The child must be 17 years of age or younger.
- ◆ The child must be in immediate danger of serious bodily harm or death.
- ◆ There must be enough descriptive information to believe a broadcast will assist or help in the recovery.
- ◆ The activation must be recommended by the Colorado Springs Police Department.

Once activated, any new or updated information shall be communicated to the CBI regarding the **Amber Alert**, to include cancellation.

.05 Definitions

ABDUCTED CHILD: A child whose whereabouts are unknown, whose domicile at the time he or she was reported missing was Colorado, whose age at the time he or she was first reported missing was seventeen years of age or younger, and whose disappearance poses a credible threat as determined by local law enforcement to the safety and health of the child.

EMERGENCY ALERT SYSTEM: The system composed of radio and television broadcasts activated by the state emergency alert station created by the FCC. The EAS system will be used to broadcast information regarding abducted children.

.10 Patrol Officer Responsibilities

Because timeliness is critical to the effectiveness of the alert, the responding Patrol Officer must verify that an abduction has occurred, and obtain vital victim and suspect information as soon as possible. Information obtained can include descriptions and pictures of the missing child, the suspected abductor, a suspected vehicle and any other information available and valuable to identifying the child and suspect. Once the officer concludes that the **Amber Alert** should be activated, the officer will contact the Communications Center and have the on-duty Patrol Supervisor respond to the scene.

An Offense Report will be generated in each instance an **Amber Alert** is activated.

The **Amber Alert** will not be activated in cases of parental abductions or runaways unless the investigation determines the child's life is in immediate danger.

.15 Patrol Supervisor Responsibilities

In the event that the criteria is met, and an **Amber Alert** is needed, the on-duty Patrol Supervisor will respond to the scene and make sure a preliminary investigation is initiated. The Patrol Supervisor will immediately notify the Shift Lieutenant or designee and advise him/her that the criteria for an **Amber Alert** has been met. The Shift Lieutenant or designee will notify the CBI at 1-877-542-7233, which is operational at all times. The CBI shall also be kept informed of any updates or any new information regarding the abduction. Updates can be generated by the Shift Lieutenant or the ranking investigator of the Major Crimes Unit.

The Shift Lieutenant or designee will notify the Public Information Officer of the abduction and subsequent **Amber Alert** after CBI has been notified. The Sex Crimes/Crimes Against Children Supervisor shall be notified and will respond to the scene to assume the investigation, and determine what resources will be needed.

When the child is found, the Shift Lieutenant or designee will cancel the **Amber Alert** by calling the CBI at 1-877-542-7233.

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Colorado Spring Police Department

General Order 530

-- Intoxicated Persons

Active date: 8/4/2005

Supersedes date: 11/8/2000

.01 Purpose

To establish procedures for dealing with persons whose consumption of alcohol brings them to police attention.

.02 Cross Reference

G.O. 540, Mentally Ill Persons

G.O. 520, Juveniles: General Applicability

G.O. 524, Juvenile Offenders

G.O. 660, Controlled Substances Violations

G.O. 510, Domestic Disturbances

G.O. 612, Restraining Orders

S.O.P. P1-101, Mental Health and Alcohol Rehabilitation Transports

CALEA Standards 1.1.3; 1.2.6; 72.5.5

.03 Discussion

Officers must frequently deal with persons who are intoxicated or incapacitated by alcohol. Situations vary widely and may range from the intoxicated person involved in a family disturbance, to a person passed out in a public place, to a person who is intoxicated and has committed a serious crime.

.04 Policy

Officers must be aware that voluntary intoxication is not an offense in the State of Colorado. Neither is it always a defense to the commission of a criminal offense. However, intoxicated persons may require special handling under the law, in certain circumstances.

.05 Definitions

As used in this policy and procedure, the following definitions apply:

INTOXICATED PERSON: Someone whose mental or physical functioning is temporarily, but substantially, impaired as a result of having consumed alcohol.

INCAPACITATED BY ALCOHOL: Someone who is unconscious or who has his/her judgment so impaired by the use of alcohol that s/he is incapable of realizing his/her need for treatment, or otherwise making a rational decision as to his/her need for treatment, or is unable to take care of his/her basic needs or safety, or who lacks sufficient understanding or capacity to make or communicate rational decisions concerning his/her person.

BREACH OF PEACE: The commission or the threatened commission of a particular criminal offense against a person or property.

.10 M-1 Form not to be Used

Persons with known alcohol or other chemical impairment, of any degree, cannot be accepted by Pikes Peak Mental Health Crisis Receiving Center personnel and, therefore, are not to be transported there. It is important that officers not complete an M-1 form on persons impaired by alcohol, as the form cannot be canceled either by the officer or by the center's paraprofessional staff. Only a licensed physician or licensed psychologist can cancel the medical hold, even though the form may have been executed by mistake. The M-1 form serves no useful purpose in such situations and creates unnecessary treatment delays and legal problems. [Any person displaying the characteristics of both mental illness and intoxication should be transported to the Lighthouse/Detox Center.](#) See G.O. 540, Mentally Ill Persons.

.20 Voluntary Commitment of Intoxicated Persons

Any time an officer contacts a person who is intoxicated, or incapacitated by alcohol, but who is not otherwise dangerous to the health or safety of himself/herself or others, the officer may refer the person to the Lighthouse for treatment. Should the person refuse to go to the Lighthouse, the officer may assist the person to his/her home, or a similar destination. Officers may provide transportation for a person to the Lighthouse, when it serves a police purpose, and the person consents. If an officer transports a person to the Lighthouse, the officer shall complete the Law Enforcement portion of the Global Assessment Form. All hard copy forms will be kept at the Lighthouse Admissions Office.

.30 Protective Custody of Intoxicated Persons

Whenever an officer comes in contact with a person who is intoxicated or incapacitated by alcohol, and is dangerous to the health and safety of himself/herself or others, the person shall be taken into protective custody. The person shall then be transported to the Lighthouse. Upon arrival, officers shall complete a copy of the Emergency Commitment Form. This form will allow for a valid hold order, as it replaces the emergency commitment form for the Detox Center. This new form is for both Detox and Crisis clients. This form complies with section 25-1-310 CRS.

If the Lighthouse staff determines that the person is no longer a danger to the health or safety of the person or others, s/he shall be immediately released.

If the person is found to be a continuing danger to the health or safety of himself/herself or

others, s/he shall be brought to the Lighthouse. If the Lighthouse is full to its licensed capacity, the Officer shall be referred to another resource by Lighthouse staff.

.32 Intoxicated Juveniles

If an officer has a juvenile that is intoxicated by alcohol or drugs and is a danger to themselves or others, the officer should transport the juvenile to Memorial Hospital for a medical clearance. This applies in all cases that do not involve criminal charges. Once the medical clearance has been completed, the Lighthouse will be contacted, by the on-duty social worker for Memorial Hospital. It is important that the transporting officer brief the social worker prior to leaving the hospital. Parent notification shall always be attempted by the transporting officer, prior to terminating contact with the juvenile.

.34 Alcohol Commitments are not Arrests

Per section 25-1-310, CRS, Emergency Commitments, taking a person into protective custody when intoxicated, or referring a person to the Lighthouse, is not an arrest. No entry shall be made on a daily activity report, log sheet, or other department record, indicating that such a person was arrested, unless an actual offense is charged.

.40 Crimes Committed by Intoxicated Persons

Self-induced intoxication is not always a defense to a criminal act. It may, however, be used by a defendant in order to indicate that s/he had a lesser level of intent when committing a crime, such as acting knowingly as opposed to intentionally.

When a person is charged with a misdemeanor, the officer may take intoxication into consideration in determining whether to place him/her into a detention facility and require posting of bond. When an intoxicated person is arrested for a breach of the peace, and the officer believes that there is a danger of an additional breach of the peace, strong consideration should be given to requiring the posting of bond rather than serving the person a summons and complaint and releasing him/her on a promise to appear.

.42 Crimes Committed Against Intoxicated Persons

Officers should not refuse to accept a complaint solely because a person, claiming to be the victim of a crime, is intoxicated. If an officer has concerns about whether or not an intoxicated person is competent, and there is no independent corroboration of the facts of the incident, the officer may make a report of the incident and withhold enforcement action until the victim is no longer intoxicated and the incident may be investigated further.

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Colorado Spring Police Department

General Order 540

-- Mentally Ill Persons

Active date: 12/9/2005

Supersedes date: 11/8/2000

.01 Purpose

To specify procedures for police actions when taking persons into custody who appear to be mentally or emotionally ill.

.02 Cross Reference

[G.O. 530, Intoxicated Persons](#)

G.O. 520, Juveniles: General Applicability

G.O. 524, Juvenile Offenders

G.O. 660, Controlled Substances Violations

G.O. 510, Domestic Disturbances

G.O. 612, Restraining Orders

SOP P1-174 Crisis Intervention Team (CIT)

CALEA Standards 1.1.3; 1.2.6; 72.5.5

.03 Discussion

Mental illness is not a crime and does not, in itself, justify or require police intervention. Many mentally ill persons are capable of functioning on their own without danger to themselves or others; such persons cannot legally be taken into police custody merely because of the mental illness. Police intervention is justified only when their behavior or actions demonstrate actual danger to themselves or others, or a reasonable probability of such danger.

.04 Policy

When persons exhibit dangerous states of mental illness, the Department's primary concern shall be to protect the mentally ill person and others. Officers shall direct their efforts to assure proper medical examinations and supervision of all persons experiencing such personal crises, and shall act in cooperation with the Pikes Peak Mental Health Center.

.05 Definitions

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.10 Crisis Receiving Center

Pikes Peak Mental Health Center operates a Crisis Receiving Center, Lighthouse, at 115 Parkside Drive, Colorado Springs, CO 80909. Its 24-hour emergency telephone number is 635-7000. [Call the Crisis Receiving Center, Lighthouse, prior to transporting any mental health clients, to give them pertinent information about the client.](#)

Crisis evaluators are available 24 hours a day, seven days a week. Crisis staff members are on site Monday through Friday from 0800 hours to 1700 hours. During non-traditional business hours, holidays, etc., Crisis evaluators are on call and will respond within a thirty-minute time frame.

Officers, in accordance with the provisions below, shall transport mental patients to the Crisis Receiving Center for evaluation.

.15 Crisis Intervention Team

When possible, Crisis Intervention Team (CIT) trained officers will respond to incidents involving individuals experiencing a crisis due to mental illness.

.20 Non-Violent Patients

Once a non-violent patient has been taken into custody, Communications shall notify the Lighthouse, and the patient shall then be transported there. Upon arrival, officers shall remain with the patient until permitted to leave by the Lighthouse staff.

.22 Violent Patients

Once a violent patient has been taken into custody, Communications shall notify the Lighthouse Center. Restraining devices may be used on any person who is violent, or threatens the safety, or poses a threat to the safety, of any person with whom s/he may come into contact. Generally, the patient should be taken to the Lighthouse Center for evaluation, even though the patient may have to remain in the Department vehicle. If the evaluation at the Lighthouse Center indicates that the patient should go to the State Hospital in Pueblo, the Sheriff's Office shall be notified.

.30 Peace Officer Statement (M-1) Form

If a Colorado Springs Police officer transports a person to the Lighthouse Center, who voluntarily agrees to the evaluation, the officer will not complete an M-1 form. The officer will remain at the Lighthouse Center until the person is evaluated, or until otherwise advised by the Lighthouse staff that the officer's presence is no longer needed.

If involuntary transportation of a mentally ill person is required, to the Lighthouse Center, the officer shall complete an M-1 form. The completed M-1 form is to include:

- General patient information
- Date and time
- Patient behavior indicated
- Narrative
- Officer signature
- One copy of the M-1, notarized if possible; three photocopies made from the original form

Officers will not obtain an M-1 form from a physician when transporting an intoxicated patient from a hospital to the Lighthouse Center. Officers transporting a patient to the Lighthouse Center from a hospital, or for a private doctor on a physician-signed M-1 form, should check the M-1 form to make sure it contains all necessary information. This form is to include all of the information listed above.

.34 Subject Both Mentally Ill and Intoxicated

Any person displaying the characteristics of both mental illness and intoxication should be transported to the Lighthouse/Detox Center. If Lighthouse/Detox is at capacity, and refuses the patient, the officer will transport the individual to Memorial Hospital for a medical clearance or evaluation. At that time, the hospital social worker will be contacted to make arrangements for transportation once the individual is released.

Should any problems arise, the on-duty Police Department Supervisor should be notified and a

decision will be made as to what resources are available to resolve the conflict.

Note that persons with a blood alcohol content of .05 % or greater cannot be accepted by Crisis Receiving Center personnel and, therefore, are not to be transported there. It is important that officers not complete an M-1 form on persons impaired by alcohol, as the form cannot be canceled, either by the officer or by the Center's paraprofessional staff. Only a licensed physician or licensed psychologist can cancel the medical hold, even though the form may have been executed by mistake.

.40 Subsequent Transportation

If a person is transported to the Lighthouse Center by Colorado Springs Police officers and the evaluation indicates that the person should be hospitalized, the Lighthouse Center has their own transportation by which they are able to transport the majority of clients.

On rare occasions, when a client is volatile and dangerous behavior is apparent, the client will be referred to a local psychiatric hospital. Lighthouse staff may ask for Police to assist with the transport of the client to a local facility. If the Lighthouse staff determines the client should be sent to the Pueblo State Hospital, CSPD shall retain custody of the client until a transfer of custody can be made with the Sheriff's Office personnel.

.42 Cedar Springs Psychiatric Hospital

Patients shall be transported to Cedar Springs Psychiatric Hospital ~~formerly Brady Hospital,~~ only when the patient, patient's family, person responsible for the patient, or the patient's insurance has indicated a preference for that hospital. Lighthouse staff will determine if Cedar Springs will be utilized, based upon the above criteria.

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Colorado Spring Police Department

General Order 550

-- Deaf or Hearing Impaired Persons

Active date: 1/29/1998

Supersedes date: 4/16/1989

.01 Purpose

To supply guidelines for police contacts with persons who are deaf or who have hearing impairments.

.02 Cross Reference

G.O. 705, Use of Force Continuum

CALEA Standards 1.1.3;1.2.6

.03 Discussion

Both sworn and civilian personnel of this department come into contact with complainants, suspects, victims, or witnesses who are deaf. Deaf or hearing impaired individuals are granted

special protections under the law. Because there are special facilities for the deaf located in Colorado Springs, the department is more likely than most police agencies to have contacts with these special populations, but is also privileged to have more support services available. It is incumbent upon all personnel with public contact, to be familiar with the special needs of, and services for these persons.

.04 Policy

C.R.S. 13-90-201, "Appointment Of Qualified Interpreters For Deaf Or Mute," provides that a qualified interpreter shall be appointed when a person who is deaf or mute or both, is arrested for an alleged violation of a criminal law of this state or any of its political subdivisions. Such appointment shall be made prior to any attempt to interrogate or take a statement from such person. Section 504 of the Rehabilitation Act of 1973 (Federal law) extends the requirement for provision of a qualified interpreter to victims, witnesses and complainants as well.

.05 Definitions

This space intentionally left blank.

.10 Identifying a Deaf/Hearing Impaired Person

The following information has been furnished, by the Pikes Peak Center on Deafness, to assist police personnel in identifying persons who are deaf. It is to be used for general guidance.

A deaf person will usually indicate deafness or a hearing impairment by pointing to his/her ears and then to his/her mouth, the sign for Deaf. S/he may point to his/her ear and shake his/her head, indicating s/he cannot hear. S/he may reach into a pocket, car glove compartment, or even under a car seat to obtain pencil and paper. While employees must act to assure their own safety, be careful not to misinterpret these actions as reaching for a weapon.

A deaf person constantly watches what is going on, trying to catch some clue as to what is being said. A deaf person will usually be very curious. In contrast, a person pretending to be deaf is likely to behave almost in the opposite way. S/he will try to ignore not only what can be heard, but also what can be seen. The pretender is not curious.

.20 Obtaining an Interpreter

Request that an interpreter be called, via the Communications Section, from the departmentally contracted agency. These interpreters are certified by a national board, thereby having legally recognized qualifications. These are the only interpreters to be used in these procedures. Under no circumstances are family members, friends or other individuals to be used as interpreters.

Whenever possible, provide the name of the deaf/hearing impaired person to communications, as many of these persons are registered with, or known to the departmentally contracted agency, and this information can be valuable to that agency in identifying the most appropriate interpreter.

.30 Arrest Procedure for Deaf/Hearing Impaired Persons

Notify Communications of the arrest of a deaf or hearing impaired individual and request an

interpreter.

Until an interpreter arrives, write messages in simple language explaining what is transpiring or will transpire. In writing, notify the deaf person that an interpreter has been called. Under no circumstances should the employee do anything more without the aid of an interpreter. Do not advise the deaf person of Miranda Rights without the interpreter present.

As safety considerations for the suspect and officers permit during an arrest, avoid immediately restraining the arms and/or hands of a deaf person, as this is their mode of communication and can cause a sense of panic, as per G.O. 705, Use of Force Continuum .

Once an interpreter has arrived, use him/her to facilitate communication. Speak directly to the deaf person. Do not ask advice of the interpreter or say things you do not want communicated to the deaf person. Interpreters are bound by code to interpret, through sign language, everything said in the presence of the deaf person. This protects not only the deaf person but also the law enforcement agency and its personnel.

At the conclusion of the advisement and interrogation, if the deaf person is to be placed in jail, the interpreter should also go to the jail and stay to interpret the booking procedure.

.32 Telephone Privileges for Deaf/Hearing Impaired

If a deaf person is taken into custody, their right to communicate with his/her family or attorney cannot be denied because of deafness. Each Division is equipped with a Teletypewriter/Telecommunications Device for the Deaf (TTY/TDD) machine, for that purpose.

If that telephone call needs to be made to another individual, who does not have a TTY/TDD, the Colorado Relay service may be used. Colorado Relay is a 24-hour a day service, funded through the Public Utilities Commission, to provide telephone accessibility to and from the deaf, hard of hearing or speech disabled. This relay service receives voice calls from hearing individuals and, via TTY/TDD, relays this message to the deaf individual, or vice versa. Colorado Relay can be contacted using the following phone numbers: (Voice) 1-800-659-3656, (TTY/TDD) 1-800-659-2656, or (ASCII [computer]) 1-800-659-4656.

.35 Summons and Complaint Issued to Deaf Persons

Colorado law permits officers to issue a Summons and Complaint to appear in court, in lieu of actually arresting a person, for most misdemeanor and traffic offenses. At the time a Summons and Complaint is issued to a deaf/hearing impaired person, a qualified interpreter's presence may be desirable, depending on the circumstances. Issuing officers are to use appropriate discretion in deciding whether or not to call an interpreter to the scene. This should include weighing any possible misunderstanding against the inconvenience to the individual in awaiting the arrival of the interpreter. The basic rule should be, when in doubt as to the effectiveness of communications, or if the deaf person requests, summon an interpreter.

On any Summons and Complaint issued to a deaf person, the face of the form shall contain a note in bold lettering stating: deaf person -- interpreter required. This alerts court officials to summon an interpreter for the court proceedings, minimizing delays and postponements.

.40 Deaf/Hearing Impaired as Victims or Witnesses

If a deaf person is a victim, summon an interpreter through Communications.

Do not discount deaf persons as potential witnesses. Though they may not have heard what happened, they can frequently describe an incident with a high degree of accuracy. Summon an interpreter through communications. The TDD facilities in communications can be used to assist in acquiring additional information.

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Colorado Spring Police Department

General Order 555

-- At-Risk Adults

Active date: 10/12/2006

Supersedes date: 4/16/1992

.01 Purpose

To specify law enforcement actions regarding at-risk adults.

.02 Cross Reference

G.O. 150, Offense Reports

G.O. 740, Determining Probable Cause

G.O. 810, Investigations Procedures

G.O. 1320, Senior Victim Assistance Team

G.O. 1550, Public Information Office and News Media

SOP P1-08, Division Investigative Services

SOP P1-24, Report Transcription

SOP P1-46, Patrol Report Process

SOP P1-70, Patrol Preliminary Investigation

SOP P1-75, Operation Senior Beat

.03 Discussion

At-risk adults are more impacted by crime than the general population because they tend to suffer great relative deprivation, financially, physically, and psychologically, as a result of the abuses committed against them. Contacts with at-risk adults involve several procedures and conditions that differ from those pertaining to non-at-risk adults.

.04 Policy

The Department of [Human](#) Services, Adult Protective Services section, has discretion to conduct a preliminary investigation of at-risk adult abuse, neglect, or exploitation, without notifying law enforcement. However, once the Police Department is informed, by any means of a known or suspected instance, an immediate police investigation will be made, unless the Department of [Human](#) Services, through its own prior investigation, has determined the complaint to be

unfounded.

As reports of at-risk adult abuse/neglect/exploitation can reach the department in a number of ways, the following guide should be used in conducting an investigation. The El Paso County Department of Human Services shall have the primary responsibility to investigate or arrange for the investigation of all reported at-risk adult abuse/neglect/exploitation cases. All reports of at-risk adult abuse/neglect/exploitation cases shall be referred to the Department of Human Services. However, officers should keep in mind that DHS does not undertake criminal actions and DHS caseworkers are not equipped or trained to perform criminal investigations. When an offense report is taken, DHS must still investigate the matter. Police investigations are undertaken in addition to, not instead of, DHS investigations.

.05 Definitions

By State Statute, 18-6.5-102, an A T-RISK ADULT is defined as:

Any person who is sixty years of age or older, or any person who is eighteen years of age or older and is a person with a disability.

PERSON WITH A DISABILITY means any person who is:

- Impaired because of the loss of or the permanent loss of use of a hand or foot or because of blindness or the permanent impairment of vision of both eyes to such a degree as to constitute virtual blindness ~~Handicapped because of the loss of, or use of, a hand, foot, or vision~~
- Unable to walk, see, hear, or speak
- Unable to breathe without mechanical assistance
- Developmentally disabled
- Mentally ill
- Mentally impaired
- Blind
- Receiving care and treatment for a developmental disability
- Susceptible to mistreatment or self-neglect
- Unable to perform or obtain necessary services or
- Lacks sufficient understanding or capacity to make or communicate responsible decisions

An At-risk-adult also means an individual eighteen years of age or older who is susceptible to mistreatment because the individual is:

- Unable to perform or obtain necessary services for the individual's health, safety, or welfare, or
- Lacks sufficient understanding or capacity to make or communicate responsible decisions concerning the individual's person or affairs

.10 Case Reports

Police officers are among the persons specifically required to report all known or suspected incidents of at-risk adult abuse/neglect/exploitation. Whenever an officer is dispatched to a call involving the above mentioned incident, the officer shall make a thorough inquiry into the

matter. If evidence is discovered that leads the officer to suspect or conclude that the at-risk adult has been the victim of abuse, neglect, or exploitation, a case report shall be made. If no evidence is discovered, no report need be made. If the officer is not sure how to interpret a given set of facts uncovered in an investigation, an incident report shall be made so that the matter may be reviewed by [DHS](#). All such case reports or incident reports shall be completed and submitted before the officer goes off duty.

.20 Reporting Requirements

Law enforcement agencies are required, by statute, to prepare a written report of the investigation, within 48 hours, and to forward the report to the Department of [Human Services](#) and the District Attorney's Office within 24 hours. All dictated supplements should be assigned a "priority A" 1 status. Follow-up phone calls can be made, if necessary. The report shall include: the name, address and age of the at-risk adult; the name and address of the at-risk adult's caretaker, if any; the nature and extent of the condition that will reasonably result in mistreatment or self-neglect. The following information, included in the report, will assist [DHS](#) with their ensuing investigation:

- Date of birth of the at-risk adult
- Any current prescription medication being taken
- Name and phone number of physician
- Information on relatives, guardian, or caretaker
- Information on any community agencies that the at-risk adult may be involved with, such as Pikes Peak Mental Health, Mental Rehabilitation Center, local church, etc.;
- Hospital, if any, the at-risk adult is transported to
- Disposition of investigation: referred to Homicide Unit/Division Investigators of the police department; admitted to hospital; no action - referred to [DHS](#); suspect arrested; etc.

The following procedures will be used when dealing with an [At-Risk Adult](#) a-victim between the ages of 18 and 59: 4

If immediate protective action is required:

- ~~Notify police dispatch to~~ Call [DHS](#) at daytime phone number 444-5755, or nighttime and weekend [pager service number 719-278-8301](#) ~~phone number: 475-9593~~ , and request a caseworker to respond to your location
- ~~If DHS is unable to respond or does not respond in a timely manner, request that dispatch page the on-call Youth/Victim Services caseworker to respond to your location.~~
- If immediate protective action is not required, and it is not necessary for a caseworker to respond to your location, handle the call as appropriate

In every case, on review by the immediate supervisor or his/her designee, the face sheet of the initial investigative report shall be stamped with an ink stamp reading "At-Risk Adult". The face sheet and initial investigative report should be faxed, with supervisory approval, to the Department of [Human Services](#), Adult Protective Services ([Fax 444-8373](#) ~~Fax: 444-5599~~) and the District Attorney's Office (Fax: 520-6185). When faxing copies of reports to these agencies,

retain the fax cover sheet as proof of transmission, and attach to the original report.

~~The Senior Victim Assistance Team (SVAT) and the Department of Human Services are members of the Adult Protective Services Community Collaboration Program. The Colorado Springs Police Department SVAT has entered into a contract with DHS to have SVAT act as an agent of DHS and, as such, will receive copies of all reports dealing with at-risk adult victims who are seniors.~~

The following procedures will be used when dealing with a victim that is 60 ~~55~~ years and older:

The Senior Victim Assistance Team (SVAT) and the Department of Human Services are members of the Adult Protective Services Community Collaboration Program. The Colorado Springs Police Department ~~SVAT~~ has entered into a contract with DHS to have SVAT act as an agent of DHS and, as such, will receive copies of all reports dealing with at-risk adult victims who are seniors.

- If immediate protective action is required, notify police dispatch to page the on-call SVAT caseworker to respond to your location
- If immediate protective action is not required, but follow-up is desired within 24 hours, call the SVAT voice messaging service at 444-7438 ~~578-6974~~ with the necessary information and a SVAT caseworker will contact the victim within 24 hours
- If immediate protective action and the response of a SVAT caseworker are not required, and follow-up contact is not necessary, handle the call as appropriate

In every case, on review by the immediate supervisor or his/her designee, the face sheet of the initial investigative report shall be stamped with an ink stamp reading At-Risk Adult. The face sheet and initial investigative report should be faxed, with supervisory approval, to the Police Records and Identification Section (Fax: 632-1663). R&I personnel will hold these reports for the SVAT caseworkers. SVAT will be responsible for faxing a copy of the report to DHS and the DA's office.

Except for any suspect, complicitor, or co-conspirator, any person who reports a known or suspected case of abuse, neglect, or exploitation shall be immune from any civil or criminal liability, as long as such action was taken in good faith and not in reckless disregard of the truth. The Public Information Officer, ~~shift lieutenants Watch Commanders~~, supervisors, SVAT caseworkers, and records and identification section technicians should be aware that the legislature has deemed reports dealing with at-risk adults to be confidential in nature, unless they become the subject of a criminal filing. Release of the information contained in such a report, to the public, is a criminal offense, just as it is in the Children's Code. The press copies of all such reports must be pulled. Information shall be disclosed when the investigation results in a criminal complaint, information, or indictment; or when there is a death of a suspected at-risk adult from mistreatment or self-neglect and a formal charge is filed; or when a grand jury issues an indictment in connection with the death.

.30 Officer Investigation

In cases where the investigation is conducted by a department officer, the immediate concern of

the investigation shall be the protection of the at-risk adult. The investigation shall include a face-to-face interview with the at-risk adult; word of mouth is not sufficient evidence with respect to the at-risk adult's condition. A detailed description of the abuse/injuries should be obtained.

If possible, the department officer shall visit the scene of the incident, which is normally the home, note the general condition, and any evidence pertinent to the investigation. Any weapon or object used to injure the at-risk adult must be placed in evidence.

If necessary, have the at-risk adult transported to the hospital for medical examination. If a medical examination is made, obtain a statement from the doctor indicating the results of the medical examination and possible cause of the injuries. If conditions warrant, ~~35mm~~ color photographs should be taken of the at-risk adult's injuries and the scene of the incident. Interview the at-risk adult regarding how s/he was injured.

.40 Follow-up Investigation

~~Under our present system of decentralization, s-~~Some of the crimes of abuse, neglect, or exploitation of at-risk adults will be routed to the Homicide Unit for follow-up, while others will be routed to the Divisional Investigators. All crimes resulting in potential charges of Homicide; First Degree Assault; or Second Degree Assault will be routed to the Homicide Unit. All crimes resulting in potential charges of Third Degree Assault; ~~Robbery~~; Theft (under or over \$500; or from the person without use of force, threat, or intimidation); or crimes involving neglecting or acting in a manner likely to be injurious to the physical or mental welfare of an at-risk adult, will be routed to the Divisional Investigators. ~~All crimes resulting in potential charges of Robbery, will be routed to the Robbery Unit.~~

Single incidents involving multiple offenses requiring investigation by both the Homicide Unit and the divisional investigators should not be separated. The entire case should be forwarded to the unit responsible for the investigation of the most serious charge.

.50 Incest/Sexual Assault Interviews

When Department personnel are called to interview victims of incest or sexual assault on an at-risk adult, the ~~Youth/~~ Victim Services Unit and Department of ~~Human~~ Services will also be notified immediately. In the interest of the victims in these situations, the interview of the victim will be done concurrently by the Department officer, ~~Youth/~~ Victim Services personnel, and ~~DHS~~ investigators, if possible. This will reduce the number of times the victim will have to repeat the circumstances of the situation.

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Colorado Spring Police Department

General Order 560

-- Diplomatic and Legislative Immunity

Active date: 8/22/2006

Supersedes date: 12/10/1998

.01 Purpose

To specify types and limits of immunity, as well as to identify persons entitled to various forms of it. Included are guidelines for dealing with violations by such persons, and other related matters.

.02 Cross Reference

G.O. 570, Aliens and Requests for Asylum

.03 Discussion

This space intentionally left blank.

.04 Policy

Diplomatic and consular officials and state legislators shall be accorded their respective privileges, rights and immunities, as directed by international law, federal statute and state laws. These officials shall be treated with the courtesy and respect that befit their distinguished positions. At the same time, it is a well established principle of international law that, without prejudice to their privileges and immunities, it is the duty of all persons enjoying such privileges and immunities to respect local laws and regulations.

.05 Definitions

DIPLOMATIC/CONSULAR IMMUNITY: Diplomatic/consular immunity is broadly defined as the freedom from local jurisdiction accorded to duly accredited Diplomatic Officials, their families, and servants.

LEGISLATIVE IMMUNITY: Legislative immunity is broadly defined as the immunity from arrest afforded members of the Legislature who are enroute to, or returning from, an official session of the Legislature.

.10 Persons Having Immunity

The following personnel have various degrees of immunity:

Diplomatic Officials: Ambassadors and ministers are the highest ranking diplomatic representatives of a foreign government. Other diplomatic titles are Minister Counselor, Counselor, First Secretary, Second Secretary, Third Secretary, and Attaché. These officials are based either in Washington D.C., or in New York City, and are entitled to immunities as described below.

Consular Officials: Consular Officials are Consuls-General, Deputy Consuls-General, Consuls and Vice-Consuls. They are also official representatives of foreign governments. Consular Officials may be located in various large cities throughout the nation and are entitled to limited immunities, as described below.

Honorary Consuls: Often, nationals or permanent residents of the receiving state are appointed and received as Honorary Consular Officials, to perform the functions generally performed by Career Consular Officials. Such officials do not receive identification cards from the State Department of the type issued to Career Consular Officials, though they may exhibit reduced-

size copies of the "exequatur", or diplomatic note, evidencing recognition by the United States Government.

Family/Staff Of Foreign Diplomats Or Consular Officials: The family members, staff or servants of a Diplomat or Consular Official are broadly defined as those individuals who are immediate family members, such as wife, children, and/or parents, or who are working directly for the Diplomatic/Consular Officials. Such persons must not be nationals or permanent residents of the United States to claim the authorized immunity or privileges.

Members Of The Legislature: A legislative member is any person duly elected to the Colorado Legislature.

The officials and other persons listed above have been issued various official identification papers or cards. Police personnel contacting them can ascertain their respective status' and titles, by requesting their official identification, which will indicate status and title. These persons will be treated with appropriate respect by employees of the Department. All appropriate steps will be taken to prevent any attack on their person, freedom, or dignity, within the following authorized limits.

.20 Limits on Enforcement Action

The privileges, rights and immunities afforded diplomatic, consular or legislative officials are established by international law, federal statutes and state law. Such laws and statutes determine what law enforcement actions are authorized. However, the privileges, rights and immunities vary for Diplomatic Officials, Consular Officials and Legislative members, and their respective families. When an incident involves such persons, Members will adhere to the following restrictions or enforcement actions.

.22 Diplomatic Officials and Associated Persons, Premises and Property

Foreign Diplomatic Officials, their families, official staff and servants, who are not nationals of or permanent residents in the receiving state, are protected by unlimited immunity from arrest, detention or prosecution with respect to any civil or criminal offense. Diplomatic Officials should not be arrested or detained for any offense.

An exception to this is when a Diplomatic Official, or a member of the diplomat's family or staff, is a danger to self or others, or is exhibiting violence towards a police officer, then police officers should temporarily detain such person until a responsible person from the Diplomatic Official's office, family or staff arrives and assumes responsibility for the diplomat's safety and welfare.

Associated with this personal diplomatic immunity is the inviolability enjoyed by the premises of the mission of the sending State and the private residence of a diplomatic official and the property, papers and correspondence of such a person.

.24 Consular Officials and Associated Persons, Premises and Property

Foreign Career Consular Officials are not liable to arrest, or detention, pending trial, except in the case of a grave crime, such as a felony offense that would endanger the public safety, and

pursuant to a decision by a competent judicial authority.

Family members, staff and servants of consular officials cannot claim immunity. However, consideration should be given to the special nature of this type of case. A violation should be handled, when possible, through the issuance of a complaint. The individual should be released once positive identification is made and relationship with the consular official is verified. If the relative is a juvenile, as in all juvenile cases, the subject should be released to the parent consular official.

Consular premises, used exclusively for the work of the consular post, cannot be entered without explicit permission of the head of the consular post, a designee, or by the head of the diplomatic mission. This permission may be assumed in the case of fire, or other disaster requiring prompt protective action.

The consular archives and documents are inviolable, at all times, wherever they may be. The official correspondence of the consular post, and its function, is likewise inviolable.

.26 Honorary Consular Officials and Associated Persons, Premises and Property

These individuals are not immune from arrest or detention; they are also not entitled to personal immunity from the civil and criminal jurisdiction of the receiving state, except as to official acts performed in the exercise of their consular functions. However, appropriate steps must be provided to accord to such officials the protection required by virtue of their official position.

Family members, staff and servants of Honorary Consular Officials cannot claim immunity. However, consideration should be given to the special nature of this type of case, and the complaint/criminal process citation utilized, when practical.

The consular archives and documents of a consular post, headed by an Honorary Consul, are inviolable, at all times, and wherever they may be, provided they are kept separate from other papers and documents of a private or commercial nature, or relating to the other activities of an Honorary Consul, and persons working with such an official.

.28 Members of Legislature

The Constitution of the State of Colorado, Article V, Section ~~16 22~~, provides that:

"The members of the General Assembly shall, in all cases except treason, felony...and breach or surety of the peace, be privileged from arrest during their attendance at the sessions of their respective houses, and in going to and returning from the same; and for any speech or debate in either house they shall not be questioned in any other place."

Persons who are elected members of the Colorado Legislature should not be unduly detained or arrested when they are enroute to a legislative session or meeting. However, when an offense is so serious as to warrant follow-up, a police officer may gather sufficient data to complete a preliminary investigation and then submit a report for later review by appropriate superiors.

.30 Methods of Handling Selected Incidents, Violations or Minor Offenses by Consular

Officials

Department members will adhere to the following procedures when appropriate and practical:

Moving Traffic Violations: When a consular official is stopped for a moving traffic violation, the police officer on the scene, upon being advised by the driver that the detained person is a consular official and ascertaining that such person possesses the proper credentials, should exercise discretion, based on the nature of the violation, and either release the person with a warning of the danger of the person's actions or proceed with issuance of appropriate citations. Mere issuance of a traffic citation does not constitute arrest or detention in the sense referred to above.

Driving Under The Influence: The primary consideration of this type of incident should be to see that the diplomatic/consular official is not a danger to him/her or the public. Based upon a determination of the circumstances, the following options are available:

- Take the official to an Area Command or a location where the official can recover sufficiently to drive safely
- Take the official to a telephone so that a relative or a friend can be contacted, in order to respond to the scene and take responsibility for the official's welfare and safety
- Call a taxi
- Take the official home

In such incidents, the diplomatic official should not be handcuffed, subjected to any sobriety test, or manhandled in any way, unless such an official is violent and such behavior endangers the safety of any person. At best, this is a sensitive situation. The diplomatic official shall be treated with respect and courtesy. It should be impressed upon such an official that the primary responsibility of the detaining police officer is to care for the diplomat's safety and the safety of others.

.32 Reporting Of Incidents

When a diplomatic, consular or legislative official is contacted, Department personnel will report the contact, in accordance with the following appropriate procedure.

.34 Notifying the Office of The Chief of Police

When an enforcement action is taken involving a diplomatic or legislative official, the police officer initiating the action will report the details of the enforcement action taken on a memorandum and forward the report, through the chain of command, to the Office of the Chief of Police. Such report will be completed prior to securing from the tour of duty during which the enforcement action occurred.

.36 Notification of Federal Agencies

Whenever a person claims diplomatic or consular immunity, the Denver Office of Security, U.S. State Department, should be notified and consulted immediately, at telephone: (303) 236-2781.

If that number cannot be reached, the following number in Washington, D.C., may be used:

(202) 647-7277.

Note that these numbers are for law enforcement use only. Do not furnish them to others.

When an incident involving a diplomatic or consular office amounts to a crime against the United States, the Federal Bureau of Investigation should be notified immediately.

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Colorado Spring Police Department General Order 570 -- Aliens And Requests For Asylum

Active date: 6/19/2007 8:15:13 PM

Supersedes date: 3/17/1995

.01 Purpose

To establish guidelines for police treatment of matters concerning possible violations of immigration statutes, arrests of foreign nationals, and for properly responding to aliens' requests for asylum.

.02 Cross Reference

G.O. 560, Diplomatic and Legislative Immunity

.03 Discussion

This space intentionally left blank.

.04 Policy

The Colorado Springs Police Department shall make no attempt to enforce immigration laws but shall refer all such matters to the [Department of Homeland Security, Immigration and Customs Enforcement \(ICE\)](#). Nothing in this policy shall prohibit the Department from rendering reasonable and appropriate assistance, upon specific request, to any bona fide law enforcement agency engaged in the enforcement of criminal laws, consistent with applicable statute and Department policy. ~~Immigration and Naturalization Service. When an alien requests asylum, the department shall ensure his/her protection from coercion, and shall then notify the appropriate federal agencies.~~

Upon arrest of ~~certain~~ foreign nationals, the department shall ~~take steps to ensure that a timely offer is made to the arrestee to~~ [contact](#) inform the appropriate [diplomatic](#) Consulate of their [detention](#), and in those instances where required, the appropriate Consulate is contacted regardless of the arrestee's wishes. ~~This Consular notification applies only when the suspect is in custody and not if the suspect is asking for political asylum. When an alien requests asylum,~~

the Department shall ensure his/her protection from coercion, and shall then notify the appropriate federal agencies.

.05 Definitions

Foreign National: For the purposes of consular notification, a foreign national is any person who is not a US citizen. For these purposes, the terms "foreign national" and "alien" may be used interchangeably. Lawful permanent resident aliens (persons holding what is commonly known as a "green card") retain their foreign national status and are considered foreign nationals for the purposes of consular notification.

Secure and Verifiable Document: Means a document issued by a state or federal jurisdiction or recognized by the United States government and that is verifiable by federal or state law enforcement, intelligence, or homeland security agencies. (CRS 24-72.1-102).

.10 Aliens

In 1978, the U.S. Attorney General established a policy that the enforcement of immigration laws rested with the Immigration and Naturalization Service and not with state and local law enforcement entities. Specifically, the U.S. Attorney General set forth the following guidelines for state and local law enforcement agencies:

1. "Do not stop and question, detain, arrest or place an 'immigration hold' on any person not suspected of a crime, solely on the ground that they may be deportable aliens."
2. "Upon arresting an individual for a non-immigration criminal violation, notify the Service immediately if it is suspected that the person may be an undocumented alien, so that the Service may respond appropriately".

.20 Secure and Verifiable Document

When dealing with certain foreign nationals whose identification is not secure and verifiable and in order to maintain compliance with governmental immunity laws, Colorado Revised Statute 24-72.1-105 (1). Violations - immunity, officers must adhere to the following:

A peace officer who, in the performance of the officer's duties, utilizes identification that is not secure and verifiable shall not forfeit governmental immunity pursuant to this section if such officer:

- Gathers all information from such identification; and
- If feasible, according to any applicable law enforcement agency guidelines, gathers fingerprint information from such person and stores such fingerprints for at least one year as a criminal justice record

~~A police officer, receiving information on or contacting a deportable alien, should make an Intelligence Sheet containing name, address, date of birth, etc., and forward it to the Fugitive Unit, which will notify Immigration in Denver. As laws now permit sanctions against employers, the information should include the alien's Social Security number and name/place of employment, if available.~~

.22 Arresting Illegal Aliens

In May of 2006, immigration bill 06-090 was signed into law. This law requires peace officers to report persons to the United States Immigration and Customs Enforcement (ICE) Office when the officer has probable cause to believe an arrestee for a criminal offense is not legally present in this country.

Colorado Springs Police Officers are required to notify ICE when:

- The subject is under arrest for any crime for which they will be served and released on a summons, rather than booked into the Criminal Justice Center (CJC); and
- The officer has probable cause to believe that the subject is in this country illegally

Exception: The requirement to notify ICE does not apply to arrestees who are arrested for a suspected act of domestic violence until the arrestee is convicted of a domestic violence offense.

The mechanism to notify ICE is an Illegal Alien Query (IAQ) through the NCIC system by Communications Center personnel, or, if they are unavailable due to work load, by the NCIC Operator.

Care must be exercised to ensure that probable cause exists to believe that an individual is an illegal alien before requesting an IAQ be performed and that this request does not contribute to "racial profiling." Officers do not need to articulate the probable cause when requesting the IAQ, but should be prepared to discuss it with their supervisor upon request.

Officers must first run arrestees for wants following normal policy and procedures. If the person comes back "clear," an IAQ will be requested if the individual meets the ICE notification requirements stated above. An IAQ is NOT to be performed before checking NCIC/CCIC for active warrants and is NOT to be performed if an individual has a warrant or other criminal charges for which they will be booked into the CJC. When an individual is going to be booked into CJC, the El Paso County Sheriff's Office personnel will perform the IAQ. Following this guideline ensures that only one query per individual is made.

Responses from ICE are not immediate. The initial IAQ may take over 20 minutes to be acknowledged; a full response may take several hours. Officers are not expected to and will not attempt to detain individuals beyond the time required for the handling of the criminal offense for which the individual is being served and released.

ICE responses will be returned to the NCIC operator at the department's main terminal, who will

contact the ICE Agent-In-Charge for further clarification on the status of the individual. The information will be forwarded to dispatch if re-contact is requested by ICE or will be faxed to the CJC if the individual is incarcerated.

~~When arresting such an individual for a non-immigration criminal or traffic violation, place the individual in detention for bond and notify Immigration authorities immediately, in Denver, at telephone number (802) 872-6020 which is the Law Enforcement Support Center (LESC). (303) 371-3841. After hours telephone numbers can be obtained from screen QF INS in CCIC. Forward all necessary information to the Fugitive Unit for disposition.~~

.25 When Arresting Foreign Nationals

The United States is obligated, under international agreements and customary international law, to notify foreign authorities when foreign nationals are arrested, or otherwise detained in the U.S.

Generally, consular notification does not need to be made when a foreign national is only briefly detained, such as for a traffic citation or accident investigation, but is likely to apply if the detention lasts for a number of hours or overnight. As a general rule, because persons detained by CSPD officers for extended periods are almost always booked into the Criminal Justice Center, routine notification of the arrest of foreign nationals will be made by the El Paso County Sheriff's Office incidental to the foreign national being booked into CJC, and in accordance with established EPSO policies. CSPD officers will generally not be required to make such notifications, except under extraordinary circumstances as follows:

- If a CSPD officer places a foreign national into custody or other lengthy detention and does not intend to book that individual into CJC within a reasonable amount of time, the arresting officer should, ~~in all cases, immediately~~ inform the foreign national of his right to have his/her government notified concerning the arrest.
- If the **detained** foreign national asks that such notification be made, the arresting officer should inform CJC intake staff of this request when the individual is booked. In the unlikely event the foreign national will not be booked into CJC within a reasonable amount of time following his/her detention, the arresting officer should do so, ~~without delay~~ by informing the nearest consulate or embassy of the foreign national's home country.
- In the case of certain countries, ~~such information~~ consular notification must be made without delay, regardless of whether the arrestee so wishes. A list of these "mandatory notification" countries, and contact information for all foreign consulates/embassies is available from the Patrol Duty Desk, Communications, and is also attached here: Mandatory Embassy Notification.
- Foreign nationals who are arrested but detained under guard in a hospital setting prior to being booked into CJC, are also entitled to have their country's diplomatic consular informed of their detention. CSPD officers involved in such a situation should coordinate with a supervisor in the EPSO Intake & Release Section of CJC for advice on how to inform the alien of his/her rights in this regard, and to best effect expeditious

consular notification when requested.

- The requirements for consular notification apply to all foreign nationals, regardless of their visa or immigration status. Thus "illegal aliens" have the same rights to consular notification/assistance as do aliens lawfully within the country.
- Additional current information on the method and manner of making consular notification, to include forms which may be used to inform the detained national of his/her rights to consular notification, can be found at the internet site for the US Department of State at http://travel.state.gov/law/consular/consular_636.html or through calling the Department of State in Washington, DC at (202) 647-4415 during duty hours, or after hours at their Operations Center at (202) 647-1512.
- Foreign consular officials have the right to visit their arrested nationals, subject to local laws and regulations regarding access to detained persons. For persons being booked into CJC, all such visitations will be facilitated by the EPSO.
- ~~Telephone the U.S. Department of State immediately, if there are any questions that arise in connection with the foregoing procedures: (303) 236-2781 or (202) 647-7277, 24 hr. Command Center, Washington D.C.~~

.30 Requests For Asylum

Foreign nationals who request asylum in the United States, that is, ask for protection or to remain in the United States owing to persecution, should be given full opportunity to have their requests considered on their merits.

The request of such a person for asylum must be considered by the proper authorities, on an individual basis, taking into account humanitarian principles and applicable laws. As a party to the United Nations Protocol Relating to the Status of Refugees, the United States has an international treaty obligation to carry out its provisions, which includes prohibiting the forcible removal of refugees, from the United States, to conditions of persecution abroad.

Activities of the Colorado Springs Police Department, when a request for asylum is made, shall consist of assuring protection from coercion and referral of the matter to the appropriate federal agencies. Safe protective custody will be provided to the asylum seeker. When necessary, law enforcement or security authorities will be brought in as early as possible. Force may be used against attempts at forcible repatriation or return of the refugee to his homeland, where means of resistance are available. The safety of American personnel must be taken into account, however, and no greater force than necessary to protect the individual should be used. Any inquiries from interested foreign authorities will be met by the senior officer present with a response that the case has been referred to supervisory officers for instructions. The Command Duty Officer will be notified immediately of any request for asylum.

The department should immediately inform the nearest office of the United States Immigration and ~~Naturalization Service (INS)~~ Customs Enforcement (ICE) of any request for asylum, furnish all details known, and arrange to transfer the case to ICE as soon as possible.

The State Department Office of Security should be notified immediately, in cases of request of asylum. Telephone: (303) 236-2781; or (202)647-7277 (24 hr. Command Center, Washington D.C.)

Note that these numbers are for law enforcement use only. Do not furnish them to others.

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Colorado Spring Police Department

General Order 601

-- Enforcement Guidelines

Active date: 5/6/2005

Supersedes date: 4/16/1989

.01 Purpose

To set guidelines for enforcement functions.

.02 Cross Reference

G.O. 602, Off-Duty Enforcement Action

G.O. 210, Traffic Law Enforcement

G.O. 1605, Orders and Discretionary Judgment

G.O. 1655, Police Officer Conduct

CALEA Standards 1.2.1; 1.2.6; 1.2.7

.03 Discussion

The primary purpose of enforcing the law is to enable citizens to be free from criminal attack, and to enjoy freedom of movement and conduct, within the framework of existing laws. Law enforcement necessarily restricts the liberty and freedom of movement of those persons who, by engaging in criminal activity, interfere with the rights of others. To arrest such a person is not a denial of civil rights, for no one has the right to violate the law.

.04 Policy

Officers of the Department, assigned to an enforcement function, will invoke the criminal justice process when no other satisfactory alternative exists to alleviate a problem.

.05 Definitions

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.10 Discretionary Enforcement

The ultimate purpose of a law enforcement agency is to prevent crime, preserve order, and ensure the safety and liberties of the public. Although a considerable portion of an agency's efforts and resources go toward enforcement activities, enforcement itself is a means, rather than an end. Limitations upon resources within the Department, and in the criminal justice system as a whole, make it impossible for any law enforcement agency to enforce every existing law on every occasion. The Department must necessarily exercise discretion, therefore, in the

enforcement of laws. Further, in many instances, there may be a number of acceptable and more effective ways of accomplishing the purpose of the law. Department personnel will take enforcement action whenever the criminal act endangers, or has the potential to endanger, the lives, safety, property and well-being of the public.

.20 Selective Enforcement

Enforcement must be selective to be more effective in decreasing the amount of crime. It must be selective as to time and place; it must be directed at the locations of greatest frequency during the hours of the day, day of the week and season of the year; it must also be selective as to the relative importance of crimes. Enforcement must also be directed at those categories of crimes that are most susceptible to prevention by Patrol, such as crimes committed on the public ways, or by trespass from public ways onto private property, as well as narcotics and liquor law violations that may foster aggressive assaults and other crimes of violence.

.30 Risks During Enforcement Action

The purpose of assigning officers to the scene of a crime is to arrest the perpetrator of the attempted or consummated crime; however, since that objective is subordinate to the protection of life, officers should not subject themselves, or other innocent persons, to unreasonable risks.

.40 Enforcement of Narcotics Laws

Through a combination of aggressive enforcement and public education, the Department seeks to prevent and deter the use and possession of, and traffic in, controlled substances within the City of Colorado Springs. Department personnel will enforce all local [and state](#) [and federal](#) ~~and federal~~ statutes that prohibit the possession, use, or traffic in restricted, prohibited or controlled substances.

.50 Enforcement of Vice Laws

The Department is charged with the enforcement of all criminal statutes, including those defining vice offenses. Department personnel will take enforcement action against all commercialized vice activities, against those vice activities that have been complained of, and against conspicuous vice conditions that appear on the streets and in the public places of the City of Colorado Springs.

.60 Laws Pertaining to School Facilities

Officers should cooperate with school officials whenever enforcement action is anticipated on school grounds. Officers assigned to perform an enforcement function will become familiar with state and local laws that pertain to the following:

- Loitering on or about school grounds
- Willful interference with classroom conduct. Insulting or abusive behavior toward teachers
- Willful disturbance of a public school or a meeting

Upon receiving an assignment concerning a person loitering on or about a school ground, or concerning some other school-related disturbance, the assigned officer will contact the principal, or other authorized school official, and determine the details of the situation and what action is

desired. If the officer observes the violation firsthand, an arrest may be made. If the offense did not occur in the presence of the officer, an appropriate signed complaint should be obtained.

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Colorado Spring Police Department
General Order 602
-- Off-Duty Enforcement Action

Active date: 11/23/1994

Supersedes date: 4/16/1989

.01 Purpose

To set guidelines for taking law enforcement action while off duty.

.02 Cross Reference

G.O. 1670, Outside Employment

G.O. 920, Firearms Regulations

G.O. 1210, Manpower Availability

G.O. 601, Enforcement Guidelines

G.O. 210, Traffic Law Enforcement

G.O. 215, Delayed Enforcement Action

CALEA Standards 1.2.1; 1.2.7

.03 Discussion

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.04 Policy

The Department recognizes that off-duty officers cannot rely on immediate assistance or application of police resources, in the same capacity as while on duty, and therefore expects officers to exercise reasonable judgment before jeopardizing themselves or others by taking police action off-duty. Officers should, however, take action on an offense that has a significant probability of resulting in personal injury or extensive property damage. When action is considered necessary, consistent with the tactical situation, offenses involved, or other factors as determined by the involved officer, or any police action will be governed by the same policies, procedures and rules that apply to on-duty personnel in a similar situation.

.05 Definitions

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.10 Essential Considerations

Before taking enforcement action while off duty, officers will give first consideration to personnel from the law enforcement agency in whose jurisdiction the activity occurs.

An officer's identity as a police officer is more difficult to establish quickly when out of uniform, and private vehicles cannot be used for pursuits or other activities requiring special

police equipment. Whenever a police officer is carrying a service, off-duty, or auxiliary firearm off-duty, the officer shall also carry both an official police badge and official identification card/concealed weapons permit.

Off-duty officers are discouraged from taking enforcement action involving minor criminal or minor traffic violations. If delayed enforcement is possible in situations, the off-duty officer should convey the information to an on-duty supervisor for review and decision. In exigent circumstances, or if the officer considers immediate action necessary, the officer shall take appropriate action and consult an on-duty supervisor without delay.

.20 Enforcement Authority - National Guard/Reserves

No Department officer, who is a member of the Colorado National Guard or any branch of the United States military reserves, shall exercise his/her Department law enforcement authority to intervene in any situation while on guard or reserve duty assignment, while traveling to or from guard or reserve duty assignment, or while in military uniform.

If the Department member is serving as a member of a military unit that is responsible for law enforcement functions, at the time and place of assignment, any such functions shall be performed only under the powers authorized in that official military capacity, and not by virtue of any law enforcement authority that the person may possess otherwise.

Concealed weapons may be carried only if all of the following conditions are satisfied:

- The officer is within the state of Colorado
- The officer is not in military uniform
- Neither duty time nor travel time is in effect

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Colorado Spring Police Department

General Order 612

-- Protective Orders

Active date: 11/18/2005

Supersedes date: 7/28/2005

.01 Purpose

To furnish procedures for responding to violations of Protection Orders and for service of Civil Protection Orders.

.02 Cross Reference

G.O. 510, Domestic Disturbances

G.O. 520, Juveniles: General Applicability

G.O. 526, Juvenile Victims

[G.O. 1650, Employee Conduct](#)

.03 Discussion

This space intentionally left blank.

.04 Policy

If any officer has reasonable grounds to believe that the subject named in an active Protection Order has violated that order, the officer shall take the appropriate action described in this directive. Service of Civil Protection Orders shall be done as described in Paragraph .12 below.

.05 Definitions

EMERGENCY PROTECTION ORDER (EPO): A temporary Restraining Order, issued by a County or District judge, to protect actual or potential victims of abuse.

PROTECTION ORDER: An order, issued by a County or District judge, for the protection of a person, upon application by that person or by someone legally authorized to act for that person, that restricts, in specific ways, the actions of some other person.

PENALTY: Violation of a protection order is a Class 2 misdemeanor; except if the restrained person has previously been convicted of violating a protection order, or if the protection order is pursuant to section 18-1-1001 CRS, the violation is a Class 1 misdemeanor. 18-1-1001 CRS, includes the Mandatory Protection Order and No Contact provisions in domestic violence bonds.

MANDATORY PROTECTION ORDER AND NO CONTACT PROVISION: These are provisions agreed to, by a defendant, as conditions of the PR bond. This order is issued in cases involving domestic violence, pursuant to 18-1-1001 C.R.S. The defendant agrees:

1. To vacate and stay away from the home of the victim
2. To refrain from any contact or direct or indirect communication with the victim for a period of three judicial business days and
3. Agrees to follow the terms of the No Contact Provision and Mandatory Protection Order pursuant to 18-1-1001 CRS, as condition of the PR bond

Officers are acting under the authority of the Court in imposing the conditions of the Mandatory Protection Order in 18-1-1001, even though the defendant has not yet been arraigned.

.10 Enforcement of Protection Orders

Enforcement of all protection orders shall be in accordance with section 18-6-803.5, CRS, Violation of Protection Order, and any rules adopted by the Colorado Supreme Court pursuant to said section.

A person commits the crime of violation of a protection order if such person contacts, harasses, injures, intimidates, molests, threatens, or touches any protected person, comes within a specified distance of a protected person or premises, or enters or remains on premises, or violates any other provision of a protection order to protect the protected person from imminent danger to life or health, and such conduct is prohibited by a protection order, after such person

has been personally served with any such order or otherwise has acquired from the court actual knowledge of the contents of any such order.

Permanent Or Temporary Protection Orders And EPOs:

If any officer has probable cause to believe that the subject named in an active Temporary or Permanent Protection Order or Emergency Protection Order has violated or attempted to violate that order as described above and the restrained person has been properly served with a copy of the protection order or the restrained person has received actual notice of the existence and substance of such order, the officer shall arrest according to procedure. The arrested person shall be removed from the scene of the arrest and shall be taken to the Criminal Justice Center for booking. The arrested person will be booked into jail on a Summons and Complaint for 18-6-803.5 C.R.S. Violation of Protection Order. Any person violating a protection order issued pursuant to cases involving domestic violence as defined in 18-6-800.3 .C.R.S. shall be booked into jail on a Domestic Violence Form Summons and Complaint.

In determining probable cause, officers shall use information concerning active protection orders obtained through the CBI Central Registry maintained on the CCIC computer system as part of their basis for determining whether probable cause of a violation exists. However, officers should not base their probable cause for an arrest exclusively upon information from the registry, and shall make every reasonable effort to confirm through other sources that the protection order is valid and active.

This can be accomplished through viewing a printed copy of the order provided by the victim, through admissions from the suspect that he/she is aware of the order's validity, through interviews with third parties who were witnesses to its service, by contacting the issuing court, or other investigative means.

Victims are not required by statute to produce a paper copy of the protection order as a condition of it being enforced by police, so long as probable cause of its existence and validity can be established through other means.

Domestic Violence Bonds:

If the defendant has violated (1) the Mandatory Protection Order and/or the No Contact provisions of the Personal Recognizance Bond section of the Domestic Violence Form or (2) a domestic violence Cash or Surety bond issued from the jail, the officer shall arrest according to procedure. The arrested person shall be removed from the scene of the arrest and shall be taken to a Division Command or the Criminal Justice Center for processing. The arrested person shall be booked into jail on a Domestic Violence Form Summons and Complaint (G.O. 510) with the following charges:

18-6-803.5 C.R.S. Violation of Protection Order

18-8-212 C.R.S. Violation of Bail Bond Conditions

Protection Orders Against Juveniles:

If any officer has probable cause to believe that a juvenile named in an active Protection Order has violated that order as described above, the officer shall arrest according to procedure. The arrested person shall be removed from the scene of the arrest and shall be taken to the Spring Creek Detention Facility for processing. The juvenile should be served a Juvenile Complaint and Referral (J-Summons) for 18-6-803.5 C.R.S. Violation of Protection Order in accordance with G.O. 524 section .60 "Detention of Juveniles."

When Additional Offenses Have Been Committed:

- If a Misdemeanor offense is committed in conjunction with the violation of a protection order: Charge the subject with both 18-6-803.5 C.R.S. Violation of Protection Order and the associated misdemeanor offense (for example, harassment or third-degree assault).
- If a Felony offense is committed in addition to a protection order violation: Book the person who has committed the felony on that charge and 18-6-803.5 C.R.S. Violation of Protection Order.

Note: As is the case with any Court order, a protection order may be modified or terminated only by the Court. The parties to the order do not have the authority to modify or terminate the order themselves. The fact that the victim may have "invited" the suspect to violate the protection order does not alter the fact that the order has been violated and the offender shall be arrested.

.12 Service of Civil Protection Orders

CRS 13-14-102 stipulates that a Civil Protection Order (CPO) issued under that statute must be personally served by any peace officer responding to a call for assistance if the order has not already been served. While plaintiffs (victims) obtaining such CPOs may continue to seek service through the El Paso County Sheriff's Office or through private means, CSPD officers encountering these situations will effect personal service of the court order in the following manner:

CSPD employees will not accept copies of CPOs from plaintiffs (victims) for service upon defendants who are not presently on scene or otherwise immediately available for service. CSPD employees must exercise extreme caution in making statements to plaintiffs (victims) so as not to guarantee service of an order upon defendants who are not physically present at the time of contact. Making such representations could have the effect of placing the CSPD in a special relationship with the plaintiff which could require the Department to assume responsibility for later service regardless of the practicality of doing so.

When responding to a call for service during which a plaintiff requests that a CPO be served, CSPD officers will render reasonable and necessary assistance in doing so when:

- The plaintiff has in their possession a valid, signed (or otherwise verified) copy of a CPO which has not been served upon the defendant, AND
- The defendant (person upon whom the order is to be served) is physically present at or near the scene, or is otherwise immediately available to the officer.

When the defendant is not immediately available but his/her location is known, officers may take reasonable steps to contact him/her so that service can be effected. Officers should not take the CPO out of the plaintiff's possession until actual contact has been made with the defendant so that immediate personal service can be effected. Officers should consider having other officers check the known location and stand by with the defendant until the primary officer can deliver the CPO. If unusual or mitigating circumstances are encountered, officers should seek guidance from a supervisor.

If, for reasons beyond the officer's control, personal service cannot be effected after the order was taken out of plaintiff's possession, the unserved paperwork will immediately be returned to the plaintiff.

Defendants shall not be taken into physical custody solely for the purpose of serving a protection order upon them, nor shall a personal pickup be placed for a defendant solely for the purpose of serving a protection order. This does not preclude officers from effecting personal service of a CPO upon a defendant who has been arrested for other reasons.

Plaintiffs must present officers with two valid copies of the CPO, and must have in their possession both a Proof of Service and a Return of Service form. When the officer has made personal service to the defendant, the officer will indicate the defendant's name, date, time and location of service, sign both forms and immediately return both to the plaintiff. Officers will not retain possession of either the Proof of Service or the Return of Service, nor assume responsibility for returning these documents to the Court. Officers should explain to the plaintiff that he/she should keep the Proof of Service in their possession in order to prove service in the event the order is later violated, and instruct the plaintiff to return the completed Return of Service form to the Court as soon as possible.

Personal service requires face to face contact between the officer and defendant, during which the officer will provide the defendant with a copy of the CPO. While officers should attempt to explain the meaning of the order and answer reasonable questions from the defendant, it is immaterial whether or not the defendant agrees to accept service or claims to not understand the terms of the order. Officers effecting service upon defendants who claim to not understand the English language should make reasonable attempts to explain the document in the defendant's native language through interpreters, Language Line, etc., however the service will be considered valid whether or not these attempts are successful. Once personal service has been effected the order is in effect and officers should ascertain that defendants immediately comply

with provisions which may require the defendant to leave a shared residence, regardless of who is named in a lease or mortgage agreement.

When offense or incident reports have been generated relative to the call during which a CPO was served, officers will note the facts of CPO service in such report, to include date time and location of service and name of the person served. Officers are not required to initiate a case report solely for the purpose of documenting service of a CPO. When no report is generated, officers should instruct Communications to record the fact that service was effected, along with the name of the person served, in the details of the call for service screen.

In some instances officers may be unable to effect personal service upon the defendant but may have an opportunity to verbally apprise the defendant of the terms of the CPO by phone or through a third person. Such verbal notice does not constitute personal service, and officers should not complete the Proof of Service or Return of Service forms in such circumstances. Verbal notice may, however, satisfy the notice requirements of CRS 18-6-803.5, *Violation of Protection Order*, and officers should make note of it in offense reports and/or call for service screens in order to help establish probable cause for arrest if the defendant should later violate the order.

Officers are cautioned against becoming involved in the service or enforcement of civil processes other than protection or protective orders, as defined in CRS 18-6-803.5 and 803.8. Protective orders will, as a rule, contain some type of language prohibiting a person from contacting or from harassing, intimidating, etc., another.

.15 Pickup Procedure

If the suspect cannot be located, the officer shall, prior to going off-shift, complete a pickup, according to SOP P1-23 , and place it along with the following paperwork to Records and ID:

- The completed Summons and Complaint or, in cases where the violation is pursuant to domestic violence, a completed Domestic Violence Form
- One original probable cause affidavit, with original notary seal

Note: Copies of the paperwork can be faxed to Records and ID and the original paperwork sent via interoffice mail.

.20 Protection Order Warrant Procedure

If the suspect cannot be located on the misdemeanor pick-up and Summons and Complaint within six months, the District Attorney's Office will deem that an arrest has become impracticable, under the circumstances, and shall seek a warrant for the arrest of the restrained person. The Records and ID Section will forward the Summons and Complaint and Probable Cause affidavit to the District Attorney's Office, as soon as possible after the six month pick-up date has expired.

.25 Duty to Notify

Officers shall make all reasonable efforts to contact the protected person upon the arrest of the restrained person, informing the protected person of the arrest and disposition.

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Colorado Spring Police Department

General Order 614

-- Request for Assistance by Bail Bondsman

Active date: 4/8/1997

Supersedes date:

.01 Purpose

To establish a standardized response to requests for assistance by Bail Bondsmen.

.02 Cross Reference

G.O. 760, Physical Arrest

Patrol SOP P1-23, Wanted Persons/Vehicle

C.R.S. 16-3-201 Arrest by a Private Person

C.R.S. 12-7-101 Bail Bonding Agent

.03 Discussion

At times, the Colorado Springs Police Department is called upon to assist bondsmen in what they may consider to be their civil authority to enter into a private residence and seize a wanted person. A police presence, whether to keep the peace or serve as an active participant, can place the Department in situations of potential liability.

.04 Policy

This space intentionally left blank.

.05 Definitions

PUBLIC SAFETY COMMUNICATIONS CENTER: Call takers who receive non-emergency calls from bondsmen, wanting to effect the arrest of a wanted person, shall ask the reporting person to verify that there is an active court ordered warrant for the person they are looking for. If there is no court ordered warrant, the Colorado Springs Police Department will not respond. The Colorado Springs Police Department will only respond when the bondsmen can present a stamped, verified copy of the warrant to the officers upon their arrival.

SWORN OFFICERS: Officers who respond to calls where a bondsman wants to contact and arrest someone are to first view the verified copy of the warrant and then confirm, through normal procedures, that there is an active court ordered warrant for the person being sought by the bondsman. When it has been confirmed that an active warrant exists, officers should ask the bondsman to remain away from the contact site. Once a police presence has been made, only officers are to approach the site, or attempt to contact the wanted person. The bondsman may remain on public property near the contact location. Once officers have made contact and arrested the wanted person, only the officers are to transport the prisoner to the Criminal Justice

Center for processing.

Officers are reminded that a search warrant is needed to enter into a third party residence, if the officers are not invited in by a person living at that residence.

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Colorado Spring Police Department

General Order 660

-- Controlled Substance Violations

Active date: 11/11/2006

Supersedes date: 7/28/2005

.01 Purpose

To furnish general guidance for arrests on controlled substance charges. Also see G.O. 524, Juvenile Offenders, for special juvenile procedures.

.02 Cross Reference

G.O. 524, Juvenile Offenders

G.O. 831.38, Collection of Physical Evidence

Special Handling Procedures for Controlled Substances

G.O. 170, Citations

Patrol SOP P1-47, Daily Activities Reports

Patrol SOP P1-117, Patrol Drug Interdiction

.03 Discussion

This space intentionally left blank.

.04 Policy

Procedures in this General Order that govern arrests, pertain specifically to Adults. For arrest procedures pertaining to juveniles, see G.O. 524, Juvenile Offenders.

.05 Definitions

The Colorado Revised Statutes, Article 18, Uniform Controlled Substances Act of 1992, officially defines controlled substances and should be referenced for definitions of controlled substances.

.10 Unknown Substances

If, at any time, an officer seizes a substance but does not know what the substance is, every available means to identify the substance shall be used, to include calling out an off-duty officer of the Metro Narcotics Unit. An Officer may also consult the Physicians Desk Reference (PDR), usually kept in the Shift Commander's Office, or an Emergency Room Physician, or a Pharmacist.

If no preliminary identification of the substance can be made, the officer shall complete a case

report titled " Possession Of A Controlled Substance". The case report will note a temporary disposition of Released Pending Further Investigation, and copies of all paperwork will be forwarded to the Metro Narcotics Unit. Personnel of that unit shall then investigate further to determine whether charges should be filed.

Normally, a field test for the presence of narcotics is required to establish probable cause to arrest.

.12 Photographs

The arresting officer shall assure that photographs are taken of all suspects booked on controlled substance violations.

.20 Marijuana Violations

Whenever an officer makes an adult arrest involving a marijuana law violation, the criminal citation will be employed as an alternative to physical arrest, if the law or proper authority mandates its use. When the use of the criminal citation is not mandated by law, or required by proper authority, violators will be booked.

Offenses Related to Marijuana and Marijuana Concentrate - Less than One Ounce: As required by law, officers arresting an adult for a marijuana law violation will utilize the criminal citation and field-release the violator whenever the following elements are satisfied:

- The amount of marijuana is less than one ounce and is not concentrated marijuana.
- The violator provides satisfactory evidence of identity.
- The violator is not selling the marijuana or furnishing it to a juvenile.

Refusal To Sign Citation Or Insufficient Identification: Whenever a refusal to sign the citation, or a lack of satisfactory identification occurs, refer to G.O. 170.10 for the procedure to follow.

Offenses Related to Marijuana and Marijuana Concentrate - One Ounce or More: Officers arresting an adult for a marijuana law violation will book the arrestee whenever the following elements are satisfied:

- Whenever a sale or offer to sell any quantity of marijuana occurs.
- Whenever any adult furnishes, or offers to furnish, any amount or form of marijuana to a minor.

Possession Of Concentrated Marijuana: Whenever the possession, transportation or furnishing of any form or amount of Concentrated Marijuana occurs, the violator will be booked on felony charges.

.30 Obtaining Drugs by Fraud or Deceit

The following procedures should be followed in the processing of a Drug by Fraud case:

- Verify the prescription is in fact [a-fraudulent by contacting the prescribing medical provider](#) .

- Interview the pharmacist and/or the issuing physician and obtain the specifics of why the prescription is **a fraudulent**; whether forged, altered, **or obtained** by false name or false information.
- Determine the type of drug involved and whether it's a controlled substance. **This can be accomplished by contacting the Rocky Mountain Poison Control Center at telephone number 1-800-332-3073.**
- Obtain the ~~prescription form, or a photocopy, as evidence~~ original copy of the fraudulent prescription .
- If the suspect is arrested and received medication as a result of the fraudulent transaction, obtain the prescription bottle and **medication as evidence**~~any drugs~~. If the medication is ~~suspect is in possession of~~ a controlled substance, **weigh the medication** and charge the suspect with the possession of that **controlled** substance.
- Prepare an Offense Report **titled Fraud and Deceit, C.R.S. 18-18-415** .
- Attach a copy of all documents to the investigations copy **of the offense report** .
- Forward the investigations copy ~~to the Rx Fraud Team~~ of the offense report to the Metro VNI **Prescription Fraud Coordinator(s)**.

.40 Controlled Substance Offense Reports

Normal Offense Report procedures for a felony arrest will apply. The victim, in all cases, is listed as the State of Colorado.

.42 Violations Discovered During Warrant Arrests

When an arrest is made, pursuant to a warrant, and a controlled substance violation is discovered in the course of that arrest, such violations shall be noted on the appropriate booking forms, preliminary information forms, etc.

.44 Vehicle Searches and Arrests of Occupants

If parties in a vehicle are arrested on drug charges, and drugs are found in the interior of the vehicle:

- Describe the drugs physically, by size, shape, color, type of container, etc.
- Describe, by name, where each suspect was seated in the vehicle at the time of arrest.
- If any articles such as pill bottles, wallets, purses, etc., are found inside the vehicle that contain any names, enter these articles into evidence indicating where they were found.
- Upon advisement of rights, determine if any of the vehicle's occupants will admit ownership of the drugs, if the circumstances of the case warrant.
- Describe the vehicle and include license plate number.
- Impound the vehicle, pending civil seizure proceedings to be initiated by the Metro VNI Section. Forward copies of all paperwork to that section. Impound report will clearly state Hold For Metro VNI.

.50 Booking on Controlled Substance Charge

Controlled Substance -- Felony: A Probable Cause Affidavit, Preliminary Information Sheet and Custodial Inventory Sheet shall be filled out after such an arrest. A brief description surrounding the arrest shall be placed in the details section of the affidavit and the inventory. The prisoner shall be booked into detention. A copy of the Information Sheet and Custodial Inventory Sheet shall be placed in the interoffice mail distribution and routed to the Metro Vice, Narcotics and Intelligence Unit.

Controlled Substance -- Misdemeanor: If the charge is a misdemeanor, a Summons will be issued. A photostatic copy of the Summons and the Custodial Inventory Sheet shall be placed in the interoffice mail distribution and routed to the Metro Vice, Narcotics and Intelligence Unit.

.60 Destruction of Miscellaneous Drugs

Whenever an officer obtains any drugs, or suspected drugs, that will not or cannot be used as evidence in criminal proceedings (given to officer by citizen who has found them, found by officer with no apparent owner, etc.), the substances shall be inventoried on a Custodian's Invoice and submitted to the Evidence Custodian. The invoice shall be marked For Destruction Pending Approval From Metro VNI. The Evidence Custodian will notify Metro VNI, which will determine whether the substance warrants further investigation.

.70 Special Handling Procedures for Controlled Substances

Evidence, in the form of controlled substances, shall be gross weighed, field tested, and properly sealed in an approved container, by the submitting officer, prior to placing the evidence into the custody of the Evidence Custodian. Items such as capsules and pills will also be counted.

Gross Weight means the weight of the controlled substance plus its original container, if any. If it becomes necessary to use an additional container or sealing material to maintain sample integrity, and/or more accurately weigh the controlled substance, then the term Gross Weight shall refer to the controlled substance, the original container, the additional container, and any sealing materials used. The gross weight and quantity of those items shall be recorded on the appropriate laboratory request form and the Evidence Invoice form.

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Colorado Spring Police Department

General Order 701

-- First Amendment Rights

Active date: 2/16/2009 8:46:11 AM

Supersedes date: 8/12/2002

.01 Purpose

To specify guidelines for police response to, and intervention in, street evangelism, protests, and other activities involving [First Amendment protected free speech rights under the United States and Colorado Constitutions](#), when necessary.

.02 Cross Reference

G.O. 480, Civil Disturbances and Demonstrations
G.O. 601, Enforcement Guidelines
G.O. 740, Determining Probable Cause
[G.O. 760, Physical Arrest](#)
G.O. 762, Mass Arrests
G.O. 765, Resisting Arrest
G.O. 1301, Treatment of the Public
G.O. 1605, Orders and Discretionary Judgment
G.O. 1650, Employee Conduct (Sworn and Civilian)
G.O. 1655, Police Officer Conduct
[CALEA Standard 1.2.6](#)

.03 Discussion

As various activities take place in public, law enforcement officers may be called upon to monitor, respond to, and/or intervene in situations in which individuals assert their rights under the First Amendment to the U.S. Constitution [and Article II, Section 10 of the Colorado Constitution](#), particularly street evangelism, distribution of literature, picketing and other protest activity.

The right of freedom of speech, religion and peaceable assembly is guaranteed to all persons by the First Amendment to the U.S. Constitution [and Article II, Section 10 of the Colorado Constitution](#). This right grants individuals the right to speak their opinions and beliefs, make proclamations, distribute literature, and peaceably assemble together for a common cause. This right is not without some limitation, and it is those limits which this General Order will address.

An officer may become involved in situations in which an individual is asserting his/her protected [First Amendment free speech](#) rights, even though another may take offense. Individual rights under the [U.S. and Colorado Constitutions First Amendment](#) must be protected despite those complaints. The [U.S. and Colorado Constitutions First Amendment](#) does not protect complaining citizens from being offended.

Limitations to the right to freedom of speech and assembly require that a clear and present danger be evidenced before any law enforcement action can be taken. This means that a police officer must observe a clear and present danger to the health, safety and welfare of the general public, or a violation of the City or State Criminal Codes before s/he may engage in enforcement action against those involved in [First Amendment protected free speech](#) activities.

.04 Policy

It is neither the intention, nor the desire, of the department to suppress or restrain [lawful protected free speech](#), assembly, religion or any other lawful activity. ~~The department will expend whatever resources are necessary to protect those lawfully exercising their rights pursuant to the First Amendment.~~ The department, however, ~~in doing so, the department also~~

does recognizes that observation of a clear and present danger to the health, safety and welfare of the general public, or a violation of the City or State Criminal Codes, will require police officers to take appropriate enforcement action.

.05 Definitions

First Amendment of the U.S. Constitution: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances."

Article II, Section 10 of the Colorado Constitution: "No law shall be passed impairing the freedom of speech; every person shall be free to speak, write or publish whatever he will on any subject, being responsible for all abuse of that liberty; and in all suits and prosecutions for libel the truth thereof may be given in evidence, and the jury, under the direction of the court, shall determine the law and the fact."

Protected free speech: Protected free speech means the lawful exercise of rights under either the First Amendment of the U.S. Constitution or Article II, Section 10 of the Colorado Constitution.

.10 Content-Neutral Treatment

Police Department personnel will treat demonstrators, street evangelists, onlookers, counter-demonstrators, and any other individual asserting rights under the First Amendment to the U.S. Constitution ~~equally~~ and Article II, Section 10 of the Colorado Constitution in a manner that is neutral with respect to the content of their expression.

.20 Permissible Actions

Typically, individuals may assemble, preach, distribute literature, picket and protest on public property so long as the actions of individuals engaging in such activity do not constitute a clear and present danger to the health, safety and welfare of the general public and are not in violation of the City or State Criminal Codes. Public property includes public streets, sidewalks, parks and other common areas so designated. Public property has been defined by the Supreme Court of the United States to be a traditional public forum where individuals may freely express their views, even though those views may be unpopular or offensive to other members of society.

~~First Amendment~~ Free speech activity ~~on public property~~ in a traditional public forum is fully protected, subject only to reasonable time, place and manner restrictions. Time, place and manner restrictions may be placed on ~~First Amendment~~ protected free speech activity so long as those regulations are content neutral, serve a significant governmental interest and leave open ample alternative channels of communication. Police department personnel must consider time, location and decibel level before attempting to interfere with any ~~First Amendment~~ protected free speech activity. For example, activities around schools, hospitals, convalescent homes, churches and other specified locations may be subject to more stringent time, place and manner restrictions because of the special nature of those ~~businesses~~ entities. Activities in those

specified locations may also be subject to restriction based on State statutes or City ordinances. Recent court decisions also allow time, place and manner ~~of~~ restrictions for [protected free speech](#) activities in [the](#) common areas of [large](#) malls. A [large](#) mall may restrict [First Amendment protected free speech](#) related activities to a certain time of day, a certain area in the mall, or certain manner of presentations.

~~Individuals may engage in First Amendment related activities on privately owned property which offers routine public access, whether or not it is properly posted and whether or not the owner/manager has granted permission, so long as the individuals do not violate a law such as blocking ingress or egress, harassing or assaulting other persons, etc. Examples of private property with public access would include, but are not limited to common areas such as parking lots, sidewalks, and hallways or common areas of malls, mobile home parks, and apartment complexes. This does not include exclusively private areas such as a doorstep, a private residence, or non-public areas inside a business. Officers responding to such situations must be mindful of these requirements when considering enforcement action.~~

Individuals may speak to people passing by or assembled to hear demonstrators and street evangelists in a public location so long as the individual engaging in the activity does not violate City or State Criminal Codes.

Individuals may participate in public parades and public celebrations as long as such participation does not interfere with the rights of other persons, or does not constitute a violation of City and State Criminal Codes.

Individuals may burn a flag so long as the fire does not endanger the safety, health or welfare of others, or violate City and State Criminal Codes.

Police officers may not arrest individuals engaging in [lawful First Amendment protected free speech](#) activity based solely on the complaint of other citizens. Any arrest must be made pursuant to the requirements of probable cause.

.30 Non-Permissible Actions

Individuals engaged in [First Amendment protected free speech](#) activity may not actively obstruct the path of people [persons](#) using [utilizing](#) a public sidewalk.

Individuals [engaged in protected free speech activity](#) may not actively interfere with the business of another by use of sound, by blocking entrances to buildings or dwellings, or by obstructing motor vehicles or pedestrian traffic.

Individuals engaged in [First Amendment protected free speech](#) activity may not target or focus picketing or other activity toward a particular household or dwelling in a residential area.

~~With due consideration for the rights of persons engaged in activity on private property which has public access as described in .20 above, individuals may not demonstrate, assemble,~~

~~distribute literature or preach on property which is privately owned but does not offer routine public access, such as a doorstep, a private residence, on non public areas inside a business, against the will of the owner.~~

If the elements of a criminal offense, such as trespass or harassment, are committed by a person engaged in such activity, enforcement action may be taken by the police officer.

Individuals may not commit crimes under State statute or City ordinances while asserting [First Amendment protected free speech](#) rights.

.40 Treatment of Persons Asserting First Amendment Rights

When police officers are confronted with cases involving demonstrators, counter-demonstrators, street evangelists or other individuals engaged in [First Amendment protected free speech](#) activity, in a manner which the officer has reason to believe may constitute a clear and present danger to the health, safety and welfare of the general public, or may violate the City or State Criminal Codes, but does not constitute activity requiring immediate arrest (imminent bodily injury, destruction of property), the responding officer shall notify a supervisor who will respond to the scene.

The supervisor, or responding officer, upon direction from the supervisor, shall approach the individuals and provide a warning of the suspected offense. If the individuals do not respond to the warning, and do not comply with any time, place or manner restriction suggested by the officer, the responding officer and supervisor, upon probable cause, shall take action necessary to protect the public safety, health and welfare or to prevent the commission of a crime.

If the supervisor has reason to believe that the situation requires legal interpretation, the City Attorney's Office shall be notified and, if possible, will respond to the scene. If the City Attorney's Office is unable to respond, officers shall obtain a signed complaint with the supervisor's approval from [the](#) civilian complainant(s) and make a case report. The summons shall not be served but shall be forwarded, along with the case report, through the chain of command to the City Attorney for review and appropriate action.

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Colorado Spring Police Department

General Order 705

-- Use of Force Continuum

Active date: 5/11/2007 7:44:33 AM

Supersedes date: 8/12/2002

.01 Purpose

To specify principles and guidelines for the level of force and amount of force options available during non-lethal and deadly force situations.

.02 Cross Reference

G.O. 710, Non-Lethal Force

G.O. 720, Deadly Force Guidelines

SOP P1-171, Conducted Energy Weapons

.03 Discussion

Police officers are given the unique right to use force against others, even deadly force, for legitimate law enforcement purposes. The right to use force carries with it a heavy responsibility not to abuse it. Police agencies have an obligation to provide their employees with the policies, training and tools necessary to accomplish their mission. An articulated continuum of force option, selectively applied, will enhance the department's ability to manage the use of force and will benefit the officer by providing guidance, resources, and options. The model, as seen in section .10, is based on the skills, knowledge and ability of the individual; the perceived threat and amount of resistance offered by a subject; and structured within a situational framework.

.04 Policy

Officers of the Colorado Springs Police Department shall follow the principles of the Use of Force Continuum using the Situational Force Model. The continuum describes an escalation of force that is based on an escalation of resistance. The more resistance a subject offers, the more force and the more options of force may be exercised. When resistance stops, the officer must de-escalate, but only after temporary control is obtained, as in handcuffing. In all cases, control is a perception based on training and experience. Officers do not have to enter the use of force continuum at the lowest possible level. They may enter anywhere to maintain their safety or to control the subject, as long as they mentally consider the lower options. This judgment is also based on training and experience.

.05 Definitions

This space intentionally left blank.

.10 Situational Force Model

The use of force continuum uses a model which requires selection of the least violent means available relative to the situation. The officer relies upon reasoned discretion in terms of the use of force options. Which option officers use depends on many factors, but the option is generally dictated by the amount of resistance offered by the subject. This places the officer in the center of the situation. Depending upon the situation, the officer is trained to select the appropriate force option. If the situation should worsen or improve, then the officer is trained to re-evaluate the situation and select a more appropriate force option based on the officer's knowledge, skills and ability to justify the force used.

The situational force model requires selection of the least violent means available, relative to the

situation. The officer relies upon reasoned discretion in making the selection.

.20 Use of Force Continuum

The use of force continuum can be seen as several general levels:

- **Presence/Appearance:**
This reflects the officer's demeanor, attitude and the legal right to be there.
- **Voice/Tactical Communication Skill:**
This requires a show of authority by communication with verbal and non-verbal dialogue. The subject must be informed of what is required and given a chance to comply. Non-verbal dialogue includes assuming an empty hand defensive position, as well as the display of a defensive weapon.
- **Soft Control, Open Hand Techniques:**
When the subject fails to respond to verbal direction or resists in a defensive manner, the officer seeks compliance by the use of physical means. This could include empty hand control, pressure compliance holds, blocking, restraining, controlling or escorting holds.
- **Control and Compliance Tools, Chemical Agent, [Conducted Energy Device](#) , and Pain Compliance Tools:**
These levels direct the use of more aggressive techniques, as well as using defensive weapons against the subject's resistance. The subject has become an aggressor, attacks the officer, or there is fear for the safety of the officer and others. Lower level techniques have been exhausted or would be ineffective. This includes chemical agents such as Oleoresin Capsicum (OC), [Conducted Energy Device \(CED\)](#) , and pain compliance tools such as the baton or other objects used to exert pain compliance. It should be noted that the baton controlling techniques are at a lower level than hard control techniques.
- **Hard Control, Closed Hand and Kick Tactics Techniques:**
When the above listed techniques are ineffective, or the subject becomes more aggressive, the officer seeks compliance by additional physical means. This could include strikes, kicks, stuns or takedowns.
- **Impact Weapons:**
This level directs the officer to use more aggressive techniques, as well as other defensive weapons against the subject's resistance. This may include multiple aggressors, a subject armed with clubs, chains, rocks or bottles, or an unarmed subject that cannot be controlled by other means. The officer may respond with non-lethal or lethal force, depending on the situation. In an urgent situation, it is possible for many things to be used as an impact weapon. The PR-24 is preferred since its design and training renders it a defensive weapon, much less likely to be used for head strikes, more versatile and less likely to be seized by an opponent. As with the PR-24, any object used to exert physical force upon a person must be justified and must conform to the force continuum. [Another preferred impact weapon would be the approved Specialty Impact Munitions \(SIM\) 12](#)

gauge shotgun. The approved SIM for use by regular patrol officers is the #23DS, 12-gauge round manufactured by Armor Holdings, Inc. SIM rounds are defined as extended range batons.

- **Lethal Force:**

The final level or situation requires the use of additional tactics or tools against armed subjects who possess guns, knives, or other instruments; or any subject capable of inflicting serious bodily injury or death. This level allows for the use of non-lethal or the lethal force option.

.30 Level of Force vs. Amount of Force

The use of force continuum recognizes that there is a difference between the level of force, officer presence vs. firearm, and the amount of force used within each level. As an example, the officer, using reasoned discretion, decides a firearm is indicated in a particular situation. The amount of force options with the firearm could be a verbal warning, hand on the weapon, draw the weapon, point the weapon, or shoot. The use of force continuum requires selection of the least violent level available, relative to the situation, and the selection of the least amount of force necessary within each level.

.40 Levels of Resistance Encountered

The levels of resistance to which the officer must react are:

- **Psychological Intimidation** : This includes non-verbal cues indicating a subject's attitude, appearance, and physical readiness.
- **Verbal Non-Compliance**: This involves verbal responses indicating unwillingness or threats.
- **Passive Resistance** : This includes actions by a subject that hinders or prevents an officer's attempt to control, by refusing to follow verbal commands.
- **Defensive Resistance** : This includes physical actions that attempt to prevent an officer's control but doesn't attempt to harm the officer.
- **Active Aggression** : This involves physical actions of assault against the officer, or others, that are designed to prevent the officer from exercising control
- **Aggravated Active Aggression** : This involves actions that are likely to result in serious physical injury or death.

.50 Escalation/De-Escalation

It is recognized that there are many circumstances that determine whether an officer escalates or de-escalates through the force continuum:

- **Age**: An older officer may have to use a higher level of force to control a younger person who is more agile and stronger. A younger officer may be expected to use a lower level of force to control the resistance of a person who is older and weaker.

- **Size:** Refers to height and weight. A relatively small officer who must control a very large person may have to use a higher level of force.
- **Skill Level:** The officer facing a subject whose skill is equal to or higher than that of the officer may use a higher level of force when encountering resistance.
- **Disability:** When encountering violent resistance, officers who have disabilities may need to use higher levels of force quickly to protect themselves and to achieve control.
- **Unavailable Assistance:** The officer who must respond to a call when no assistance is available may use a higher level of force to control the situation.
- **Proximity of Available Weapons:** The officer who must confront a subject in his/her home or workplace is at a disadvantage because the officer will be unfamiliar with the location of weapons.
- **Environmental Awareness:** An officer's response to a given situation may be dictated by conditions over which there is no control. Some of these may include: indoor/outdoor conditions, time of day, lighting conditions, weather conditions, ground surface, bystanders, etc.

.60 Special Circumstances

Some circumstances may cause the officer to escalate very rapidly through the continuum:

- **Imminent Danger:** The officer responding to a call, having reason to believe that the subject may be armed, must be prepared to immediately escalate to the appropriate level of force.
- **Special Knowledge:** The officer knows that the person to be contacted is under the influence of alcohol/drugs, suffering from diminished mental capacity, possesses a special skill, has assumed a defensive position through body language or anything that may make the person a greater threat.
- **Injury/Exhaustion:** The officer who is injured in a confrontation but is still required to control the subject may use a higher level of force. The officer involved in a foot chase or fight prior to the actual arrest may escalate the level of force.
- **Proximity of the Officer's Firearm:** The officer must use appropriate force to protect his or her weapon and other police equipment that may be used as a weapon.
- **Multiple Subjects:** When an officer faces multiple subjects, a greater amount of force will be needed to protect the officer and to control the subjects.

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Colorado Spring Police Department

General Order 710

-- Less-Lethal Force

Active date: 8/2/2006

Supersedes date: 5/24/2005

.01 Purpose

To specify authorized principles, equipment, and training pertaining to the use of less-lethal force.

.02 Cross Reference

G.O. 705, Use of Force Continuum

G.O. 720, Deadly Force Guidelines

G.O. 765, Resisting Arrest

G.O. 1737, PR-24 Baton Training

[SOP P1-171, Conducted Energy Devices](#)

SOP P1-126, Field Medical Clearances

SOP P1-170, Specialty Impact Munitions

[CALEA Standards 1.3.1; 1.3.4; 1.3.5; 1.3.7; 1.3.9; 1.3.10; 1.3.11; 1.3.12](#)

.03 Discussion

A police officer's authority to use physical force for law enforcement purposes is granted by society for the preservation of social order. The authority carries with it the obligation to use force as judiciously as possible. Officers should not refrain from using force when it is necessary for a legitimate law enforcement purpose, including defense of themselves or others. However, alternatives to force are preferable whenever they can be employed effectively. Training, experience, human relations skills, and common sense can often defuse a potentially violent situation, prevent the escalation of an incident into a civil disturbance, or avoid accusations of police brutality.

.04 Policy

Officers of the Colorado Springs Police Department shall use physical force only when necessary for legitimate law enforcement purposes and only to the minimal extent necessary to accomplish those purposes. All use of physical force must comply with the guidelines of the Use of Force Continuum using the Situational Force Model. All instances in which weapons or other objects are used to exert physical force upon a person shall be reviewed by the officer's chain of command, including the Division Commander. At the discretion of the Division Commander, an investigation of any incident may be conducted.

.05 Definitions

Specialty Impact Munitions (SIM Rounds): Are defined as extended range batons.

[Advanced TASER X26: Are defined as conducted energy weapons-devices.](#)

.10 Less-Lethal Force Reporting Procedures

[When an officer uses Less Lethal Force \(Taser, Pr-24, O.C., Bean Bag, Hands-On, chemical agents or any other non-lethal instrument of physical force\) against a person, ~~When a chemical agent, the baton, or any other non-lethal instrument of physical force has been used against any person,~~ the officer\(s\) involved shall document the incident by inclusion either in a case report or incident report. ~~All involved officers that used physical force must also complete a Response to Aggression Report.~~ In all instances, a copy of the report shall be sent through channels to the Division Commander. A cover memorandum containing supplementary or explanatory information may](#)

be attached at the officer's discretion or if necessary to complete the required information. Details of the memorandum and/or report shall include:

- Circumstances surrounding the action
- Type of force used
- Reasons for the use of force
- Extent of injury to the officer or other person.
- Medical treatment required
- The name of the medical facility used
- The OC Lot # (Number) located on the OC canister
- Other pertinent information the officer wishes to include

~~The Response to Aggression Report shall bear the Call Screen Number and Case Report Number if applicable. These administrative reports will be analyzed collectively to evaluate effectiveness of less-lethal devices, along with police officer performance and potential training needs. Where subjects are charged with Resisting, Interference, Obstruction or Assaulting a Police Officer offenses i.e. the reports will be reviewed for Early Intervention Program (EIP) inclusion.~~

~~Completed forms will be reviewed and then routed, via chain of command, to the member's Division Commander who will then forward them to Inspection Sergeant at the Office of Professional Standards within 7 days of the deployment. The Inspections Unit will maintain the data from the RTA report and compile information on less-lethal deployments. The Inspections Unit will send a monthly RTA report that doesn't include sensitive information (ex: involved employee's name) to the In-Service Training Sergeant to identify any potential training needs for less-lethal tools and/or techniques applied. This process will ensure the confidentiality of the RTA report form, especially those that will be reviewed for EIP inclusion. In addition, the Inspections Unit will be able to produce current statistical data on a regular basis for the use of force audit reports and other inquiries.~~

.11 Response to Aggression Report

All involved officers that used physical force in the following categories must also complete a Response to Aggression (RTA) Report:

- A Chemical Agent
- Pain Compliance Tools
- Hard Control, Closed Hand and Kick Tactics
- Impact Weapons
- Conducted Energy Device (CED)
- Lethal Force
- Any force technique that results in a visible contusion or bone fracture of any person

The RTA will be prepared by the officer, then routed in the following order to:

1. The supervisor that responded to the incident
2. The officer's administrative supervisor
3. Shift/section lieutenant
4. Division commander
5. Office of Professional Standards/Inspections Unit

These administrative reports will be entered into the EIP and Use of Force databases. They will be analyzed collectively to evaluate effectiveness of less-lethal devices, along with police officer performance and potential training needs.

The Inspections Unit will maintain the data from the RTA report and compile information on less-lethal

deployments. The Inspections Unit will send a monthly RTA report that doesn't include sensitive information (ex: involved employee's name) to the In-Service Training Sergeant to identify any potential training needs for less lethal tools and/or techniques applied. In addition, the Inspections Unit will be able to produce current statistical data on a regular basis for the use of force audit reports and other inquiries. This process will ensure the confidentiality of the RTA report form.

The RTA report will be completed and routed to the Inspections Unit within 14 days of the incident. Because the Early Intervention Program (EIP) analysis is dependent on the timely submittal of the RTA report, administrative review should not unduly delay the routing of the form. Reports that do not include complete information, or reports generated in a format other than the designated RTA report, will be returned to the appropriate supervisor for correction.

.12 Supervisors Responsibility

Field supervisors shall personally respond and closely monitor cases in which a person is non-compliant or passively resisting officers. Each situation should be evaluated individually and all circumstances shall be taken into consideration. A field supervisor will personally respond for an initial evaluation of a case in which an officer or other person receives injuries requiring treatment by a physician as a result of enforcement action. The supervisor will send a memorandum through the appropriate Division Operations Shift Lieutenant to the Division Commander when comments in addition to those submitted by the officer(s) involved are appropriate.

.20 Use of Oleoresin Capsicum (OC)

Mace products (CS or CN) are no longer authorized for use by officers of this Department except under the direction of a supervisor, as stated in paragraph .22 below, "Use of Other Chemical Agents". The only chemical agent authorized for use without supervisory direction is Oleoresin Capsicum, which is derived from Cayenne Pepper plants.

All Marshals, and police officers in uniformed field assignments, including voluntary assignments and extra duty, shall have available at all times the approved OC product supplied by the Department.

Officers assigned to non-uniformed positions shall have the option of carrying the approved OC product supplied by the Department.

Prior to the issuance and use of OC, each department member who is required to carry or opts to carry OC shall satisfactorily complete training in the use of OC. Documentation of such training shall be maintained by the Training Academy.

OC is intended as a defensive or control weapon in circumstances which threaten the safety of an officer, other persons or property. Those incidents requiring force, short of deadly force, to subdue and arrest combative persons justify the use of chemical agents. OC may be used as follows:

- To defend self or others against unarmed attack
- To prevent a suicide attempt
- To subdue a person who is resisting or interfering with an arrest

- To subdue animals when circumstances warrant

Replacement canisters of OC will be maintained by each Patrol Division and the Operations Support Bureau and will be obtained through a Patrol Sergeant or Section Lieutenant, as appropriate. Unusable OC canisters will be sent to the Department Supply Office for disposal. OC canisters shall be replaced at a minimum of every 4 years, due to the effective shelf life of the product.

Every deployment of OC shall be documented either by inclusion in a case report or incident report.

.21 Allergic Reactions to Oleoresin Capsicum and Special Precautions

All officers are cautioned, that while rare, some individuals may have allergic reactions to the cayenne pepper contained in the spray. The reactions should be immediately recognizable and would consist of mild to severe respiratory distress. If any officer has a known allergy to the OC spray, it should be documented and presented to his/her supervisor immediately.

Officers should adhere to a recommended short burst (1/4 to 1 second) when using the spray. The OC takes effect within different time frames with each individual and must be given a chance to work. When OC is utilized, officers should secure the individual, then monitor for a period of three to five minutes to make sure the subject does not have any complications. If there are signs of an allergic reaction, medical should be requested immediately. If any person goes into respiratory arrest, notify medical and perform resuscitation measures. Officers should protect themselves by using the issued Monadnock Protect-A-Shield or similar device in cases where mouth to mouth resuscitation has become necessary. If an officer suspects alcohol or drug use by the suspect who has been sprayed with OC, medical should be requested immediately. Any person who admits to a history of heart problems, lung problems, diabetes, high blood pressure, or any other potentially serious medical condition should be evaluated by medical personnel immediately. Medical personnel shall immediately evaluate any person who requests medical treatment in accordance with CSPD's current SOPs.

Persons exposed to OC should not be left unsupervised for at least two hours after OC exposure. This can be accomplished by passing on the initial time of exposure to the next responsible party taking custody of the individual from the officer.

If officers exhibit allergic symptoms after exposure to OC, basic first aid can be performed in the following ways, as needed:

1. Flush the contaminated area with large amounts of cold water and expose to fresh air as soon as possible after exposure. Further relief may be gained by showering and washing affected areas with soap and water.
2. Remove contact lenses and contaminated clothing and wash thoroughly prior to reuse. (note: contact lenses should be removed by medical personnel only)
3. Do not apply salves, creams, oils or lotions which can trap the irritant.
4. See a physician if irritation persists.

.22 Use of Other Chemical Agents

To minimize injury to suspects, Department personnel, and other persons or to avoid property damage, the use of a chemical agent such as tear gas may be necessary where other methods of control or apprehension would be ineffective or more dangerous.

General Decontamination:

1. Remove subject from contaminated area.
2. Expose subject to fresh air and face into wind.
3. Have subject stay still and relax as much as possible.
4. Use of a wet paper towel pressed onto the face followed by a dry paper towel has proven to be the most effective way to remove the resin from the skin.
5. When a viable source of water is available have the subject flush their eyes with copious amounts of cool water. Do not use saline solution to flush the face and eyes.

A supervisor or a Commanding Officer present at the location of police activity has the responsibility for determining the need for the use of a chemical agent and has the authority to direct its deployment.

Before using a chemical agent, due regard shall be exercised for the safety of all potentially affected persons. Proper scene cordon and evacuation techniques shall be used when practical. Only the minimal amount of chemical agents shall be used to meet the needs of a situation. Whenever possible, consideration of a fire hazard shall be observed with Fire Department personnel on the scene before using tear gas.

.24 Indiscriminate Use Prohibited

Chemical agents and TASERS (CEW Ds) shall not be used indiscriminately or against non-combative persons.

Conducted energy devices can be deployed when:

- A person may be criminally charged and demonstrates an overt intention to use violence or force against an officer or others
- Resists detention and arrest, and other alternatives for controlling them are not reasonable or available under the circumstances

Officers may use CEDs to protect a person who poses a danger to themselves or others. CEDs may only be used to the level of force that reasonably appears necessary to control or subdue a violent or potentially violent person.

.30 Use of Baton

Only the Monadnock PR-24 or an equivalent which has been approved by the Chief of Police or his/her designee may be carried. Only those personnel who have been trained and are currently certified by the Colorado Springs Police Department may carry and use the PR-24 or its

equivalent. Training and certification standards are listed in G.O. 1737, PR-24 Baton Training .

Batons shall be used only when necessary and after other reasonable efforts to control a violent person have failed.

Officers may use the baton as a control device when directing, controlling or escorting uncooperative persons.

A person shall be struck with a baton only when it is absolutely necessary for the officer's safety.

A baton shall not be intentionally used to strike a person above the shoulders unless need for use of deadly force is indicated.

.31 Specialty Impact Munitions

Specialty Impact Munitions (SIM) is a specialized shotgun fired round designed to deliver less lethal physical force under ideal conditions but deliver energy to inflict blunt trauma, pain compliance, and mental distraction. The approved SIM for use by regular patrol officers is the #23DS, 12-gauge round. The procedures, training, policy and deployment are listed in SOP, P1-170, Specialty Impact Munitions.

Only those personnel specifically trained in the use will deploy specialty impact munitions. SIM may be employed only when necessary and after other reasonable efforts to control a violent person have failed. SIM may be used against a person only when it is absolutely necessary for the officer's safety or for the protection of other persons.

.32 Advanced Taser X26

The Advanced TASER X26 is a Conducted Energy ~~Weapon-Device~~ (CEW D) designed to stun and over-ride the central nervous system causing uncontrollable contractions of the muscle tissue leading to incapacitation. The approved conducted energy ~~energyweapon-device~~ for departmental use is the Advanced TASER X26 manufactured by TASER INTERNATIONAL.

The procedures, training, policy and deployment are listed in SOP P1-171, Conducted Energy ~~Energy Weapons-Devices~~. Only those personnel specifically trained in Conducted Energy ~~Weapons-Devices~~ will deploy the Advanced TASER X26.

CEWDs may be used only on the level of force that reasonably appears necessary to control or subdue a violent or potentially violent person. It should also be used early enough in a confrontation or situation to prevent the incident from escalating to a point where a greater level of force might be necessary.

~~CEWs may be employed only when necessary necessary and after reasonable efforts to control a non-compliant person have failed. CEWs may be used against a person only when it is necessary necessary for the Officer's safety or other persons.~~

.33 Less Lethal Deployment Reporting Procedure

~~Whenever an Officer uses Less Lethal force (TASER/PR-24/OC/Bean Bag/Hands On), the~~

~~Officer shall complete a CSPD Less Lethal Deployment Form. The report shall bear the Call Screen Number. Upon completion this report shall be forwarded to the CSPD Training Academy.~~

.35 Special Populations

Consideration of the safety of the aggressive individual, others in the area and the Officer should be taken into account when deciding whether to deploy the TASER. Prior to deploying the TASER, Officers should carefully evaluate the circumstances of each situation and exercise caution when deciding whether to deploy the TASER on those who may be considered part of a special population. Special populations, include, but are not limited to, the elderly, very young or pregnant.

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Colorado Spring Police Department

General Order 720

-- Deadly Force Guidelines

Active date: 8/4/2005

Supersedes date: 7/14/1999

.01 Purpose

To set guidelines for police exercise of deadly force.

.02 Cross Reference

G.O. 710, Non-Lethal Force
G.O. 815, Deadly Force Investigations
G.O. 920, Firearms Regulations
G.O. 962, Vehicles: Emergency Operation
G.O. 965, Vehicles: Pursuits
G.O. 1732, Firearms Qualification
G.O. 1110, Critical Incident Review
CALEA Standards 1.3.1; 1.3.2; 1.3.3; 1.3.11; 1.3.12; 61.3.4

.03 Discussion

The value of human life is immeasurable in our society. Police officers have been delegated the awesome responsibility to protect life and property and apprehend criminal offenders. Their responsibility for protecting lives obviously includes their own.

.04 Policy

At times, officers are confronted with situations in which control is required to effect arrests or protect the public safety. Attempts will be made to achieve control through [advice](#), warnings or persuasion. However, when resistance to police action or a threat to life is encountered and reasonable alternatives have been exhausted, or would clearly be ineffective, the force necessary to overcome the resistance or threat to life may be used. In all situations in which deadly force is used, a thorough investigation shall be conducted, in accordance with G.O. 815, Deadly Force Investigations.

.05 Definitions

DEADLY FORCE: "Deadly force," as used in this policy, is defined as intentional use of force that can cause death or serious bodily injury or that creates a degree of risk that a reasonable and prudent person would consider likely to cause death or serious bodily injury. It includes, but is not limited to, use of firearms, neck restraint, and intentional intervention with a vehicle (forcible stops or ramming).

IMMEDIATE THREAT: An immediate threat is considered to exist if the suspect has demonstrated actions that would lead one to reasonably believe that the suspect will continue to pose a threat of death or serious bodily injury if not apprehended without delay.

SERIOUS BODILY INJURY: "Serious bodily injury," as defined in CRS 18-1-901 (3) (p), means bodily injury which, either at the time of the actual injury or at a later time, involves a substantial risk of death, a substantial risk of serious permanent disfigurement, a substantial risk of protracted loss or impairment of the function of any part or organ of the body, or breaks, fractures, or burns of second or third degree.

.10 Legal Standard

This directive is for Departmental use only and does not apply in any criminal or civil proceeding. The Department policy should not be construed as creating a higher legal standard of safety or care, in an evidential sense, with respect to third-party claims. Violations of this directive will form the basis for Departmental administrative sanctions only. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

.30 Use Of Firearms

- In the necessary defense of themselves or others from death or serious bodily injury. Officers may use deadly force only to protect themselves or others from what the officers reasonably believe to be an immediate threat of death or serious bodily injury. Deadly force may be used to effect a capture or prevent an escape only when the officer reasonably believes that the suspect poses an immediate threat of death or serious bodily injury to the officer or others.
- At an approved range.
- In the necessary destruction of a vicious or injured animal. The killing of an animal is justified to prevent substantial harm to the officer or another person, or when the animal is so badly injured that humanity requires its relief from further suffering. If it is possible to do so, an officer should attempt to obtain assistance from the Humane Society rather than using a firearm to destroy an injured animal. Every effort should be made to secure the consent of the owner before destroying a pet or domestic animal.
- The destruction of vicious animals should be guided by the same rules set forth for self defense and the defense and safety of others.

.40 When Firearms Will Not Be Discharged

Firearms shall not be discharged under circumstances not in compliance with this Manual and the law. Other examples of prohibited discharge of firearms are (but are not necessarily limited

to) the following:

- As a warning.
- From a moving vehicle, except in cases of extreme emergency.
- ~~At a moving or fleeing motor vehicle, or its occupants, except in cases of extreme emergency.~~
- Whenever it appears likely that an innocent person may be injured.

.50 Shooting at Moving Vehicles

Firearms shall not be discharged at a moving vehicle unless a person in the vehicle is immediately threatening the Officer or another person with deadly force by means other than the vehicle.

For the purpose of this section, the moving vehicle itself shall not presumptively constitute a threat that justifies an Officer's use of deadly force. An Officer threatened by an on-coming vehicle shall move out of its path instead of discharging a firearm at it or any of its occupants, unless there is no way to move out of the path of the on-coming vehicle.

Officers shall not intentionally place themselves in a vehicle's path, to either the front or the rear. If they find themselves in danger from a moving vehicle, they shall attempt to move out of the way, if possible, rather than discharging their firearm.

It is understood that this policy may not cover every situation that may arise. In all situations, Officers are expected to act with intelligence and exercise sound judgment. ~~attending to the spirit of this policy.~~ Any deviations from the provision of this policy shall be examined rigorously on a case by case basis. The involved Officer must be able to articulate clearly the reasons for the use of deadly force. Factors that may be considered include whether the Officer's life or the lives of others were in immediate peril and there was no reasonable or apparent means of escape.

The above prohibitions exist for the following reasons:

1. Bullets fired at moving vehicles are extremely unlikely to stop or disable the moving vehicle
2. Bullets fired may miss the intended target or ricochet and cause injury to officers or other innocent persons ~~which may result in prosecution~~
3. The vehicle may crash and cause injury to Officers or other innocent persons if the bullets disable the operator
4. Moving to cover, repositioning and/or waiting for additional responding units to gain and maintain a superior tactical advantage maximizes Officer and public safety and minimizes the necessity for using deadly force
5. ~~Shooting accurately from a moving vehicle is extremely difficult and therefore unlikely to successfully stop or prevent a threat to the Officer or other innocent persons~~

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Colorado Spring Police Department **General Order 740** **-- Determining Probable Cause**

Active date: 1/20/2009 2:42:55 PM

Supersedes date: 4/16/1989

.01 Purpose

To define and set standards for establishing probable cause for purposes of arrest.

.02 Cross Reference

G.O. 760, Physical Arrest

SOP P1-83, Use of Confidential Informants by Patrol Officers

SOP M1-06, Confidential Informants

.03 Discussion

Few aspects of police action have received so much attention from judicial and legislative entities as the power to make arrests, and few are likely to exceed it in stimulating continuing controversy. It is a subject that impacts upon Constitutional issues in many ways and, therefore, cannot be neatly summed up in a concise statement. The concept of "probable cause" is the foundation of every American legal system's justification of arrest powers and other abridgments of the rights of individuals. Despite the complexity of the subject, law enforcement officers are rightly held accountable by the courts, and by society at large, for knowing this part of the law and its interpretations thoroughly.

.04 Policy

Every officer of this Department shall be familiar, in detail, with all portions of Colorado Revised Statutes, Title 16, "Criminal Proceedings," and with the guidelines of this General Order. No arrest shall be attempted without having established probable cause.

.05 Definitions

CONCERNED CITIZEN: Any person who furnishes information about criminal activity to the department without expectation of any benefit.

CONFIDENTIAL INFORMANT (CI): A person who, under the direction of a specific investigator or officer, and with or without expectation of compensation, furnishes information about criminal activity, or performs a lawful service for the department in its investigation of criminal activity.

PROBABLE CAUSE TO BELIEVE: A phrase that describes the amount of evidence...facts observed, information from others, personal knowledge...that would be sufficient to lead a man of reasonable caution to believe that a crime is occurring, or has occurred, and that the person to be arrested is committing, or has committed, that crime. Probable cause is determined by a consideration of the facts and circumstances, present or apparent, to the officer at the time s/he acted. It is not necessary to believe beyond a reasonable doubt; rather, the standard is reasonable belief.

SOURCE OF INFORMATION (SOI) WHO WISHES TO REMAIN ANONYMOUS: Any person who furnishes information about criminal activity to the department with an expectation of receiving a benefit, but wishes to remain anonymous and is not officially signed up to be a Confidential Informant.

.10 Probable Cause Supported By Facts

Probable cause to arrest will be supported by facts. Vague "hunches" or suspicions are not enough. However, an officer's experience is definitely a fact that can be relied upon to support probable cause, provided the officer is able to document such experience. Officers will establish probable cause to arrest by collecting facts of such quality that, in all logic and common sense, they point with reasonable certainty in the direction of guilt.

The facts upon which the belief is based must have been known at the time of arrest. What the arrested person said or did, or what other circumstances happened after the arrest took place, are irrelevant to the question of the arrest's lawfulness. Department personnel will base an arrest on only those facts occurring prior to making the arrest.

.12 Example Of Facts

There is almost no limit to the kinds of information that can be used to support probable cause, provided such information is not vague and can be reasonably well documented. Among the types of information an officer can rely on are as follows.

Observed Facts: The following facts surrounding the incident may be considered:

- Appearance of suspect: clothing, grooming, etc.
- Personal characteristics: size, height, sex, etc.
- Location.
- Possessions.

Prior Knowledge: The following prior knowledge may be considered.

- Suspect's prior record.
- Prior observation of the suspect.

- Earlier contacts with the suspect.

Officers Experience: An officer may consider the following facts, if such facts can be documented.

- How criminals act; modus operandi; how they appear.
- What's normal for the neighborhood where the incident occurred.
- The sum total of information and knowledge an officer has gained during the officer's employment with the Department. (But as stated before, an officer must be able to articulate and explain this experience.)

.20 Persons Providing Information

Depending on the circumstances revolving around the individual providing the information, their designation will be different. This designation is determined by precedence set by the courts and departmental policy and procedure. There are three different designations that a person providing information can be given. Each one is looked upon differently by the courts in regards to their reliability, credibility, motivation, and the amount of their information that needs to be corroborated to establish probable cause.

- Confidential Informant (CI) : There are many requirements an individual must meet to be considered as a CI. This is in large part due to the issues, legal and otherwise, revolving around CI's. The courts and the public look more critically on an individual who provides information without being named. Per SOP P1-83, Confidential Informants (CI) are signed up as such through Metro VNI. They must provide the information necessary to complete a CI working agreement and personal history form, as well as sign a confidential questionnaire form. Their criminal history must also be obtained and checked for charges and convictions that could bring their reliability into question, such as a false reporting or criminal impersonation charge. The individual cannot be wanted on any felonies or serious misdemeanors without the approval of the division commander and the District Attorney's Office.

Once the person is approved to become a confidential informant, they will be assigned a number through Metro VNI. This number is for internal documentation and is not be provided to the CI or put in any report or warrant affidavit. The individual is only to be referred to as the CI in all reports and warrant affidavits. ~~When writing a search or arrest warrant, the CI's criminal history must be provided in the warrant for the judge's review. This documentation must also include the disposition of arrests, if available.~~ The CI file is kept in a secure location at Metro VNI. Any time the CI provides useful information it shall be documented in their resume.

An example of a person who needs to be signed up as a CI is when the officer establishes a professional relationship with a person who can provide information about criminal activity or provide a service (i.e., buy drugs). If the person has information leading to multiple investigations or will receive payment as benefit for the information or service,

then they must be signed up as a CI.

- **Source of Information (SOI) Who Wishes to Remain Anonymous:** This terminology is used for a person who provides information on a one time basis, and there is no plan for this person to continue to provide information to the officer in the future. A SOI who wishes to remain anonymous receives a benefit for providing information; however, this designation cannot be used if the person is expecting to receive a monetary gain. As stated above, any person receiving monetary gain must be signed up as a CI through Metro VNI.

An example of how this type of designation is used is when an officer conducts a traffic stop on a vehicle. During the traffic stop the officer recovers a small amount of narcotics from the vehicle. The person tells the officer that they just bought the narcotics and are willing to identify the source of supply. The only benefit received would be a "good word" to the DA's office on behalf of the SOI. Any benefit received on charges is determined by the DA's office.

As with a CI, when writing a search or arrest warrant, the SOI who wishes to remain anonymous' criminal history must be provided in the warrant for the judge's review. This documentation must also include the disposition of arrests, if available.

- **Concerned Citizen:** People that typically fall into this category are often the people who call the police to report a high level of traffic in and out of a residence, or to report a strange odor emanating from a residence. A concerned citizen is often times named in a report or warrant affidavit. The term Concerned Citizen will not be used for any person who is facing potential criminal charges or is receiving a benefit of any kind.

There is one exception to the three designations listed above, and that is a Crime Stoppers Tip. Crime Stoppers is regulated under state regulations in regards to confidentiality and rewards for information. Rewards paid to individuals who provided information through Crime Stoppers, are paid by Crime Stoppers. Individuals who provide information through Crime Stoppers are ensured anonymity; therefore their confidentiality is a priority and cannot be further disclosed by officers. In this instance, the officer would simply document that s/he was investigating a tip provided by the Pikes Peak area Crime Stoppers.

.24 Informants Not Yet Proven Reliable

Corroboration is required before information supplied by a confidential informant, source of information who wishes to remain anonymous, or concerned citizen reaches the status of probable cause. The corroboration necessary need not amount to reasonable cause by itself; its only requirement is to provide the missing element of reliability. Hence, the corroboration is sufficient if it reasonably lends itself to the conclusion that the informant is telling the truth.

Persons providing information may be corroborated by an officer by developing independent facts, by the informant admitting participation in the crime with the suspect, or by the informant

identifying the suspect and stating circumstances surrounding the commission of a crime already known to the police.

Corroboration must pertain to incriminating facts. That is, those facts that relate to the commission of the crime reported and not any fact given to the police by a person providing information.

Note: If the person providing information is relied upon to establish not only the commission of the crime but also the identity of the suspect, sole reliance on that information will not supply probable cause.

.30 Other Facts Requiring Corroboration

Department personnel may use other information to support the development of probable cause. However, some information obtained directly may not support probable cause to arrest. Subsections .32 and .34 below are given as contrasting illustrations.

.32 Probable Cause Not Established

A single source of unusual conduct or circumstance, more often than not, must be supported by either prior information concerning the suspect, other suspicious circumstances, or facts, before probable cause is attained.

Here, for example, are some circumstances in which probable cause to arrest is not established:

Odors: The odor of marijuana emanating from an unoccupied dwelling house is not probable cause to arrest anyone. Such a search can be made only with a warrant or consent.

Needle Marks: Needle marks alone do not constitute probable cause. They may arise from legitimate activities, such as the use of insulin by diabetics or the regular extraction of blood plasma.

Lack of Identification: The lack of driver's license and registration card alone does not establish probable cause that a vehicle has been stolen.

Furtive Conduct: A single incident of furtive conduct, without any other information or suspicious circumstances, may not be sufficient to establish probable cause. Furtive behavior may arise from any number of causes that are not illegal.

Flight: Mere flight alone may justify stopping someone for investigation, but not for arrest.

Prior Criminal Record: Information pertaining to a person's prior criminal record, unsupported by other facts, will not establish probable cause for arrest.

Officers experience: An officer's experience or training will not, by itself, establish probable cause to arrest.

All these sources of information can lead to probable cause but they must be corroborated by other facts if they are to be used in establishing probable cause to arrest.

.34 Probable Cause Established

Here are some examples of circumstances in which probable cause to arrest is supported:

Odors: Marijuana smoke emanating from a car is probable cause. The odor of burning marijuana emanating from an occupied house is probable cause to believe that marijuana is presently on the premises. Such a situation justifies an arrest as an offense committed in the officer's presence.

Sound: The sound of voices discussing contraband coming from an occupied dwelling will support probable cause to arrest.

Needle Marks: Needle marks in conjunction with dilated pupils and discolored skin tissue supports probable cause.

Lack of Identification: The manner of driving, conflicting statements of ownership and/or other suspicious circumstances, in addition to a lack of license and registration, may be sufficient to establish probable cause to arrest.

Furtive Conduct: Furtive conduct in conjunction with a refusal to stop, or an attempt to delay contact by walking faster, or an attempt to hide from officers, or prior information from a reliable source that a crime has or is being committed by the person performing the furtive conduct, may establish probable cause to arrest. Nevertheless, furtive conduct in conjunction with other facts remains a difficult factor on which to base an arrest. Therefore, officers will strive to document as many corroborating facts as possible prior to making an arrest based on furtive conduct.

Flight: Flight may justify detention for investigative purposes and, once other reasonable facts are established that indicate a crime has been committed or is occurring, an arrest may be made. If the flight was to avoid a lawful arrest for an incident occurring prior to the flight, an arrest may still be made for such violations. In any event, officers apprehending a fleeing person will use authorized procedures to determine the reasons for fleeing. If the criminal conduct is established, fleeing persons will be arrested.

Prior Criminal Record: Officers observing known criminals, who are engaged in conduct or located in places under circumstances that indicate criminal activity may be occurring, will detain such persons and investigate the activity.

When only one of the above factors is present, officers will ensure that corroborating facts are

established before making an arrest.

.40 Expert Probable Cause

Probable cause may be established by prior experience and specialized training in particular crimes; for example, narcotic cases. However, the test remains whether the circumstances warrant a man of reasonable caution to entertain a strong suspicion that a crime has been committed; if the facts can be interpreted as expressing either innocent activity or criminal activity, the benefit of the doubt will be given to the innocent activity. Therefore, officers who rely on their prior experience, or specialized training, to establish probable cause shall be prepared to document such facts before appearing in court.

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Colorado Spring Police Department

General Order 743

-- Search Warrants

Active date: 12/7/2005

Supersedes date: 3/12/2001

.01 Purpose

To specify procedures for obtaining and executing search warrants.

.02 Cross Reference

G.O. 740, Determining Probable Cause

G.O. 330, Damage to Non-Police Property

G.O. 880 Deconfliction

G.O. 1330, Ride Along Program

See also all General Orders in Section 7, Force, Detention, and Arrest

CALEA Standards 1.2.4; 1.2.5; 74.3.1

.03 Discussion

By the terms of the Fourth Amendment, a search for or seizure of evidence must be reasonable. The test of reasonableness is met by the accumulation of facts and circumstances, amounting to probable cause, to believe the evidence sought is located at the place or on the person to be searched. Where probable cause is shown, an individual's constitutional right to privacy may yield to the government's right to search and seize.

Note: Colorado law pertaining to arrests, searches, and seizures is contained in Article 3, Title 16, of the Colorado Revised Statutes. The present General Order provides guidance for implementing its provisions concerning searches, but familiarity with the statute itself is essential. Every law enforcement officer, regardless of present assignment, is expected to know the provisions of that Article thoroughly.

.04 Policy

The Colorado Springs Police Department will exercise utmost care to respect personal and property rights by following carefully-defined procedures in obtaining and executing all search warrants. Execution will be carried out thoroughly and vigorously, but with the minimum of force necessary to fulfill legitimate police purposes.

.05 Definitions

AFFIANT: A person who swears under oath that the information contained in the affidavit is true. This is usually an officer.

AFFIDAVIT: A document stating facts under oath that give probable cause to believe that certain crime-related evidence is located in a certain place.

ARREST WARRANT: An order, in writing, from a court of record that commands a peace officer to take into custody a person for a particular crime. It must be based upon probable cause.

ORDER FOR NON-TESTIMONIAL IDENTIFICATION: An order by a court of record that permits a peace officer to take a person into custody for the purpose of obtaining physical evidence relating to a crime. It is based upon less than probable cause. See Rules of Criminal Procedure, Rule 41.1 for adults; Rule 9.1 for juveniles.

SEARCH WARRANT: An order, in writing, from a court of record that permits a peace officer to search a particular place or person for crime-related evidence. It must be based upon probable cause.

.10 Authority To Search With Warrant

In compliance with Article 3, of Title 16, Colorado Revised Statutes, police officers may search a place or person and seize evidence, following a judge's issuance of a signed search warrant relating facts sufficient to:

- Identify or describe, as nearly as may be, the person or property to be searched for, seized, or inspected; and
- Identify or describe, as nearly as may be, the premises, person, place or thing to be searched; and
- Establish probable cause as outlined in G.O. 740 for the issuance of the warrant, by showing there is good reason to believe that the person or property to be searched for, seized, or inspected is located at, in or upon the premises, person, place or thing to be searched.

Patrol officers intending to apply for a search warrant should consult the Patrol SOP for specific guidance in completing the necessary documents. Standard document forms will be used, and are available at each substation.

.18 Authorization To Search For Controlled Substances

~~Additionally,~~ All search warrant affidavits that are specifically requesting authorization to

search for controlled substances shall be coordinated with ~~detectives assigned to~~ the Metro Vice, Narcotics, and Intelligence Division. Contact with ~~an on-duty or on-call supervisor assigned to~~ Metro VNI should be made, as soon as possible, so that detectives may assist, ~~if necessary,~~ with the preparation of the affidavit, assist with efforts to corroborate information, assist with surveillance measures, and ensure that the warrant does not interfere with an on-going Metro VNI investigation. (See G.O. 880 on Deconfliction.) ~~Furthermore, all search warrant affidavits that are requesting authorization to search for controlled substances will be reviewed and approved by a Metro VNI sergeant and lieutenant, prior to presentation before a judge or magistrate.~~

.20 Entry Into A Private Dwelling To Make A Search

After obtaining a search warrant, and having it physically in their possession, officers may enter a private dwelling to conduct a search in accordance with the following procedures.

No member of the news media, nor any other third party other than a member of the CSPD or other law enforcement official, then in the performance of official duties, will be permitted to accompany officers of the Colorado Springs Police Department into a private dwelling, or a private office that is not open to the general public, during the execution of a search warrant without the specific, prior approval of the lawful owner of occupant of those premises.

Exceptions may be made on a case-by-case basis for persons whose presence is critical to the accomplishment of the search warrant, such as contractors employing specialized technical skills, victims/witnesses who are critical to the identification of persons or property being sought, and like circumstances.

.22 Preliminary Measures

Except when a "no-knock warrant" has been obtained, as described in paragraphs .40 through .44 below, certain actions are required before attempting entry:

- Knock on the door and announce your authority and purpose
- Demand entrance.
- Wait a reasonable amount of time.

.24 Manner Of Entry

The manner of entry to conduct the search will depend upon the response of the person against whom the search is directed. If the person complies with the entry demand, the officers may enter immediately and conduct the search. If the person audibly refuses to comply, an immediate forcible entry may be made. The degree of force used must be reasonable; that is, it must be sufficient to promptly and safely gain access, but no more. Ordinarily, this means breaking open the door.

Devices such as pry bars, axes, battering rams and sledge hammers may be used, if necessary, to make immediate entry. If the person behind the door remains silent or responds ambiguously to the entry demand, officers must wait a reasonable time before making a forcible entry.

Examples of ambiguous responses include:

- "I'm getting dressed."
- "Take it easy."
- "What's the rush?"

A reasonable time depends upon the circumstances, and particularly with regard to the object of the search. What may be reasonable with respect to stolen typewriters may not be reasonable if gambling records on flash paper or water-soluble paper are sought. A good rule of thumb is thirty seconds, but this time will be less if highly disposable evidence is involved. If, during the announcement procedure, the officers have reason to believe the evidence sought is in the process of being destroyed, an immediate entry may be made. Officers are under no obligation to argue or negotiate with a person whose property is to be searched, nor should they display credentials through peepholes, slide a copy of the warrant under the door or otherwise delay the execution of the warrant beyond the procedure described above.

.26 Exigent Circumstances

During the execution of a Knock and Announce warrant, exigent circumstances may occur that provide the officers with probable cause to believe that:

- Evidence subject to seizure is about to be destroyed or disposed of; or
- The lives or safety of the officers or other persons are in jeopardy; or
- A party to be arrested is attempting to escape.

In these circumstances, the officer may escalate from a Knock and Announce warrant to a No Knock unannounced entry. However, in the case supplement, following the execution of the warrant, the officer must describe in specific written detail the probable cause that led him/her to believe that one or more of the above exigent circumstances was occurring or was about to occur.

.30 Scope Of Search

After having made entry, officers should take whatever reasonable steps are necessary to protect themselves. They may control the movements of persons found inside the premises and may frisk such persons for weapons on a reasonable suspicion that they are armed. Persons found within the premises may not be searched for evidence described in the warrant unless those persons are specifically described in the warrant. Therefore, if the items sought are apt to be concealed on persons thought to be in the premises, those persons should be named in the warrant.

A warrant to search for contraband implicitly carries with it the limited authority to detain the occupants of the premises while the search is being conducted.

The search may extend to all places within the premises where the evidence or the person sought could logically be concealed. Such places may include personal property found on the premises described, such as duffel bags, suitcases and automobiles. The scope of the search, therefore, is directly related to and is controlled by the objective of the search. Officers are under no

obligation to begin or end the search at any particular place within the premises.

.32 Duration Of Search

A search under warrant must be terminated when the evidence described in the warrant has been found and seized. If one of several items described in the warrant has been discovered, the search may continue for other evidence. If no evidence is found, the search must end when the officers have exhausted all possibilities as to where the evidence could be concealed.

.34 Intensity Of Search

The search warrant is not a license to destroy or harass individuals. However, under certain circumstances it will permit a highly intensive search which disrupts or damages property. Thus, a floor may be pulled up, or a wall torn down, or a garden dug up, if officers have a reasonable belief that the evidence sought under the warrant has been concealed in such a place. That belief should be detailed in the affidavit for the search warrant.

.36 Plain View Doctrine

If officers are lawfully present on premises, as during the execution of a warrant, and they observe evidence in plain view, such evidence may be seized, even though it is not described in the warrant and not relevant to the offense under investigation.

.40 No-Knock Search Warrants

The legality and use of no-knock search warrants has been affirmed by the Colorado Supreme Court.

In preparing the affidavit for a no-knock warrant, the affiant must cite specific probable cause to believe that:

- The subject or subjects inside the premises to be searched will destroy or dispose of evidence sought by the warrant; or
- The subject/subjects inside the premises are armed and dangerous and that announcing entry would endanger the lives and/or safety of officers and/or other persons; or
- Announcing entry would cause the subject/subjects in the premises, who are to be arrested, to escape.

Information that may substantiate the need for a no-knock warrant may be found in many ways, including:

Criminal History of Suspect. A check of criminal history may disclose that suspect has been convicted of assault. The fact that the suspect has displayed a tendency toward violence in the past may assist the application for a no-knock search warrant.

Firearms Sales Records: A check with the Investigations Division Pawn Detail may provide information that the suspect has purchased a weapon. This information, coupled with a propensity toward violence, may afford the affiant sufficient probable cause for a no-knock warrant.

Informant/Witness Statements: A debriefing of confidential informants, and/or witnesses, may disclose information for probable cause. For example, a suspect may have told an informant/witness that s/he keeps his/her drugs packaged in small containers that can be easily disposed of by flushing in a toilet or using a garbage disposal. A suspect may have indicated that s/he will shoot it out with police if they attempt to enter his/her property for purposes of a search.

Intelligence Files: These may contain any of the above information in other areas, or other information that would assist an affiant in developing probable cause for an affidavit for a no-knock warrant.

.42 Completion Of No-Knock Warrant Procedure

Warrant preparation will be completed by the initiating officer. Application for no-knock warrants must contain the wording "No-Knock" or other language that specifically allows unannounced, forcible entry on the face of the warrant. A complete description of the exigent circumstances used as the basis for a no-knock warrant and a specific request for a no-knock warrant must be contained in the affidavit.

If grounds for the issuance of a No-Knock search warrant are established by a confidential informant, the affidavit for such warrant shall contain a statement by the affiant concerning when such grounds became known or were verified by the affiant. The statement shall not identify the confidential informant.

After a review of the affidavit has been conducted by the initiating officer's chain of command, through the rank of lieutenant, a decision will be made as to whether or not the affidavit meets the criteria for a no-knock search warrant. If the involved lieutenant agrees that the affidavit meets the criteria for a no-knock search warrant, the involved lieutenant will coordinate a review of the affidavit by the Tactical Enforcement Unit Sergeant/designee and the Patrol Support Lieutenant/designee, prior to the signing of the warrant. As a rule of thumb: if you're not sure whether or not the probable cause currently present meets the criteria for a no-knock search warrant, coordinate your efforts with the Central Division or Metro VNI Division first, rather than find out later that a safety hazard exists because a no-knock warrant was not obtained.

If the TEU Sergeant and Patrol Support Lieutenant agree that the affidavit meets the criteria for a no-knock search warrant, the review process will continue through a Department Staff Officer, usually the Central Division Commander or the Metro VNI Commander. If the Department Staff Officer agrees that the criteria exists for no-knock warrant, the TEU Sergeant will coordinate a review and signing of the no-knock search warrant through the District Attorney's Office of the Fourth Judicial District. The presentation of the affidavit for review by the District Attorney's Office, as well as the judge, shall remain with the originating officer/affiant.

During normal business hours, the District Attorney's review will be conducted at the District Attorney's Office. The District Attorney's review of the affidavit for a no-knock search warrant must be conducted by the District Attorney, the Assistant District Attorney, or a Deputy District Attorney designated as a "team leader". After normal business hours, the District Attorney's review will be conducted by the designated on-call Homicide Deputy District Attorney. The

involved attorney representing the District Attorney's Office shall indicate approval of the affidavit for a no-knock search warrant by signing, dating, and attaching their attorney registration number on the final page of the affidavit.

.44 Execution Of No-Knock Warrant

The execution of a no-knock search warrant may pose extreme danger to both the officers making entry and to occupants of the residence being entered, or to others in the vicinity. The Tactical Enforcement Unit of the Colorado Springs Police Department is a specially trained force that is best suited for conducting this type of mission.

The Tactical Enforcement Unit will conduct all no-knock search warrant raids. If the Tactical Enforcement Unit is not available for a no-knock warrant because of another mission, the Central Division Commander will review the no-knock warrant and the other mission and will determine the mission priorities for the Unit. If the no-knock warrant is placed on hold, the Tactical Enforcement Unit Commanding Officer will advise the affiant, or his/her supervisor, as to when they may anticipate the execution of the warrant.

A Command Level Officer will be designated for each no-knock warrant execution. This designated Command Level Officer will normally be the Patrol Support Commanding Officer or the Metro VNI Commander, but another Lieutenant or higher-ranking officer may be given the duty when necessary. The commanding officer must be present before execution and will take part in all pre-execution briefings.

The designated commanding officer, after reviewing all appropriate documents, will continue to monitor the situation until the warrant has been executed and the warrant site secured. The designated commanding officer will continue the monitoring responsibility even if the activity carries over for one or more watches.

In the event of watch overlap, all supervisors within Departmental components and units, which are connected in any manner with the execution of the warrant, will be responsible for briefing their relief personnel on all relevant matters.

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Colorado Spring Police Department

General Order 745

-- Aka Arrest Warrants Applications

Active date: 4/16/1989

Supersedes date:

.01 Purpose

To furnish guidance in obtaining arrest warrants when a suspect's true name is not known.

.02 Cross Reference

G.O. 740, Determining Probable Cause

G.O. 743, Search Warrants
G.O. 760, Physical Arrest
CALEA Standards 1.2.5; 74.3.1

.03 Discussion

The Colorado Springs Police Department has a responsibility to the community it serves to protect citizens from erroneous arrest, while attempting to identify and detain suspects of crimes. To this end, the following procedure is established.

Patrol officers intending to apply for an arrest warrant should consult the Patrol SOP for specific guidance in completing the necessary documents. Standard document forms will be used, and are available at each substation.

.04 Policy

Officers of this Department, when making an application for an "A.K.A." arrest warrant, shall give as complete and accurate a physical description of the suspect as possible whenever the suspect's true identity is in question.

.05 Definitions

A.K.A. ARREST WARRANT: An arrest warrant in which the true name of the suspect is unknown, and the officer identifies the suspect as "also known as Tony," "also known as Digger," etc.

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Colorado Spring Police Department

General Order 750

-- Citizen Contacts

Active date: 4/16/1989

Supersedes date:

.01 Purpose

To define and describe "citizen contact."

.02 Cross Reference

G.O. 740, Determining Probable Cause
CALEA Standard 41.2.4

.03 Discussion

This space intentionally left blank.

.04 Policy

The nature of the Department mission requires that officers question community members whenever the circumstances indicate that doing so would enhance the public's welfare or safety. In this regard, officers will remain alert for situations in which citizen contacts would be

appropriate, and are authorized to initiate such contacts in an approved and effective manner. Whenever an officer's training, experience, or knowledge indicates that a particular person's conduct or presence warrants clarification, the officer may initiate a contact with that person, in any place that the officer has a right to be.

.05 Definitions

CITIZEN CONTACT: A face-to-face communication between an officer and a citizen under circumstances in which there is a lack of probable cause to detain or arrest. Contacts differ from detentions or arrests in that contacts do not involve the "seizure of persons" within the meaning of the Fourth Amendment and, therefore, the person contacted has a legal right to leave at any time.

.10 Conduct During Contacts

When initiating "citizen contacts," officers will remember that the person contacted is under no legal obligation to cooperate. The lack of legal obligation to cooperate results from the absence of probable cause, or of the legal justification to detain or arrest the person. Officers lack the authority, under these circumstances, to require the person to answer questions or to cooperate in any way.

If the person contacted refuses to cooperate, the officer must allow the person to proceed with whatever activity s/he was engaged in before the contact was made. However, an officer may continue to observe such a person and, when additional facts warrant, conduct a stop and field interview or arrest.

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Colorado Spring Police Department

General Order 755

-- Field Interviews

Active date: 6/14/2006

Supersedes date: 3/14/1997

.01 Purpose

To define, describe, and set guidelines for conducting field interviews.

.02 Cross Reference

G.O. 740, Determining Probable Cause
G.O. 750, Citizen Contacts
G.O. 758, Handling of Street Gang Contacts
G.O. 760, Physical Arrest
G.O 1303, Bias Based Profiling Prohibited
CALEA Standards 1.2.4; 1.2.7; 41.2.4

.03 Discussion

The "field interview" is a very useful and effective means of maintaining the safety and welfare

of the community. By remaining alert, perceiving circumstances that may indicate crime, stopping suspicious persons and conducting field interviews, officers serve the community by preventing, discovering, or solving crimes. Properly conducted, a field interview can improve the Department's performance; improperly conducted, it can jeopardize successful prosecution and/or expose the Department and its personnel to adverse legal consequences.

.04 Policy

The courts have indicated that certain elements must be present before an officer initiates a field interview. In this regard, the Department maintains procedures that detail these elements and officers will abide by them when conducting a field interview.

.05 Definitions

FIELD INTERVIEW: A field interview is temporary detention of any person for the purpose of investigating ~~an unusual~~ activity that reasonably implies criminal ~~conduct.~~ ~~activity~~ A field interview occurs when an officer uses police authority either to compel a person to halt, to remain in a certain place, or to perform some act (such as walking to a nearby location where the officer can use a radio or telephone). If the person being stopped reasonably believes that s/he is not free to leave the officer's presence, a field interview is occurring.

FIELD INTERVIEW REPORT: A field interview report is an internal administrative report made by field officers to document official contacts with persons under suspicious circumstances or in other specified cases. It provides a means of systematically recording information on persons, contacted under suspicious circumstances, for the purpose of facilitating the retrieval of that information for use as investigative leads and to support criminal investigations.

REASONABLE SUSPICION: ~~Because a field interview is a detention, it requires that the officer have reasonable suspicion that the individual being contacted is engaged in illegal activity. The term s~~ ~~reasonable suspicion, or "reasonably suspects" , as used in the section~~ CRS 16-3-103, ~~cannot be precisely defined. CRS, are not capable of precise definitions. The term~~ ~~Both terms~~ means information known to the officer which amounts to more than a mere hunch or ~~generalized suspicion, speculation on the part of an officer,~~ but less than probable cause to arrest.

.10 Authority And Required Elements

Legal authority to conduct field interviews is granted in section 16-3-103, CRS, "Stopping of Suspect," which provides:

(1) A peace officer may stop any person whom he reasonably suspects is committing, has committed or is about to commit a crime and may require him to give his name and address, identification if available, and an explanation of his actions. The stopping shall not constitute an arrest. ~~A peace officer shall not require any person to produce or divulge such person's social security number.~~

(2) When a peace officer has stopped a person for questioning pursuant to this section and reasonably suspects that his personal safety requires it, he may conduct a pat-down search of

that person for weapons.

.20 Initial Approach

Once ~~grounds for a~~ reasonable suspicion is ~~are~~ established, a ~~the~~ person may be stopped. If it is safe and practical to do so, an officer may elect to delay contact with a suspicious person. ~~However, provided that the public is not endangered and the chance of losing the suspect is not significant, it may be better for the officer to wait if it is thought that, by doing so, the officer will be able in order to develop additional information to establish~~ probable cause for an arrest. The guideline is: "Don't ruin a good arrest by making a premature stop."

.30 Use Of Force To Detain

Officers will use the least coercive means necessary, ~~under the circumstances,~~ to ~~effect the stop of~~ a person. The means used may be a verbal request, an order, or physical force. However, under no circumstances may force be used that could cause death or serious bodily injury to the person detained. If the officer is attacked, or circumstances exist that create probable cause to arrest, the officer may use ~~the~~ reasonable ~~amount of~~ force ~~necessary~~ to defend him or her self or make a full custody arrest.

.32 Refusal To Cooperate

Refusal to answer questions or cooperate in other ways does not, by itself, establish probable cause to arrest. However, refusal may be considered, along with other facts, as an element that may establish probable cause if, under the circumstances, it would be reasonable for an innocent person to cooperate.

Additionally, refusal to cooperate may be coupled with facts ~~discovered during that come to light, as a result of~~ the contact, to establish probable cause to arrest. ~~for some other offense.~~

For example, a person fitting the description of a burglary suspect is observed walking down the sidewalk in the vicinity of a very recent "channel lock" burglary. The time is 00:30 hours. ~~Officers~~ stop and question the person who ~~then~~ refuses to give a name and address. The officers then observe a pair of channel lock pliers in the suspect's hand. Under these circumstances, the officers may attach some weight to ~~the suspect's~~ a refusal to answer ~~their the routine~~ questions ~~about his regarding~~ identity and address. ~~At this point, and, in light of all the surrounding circumstances,~~ an arrest for burglary may be proper.

.34 Treatment Of Detained Persons

Officers ~~will be courteous and use only reasonable force during a field interview. will use as much courtesy and as little force as possible, under the circumstances, towards persons being stopped and~~ They will identify themselves as law enforcement officers as soon as practical. At some point during the interview, the officer initiating the stop will ~~explain to the suspect why advise the stopped person of the reason and purpose of~~ the field interview is being conducted.

As outlined in G.O. 1303, Bias Based Profiling Prohibited, when no enforcement is taken, and as a courtesy to the members of our community, officers will provide the individual(s) with his/her business

card with the date and time of contact written clearly on any part of the card.

.36 Moving The Detained Person

When an officer moves a detainee or orders a detainee to move, a court may conclude that the suspect has been taken into custody. An officer who moves a detainee risks losing evidence gathered as a result of the movement. As a general rule, officers should not move detainees ~~Officers will not transport, or otherwise move, a stopped person~~ from the location where the stop was made. If an officer believes the need exists to move a detainee, and no probable cause for an arrest exists, the officer should obtain the suspect's consent for the movement. If an officer wishes to obtain an identification of the suspect by a victim/witness, the victim/witness should be brought to the location where the suspect is at if possible.

~~except to verify answers given and only when no other method of verification is available. Nevertheless, the distances such a person may be moved is extremely limited. Stops are intended by law to be on the spot inquiries. When a suspect is moved further than a limited distance, courts are likely to conclude that an arrest has been made, thus, entailing problems pertaining to probable cause to arrest.~~

.38 Duration Of Stop

During a field interview, an officer may only detain a person ~~A person may be detained only at or near the scene of the stop~~ for a reasonable time. If probable cause cannot be established within a reasonable time, the person must be released. What constitutes a reasonable period of time is based upon the totality of the circumstances. If a field interview exceeds 20 to 30 minutes, an officer should be prepared to provide the court with an explanation. In addition, officers must act diligently to conclude the investigation. Any unnecessary delay may result in evidence being suppressed. ~~that cannot be defined precisely but is generally considered to be no longer than approximately twenty minutes. Officers should detain a person only as long as is reasonably necessary to conclude the investigation. Should further suspicious circumstances arise during this period, the officer may detain the person until the further suspicious circumstances can be investigated.~~

.40 Guidelines For Use Of Field Interview Reports

Field interview reports shall be made in the following cases:

- To facilitate retrieval of information for use as investigative leads and to support criminal investigations
- To document contacts with, or observations of, confirmed career criminals
- To document contacts with citizens that lead the officer to believe that ~~further or~~ future contact by officers may pose a serious threat to the officers' safety. Under such circumstances, officers should also consider completing an Intelligence Report and sending it to the Metro VNI Intelligence Unit. ~~Information from such contacts shall be published weekly by the Crime Analysis Unit and provided to command personnel for further dissemination to officers.~~

Field interview reports may be made at the officer's discretion. Examples would be as follows:

- Persons contacted under suspicious circumstances.
- Misdemeanor arrests which the officer feels should be entered.

- All field interviews will be conducted in conformance with Colorado Statutes including but not limited to [Section-16-3-103](#). [CRS](#) .

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Colorado Spring Police Department

General Order 758

-- Handling of Street Gang Contacts

Active date: 12/9/2005

Supersedes date: 1/25/2002

.01 Purpose

To define, describe, and set guidelines for the handling of street gang contacts.

.02 Cross Reference

G.O. 524, Juvenile Offenders
G.O. 701, First Amendment Rights
G.O. 740, Determining Probable Cause
G.O. 750, Citizen Contacts
G.O. 755, Field Interviews
G.O. 760, Physical Arrest
G.O. 770, Prisoner Processing
G.O. 773, Sick or Injured Prisoners
G.O. 775, Searching of Prisoners
G.O. 810, Investigations Procedures
G.O. 820, Initial Investigations Procedures
G.O. 840, Identifications
G.O. 844, Live Identifications
G.O. 860, Interviews and Interrogations
G.O. 1303, Bias Based Profiling Prohibited
S.O.P. P1-104, Gang Intervention Network

.03 Discussion

In the Department's continuing effort to properly identify, track and interdict gang-related activity and crimes, criteria must be established that will guide officers in their contacts with gang members.

.04 Policy

All sworn officers of the Colorado Springs Police Department are responsible for locating, identifying, investigating and providing appropriate tracking documentation of street gang members and their associates.

.05 Definitions

STREET GANG - A ~~self formed~~ group, ~~or association~~, of three or more individuals with a

common interest, bond or activity characterized by criminal or delinquent conduct (CRS 24-33.5-415.3).

STREET GANG MEMBER - An individual shall be considered a "Street Gang Member" when that person has been identified as being involved in criminal activity or enterprise and the meets the following criteria:

- The person proclaims or admits their association, affiliation, or allegiance with an identified criminal street gang

OR

- That person has been identified as being involved in criminal activity or enterprise and meets at least two of the following criteria:
 1. An outside law enforcement agency identifies an individual as a gang member and that agency is recognized by the Colorado Springs Police Department as having met similar criteria for the confirmation of gang members
 2. When a reliable informant identifies an individual as a gang member and that identification is corroborated by their personal knowledge of the individual's affiliation or their relationship with other known gang members
 3. When an informant of previously untested reliability identifies an individual as a gang member, and that identification is corroborated by their personal knowledge of the individual's affiliation based on self-admission, style of dress, use of hand signs, symbols or tattoos, ongoing relationships with other known gang members or arrests for gang related or involved crimes
 4. When the individual resides in or frequents a particular gang's area and affects their style of dress, use of hand signs, symbols (including graffiti) or tattoo's, and/or maintains ongoing relationships with known gang members; or has been arrested in the company of identified gang members for offenses which are consistent with usual gang activity; and where the law enforcement officer believes there is reasonable suspicion that the individual is involved in gang-related criminal activity or enterprise

STREET GANG ASSOCIATE - An individual shall be considered a "Street Gang Associate" when that person meets any of the criteria established for a street gang member and their affiliation or allegiance is to an identified and classified criminal street gang.

GANG RELATED INCIDENT - An incident shall be considered gang-related when the following criteria are met:

1. Where any participant, suspect(s), or victim(s) is identified as a gang member or gang associate, and the criminal act develops out of a gang motivation, interest, special set of circumstances or otherwise furthers the beliefs, status or function of the gang
2. Examples include that activity known to have occurred to promote, recruit, finance, intimidate, initiate, harass, retaliate, terrorize, or otherwise further the beliefs and

interests of the gang

GANG ASSOCIATED INCIDENT - An incident shall be considered gang associated when the conduct is consistent with street gang activity and the participants, suspects or victims remain unidentified as gang members, however, the descriptions, method of operation, or other evidence reasonably indicates that gang members were involved.

GANG MEMBER INVOLVED - An incident shall be considered gang member involved when the person(s) involved has been identified as a gang member or associate and the evidence does not show that the gang member's affiliation had a causal relationship to the crime.

.10 Reporting Procedures

Officers shall complete a detailed Gang Information Report in any of the following instances:

- An individual(s) is identified as a member of a street gang during the course of any investigation or arrest. Identification means that the person either has been previously classified as a street gang member or associate; or the nature of the crime or investigative contact would lead the officer to reasonably believe that the person is a gang member or associate. The Gang Information Report will be completed in conjunction with any Offense or Supplemental Report to include any summons.

Note: With proper cross-referencing between the Gang Information Report and the Offense/Supplemental Report, officers need only complete the information on the Gang Information Report that was not contained within the other documentation.

- Contact is made with an individual(s) who self-proclaims membership in a street gang.
- Contact is made with individuals who are associating with identified gang members.
- Contact is made with individuals who have adopted the manner, style and dress of a street gang or display gang-related tattoos, signs or symbols.

If, in the case of a call for service for a gang-related incident, no case report is taken, officers will initiate either a Gang Information Report detailing the circumstances and nature of the call, or provide a print out (hard copy) of the call screen. A review of the call screen may require the development of a Gang Information Report, at a later date, at the discretion of the GangNet Sergeant. In the event a case report is taken by other than a member of the Patrol Bureau (e.g., Major Crimes Unit), but the nature of the call required an initial patrol response, it will be the responsibility of the assigned primary patrol officer to provide a print out (hard copy) of the call screen.

In the event a case report is initiated, and either the victim(s) or suspect(s) are believed to be gang involved, the following information is to be reflected within the Offense or Supplemental Report:

- The letter "G" or the word "Gang" will be circled at the top of the report.
- Within the narrative portion of the text, determine and record the nature of the gang association of the victim(s) and/or suspect(s), and how, and if, it relates to the

investigation.

All corresponding documentation will be submitted to the Divisional GangNet Sergeant for review and distribution.

.20 Arrests

Gang contacts that are subsequently arrested for any misdemeanor offense shall be transported to the Police Operations Center and be fingerprinted and photographed prior to their release.

Exceptions: Arrestee's whose fingerprints are on file and whose photograph is less than one year old need not be transported.

Arrestee's that are taken to the El Paso County Criminal Justice Center for processing need not be transported to the Police Operations Center. Felony arrests will be handled in the manner as prescribed by existing policy and procedure.

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Colorado Spring Police Department

General Order 760

-- Physical Arrest

Active date: 2/16/2009 8:41:48 AM

Supersedes date: 10/19/2005

.01 Purpose

To furnish guidelines and criteria for making physical arrests.

.02 Cross Reference

G.O. 330, Damage to Non-Police Property

G.O. 740, Determining Probable Cause

G.O. 743, Search Warrants

G.O. 762, Mass Arrests

G.O. 765, Resisting Arrest

.03 Discussion

.04 Policy

According to the Constitution, an arrest is a seizure of the person pursuant to the Fourth Amendment. Because it is a seizure pursuant to the Fourth Amendment, that arrest must be reasonable. Since the basis for an arrest lies in the doctrine of probable cause, any interference with personal mobility, whether traffic stop, detention for investigation of criminal activity, or actual arrest, must be tested by the Fourth Amendment. As such, officers are encouraged to

always obtain a warrant if time and circumstances permit.

Arrestees will be treated with as much dignity as is reasonably possible and with a minimum of embarrassment. Officers will strive to minimize the time an arrestee spends in custody, transferring arrestees to the detention facility as soon as possible, consistent with a thorough investigation. When making an arrest, the following procedures will be adhered to.

.05 Definitions

This space intentionally left blank.

.10 Authority To Arrest

Officers, in compliance with the Colorado Revised Statutes, may arrest a person under the following conditions:

- When the officer has a warrant, or knowledge of a warrant, commanding that such person be arrested.
- When any crime has been, or is being committed, by such person, in the officer's presence.
- When the officer has probable cause to believe that an offense was committed, and has probable cause to believe that the offense was committed by the person to be arrested.

.15 Delayed Arrest Requirements

If probable cause exists to arrest a suspect, the officer may delay the arrest for any class crime if the following criteria are met:

- No promises can be made to the suspect involving any future consideration by law enforcement, the District Attorney's office, the courts, etc.
- The suspect has never been convicted of any serious crime of violence, domestic violence, and/or sexual assault including the current case.
- The arrest delay has been authorized by the investigating officer's Lieutenant.
- Lieutenants will balance the benefits of a delayed arrest with the risk of not immediately booking the suspect. The Lieutenant will confer with the on-call District Attorney if necessary.
- Exigency is the primary factor that must exist to warrant delaying an arrest. An arrest may also be delayed to avoid compromise of an ongoing case provided there is concurrence with the District Attorney's office. If exigency does not exist, the suspect will be booked immediately and, if appropriate, subsequent cases can be worked at a later time.
- This delayed arrest exemption is intended for opportunities of short-term duration (e.g. within the current shift). If circumstances arise that necessitate a longer time frame, approval must be granted by the requesting officer's Lieutenant with the concurrence of the District Attorney's office. It is the responsibility of the Lieutenant to ensure the arrest

is ultimately made within the specified time frame.

.20 Entry With an Arrest Warrant

Officers may generally enter a suspect's own private dwelling, to make an arrest, in accordance with the procedures in the following paragraphs.

Suspect's Home/Circumstances, when officers may enter:

- Probable Cause - Officers may enter a suspect's home to arrest a suspect if they have probable cause to believe that the suspect is in the home
- Consent - Officers may enter a suspect's home to arrest a suspect if voluntary consent by an occupant of the home is given
- Search Warrant - Officers may enter a suspect's home to arrest a suspect if they have obtained a search warrant authorizing them to search for and seize the suspect
- Exigent Circumstances - Officers without an arrest warrant may enter a suspect's home to arrest him or her if exigent circumstances exist.

Third party's home/Circumstances when officers may enter:

- Search Warrant - Officers may enter a third party's home to arrest a suspect if they have obtained a search warrant authorizing them to search for and seize the suspect
- Consent - Officers may enter a third party's home to arrest a suspect if voluntary consent, by an occupant of the home, is given
- Exigent Circumstances - Officers may enter a third party's home to arrest a suspect if exigent circumstances exist.

It is preferable to obtain a written search waiver from the person granting consent. When consent is obtained, the officer should document the circumstances of the entire contact including:

- when, where, and why the contact was made;
- who was contacted;
- what their "status" was;
- how was the consent obtained;
- how was the consent given, and
- who witnessed the consent

Officers may document this information in the narrative portion of the custody report or, if necessary, on a supplement to the original case. If no report exists (e.g., outside agency assist), officers will initiate an offense report.

.22 Entry Without an Arrest Warrant

Officers must have an arrest warrant or consent to arrest a suspect in his home unless exigent circumstances exist. In order to arrest a suspect in a third party's home, officers must have both an arrest warrant and a search warrant, or consent, unless exigent circumstances exist.

.24 Entry Into A Private Dwelling To Make An Arrest

When entrance to a suspect's dwelling is necessary to make an arrest pursuant to an arrest warrant, or when it is necessary to enter a third-party dwelling with both an arrest warrant and a search warrant, the following procedures will be adhered to:

- Knock on the door and announce your authority and purpose.
- Demand entrance.
- Wait a reasonable amount of time.

Once an officer's demand for entrance is acknowledged and the door opened, officers will use only that force reasonably necessary in making the arrest or overcoming resistance to the arrest.

Exceptions: An officer need not "knock and announce" whenever the circumstances known to the officer at the time of entry (but, in the case of a warrant, unknown at the time the warrant was obtained) give the officer probable cause to believe that:

- Notice is likely to allow the party to escape
- The suspect would try to escape
- There is imminent danger to officers or others
- Evidence would be removed or destroyed
- Notice would be a useless gesture

If these elements are known beforehand, refer to G.O. 743 .40 regarding no-knock search warrants.

In any case, officers will document all circumstances pertaining to the manner of entrance. Officers may document this information in the narrative portion of the custody report or, if necessary, on a supplement to the original case. If no report exists (e.g., outside agency assist), officers will initiate an offense report.

.25 Exigent Circumstances

Officers may enter to make a warrantless arrest in a suspect's private dwelling when an emergency situation requiring swift action exists and the emergency situation pertains to the prevention of the following:

- Imminent danger to life (Example: Entry under circumstances that indicate a life is in danger, such as cries for help, gunshots, fire.)
- Escape of the suspect (Example: Entry in hot pursuit where the suspect flees into

his/her own home to escape the police, or to evade an arrest on the street.)

- Destruction of evidence (Example: Entry into suspect's home after overhearing a conversation from outside that the suspect is about to destroy evidence, or reliable information that the suspect is presently about to destroy evidence).

When a warrantless arrest in a suspect's home is made, officers will report the circumstances surrounding the arrest and document the presence of emergency circumstances on a supplemental report to the original case. If no report exists (e.g., outside agency assist), officers will initiate an offense report.

The seriousness of the offense involved is a factor courts will consider when evaluating the reasonableness of a warrantless entry. Courts will generally not uphold warrantless entries when a "minor" crime is involved. Courts have not precisely defined the difference between "minor" and "major" crimes.

.26 Warrantless Arrest Of Persons In Private Dwellings

When a lawful entry into a private dwelling has been made and officers observe a violation committed by a person inside the private dwelling, or establish probable cause that a person has committed an offense, that person can be arrested.

Examples of Lawful Entry:

- Pursuant to a search warrant
- Pursuant to an arrest warrant for a different offense
- Pursuant to consent of an occupant, and absent any contemporaneous objection from any co-occupant
- Pursuant to a routine investigation of a crime
- Pursuant to a citizen's call for assistance

.28 Force Used To Enter

Officers may use necessary and reasonable force in entering a private dwelling to make an arrest under the following circumstances.

- Pursuant to an arrest warrant with probably cause that the suspect is in his home, and the officers receive no response to a "knock and announce" procedure after waiting a reasonable period of time.
- Pursuant to an arrest warrant and a search warrant at a third party's home, and the officers receive no response to a "knock and announce" procedure after waiting a reasonable period of time.

In any case, officers will document the circumstances surrounding the use of force to enter on a supplemental report to the original case. If no report exists (e.g., outside agency assist), officers

will initiate an offense report. If damage is done to non-police property, officers will follow the guidelines outlined in G.O. 330, Damage to Non-Police Property.

.29 Knock and Talk

Knock and Talk contacts typically occur when officers are making an inquiry at a residence based on information or circumstances they have witnessed or have been advised of. The information and/or circumstances the officer is aware of may not even rise to the level of reasonable suspicion, therefore the contact is being made with no legal authority. It is critical that officers not act in any way that could be construed as coercive or intimidating. If the citizens being contacted are compelled, in any manner, to do something at the direction of the police in the absence of probable cause, reasonable suspicion or exigent circumstances, any subsequent search and seizure may be determined unlawful. Based on this, the following guidelines should be adhered to:

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When officers conduct knock and talks between the hours of 11:00 PM and 2:00 AM, they need to be convinced that obvious indicators are present that reflect person(s) within the residence are awake and active, i.e., porch light on, blinds open, interior lights on, etc. In the absence of these indicators, the officer(s) must have an articulable pressing need for the action. Between the hours of 2:00 AM and 7:00 AM, the above factors must be met along with the supervisory approval.

- Officers must articulate why the knock and talk could not have occurred during the daylight or early evening hours, i.e., surveillance shows that the occupants are present only at night, etc.
- Officers must announce themselves only as police, CSPD or Colorado Springs Police Department. No commands, i.e., "police, come to the door", or "open the door", etc.
- Do not open any outer doors such as a screen door or a storm door.
- No excessive knocking, doorbell rings, shining lights in windows, knocking with flashlights, bullhorns, etc. The officer(s) must articulate it was reasonable given the circumstance.
- Officers must be extremely articulate in their reports: time of day, how many officers, uniform or not, weapons displayed (standard sidearm, shotgun, rifle, etc.), stance, demeanor, porch light, interior lights, noise (TV, stereo, etc.), reason for presence, defendant's dress, others in the home and their position and dress, etc. Ultimately, the officer(s) must be very clear that they were not coercive in their demeanor, tactics or presence.

.30 The Decision Not To Arrest

Some circumstances may furnish grounds for a lawful arrest, but better police practice may dictate that the offender not be arrested. In most cases, it is not the role of a police officer to

decide whether an offense should be prosecuted; that is the responsibility of the District Attorney. Any decision not to arrest must be reached only after the officer has carefully weighed the circumstances.

.40 Release Of Persons Arrested On Felony Charges

No person arrested for any felony violation shall be released without posting the appropriate bond, except upon order of competent supervisory authority. Supervisory officers shall order the release of an arrested person if, after reviewing the circumstances, they determine that probable cause does not exist or that other conditions (e.g. investigative considerations) dictate that the person should not be arrested at the present time.

Occasionally, circumstances may indicate that persons accused of certain felony crimes should be issued a felony summons in lieu of arrest. Categories eligible are: Class IV, V, or VI felonies, or unclassified felonies punishable by a maximum penalty of ten years or less, as mandated by C.R.S. 16-5-206. This decision can be made only by the District Court upon application by, and with the consent of, the District Attorney.

Whenever an officer believes a situation should most appropriately be handled through the use of a felony summons, the officer should consult with his/her supervisor and the District Attorney's Office before proceeding to the arrest phase of the investigation.

It should be noted that any other type of pretrial release of arrested persons is the responsibility of the El Paso County Sheriff's Office, the Fourth Judicial District Attorney, and/or the District Court.

.45 Colorado National Guard Warrants

Officers, warrant officers, and enlisted men of the Colorado National Guard, may be placed under arrest by their military superiors for violations of the Colorado Code of Military Justice, based upon probable cause.

A commanding officer may authorize the issuance of an arrest warrant that will specify the name of the soldier to be arrested, the name of the Commanding Officer who issued the warrant, and the location where the individual is to be transported.

CSPD Officers, if requested, will assist in the apprehension of the soldier. Once the warrant has been confirmed, the soldier will be transported and released to the Commanding Officer at the designated location. In the event that the Commanding officer is not available, CSPD Officers will book the soldier into the El Paso County Criminal Justice Center on the charge of Apprehension and Restraint 28-3.1-107 C.R.S.

A case report shall be initiated entitled, "Apprehension and Restraint". The case report will document the name of the Commanding Officer, arrestee, date and time that assistance was requested, date and time that the assistance ended, and any mileage incurred during transport.

The Fiscal Services Section shall then bill the Office of the Adjutant General of the Colorado National Guard for fees and mileage.

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Colorado Spring Police Department

General Order 762

-- Mass Arrests

Active date: 11/17/2008 9:36:07 AM

Supersedes date: 4/16/1989

.01 Purpose

To set policy and procedures for multiple arrests.

.02 Cross Reference

G.O. 740, Determining Probable Cause

G.O. 760, Physical Arrest

G.O. 480, Civil Disturbances and Demonstrations

G.O. 450, Tactical Enforcement Unit

~~CSPD Unusual Occurrence Manual~~

~~Emergency Operations Plan~~

~~CALEA Standard 46.1.3~~

.03 Discussion

The necessity to arrest groups of people poses special problems for police agencies. Demonstrations, sports events, and other crowd-drawing activities, can provide a setting that encourages violations, while providing anonymity. Actions of law enforcement officers may, themselves, serve as catalysts for further violations. In such situations, coordination is essential to avoid escalating the situation. A scene commander must determine whether the desirability of arresting violators outweighs the potential for escalation of conflict. When arrests become necessary, officers must remember that the requirements of probable cause have to be satisfied for each individual arrest. Generalized situational conditions cannot be substituted for specific evidence.

.04 Policy

When arresting groups of people, sufficient evidence must be gathered to establish probable cause for arresting each person who is taken into custody. Probable cause includes evidence of

disorderly actions, prior to arrest, as well as identification of each person.

.05 Definitions

This space intentionally left blank.

.10 Initial Contact

Prior to executing mass arrests, preparations should be made to ensure that an adequate number of personnel are available and that they are briefed on mass arrest procedures. [Section VI of the CSPD Unusual Occurrence Manual](#) The CSPD Emergency Operations Plan outlines specific procedures concerning pre-arrest preparations, equipment and supplies, arrest procedures, establishment of a Field Jail Unit, evidence collection and other administrative activities.

If mass arrests for nonviolent minor offenses appear imminent, the supervisor in charge, at the scene, shall approach the demonstration or other center of activity and shall direct that all violations be corrected immediately. The City Attorney's Office will be contacted and a liaison from the City Attorney's Office will be required at the site of the mass arrest processing.

.20 Order To Disperse

If the leaders do not comply with the directives, the supervisor in charge shall publicly give, to the crowd, an order to disperse (see G.O. 480 Civil Disturbances and Demonstrations).

.25 Time For Compliance

The supervisor in charge shall wait a reasonable length of time for compliance. If the crowd does not disperse, repeat the order. If tape or video equipment is immediately available, both of these announcements, along with any statements by the demonstration leadership, should be recorded as evidence, if possible.

.30 Equipment

All Patrol Sergeants will be responsible for carrying workable 35 mm cameras and sufficient color film to photograph officers with arrestees. If a mass arrest situation is anticipated, and time permits, Polaroid cameras are available at Police Division Substations. Mass arrest kits are also available at each patrol division. The kit contains a camera, evidence envelopes, flexcuffs and permanent markers.

.35 Photographs and Evidence

The supervisor in charge at a mass arrest scene will be responsible for assigning the duty of photographing officers with arrestees. An identifier, type to be determined by the Field Commander, will be used for future suspect identification. This identifier is to be included in photographs. This procedure provides future identification during processing and

prosecution.

Depending upon the number of arrests to be made, the establishment of a Field Jail Unit as described in [section VI of the Unusual Occurrence Manual Emergency Operations Plan](#) may be necessary. Procedures outlined in the [Unusual Occurrence Manual Emergency Operations Plan](#) should be followed with respect to searching and photographing arrestees, processing related evidence, completing summonses and any associated case reports. Felony arrests and juvenile arrests require special procedures as specified in the [Unusual Occurrence Manual Emergency Operations Plan](#).

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Colorado Spring Police Department

General Order 765

-- Forceful Arrest, Detentions and Contacts with Non-compliant Parties

Active date: 6/21/2006

Supersedes date: 7/14/2004

.01 Purpose

To establish policy and procedures governing [forceful](#) police response to resisting, [obstructing, interfering, and non-compliant parties](#)~~obstruction and interference~~.

.02 Cross Reference

All General Orders in this Section 7, Force, Detention, and Arrest

G.O. 1910, Employee Injury Reporting

G.O. 1917 Early Intervention Program

SOP P1-126 Field Medical Clearances

[CALEA Standard 1.3.6](#)

.03 Discussion

This space intentionally left blank.

.04 Policy

When encountering [defensive](#) resistance, active aggression, or aggravated active aggression to ~~;~~ ~~or interference with~~, legitimate law-enforcement efforts, officers may use ~~that reasonable and~~ appropriate physical force which is necessary to [gain compliance](#), effect an arrest, prevent an escape, or defend themselves from the use of, or imminent use of physical force by others. The nature and degree of force used by officers must be in direct response to the actual or imminent use of force being used against them, and must [de-escalate or](#) cease ~~after-once~~ the offender has ~~been rendered incapable of further resistance~~ [become compliant, or has stopped physically resisting, or is no longer a threat to cause harm to officers or others](#) . Use of physical force should also comply with the Use of Force Continuum using the Situational Force Model shown in General Order 705.

.05 Definitions

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.10 Case Report

Whenever an officer charges a person with Resisting an Officer or Assaulting an Officer, under City Ordinance 9.3.101(a), with Interference under 9.3.101(b), or with Resisting Arrest under CRS 18-8-103, or Obstructing a Peace Officer under CRS 18-8-104, the officer will document the circumstances in an Offense Report, which will bear the title of the particular statute charged. In situations where the use of force was observed by independent witnesses such as citizens, fire and ambulance personnel, etc., officers should make every reasonable effort to locate and identify those witnesses, and will include this information in the offense report. In cases of Resisting and Interference, the victim should be listed as The City of Colorado Springs. When Officers are assaulted, the victim should be listed as the individual officer(s). Other officers that are directly or indirectly involved to the incident, as either a party to the charges or as a witness, will document their actions and observations on an offense supplement report.

.15 Response to Aggression Form

Each officer who used force to effect the arrest of a suspect(s) during an incident must complete a Response to Aggression Form documenting the level of force used by the suspect and officer during the incident.

~~Whenever an officer charges a person with Resisting an Officer or Assaulting an Officer, under City Ordinance 9.3.101(a), with Interference under 9.3.101(b), Resisting Arrest under CRS 18-8-103, Obstructing a Peace Officer under CRS 18-8-104, or Assaulting a Peace Officer under CRS 18-3-202 (Assault in the First Degree) or 18-3-203 (Assault in the Second Degree), the officer will complete a CSPD Response to Aggression form Use of Force Report. This report will bear the report number of the original case report. Each officer who used force to effect the arrest of the suspect(s) during this incident must complete a Response to Aggression form Use of Force Report documenting the level of force used by the suspect and officer during the arrest(s).~~

.20 Photographs

At the time of arrest processing, color Polaroid photographs will be taken of all persons arrested for offenses listed in Paragraph .10 above, whether or not they display visible injuries, to document the presence or absence of visible injuries. If the persons arrested display visible injuries, photographs should be taken before and after medical treatment or cleanup. If any officer has sustained visible injuries, Polaroids of the officer will also be taken. All Polaroids will be signed by the police employee taking the photograph. That employee's name will be included in the case report, and the photographs will be placed into evidence following normal procedures. Color 35mm photographs may be taken to supplement the Polaroids, as deemed necessary, on a case-by-case basis, to establish the presence, severity, or absence of injury.

.30 Injury

In case of injury to a citizen involved in a resisting, obstructing, or interference situation, Department policy pertaining to medical care will be followed. See G.O. 773, Sick or Injured Prisoners and SOP P1-126, Field Medical Clearances. The arresting officer will forward one copy of the custody report, and/or offense report, to the Financial Services Unit.

.40 Supervisor's Responsibility

An on-duty supervisor will personally respond for an initial evaluation of any case in which an officer, arrestee, or other person incurs any physical injury as a result of enforcement action. The supervisor will supplement the officer's case report, when appropriate. If the responding supervisor is outside the arresting officer's direct chain of command, s/he will insure that a copy of all relevant documentation is forwarded to the officer's immediate supervisor as soon as possible.

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Colorado Spring Police Department

General Order 770

-- Prisoner Processing

Active date: 5/11/2007 7:46:32 AM

Supersedes date: 4/11/2005

.01 Purpose

To state procedures for taking prisoners into custody and placing them in detention.

.02 Cross Reference

G.O. 773, Sick or Injured Prisoners

G.O. 760, Physical Arrest

G.O. 775, Searching of Prisoners

[G.O. 831, Collection of Physical Evidence](#)

[G.O. 833, Evidence Office Procedures](#)

SOP P1-13, Holding Cell Operation

SOP PM1-04, Holding Cell Operation

SOP PM1-10, Prisoner Transportation

.03 Discussion

Although principles pertaining to transport of prisoners seldom change, specific procedures may vary somewhat, according to the type of vehicle used. This General Order applies to transportation of prisoners in police cars, either marked or unmarked. Persons transporting prisoners in the Marshals Unit van should refer to SOP PM1-10, Prisoner Transportation, for conditions specific to transportation by van. Procedures for responding to the escape of prisoners, during transportation and from holding facilities, are also included.

.04 Policy

The Department has a responsibility to the community to ensure that an arrestee is properly controlled and processed. Control may mean mere guarding or may require physical restraint.

Processing includes obtaining information about the arrestee and the incident, completing appropriate forms, physical incarceration in an appropriate place of detention, and any necessary transportation.

.05 Definitions

This space intentionally left blank.

.10 Preventing Escape

When an officer makes an arrest or for any other reason has a person in custody who is not confined to a jail or other secure facility, the officer will ensure that the prisoner is in sight continuously and will use the utmost precautions to prevent escape. All marked vehicles used to transport prisoners will have a barrier that prevents physical contact between the prisoner and driver. In addition, doors and windows of the prisoner compartment, in all such vehicles, will be rendered inoperable from inside the compartment. No relatives, attorneys, or other associates of a prisoner are authorized to accompany a prisoner in the transport vehicle.

.20 Procedure Immediately Following Arrest

When an arrest has been made, the officer making the arrest will immediately, if possible and practical, do the following:

- Inform the arrestee of the charge
- ~~Conduct a thorough search to ensure the safety of the officer and others.~~
- ~~Prior to conducting a search, handcuff the offender, behind the back, and double-lock the handcuffs. if there is a danger of escape or if the prisoner poses a danger to the safety of the officer or others. Handcuffs will be used as a restraint in any situation where such action is considered warranted.~~ Handcuffs may be used any time an officer has detained or arrested an individual if the officer believes it is necessary for his/her safety or to prevent an escape. All felony arrestees will be handcuffed before being placed in a Department vehicle.
- ~~Conduct a thorough search of the offender to ensure the safety of the officer and others.~~
- Search the prisoner compartment of the vehicle to ensure that it contains no evidence, contraband, weapons, or potential weapons. This is an ~~precaution for~~ officer safety precaution and also allows the officer to testify that no items were inside the prisoner compartment of the vehicle prior to the prisoner being transported. This will be important if contraband or other items are found in the prisoner compartment after the prisoner has been transported. ~~for later documenting that any items found in a search after transporting were not previously there.~~
- After transporting an arrestee, thoroughly search the vehicle for evidence, weapons or contraband that may have been discarded during transportation.

.22 Escapes During Transport or from a Holding Facility-Inside Colorado Springs City Limits

A transporting officer shall take all reasonable and necessary precautions to avoid prisoner escapes and attempted escapes. In the event of an escape, officers will immediately notify the Communications Section of the following information:

- Location of the escape
- Physical description and name of the escapee
- Escapee's direction and method of travel
- The crime for which the escapee was in custody, and whether weapons and/or accomplices were involved
- Any injuries to officers or escapee, and whether medical assistance is required

During transport, under no circumstances will any remaining prisoners be left unguarded to pursue an escapee. Officer will secure any other prisoners.

The Communications Section will simulcast the information, assign backup units, and notify the appropriate Field Supervisor. Notification to outside law enforcement agencies should be made, when appropriate.

If the escapee is taken into custody, proper notifications to those officers, units, or other law enforcement agencies involved shall be made by the Communications Section. [The field supervisor overseeing the response to the escape](#) ~~police dispatcher~~ shall assign a patrol officer to investigate the escape, or attempted escape, and prepare an appropriate police report.

.24 Escapes During Transport-Outside Colorado Springs City Limit:

The transporting officer will initiate the notification procedures to the Communications Section, as in paragraph .22 above.

The Communications Section will notify the law enforcement agency in whose jurisdiction the escape occurred, and request that agency to complete an escape report.

The Communications Section will also notify the appropriate Field Supervisor, who will notify the shift lieutenant. The shift lieutenant will determine if a supervisor, and/or other units, should be sent to the scene.

In all incidents involving escapes, occurring outside CSPD jurisdiction, the transporting officer(s) will prepare a memorandum to be sent, with all other reports of the incident, to the Office of the Chief of Police.

.25 Transportation in a Caged Vehicle:

A prisoner being transported in a caged vehicle should be seat-belted in the back seat [on the right side](#). The transporting officer(s) may remain in the front seat, unless it is necessary to place an

officer in the back with a prisoner to calm a violent situation.

.26 Transportation in a Vehicle without a Cage:

Unless authorized by a Staff Officer, prisoners will be transported in a caged vehicle. If a vehicle without a cage must be used, the following guidelines apply:

- A prisoner being transported by one officer will be seat belted in the right front seat.
- A prisoner being transported by two officers will be seat belted in the back seat, right side. One of the officers will ride in the back seat, left side.
- When two prisoners are transported, there must be two officers. One prisoner will be seat-belted in the right front seat, and the other in the right back seat. One officer will ride in the left back seat.
- The prisoner to officer ratio must not exceed one to one.
- Violent or high risk prisoners will not be transported in a vehicle without a cage.
- Officers shall keep their firearms from being accessible to the prisoner(s) at all times.

.30 Conduct During Transport:

The transporting officer will always be aware of the prisoner's location and actions. The prisoner will not be left unattended in the transport vehicle. During the transport, the officer will maintain as much visual contact with the prisoner as safety allows.

The safety and security of the prisoner and the welfare of the public must be considered in any actions taken by the transporting officer. Generally, officers will not stop to render assistance or become involved in a law enforcement situation during a transport, unless confrontation with a particular situation is unavoidable, or there is clear and present risk of serious bodily injury or death to some person.

During the transport, a prisoner should not be allowed to communicate with other persons unless the transporting officer believes it is necessary. Arrangements for bond or attorneys can be made after arriving at the holding facility.

Upon arriving at the facility, the transporting officer will follow the rules and policies of that facility. Transporting officers should be mindful of securing their weapons before entering the holding cell area. Officers shall remove restraining devices just prior to placing the prisoner in the cell. If the prisoner presents a danger to Officer(s) or themselves, the prisoner may be restrained for safety reasons. Restraints may include, but are not limited to, a restraint belt/chain, leg shackles, safety helmet and handcuffs, etc.

The transporting officer will obtain a signature from a member of the agency accepting delivery of the prisoner.

.40 Transports from CSPD Holding Facilities to another Facility:

When an officer transports a prisoner from any CSPD holding facility to any other facility, s/he will assure the delivery of all necessary documentation.

.45 Special Transportation

Special circumstances may require transportation of a prisoner to a location other than a detention or medical facility. Procedures for the transporting officer will be defined by the appropriate Field Supervisor before beginning the transport. These procedures will vary with the situation and location but should, at a minimum, include:

- Assigning a sufficient number of officers for security.
- Specifying with whom the prisoner may have verbal or physical contact.

.60 Restraining Devices-Special Situations

Use of restraining devices other than handcuffs, such as leg restraints, is governed by considerations of safety for the officers and others, and shall be at the transporting officer's discretion. Officers should take care, when transporting handicapped or injured arrestees, to use these devices humanely, but should not assume that an injury or a handicap rules out their use if the officer reasonably believes an arrestee may pose a threat to any person's safety.

Officer(s) are prohibited from the use of Hog Tie restraints on any person. Hog-tying is defined as the practice of securing a subject with a chain, rope, or other device between a leg (ankle) restraint and connected to handcuffs behind the back.

Hobbling the legs or ankles is acceptable, as long as they are not connected to the handcuffs behind the back. The restraint on the ankles should allow for at least an 18" step when walking, allowing the subject to walk a modified normal step, but limiting the subject's ability to kick or escape custody.

.62 Physically and/or Mentally Handicapped Prisoners:

Physically and/or mentally handicapped prisoners may require some considerations not normally used in prisoner transportation, for the safety and well-being of the officer and the prisoner.

When dealing with a mentally ill or mentally handicapped prisoner, the officer shall do the following, at a minimum:

- Handcuff the individual behind the back and double-lock the handcuffs
- Remove personal property and conduct a thorough search for weapons at the scene
- ~~Handcuff behind the back and double lock the cuffs. Transport in a caged, marked patrol vehicle.~~
- Seat-belt the subject in the patrol vehicle
- Transport in a marked vehicle with a cage

- Upon arrival at the holding cell or other detention facility, remove belt, shoes, coats, etc., and search again for weapons or any items of personal property.

A handicapped prisoner may need special treatment for a number of reasons; for example, handcuffs may not be usable because of the nature of the handicap. Soft restraints may be an alternative. Casts, braces, or artificial limbs should be examined for hidden weapons. Alternative equipment, such as crutches, wheelchairs, or other items may be required.

If it is necessary that medicine or other special items be transported for a prisoner, immediately notify the Field Supervisor, who will either authorize the transport or will make arrangements to have the items transported.

.70 Transporting High-Risk Prisoners to Court or other Facilities

Arresting officers are required to inform the appropriate Field Supervisor of any security risks pertaining to a particular prisoner who is to be transported by another officer. This includes prisoners believed to be suicidal as well as those believed to be escape risks. Such traits will be noted by the arresting officer in the narrative section of the custody report. The custody report will accompany the prisoner being transported to another facility. The Field Supervisor will verbally advise the transporting officer(s) before any high-risk prisoner is transported.

.75 Transporting Prisoners of Opposite Sex

~~Whenever practical possible, to avoid allegations of employee misconduct, prisoners will be transported by a person of the same sex or by two persons. In all instances, When transporting a prisoner of the opposite sex, the driver shall inform Communications of the vehicle mileage at the starting point and again at the destination, and identify any accompanying person. Communications shall record the mileages, the times of departure and arrival, and the names of persons transporting. The requirement to provide this information to the Communications Center does not apply to non-patrol units (e.g. the Marshals Unit) that have the capability to monitor transport vehicles on an alternative radio talk group.~~

.80 Processing for Investigation Purposes:

An officer who makes an arrest on a felony charge is responsible for appropriately processing and interrogating prisoners. In complex cases, the officer may contact, or cause to be contacted, the appropriate ~~field supervisor who in conjunction with an~~ Investigations Unit Supervisor or designee, ~~to will~~ determine whether the arrestee should be interrogated by Investigations personnel before being transported to the detention facility. If Investigations personnel are not to become immediately involved, and the Investigations Unit Supervisor does not indicate otherwise, the arresting officer may interrogate the arrestee. ~~at the detention facility or a Department building.~~

.85 Processing at Booking

When presenting a prisoner for booking at the detention facility, officers will follow these procedures:

- Complete all appropriate forms, as fully as possible.
- Inventory the prisoner's money, and record the amount on the appropriate form.
- Process all personal property items in accordance with Sheriff's Office regulations and leave them at the detention facility. **Items of evidentiary value and items of personal property not accepted by the Sheriff's Office** ~~Only items that have value as evidence~~ shall be placed in the CSPD Custodian's Office.
- In addition, officers will abide by other rules pertaining to prisoner processing that have been established by the El Paso County Sheriff's Office.

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Colorado Spring Police Department

General Order 771

-- Municipal Court Arrest Warrants

Active date: 12/17/2006

Supersedes date: 4/30/2001

.01 Purpose

To establish guidelines and procedures for processing suspects arrested on municipal court warrants with a bond of \$200 or less.

.02 Cross Reference

G.O. 740, Determining Probable Cause

G.O. 760, Physical Arrest

G.O. 770, Prisoner Processing

.03 Discussion

The following procedures were designed to help streamline the system and reduce the amount of processing time for Colorado Springs Municipal Court warrants only. This procedure does not apply to any other warrants.

.04 Policy

Officers may use the normal booking procedures for any person arrested on a Colorado Springs Municipal Court Warrant if the officer determines that process to be advisable. However, some alternatives are available to simplify matters in certain circumstances. Selection of an alternative procedure is a matter of officer discretion based upon the officer's professional judgment.

.05 Definitions

This space intentionally left blank.

.10 Procedure

When officers arrest a person upon outstanding municipal warrants of \$200.00 or less and the arrested person has proper identification, providing there are no other circumstances that would require detention, the officer or PSR will:

- Complete a PR bond form, one form per case, and give the suspect a court date of no less than 2-~~4~~ weeks, or more than 3 weeks in the future, ~~Tuesday Monday~~ through Thursday, (Excluding Holidays).
- Set all ~~criminal and traffic~~ cases (~~juvenile and adult~~) into court at 1:30 p.m. and leave the Division blank. Court personnel will assign the Division when the person arrives in court.
- ~~Set all traffic cases (juvenile and adult) with last names starting with the letters A-O into court at 8:30 am and traffic cases with the last names starting with the letters P-Z into court at 1:30 pm, and leave the Division blank. Court personnel will assign the Division when the person arrives in court.~~
- At Any Time: Processing at a patrol substation will be used if the bond is \$200 or less.
- During normal business hours (8:00 a.m. to 4:00 p.m.): The officer may transport the person to the Municipal Court Warrant Section (224 E. Kiowa, Rm. # 108) if the bond is payable, or the bond is over \$200.00, and the person has the ability to immediately pay the bond.
- The officer will complete a Custody Sheet and will sign the ~~copy three (3) copies~~ of the cancelled warrant(s) plus the PR Bond.
- The arresting officer or PSR should fax all PR bond paper work to the Municipal Court Clerk ~~'s~~ Office at fax number ~~444-2320-385-6190~~ .

.11 Multiple Warrants

If a defendant has more than one municipal bench warrant, and all are \$200.00 or less (per case not total sum of all the bonds), and there are no other circumstances that would require detention, a PR bond will be given for each case.

If a defendant has more than one municipal bench warrant, any of which is over \$200.00, the defendant will be taken to county jail on all municipal bench warrants. Do not issue a PR bond on the cases that are under \$200.00.

.12 Juvenile Defendants

If a juvenile defendant is detained on a municipal bench warrant, regardless of amount, the juvenile will be given a PR bond. A ~~parent/guardian must sign the PR Bond as surety. can be released without a parent or legal guardian present; however, every effort to locate a parent or legal guardian will be made by the officer~~ . If a bench warrant shows total payable as NO PR, they will be taken to Spring Creek Detention Center, located at 3190 E. Las Vegas St..

For a juvenile defendant that has refused to cooperate with the Municipal Court process, the

municipal judge may order a ♦No PR Bond♦ and require that they be detained by Spring Creek until the next municipal docket. Officers should transport those offenders to Spring Creek, with the appropriate paperwork, and place them in Spring Creek on a ♦No PR Bond♦, per Municipal Court. [In all instances, the DSJ screener must be contacted prior to transporting a juvenile to Spring Creek.](#)

If a juvenile detained on a municipal bench warrant is found to be a SHO/DI, the Juvenile Offender Unit and the DSJ Screener will be contacted for further instructions. If there are any questions as to a detained juvenile, the officer will contact the DSJ Screener for guidance.

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Colorado Spring Police Department

General Order 773

-- Sick or Injured Prisoners

Active date: 8/22/2006

Supersedes date: 8/12/2002

.01 Purpose

To specify procedures for obtaining medical care for sick or injured prisoners and for disposition.

.02 Cross Reference

G.O. 760, Physical Arrest

G.O. 770, Prisoner Processing

G.O. 775, Searching of Prisoners

SOP P1-23 Wanted Persons/Vehicles

SOP P-1 126, Field Medical Clearances

SOP P1-157, Hospital Guard Duty

.03 Discussion

This space intentionally left blank.

.04 Policy

Sick or injured arrestees will usually be transported to Memorial Hospital for medical treatment. An ambulance or police vehicle may be used for transporting, depending on the prisoner's condition. In serious medical emergencies, medical personnel (paramedics or physicians), when on scene, will determine the most appropriate hospital. If medical personnel are not on scene in such emergencies, and police transport is necessary, the nearest trauma hospital will be used. Subsequent disposition will be determined by a combination of factors as outlined in this General Order.

.05 Definitions

This space intentionally left blank.

.10 Initial Actions at Hospital

Upon arrival at a medical facility, the officer transporting the prisoner will follow these preliminary procedures:

- Advise hospital emergency room of the prisoner's presence.
- Complete all appropriate hospital forms in accordance with hospital procedures.
- Ensure that the prisoner remains under control during the preliminary processing.
- Determine as soon as possible if the arrestee is going to be admitted or treated and released. When the preliminary tasks have been completed, the officer having custody of the prisoner will ensure that the appropriate dispositional procedure below is followed.

Officers transporting or accompanying a violent suspect to a medical facility for treatment will stand by until medical treatment is completed.

.20 Misdemeanor Crime-Suspect not Admitted

The officer having custody of the suspect will gather sufficient information to accurately identify the suspect. The officer may then issue a Summons and Complaint, unless the circumstances of the incident, or the need to further identify the suspect or further assurance of court appearance indicates that booking is appropriate. If the suspect is issued a Summons and Complaint, the appropriate hospital personnel will be advised that the suspect may be released upon completion of medical treatment. If the suspect is to be booked, the officer will stand by until medical treatment is completed and then book the suspect.

.22 Misdemeanor Crime-Suspect Admitted

The officer having custody of a conscious suspect will gather sufficient information to accurately identify the suspect and may then issue a Summons and Complaint. When a suspect is unconscious and unable to sign a Summons and Complaint, as much information as possible will be obtained about the suspect's identity and a complaint may be obtained at a later time. If the circumstances of the crime indicate that booking is appropriate, the officer will make a hospital hold order in duplicate; one copy to the hospital, the other copy to the area command to which the arresting officer is assigned. Each area command will maintain a central file for active hospital hold orders, typically at the duty desk.

A personal pickup will be prepared and submitted to the Records/ID Section along with the original Summons and Complaint and/or PC Affidavit, noting the name of the hospital and the suspect's room number in the "miscellaneous" section of the pickup. A reference copy of the charging documents will be maintained along with the Hospital Hold Order at the arresting officer's area command until the suspect is released from the hospital and arrested.

.30 Felony-Suspect not Admitted

The officer having custody of a felony suspect will stand by until completion of medical treatment and then process the suspect in accordance with established procedures.

.32 Felony(Non-Violent Crime)-Suspect Admitted

Whenever a suspect of a non-violent felony crime is admitted to a hospital, the officer involved will immediately notify a patrol supervisor and will remain with the suspect until officially relieved.

Upon notification, the supervisor will evaluate all available information about the suspect and about the alleged crime. This information will be used to consider eliminating a guard on the suspect. Among all pertinent information considered shall be the following:

- The type of non-violent felony suspected.
- A verified current local address.
- Current employment status and location of employment.
- Whether there is reason to believe the suspect would not appear in court when instructed to do so.

If all this information can be verified and is satisfactory, the supervisor has discretion to determine that a guard will not be posted. If this decision is made, the supervisor shall instruct the on-scene officer not to make an arrest but to obtain all information necessary for booking.

The officer shall obtain the information and shall request that hospital staff notify the duty desk of the area command to which the arresting officer is assigned, prior to releasing the suspect.

Before going off duty, the officer shall complete an offense or accident report, as appropriate, and shall collect all information necessary for a Probable Cause Affidavit, preliminary information sheet, and custody report. The officer will prepare a personal pickup for the suspect and submit it along with the original charging documents to Records/ID Section, noting the name of the hospital and suspect's room number in the "miscellaneous" section. The officer will prepare a "Hospital Hold Order" in duplicate, leaving one copy with the suspect's hospital chart and the other copy [maintained](#) at the area command to which the arresting officer is assigned.

Reference copies of the charging documents will be attached to the hold order maintained at the area command. Copies of all documents will immediately be forwarded to the appropriate Investigations Unit if the offense was criminal or to the [appropriate traffic supervisor Major Accident Unit](#) if traffic-related.

The receiving [unit component](#) shall assign someone to present the case to the District Attorney's filing deputy. A felony summons or a warrant application and affidavit will be completed as appropriate. When the felony summons or warrant has been obtained, or when the suspect is released from the hospital and booked into CJC on the PC Affidavit, the officer completing this action will cancel the personal pickup in Records/ID Section and discard the copies maintained at the area command.

During normal business hours, the involved supervisor shall notify the appropriate investigations or [traffic Major Accident Unit](#) supervisor that a suspect is in hospital care. After normal working hours, the supervisor shall arrange for appropriate notification at the start of the

next business day, by a supervisor on duty at that time. On weekends, the appropriate on-call ~~traffic Major Accident Unit~~ or investigations supervisor shall be notified.

Upon review by the filing deputy, the presenting ~~traffic investigator Major Accident Unit~~ or investigations officer will request that a felony summons be issued in lieu of an arrest warrant (if appropriate). If possible, the summons shall be served upon the suspect at the hospital, but may be served elsewhere if the suspect is no longer at the hospital.

Upon receiving notice from the hospital that the suspect will be released, a supervisor shall immediately relay the information to the appropriate ~~traffic~~ supervisor/investigator ~~Major Accident Unit~~ or investigations unit. ~~or officer.~~

The need to ~~either~~ post or remove a CSPD guard from a non-violent prisoner must be periodically reassessed in light of changing circumstances and medical conditions. If a guard was initially posted, the division commander of the initiating division or designee will review the need to continue the guard at least once every three days, and will consult with other impacted operations, such as the investigative unit handling the felony case, other patrol divisions, etc., as necessary.

When circumstances dictate that a guard is no longer necessary, it will be removed. When no guard was initially posted, any CSPD supervisor who is notified of changing circumstances which might require a guard, ~~one~~ will re-evaluate the situation and arrange for CSPD guards if necessary.

.37 Felony (Crime of Violence)-Suspect Admitted

The officer having custody of a suspect in a crime of violence case, who will be admitted to a hospital facility, will stand by with the suspect. Notification of the situation will be made to an on-duty supervisor of the area command to which the arresting officer is assigned, who shall make arrangements for a 24-hour guard to be assigned to the prisoner. The guard is to be continuously maintained until the prisoner is released from the hospital, or until a decision to remove the CSPD guard is made by a CSPD staff officer.

Prior to going off shift, the arresting officer will prepare a probable cause affidavit, a preliminary information sheet, and a custody report. As outlined in SOP P1-23, Wanted Persons/Vehicles, the original charging documents will be left with the guarding officer(s). No pickup need be placed with the Records/ID Section. Copies of all documents should be retained at the duty desk of the arresting officer's area command. Copies of all documents will immediately be forwarded to the appropriate investigations unit if the offense was criminal or to the appropriate traffic supervisor if traffic-related. The appropriate investigations or traffic supervisor shall be notified as outlined in paragraph .32 above.

.44 Officer's Responsibility at Hospital

Upon release of a prisoner from the hospital, the officer responsible for transporting the prisoner to a detention facility will:

- Obtain as much information as possible to determine the identity of the suspect and other

relevant information.

- Obtain all the personal property of the suspect. If appropriate, the suspect's clothing should also be obtained. All property and clothing collected shall be delivered to the detention facility by the arresting officer.
- Ensure that, if appropriate, physical evidence from the suspect's person or belongings is collected.
- Perform other necessary tasks, as required or directed.

.46 Further Medical Attention

Once a prisoner is accepted by the detention facility, any further medical attention required will be furnished or obtained by the detention facility personnel.

.50 Financial Responsibility for Medical Services

When action must be taken to safeguard human health, employees must ensure that an appropriate medical response is taken. It is the duty of the on-scene officer to summon emergency medical personnel when injuries or health condition of a person warrant such treatment. This, however, does not obligate the department to pay for these services. This is also true when injuries have been a result of lawful police action.

When subjects are incapacitated or incapable of making the decision for themselves, officers should, in the best interest of the subject, seek medical assistance in order to preserve health and life.

When policy requires an officer to transport a person to Memorial Hospital for a medical clearance to safeguard that person's well-being, the financial responsibility for services rendered is that of the treated person. Colorado Springs Police Department assumes financial responsibility through Memorial Hospital only for the retrieval of evidence in sexual assault cases and for blood alcohol tests as part of a criminal investigation. When questions arise regarding the financial responsibility for medical services, officers are to direct inquiries to the Fiscal Services Section, 444-7422.

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Colorado Spring Police Department

General Order 775

-- Searching of Prisoners

Active date: 2/29/2008 5:50:40 PM

Supersedes date: 12/5/1994

.01 Purpose

To establish procedures for searching persons placed under arrest.

.02 Cross Reference

G.O. 740, Determining Probable Cause

G.O. 760, Physical Arrest

G.O. 770, Prisoner Processing

G.O. 773, Sick or Injured Prisoners

.03 Discussion

[This space intentionally left blank.](#)

.04 Policy

A search of an arrested person should be conducted by an officer of the same sex whenever possible. Whenever it is believed that an arrested person is concealing a weapon or evidence on his/her person, a search incident to arrest should be made, regardless of gender. The reasonableness of the officer's conduct in searching an arrested person of the opposite sex depends upon the exigencies warranting the search and the intrusiveness of the search.

.05 Definitions

STRIP SEARCH: Having an arrested person remove or arrange some or all of his or her clothing so as to permit a visual inspection of the genitals, buttocks, anus, or if a female, the breasts of such person.

.10 Strip Search of Arrested Persons

In accordance with Section C.R.S. 16-3-405, officers are restricted in utilizing strip searches as follows:

No person arrested for a traffic or petty offense shall be strip searched prior to arraignment, unless there is reasonable belief that the individual is concealing a weapon or a controlled substance.

If the officer discovers the arrestee is a parolee or an offender sentenced to any correction facility in the state, or if the person is arrested for driving under the influence of drugs, a strip search may be performed within the following guidelines:

No strip search, other than examination of the mouth, will be performed without the written permission of the police Commander or his designee, or the Sheriff or his designee, authorizing such strip search. The strip search will only be accomplished by Department members of the same sex as the arrested person and must be conducted in a clean location that cannot be observed by persons not conducting the search.

Exception: In a situation involving an arrest for a narcotics or a vice charge, as evidence may

otherwise be destroyed or disposed of, authority to order a strip search is delegated to the senior supervisor at the scene.

Any authorized search of body cavities other than the mouth shall be performed only by a licensed physician or nurse. The premises utilized must be sanitary and located where the search cannot be observed by persons not physically conducting the search. For purposes of security, this does not preclude the presence, in the examining area, of an officer of the same sex as the arrested person.

Documentation: Any strip search that is conducted must be documented within the appropriate case or supplemental report associated with the person being searched.

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Colorado Spring Police Department

General Order 785

-- Holding Cell Guidelines

Active date: 9/26/2007 8:03:03 AM

Supersedes date: 10/4/2001

.01 Purpose

To specify the procedures for holding cell operations. The Police Operations Center, Falcon, Stetson Hills, Gold Hill and Sand Creek divisional stations are each equipped with holding cells for prisoner security. The division commander, or his designee, has overall responsibility for the operation of the holding cells and will ensure that all officers using the holding cells are trained in their use. [Officers receive initial training on the operation of the holding cells through the PTO/Field Training Program. Officers will receive additional retraining at least once every three years through the use of a roll call video or in-service training. There are no fixtures in any police facility designed or intended for temporary restraint of detainees to a fixed object, such as wall anchors.](#)

.02 Cross Reference

G.O. 770 Prisoner Processing
G.O. 773 Sick or Injured Prisoners
G.O. 775 Searching of Prisoners
S.O.P P1-12 Sally Port Operation
S.O.P PM1-04 Holding Cell Operation

.03 Discussion

This space intentionally left blank.

.04 Policy

This space intentionally left blank.

.05 Definitions

This space intentionally left blank.

.06 Cell Doors/Keys

The doors to the holding cells at the patrol division area commands, shall be open when the cells are unoccupied. These doors will be secure during the time when a prisoner is in the holding cell. The exterior doors leading from the sallyport/hallway into the holding facility, shall remain locked at all times when not in use.

The key to the holding cells will be kept in the temporary evidence/booking room at all times. An additional key is available in the Duty Desk Office key locker, if needed. [Electronic keys aren't used on holding cell doors. Individual officers have electronic access cards for access to/from the sallyport and hallway doors. A master electronic access card is available in the Duty Desk Office key locker, if needed.](#)

Prisoners will not be placed in a cell until the accompanying officer has searched the cell. The cell will again be searched after the prisoner(s) has been removed for transportation, prior to the cell being secured. Prisoners will be left in the vehicle during this procedure.

.10 Mixing of Genders-Adult/Juvenile Prohibited

At no time will a combination of adult male, adult female, juvenile male or juvenile female prisoners occupy the holding cell area. This provision does not apply when the holding cell area is structured to ensure sight and sound separation such as at the POC, Gold Hill and Stetson Hills Divisions.

If such a situation arises, the Duty Desk Officer will ensure that the holding cell area is cleared so as not to mix adults, juveniles, male or female, by moving prisoners to other areas or transferring immediately to the Criminal Justice Center /juvenile detention facility or releasing.

.11 Violent and Combative Prisoners

Any prisoner requiring booking, who is violent and combative, should be transported directly to the County Jail or other detention facility, as appropriate. These prisoners should not be taken to the divisional stations for detention unless there are extenuating circumstances requiring the officer's immediate attention to another matter.

If a prisoner becomes violent or self-destructive while in department holding facilities, or if he or she is under the influence of alcohol or other drugs, the potential for detainees to injure themselves or others should be minimized. Such prisoners shall be segregated from all other prisoners and remain under close observation by the arresting officer(s), marshal(s), PSRs, or duty desk officer, sergeant or his/her designee.

.12 Prisoners Under the Influence of Alcohol and/or Drugs

If a prisoner is under the influence of alcohol or other drugs, or is self-destructive, department policies concerning these circumstances should be followed. The Pikes Peak Mental Health Crisis Receiving Center, the Alcohol Receiving Center (ARC), local hospitals having facilities for handling mentally ill patients, and emergency medical resources may be utilized as necessary.

.15 Holding and Detention of Juveniles

Juveniles whose only offense is runaway (either local or out-of-state), or other status offense [including a failure to appear \(FTA\) warrant for a status offense](#), shall not be placed inside any locked room or holding cell within any department facility, nor shall they be handcuffed to any stationary object. Processing shall take place outside of the holding cell areas.

A status offense is defined as an offense that would not be criminal if committed by an adult, including: underage drinking, possession of alcohol/tobacco, curfew violation, truancy, mental illness, and dependent/neglected.

If the runaway is not from the immediate area, and a parent or legal guardian cannot be contacted and respond within a reasonable length of time, members shall contact DHS to arrange for placement of the child. DHS may be contacted directly during normal working hours and by pager after normal working hours.

Juveniles who have committed a delinquent act may be detained in a holding cell only long enough to process the child for release or placement. In the event that a delinquent child is placed in a holding cell, department members shall ensure that the child is separated, by sex, from any other juvenile detainee and separated, by sight and sound, from any adult offender. If there is an adult detainee present in the holding cell area, the juvenile shall be held in a different area. The juvenile shall be under constant visual and audible monitoring. In addition to other required information on the detention cell log, the member shall indicate that the detainee is a juvenile, that no adult offenders are present, and immediately inform the duty desk officer.

.25 Door Signs

"Juvenile In Custody" magnetic signs are available at each area command. These signs should be placed in the locations determined by the division commander of each area command when a juvenile is in the holding facility.

Officers not directly involved in processing prisoners, evidence, or DUI suspects will not enter the holding cell area.

.35 Securement of Weapons

Weapons will be secured in the gun lockers in the sallyport hallway.

.40 Cell Inspections

The shift III sergeants will conduct a weekly, documented inspection of fire equipment, sanitary conditions and security conditions of the holding cells, as well as an inventory of the first aid kit in the booking room.

In the event that vermin, pests, or other unsanitary conditions are discovered, it is the division commander's responsibility to ensure that the Police Logistics Support Section be notified. The Police Logistics Support Section will arrange for corrective action; to include notification of the Risk Management Office and/or a licensed pest control company, if necessary.

In the event that maintenance or repair work is to be done in the holding cell area, no one will be allowed to enter until an inventory is taken of all tools and/or equipment that is to be used in the area. At the completion of the maintenance or repair, the tools or equipment will again be inventoried to assure that nothing has been forgotten or lost.

An administrative review of temporary detention areas and procedures will be conducted at least once every three years. The administrative review should ensure that agency policies and procedures are being followed and that the original intent for authorization and use of the facility continues to be adequate. The administrative review can also disclose more adequate arrangements for detention.

.45 Fire Alarm Testing

City Facilities Management, or designated contractor, will conduct a semiannual testing of the fire equipment, as well as a monthly testing of the fire alarm and detection devices, and supply the division commander with written results of these tests.

Shift III sergeants will do a daily visual inspection of the fire alarm system, prisoner security conditions, and check the security of the gun lockers.

.50 Emergency Evacuation

In the event that an evacuation of the holding cell area is necessary, prisoners will be evacuated to the sallyport, if possible, and then to cruisers for transportation to the Criminal Justice Center. If the exit to the sallyport is not clear, then prisoners will be evacuated to the men's locker room, or the community room, for transport. Fire, paramedics, and ambulances will be dispatched as needed.

.55 Cell Video/Audio Monitoring

Any time officers are in the holding cell area, particularly when any of the cells are occupied, officers will notify the Police Service Representatives and/or the duty desk officer so they may monitor the activity in the holding cell area. When officers are going to enter an occupied cell, the following steps should be taken to prevent an attack or escape: Officers should, whenever possible, enter the cell with another officer present or at least be certain the Police Service Representative and/or the duty desk officer is monitoring that holding cell. In addition, officers will be aware of the distress/fire alarm located in the holding cell area.

Officers and PSRs receive initial training on the operation of the holding cells through the PTO/Field Training Program and PSR Orientation Program. Officers and PSRs will receive additional retraining at least once every three years through the use of a roll call video or in-service training.

If more than one prisoner is in the holding cell area, the sergeant or his/her designee will make the decision as to which cell to record. All occupied cells will be monitored continuously.

As the surveillance cameras are stationary and a privacy screen is provided in each cell, the Police Service Representative or officer monitoring prisoners should be alert to prisoners remaining out of view for extended periods of time. In the event of a female prisoner doing so, a female officer will be used to investigate or, if not available, a female Police Service Representative may be used when accompanied to the cell by a shift sergeant or his/her designee.

.60 Escape Procedures

In the event of an escape from the holding cell area, General Order 770, ♦Prisoner Processing♦ will be followed.

.65 Securement of Personal Property

All personal property taken from prisoners will be inventoried on the personal property inventory form, pending transfer to a secure detention facility. The property will be secured in one of the designated lockers or file cabinets in the evidence/booking room. The property of each prisoner will be returned upon release.

.70 Outside Agency Cell Usage

No prisoner will be held at the facility for an outside agency unless the requesting officer produces appropriate credentials and certifies his/her authority to place the prisoner in the holding area.

.75 Release or Transport of Prisoner

In the event a prisoner is released from the facility or transported to another location by anyone other than the arresting officer, that transporting officer will verify the identification of the prisoner prior to transporting or release.

Identification bracelets will be used when two or more prisoners are in a single holding cell awaiting transportation by someone other than the arresting officer. The identification bracelets are kept in the evidence storage rooms at the Falcon, Sand Creek, Gold Hill, and Stetson Hills divisions and in the print room at the POC. Officers will use the special marking pens that are kept with the bracelets. The marking pens provided will help to prevent prisoners from erasing the name from the bracelet.

.80 Items to Document Prior to Detainment

Prior to any prisoner being detained in a holding cell, the officer detaining will ascertain the following and note any medical problems on the custody report to include:

- Current health of prisoner
- Any medication taken
- Unusual behavior including mental status
- Body deformities, trauma marks, bruises, lesions, etc.

No prisoner requiring a medical screen shall be held for transfer.

.85 Time Length of Detention

Prisoners will be held no longer than four (4) hours in the divisional cell holding areas. Exceptions to the time limit, for operational or investigatory needs, etc., must be approved by a supervisor. Due to this limited time, the following restrictions apply:

- No pharmaceuticals will be distributed to prisoners. Detainees with prior medical history, that have medication in their personal property, may receive the medication with the following conditions:
- Supervisory approval must be obtained prior to any medication being provided
- Medication properly labeled and prescribed to detainee
- Medical condition that routinely is controlled by prescribed medication and is not currently aggravated by alcohol or other circumstance
- No meals will be provided
- No packages, mail, money, checks or money orders will be accepted
- No visitors will be allowed to see prisoners (Exception: attorneys as required by C.R.S. 16-3-404. Interview rooms available at each facility may be utilized for this purpose.)

All of the above may be done at the Criminal Justice Center after transport. Arrangements for bail will be made from the Criminal Justice Center as well.

.90 Service and Release

Prisoners being served and released will be advised on Court appearance dates and times.

Prisoners being transported to the Criminal Justice Center will be so advised by jail personnel. Should a prisoner request an attorney, and time will allow due to interviews, etc. at the division, interview rooms can be used for attorney/client meetings.

.95 Phone Usage by Prisoners

Telephone access will be granted to an arrestee/detainee at the earliest possible time and without unnecessary delay.

.96 Cell Checks by Supervisors

A shift sergeant or his/her designee will make a routine check of the holding cell area at least once each shift to ensure that any prisoners are accounted for. When there are prisoners in the holding cells, the duty desk officer or the arresting officer will make a visual check in person or via TV monitor every 30 minutes. The duty desk officer or the arresting officer will initial the prisoner sign-in sheet when the check is completed. Additionally, the duty desk officer or the arresting officer will note the time of the check and the number of prisoners in custody.

.98 Airport Procedures

The Colorado Springs Police Department has fulltime staff and facilities located at the Colorado Springs Municipal Airport. Because of design and space restrictions, the holding facilities at the airport are different than those at other police facilities. As a result, the following procedures are applicable:

- Holding cell door keys will be kept at a designated location where officers can quickly access them.
- Officers shall not enter the holding cell with a firearm, except for emergency situations.
- Daily holding cell inspection will be conducted at the beginning of Shift One.
- There is only one holding cell located at this facility, therefore, there will be no detention of adults and/or juveniles, male and/or female detainees in the holding cell at the same time.
- If it is necessary for an officer to enter an occupied holding cell without their service weapon, a backup officer will be present.
- The evacuation procedures established by the airport shall be posted and will be followed if it becomes necessary to evacuate the facility.
- There are no closed circuit television cameras available within the Airport Police office.

Therefore, if a detainee is placed into the holding cell, the individual will be monitored by someone within the office.

- Personal property belonging to the detainee will be kept at a designated location that will insure the safekeeping of the property.

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Colorado Spring Police Department

General Order 805

-- Child Pornography and Digital Contraband

Active date: 12/27/2006

Supersedes date: 5/24/2005

.01 Purpose

To specify procedures concerning the handling of any media that contain images of child pornography, including Digital Contraband (DC) evidence such as computer hard drives, floppy disks, CD-ROMS, DVDs, digital tape, flash cards, etc. or any other electronic or digital media.

.02 Cross Reference

G.O. 810, Investigative Procedures

G.O. 831, Collection of Physical Evidence

G.O. 833, Evidence Office Procedures

Investigations Division SOP I1-12 Handling Physical Evidence

.03 Discussion

By necessity, detectives, officers and investigative specialists from time to time may have to deal with digital contraband and other forms of sexually exploitative materials involving children that are illegal to possess. Primarily this will occur during the course of investigating cases of Child Pornography (CP) and/or Sexual Exploitation of Children. Mere possession of Child Pornography, whether actual photographs, digital images, or other printed forms of actual images is a crime and these materials are considered contraband. Because of that, members must handle such evidence with due care and follow established guidelines for investigating, collecting, preserving, and disposing of such images.

.04 Policy

Digital Contraband and other forms of Child Pornography will be treated strictly as evidence, with the same care and control as with other contraband such as illegal narcotics.

.05 Definitions

CHILD PORNOGRAPHY: Means "Sexually Exploitative Materials" as defined in CRS 18-6-403 (2)(j)

"♦ any photograph, motion picture, videotape, print, negative, slide, or other mechanically,

electronically, chemically, or digitally reproduced visual material that depicts a child engaged in, participating in, observing, or being used for explicit sexual conduct.

DIGITAL CONTRABAND: Any digital media that contains images of Child Pornography. Such media can include, but is not limited to, computer hard drives, floppy discs, CD-ROMs, DVDs, digital tape, flash memory (Compact Flash, Smart Media, Memory Sticks, PC Card, Secure Digital card, etc.).

ONLINE INVESTIGATION: An officially authorized and sanctioned investigation where a detective uses a department computer specifically designated and secured for this purpose, to connect to the Internet and participate in electronic communications for the purpose of identifying, investigating, and prosecuting a sexual predator who targets children.

FORENSIC COMPUTER ANALYSIS: Specific scientific analysis conducted by specially trained computer forensics analysts to recover evidence (images, text, email, documents, files, etc.) from digital media in the course of an investigation.

DIGITAL MEDIA: Any media that may contain digital content, such as, but not limited to: computer hard drives, floppy disks, CD-ROMS, DVDs, digital tape, Zip cartridges, Jazz drives, MP3 Players, flash cards, cellular phones, pagers, recorders, printers, PDAs, etc.

APPROVED AND SECURED DEPARTMENT OWNED COMPUTER: Means a City owned computer assigned to the Investigations Division that is specifically designated for use in conducting forensic computer analysis, or on-line investigations, and is either physically secured in a locked facility, or digitally secured by password or encryption, or both.

.10 Possession by Employees

Employees shall not possess Digital Contraband or other Child Pornography except as narrowly required in the course of conducting a criminal investigation [see also CRS 18-6-403 (3)(b.5)]. Upon receipt of such material, members will inform their immediate supervisor and will place such item(s) into a secure evidence locker maintained by the ~~Evidence Unit Property Custodian's Office~~ as soon as practicable. Investigators assigned to the Major Crimes Section, or the Computer ~~Forensics Crimes~~ Unit who are assigned to conduct follow-up investigations involving Digital Contraband or other Child Pornography may need to check out such contraband from the ~~Evidence Unit Property Custodian's Office~~ for investigative purposes. In these circumstances, Investigators will keep such evidence with the case file and either in their physical possession or locked in their department desk or office at all times.

Department members will not have DC/CP evidence in their possession except for approved investigative purposes. It is not appropriate to have such evidence at their personal residence even if they have an active case where the evidence is required to complete the investigation.

Once investigative need for such evidence has been met, the investigator will return the item(s) to the ~~Evidence Unit Property Custodian's office~~ without delay.

Exception ♦ Investigators who are officially assigned to conduct on-line investigations may be

granted authorization by the Lieutenant of the Major Crimes Section to maintain certain digital contraband in his/her possession on an approved and secured department owned computer during the course of conducting undercover online investigations. As soon as the investigation is complete, the digital evidence files shall be replicated and transferred to appropriate digital media and turned into the [Evidence Unit Property Custodian's office](#). Files containing digital contraband shall then be removed from the department computer.

.20 Inappropriate Display or Distribution

Members should be always mindful of the fact that Child Pornography involves the visual depiction of the actual victimization of a child. Members who have Digital Contraband or Child Pornography in their possession, for whatever reason, will not intentionally or negligently display such images to others in an indecorous or disrespectful manner. Members will take all due care to ensure that such photographs, images, etc. will not be left lying on their desk or elsewhere in plain view.

Absolutely no duplication of any DC/CP images will be permitted by members of the department, except where properly authorized for official purposes by a supervisor assigned to the Investigations Division and performed by a Computer Forensic Analyst (CFA) in the Computer Forensics Laboratory on an approved and secured department owned computer. Members will not copy or distribute disks or images from DC/CP evidence to any other computer, media or person.

The only exception to this prohibition governing transfer of Child Pornography in any form shall be to transfer this material to another law enforcement agency with principal or concurrent jurisdiction over the criminal violations involving the evidence. Such transfer to another law enforcement agency shall either occur in person, or via secured common carrier with signed receipt or registered mail with a signed receipt. The case-report documenting the manner of the recovery of the Child Pornography shall accompany the item(s). In the case of the latter two methods of transfer, the evidence shall be packaged so that there is no external indication of the nature of the contents. However, the interior packaging and/or labeling shall clearly indicate the nature of the contents for the recipient prior to the recipient being exposed to the actual images.

.30 Sex Crimes Investigations

Detectives and Investigative Specialists assigned to the Sex Crimes/Crimes Against Children Unit of the Major Crimes Section will initiate most cases, and will conduct follow-up investigation and legal filings on all instances of crimes involving Child Pornography and the sexual exploitation of children. Consequently, they will deal with more Digital Contraband and Child Pornography evidence than other members. However, from time to time, other members of the department may incidentally become involved in such investigations.

The initiating employee in such an investigation must be ever diligent in their handling of such evidence. They may often be the only employees of the department to recover DC/CP evidence in a case and must be sure to secure that evidence in a timely and appropriate fashion. Members who are confronted with situations involving actual computers that are turned on and operating, that are believed to contain digital contraband, shall contact the Computer [Forensics Crimes](#) Unit for guidance in the proper manner for securing the evidence. [For additional information,](#)

refer to GO 831, Collection of Physical Evidence.

Should such contraband evidence be needed at a future date (i.e. review by DA for filing charges, etc.), members assigned to the Sex Crimes/Crimes Against Children Unit or the Computer Forensics Crimes Unit can sign the item(s) out of the Evidence Unit Property Custodian's Office for the limited investigative purpose and then return them to the Evidence Unit Property Custodian's Office once the specific task is completed. Because it is contraband, actual copies of such materials will not be provided to the District Attorney or others as part of the case file. Anyone with a legitimate need to view said material may arrange to do so through the assigned investigator.

If DC/CP evidence is recovered directly by a detective or other employee during an investigation, he/she will notify his/her supervisor as soon as practical and will ensure the appropriate control and security of that evidence until such time as it can be secured and turned into the Evidence Unit Property Custodian's Office.

.40 On Line Investigations-Restrictions

Only duly designated members assigned to the Major Crimes or Special Services Sections of the Investigations Division who have received specialized training in the legal issues associated with conducting undercover investigations via the internet and the handling of digital evidence, are authorized to conduct on-line investigations.

.50 Forensic Recovery of Digital Contraband

Much of today's Child Pornography is stored on digital media (Digital Contraband) and the proper extraction of such evidence from any form of digital media requires special forensic techniques. Only designated CFA's will be authorized to process and analyze digital media for evidence, including Child Pornography. Only qualified CFAs from the Computer Forensics Crimes Unit (CFU) of Special Services will have the responsibility for conducting forensic analysis of digital (computer) evidence. CFU will maintain qualified staff to conduct examinations of digital evidence to recover CP images, upon written request from a case agent or Investigations Division supervisor.

CFU members assigned to a forensic analysis case will sign out the original evidence when analysis is requested on recovered digital media. The original evidence will be kept in the locked Forensic Computer Laboratory only for as long as the assigned CFA needs it to conduct the analysis.

Normal protocols for the forensic recovery of digital evidence will be followed when CFAs conduct examinations. Normally a forensic bitstream image of the evidence media (i.e. computer hard drive) will be created. That image will remain secured in the locked Forensic Computer Laboratory until such time as the case is resolved and an order for disposal is received from the District Attorney or the Court.

Once the original evidence is no longer needed, it will be returned to the Evidence Unit Property Custodian's Office by the CFA. The examiner may continue to perform analyses on the forensic

bitstream image of the evidence until satisfied that the examination and evidence recovery is complete.

If evidence is found on analyzed digital media, a Findings Disk(s) (CD-ROM, etc.) will be created by the assigned CFA and relevant items of evidence (e.g. images) will be copied to that Findings Disk. The CFA will make one copy of the original Findings Disk and place it into Evidence. The case agent will be notified by the CFA that a Findings Disk was prepared and placed into Evidence. The original Findings Disk(s) will be secured with the CFU Case File, locked in the Forensic Computer Laboratory until an order for disposal is received from the District Attorney or the Court.

Findings Disks will be clearly labeled as evidence, and bear a warning that the disk is unlawful to possess or view except by duly authorized law enforcement personnel acting within the scope of their official duties. This notice shall also contain the further notation that any unlawful possession could result in criminal prosecution.

.90 Sanctions

Members who violate this general order or criminal statutes as it pertains to possessing and or handling Digital Contraband and Child Pornography will face disciplinary action and/or criminal prosecution.

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Colorado Spring Police Department

General Order 810

-- Investigative Procedures

Active date: 8/18/2005

Supersedes date: 5/24/2005

.01 Purpose

To describe stages in the investigative process and to furnish general guidelines for the conduct of investigations.

.02 Cross Reference

G.O. 820, Initial Investigation Procedures

G.O. 830, Crime Scene Assessment

G.O. 831, Collection of Physical Evidence

G.O. 833, Evidence Office Procedures

CALEA Standards 1.2.8; 42.1.2; 42.1.4; 42.2.3; 83.2.1; 83.2.6; 83.3.2

.03 Discussion

Coordination between Patrol Bureau and Investigation Division personnel is essential if an investigation is to be successful. An investigation is successful if the person responsible for a crime is identified and apprehended, and adequate information and evidence are obtained to ensure that prosecution is possible. The department's procedures are designed to ensure a

coordinated and effective investigative process.

.04 Policy

Efficient and effective investigation is a major goal of the Colorado Springs Police Department. Such investigation requires a systematic approach to ensure that all possible appropriate actions are taken and that specific expertise is employed whenever **practical. needed**. To reach that goal, without unnecessary duplication of effort, individual tasks are routinely assigned to appropriate personnel and exceptions are made when particular circumstances dictate. The following general provisions will govern the criminal investigation process whenever they apply to the specific crime being investigated.

.05 Definitions

INVESTIGATIVE PROCESS: The investigative process consists of the preliminary investigation and the follow-up investigation. Absolute distinctions between these stages are impossible, because situations themselves often dictate at which particular point a function must be done. Patrol Bureau officers generally conduct the preliminary investigation, while investigators or specialists generally conduct the follow-up investigation. The entire investigation, however, may be conducted by any one officer, or group, if circumstances make this option appropriate.

PRELIMINARY INVESTIGATION: The preliminary investigation is directly concerned with the arrest of perpetrators at or fleeing from the scene, and with initial crime-scene processing and recording of information. It is conducted at the scene of the crime and is generally the responsibility of uniformed Patrol officers. **In some instances, the preliminary investigation will bring the case to a satisfactory conclusion, limiting or eliminating the need for additional follow-up investigation, although in some instances however** investigative personnel may be assigned this function **as dictated by circumstances.** ~~This~~ The preliminary state of the investigation includes, but is not limited to, the following tasks:

Responding to the crime scene:

- Caring for the injured
- Determining the nature and extent of the criminal act or incident
- Obtaining accurate descriptions of perpetrators, vehicles, and property taken
- Locating and interviewing witnesses
- Protecting the crime scene
- Collecting evidence
- Preparing and submitting required reports

FOLLOW-UP INVESTIGATION: The follow-up investigation may be conducted at the crime scene or at another location, at a later time, and is frequently the responsibility of personnel assigned to a **geographic division's investigative unit, or a specialized section** of the Investigations ~~Investigation~~-Division. It is a continuation of the preliminary investigation and occurs under any of the following conditions:

When a complete investigation by uniformed personnel is not possible or practical.

When additional evidence or information is required to identify and apprehend the perpetrator and the time required to obtain such evidence or information is extended beyond one tour of duty.

When complexities of the case require the use of specialized personnel.

This stage of the investigation includes, but is not limited to, the following tasks:

- Thorough and complete collection of physical evidence either at the scene or elsewhere
- Continuation of the development of witnesses
- Necessary re-interviewing of original witnesses
- Assessment of information and evidence obtained
- Liaison with the Crime Lab and assessment of Crime Lab analysis
- Determining and conducting appropriate surveillance, interrogation, or identification processes
- Coordination of tasks when the investigation extends beyond jurisdictional boundaries
- Presentation of evidence and statements to the prosecutor, [and on-going coordination as appropriate to obtain arrest or search warrants, or](#) for prosecution of the perpetrator
- [Preparation and execution of search warrants, arrest warrants, and other court orders](#)
- Locating and arresting the perpetrator and accomplices
- Development of exhibits for presentation in court
- Preparation and submission of required reports

.10 Follow-up Investigation by Uniformed Officers

Investigations proceeding beyond the preliminary stage may be conducted by Patrol officers, upon supervisory approval, [or under the following circumstances: ~~when one or more of the following are true:~~](#)

When there is a reasonable chance of apprehending a suspect in a short period of time;

- When additional information is needed for the initial report;
- When there are other compelling circumstances, such as the collection of physical evidence that might be immediately destroyed or altered

When uniformed officers continue the investigation beyond the preliminary stage, their investigation will be governed by the procedures of this [General Order Manual](#).

.30 Use of Specialized Personnel

Any officer who is investigating a case is responsible for [making an initial determination of determining](#) whether some function should be performed by specialists. Investigating officers will remain aware of the potential value of evidence, or other information, and should determine whether their own training, skills, knowledge, experience, and time available is sufficient to collect such evidence or information effectively and efficiently, [Such determinations may be](#)

subject to approval by superiors. Decisions should be based on the seriousness of the crime and whether functions require special handling. Functions which may require special handling include, but are not limited to ~~collection of certain fragile evidence, sketching or photographing the scene or other areas, or conducting subsequent investigations away from the original crime scene. ,the following:~~

- ~~Collection of certain fragile evidence~~
- ~~Sketching or photographing of the crime scene or other areas~~
- ~~Subsequent investigations away from the crime scene area~~

Specialists may be of many types, including the following:

- Uniformed patrol personnel with expertise in selected areas
- Canine Team
- ~~Scuba Team~~ Underwater recovery personnel (Fire Department)
- Investigators from appropriate ~~subdivisions~~ geographic divisions, centralized Investigations Division, or outside agencies
- Air Support Unit
- Crime Lab personnel
- Personnel from other city departments: barricades, lighting, etc.

When a patrol officer conducting a preliminary investigation makes an initial determination ~~If it is determined~~ that the facts and circumstances warrant the use of specialists, it is the responsibility of the officer ~~to consult with a patrol supervisor on the need for specialized assistance. Upon supervisory approval, the officer will facilitate the making such a determination to~~ request for those services, and ~~will to~~ maintain the integrity of the scene until the specialists arrive. As investigation often cannot proceed until the work of a specialist is completed, every effort should be made to notify the specialist within one hour of the initial arrival at the scene.

.40 Crime Scene Integrity

It is essential that the integrity of physical evidence that is part of criminal investigations be secured, documented, and preserved for use in subsequent ~~proceedings. litigation.~~ Strictly regulating ~~the~~ physical access to the scene of an incident that is the subject of an investigation is fundamental to this process.

In any case where physical evidence is present, all reasonable steps should be taken to preserve the integrity of the evidence until it can be documented and collected. With regard to the scenes of serious crimes, ~~Once~~ after the necessary steps have been taken to aid and remove the living victims ~~of violent crime,~~ apprehend perpetrators, and otherwise render the scene of an incident safe, that scene shall be secured to preserve the investigative integrity of physical evidence that might be present. As a general rule, once so secured, only the personnel specifically assigned to collect or document evidence shall enter the scene unescorted. ~~Preservation of crime scene integrity is the responsibility of the first arriving officer, until she/he is relieved by other patrol officers, supervisors, or assigned investigators. In cases that will be exclusively investigated by Patrol personnel, access should be limited to those officers having an actual need to enter for the purpose of collecting evidence or directly furthering the investigation. In cases a case~~ in which Detectives have been called to the scene and have assumed responsibility for ~~continuing conducting~~ the investigation, this shall

mean that only the following persons ~~can~~ are permitted to enter the scene unescorted:

- Detectives (and when applicable, District Attorney's Investigators) specifically assigned to investigate the crime scene
- Assigned crime scene technicians
- Personnel from the Coroner's Office

~~If some exigency exists~~ Any other person requiring access to the scene will be escorted by an assigned detective or other officer as designated by the assigned investigative supervisor. In the event of exigent circumstances that requires additional personnel to enter the crime scene unescorted, it shall be ~~necessary for the responsibility~~ of each member so entering the scene to complete a supplemental report detailing the reason for entering the scene, and documenting all actions taken while in the scene. As soon as the exigency has passed, the unescorted member shall leave the secured area of the crime scene.

Any member wishing to enter a secured crime scene for reasons other than an actual exigency, shall contact the ranking member ~~present~~ from the ~~Major Crimes Section~~ unit having investigative responsibility for the scene ~~present at the scene~~ to arrange for an escort into the scene. The decision about when and how to enter the scene of the investigation shall rest solely with the ranking investigator present. The policy described in this General Order shall apply to all personnel, regardless of rank or assignment. ~~In the case of secured crime scenes under active investigation by Detectives from the Special Services Section, or Divisional Investigations Units, the crime scene shall be under the authority and control of the ranking investigator present from that Unit.~~

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Colorado Spring Police Department

General Order 815

-- Deadly Force Investigations

Active date: 10/26/2007 10:44:34 AM

Supersedes date: 5/24/2005

.01 Purpose

To specify procedures for investigating incidents in which Department personnel have used, or attempted to use, deadly force and incidents in which Department personnel have discharged firearms.

.02 Cross Reference

G.O. 720, Deadly Force Guidelines

G.O. 860, Interviews and Interrogations

G.O. 920, Firearms Regulations

G.O. 1110, Critical Incident Review

G.O. 1131, Enhanced Tactical Communications System

G.O. 1620 Complaints and Internal Investigations

.03 Discussion

This space intentionally left blank.

.04 Policy

The Department shall ensure that a neutral, impartial and thorough investigation of deadly force incidents is conducted. Such an investigation will be conducted in all incidents in which an officer discharges a firearm, except under the exclusions listed in paragraph .06 below, and in all incidents involving the actual or attempted use of deadly force. The purpose of the investigation will be to reconstruct and determine the circumstances surrounding the incident. Deadly Force incidents are usually investigated jointly with the District Attorney's Office, at their discretion. When joint investigations are done, the District Attorney's Office will be considered to have primary authority for directing the scope of the investigation into those facts necessary to reach a final decision relative to legal justifications for the use of deadly force. CSPD personnel will closely coordinate all significant investigative activities with assigned District Attorney's Office personnel.

.05 Definitions

DEADLY FORCE: Deadly force as used in this policy is defined as intentional use of force which can cause death or serious bodily injury, or which creates a degree of risk that a reasonable and prudent person would consider likely to cause death or serious bodily injury. It includes, but is not limited to, use of firearms, choke holds, and intentional intervention with a vehicle (forcible stops or ramming).

SERIOUS BODILY INJURY: Serious bodily injury as defined in CRS 18-1-901 (3) (p), means bodily injury which, either at the time of the actual injury or at a later time, involves a substantial risk of death, a substantial risk of serious permanent disfigurement, or a substantial risk of protracted loss or impairment of the function of any part or organ of the body, or breaks fractures, or burns of the second or third degree.

.06 Exclusions

Provisions of this policy do not apply to the following, unless the incident involves injury, death, or allegations of officer misconduct:

Shots discharged by accident, that are not an attempted use of deadly force. Such accidental discharges will be investigated and documented by the officer's supervisor. These investigations will be monitored by , and the results will be submitted to, the Internal Affairs Unit.

Shots properly fired at an approved target range.

Shots fired in the necessary dispatch of a vicious or injured animal, as specified in G.O. 720,

Deadly Force Guidelines. Any such incident will be investigated by a supervisor who will make an immediate report of the incident to the officer's Lieutenant. Based upon the circumstances, the Lieutenant will direct that the incident be documented in either a case report or a memorandum, as appropriate to the circumstances, and will also make notifications only as they may deem necessary to higher authority, to the Staff Duty Officer, or the Internal Affairs Unit.

.10 Initial Responsibilities

When an officer or armed non-sworn member (e.g. City Marshal) uses, or attempts to use, deadly force, Department personnel, as indicated, will take the following immediate actions:

Securing The Scene: Officers initially assigned to respond will secure the scene and protect evidence.

Directing Involved Officer: The first supervisor to arrive at the scene is responsible for directing the officer or officers involved. This supervisor will cooperate fully with follow-up investigators and will remove the involved officers from the scene as soon as possible, consistent with safety and investigative needs. In order to avoid possibly compromising the rights of involved officers, detailed questioning will be done by investigators of the Deadly Force Investigation Team, rather than by field supervisors. Once it becomes apparent that a use of deadly force has occurred, field supervisors should limit their questioning of involved officers to formulating a basic overview of the circumstances, who was directly involved, and who witnessed the incident. A supervisor will remain on scene, as practical, until relieved by the Deadly Force Investigations Supervisor.

Processing Involved Weapon: The weapon, holster, gun belt, spare ammunition, and any auxiliary firearms in the possession of any officer directly involved in the use of deadly force will be taken under the control of the first field supervisor on the scene as soon as possible.

For safety purposes, supervisors should avoid disarming officers in the field, but shall take immediate action to insure that involved weapons and equipment are not changed or tampered with prior to being placed into evidence. If possible, the involved officer(s) should be paired with a supervisor, who will remain with the officer at least until all equipment items have been collected. Whenever possible, the officer's weapon and equipment shall be collected inside a police facility; if this is not possible then inside a cruiser or other place which is safe and out of public view.

Field supervisors will coordinate with an on scene supervisor of the Deadly Force Investigations Team, and/or on scene representatives of the District Attorney's Office on the collection of other items of property and equipment, such as personally owned flashlights, handcuffs, clothing, etc. The involved weapon will not be opened, unloaded or tampered with, in any manner, except as necessary to render the weapon safe. The supervisor obtaining the involved weapon and related equipment will be responsible for its preservation until he/she personally places it into evidence or personally turns it over to a detective from the Deadly Force Investigation team or a Technician of the Metro Crime Lab for placement into evidence. All requests for further

processing of this equipment will be the responsibility of assigned investigative personnel.

Replacing Involved Weapons: The Internal Affairs Unit is responsible for coordinating the immediate replacement of any duty handgun which is collected as evidence relative to a Deadly Force investigation. Absent a compelling reason to the contrary, an appropriate replacement duty handgun will be issued to the officer prior to the officer being released from duty following the incident. Internal Affairs will advise the officer of the need to qualify with the replacement weapon at the CSPD range prior to returning to duty with it. As soon as is practicable, Internal Affairs will facilitate the replacement of other equipment placed into evidence, such as holsters, gunbelts, and other standard issue items. The Department will assume responsibility for replacement of privately owned auxiliary weapons or other personal items of equipment collected from officers up to a maximum of \$500.00 incidental to a deadly force investigation, if it is anticipated the weapon and/or equipment will be retained as evidence by the District Attorney.

Release of Equipment: Upon receiving approval from the Deputy District Attorney assigned to the investigation and the CSPD Investigations Division Commander, the Lieutenant of the Deadly Force Investigation Team or designee shall coordinate the release from Evidence of firearms and other equipment collected incidental to the investigation. This shall include facilitating coordination between the involved officer and the Internal Affairs Unit on exchange or retention of any replacement firearms issued, with Fiscal Services on the exchange or retention of other duty equipment, and the return of personally owned property to the officer from which it was collected. If the department funded the replacement of a privately owned auxiliary weapon or other personal items of equipment, the disposition of the weapon and/or equipment previously held as evidence will be at the sole discretion of the Chief of Police.

.20 Deadly Force Investigation Team

The Deputy Chief of Operations Support will appoint one or more Deadly Force Investigation Teams under the command of a Lieutenant. This team will investigate all deadly force incidents and compile appropriate reports.

.22 Responsibilities of Team Commander

Duties of the Lieutenant commanding the Deadly Force Investigations Team (DFIT) Team are:

To assure a thorough and impartial investigation of all incidents within the scope of the Team's responsibilities, in accordance with applicable statute and Department policy.

To provide timely confidential briefings and/or copies of investigative reports to the Chief of Police and other Staff officers designated by the Chief, as requested.

To determine the extent and scope of the DFIT's team's investigation, and to refer completed investigations to the District Attorney's Office for legal review, after conferring with the Chief

of Police.

To immediately forward a full copy of the completed investigative file to the Commander of the Internal Affairs Unit if no criminal charges are filed against Department members; or, if charges are filed, to retain these documents until the completion of any legal actions against department members and then to forward them to the Internal Affairs Unit.

.24 Responsibilities of Team Supervisor in Charge at Scene

Upon arrival, the Lieutenant, or in the Lieutenant's absence, the Sergeant of the Deadly Force Investigation Team, will assume command of the scene and conduct an investigation consistent with applicable statute, Department policy, and sound investigative procedure. The supervisor will be responsible for insuring that the following personnel are notified as the situation may require:

- The Staff Duty Officer - weekends only
- The on-call Investigator from the Internal Affairs Unit
- The on call Deputy District Attorney and Chief Investigator, as designated by the DA for such investigations
- The El Paso County Coroner's Office , in the case of any fatality

.30 Access to Involved Officer Limited

Only the following persons will be present during questioning of an officer directly involved in a deadly force incident:

- One assigned detective of the Deadly Force Investigation Team
- One assigned District Attorney's Office investigator or Deputy DA
- The involved officer
- The officer's attorney, at the officer's discretion

.40 Responsibility to Disseminate Information

To limit the spread of rumors and misinformation concerning a deadly force incident among Department personnel, the following communications procedure will be followed:

- When the field situation has stabilized, the Lieutenant commanding the Deadly Force Investigation Team will coordinate with the Public Information Officer in the preparation of a public press release. As a rule, the officers who were involved in the application of deadly force will not be publicly identified until after the District Attorney's Office has reviewed and made a legal ruling on the case, typically days or weeks later. Any decision to release officer's names prior to this time must be approved by the Chief of Police on a case by case basis.

- As soon as practicable, the Lieutenant of the DFIT or designee will submit a "Not for Media Release" entry to the Department's Enhanced Tactical Communication System (ETACS) briefly summarizing those basic facts which are conclusively known at that point in the investigation. Generally, the names of the involved officers should not be contained in this ETACS; however at his/her discretion the DFIT supervisor may elect to submit a separate "Confidential" ETACS, accessible only to Command officers of the Department, containing these identifications.

.50 Responsibilities of Internal Affairs

The Internal Affairs Unit is responsible for the following actions:

- To respond to incidents involving the use of deadly force by Department members, to observe the investigation, insure compliance with Department policy, and report observations to the Chief of Police as requested.
- To facilitate the timely replacement of duty weapons and issued equipment collected as evidence from involved officers.
- To facilitate an initial contact between involved officers and the Department Psychologist. To initiate a Level Two personnel investigation if preliminary investigation at the scene indicates that significant violations of Department policy other than criminal violations may have been committed by involved employees
- To review all cases forwarded to it by the Deadly Force Investigation Team, and to conduct any needed additional investigation into non-criminal administrative or policy matters as may be directed by the Commander, ~~Office~~ of the Professional Standards [Division](#)
- To monitor all deadly force incidents and unusual firearms discharge incidents, maintain summary records of such incidents, and present all such cases, with complete documentation, to the Critical Incident Review Committee when so directed by the Chief of Police or the Deputy Chief of [Operations Support the Administrative Services Bureau](#).
- To advise the Chief of Police on all such cases when requested

.60 Placement on Administrative Leave

Officers directly involved in the use of deadly force will be placed on Administrative Leave immediately upon release from duty following the incident and preliminary investigation, but will continue to cooperate fully with the investigation during this leave period. As a general rule, arrangements will be made for involved officers to be off for three (3) full duty days following the date of the incident, which may be a combination of Administrative Leave and scheduled days off; however, the Chief of Police may modify the length of absence on a case by case basis. Officers on Administrative Leave will be responsible for keeping their Chain of Command updated on their whereabouts in order that contact may be made when necessary. Administrative leave is not to be confused with suspension, and carries no punitive or disciplinary consequences.

.70 Reports by Department Officers

No officer who is directly involved in, or is the subject of an investigation into a deadly force incident shall be required to submit a written report of that incident. The officer must, however, cooperate fully with investigative personnel. All other officers having any involvement in such an incident will prepare typewritten or dictated reports detailing their involvement and submit them prior to going off shift that day, unless granted an exception by an involved supervisor or assigned detective.

.80 Responsibilities of Involved Employee

To prepare the employee for possible post-traumatic reactions, as soon as practicable following any deadly force incident resulting in death or serious bodily injury, the Internal Affairs Unit investigator assigned to the case shall contact the Department Psychologist to provide a general overview of the circumstances and the names of involved employee(s) so that appropriate psychological services can be offered in a timely fashion. Prior to being released from duty following the incident, a supervisor in the involved employee's Chain of Command will advise the employee(s) of the availability of these services. Employees are required to **make** contact **with** the Psychologist within 24 hours to arrange for a briefing on possible reactions to traumatic events. **Thereafter, the Department Psychologist will contact the employee to arrange for a series of routine follow-up assessments at one-month, six-month, and twelve-month intervals (or more frequently if requested by the employee) to reduce the likelihood of post-traumatic complications.**

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Colorado Spring Police Department

General Order 816

-- Death or Life Threatening Injury Incidents

Active date: 2/25/2008 4:45:10 PM

Supersedes date: 12/10/1998

.01 Purpose

To specify procedures for investigating all incidents in which another person is killed or sustains a life threatening injury as a direct result of actions by a Department member who is on duty or otherwise acting within the scope of their official duties, excluding those involving the use or attempted use of deadly force, which are addressed in G.O. 815.

.02 Cross Reference

G.O. 720, Deadly Force Guidelines

G.O. 815, Deadly Force Investigations

G.O. 860, Interviews and Interrogations

G.O. 1110, Critical Incident Review

G.O. 1131, Enhanced Tactical Communications System
G.O. 1620, Complaints and Internal Investigations
G.O. 1625, Investigative Rights

.03 Discussion

This space intentionally left blank.

.04 Policy

The department shall ensure that a neutral, impartial, and thorough investigation is conducted of all incidents in which another person is killed or sustains a life threatening injury as a direct result of actions by a Department member who is on duty or otherwise acting within the scope of their official duties, excluding the use or attempted use of deadly force, which is addressed in G.O. 815.

.05 Definitions

LIFE THREATENING INJURY: Means serious bodily injury as defined in CRS 18-1-901(3) (p) which, in the opinion of a physician involved in their treatment, is likely to result in the death of the injured person.

ADMINISTRATIVE ASSIGNMENT: A temporary assignment that allows an employee to continue work that that is beneficial to the department but does not require the full exercise of police authority.

.10 Responsibilities

When the actions of a department member who is on duty or otherwise acting within the scope of their official duties directly results in death or life threatening injury to another person, excluding use or attempted use of deadly force as covered in G.O. 815 , the following actions shall be taken:

Securing The Scene: Officers initially assigned to respond will secure the scene and protect evidence. If none is present, a sworn supervisor will immediately be called to the scene.

Directing Involved Member: The first supervisor to arrive at the scene is responsible for directing the department member(s) involved. This supervisor will cooperate fully with the assigned investigators and will remove the involved members from the scene as soon as possible, consistent with safety and investigative needs.

.20 Investigation Team

Even though they do not involve the use of attempted use of deadly force, for investigative continuity the Deadly Force Investigations Team(s), under the command of a Lieutenant, appointed under the provisions of G.O. 815.20 will also serve as the Investigation Team for all other incidents in which the actions of a department member, while on duty or otherwise acting within the scope of his/her official duties, directly results in death or life threatening injury to another person. Their investigative findings will be documented in a format appropriate to the incident.

The Team Commander of the Investigations Team will coordinate and retain overall investigative authority for investigations conducted under the provisions of this General Order, however other specialized units may be assigned to assist with technical aspects within areas of their expertise. These specialists will provide appropriate written reports to the Investigation Team Commander for inclusion in the overall investigative findings. Examples may include, but are not limited to, vehicle or aircraft collisions and explosives incidents.

.22 Responsibilities of Team Commander

Duties of the Lieutenant the Investigation Team are:

- To assure a thorough and impartial investigation of all incidents within the scope of the Team's responsibilities, in accordance with applicable statute and Department policy
- To provide timely confidential briefings and/or copies of investigative reports to the Chief of Police and other Staff officers designated by the Chief, as requested
- To determine the extent of his/her Team's investigation, and to refer completed investigations to the District Attorney's office for legal review, after conferring with the Chief of Police
- To immediately forward a full copy of the completed case investigation file to the Commander of the Internal Affairs Unit, if no criminal charges are filed against Department members; or, if charges are filed, to retain these documents until the completion of any legal actions against Department members and then to forward them to the Internal Affairs Unit.

.24 Responsibilities of Team Supervisor in Charge at Scene

Upon arrival, the Lieutenant, or in the Lieutenant's absence, the Sergeant of the Investigation Team will assume command of the scene and conduct an investigation consistent with applicable statute, Department policy, and sound investigative procedure. This supervisor will be responsible for insuring that the following personnel are notified, as the situation may require:

- The Staff Duty Officer
- The on-call Investigator from the Internal Affairs Unit
- The on call Deputy District Attorney and Chief Investigator, as designated by the DA for

such investigations

- The El Paso County Coroner's Office, in the case of any fatality

.30 Access to Involved Employee Limited

Only the following persons will be present during questioning of a department member directly involved in the death or life threatening injury incident:

- One assigned detective of the Investigation Team
- One assigned District Attorney's Office investigator or Deputy DA
- The involved employee
- The employee's attorney, at the employee's discretion

.40 Responsibility to Disseminate Information

To limit the spread of rumors and misinformation among department personnel concerning the death or life threatening incident, the procedures described in Section .40, Responsibility to Disseminate Information, of G.O. 815, Deadly Force Investigations , will be followed.

.50 Responsibilities of Internal Affairs

The Internal Affairs Unit is responsible for the following actions:

- To respond to incidents in which the actions of on-duty department members have directly resulted in death or life threatening injury to another person, observe the investigation, insure compliance with Department policy , and report observations to the Chief of Police as requested
- To coordinate the timely replacement of issued, department-owned equipment which was destroyed or seized as evidence, as appropriate
- To facilitate an initial contact between involved department members and the Department Psychologist, if appropriate
- To initiate a Level Two personnel investigation if preliminary investigation at the scene indicates that significant violations of department policy other than criminal violations may have been committed by involved employees
- To review all cases forwarded to it by the Investigation Team, and to conduct any needed additional investigation into non-criminal administrative or policy matters as may be directed by the Commander of the Professional Standards Division.
- To monitor all death or life threatening injury incidents, maintain files of investigations into them, and to present all such cases, with complete documentation, to the Critical Incident Review Committee when so directed by the Chief of Police or the Deputy Chief of the Administrative Services Bureau.
- To advise the Chief of Police on all such cases, when requested

.60 Administrative Assignment

Excluding instances involving the use of deadly force as covered in G.O. 815, when an ~~employee sworn officer or City Marshal~~ who is on duty or otherwise acting within the scope of his/her official duties is involved in an incident in which the ~~employee's officer/marshal's~~ actions directly result in death or life threatening injury to another person, the ~~employee officer/marshal~~ shall be removed from regular duty assignment pending an administrative review of the circumstances. Pending this review the ~~employee officer/marshal~~ shall be placed in an administrative assignment, or, at the discretion of the involved Deputy Chief, be placed on administrative leave, or a combination of the two.

~~Such situations involving non-sworn civilian employees other than City Marshals shall be referred to the employee's Deputy Chief to be considered on a case by case basis for temporary placement into a modified duty or administrative assignment and/or on administrative leave. Factors to be considered include, but are not limited to, the nature of the employee's regular duty assignment, the relationship, if any, between the incident under investigation and the employee's regular duties, the impact on the employee and the public of leaving the employee in their regular assignment, and any possible post-traumatic effects which may be experienced by the employee.~~

Administrative leave is not to be confused with suspension, and carries no punitive or disciplinary consequences.

Within three working days following the incident, or as soon as is practicable thereafter, an Administrative Review will be conducted by by the Deputy Chief of the involved officer's bureau to determine when the employee should be returned to a regular duty assignment, and what, if any, duty restrictions should be continued. The Deputy Chief will also consider what, if any, need exists for on-going post-traumatic debriefing or counseling for involved employees, and direct its implementation. The Administrative Review will at a minimum consist of a review of the preliminary investigative findings relating to the incident , and may include such other evidence or consultations as the reviewer believes necessary.

.70 Reports by Department Employees

No employee who is directly involved in, or is the subject of an investigation of, a death or life threatening injury incident excluding use or attempted use of Deadly Force, as covered in G.O. 815, shall be required to submit a written report of that incident. The employee must, however, cooperate fully with investigative personnel. Any other employees involved in such an incident will submit written reports detailing their involvement, if directed to do so by supervisory or investigative personnel.

.80 Responsibilities of Involved Employee

To prepare the employee for possible post-traumatic reactions, as soon as practicable following any incident resulting in death or life threatening injury, the Internal Affairs Unit investigator assigned to the case shall contact the Department Psychologist to provide a general overview of the circumstances and the names of involved employee(s) so that appropriate psychological services can be offered in a timely fashion. Prior to being released from duty following the incident, a supervisor in the involved member's Chain of Command will advise the member(s) of the availability of these services. Employees are required to contact the Department Psychologist within 24 hours to arrange for a briefing on possible reactions to traumatic events. Thereafter, the Department Psychologist will contact the employee to arrange for a series of routine follow-up assessments at one-month, six-month, and twelve-month intervals (or more frequently if requested by the employee) to reduce the likelihood of post-traumatic complications.

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Colorado Spring Police Department

General Order 820

-- Initial Investigation Procedures

Active date: 8/23/2006

Supersedes date: 11/18/2005

.01 Purpose

To specify duties of officers initially responding to the scene of a crime.

.02 Cross Reference

GO 810, Investigative Procedures

GO 830, Crime Scene Assessment

GO 831, Collection of Physical Evidence

GO 833, Evidence Office Procedures

GO 860, Interviews and Interrogations

SOP P1-114, Firearms Interdiction Program

[CALEA Standards 1.2.4; 42.2.1; 42.2.2; 61.2.3; 83.2.1](#)

.03 Discussion

Patrol officers are usually the first law enforcement persons to arrive at crime scenes. The guidelines in this General Order are designed to ensure proper initial responses and thereby permit effective investigation.

.04 Policy

The actions taken by officers initially responding to the scene of a crime often determine the outcome of the overall investigation. These initial actions include: a proper response; adequate care of the victims of crime; establishing the nature of the incident; protection and collection of evidence; and apprehension of perpetrators. Officers will do everything possible to ensure that the community's welfare and safety is restored or maintained.

.05 Definitions

This space intentionally left blank.

.10 Authorized Responses

Unless performing a supervisory function, officers will respond to the scene of a crime only if specifically dispatched by Communications, or other competent authority.

This provision does not apply to crimes or crime scenes initially discovered by an officer. In such cases, the discovering officer will immediately report the facts to Communications and initiate emergency actions required to protect life and safeguard the scene. Officers will thereafter follow directions provided by Communications and field supervisors, and will adhere to the following procedures.

.12 Approach

When approaching the location of a crime, officers shall do so in a manner that maintains the safety of persons in the area. Officers shall remain alert and, when appropriate, investigate any unusual circumstance that may indicate the presence of the perpetrator or evidence of the crime. This can include but is not limited to:

- Suspicious persons or vehicles in or leaving the area
- Locations which might conceal perpetrators or evidence, such as doorways, darkened yards, etc.
- Occupied parked vehicles

.20 Command at the Crime Scene

The first officer arriving at the location of the crime is in command until relieved by a superior, by the officer specifically assigned to the call, or by personnel from the appropriate investigative unit.

The officer intending to assume command will inform the officer being relieved that command is being assumed. Investigators and crime scene technicians may assume functional command of the crime scene area. Command and supervision of officers assigned to the perimeter of the crime scene, or officers searching for suspects nearby, remains with the appropriate patrol supervisors.

.30 Render Assistance to the Victim(s)

The first responsibility is to the victim. The injured must receive the highest priority, even if this permits the suspect to escape or is unavoidably disruptive to physical evidence. Therefore, the first officer to arrive will ensure that the victim receives emergency first aid and further medical care, as necessary. This task may be delegated to other competent persons, but the responsibility for ensuring that it is done remains with the initial officer.

.40 Apprehend the Offender(s)

A primary responsibility of all officers is to immediately pursue and apprehend criminals. However, the necessity for immediate pursuit must be weighed against the welfare of the

victim(s) and the need to conduct a more systematic investigation.

Some of the factors to be considered when deciding whether or not to initiate an immediate pursuit include:

Identity Known:

When the identity of a suspect is known, and an immediate pursuit is possible, officers should consider the effect upon the total investigation. If the suspect does not pose an imminent danger to others, an immediate pursuit may not be appropriate if the preliminary interview, crime scene protection or preliminary investigation processes, especially the identifications of witnesses, would suffer. When such circumstances are present, officers may delay apprehension until a more appropriate time.

Identity Unknown:

When the identity of a suspect is unknown, but an officer is aware of the suspect's actual or probable location, an immediate pursuit may be appropriate consistent with the victim's welfare and protection of the crime scene.

Imminent Danger To The Public:

An immediate pursuit and apprehension would be appropriate whenever an officer determines that a suspect's behavior, if allowed to continue, would jeopardize the immediate safety of other persons.

In any event, justification for a decision to immediately pursue or not is limited to facts known to or perceived by the officer, at the time the pursuit decision is made. Facts unknown at the time cannot be considered in later determining justification for actions taken.

.50 Determine the Nature and Circumstances of the Incident

The first officer arriving at a crime scene is also responsible for conducting a preliminary interview of appropriate persons at the scene to obtain the maximum amount of essential information as quickly as possible. Persons to be interviewed include the victim, the person reporting the alleged crime, and any other witnesses to the incident. When practical, the name, date of birth, both residential and business addresses and telephone numbers, and physical descriptions of each person interviewed, will be noted and documented in the officer's report.

The order in which interviews will be conducted may oftentimes be affected by practical and operational circumstances encountered at the scene. As a guideline, officers should, when possible, interview witnesses in the order of their closeness to the crime; starting with the victim/complainant, then moving on to eyewitnesses and finally to all others having information.

When operational circumstances prevent all witnesses being immediately interviewed, officers should document as much identifying information as is possible for each witness so they can be thoroughly interviewed by other officers and/or at a later time.

Preliminary information which should immediately be obtained includes:

- The nature of the specific crime committed, if any, based upon the elements

- What additional immediate assistance is required
 - Basic information about the suspect(s):
 - } Name, DOB, and address, if known
 - } Physical description
 - } Race, Sex, Age
 - } Height, Weight
 - } Hair color and style
 - } Facial hair, eyeglasses
 - } Distinguishing scars, marks, and tattoos
 - } Direction of flight
 - } Weapons used, and whether still in possession of the suspect
 - } Evidence or proceeds of crime believed to be in suspect(s) possession
 - } The description of vehicle(s), if any, used by suspect(s):
 - } Make and model
 - } Body style
 - } Color
 - } Peculiarities (multi-colored, missing parts, observable damage, etc.)
 - } License plate number
 - Any other information necessary to assist in the immediate apprehension of the suspects
- Officers should avoid relying exclusively upon their own memory, and whenever possible should make written notes of all significant information contemporaneously with their initial interviews and observations. This information should be documented in their official reports as soon as is practicable.

.54 Notify Communications

As soon as possible after arrival, officers will notify Communications of any information that may assist in the apprehension of the suspect(s).

.60 Protect the Crime Scene

The confusion and excitement immediately following a crime can easily destroy or alter evidence necessary for a successful investigation. In addition to following the provisions of G.O. 810.40 on Crime Scene Integrity, officers will follow these procedures to minimize the destruction or alteration of physical evidence:

- When necessary and practical, officers assigned to the scene of a crime will ensure that the area is protected so that physical evidence remains in the condition it was left by the perpetrator. Protecting the scene may require closing the perimeter of the crime scene area or securing a structure. The extent of protection necessary will be established by observing the entire scene and determining the extent of the area where items of evidential value may be.
- All persons, whether citizens or police, whose duties and responsibilities do not require their presence at the crime scene will be excluded from the area being protected. Suspects or witnesses, once they have been removed or have left, will not be allowed to return to the protected area (unless authorized by the on-scene supervisor).
- The officer protecting the crime scene will maintain a list of all persons, including police officers, who enter the protected area.
- Protection of the crime scene will continue until photographs, sketches and collection of evidence are completed, or until an assigned investigator indicates that protection is no

longer necessary.

.70 Record Additional Information

As soon as practical, the following additional information will be determined and recorded by the first-arriving officer. Officers will record such information in a notebook, or other appropriate record, for later inclusion in the offense report.

- Time and arrival on the scene and how summoned
- Exact location of scene
- The weather conditions
- The time the crime occurred and was discovered, as specifically as possible
- If at night, note the lighting conditions and any artificial lights and their location
- The identity of the other officers present, including serial numbers and details of their participation in the event
- Any spontaneous or chance remarks made by suspects or witnesses that are relevant to the case
- Location of obvious physical evidence
- Further descriptions of suspect(s) and vehicle(s) involved

.74 Inform Follow-up Personnel

Officers initially responding to a crime scene will inform the assigned follow-up investigator of all suspects or witnesses identified, evidence found, and all other information regarding the case that may be helpful in successfully investigating the crime and apprehending the suspect(s).

.80 Formal Pickups on Firearms

Officers who initiate a case report involving a lost or stolen firearm [for which the serial number is known](#), are responsible for placing a formal pickup for each firearm involved, as soon as possible. This shall be done immediately after the on-scene investigation either by going to the Records Section, by facsimile transmission to Records, or, if lacking access to a facsimile machine, by dictating a formal pickup to Records personnel by telephone. Officers are required to complete the formal pickup before going off duty. [Officers are also required to complete a supplement to include a property descriptor sheet, listing the serial number of the firearm.](#)

The investigating officer will make all reasonable efforts to locate the serial number of the firearm so that it can be entered into CCIC/NCIC. [If the serial number is unknown at the time of the initial report but this information is later developed, the officer receiving the serial number information is responsible for initiating a formal pickup at that time.](#) Records Section personnel will maintain the pickup, and purge these records in accordance with existing policy. When the Records Section receives complete formal pickup information, which includes a serial number, they shall enter the firearm into the CCIC/NCIC computer system. When named suspects can be linked to a firearm, they will be cross-referenced on the formal pickup.

When preparing case reports involving firearms for which no serial number can be developed, officers should take extra care in providing a full narrative description of the weapon, so as to increase the possibility that it might later be identified through a text search of the computerized case reporting system.

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Colorado Spring Police Department

General Order 830

-- Crime Scene Assessment

Active date: 12/7/2005

Supersedes date: 1/29/1998

.01 Purpose

To specify procedures concerning initial processing of crime scenes in preparation for collecting physical evidence.

.02 Cross Reference

G.O. 820, Initial Investigation Procedures

G.O. 831, Collection of Physical Evidence

G.O. 833, Evidence Office Procedures

CALEA Standards 1.2.4; 42.2.2; 83.2.2

.03 Discussion

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.04 Policy

Any item at the crime scene that can be used to ascertain what, in fact, occurred constitutes physical evidence. The process of collecting physical evidence includes evaluating the crime scene, photographing and sketching the scene, searching for evidence, and properly collecting the evidence found. To ensure that this process is proper and effective, officers collecting evidence will follow these procedures when applicable.

.05 Definitions

PHYSICAL EVIDENCE:

Physical evidence is anything that, when presented in a court of law, will assist in determining the truth about a fact in question. Physical evidence is also any object or fact that may indicate a crime was committed or anything that may connect a particular person to the crime scene.

.10 Preliminary Crime Scene Assessment

To ensure that the collection of physical evidence is both organized and effective, a preliminary assessment of the crime scene area will be conducted before actual collection begins. The purpose of the preliminary assessment is to discover items that have evidential value and then determine the priority and method of collection.

Responsibility for this task is assigned to the Officer-in-Charge of the area to be searched. The ~~Charge~~ Officer in Charge may assign other officers to perform this task, but those officers will report their findings to the ~~Charge~~ Officer in Charge prior to collection. The Officer in Charge of a particular scene will vary depending upon individual circumstances. Generally, the first officer to arrive will be in charge of the scene until he/she is relieved of this responsibility by a supervisor, another officer is specifically assigned to this duty, or an assigned detective responds to the scene and assumes responsibility for it.

The preliminary assessment involves, but is not limited to the following tasks:

Identify Areas To Be Searched:

Searches are not confined to the immediate area of the crime, but also include the approach and exit or flight areas. A fleeing criminal may accidentally drop some item of physical evidence during the attempted escape. The nature of the crime and eyewitness statements should be considered when making this decision.

Identify Areas To Be Photographed And Sketched:

Rules of evidence require that the crime scene be reproduced in court with a reasonable amount of accuracy. Photographs and sketches enhance the credibility of the evidence and serve to support testimony of witnesses and verbal testimony of others. When used, photographs and sketches of the crime scene will be made with that objective in mind.

Determine An Appropriate Search Method:

Methods of searching vary but, as in all phases of an investigation, some system is required. Before conducting a search, an investigator should decide on a plan of searching: clockwise, counter-clockwise, dividing the scene into specific areas, etc.

Determine A Logical Starting Point:

Usually, it is wise to conduct an outside search first because of the difficulty in protecting such an area. Elements to consider are the nature of the crime scene, the search method to be used, and the number of personnel involved.

The officer-in-charge of the preliminary assessment will ensure that a record of the assessment is maintained. This record will include the names of the officers involved, what was determined, and who found what.

.12 Use of Assessment Record

The officer in charge of the area to be searched will, when appropriate, refer to the assessment process record and determine that all tasks identified are being performed.

.14 Crime Scene Photographs

Whenever practical, Normally, searches should ~~will~~ not begin until the crime scene area is photographed. The purpose of crime scene photography is to provide a photographic record of facts and to allow the viewer to obtain a better understanding of the crime. When appropriate, the following kinds of photographs will be taken:

General View:

These photographs include pictures of the terrain adjoining the crime scene and/or adjacent neighborhood. It will show the scene of the crime and its surroundings. The general view photograph is used to orient the court or jurors to the locality in question.

Medium View:

These photographs are taken from a distance of 10 to 20 feet from the area being photographed. Medium view photographs should show specific objects and contain sufficient details to associate it with "General View" photographs. To adequately determine which specific objects to photograph, a preliminary visual search of the crime scene area may be necessary.

Close-Up View:

These photographs of individual items, and/or small sections of larger areas, are taken from one to five feet away. These photographs usually include some identifiable object or characteristics found in the "Medium View" photograph.

Unless forensic technicians are called to assist with photographs, crime scene photography may be performed by any officer assigned by the Officer-in-Charge. However, the experience necessary, and the nature of the area to be photographed, will be considered when making such an assignment.

.16 Measuring Devices

Measuring devices such as rulers, yardsticks, and other devices are commonly used in crime scene photography to demonstrate relative size and relationships. Nevertheless, the use of such devices in every photograph may cause admissibility problems. Therefore, a minimum of two photographs of each scene shall be taken -- the first photograph without measuring devices and the second with measuring devices.

.18 Documenting Photographs

Crime scene photographs, like other evidence, will be correctly and completely identified and documented. The Department member taking the photographs is responsible for accurately documenting the circumstances and details of his/her photographic activity at the scene of a crime. This information will be included in the member's supplemental offense report, or in the case of Metro Crime Lab personnel, the official laboratory report.

At a minimum, this will include:

- Offense number
- Nature of the crime or investigation
- Location of scene being photographed
- Date and time range photographs were taken
- Name of member taking the photographs
- Name of persons assisting with photography, if any
- Brief statement of circumstances under which photos were taken and any special techniques utilized, as appropriate
- At the discretion of the photographer, individual descriptions of specific photos which are of particular relevance to the case under investigation may be included, as necessary for context or clarity.

Members may elect to document the specifics of each individual photograph, however this may be impractical when processing extensive crime scenes or taking a large number of photos at any one

particular scene. In those cases, the information documented must be sufficient to allow the photographer to link their photos to a particular scene or event, and to permit them to be so identified in subsequent court proceedings.

All still photographs taken by department members using film which requires processing or taken in digital format which pertain to an official investigation will be forwarded directly to the Metro Crime Lab for processing and/or retention as the department's official record. Instant developing (e.g. Polaroid) photos, and all film seized from others during the course of an investigation will be placed into evidence.

~~Crime scene photographs, like any other evidence, will be correctly and completely identified and documented. The officer taking the photographs will, at the time each photograph is taken, record the following information: Offense number Subject being photographed Where photograph is taken Time and date photograph is taken Name of person taking the picture Name of witnesses, if any Brief statement as to circumstances The above information will then be reported on a Supplementary Offense Report form by the officer taking the photograph.~~

.20 Initial Search

The purpose of a search at a crime scene is to discover any physical evidence that will enable the officer to determine the facts of the crime, identify the perpetrator, and aid in the arrest and conviction of the criminal or the exoneration of an innocent person. The initial search will be conducted only by those officers assigned by the officer-in-charge of the search area. During this phase of the search, officers will follow these procedures:

Determine If A Specialist Is Required:

In order to collect certain evidence effectively, specialized procedures may be required. The nature of the evidence to be collected and the gravity of the crime should be considered when making this decision.

Once the scene has been evaluated and it has been determined that a specialist is required, the scene should be protected but left undisturbed. All evidence should be contained and preserved in its original condition and location. The officer-in-charge of the scene will be responsible for showing the Crime Scene Technician(s) any items of evidence that warrant photographs and/or collection.

Assign Recording And Collection Officers:

The officer-in-charge of the area to be searched will assign one officer, or two officers working together, to actually record and collect evidence. This establishes the chain of custody, concentrates the responsibility for evidence in one or two persons, prevents loss of evidence, increases efficiency, and reduces the number of officers who will have to appear in court to testify. The search record will indicate the name of the officer locating the evidence, the location, the time of discovery, a description of the item found, and the condition that the item was in at the time of discovery.

Locate Evidence:

Officers will look for, determine, and make note of all items that could be of value as evidence. Officers should search for any evidence that would prove "control and possession" by the suspect, since the suspect may later take the stand and deny "control and possession." Officers

performing this task will notify the recording and collection officer(s) as each item of evidence is located.

Determine The Order In Which Items Will Be Collected:

Elements to consider include the fragility of particular evidence, and/or the possibility of destruction during the collection process. Examples of evidence that should be collected first are fingerprints, footprints and tire tracks.

All officers assigned to search will use the same techniques of search, unless directed otherwise by the officer-in-charge of the search area.

.22 Crime Scene Sketches

When appropriate, a sketch will be made to depict the location of all evidence. Sketches will be made prior to actual collection. Officers will use one method for all measurements and decide what is to be sketched before starting.

The following sketches should be made:

Sketch of Locality: This type of sketch is of the immediate area in which a particular item of evidence is located.

Sketch of Details: This type of sketch shows the specific location of a particular item of evidence and its relationship to the closest objects depicted in the "ground" type of sketch.

Officers performing the sketching process should sketch only the essentials, such as the item of evidence, and its relationship to other objects. Sketches will include those items or objects that have been photographed.

.24 Documenting Sketches

The following information will appear on each sketch made:

- Offense number
- Scale used
- Compass direction (orientation)
- Names of streets and/or landmarks
- Title (brief description of area)
- Date and time sketch made
- Sketcher's name

.26 Responsibility for Sketches

The officer-in-charge of the area being searched is responsible for determining whether or not crime scene sketches are necessary, and if so ensuring that appropriate sketches are made. This task may be delegated to any officer at the crime scene. If a Crime Scene Technician has been called to the scene, it will be their responsibility to complete a sketch as part of their protocol for overall crime scene processing.

~~The officer in charge of the area being searched is responsible for ensuring that appropriate sketches are made. This task may be delegated to any officer at the crime scene. If a Crime Scene Technician has been called to the scene, it will be their responsibility to complete a sketch as part of their protocol for overall crime scene processing.~~

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Colorado Spring Police Department

General Order 831

-- Collection of Physical Evidence

Active date: 3/6/2007 11:25:49 AM

Supersedes date: 12/7/2005

.01 Purpose

To specify procedures concerning initial collecting, marking, and placing items of physical evidence in official custody.

.02 Cross Reference

G.O. 805, Child Pornography and Digital Contraband
G.O. 820, Initial Investigation Procedures
G.O. 830, Crime Scene Assessment
G.O. 833, Evidence Office Procedures
G.O. 870, Blood Alcohol Procedures
SOP P1-11, DUI Enforcement Processing

.03 Discussion

Once the preliminary assessment, photographs, initial search and sketches have been completed, the actual recovery and marking of evidence will be conducted in accordance with the following procedures. This General Order should be read in conjunction with G.O. 830, Crime Scene Assessment.

.04 Policy

Any physical item associated with a crime or at a crime scene that can be used to establish the facts of what occurred, as well as that which links suspects and victims to each other, the crime, or the scene, constitutes physical evidence. The process of collecting physical evidence includes evaluating the crime scene, photographing and sketching the scene, searching for evidence, and properly collecting the evidence found. To ensure that this process is proper and effective, department employees collecting evidence will follow these procedures when

applicable. All collected evidence must be documented on an Evidence/Property Invoice form as explained in [GO 833.24, Evidence Office Procedures](#) .

To ensure proper evidence integrity and accountability, it is imperative that evidentiary items be properly packaged, invoiced, and submitted to the Evidence Unit. Evidence which is not properly packaged or invoiced will be rejected by the Evidence Unit, temporarily held in a secure location, and a discrepancy notice describing the corrective action required will be forwarded to the submitting employee through his/her chain of command. When such notices are received, it is imperative that the submitting employee make the required corrections as soon as possible so that the evidence can be properly entered into the system.

.05 Definitions

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.10 Chain of Possession

A formal chain of possession, also known as a Chain of Custody, will be established and recorded. To ensure property is not lost, damaged or stolen, and is admissible in court, the chain of possession should be kept as short as possible. Procedures for collecting, marking, storing, and processing evidence have been designed to keep that chain as short as possible, thereby minimizing the number of persons who may be required to testify to the intactness of the chain.

.20 General Collection and Marking Procedure

Whether done by a single officer in a routine investigation or by a number of department personnel working together on a complex crime scene, the collection of physical evidence must be done in a deliberate, structured, manner. The nature of the crime and complexity of the scene will often dictate the type and number of personnel assigned to the initial search, location, recording, and collection of physical evidence. Department personnel must exercise due care to properly record details of evidence collection so that this information can be accurately documented in offense reports, formal search records/logs, or other formats appropriate to the case at hand.

Personnel assigned to record and collect evidence should do so in an organized, deliberate manner, and must maintain a clear record of the process which can later be detailed in the associated offense report. When practical, the evidence should be physically collected in the presence of the officer who initially located it. The specific location from which each item was recovered and any other pertinent information which may be helpful in later reconstructing the scene should be noted, and it should be collected in a manner that ensures that no item of evidence contaminates another item. As each item of evidence is collected, both the officer collecting it and, where possible, the officer who originally discovered it, will mark the evidence with some distinguishable symbol, such as the officer's initials and date. If it is not possible to directly mark an item of evidence, it will be appropriately packaged and tagged with the officers' unique mark appearing on the package and/or tag.

.22 Degree of Marking

Each article will be individually evaluated for the degree of marking required. Every identifying

mark will be made so that it neither destroys the utility of the item as evidence nor seriously reduces its market value. The mark should not be easy to remove or alter; however, extra care should be taken when marking items which are fragile, contain potentially hazardous materials, or are of significant monetary value.

.24 Unique Marking

When marking evidence, officers will use distinctive and unique marks which they will be able to later identify in court. As an example, the initials of the officer and the date may be used. Marks easily duplicated or in common usage, such as simple check marks or crosses, should not be used.

.30 Collecting and Marking Certain Evidence

Certain items require special collection and marking procedures because of their physical characteristics or because of special requirements for evidence. Items listed below will be treated as specified.

Cartridge Casings: Fired cartridge cases will be marked on the outside, near the open end, when possible. When the open end has been crimped, or is too small, the cartridge case will be sealed in an envelope or plastic vial, preferably packed in cotton or similar substance, and the envelope or vial properly marked.

Live Cartridges: Live cartridges will be packaged either in a vial, an envelope, or other means that will render them safe from accidental discharge. Appropriate soft padding may be used to prevent the cartridge from moving about unnecessarily within the container, but should be placed so as to not damage evidence such as bodily fluids or fingerprints on the item.

At no time will live cartridges be packaged loose or in the same container with a hard object, such as a firearm or other metal object, that could cause accidental discharge. Live rounds recovered in a functional ammunition magazine may generally be left in the magazine, which can be sealed into an evidence container. Officers should avoid placing tape on or over the magazine itself, as this may be destructive to fingerprints or other forensic evidence.

Documents: Documents which may be subjected to forensic/chemical examination (questioned or forged documents, checks, etc.) should not be marked in any way by anyone other than the specialist conducting the scientific examination. Officers collecting such documents should place them in a suitable sealed container (envelope, evidence bag, etc.), mark the container, and state in their offense report why the original document was left unmarked. Other documents (written confessions, drawings, contracts, etc.) which are not likely to be forensically examined, may be appropriately marked in an area where the marking will not obscure the document's contents, such as on the reverse.

Fingerprints: To the degree it is practical, officers who have received appropriate training should process evidence for fingerprints in the field within the scope of their expertise. Lifted fingerprints [are to be handled as other evidence and shall be properly invoiced, packaged in specialized fingerprint envelopes designated for this purpose, and submitted to the Evidence Unit. A separate Property/Evidence Invoice must be attached to the fingerprint envelope before it is submitted in the](#)

fingerprint drop box. ~~do not normally need to be invoiced as evidence but should be submitted to the Metro Crime Lab through methods established by SOP.~~ Specialized powders, lifting tapes, and glossy latent fingerprint cards issued by the department should be used. Officers should avoid field expedients such as Scotch tape, plain paper, etc., in that they are likely to produce a poor quality transfer. Officers who anticipate difficulty in lifting prints from certain objects or under adverse circumstances may request the assistance of more experienced officers or specialist personnel within their division or, with supervisory approval, from the Metro Crime Lab. When appropriate, officers may submit items which they suspect contain latent fingerprints into evidence, with a written request to the Metro Crime Lab for fingerprint processing.

Firearms: Except where absolutely necessary for safety reasons, firearms should not be touched before recording the exact location where ~~they were it was~~ found. Detailed notes should be taken regarding the location and exact condition of the weapon when found, including position of hammer, safety, and specifics of ammunition and loading. Photos and/or sketches should be used when practical. Officers must exercise extreme caution in handling recovered firearms, and if unfamiliar with a particular weapon's operation should summon appropriate assistance.

~~Except for extraordinary circumstances to the contrary, firearms should be unloaded and rendered safe prior to being packaged as evidence, using care to avoid accidental discharge or the destruction of evidence (fingerprints, gunshot residue, bodily fluids, etc.) which may be on the weapon or ammunition. Prior to removing ammunition, officers should note the exact position of each round (i.e. in the chamber or magazine of a semi-auto, the position relative to other rounds in the cylinder or magazine, and the cylinder's position relative to the barrel of a revolver, etc.) The outermost package and the accompanying evidence invoice should be prominently marked to indicate the presence of an UNLOADED FIREARM. Whenever possible, prior to being packaged a plastic cable tie (flex cuff, etc.) should be placed through the magazine well or barrel of a semi-auto, extending through the chamber/ejection port, or around the top strap of revolver with the cylinder open, to visually confirm it's unloaded status and prevent the weapon from going into battery, using care to not disturb obvious physical evidence.~~

Firearms submitted as either evidence or personal property must be packaged in department supplied specialized cardboard gun boxes, and will be secured into the gun box with plastic flex ties. The box will be left unsealed so that Evidence personnel can verify that it is the same weapon described on the invoice, and that it is in a safe condition for storage.

~~Prior to being packaged, a plastic cable tie should be placed through the magazine well or barrel of a semi-auto weapon, extending through the chamber/ejection port, or around the top strap of a revolver with the cylinder open, to visually confirm its unloaded status and prevent the weapon from going into battery, using care to not disturb obvious physical evidence. The loaded or unloaded magazine of a semi-auto weapon may be submitted in the same gun box as its associated firearm so long as it is not inserted into the firearm, and it is securely strapped to the box with flex ties. Tape should not be placed around or over the end of loaded magazines, as it is difficult to remove without destroying forensic evidence. No other items may be submitted within the gun box. All ammunition must be placed into evidence separate from the weapon.~~

~~An evidence or personal property tag will be completed and securely affixed to the firearm. In exceptional circumstances, if a firearm must be submitted for forensic testing without first being~~

unloaded, the gun box will be sealed and the outside of the box will be prominently marked to indicate the presence of a LOADED FIREARM to help prevent accidental tampering or discharge. When a firearm is submitted in a sealed gun box, the evidence or personal property tag must be securely affixed to the outside top lid. Any firearm submitted in a loaded condition must be handled with extreme caution and whenever practical, collected/handled only by specialized personnel.

Employees submitting firearms as either evidence or personal property are responsible for checking the weapon through NCIC/CCIC prior to submission. If the weapon is shown as wanted, the submitting employee will initiate action to clear it from NCIC/CCIC, make appropriate notifications, and document it in an offense report.

~~Absent extraordinary reasons to the contrary,~~ Officers should refrain from inscribing evidentiary markings directly on a firearm, but should use [approved gun boxes](#) and evidence tags ~~and/or sealed evidence bags~~ for [marking identification](#) whenever possible, in conjunction with recording unique identifying characteristics such as make, model, caliber, and serial number on the invoice and offense report.

Fired Bullets: Fired bullets will be placed in individual suitable small containers, such as a coin envelope, plastic or heavy glass container, securely fastened, sealed, and the seal marked. Because fluids can be destructive to the evidence if not properly dried, plastic or glass should NOT be used for bullets which are wet (such as those removed from bodies). Care should be taken to avoid obliterating or cross-contaminating trace evidence (blood, fingerprints, etc.) on the bullet. Each fired bullet should be individually packaged. There is generally no need to pad the bullet, but if deemed necessary, plain white cotton or crumpled clean paper should be used.

Footprints, Tire Marks or Tool Marks: These items should be photographed in place, using oblique lighting as necessary to highlight details. Several exposures from different angles should be considered, and shots should be taken first without, then with, a standardized scale or ruler. A standardized scale or ruler should be used whenever possible; as a field expedient when none is available, officers may consider using some other uniquely standard object, such as an unwrinkled dollar bill, which may allow some semblance of relative size to be established. When practical, the object containing the impression may be submitted into evidence in its entirety. When appropriate, castings may be taken by employees having the requisite equipment and expertise.

Alcoholic Beverages: When chemical analysis of suspected alcoholic beverage is necessary to a criminal case, a sample of the questioned liquid should be removed from its original container, transferred to a suitable evidence container, sealed, and submitted for lab analysis when it is practical to do so. If lab analysis is not required, officers should consider properly destroying the contents and retaining the empty bottles/containers for evidence.

Blood/Breath Samples for Alcohol Analysis: When blood or breath samples are taken for alcohol content analysis, an Evidence/Property Invoice must be properly completed and submitted with the samples in appropriate evidence packaging. Blood samples should be collected and submitted in accordance with [GO 870, Blood Alcohol Procedures](#). [SOP P1-11, DUI Enforcement Processing](#) includes instructions for collecting breath samples.

Drugs/Narcotics: ~~See Section .38 Suspected illicit drugs and narcotics will be separated from other evidence. Loose or powdered drugs should be carefully weighed and packaged within their innermost container (i.e. baggie, pharm-fold, etc.) to avoid spillage or unnecessary exposure of personnel to toxic substances, and the total weight (including innermost container) recorded on the accompanying~~

~~evidence invoice and in the officer's offense report. Additional outer packaging should be added to insure security. Pills, tablets, and crystalline rocks should be both counted and weighed. Plant material, such as marijuana, which does not appear to be completely dry should be packaged in sealed paper evidence containers when possible. Marijuana plants should have the roots cut off and discarded, and the remainder of the plant sealed into paper evidence bags (factory perforated for ventilation if available), sealed with evidence tape, and placed in evidence drying cabinets as described in G.O. 833-23.~~

Odors and Volatile Fluids: When preserving an odor or volatile fluid, articles impregnated with the substance will be placed in a clear airtight container, either a specialized Teflon-lined can (similar to a paint can) available through the Crime Lab or Evidence Unit, or glass (not plastic), as soon as possible. The container will be marked and tagged. The tag will indicate that the package contains material impregnated with a volatile fluid. For storage of flammable fluids, see Divisional SOP.

Poisons: Suspected poisons will be placed in nonmetallic containers, preferably glass, and marked or tagged, and will be placed in a designated outdoor storage location.

Bodily Fluids: Pooled wet bodily fluids such as blood, semen, and saliva may be collected by passing sterile cotton swabs through the pool of fluid so they become saturated, then sealing them into a ventilated cardboard tube and paper evidence bag. If none are available, they must be completely air dried before final packaging. If secured in an evidence drying locker, they should be placed into a coin envelope which is propped open for ventilation, and the envelope properly marked. If possible, at least four swabs should be taken from each pool of fluid. The preferred method for collecting small amounts of dried fluids is to lift them with tape, in a manner similar to lifting fingerprints. Ordinary transparent office tape is preferable to fingerprint lifting tape for this purpose, in that fingerprint tape may be too adhesive to allow for later sample removal. The tape containing the lifted dried fluid should then be taped down onto a clear plastic bag, which will then be inverted to protect the sample and packaged as evidence. ~~The inside surface of a plastic evidence bag can be used if necessary.~~ Although less effective for some forensic exams, dried fluids may also be carefully scraped off the object directly into a small evidence envelope or glass vial using a clean tongue depressor or similar object. If another object must be used, care must be taken that the sample is not contaminated by any material on the object used for scraping. Sample size is important, and as much of the dried material as practical should be collected. The sample should not be directly touched, as this can cause cross-contamination. Biological fluids should not be packaged in plastic due to the risk of decomposition.

~~Wet blood, and in some cases dried blood which is not suitable for scraping, can be collected using a sterile cotton swab moistened with clean distilled water. Only enough water needed to slightly moisten the swab and transfer the stain should be used; unnecessarily diluting the blood may reduce its utility for later lab analysis. Once the blood has been transferred onto the cotton swab, the swab should be packaged into a ventilated cardboard tube, which can then be secured inside a paper evidence bag to allow the collected specimen to dry.~~

~~Semen, urine, vomitus, and other bodily fluids can generally be collected in the same manner~~

described above for blood.

Blood Soaked or Wet Items: Stains or fluids which are soaked into porous materials (cloth, sheetrock, etc.) should, whenever possible, be collected with the underlying material. When it is impractical to collect the entire object containing the stain (e.g. chair upholstery, carpet, wall sections, etc.) a portion containing the stain should be cut out and properly packaged. Care should be taken in packaging fluids/stains which are not entirely dry; they should be packaged in paper or otherwise be permitted to dry completely to prevent decomposition. Whenever possible, an unstained nearby sample of the same material should be collected and packaged separately to be used as a laboratory control. Care must be taken to not cross contaminate the stained material with the unstained control sample.

Any biological specimens, or objects on which such stains are present, should be thoroughly air dried at room temperature before being packaged whenever possible. Special drying lockers in department evidence rooms can be used for this purpose. Small objects containing small stain samples can usually be packaged while slightly moist, so long as some ventilation is provided for drying, such as using a paper evidence bag. Damp items should not be folded over onto themselves or allowed to cross contaminate other items or other parts of the same item.

Wet or bloody items must be completely dried before being placed into evidence. Employees placing evidence into lockers for drying will also prepare all required packaging and invoices and leave them with the evidence. Evidence personnel will then use these to package and process the items once the evidence has completely dried.

When using drying lockers in any department evidence facility (substations or POC Annex), employees must exercise caution to avoid cross-contamination with items which may have been in the locker previously, or will be placed there subsequently. To minimize the possibility of cross-contamination, the employee placing the evidence will remove any loose debris from the floor, then spray down the interior of the locker with a water/bleach solution supplied by the Evidence Unit and wipe the interior surface with disposable towels. Evidence personnel will clean the locker a second time when they remove the dried items.

Items which may be tested for DNA, including but not limited to, blood, semen, and saliva, must also be protected from prolonged exposure to ultraviolet (UV) light, as UV can be destructive to DNA. Some drying cabinets may be equipped with built-in UV lights to assist with locker decontamination. Care must be taken that these lights are not left on when items containing potential DNA evidence are being stored or dried in these lockers. UV lighting should only be used when the locker is empty.

~~Wet blood, and in some cases dried blood which is not suitable for scraping, can be collected using a sterile cotton swab moistened with clean distilled water. Only enough water needed to slightly moisten the swab and transfer the stain should be used; unnecessarily diluting the blood may reduce its utility for later lab analysis. Once the blood has been transferred onto the cotton swab, the swab should be packaged into a ventilated cardboard tube, which can then be secured inside a paper evidence bag to allow the collected specimen to dry. Semen, urine, vomitus, and other bodily fluids can generally be collected in the same manner described above~~

~~for blood.~~

Glass: Pieces of glass will be gathered and placed securely in a non-plastic container to help preserve fingerprints. Glass should be picked up around the outer edges, small pieces with tweezers, if possible. When reconstruction is a possibility, such as with a broken window or vehicle part, it is extremely important to obtain as many pieces of the broken object as possible. It should be packaged so as to avoid cross contamination and further breakage.

Trace Items: Trace evidence refers to that which occurs in sizes so small that it can easily be transferred or exchanged between two surfaces without being noticed. Its forensic importance is tied to the principal that when two objects come into contact with each other, each will leave particles of one upon the other. Trace evidence can include items such glass, hairs, fibers, dirt, pollen, seeds, and like items.

Due to their small size, many trace evidence items can easily become airborne and thereby cross-contaminate other evidence. Officers should remain cognizant of this fact when trace evidence is being collected from victims and suspects or their possessions, and avoid having both in the same room at the same time that evidence is being collected.

Because of its diversity, definitive guidelines for packaging some trace evidence are difficult to establish; common sense rules of evidence preservation and packaging should be followed, with care taken to avoid cross contamination and loss of parts of a sample. When the nature of the collected sample is not readily apparent, it should be adequately described (i.e. ♦apparent fibers♦) on the outer package, invoice, and police report. Some general guidelines include:

- Hair: Hair specimens taken from living or dead persons should generally be collected by trained medical or coroner personnel, and should include both combings and hair plucked from certain body areas (head, genitals) in a manner to preserve the roots. Cut hairs (without root structure) typically have much less evidentiary value. Specialized sexual assault or homicide collection kits are generally used for this purpose. Officers taking custody of ♦rape kits♦ and similar collections are responsible for ensuring they are properly sealed, that they are safely and expeditiously transported to an evidence facility, and for maintaining chain of custody. Loose evidentiary hairs encountered in the field should be left on the item on which they were found when it is practical to place the entire item into evidence. The items should be packaged in a way so as to prevent hairs from being lost, such as folding dry items inward so as to keep the hairs in the general area where they were found and thoroughly sealing the evidence package (wet items should not be folded onto themselves to avoid evidence transfer and cross-contamination). When this is impractical, loose hairs may be carefully gathered with tweezers and packaged in a small envelope or vial, or lifted from the surface with common clear office-type tape (fingerprint lifting tape should be avoided because of its strong adhesive) and secured to a latent fingerprint card, which can then be marked and packaged as evidence.
- Paint: Paint chips should be collected, placed in a clean paper container and the container marked. Collection of chips, rather than powder, is preferred; as much paint as is practical to collect should be taken. Comparison paint samples from nearby uninvolved areas should also be taken.
- Fibers: Fibers should be picked off with tweezers or forceps, packaged in a glass vial or small envelope, and properly sealed (plastic should be avoided because of static electricity). Traces of fibers that cannot be collected should be photographed, sketched, and thoroughly described in the case report.
- Sand and Soil: Sand and soil samples may be collected from around a foot or tire impression, and should be taken from several different points around the impression, down to the depth of

the impression. Each sample should be packaged in a separate container that does not leak. Such samples may be collected from the clothing or the body of victims and/or suspects in which case comparison samples of the area where the body was found, or is suspected of having been, will also be taken. Glass containers are preferable for packaging; however, plastic may be used if necessary. The containers should be securely fastened, sealed, and marked.

- Money: Money is a sensitive item that must be packaged separately from other evidence. Money shall be packaged in a department supplied green colored money evidence envelope which is specifically designed for this purpose. No other items of evidence shall be included with money in the green money envelope. An exception to packaging of money is made for money found inside of a wallet or purse in an amount less than \$100.00. This may be left inside the wallet or purse and submitted as one item; however, the exact amount of the money will be annotated on the accompanying invoice.
- Vehicles: Vehicles which are seized as evidence will typically be transported to either an evidentiary vehicle bay at the Police Operations Center or to the Impound Lot, and will be processed in accordance with GO 832, Evidentiary Vehicles .
- Bicycles: Found bicycles and those taken as personal property, as well as most seized as evidence, will be taken to a Patrol Division substation, temporarily stored in a location determined by the individual division, and later transported to the Impound Lot by Evidence Unit personnel. A property or evidence tag will be completed and affixed to the bicycle, and an evidence invoice completed and left in a place readily accessible to Evidence Unit personnel. Bicycles which are particularly significant evidence in serious crimes may, at the discretion of the employee submitting, be handled in the same manner as other large items of evidence.

.33 Collection and Handling of Computers and Digital Devices

Computers can be used to facilitate the commission of crimes, can contain evidence of crimes, or can be the target of criminal intrusion. Computer systems and associated electronic data are commonly encountered in the investigation of sexual exploitation of children, identity theft, forgery, and the like, and reasonable precautions must be taken to both safeguard the evidence and minimize the risk of damage to non-involved property. Because computer equipment is so commonly encountered in criminal cases, it is not practical to send a forensic expert to every scene where such items must be seized, and officers having the need to seize computer equipment should follow the general guidelines contained in this section, in the order listed. Unusually complex systems or those which appear to be actively connected to a large network, may require the assistance of specialized personnel from the Computer Forensics Unit.

Network: Determine if the computer is connected to a network. Evidence of a network may include the presence of several computers which are physically connected to one another, or located in an office environment. Officers should be aware that networks can be established wirelessly, through wireless (radio-type) routers or cards connected to the computer. In most cases, witnesses, suspects, or others in the office can state whether or not the computer to be seized is part of a network, and what impact removing it may have on the network. Disconnecting a computer which is part of a small, private network, such as that which links computers in a private home, will generally not cause damage; however, those located in a business environment should be approached with caution. If in doubt as to whether or not damage will be caused to a possible network, officers should consult specialist personnel.

The following steps apply to non-networked computers:

Power: Determine if the personal computer to be seized is switched on (power light, ventilator fan sounds, unit is warm to the touch, etc.) Potential evidence in temporary memory (RAM, flash memory, etc.) can be lost if the system is improperly turned off.

If the computer is already switched OFF, it should not be turned on. Unplug the power cord from the computer side (not the wall socket side) of the connection. In the case of laptops/portables, also remove the battery. Be aware there may be more than one battery pack, and all should be removed.

If the computer is already switched ON, the following applies:

- Do not manipulate the keyboard or mouse
- Do not take advice from the computer's owner, as this may be designed to intentionally destroy incriminating data.
- Document and photograph what can be seen on the monitor, printer, and immediate area.
- If a printer is running, allow it to finish the print job and seize the printed material.
- Do not use the power switch. Unplug the power cord from the computer side of the connection (not the wall socket side). Remove all batteries, if present (portables/laptops).
- Label and photograph all connections. Use tape or labels to designate each computer connection with a different letter, and the corresponding end of the cable plugged into it with the same letter.
- Remove and package all cables/connections
- Search area for possible passwords, PINs, and screen names
- Interview users/witnesses for passwords, PINs, and screen names
- Document items seized and remove from scene
- Place items into evidence
- If needed, complete a Computer Media Analysis Request, including specific information as to what you are searching for on the seized computer. Forward the request to the Special Services Sergeant.

.36 Responsibility for Requesting Laboratory Examinations

Items submitted to evidence will not normally be subjected to any forensic examination without a specific written request to the laboratory where the exam is to be conducted. Standardized forms for routine exams by the Metro Crime Lab are available for this purpose. In cases which will be handled exclusively by Patrol and not assigned to follow-up investigators, the initiating officer is responsible for requesting any needed laboratory exams. The detective having primary responsibility for any case assigned to an investigative unit, or in some cases the Deputy District Attorney prosecuting the case, is responsible for requesting laboratory exams of any associated evidence. Such requests will be in writing, on approved forms, and will be specific as to the nature of examination requested. Items which will be forwarded to the Colorado Bureau of Investigation or other outside laboratory will normally require a letter of transmittal explaining the nature and scope of exam requested, which is also the responsibility of the primary investigator. Exam requests to outside labs will be coordinated through the Evidence Unit Custodian's office.

Forensic chemical examination of suspected illicit drugs is normally only done upon request of a Metro VNI detective or prosecutor when the case is being prepared for trial. Officers should not routinely request that suspected narcotics be analyzed outside of these circumstances.

.38 Special Handling Procedures for Controlled Substances

~~Evidence in the form of controlled substances shall be gross weighed and properly sealed in an approved container, by the submitting officer, prior to placing the evidence into the custody of the property custodian. Items such as capsules and pills will also be counted.~~

~~"Gross weight" means the weight of the controlled substance plus including the innermost original container which can be used without exposing the officer to the toxic substance or leaking of the sample, its original container, if any. If it becomes necessary to use an additional container or sealing material to maintain sample integrity and/or more accurately weigh the controlled substance, then the term "gross weight" shall refer to the controlled substance, the original container, the additional container, and any sealing materials used. The gross weight and quantity of those items shall be recorded on the appropriate laboratory request form and the Evidence Invoice form. Because actual net weight (without containers) of the controlled substance may be a factor in subsequent prosecution, officers should describe in detail the nature of the packaging included in the gross weight when preparing offense reports. Controlled substances should not be removed from their original innermost secure packaging outside of a controlled forensic laboratory setting.~~

Actual or suspected illicit drugs, prescription drugs, and narcotics, will be packaged separately from other evidence and must be sealed in an approved container by the submitting officer, prior to being placed into evidence.

Loose or powdered drugs should be carefully weighed and packaged within their innermost container (i.e. baggie, pharm-fold, etc.) to avoid spillage or unnecessary exposure of personnel to toxic substances, and the total gross weight recorded on the accompanying evidence invoice, in the officer's offense report, and on any requests for laboratory testing.

"Gross weight" means the weight of the controlled substance including the innermost original container which can be used without exposing the officer to the toxic substance or causing leaking of the sample. If it becomes necessary to use an additional container or sealing material to maintain sample integrity and/or more accurately weigh the controlled substance, then the term "gross weight" shall refer to the controlled substance, the original container, the additional container, and any sealing materials used. Because actual net weight (without containers) of the controlled substance may be a factor in subsequent prosecution, officers should describe in detail the nature of the packaging included in the gross weight when preparing offense reports. Controlled substances should not be removed from their original innermost secure packaging outside of a controlled forensic laboratory setting. Pills, tablets, and crystalline "rocks" should be both counted and weighed.

Plant material, such as cut or loose marijuana (not still part of a whole plant), which does not appear to be completely dry, should be packaged in sealed paper evidence containers to permit drying and minimize decomposition.

Marijuana Plants: Moist or recently living marijuana plants require a packaging and processing procedure that is different than used for other types of narcotics. When not allowed to dry completely, such plants

may be susceptible to decomposition and/or growth of hazardous fungi.

The roots of the plants must be cut off and discarded in an outside trash receptacle at one of the CSPD facilities. The remaining stems and leaves should be placed in paper bags, preferably factory perforated, if available. The paper bags should be sealed with evidence tape, appropriate descriptions written on the bags, and the sealed bags submitted in a drying locker as described below:

At division substations, bags should be placed in drying cabinets which are provided. The instructions on the drying cabinets must be followed and cabinets locked after bags are placed inside. No other evidence other than the marijuana plants themselves should be put in the drying cabinets, even if the evidence is from the same case.

At the Police Operations Center, marijuana plants should be processed as discussed above and secured in one of the drying lockers in the Evidence Annex, 224 E. Rio Grande Street, except Locker #5, which is reserved exclusively for large volume VNI marijuana plant cases. Drying cabinets are not available in the officer's evidence room in the basement of the POC.

.40 Collection and Preservation of Evidence in Sexual Assault Cases

As a general rule, any items at the scene or on the victim with which the suspect may have come into contact and possibly left trace evidence (see above) such as blood, urine, semen, hair, etc., should be collected as evidence. Conversely, any items from the person or presence of the suspect which might contain trace evidence of the victim should be collected. Such items include, but are not limited to the following:

- A "rape kit" from the hospital where the victim or suspect was examined (see below)
- Items such as bed sheets, pillow cases, blankets, rugs or other readily moveable items at the location where the sexual assault occurred
- Victim's clothing from the time of the assault
- Suspect's clothing, from the time of the assault, if available
- Any object which the suspect may have touched and left fingerprints or trace

Extra care must be taken to ensure that wet items are thoroughly air dried before being packaged, and to ensure that any trace evidence (hairs, fibers, bodily fluids, etc.) are not lost or contaminated.

Rape Kit:

Sexual assault victims and suspects should be examined at Memorial Hospital whenever possible; regardless of which medical facility is used, the exam should be accomplished by a specialist such as a Sexual Assault Nurse Examiner (◆SANE Nurse◆) or similarly trained professional whenever possible.

Specialized ◆rape kits◆ to facilitate collection of sexual assault evidence have been standardized throughout the State of Colorado, are available at most area hospitals, and should be utilized whenever possible. Although the specific items collected may vary somewhat according to case circumstances, this evidence kit should usually contain the following:

- 10 cc's of whole blood
- Saliva samples
- Head hair pluckings
- Pubic hair combings
- Pubic hair pluckings

- Vaginal smears and swabs
- Fingernail scrapings if appropriate
- Examination table paper

Rape kits should be refrigerated as soon as possible after the examination, as the serological samples collected are subject to rapid deterioration. After collection by hospital personnel, these items will be turned over to the investigating officer, who will [replace the items into their original packaging, properly package and](#) invoice them, and place them into one of the secure refrigerators at the main Evidence [Unit Custodian's office](#) or one of the divisional satellite evidence facilities as soon as possible.

.50 Evidence Tagging

Tagging of evidence is distinguished from marking by being less permanent. It does not harm the commercial value of property. Tagging is a convenient method of identification for large items and for very small items that have been placed in containers.

.52 Information on Tags

When officers tag evidence or containers of evidence, the date, location, offense number, a short description of the item, and the officer's name or initials will appear on the tag. Officers may note additional relevant information on the back of the tag which will assist them in later identifying it, but should not include information which might be prejudicial or diminish its admissibility.

.54 Tagging for Fingerprints

Evidence that is not fingerprinted at the scene will be placed in an appropriate container and the container will be tagged. To ensure that the item is not inadvertently touched by other personnel processing it, "Prints" will be written on the outermost package or tag in letters large enough to be easily noticed. This marking is for security purposes only, and will not trigger a forensic examination for latent prints without a specific written lab request.

.60 Transportation of Evidence

As all evidence will have to be transported one or more times, it will be packaged so that it will not be harmed or destroyed in transit.

.62 Shipment of Evidence

Secure shipment of evidence to other facilities, such as outside agencies or laboratories, will be directly coordinated between the primary investigator and the Evidence [Unit Custodian's Office](#). Cover letters, examination requests, and any special handling requirements are the responsibility of the investigator. Mode of shipment may vary according to size, type, and perishability of the evidence.

.70 Photographs

The Metro Crime Laboratory is designated as the official repository for all crime scene and other evidentiary still photographs taken by department members utilizing either film which requires laboratory developing or those taken in a digital format. ~~Absent extraordinary circumstances, these items should not be placed into evidence at the Evidence Custodian's office.~~ These undeveloped rolls of film or computer media containing digital photos will be invoiced and submitted as evidence to the Evidence Unit, packaged in a department supplied, specifically designed evidence/laboratory photo envelope. When multiple CDs/DVDs are submitted, they should be packaged inside the photo envelope in such a manner to prevent them from becoming scratched, such as using jewel cases or multiple photo envelopes. The employee submitting the film or digital media will indicate on the evidence invoice the number of rolls of film or the number of CDs, DVDs, etc., contained in the envelope(s), and place them into evidence in the same manner as other evidentiary items. A separate invoice must be completed for film. Evidence Unit personnel will coordinate with the Metro Crime Lab for delivery of the film or digital media to the lab for processing and subsequent retention in the Crime Lab as the department's official record, in accordance with department policy and state records retention statutes. ~~Undeveloped film taken by department members will be forwarded to the Metro Crime Lab for processing, and the negatives will thereafter be retained in the Crime Lab as the department's official record, in accordance with Department policy and State records retention statutes.~~

Members who take digital photographs are responsible for transferring the unaltered images onto an appropriate digital storage media which can be written to only once and cannot thereafter be re-recorded upon (e.g. CD-R, DVD-R, but not re-recordable CD-RW, DVD-RW, flash drives, or floppy discs). ~~At the completion of the writing or transfer process, the CD or DVD must be finalized to prevent data from being added or changed.~~ This media will then be packaged and entered into evidence as described above. ~~in an appropriate container such as hard case and/or a photo envelope, and the media forwarded to the Metro Crime Lab, where it will be retained as the Department's official record in accordance with statute.~~ To comport with court rules regarding chain of custody and discovery, members will transfer all digital images taken at the scene or otherwise relating to an investigation onto the storage media, and will not deliberately omit or in any way alter any image in the process, even if the original images appear to be of poor quality.

The member who took the digital photographs will mark the "original" CD/DVD, which will be submitted ~~as storage media containing~~ the department's official record as evidence, including date, photographer's initials, and case number. ~~When marking digital media,~~ Members should be aware that certain inks or the pressure of hard markers can immediately or over time damage the reflective surface of some digital media, rendering it unreadable. ~~and take care to~~ Avoid writing directly on areas which are backed with a reflective surface. Whenever possible, any markings should be made on non-reflective areas, such as the innermost ring near the center hole of a CD or DVD. Additional information such as case title, address, times, photographer's name, etc., should be recorded on the photo envelope in which the media is submitted. ~~adhesive label, or other jacket in which the media will be packaged.~~

Any editing or enhancement of digital images may be done only using subsequent copies of the original images, and must be stored on media which is physically separate from that containing the department's official record. Any edited versions will be clearly identified as edited copies and may be retained in case files or placed into evidence, as necessary, but will not be forwarded to the Crime Lab for retention.

Instant developing photos (Polaroid-type) taken by department members which do not require laboratory processing, and film or photos not taken by department members but are seized as evidence, will also be invoiced and submitted to the Evidence Unit. Upon written request, Metro Crime Lab personnel will check film/negatives out of the Evidence Unit, develop and/or print it as requested, and return the original film/negatives to the Evidence Unit. The printed photos will be released by the Metro Crime Lab to the

requesting member.

Members requiring photographic prints from official photos will complete a Request for Photo Lab Service and submit it to the Metro Crime Lab. Members of the CSPD should not complete a photo request for any outside individual or agency, but should direct such person or agency to submit their own request to the Metro Crime Lab, so as to ensure that correct records release criteria are met and that appropriate fees, as established by City Council, are charged.

~~The following types of media will not be forwarded to the Metro Crime Lab for processing and retention, but will be placed into evidence at the GSPD Evidence Unit Custodian's office: Instant developing photos taken by department members which do not require laboratory processing, such as Polaroid type photos~~

~~} Undeveloped film and photographs which were not taken by department members but are seized as evidence, such as film or photos taken by suspects and seized pursuant to a search warrant. Upon written request, Metro Crime Lab personnel will check film/negatives out of the Custodian's office, develop and/or print the film and provide copies to the requesting officer, then return the original film or photos to the Evidence Custodian.~~

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Colorado Spring Police Department

General Order 832

-- Evidentiary Vehicles

Active date: 2/20/2007 10:04:14 AM

Supersedes date: 9/19/1996

.01 Purpose

To specify procedures for **impounding motor vehicles which are seized as evidence**, and for using evidentiary vehicle bays to process **them vehicles for evidence**.

.02 Cross Reference

G.O. 290, Towing and Impound Procedures
G.O. 455, Bomb Threats and Explosives Incidents
G.O. 831, Collection of Physical Evidence
G.O. 833, Evidence Office Procedures

.03 Discussion

Vehicles are often used in crimes and may be an important part of evidence collected in an **investigation**. It is important to ensure that the chain of custody is maintained when **such vehicles are impounded and that they can be properly accounted for while they are in the department's possession**. ~~processing these vehicles for evidence~~ Evidentiary Vehicle Bays are provided at the Police Operations Center (POC) to facilitate detailed forensic exam and evidence collection from certain seized vehicles. The department's Impound Lot may also be used for vehicle processing as well as longer term storage. ~~located at the P.O.C. have been designated for this~~

~~purpose.~~ It is essential that ~~evidentiary~~ vehicles brought to these facilities ~~vehicle bays~~ are handled so as to maintain ~~strict accountability and~~ Chain of Custody. ~~Additionally~~, for the safety of department personnel and facilities, ~~personnel impounding vehicles must~~ ensure they do not contain explosives or other hazardous materials.

.04 Policy

Motor vehicles seized as evidence will be processed and accounted for using the same control systems as other physical evidence, including preparation of an Evidence Invoice. The department shall ensure that the integrity of evidence is maintained by using the Evidentiary Vehicle Bays and the Impound Lot efficiently and effectively. The process of determining whether a vehicle should be towed to a vehicle bay or to the Impound Lot, and how the vehicle will be processed for evidence, is outlined in the following procedures. ~~This General Order does not apply to vehicles which are impounded for purposes other than evidence, such as traffic hazards, safekeeping, unsafe vehicles, etc.~~

.05 Definitions

EVIDENTIARY VEHICLE BAY: A designated secure garage-like structure designed to temporarily store motor vehicles which are seized as evidence, and facilitate forensic examination of those vehicles. The primary vehicle bay is located on the south side of the Police Operations Center building, and the two southernmost of the four vehicle bays in the Evidence Annex building at 224 E. Rio Grande Street, ~~north of the POC~~ are designated as auxiliary evidentiary bays for use by the Metro Crime Lab to conduct forensic processing of evidentiary vehicles.

.10 Preliminary Assessment

Vehicles impounded as evidence will be towed to either the CSPD Impound Lot or to one of the Evidentiary Vehicle Bays at the Police Operations Center. Because of limited availability, officers must obtain approval from an on duty supervisor or detective assigned to the case prior to having any vehicle towed to one of the evidentiary vehicle bays and before towing, should confirm that one is currently unoccupied. ~~Subject to availability~~, a vehicle may be towed to the bay if it is involved in any of the following offenses:

- ~~felony~~ drug offenses
- sexual assaults
- homicides
- vehicular assaults
- felony assaults
- other ~~serious felony~~ offenses approved by a sworn supervisor ~~the Commander~~

Officers and supervisors should exercise discretion in use of the vehicle bays at the POC so as to maximize their availability for use in the most serious cases. When appropriate to the circumstances of an investigation, some vehicles impounded as evidence may be towed directly to the CSPD Impound Lot where they can be processed for evidence or later moved to a vehicle bay when one becomes available. In evaluating whether a vehicle should be towed to the

Impound Lot or a vehicle bay, officers should consider the relative seriousness of the case, the nature of evidence which might be recovered from the seized vehicle, and how potential evidence might be impacted by securing the evidentiary vehicle in the outdoor environment of the Impound Lot.

.12 Explosives and Hazardous Materials

When an officer has reasonable suspicion that a vehicle that is about to be seized contains explosives or other toxic/hazardous substances which would pose a risk to facilities or personnel, the officer will **immediately** notify an **on-duty immediate supervisor** ~~or the on-duty commander,~~ who will determine if a bomb technician or Hazardous Materials Unit should be called out **and whether evacuation of the surrounding area is necessary**. Should such a specialist be required, Communications will be directed to contact appropriate personnel. The specialist will respond to the scene and ensure that the vehicle is safe before the vehicle is brought to any police facility. Under no circumstances should a vehicle thought to contain explosives or hazardous materials be placed into any police vehicle bay.

.20 Towing Evidentiary Vehicles

When the decision has been made to impound a vehicle as evidence, in addition to deciding what facility the vehicle will be brought to, the impounding officer and/or supervisor will determine how the vehicle will be secured, ~~The officer will contact the shift commander at the P.O.C. to determine if one of the bays is empty and available. If one is available, the vehicle will be secured as is appropriate to the case at hand.~~ This may (or may not) include rolling up windows, securing doors, sealing doors or windows with evidence tape, etc. In deciding to what degree, if at all, a vehicle's condition should be changed prior to it being transported, officers must balance the importance of protecting the vehicle and evidence with the consequences of destroying potential evidence by the very act of securing the car. These decisions should be made by the officer/investigator having primary responsibility for the crime scene. Any actions taken which might change the initial appearance of the vehicle as it was recovered will be carefully documented **in the appropriate case report**.

After the vehicle is appropriately secured, the department's contract towing company will be summoned to the scene. An officer will oversee the placement of the vehicle onto the tow truck so as to minimize unnecessary handling by non-police personnel. **If deemed prudent due to the nature of the case, an officer will follow the vehicle from the scene to the vehicle bay or Impound Lot to maintain a strict chain of custody. The escorting officer will record the name and company affiliation of the tow truck operator, as well as that of any assistant(s) involved in handling the vehicle, and supplement this information to the offense report.**

In addition to completing an Evidence Invoice, the impounding ~~The responsible investigator or escorting officer or~~ **responsible investigator** will fill out an Impounded Vehicle Report (♦car card♦). If known to the impounding officer, comments should be written on the card specifying what examinations of the vehicle are necessary, such as fingerprinting or **trace evidence collection** ~~processing for sexual assault~~ ,

as well as noting any potential hazards observed, such as presence of firearms, needles, etc. The original Impounded Vehicle Report should be left at or immediately forwarded to the Impound Lot via interoffice mail. A photocopy of the completed Impounded Vehicle Report should be left with the vehicle to ensure that Crime Lab personnel have sufficient information to begin forensic processing.

~~Two copies of the Impounded Vehicle Report should be made; one copy left with the vehicle in the bay, and an informational copy given to the Gold Hill shift commander. The original Impounded Vehicle Report, along with a copy of the bill from the towing company, should immediately be sent via interoffice mail to the Impound Lot for tracking and accountability purposes.~~ When deciding which of several available vehicle bays at the POC should be used, officers should consider the magnitude of the case at hand, the nature of forensic examination required, and the likelihood that additional evidentiary vehicles will be received in the near future. As a rule, vehicles associated with more serious crimes (such as homicides) should be placed into the primary bay in the POC building, where more equipment is in place to facilitate examination. Vehicles associated with less serious crimes should be placed into one of the two auxiliary evidentiary vehicle bays in the Evidence Annex building.~~on the north side of Rio Grande St.~~

When the need exists for multiple vehicles to be processed, or when all bays are occupied and another vehicle needs to be processed, supervisor(s) of the units having investigative responsibility for the associated cases will decide the order in which they should be processed. If there are any conflicts with other units or bureaus, the final decision will rest with the Deputy Chief of the Operations Support Bureau. Alternatives to placing incoming vehicles into vehicle bays when all are occupied are to place the most recently seized vehicle into the most secure storage that can be arranged at the Impound Lot, or transferring a vehicle currently occupying one of the vehicle bays to Impound.

.30 Evidence Invoice

As with other evidence, to ensure proper tracking and accountability, any motor vehicle seized as evidence, whether towed to the Impound Lot or an Evidentiary Vehicle Bay, must be accompanied by a properly completed Evidence Invoice. A sworn supervisor can be contacted by telephone or radio to secure approval for the invoice. The person completing the invoice will note the supervisor's approval by telephone or radio in the signature block on the form. The top (white) copy of the Evidence Invoice and a copy of the bill from the towing company will be attached to the associated Impounded Vehicle Report ("car card") and left at or immediately sent via inter-office mail to the Impound Lot for retention and entry into the department's computerized Evidence Tracking System.

.40 Contacting Crime Lab

Once an evidentiary vehicle which requires forensic processing has been placed into ~~brought to~~ an Evidentiary Vehicle Bay or secured at the Impound Lot, the impounding officer or assigned detective will immediately notify the Metro Crime Lab of the vehicle's location ~~that a vehicle has been placed into the bay,~~ and provide specifics about what examinations are needed, such as fingerprinting, photographs, trace evidence collection ~~processing for sexual assault~~, etc., if known. Outside of normal Crime Lab duty hours, ~~or if a Crime Scene Technician is otherwise~~ ~~If a lab tech is~~ unavailable, ~~or it is after lab office hours,~~ the officer will fax a copy of the Impounded Vehicle Report (car card) to the Metro Crime Lab at 444-7379. Officers must indicate on the car card the name of the primary investigator or unit that can immediately be contacted for details on what specific

forensic examination is necessary to the case. ~~(i.e. Major Crimes Unit and detective's name).~~ As soon as practicable after the vehicle is impounded, the primary investigating officer/detective will contact the Metro Crime Lab to arrange for specific forensic exams necessary to the case. In most cases the primary officer/detective will accompany Crime Lab personnel when this processing is done; however, if this is not practical, the investigator will prepare a Request for Laboratory Examination form detailing a ~~completed listing~~ specific items, areas, or type of processing that need to be completed, and submit it to the Crime Lab. This form should indicate ~~n the latter case, officers should indicate on the Lab Exam form~~ whether a search warrant or waiver has been obtained; if so, a copy of the warrant or waiver should be attached to the form. Failure to provide these details may delay processing of the vehicle. ~~To assist officers in following procedures, signs will be posted inside vehicle bays outlining this process.~~

.50 Access to Vehicle Bays

The primary evidentiary vehicle bay in the POC building can be accessed through the external overhead garage door or from an interior door off the south POC hallway. The hallway door is equipped with both a card key reader that controls access to the bay, and a hasp with padlock which can only be unlocked by Metro Crime Lab personnel. When a vehicle needs to be placed into this bay, initial access can be made from the hallway door using the card reader, and the overhead door opened from inside the bay. Once the vehicle and associated paperwork has been secured inside the bay, the officer will ensure that the overhead garage door is completely closed, then exit through the interior door to the POC hallway. The officer will then close the hasp on the outside of the hallway door and secure it with the provided padlock. A reversible sign is affixed to the outside of the door which should be changed to provide easy recognition that the bay is occupied.

The auxiliary evidentiary vehicle bays at the Evidence Annex building can only be accessed by officers through their exterior overhead doors. Once a vehicle and associated paperwork has been secured in one of these bays, the overhead door must be secured closed with the external hasp and Metro Crime Lab padlock provided.

.60 Removing Vehicle

When the Metro Crime Lab completes processing of a vehicle, the technician will coordinate with the primary investigator for removal by the City's contract tow company. The vehicle will then be released ~~in accordance with established policy for release of evidence, or towed to the Impound Lot for storage or subsequent release.~~ ~~where it will be handled in accordance with Management Services SOPs.~~

.70 Cleaning Evidence Bay

Upon completing ~~forensic examination of a vehicle in an Evidentiary Vehicle Bay, vehicle exam,~~ the Metro Crime Lab ~~personnel~~ or the assigned investigator will notify the contract janitorial service so that the bay can be thoroughly cleaned before another vehicle is brought into that bay.

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Active date: 3/6/2007 11:25:45 AM
Supersedes date: 1/17/2004

.01 Purpose

To outline essential procedures for personnel submitting items to, or signing items out of, the [Evidence UnitCustodian's Office](#).

.02 Cross Reference

G.O. 820, Initial Investigation Procedures
G.O. 830, Crime Scene Assessment
G.O. 831, Collection of Physical Evidence
G.O. 832, Evidentiary Vehicles
G.O. 835, Evidence Verification Process
G.O. 836, Physical Recording of Evidence
SOP E1-14, Procedures for the Handling of Personal Property

.03 Discussion

Maintaining the integrity of evidence requires many detailed procedures that are included in the SOPs of the [Evidence UnitCustodian's Office](#), as they are of almost exclusive concern to the [Evidence UnitCustodian's](#) staff. This General Order is designed to furnish necessary information to other personnel who have dealings with that office. This General Order should be read in conjunction with G.O. 831, Collection of Physical Evidence, which contains instructions for packaging some specific kinds of items.

.04 Policy

A goal of the department is to safeguard and properly dispose of all property coming into its custody. The department strives to maintain property in the same condition as received and to preserve the integrity of items that are held for presentation in court. Every reasonable effort will be made to return property to its rightful owner, when appropriate.

.05 Definitions

[WORKGROUP](#): The sworn personnel that will be identified by the Evidence Unit database to review specific unresolved cases for the purpose of determining whether evidence should be held, released, or destroyed. Personnel submitting evidence will identify the appropriate workgroup (e.g. Falcon Patrol) on the Evidence/Property Invoice, and this information will be entered in the Evidence Unit database.

.10 Possession by Employees

All items of evidence, personal property, or found items, shall be disposed of by personnel of the department in accordance with policy, before going off duty. Employees shall at no time keep department evidence, personal property, or lost and found items for their personal possession and shall not delay the submission of such items to the [Evidence UnitCustodian's Office](#).

.15 Substation Evidence Lockers

Evidence lockers are provided at the divisional substations and will be the usual channel for submitting evidence or property to the [Evidence Unit Custodian's Office](#). The following items will not be stored at the substation facilities, but must be transported to the [Evidence Unit Custodian's Office](#) .

- Evidence which does not fit into the evidence storage lockers at the substations
- Volatile fluids. See [GO 831, Collection of Physical Evidence](#)~~Divisional SOP~~

All items of evidence stored at the substations must be accompanied by the proper paperwork as outlined in this General Order and [GO 831, Collection of Physical Evidence](#).

.20 Identification Marks

All physical evidence must be carefully identified and suitably marked for identification as soon as possible after it is taken into custody to assure that it can be identified in court. Procedures for proper marking or tagging are contained in G.O. 831, Collection of Physical Evidence.

.22 Packaging of Evidence

Items of evidence should be placed in an appropriately sized evidence envelope, [gun box](#), [paper bag](#), or have an evidence tag attached. ~~Articles that should be protected, such as clothing, should be placed in a bag and tagged.~~

Items that are to be laboratory-processed shall be packaged in separate containers to help assure the integrity of the item and to prevent possible contamination.

Firearms, money, and illicit drugs are considered sensitive items, and must be submitted to the Evidence Unit in packing that is separate from non-sensitive items.

For guidelines on packing of specific items (e.g. fingerprints, drugs, money, firearms, bodily fluids, rape kits, etc.) see [GO 831, Collection of Physical Evidence](#). For guidelines on handling vehicles impounded for evidentiary purposes, see [GO 832, Evidentiary Vehicles](#).

To ensure proper evidence integrity and accountability, it is imperative that evidentiary items be properly packaged, invoiced, and submitted to the Evidence Unit. Evidence which is not properly packaged or invoiced will be rejected by the Evidence Unit, temporarily held in a secure location, and a discrepancy notice describing the corrective action required will be forwarded to the submitting employee through his/her chain of command. When such notices are received, it is imperative that the submitting employee make the required corrections as soon as possible so that the evidence can be properly entered into the system.

~~To provide protection for articles needing latent fingerprint processing, all such articles shall be packaged in a plastic or paper bag, if possible. When personnel are available in the department's~~

~~Forensic laboratory, officers may take items directly to the laboratory to be processed.~~

~~Firearms, currency, and narcotics are all sensitive items and must be submitted to Evidence in separate packaging. These items are not to be in the same package as non-sensitive items. The only exception is that money found in a wallet/purse less than \$100 can be submitted as one item with the wallet/purse, but reference must be made to the specific amount of money left inside.~~

Any questions concerning processing and packaging of evidence may be referred to the [Evidence Unit Custodian's Office](#) during normal business hours and to Watch Commanders during other hours.

.23 Process Marijuana Plants for Submission to the Evidence Unit

~~Moist Marijuana plants require a packaging and processing procedure that is different than used for other types of narcotics.~~

~~The roots of the plants must be cut off and discarded in an outside trash receptacle. The remaining stems and leaves should be placed in paper bags, preferably factory perforated, if available. The paper bags should be sealed with evidence tape and appropriate documentation must be written on the bags. Bags of Marijuana plants can be submitted at one of three locations listed below:~~

~~Substations: Bags should be placed in drying cabinets which are provided at each substation. The instructions on the drying cabinets must be followed and cabinets locked after bags are placed inside. No other evidence other than the Marijuana plants, should be put in the drying cabinets, even if evidence is from the same case.~~

~~POC: Marijuana plants brought into the POC should be processed as discussed above and be locked in one of the drying lockers.~~

~~ANNEX 224 E. Rio Grande Ave: Marijuana plants can be submitted at the Annex, processed as described above, and locked in all of the drying lockers, except # 5. When using Annex drying lockers, keep in mind that they are large lockers and it may be preferable to use smaller drying lockers at the POC.~~

~~Locker Number 5 is reserved exclusively for large volume VNI marijuana plant cases.~~

~~In the event that other types of evidence have been locked in the Substation drying cabinets, especially wet evidence, the Evidence Technician removing the evidence will spray the cabinet with a bleach or similar type solution and wipe the cabinet clean. Any foreign material at the bottom of the cabinet must be removed.~~

.24 Preparation of Evidence/Property Invoice

- All spaces on the Evidence/Property Invoice form shall be completed, if the information is known. If information is unknown, make the appropriate notation.
- ~~A separate invoice shall be prepared for each case and for each owner's property.~~
- All property recovered whose owner is unknown shall be listed on a separate invoice.
- Item numbers on envelopes or tags should correspond to the numbers listed on the invoice.
- If an item may be released after processing, make such a note.

- Ownership of each item is to be noted on the invoice.
- All wet or bloody articles shall be hung to dry, in accordance with [GO 831, Collection of Physical Evidence](#).
- The property and invoice shall be checked by the shift supervisor. In most cases, if a shift supervisor is not available, a Police Training Officer (PTO) or the lead detective can review in place of the supervisor. However, in the case of guns, drugs, or money, the review must only be completed by a supervisor. Evidence invoices completed for blood draws only do not require a supervisor's signature. Evidence invoices completed for impounded vehicles can receive supervisor approval via telephone or radio. The person completing the evidence invoice for an impounded vehicle will note the supervisor's approval by telephone or radio in the signature block on the form. ~~and approved by the officer's commanding officer, or designee, if evidence seized includes any of the following: Currency, Narcotics, Jewelry, or Guns~~
- All requests for lab processing will be accomplished directly through the lab.
- Copies of an Evidence/Property Invoice form must be attached to the prosecuting attorney's copy of a case report or summons.

.30 Evidence Withdrawal Procedures

Evidence may be withdrawn from the Evidence Unit for these reasons:

- Analysis by the Crime Laboratory
- Examination by members of a concerned investigative unit within the Colorado Springs Police Department
- Presentation in court
- Release to another law enforcement agency
- Analysis or examination by an authorized outside agency
- Showing to a victim, witness or other person related to the investigation
- Release to rightful owner
- Evidence may not be withdrawn for any other purpose except with the written consent of the Chief of Police, a Deputy Chief, or a supervisor in the investigating officer's direct chain of command

Those authorized to withdraw evidence include:

- The officer originally placing the item in evidence
- Investigators assigned to the case
- Crime Laboratory staff
- Attorneys or investigators assigned to the prosecuting attorney's office, and
- Supervisors in the investigating officer's direct chain of command

The person withdrawing evidence from the Evidence Unit is responsible for returning the evidence, and/or completing the necessary paperwork documenting the location of such

evidence, if it is not returned to the Evidence Unit within the required time.

Any evidence withdrawn from the Evidence Unit must be returned within ~~seventy-two (72) twenty-four (24)~~ hours, unless:

- The evidence is retained by the Court.
- The evidence is returned to the owner. A Colorado Springs Police Department Receipt for Return of Property will be returned to the Evidence Unit without delay. The signatures of the officer releasing the evidence and the owner accepting the property must appear on the receipt.
- The evidence is permanently retained by an outside law enforcement agency. A Colorado Springs Police Department Receipt for Return of Property will be returned to the Evidence Unit without delay. The signatures of the officer releasing the evidence and the officer accepting the property must appear on the receipt.
- The item(s) are signed out for forensic analysis.
- The necessary examination requires an extended period of time. A memorandum must be completed by the officer explaining the circumstances of the delay. This memorandum will be attached to the Evidence/Property Invoice and held by the Evidence Unit.

.40 Viewing of Evidence by Defense Attorneys

The Evidence Custodian will allow defense attorneys or their investigators to view evidence, only with prior ~~oral or~~ written authorization by the prosecuting attorney handling the case. ~~Oral approvals will require direct conversation in person or by telephone between the prosecuting attorney and a member of the Evidence Custodian's staff.~~

.50 Disposition of Evidence

Release of any property being held as evidence requires written authorization.

The Evidence Unit will honor all valid court orders for the release or destruction of any evidence held by the Colorado Springs Police Department. If there appear to be any conflicts between the court order and the prosecution status of the case, the prosecutor's office will be contacted.

The prosecuting attorney may authorize release of evidence no longer needed in the adjudication process and will notify the Evidence Unit of this decision **in writing** .

The officer placing evidence into the Evidence Unit, or the investigator assigned to the case, may authorize release of evidence no longer needed for the adjudication process.

A supervisor in the investigating officer's chain of command may authorize the release of evidence.

An authorized member of the investigative team requesting release of evidence should go to the Evidence Unit to obtain a copy of the Evidence/Property Invoice. An Evidence Unit Authorization to Release/Dispose of, ~~or Hold~~ Evidence form must be completed, including the release disposition, the name and address of person(s) to whom the evidence is to be released, and the officer's signature, serial number, and the date (see [GO 835, Evidence Verification Process](#)).

A completed [Authorization to Release/Dispose of](#) Evidence form may be sent to the Evidence Unit either by interoffice mail or via FAX.

Evidence that can be returned to the rightful owner should be photographed and released as soon as possible. (See [GO 836, Visual Recording of Evidence](#).) An identifiable photograph of the property being released shall be kept with the case file in the Records and Identification Section upon closure of the case.

The Evidence Unit's database has a built-in "tickler system" which identifies cases that need to be reviewed. The cases that have been identified for review will be automatically sent to the database to be reviewed by specific work groups. These work groups have been predetermined. The reviewable cases are available on the Evidence Self Serve (ESS) system. It is the responsibility of the supervisors assigned to the work group to review and determine if the evidence can be disposed of or if the evidence needs to be held longer. No evidence will be disposed of until written permission has been granted as described in this General Order.

All requests to release evidence must include the name and complete address of the person to whom the property is to be released. Whenever possible, the officer/investigator authorizing the release is responsible for notifying the owner that the item is ready to be picked up and for instructing the owner to call the Evidence Unit for an appointment to pick up the property.

As soon as the release of any item being held as evidence is authorized, the item is reclassified as personal property and is subjected to the procedures in Property Unit [SOP E1-14](#). Personal property may be disposed of by the Evidence Unit.

~~The Evidence Unit will notify the officer or investigator, by an Evidence Unit Inquiry Request Form, of evidence that has been held for thirteen months or longer, or as required on older cases. It is the responsibility of the officer, or investigator, receiving the notice to determine the status of the case captioned on the request. Officers/investigators must return the signed Authorization to Release/Dispose of or Hold Evidence to the Evidence Unit within ten (10) days of receipt.~~

All requests to hold evidence must include the name and serial number of the officer or investigator assigned to the case as well as the CSPD case number.

Officers/investigators will complete the Authorization to Release/Dispose of ~~or Hold~~ Evidence form (see [GO 835, Evidence Verification Process](#)) for all property not being held for court presentation. Items of contraband, such as illicit drugs or illegal weapons, which are no longer needed for the adjudication process will be noted for destruction. Final disposition of the evidence will be determined by Evidence Unit personnel in accordance with provisions of the

City Code and Evidence Unit SOPs.

.60 Personal Property

The following provisions shall apply to the department's handling of personal property:

- Officers, when coming into the possession of another's personal property, will attempt to determine the identity of the rightful owner, return the property and obtain a receipt for its return.
- If personal property cannot be returned to its rightful owner during initial attempts to return it, a ~~Evidence/Property Custodian's~~ Invoice shall be made noting the attempts already made and the pertinent information known. The property and invoice shall be checked and approved by the officer's commanding officer, or designee, if personal property seized includes any of the following: Currency, Narcotics, Jewelry or Guns.
- Personal property shall be properly tagged, packaged and identified as such.
- Personal property shall then be submitted to the ~~Evidence Unit Custodian's Office~~ in accordance with normal procedure, which is to place it in the lockers at the substations.

.62 Found Items

Found items shall be properly tagged, packaged and marked, and shall be handled in the same manner as evidence, with the exception of found bicycles.

Found bicycles will be taken to a Patrol Division station. A ~~Custodian's~~ Evidence/Property Invoice will be completed. The bicycle will be stored in accordance with divisional SOPs. Evidence personnel will assume responsibility for transporting bicycles to the Impound Lot.

.65 Release of Personal and Found Property

The Evidence Unit can release personal property to its owner, during posted office hours, without additional paperwork from the officer who placed it in the Evidence Unit.

Personal property may be retrieved by persons other than the owner, upon presentation of a notarized letter authorizing the release of the property.

Unclaimed property may be released to the finder in accordance with the Code of the City of Colorado Springs, Section 9.1.204.

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-- Evidence Verification Process

Active date: 2/20/2007 10:03:46 AM

Supersedes date:

.01 Purpose

To outline essential procedures for personnel to authorize the disposal and/or release of evidence.

.02 Cross Reference

GO 831, Collection of Physical Evidence

GO 833, Evidence Office Procedures

.03 Discussion

This General Order is designed to furnish necessary information to all personnel who have received notice that an item(s) of evidence needs to be reviewed. In most cases, evidence that is no longer needed may either be destroyed or released. To maintain the integrity of the Evidence Unit, personnel must follow an established procedure for the disposal or release of evidence.

.04 Policy

The department is responsible for the proper disposal of all property coming into its custody that is no longer needed by neither the court nor its services. In those instances where it has been determined that property is to be released, every reasonable effort will be made to return property to its rightful owner. This policy establishes the procedure for the proper authorization to dispose or release evidence.

.05 Definitions

WORKGROUP: The sworn personnel that will be identified by the Evidence Unit database to review specific unresolved cases for the purpose of determining whether evidence should be held, released, or destroyed. Personnel submitting evidence will identify the appropriate workgroup (e.g. Falcon Patrol) on the Evidence/Property Invoice, and this information will be entered in the Evidence Unit database.

.10 Authorization Process

Personnel may receive notice to review the status of evidence that was submitted to the Evidence Unit. Personnel will utilize the **AUTHORIZATION TO RELEASE/DISPOSE OF EVIDENCE** form to notify the Evidence Unit of the status of the evidence. This form incorporates a series of steps that requires personnel to verify information prior to evidence disposal or release. This form also has a box that is to be checked if the Evidence Unit should hold the evidence. **Personnel must ensure the form is completed in its entirety to include marking all verification steps that apply**, then return the form to the Evidence Unit through their immediate supervisor.

.15 Disposal/Release Verification for Cases or Summons Filed

In those instances where it is determined that a case or summons was filed and the officer

receives a notice to review evidence, the following steps shall apply:

- Officer reviews investigation utilizing the Case Report Information System (CRIS)
- Officer checks Evidence Self Service (ESS) to determine whether the evidence is on "hold" status. If the evidence is not on "hold" status but should be, the officer should note the hold status in the *Disposition* area of the Authorization to Release/Dispose of Evidence form.
- If the case has been filed, the officer checks CRIS or the case file to determine if a Release of Evidence notice is present from either the District Attorney's Office or City Attorney's Office. If no notice is present, the officer must check with the applicable office to obtain the release.
- Officers complete the Authorization to Release/Dispose of Evidence form and forward through their supervisor to the Evidence Unit.

.20 Disposal or Release Verification for Cases or Summons Not Filed

In those instances where it is determined that a case or summons was not filed, personnel will follow these verification steps:

Officer checks Evidence Self Service (ESS) to:

- Determine whether the evidence is on "hold" status. If the evidence is not on "hold" status but should be, the officer should note the hold status in the *Disposition* area of the Authorization to Release/Dispose of Evidence form.
- Determine if a suspect(s) was named as part of the case/summons, whether further investigative leads are present, and if the case/summons is outside the statute of limitations for prosecution
- Determine if any outstanding arrest warrants exist for any named suspect(s)

The officer then utilizes the Master Name Index (MNI) system on named suspect(s) or victim(s) to determine if the case/summons is dispositioned for municipal cases. Any municipal case older than **FIVE** years past the disposition date may have the evidence released or disposed unless associated with a liquor establishment violation. If a liquor establishment violation is involved, the officer must also check with Metro VNI to determine if the evidence is still needed.

After these steps have been taken, officers complete the Authorization to Release/Dispose of Evidence form and forward through their supervisor to the Evidence Unit.

.22 Supervisor Responsibility

Each workgroup supervisor is responsible for verifying the authorization process. These supervisors may also utilize the LexisNexis and Blackstone computer programs for further assistance. The Property Crimes Sergeant within the various commands will have access to these programs. NOTE: The Blackstone process is subject to change.

It is the responsibility of the assigned workgroup to determine the status of the reviewable case. Evidence personnel have no authority to dispose or release evidence without proper authorization.

.23 Additional Resources

In the event any of the previous process steps listed within this policy did not provide sufficient clarification as to whether evidence should be disposed, released or held, further guidance should be sought from the specific prosecutorial office associated with the case and/or the Evidence Unit Supervisor.

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Colorado Spring Police Department General Order 836 -- Visual Recording of Evidence

Active date: 7/27/2006

Supersedes date: 12/10/1998

.01 Purpose

To specify conditions and procedures for ~~videotaping or~~ photographing ~~or videotaping~~ evidence and returning it to owners.

.02 Cross Reference

G.O. 833, Evidence Office Procedures

[CRS 13-25-130, Criminal Actions-Use of Photographs](#)

~~[CALEA Standard 83.2.2](#)~~

.03 Discussion

This space intentionally left blank.

.04 Policy

The Colorado Springs Police Department has an obligation to victims of crimes, to return their recovered property, within a reasonable time. The retention of items beyond the time required for processing, not only denies owners proper access to them, but also creates problems of storage and accountability for the department. ~~Property identified and authenticated photographs or videotapes of A properly prepared and documented video recording or photographing of~~ items of evidence ~~are is~~, with certain exceptions, directly admissible as evidence in court. ~~Photographing and videotaping~~ ~~Videotaping or photographing~~ permits the rapid return of items to their owners, increases available storage space, minimizes problems of accountability, and provides comprehensive documentation that can easily be retrieved. The department will therefore use this process whenever practical.

.05 Definitions

This space intentionally left blank.

.10 Appropriateness of Procedure

Colorado Revised Statute 13-25-130 authorizes law enforcement agencies, under certain conditions, to release items of recovered stolen property back to the lawful owner after taking authenticated photographs of the property, and makes satisfactorily identified and authenticated photographs as admissible in court as the property itself. Accordingly, when a lawful owner can be definitively identified, the primary investigating officer/detective or prosecutor ~~The Evidence Custodian's Office~~ may ~~photograph or videotape or photograph~~ and release evidence to its lawful owner under conditions specified in this General Order, whether or not there has been an arrest or formal filing of charges, in:

- Any misdemeanor case, or
- Any ~~Class 3, 4, 5 or 6 3rd, 4th, or 5th or 6th class~~ felony case in which the property is identifiable by make or brand, serial number, model number, or other identifiable number, marking, or characteristic

Exceptions:

The following types of evidence will not be photographed and released: ~~This General Order does not apply to:~~

- ~~Illicit drugs~~ ~~Drugs~~ or other items which are unlawful to possess ~~contraband~~
- Items of non-testimonial identification, "sample ~~Sample~~" or ~~exemplar~~ evidence, or trace items (i.e., blood, semen, saliva, hair, fibers, etc.)
- Other items when, in the judgment of the ~~primary invesigator~~, Evidence Custodian or prosecuting attorney, their release would jeopardize the presentation of the case or present a danger to the public. Decisions will be made on an item-by-item basis in each specific case

.20 Notice to Defendant

At the time the ~~video recording or~~ photographs or videotapes are made, the investigating Officer or prosecutor authorizing release of the evidence ~~Evidence Custodian or designee~~ will ascertain if any formal charges have been filed against a defendant concerning the items to be ~~released. videotaped or photographed.~~ If formal charges have been filed ~~against a defendant~~, the investigating Officer/prosecutor authorizing release ~~Evidence Custodian or designee~~ will ~~notify, or~~ make reasonable efforts to notify the defendant of the ~~photographing or videotaping video recording or photographs~~ of the items, in compliance with C.R.S. 13-25-130 (3)(d).

Verbal notification may be made to the defendant or defendant's attorney, or a letter sent to the Defendant's last known address or to his/her attorney. The prosecuting agency will also be notified.

.30 Authentication

For the ~~video recording or~~ photograph or videotape to be satisfactorily identified and authenticated, it must contain a ~~written description or photo/video~~ views of all of the following:

- The associated ~~A~~ case report number, accident report number, incident report number, or summons number
- The name of the property ~~’s~~ owner
- The name of the arrested person, if any
- The name of the arresting officer, if any
- The date ~~and time~~ the ~~video recording or~~ photograph or videotape is being made
- The signature of the camera operator

.40 Owner

~~The~~ Items of recovered stolen property may be returned to the owner upon the owner's showing satisfactory proof of ownership, and upon signing a receipt for the return of the property which includes both: ~~, including both (a)~~

- an agreement not to dispose of the property without the written authorization of the District Attorney or City Attorney, while the criminal case is pending, and
- ~~(b)~~ an agreement to produce the items promptly should they be required during a trial or other disposition of criminal charges.

If a case number is associated, a copy of this agreement shall be forwarded to Records and ID for imaging into the CRIS system. The original may be placed into evidence if needed.

.50 Photograph or Video Retained as Evidence

Officers or prosecutors authorizing release of evidence under these circumstances are responsible for taking adequate, identifiable, and authenticated photos or videos of the released evidence, or arranging for this to be done by specialist personnel, and for completing the other steps required by this General Order.

If instant-developing (e.g. Polaroid) photos or video tape are used, they shall be marked with the authenticating information specified in Paragraph .30, above, and placed into evidence at the Evidence Custodian ~~’s~~ Office. If film which requires laboratory processing or digital photos are used, the film or digital media containing the unaltered images (i.e. ~~floppy disk or~~ finalized CD-R/DVD-R) shall be sent to the Metro Crime Lab, where they will be retained as the Department ~~’s~~ official record, and the authenticating information recorded on the photo envelope.

Whenever possible, digital images or videos should include a segment which depicts the authenticating information, including the photographer ~~’s~~ signature. The photographs or videos will be retained until the associated case has reached final disposition in the courts and evidence has been authorized for disposal by the prosecuting attorney.

~~The video recording or photograph of the evidence will be retained by the Evidence Custodian as a permanent record. All video tapes or photographs used to film and release evidence will, themselves, be treated as evidence, until the case is disposed of by the court, and the Evidence Custodian has received permission from the Court, and/or prosecuting agency, to release or dispose of evidence.~~

.60 Authorization for Release of Evidence

The photograph-and-release procedure may be authorized by the primary investigating officer or detective assigned to the case, that officer's supervisor, or by a prosecuting attorney assigned to the case. If felony charges have been formally filed in court against an involved Defendant, the District Attorney's office must authorize the release in writing.

When appropriate to the circumstances of the case, recovered stolen property may be photographed and released without having first been invoiced into the Evidence Custodian's Office. In such cases, extra care must be taken to thoroughly document property descriptors and values to insure accountability and for later court presentation. Use of the photograph-and-release process should be documented in associated offences or accident report, or summons narrative. For items which have already been placed into evidence, upon completion of the process, the responsible officer/prosecutor will authorize the Evidence Custodian to release the original property in accordance with Evidence Unit SOPs.

~~Officers must obtain authorization from the District Attorney's Office for photographing and releasing of evidence. Authorization received shall be directed to the Police Evidence Section.~~

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Colorado Spring Police Department

General Order 840

-- Identifications

Active date: 7/24/2005

Supersedes date: 4/16/1989

.01 Purpose

To specify guidelines and procedures that apply to all forms of suspect identification.

.02 Cross Reference

G.O. 844, Live Identifications

G.O. 847, Photographic Identifications

.03 Discussion

This General Order sets ground rules for conducting any form of identification. Specific procedures for types of identifications are given in the General Orders cited above.

.04 Policy

All officers of the Department have a responsibility to identify persons responsible for criminal acts. A major part of the process involves interviewing victims and witnesses for the purpose of having them recognize and identify suspects. As such identifications are essential to prosecution, and because errors in making identifications can result in serious violations of individual rights, officers must be careful to conduct all parts of the identification process in a manner that ensures due process of the law, eliminates suggestiveness, and documents the process for use in court. The procedures described in this General Order are mandatory, in all investigations, to avoid compromising either the rights of any person, or the court admissibility of evidence.

.05 Definitions

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.10 Integrity of Identification

Officers conducting identification processes will do so in a manner that ensures that individual witnesses are not influenced by any other witnesses or incidents, or by any behavior of police personnel. The following guidelines should be employed, whenever applicable, in any type of identification procedure:

- Whenever possible, witnesses should view the suspects out of the presence of other witnesses.
- Witnesses who have taken part in identification procedures must not be permitted to discuss their observations or conclusions within the hearing of other witnesses before, during, or after the identification procedure.
- When presenting a suspect to an eyewitness for identification, officers will remain as neutral as possible, consistent with the continued secure custody of the suspect. Officers must not by word or gesture, before, during, or after the identification procedure, suggest that a suspect committed the crime being investigated. Officers should not say or do anything to lead the witness to believe that a suspect has been formally arrested or detained, that a suspect has confessed, or that the suspect has had incriminating evidence in his/her possession .

.14 Recording Circumstances

Officers shall record the following circumstances when conducting any identification:

- Time and location
- Persons present
- How conducted
- Duration
- Statements of witnesses attempting the identification
- Other circumstances that may assist in determining the validity of the identification

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Colorado Spring Police Department

General Order 844

-- Live Identifications

Active date: 7/27/2006

Supersedes date: 12/10/1998

.01 Purpose

To specify and set procedures for conducting any live or in-person identifications.

.02 Cross Reference

G.O. 840, Identifications

G.O. 847, Photographic Identifications

G.O. 740, Determining Probable Cause

.03 Discussion

Out of court identification procedures may be inadmissible in court if they are so impermissibly suggestive and conducive to mistaken identification at trial so as to amount to denial of a defendant's right to due process of law. Although the courts generally acknowledge that a perfect identification procedure is impossible and that there will always be some inherent suggestiveness, courts will look at the totality of circumstances to decide whether or not due process rights were violated.

~~The word Witness, in this and other directives in this section of the Manual, should be understood as including victims.~~

.04 Policy

When practical, in-person or live identifications should be by formal identification procedures (live physical lineup), however, one on one show-up identification procedures may be used as necessary. Officers will take all reasonable steps to avoid suggestiveness in identification procedures, and be aware that departure from formal identification procedures must be adequately justified and documented so as to avoid jeopardizing successful prosecution, and will be conducted in accordance with this General Order.

~~In-person or live identification should be by formal identification procedures, whenever possible. When necessary, show-up identification procedures may be used. Officers must be aware that departure from the formal process must be adequately justified, as successful prosecution may be jeopardized. Each of these processes is described below.~~

.05 Definitions

The word Witness, as used in this General Order, should be understood as including victims. Other terms have the meaning described in the individual sections below.

~~Certain terms which constitute paragraph titles in this General Order are, for the reader's convenience, explained in those paragraphs, which also give procedures for them.~~

.10 Formal Identification Procedures

A formal identification, or lineup, occurs whenever a suspect is placed in a live group of individuals, and then the entire group is presented to witnesses for viewing. Physical The lineup procedure shall be photographed and/or videotaped whenever possible.

.12 Responsibility for Procedure

As the formal identification (live physical lineup) procedure can be and detailed, officers intending to utilize this process should do so through the investigative unit assigned to the case. When this is impractical, or when no investigative unit has been assigned, the initiating officer will coordinate physical lineup activities with a supervisor, who will approve the format and procedures prior to the lineup being presented to witnesses. When practical, physical lineups should also be coordinated with the District

Attorney's Office.

~~As the formal identification process is a complex and detailed process, all officers intending to conduct formal identification processes shall do so through the investigative unit assigned to the case. When no investigative unit has been assigned, the initiating officer will arrange for the procedure by contacting the Commanding Officer who has been designated by the Operations Support Bureau Deputy Chief to perform this function.~~

.20 Show-up

A show-up is the viewing of only one suspect, by a witness, to determine if there is recognition and if an identification can be made. A show-up shall be conducted only under the following circumstances and then only according to the appropriate procedures. Types of show-ups include Emergency Identifications and Field Identifications.

.22 Show Up

An emergency identification is a process by which an investigating officer allows a witness to view a single suspect, without regard to time of day or location. An emergency identification may be conducted when there is sufficient reason to believe that the witness or suspect is in imminent danger of death, coma, blindness or other deteriorating physical condition that would preclude conducting a less suggestive procedure at a later time. When this emergency procedure must be used, the suspect should be shown to the witness in the least suggestive manner possible consistent with the physical condition of the person whose life is in jeopardy. When necessitated by emergent circumstances, a suspect who is temporarily detained for an emergency identification may be moved from the location where he/she was stopped. Because these will usually involve a critical medical situation, permission should be sought from appropriate medical authorities prior to conducting an emergency identification so as to not unnecessarily put lives at risk.

.24 Field Identification

A field identification occurs when an officer arranges for a witness to view a single suspect in the field. Field identifications, also referred to as one-on-one confrontations, should be limited to situations in which possible doubts as to identification need to be resolved promptly, and it is reasonable to believe that an eyewitness identification of the suspect will be helpful in developing probable cause to arrest. When practicable, officers are encouraged to use photographic identifications (G.O. 847) or formal identification procedures (live physical lineups); however when field identifications are necessary the following procedures should be followed. Participants do not have a right to have a lawyer present at any field identification procedure.

Justification: A show-up field identification is justified when a person has been stopped based on reasonable suspicion that he/she has committed a recent crime, and it is reasonable to believe that eyewitness identification will help develop probable cause to arrest the suspect. Additionally, the eyewitnesses who will be asked to view the suspect must have:

- had reasonable opportunity to observe the suspect during the criminal act, and given a reasonably detailed description of the suspect such as height, weight, hair color, complexion and clothing appearance prior to attempting the Field Identification .

Because these factors may be critical to the admissibility of the show-up identification, officers must take care to make note of them and thoroughly document them in their offense reports.

Detention: A suspect may be detained for a reasonable amount of time by an officer who is conducting a threshold investigation into a criminal act, and has developed reasonable suspicion (short of probable cause) that the person has committed the crime and that witnesses may be able to identify the suspect.

Suspects should be advised that they are suspected of involvement in a crime and asked if they are willing to voluntarily wait with the officer until the witness can be brought to the location of the stop for a viewing. If they refuse, the suspect may be detained for as long as is reasonably necessary to conduct the identification. As a rule of thumb the period of detention may be up to twenty (20) minutes. Although the reasonableness of a longer detention might be further supported by factors such as the investigation of a very serious crime and unavailability of the suspect at a later time, every effort should be made to conduct the identification as soon as possible, and any variation thoroughly documented in the associated police reports. The suspect's consent should be documented if it was given.

Time And Location: The identification takes place in the field and within a reasonable time after the criminal act. Although reasonableness will ultimately be judged on totality of the circumstances, as a rule of thumb the field identification should be conducted within one hour of the occurrence of the crime. When probable cause has not yet been fully developed to arrest the suspect and he/she is being briefly detained only for the purposes of identification, the suspect should not be moved away from the location of the stop without his/her consent, as this could be viewed as an arrest. Special circumstances, such as the gathering of a hostile crowd or injuries to the witness which would preclude the witness being brought to the scene of the stop may justify some movement of the suspect, however this should be minimized. Suspects should not be moved to a police facility to conduct a field identification.

Conducting the Procedure: Officers facilitating show up field identifications, including those who transport witnesses to the scene of the stop, must make every reasonable effort to avoid making any suggestive comments or gestures about the suspect in the presence of witnesses, or suggesting that a particular individual committed the crime. Officers should remain conscious of radio transmissions and computer messages which might be seen or overheard by witnesses in this regard. Officers should not provide witnesses who will participate in field identifications any personal information about the suspect, any incriminating statements made by the suspect, or any information about whether the investigation has revealed any evidence linking the suspect to the crime. If physical evidence associated with the crime is recovered from the suspect and subsequently shown to witnesses participating in a show-up identification, they should not be told of the circumstances of its recovery.

To the degree possible, the suspect should be shown without physical restraints. When circumstances dictate that some physical restraint must be used, the minimum necessary consistent with adequate physical security and officer safety should be employed. Officers should take all reasonable precautions to protect victims/witnesses both during and after conduct of the show-up identification.

If requested by the witness, suspects in show up field identifications may be asked to put on or remove outer garments, or asked to repeat words or gestures used during the crime.

Arrest or Release: If probable cause to arrest is present prior to or independently of the field identification, the suspect should be taken into full custody before a show-up is conducted. The identification procedures may then take place at the location of the arrest, or the arrested suspect moved to the location of the witness at the time of the crime, however officers must continue to avoid impermissible suggestiveness. If probable cause is developed during the course of the investigation, including the show up identification, the suspect should be arrested. If witnesses fail to make an identification and sufficient probable cause does not exist through other evidence, the suspect should be released.

.30 Emergency Identification

Informal Identification Procedure refers to a process by which witnesses may view potential suspects without the suspect being detained or aware of the observation. It may be considered when officers lack reasonable suspicion to detain a definite suspect, when the identity of the suspect is unknown, or when there is no useable photograph available of the suspect. It may be accomplished by taking the witness to a single location where the potential suspect and a number of people, some of whom are physically similar to the suspect, are likely to be found or to pass by. If it is likely that no single location will have a number of people who are similar to the suspect, the witness may be taken to several similar locations,

at one of which the suspect may reasonably be expected to be found.

The conditions of informal identification procedures are less subject to the officer's control, and it is therefore important to avoid, by word or gesture, suggesting to the witness that a particular individual committed the crime. Caution must also be exercised to avoid placing witnesses into unreasonably dangerous situations.

Alternatively, witnesses to a very recent crime (generally within two or three hours) who have been able to describe a suspect and indicated an ability to recognize him/her, may be asked to accompany an officer in a police vehicle to cruise public areas where the perpetrator might reasonably be found, for the purpose of pointing out the suspect. Although officers may direct the witness's attention to persons in the area who reasonably could be the described suspect, officers should avoid suggesting by word or gesture their own opinion that a particular individual is the perpetrator.

~~An emergency identification is a process by which an investigating officer allows a witness to view a suspect, without regard to time of day or location. An emergency identification may be conducted when there is sufficient reason to believe that the witness or victim is in danger of death, coma, blindness or any other deteriorating physical condition that would preclude a later identification.~~

.40 Field Identification

When a suspect is personally known to the witness and can be definitively named, such as a spouse, friend, neighbor, etc., it is generally not necessary to conduct any of the above identification procedures. Officers are, however, encouraged to show at least a single photograph from a known source (such as police records) of the named suspect to the witness to confirm that the witness is talking about the same individual. Care must be taken in cases where witnesses are only casually acquainted with named suspects; in such cases it may be prudent to conduct a show-up or formal identification procedure.

~~A field identification occurs whenever an officer arranges for a witness to view a suspect in the field. Such field identification, referred to as one-on-one confrontations, should be limited to situations in which possible doubts as to identification need to be resolved promptly. No person has a right to have a lawyer present at any field identification procedure. An officer should adhere to the procedures for photographic identification or formal identification, whenever practicable. Before conducting a field identification, the officer shall ensure the following: Time And Location: The identification takes place in the field and within a reasonable time after the criminal act. Generally, if a suspect is apprehended while in immediate flight from the scene of the crime, the identification may be conducted; the circumstances, however, are likely to be so suggestive as to create a likelihood of misidentification. Field identifications will not be conducted at any custodial or police facility. Justification: A show-up for field identification is justified only when doubts as to the identification need to be promptly resolved, and when the show-up can be conducted in a manner that is prompt and is not unduly suggestive. A show-up should not be conducted unless the witness: Had reasonable opportunity to observe the suspect during the criminal act, and Has given a reasonably detailed description of the suspect by height, weight, hair color, complexion and clothing appearance. Probable cause: If probable cause to arrest is present, the suspect should be taken into full custody before a field identification is conducted. The confrontation may then take place at the location of the arrest or at the location of the witness at the time of the crime. If probable cause to arrest is not present, but the officer has a Reasonable Suspicion that the person may be the perpetrator, then a temporary detention is~~

~~justified. The identification process will be conducted at the scene of the temporary detention. The suspect will not be transported to the location of witnesses, unless the person being detained volunteers to accompany the officer. Duration: The duration of a temporary detention will be in conformance with Section 7, Force, Detention, and Arrest, of this Manual, which under normal conditions limits such detentions to approximately 20 minutes. Method Of Identification: Under no circumstances may any physical evidence taken from the suspect be shown to a witness for identification before completing an identification procedure. Again, all steps should be taken to assure a fair identification and, if the circumstances of the arrest or the fact that the evidence was seized may create a suggestive atmosphere, a show-up, or one-on-one confrontation, should not be conducted. Under no circumstances should a witness be told, either before or after an identification procedure, that the defendant has confessed or made any incriminating statements. Likewise, if it is necessary to show physical evidence to a victim for identification, the victim should not be told from whom, or under what circumstances, it was seized.~~

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Colorado Spring Police Department

General Order 847

-- Photographic Identifications

Active date: 5/20/2008 10:35:46 AM
Supersedes date: 1/24/2000

.01 Purpose

To establish procedures for conducting suspect identification by means of photographs or other graphics.

.02 Cross Reference

G.O. 844, Live Identifications

Investigations Division SOP I1-21, "Composite Images in Aiding Criminal Investigations"

~~CALEA Standards 42.2.1; 42.2.3~~

.03 Discussion

When eyewitness identification is important to the investigation of a criminal case but a live physical lineup is not practical or a suspect is not in custody, photographs or composite drawings may be considered. Caution must be taken in preparing and presenting such material to witnesses so as to avoid impermissible suggestiveness which could lead to inadmissibility of the identification in court.

.04 Policy

Department members may arrange for witnesses to view a panel of photographs, or one or more composite drawings, of possible suspects in an attempt to identify the perpetrator of a crime. These materials will be prepared and presented as described in this General Order, in a manner that avoids improper suggestiveness and minimizes the chances for mistaken identifications, while maximizing the opportunity for witnesses to make accurate and timely identifications.

.05 Definitions

COMPOSITE IMAGE: A visual representation of a person or object made for use in a criminal investigation, which is prepared by a person as a freehand sketch or is generated by computer or similar mechanical means.

DIGITAL MUGSHOT LINE-UP SYSTEM (DMS DLS): An aspect of the Department's Digital Photograph Imaging System (DPIS) which captures and stores the official digital photographs of persons arrested or otherwise officially handled by the CSPD. The ~~DMS-DLS~~ system includes a computer-based Photo Lineup application which assists users in creating a randomized photographic lineup of persons with similar physical characteristics comprised of official digital photos stored in the DPIS system.

PHOTOGRAPHIC LINEUP: An array of photographs which includes that of the suspect and of several other persons with similar physical characteristics, composed for the purpose of being presented for viewing by victims or witnesses in an attempt to identify the perpetrator of a crime.

.10 Preparation of Photo Displays - General

A photographic lineup shall consist of only one photograph of the suspect, and several photos of other persons who are similar in general physical appearance, including gender, race, age, and as many other visible characteristics as possible (head and facial hair, complexion, etc.). The photos used should also be similar in size and type (mugshot, Polaroid, driver's license photo, etc.). Whenever possible, an array of six photos, including the suspect, should be used. In exceptional circumstances, officers may consider using less than six; however in no case should fewer than four photos, including the suspect, be used in a photo lineup. As a rule, the weight subsequently given to a witness' identification tends to increase in proportion to the number of photos in the array.

The officer preparing the photo lineup is responsible for assuring that the total array is such that it is not impermissibly suggestive of the suspect, or that it would lead a reasonable person to make a mistaken misidentification. The identification of a suspect, if it should occur, must be based entirely upon the witness' genuine recognition of the suspect. Officers not assigned to investigative units will obtain supervisory approval of the lineup composition prior to presenting

it to witnesses.

When there is more than one suspect in an investigation, a separate photo lineup should be composed for each suspect.

.12 Lineups Using the Digital Mugshot System

Whenever practical, photo lineups should be composed using the Department's computer-based Digital ~~Mugshot~~ Line-Up System (~~DMS~~DLS), which contains a Photo Lineup application. This application permits the preparing officer to place the stored official digital photograph of the suspect into any one of six positions in a fixed photo array, then randomly selects five other candidates which the system has identified as having similar physical characteristics. Because descriptors are based on data input at the time each photo was taken, the fact that the computer selects certain non-suspect candidates for the photo array should not in and of itself be considered definitive that a particular photo is suitable for inclusion in the lineup. By clicking on a non-suspect image, users can cause a different randomly selected photo to be substituted in any position, until satisfied that the photo lineup is adequate. Although safeguards are designed into the system, prior to accepting a ~~DMS~~ DLS produced photo lineup as satisfactory officers should double check the names and MNI numbers associated with each photo to be certain that it does not contain duplicates.

Once the user is satisfied with the composition of the lineup, it must be saved in the ~~DMS~~ DLS system, using descriptors which will help the user identify it later. The ~~DMS~~ DLS system will then generate a unique lineup ID number, which should be written down and used when describing the lineup in police reports, as well as for retrieving it from the system later. A lineup cannot be edited, modified, downloaded or printed until it has been saved. After being saved, the lineup can be printed, preferably in color, for showing to the witness. The system will display and print each completed lineup on two pages: the main page for witness viewing, which contains full sized photos but no identifying information; and the "template" page marked "Confidential ♦ Not For Victim Viewing" with identifying information on all six photos, which is for officer's use only.

~~DMS~~ DLS photo lineups can only be composed when a digital photo of the suspect is on file in the department's ~~DMS~~ DLS system. If an officer wishes to compose a ~~DMS~~ DLS photo lineup which includes a suspect who does not have an official photo already in the system, provisions exist for having a custom photo taken of the suspect and temporarily saved into the system until the photo lineup can be completed. This may be done when a suspect volunteers to submit to a photo, or when a court order is obtained for this purpose. Officers should pre-arrange the taking of the custom photo with a Records & ID Section supervisor, who will supply the officer with the photo record number associated with the custom photo so it can be used in the lineup application. This custom photo will usually be deleted from the ~~DMS~~ DLS system after the lineup has been composed, which in some cases may cause the system to delete the entire stored lineup. For this reason, officers using lineups containing custom photos must be careful to preserve good printed copies or photographs of the custom lineup as evidence.

Details on using the [DMS DLS](#) photo system and its various features can be found in the online "help" screens, from its printed user's manuals, or from the CSPD Information Technology Section.

.14 Other Photo Displays

When it is impractical to use the [DMS DLS](#) system, as in circumstances where no adequate [DMS DLS](#) photo exists for the suspect, officers may choose to compose a photo lineup from other sources, such as Department of Revenue (driver's license), Department of Corrections, filed Polaroids, or other police agency's photos. When used, the same guidelines described above for similarity of photos and minimization of suggestiveness must be observed. Officers should be certain that photos used are of generally the same size, have similar background characteristics, and are otherwise similar with each other and with the photo of the suspect. Photos of different types from different sources should not be co-mingled in the same lineup. Officers should not utilize photos which display names or booking information suggesting that the depicted persons were in custody, or should block such information on all photos before they are shown to witnesses.

The preferred method for composing a non-[DMS DLS](#) photo lineup is to use a Photo Display Folder (PDF), which has a plain front and has cut outs to accommodate six photos inserted from behind. The photos should be arranged so they are uniformly displayed through the front of the folder, and do not display identifying marks. The suspect's photo may be placed in any of the six positions, so long as it is not singled out from the other photos.

Should using a PDF be impractical, the photos may be laid out in front of a witness, or handed in a stack to the witness, so long as identifying information is not made visible to the witness. The suspect's photo should not be either first or last in the stack. Again, care must be taken to not single out the suspect's photo from the others in any way which might be suggestive or lead to mistaken identification.

Prior to being shown to witnesses, photo displays should be photocopied so as to depict how they were displayed, and copies retained with the case file. When identifications are made, or when otherwise necessary to preserve the original photos, the original display shall be placed into evidence.

.20 Presenting the Photo Lineup to Witnesses

Photo lineups must be presented to witnesses in a manner which does not suggest the identification of any particular person depicted, generally by handing the assembled display to the witness or laying it in front of them. Witnesses should not be told that one of the photographs depicts the suspect, or be provided any personal information about any of the persons depicted in the photographs. Witnesses should be cautioned that an individual's appearance in a photograph may be somewhat different than seeing them in real life, especially with regard to easily changed features such as hair styles and clothing, and because of

circumstances under which the photos were taken. To reduce suggestiveness and increase the reliability of any identification made, the following admonition, which is printed on the [DMS DLS](#) template page and the standard PDF folder, should be read to the witness:

"In a moment I am going to show you a group of photographs. This group of photographs may or may not contain a picture of the person who committed the crime now being investigated. Keep in mind that hair styles, beards, and moustaches may be easily changed. Also, photographs may not always depict the true complexion of a person ♦ it may be lighter or darker than shown in the photo. When you have looked at all the photos, tell me whether or not you see the person who committed the crime. Do not tell other witnesses that you have or have not identified anyone."

If the witness makes an identification, the witness should be instructed to circle and initial the corresponding photograph on a photocopy of the original lineup. The officer should date and initial the same copy, which can then be placed into evidence. The witness should not be allowed to place any kind of marks on the original photo display if that original is to be shown to other witnesses.

Officers should keep careful notes of the date and time the identification was made, as well as specific statements used by the witness in making the identification, for inclusion in the associated police report. Officers should not tell the witness whether or not they chose the "correct" suspect.

.30 Composite Images

When a suspect has not been identified but a witness is able to provide a very good physical description of the perpetrator and feels that they could assist in a graphic rendering of that person, the creation of a composite image may be considered. A composite image is not intended to be a photographic-like representation of an individual, but should be thought of as a graphic rendering of a memory. Composites are intended to be used to generate other investigative leads by helping officers or citizens recognize or recall possible suspects, rule out suspects, corroborate statements, and elicit new information. Composites may be produced using mechanical (e.g. Identi-Kit, or similar package) or computer software designed for this purpose, or through a hand drawn sketch made by an individual with training as a forensic artist. A supervisor in Investigations Division may be consulted for advice on how to obtain assistance with production of a composite image.

Composites should be prepared by law enforcement personnel who have received appropriate training in their application. As a rule, because these cases may lead to courtroom testimony in which credibility will be an issue, only personnel who are employed by or have been thoroughly screened by a bona-fide law enforcement agency should be employed in this capacity. It is critical that proper interview techniques be employed to insure that the graphic rendering is from the witness's memory, and has not been unduly influenced by suggestiveness on the part of the person preparing the image, or impacted by artistic license.

When used, composite images may be displayed by themselves, and need not be included in a panel or array of other images. Any release of composite images to the news media must be coordinated with the CSPD Public Information Officer.

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Colorado Spring Police Department

General Order 860

-- Interviews and Interrogations

Active date: 8/7/2007 8:04:29 PM

Supersedes date: 1/15/1993

.01 Purpose

To distinguish between interviews and interrogations, clarify legal considerations for both, and specify guidelines.

.02 Cross Reference

G.O. 524, Juvenile Offenders

G.O. 526, Juvenile Victims

G.O. 740, Determining Probable Cause

G.O. 810, Investigative Procedures

G.O. 820, Initial Investigation Procedures

.03 Discussion

Active gathering of verbal information about an incident under investigation involves two general techniques: interview and interrogation. Department personnel who participate in any kind of investigative activity are required to be familiar with statutes, ordinances, Departmental directives, and binding judicial interpretations pertaining to these activities. Questioning of juveniles should be done only in accordance with the special provisions pertaining to them, as outline in General Order 524.

.04 Policy

Department members will avail themselves of all reasonable opportunities to gather information from victims, witnesses, suspects and arrestees that will help establish the facts in an incident under investigation. At the same time, members will remain equally alert to ensure that interviews and interrogations conform to legal standards. Because improper technique or carelessness can contribute to otherwise good testimonial evidence being declared inadmissible in court, Department members will interview, interrogate or otherwise question persons in accordance with the law and established procedures of the Department.

.05 Definitions

INTERVIEW: The process by which an officer or other employee obtains information from a cooperative person, who is not believed to be the suspect in a criminal investigation, but who may have personal knowledge relating to the investigation. An interview is conducted to collect any facts relating to an incident, to substantiate information obtained from other sources, to develop investigative leads, or to obtain additional relevant information.

INTERROGATION: The formal questioning of a person who is suspected of having committed a criminal act, or of a person who is reluctant to make a full disclosure of information in his/her possession which is pertinent to the investigation. Interrogation implies a more active role on the part of the officer doing the questioning, including preparation, keen observation, and persistence. It is generally designed to obtain incriminating information. Interrogation of a suspect who is presently in custody usually requires an advisement of Miranda rights.

INVESTIGATIVE QUESTIONING: Refers to routine questioning by a Department member of persons, whether or not they are suspects and whether or not they are in custody, which is intended only to obtain identifying or administrative information such as name, address, telephone numbers, occupation and the like, without intentionally eliciting incriminating information, which is done without advisement of Miranda rights. It may also refer to a brief questioning of suspicious persons who have not been formally arrested but are asked to explain their presence and conduct without an advisement of rights.

.10 Custody Considerations

Officers may question any individual, whether or not they are suspected of a crime, without a prior advisement of Miranda rights if the person is not presently in custody. Officers must be aware that for questioning purposes, custody could be inferred even when a person has not been formally arrested, but when the person's freedom of action has been deprived in any significant way. Determination of what constitutes custody may vary from case to case and will ultimately be judged on the totality of circumstances.

For example, although most questioning that occurs in an individual's home is considered non-custodial; courts have occasionally ruled that custody existed; conversely, questioning inside the police station might be considered non-custodial depending upon the particular circumstances. It is the combination of custody and interrogation that requires a Miranda warning; when it is reasonable to believe that an individual is in custody, such warnings must be given prior to interrogation.

Courts will consider the totality of circumstances when determining whether or not a person was in custody at the time of questioning, applying the test of whether a "reasonable person" would have believed his freedom of action was substantially deprived under the circumstances. The officer's stated intent as to custody will usually carry much less weight. Factors to be considered include, but are not limited to:

- Place Of Questioning: When conducted at a police station or vehicle will likely be interpreted as in-custody, but this might be overcome if the subject is told he is not in custody and is free to leave; the attendant physical circumstances (number of officers present, doors locked/unlocked, physical restraints, etc.) are also considerations. While questioning in the home is usually non-custodial, when multiple officers are present, the subject's movements are controlled, etc., the atmosphere could be considered custodial.
- Time Of Questioning: Custody is more likely to be inferred when questioning is prolonged and/or conducted during unusual hours. **Consistent with current procedure, statute, and accepted case law, as a general rule, persons being interviewed/interrogated should be permitted reasonable access to restroom facilities, water, and comfort breaks.**
- Persons Present: If a person is removed from the presence of family or friends, or if several officers are present, a custodial interrogation may be indicated.
- Physical Restraint Used: Any kind of physical restraint usually leads to a finding of custody.
- Orders To Perform Tasks Not Required By Law: Any orders to do something that the law does not require, such as ordering a person not to leave a room, may be indicative of custody.
- Length And Form Of Questioning: Lengthy questioning consisting of accusatory statements, confrontation with witnesses or evidence, and leading questions may lead to a finding of custody.
- Demeanor: The officer's overall demeanor and tone of voice (e.g. conversational, sympathetic, excited, angry, etc.) are factors which may be used in considering custody. When an officer is accusatory and confronts a person with alleged guilt, the custody finding may occur.

When an officer has not arrested a person, or otherwise taken the person into custody, in a manner that restricts the person's freedom or ability to discontinue the conversation, then Department members may ask whatever questions are necessary and pertinent. The key in this circumstance is custody: where there is no custody, the law places no restrictions on questioning. An example of an unrestricted situation is when an officer talks to a person in a voluntary, non-custodial setting about crime conditions or leads.

.12 Authority and Method

As soon as is practicable upon arriving at a crime scene or initiating an investigation, officers will attempt to locate and identify all witnesses who may have significant information about the incident. Especially in complex investigations, witnesses may tend to separate themselves from the scene or become overlooked.

Complete identifying information, including full name, DOB (confirmed through documentation when possible), physical and clothing description, etc., as well as reliable home and work contact information may prove critical to the investigation, and should be recorded by officers with respect to each witness as soon as possible. To the degree practicable, witnesses should be quickly separated from one another so as to help preserve the integrity of individual memory.

With due consideration given to injured or traumatized victims, witnesses should be questioned as soon as possible following the incident, while their memory is fresh and the opportunity for a thorough statement is best.

Witness behavior may range from completely cooperative to clearly hostile, and officers must remain sufficiently flexible in their approach so as to defuse the situation and obtain the most thorough statement possible. Witnesses may display varying degrees of reluctance to answer questions for a variety of reasons, including inconvenience, misplaced loyalty, fear, or a desire to conceal criminal culpability.

Although every witness should be identified, officers should attempt to make a preliminary determination of how significant a particular witness' information may be to the investigation so that resources can be appropriately prioritized. Especially with regard to witnesses believed to have significant information, officers should always begin by requesting cooperation, then escalate through convincing to insisting upon cooperation as the situation dictates.

As a rule, witnesses cannot be forcibly detained or compelled to make a statement, however if their behavior and attendant circumstances creates a reasonable suspicion that they may be criminally culpable in some way, a detention may be appropriate until probable cause for arrest is either established or ruled out.

To the maximum degree practical under the circumstances, witnesses who have agreed to cooperate should be interviewed in a controlled, quiet environment which is free of distractions and allows for good interaction between officer and subject. Without compromising safety or sound investigative practice, officers should consider interviewing witnesses in surroundings that are familiar and comfortable to the interviewee, and in a manner which causes minimal inconvenience to them.

Young children who are eyewitnesses to violent crimes or who are themselves severely traumatized should be given special consideration. In particularly serious cases, when appropriate to the circumstances, officers should consider requesting the assistance of specialist personnel, such as Victim Service investigators, in conducting such interviews under controlled conditions. Requests must be approved by a field supervisor, then directed to the Sergeant of the Sex Crimes/Crimes Against Children Unit.

.14 Factors Affecting Witnesses

Department members will note the condition of witnesses, their relationship to the incident under investigation, and any other information that would indicate the credibility of the person being interviewed.

Department members will note the apparent physical and mental condition of witnesses, their relationship to the incident under investigation, and any other information that may impact credibility and reliability.

The following essential elements should be determined about each witness or other person

interviewed:

- Presence at the scene : Was the person present during all or part of the event under investigation?
- Awareness: Was the person conscious of the event, or a portion of the event, which prompted the investigation?
- Observant: Was the person attentive to the details of the incident?
- Narrative Ability : Is the person capable of discussing the observed event in a manner that is understandable and complete?

.16 Sexual Assault Victims

Adult victims: Officers investigating reports of sexual assault in which the victim is 18 years of age and older should do a thorough interview with the victim as soon as possible to establish the elements of the crime and identify perpetrators. Although victims who are severely traumatized or intoxicated may be difficult to interview, officers should make every reasonable effort to obtain as much information as possible which will assist in making arrest decisions and contribute to follow up investigation. According to the circumstances, officers may wish to consider using the assistance of professional staff on duty at hospitals where victims are examined, such as Sexual Assault Nurse Examiners, social workers, physicians, etc., with calming the victim and helping to elicit facts.

While the welfare of the victim must remain a priority, officers should exercise caution in allowing family members or persons associated with non-police victim advocacy groups to remain in the room during interview, due to the probability that these persons will later be subpoenaed to court, and testimony as to different recollections of the interview could lead to unnecessary confusion.

In extraordinary cases, when officers believe that critical, time-sensitive information will be lost without the immediate intervention of specialist personnel, they should consult with an on-duty supervisor about the appropriateness of requesting the assistance of detectives and/or Victim Service investigators from the Sex Crimes/Crimes Against Children Unit.

Child Victims: The Colorado Children's Code strongly encourages audio/video taped interviews of child sexual assault victims by specially trained personnel in a setting such as the Children's Advocacy Center; this is especially important with very young children or those who are severely traumatized.

Officers responding to initial reports of sexual assault/incest involving young children should obtain as much basic information as possible to establish the elements of the crime and identify perpetrators, without attempting a detailed interview of the victim. Often such information can be obtained from relatives, witnesses, hospital personnel, etc., and the child may be able to provide a general idea of what occurred without doing a detailed interview.

Officers should thoroughly detail the best information available under these conditions, along

with reliable contact information for the child and guardian, so that Sex Crimes detectives or Victim Service investigators can schedule a structured victim interview at their earliest opportunity.

Officers/field supervisors are encouraged to use their discretion with regard to conducting interviews of older teenaged sexual assault victims, especially when the assault did not occur recently. If the victim appears to be capable and willing to be interviewed, officers may conduct a complete, detailed interview, as they would with an adult victim. When officers are uncertain as to when such an interview might be appropriate, they should contact their supervisor, who can authorize consultation with the Sex Crimes Unit sergeant as necessary.

Special precautions must be taken to insure the on-going protection of child sexual assault victims when the suspect is related to, has immediate access to, or is otherwise in the same home as the victim. Such cases will usually require immediate notification to Sex Crimes/Crimes Against Children Unit and the Department of Human Services. See GO 526.40 (Juvenile Victims-Sexual Assault Interviews) for further details.

.18 Interview Rooms

Interview rooms are available for use by both uniformed and investigative personnel in each patrol division and at various locations in the POC. Additionally, secure areas designed for interview/interrogation of persons in custody are located within the locked holding cell area of each facility. Consistent with operational needs and security considerations, officers should utilize designated interview rooms whenever practicable.

Areas designated as interview rooms should be of adequate size and equipped with furniture which will facilitate the interview process, such as table and chairs. Other items, such as recorders, telephones, office supply storage, etc., may be added as needed, but care should be taken to avoid furnishings which have the potential for being converted into improvised weapons.

Location and design of interview rooms should take into account the personal security of officers utilizing them, such as the use of observation windows, intercoms, duress alarms, etc.

Interview rooms may be equipped with audio and/or video recording equipment, either in plain view or concealed, and this equipment utilized in accordance with current SOP, case law, and applicable statute. Officers not familiar with the operation of installed recording equipment should seek assistance from someone trained in its operation to ensure a quality recording and avoid damaging the equipment.

No person being interviewed in a Department facility should be allowed to have any deadly weapons in their possession. Exceptions can be made for active duty peace officers as warranted by circumstances, however, an officer who is being interviewed as a viable suspect in a felony investigation or allegation of serious misconduct should generally not be armed during the interview. It is the responsibility of the interviewing officer to determine whether or not

interviewees are armed, and to secure an interviewee's weapons as appropriate. Interviewing officers will also comply with GO 1280, Building Security, with regard to ensuring that voluntary interviewees are unarmed prior to entering any police facility. Individuals who are under arrest should always be searched for weapons before being brought into an interview room.

Outside of secure holding cell areas, interviewing officers may retain their duty weapon during interviews, so long as this is consistent with good officer safety practices and with good interview technique under the circumstances. It is critical that armed officers not allow themselves to become distracted during the interview process, and officers should bear in mind that what may at first seem to be an innocuous contact with a cooperative witness could unexpectedly change to a confrontation with an angry suspect. Accordingly, interviewing officers must remain alert to sound officer safety and weapons retention practices.

Some interview rooms are equipped with duress alarms, and interviewing officers should be familiar with their location and function. When using rooms not so equipped, interviewing officers should make basic security arrangements appropriate to the circumstances at hand with other officers in the area, such as informing someone else that they are conducting an interview in a particular room, arranging for occasional spot checks, agreeing on a duress signal, etc.

.20 Voluntary Confession

Any confession, whether custodial or non-custodial, must be shown to be voluntary before it is admissible. In court, a preponderance of the evidence must establish that the confession was knowingly, intelligently, and freely given. The giving of Miranda rights will not automatically render a confession voluntary if the defendant can establish that the rights were not knowingly waived, or that he was subjected to coercion in making a statement. The constitutional principle is that no innocent person may be compelled to confess, and that any tactic or technique which is apt to make an innocent person confess is not permissible.

Accordingly, when engaged in an interrogation, Department members shall refrain from knowingly engaging in techniques which can reasonably be expected to compromise the voluntariness of a confession, to include:

- The application or threat of physical harm to induce a statement
- Making promises which the member does not have the ability or authority to fulfill, such as freedom or leniency. Promises within the member's authority, such as recommending light bail or telling a judge or prosecutor that the subject cooperated, may be used with caution.
- Deception or trickery that "shocks the conscience" of the court or community, such as pretending to be a chaplain or defense attorney. In some instances strategic deception, such as falsely telling a suspect that physical evidence or an accomplice has implicated him, will not automatically render a confession involuntary, but should be used with caution.

.30 Standard Miranda Warning

When a Miranda warning is required, it shall be administered in substantially the following format. For purposes of continuity, members are encouraged to read the warning from a Department issued card or Department waiver form:

- You have the right to remain silent
- Anything you say can and will be used against you in a court of law
- You have the right to talk to a lawyer and to have a lawyer present with you during questioning
- If you cannot afford a lawyer, one will be appointed for you before any questioning, if you wish

.32 Waiver of Constitutional Rights

Before statements made by suspects become admissible in court, the prosecution must offer evidence that suspects were not only advised of their rights, as outlined above, but also that they understood the advisement and waived those rights knowingly and intelligently.

To secure a waiver the following questions will be asked:

- Do you understand each of these rights I have explained to you?
- Having these rights in mind, do you wish to talk to me now?

An unambiguous, unequivocal affirmative reply must be made by the suspect before questioning begins. Circumstances that contribute to establishing an affirmative reply include, but are not limited to, the following:

- Formal Waiver: Suspects state orally and unequivocally that they understand their rights and wish to talk
- Waiver Followed By Statement: An acknowledgment by a suspect that s/he understands, followed closely by a statement, is held to be a waiver
- Non-Verbal Waivers: Nods and shrugs may be sufficient, absent coercion, but are subject to different interpretations. Whenever possible, officers should obtain a verbal and/or written response.
- Request To Talk To Attorney Later: A clear, unambiguous expression of a desire to answer questions now but talk to an attorney later may be considered a waiver, but must be viewed with extreme caution. Any mention of an attorney by the suspect prior to questioning could later be interpreted as an expression of a desire for counsel, and officers must definitively clarify these remarks before proceeding.
- Refusal Followed by Change of Mind: Interrogation must cease as soon as a suspect invokes his right to silence or counsel, and officers may not attempt to convince the suspect to change his mind about waiving these rights. Suspects who have once invoked either their right to counsel or to remain silent may be re-interviewed under the

following circumstances:

- Right to Counsel: Whether or not they are in custody, suspects who have once invoked their right to counsel may be further questioned ONLY if the suspect re-initiates the conversation entirely of his own volition, then clearly waives the right after being re-advised of Miranda. Specifically how the suspect re-initiated contact must be thoroughly documented in the associated case report.
- Right to Remain Silent: Under some circumstances, officers may resume questioning of suspects who have invoked only the right to remain silent. In addition to when the suspect re-initiates contact of his own volition, the officer may re-initiate contact after some other significant factual event occurs, such as the passage of a significant amount of time, or the development of new information which further implicates the suspect. While the timeframe is not clearly defined, it should be enough time for the suspect to have reflected upon and changed his decision, and must not be seen as a decision pressured by the officer. In either case, the suspect must be re-apprised of Miranda and make a valid waiver before questioning can be resumed. These circumstances must be thoroughly documented in associated police reports.

.40 Unsolicited or Spontaneous Statements

Officers are expected to remain alert to and make note of spontaneous, unsolicited statements made by or among suspects in their presence. So long as such statements are voluntary, there is no requirement that a Miranda warning be given. Officers should not interrupt a suspect who has begun to make incriminating statements of his own volition, so long as the officer did not elicit, encourage, or entice the suspect into make such statements. At the point that the officer interrupts or begins to ask clarifying questions, Miranda warnings will usually need to be given. Any unsolicited statements which may be germane to the investigation will be documented in the associated case report.

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Colorado Spring Police Department

General Order 870

-- Blood Alcohol Procedures

Active date: 10/26/2007 10:42:50 AM

Supersedes date: 4/27/1994

.01 Purpose

To specify procedures for collecting and processing blood alcohol specimens.

.02 Cross Reference

GO 530, Intoxicated Persons

GO 831, Collection of Physical Evidence

.03 Discussion

The Metro Crime Laboratory, located in the Police Operations Center, performs chemical analysis of blood samples for alcohol content for the Colorado Springs Police Department and the El Paso County Sheriff's Office, for which the procedures contained in this General Order have been standardized. Blood alcohol analysis may be performed for other law enforcement agencies on a fee basis, using the fee schedule established by City Council. The Metro Crime Lab will not conduct blood alcohol analysis for any person or organization other than a bona fide law enforcement agency or criminal prosecutor, absent a court order or the explicit authorization of the CSPD Investigations Division Commander. The laboratory has been certified for blood alcohol testing by the Colorado Department of Health.

.04 Policy

Arresting officers will take persons to the Memorial Hospital emergency room, or other location designated by Memorial Hospital, to obtain blood alcohol specimens and will adhere to hospital procedures as well as those established in this General Order.

.05 Definitions

BLOOD ALCOHOL KIT:

A kit, furnished by the Metro Crime Laboratory, designed for the safe and accurate collection of blood specimens to be laboratory analyzed for alcohol content. The kits, including the Chain of Possession form, will be available at Memorial and Penrose Hospital. The kit consists of:

- Two 10 ml. vacutainer tubes, each containing 100 mg. of sodium fluoride and 20 mg. of potassium oxalate (Each tube is supplied with a label already affixed)
- Four seals, one for each tube and two for the polystyrene box
- One safety needle tube assembly
- One Providone-Iodine USP prep pad
- One polystyrene box configured for vacutainer tubes
- One Ziploc bag with exterior pocket for Chain of Possession form
- One cardboard mailer
- One Metro Crime Lab Chain of Possession form. This form must accompany the specimens and record all transfers until the specimens reach the Metro Crime Lab.
- Evidence/Property Invoice. Although an invoice is not included in the kit, a standard CSPD Evidence/Property Invoice must be prepared by the submitting officer and included with the Blood Alcohol Kit (see below).

.10 Arresting Officer Procedures

The arresting officer will ensure that the following actions are taken. Although many of these actions will routinely be done by the hospital technician, it is the arresting officer's responsibility to ensure the protocols are followed:

- The hospital technician will draw two blood samples in the vacutainer tubes. A seal will be placed over the stopper of each tube, in such a manner that it does not cover or obscure the label on the tube. Each seal should be initialed by the suspect, the person drawing the blood, and the arresting officer. **In felony cases, three blood draws should be taken one hour apart.** The following information should be written on the label of each tube:
 - Subject's name
 - Subject's SSN (may substitute case/summons number or DOB if necessary)
 - Date & time of draw
 - Identity of person collecting sample (technician)
 - Location of draw
- The tubes are to be placed back into the original polystyrene box, and the box sealed with the two remaining seals. The officer will initial and date each of the seals. The sealed box is then placed into the zip-lock bag, which is then placed into the cardboard mailer.
- Chain of Possession Form: The arresting officer must complete the Metro Crime Lab Chain of Possession Form which is supplied with the kit. The technician conducting the blood draw should sign the form to record the location of the draw and its transfer into the locked refrigerator. This form must remain with the packaged specimen. For evidence accountability purposes, it is imperative that in every case, in addition to the other required information, the most serious criminal or traffic charge known to the arresting officer be written on the "offense" line in the upper left portion of the form and that at least one reference number, such as offense, accident, or summons number be listed. The Metro Crime Lab will not analyze blood alcohol evidence which is received without this information and the submitting officer will be required to provide the missing information before the sample will be analyzed.
- A standard CSPD Evidence/Property Invoice must be properly completed by the arresting/submitting officer and included with the re-packaged Blood Alcohol Kit when it is stored in the locked refrigerator. An evidence invoice completed for blood draws only does not require a supervisor's signature. The invoice should be folded and placed in the pocket provided for the Chain of Possession Form or otherwise attached to the kit to which it relates. Each completed kit may be identified as a single item listed as "Blood Alcohol Kit drawn from (subject's name)." Any variance to the usual contents of two tubes of blood should be noted in the item description (e.g. "one tube of blood only", etc.) When multiple kits are drawn from the same individual on the same case, they may be listed on the same invoice as separate items or placed into the refrigerator as they are drawn and submitted on separate invoices. In this case, the same case/summons numbers will be listed on both invoices and the individual kits numbered sequentially on the multiple invoices (e.g., Item 1 on the first invoice and Item 2 on the second). With multiple submissions from the same persons, kits can be differentiated from each other

by including the time of the draw in the description.

.15 Other Hospitals

If blood specimens must be drawn from arrested persons at a medical facility other than Memorial Hospital, the officer should advise the hospital staff that a "legal blood alcohol sample" is needed, and ensure that the procedures in .10, above, are followed with the exception of transfer into the locked refrigerator.

After the specimen has been sealed, the hospital technician should sign the Chain of Possession form indicating transfer to the custody of the officer. The officer will then transport the sealed specimen to Memorial Hospital as soon as possible and personally place it into the Metro Crime Lab's locked refrigerator located in the Emergency Department's blood drawing area. The officer will sign the Chain of Possession form showing transfer of the specimen into the refrigerator and will include a properly completed Evidence/Property Invoice.

.20 Metro Crime Lab Procedures

A Chemist or other designated employee assigned to the Metro Crime Lab will pick up all police blood alcohol specimens from Memorial Hospital on a regular basis and will sign the Chain of Possession form to reflect transfer into the Crime Lab. Blood alcohol specimens will be stored under refrigeration within the Crime Lab and will be assigned an internal Crime Lab case number for tracking purposes. Upon completion of chemical analysis, the Crime Lab will send the results to the arresting officer and/or prosecutor as soon as possible.

After being collected from the hospital and brought to the Police Operations Center, Blood Alcohol Kits will be entered into the department's computerized Evidence Tracking System by the Metro Crime Lab or the Evidence Unit, through procedures established by unit SOPs. The kits will be retained as evidence in the Metro Crime Lab and released or disposed of in accordance with the applicable statutes, department policies, and Department of Health regulations.

Other law enforcement agencies requesting analysis of blood alcohol specimens should also secure their specimens in the locked refrigerator at Memorial Hospital. The agency collecting the specimen is responsible for ensuring its proper handling and establishing the chain of custody while in transit.

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Colorado Spring Police Department
General Order 880
-- Deconfliction Program

Active date: 11/27/2007 10:51:17 AM

Supersedes date:

.01 Purpose

To establish a policy and procedure that will prevent conflicts involving ~~tactical/field~~ ~~undercover and fugitive~~ operations by different CSPD units, metropolitan task forces, and outside law enforcement agencies that are scheduled for the same general location, date and time.

.02 Cross Reference

G.O. 120, Communications and Reports
~~G.O. 450, Tactical Operations~~
G.O. 614, Enforcement of Criminal Laws
G.O. 743, Force, Detention, and Arrest
~~G.O. 810, Investigations and Evidence~~
Patrol SOP: P1-117, Patrol Drug Interdiction
Investigations SOP I1-22, Extortion/Kidnapping Investigations
Investigations SOP I2-20, Fugitive Unit Field Operations
Metro VNI SOP M1-30, Surveillance Guidelines
Metro VNI SOP M1-31, Covert Operations
Metro VNI SOP M1-33, Raid Procedures
Metro VNI SOP M1-37, Reverse Sting Operations

.03 Discussion

El Paso and Teller counties, encompassing the Fourth Judicial District, are experiencing a rapid growth in population. Along with this growth is an increase in the number of ~~undercover~~ ~~tactical/field~~ operations conducted by the various law enforcement agencies. As the number of ~~undercover, plainclothes and tactical~~ and fugitive operations increase, so does the likelihood of ~~investigative conflicts, up to and including officer to officer confrontations.~~ This could occur during the operational aspects of the investigation when more than a single involved agency and/or unit is involved in separate aspects of the investigation are involved in a concurrent investigation of their own. This type of communications failure poses a serious breach of acceptable officer safety.

.04 Policy

To prevent operational conflicts, ~~enhance officer safety and improve investigative communications among~~ ~~between~~ different law enforcement agencies and units, ~~and also to enhance officer safety,~~ the Colorado Springs Police Department has agreed to participate in the Rocky Mountain HIDTA Deconfliction Program. The Rocky Mountain HIDTA Watch Center will provide event deconfliction services to all HIDTA task forces.

All ~~Department Sergeants, Lieutenants, MVNI Sergeants and~~ Detectives assigned to the Metro VNI Division, ~~and the Fugitive Unit and Code Enforcement~~ will be trained to use the Rocky Mountain HIDTA Deconfliction Program. ~~Newly promoted Sergeants, new Fugitive detectives and new Code Enforcement officers need to fill out the Deconfliction form on the L drive and~~

~~send it to the Metro VNI Senior Office Specialist.~~

.05 Definitions

This section intentionally left blank.

.10 Operational Conflicts

~~Field-Undercover and fugitive~~ operations encompassed by this policy will consist of the following law enforcement strategies:

- All pre-determined stationary surveillance
- Knock and talks (Specifically in anticipation of activities involving a felony crime or drug related crimes)
- Felony Arrest Warrants
- Search Warrants
- Controlled drug deliveries
- Reverse sting operations
- Fugitive operations
- ~~SWAT/TEU operations~~
- Undercover and/or confidential informant drug purchases

EXCEPTIONS: Any deviations from the operations described in section .10 will be considered on a case by case basis ~~with following~~ supervisory approval. ~~(Examples given: any activities that stem from a call for service or other request for assistance that may need an immediate police response; activities involving a fresh pursuit, etc.)~~

.20 Participation

All Colorado Springs Police Department personnel conducting field operations as described in section .10 above, are required to participate in the Rocky Mountain HIDTA Deconfliction Program.

.30 Notification

Prior to the execution of any operation described in section .10 of this General Order, investigating ~~officers-detectives~~ are required to contact a supervisor. The involved ~~supervisor detective~~ is responsible for entering information into the Rocky Mountain HIDTA Deconfliction Program.

Investigating ~~officers-detectives~~ must refrain from executing any undercover, ~~plain clothes, tactical,~~ or ~~field~~ fugitive operations until ~~they receive clearance from their supervisor~~

~~advising potential~~ operational conflicts have been minimized through the RMHIDTA Deconfliction Program, or the supervisor approves the operations without Deconfliction. (See exceptions).

The following information is required for the RMHIDTA Deconfliction Program:

- Date and time frame of the operation
- Address of the operation, including zip code
- Type of operation (listed under .10)
- Primary unit conducting the operation and any other participating units
- Investigating officer name and office phone, pager and cellular phone number
- Specify the radius of deconfliction (a one-half mile default will be used if not specified)

.40 Changes

~~Investigating officers must keep the involved supervisor informed of any changes that occur during the operation, such as times, locations and spin-off operations. Operational changes can be made and the RMHIDTA Deconfliction Program will continue to monitor and deconflict changing events.~~

~~If a supervisor notifies the investigating officer of a potential conflict, occurs that the investigating detective officer~~ must confer with members from the other unit or agency with which the conflict exists to resolve the situation. Unresolved operational conflicts will be immediately referred to a CSPD command level officer.

.50 Intended Arrest

When an arrest is intended on a violator during an undercover operation, a Colorado Law Enforcement Intelligence Network (CLEIN) inquiry must be conducted. The investigating ~~officer-detective~~ is required to provide Metro VNI case management personnel with the name(s) and date of birth(s) of the intended suspect(s). Metro VNI case management personnel are responsible for conducting the CLEIN inquiry.

.60 Deconfliction Failures

To assist in assessing the effectiveness of the RMHIDTA Deconfliction Program, any undercover ~~or fugitive, plainclothes, tactical or field~~ operation that is determined to result in a conflict between units of the CSPD, metropolitan task forces, or outside law enforcement agencies will be documented by a supervisor in an interoffice-memorandum. The memorandum will be forwarded through the supervisor's chain-of-command to the respective Bureau Deputy Chief. A representative from the Metro VNI Division will in turn notify the Rocky Mountain HIDTA Office of the ~~failure~~ occurrence.

If the Internet access for the RMHIDTA Deconfliction program is not operational, call the Watch Center at (303) 671-2186 from 8:30 a.m. to 5:00 p.m., Monday through Friday. After hours leave a message with the information required under .30 "Notification".

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Colorado Spring Police Department

General Order 891

-- Procedures for Identity Theft resulting in False Prosecutions

Active date: 7/28/2005

Supersedes date:

.01 Purpose

To set forth the procedures to be used when there are reasonable grounds to believe that a specific person has been impersonated by another and as a result, that person has been subjected or may be subjected falsely to criminal prosecution.

.02 Cross Reference

G.O. 150 ♦ Offense Reports ♦

G.O. 820 ♦ Initial Investigation ♦

G.O. 1510 ♦ Criminal Justice Information ♦

C.R.S. 16-5-103 ♦ Identity Theft Victims ♦

C.R.S. 18-5-113 ♦ Criminal Impersonation ♦

C.R.S. 24-72-301 to 309, ♦ Criminal Justice Records Act ♦

.03 Discussion

Whenever a member of the Department is confronted with a situation where there are reasonable grounds to believe that a specific person has been impersonated by another and as a result, that person has been subjected to actual or threatened prosecution, the Department has both a moral and a legal obligation to respond and investigate. It is never sufficient to merely arrest the person in question and refer that individual to the Court for possible redress.

.04 Policy

CRS 16-5-103 (3) requires the Department to undertake specific steps when a person has been the subject of an arrest, criminal proceeding or prosecution in any form because another person has falsely assumed that person's identity.

The requirement includes those cases where the criminal act took place in this jurisdiction, and cases where a person is located in Colorado Springs and has been impersonated elsewhere, which has resulted in criminal proceedings.

Examples of situations where reasonable grounds exist to believe that a person has been the victim of such an event would include, but are not limited to, the following:

- } Cases where a person is purported to be wanted for an offense but can conclusively demonstrate that he/she was not physically present at the location of the offense (such as being deployed overseas, prosecutions in other states when the individual can demonstrate they were in Colorado through work records, etc.);
- } Cases where the name, date of birth, and social security number of an individual match those of a wanted person, but the physical description is conclusively different;
- } Cases where there is a photograph and or fingerprints of the actual suspect from a previous arrest that do not match the person whose identity was falsely assumed.

When these or similar situations that constitute reasonable grounds to believe that the individual named did not commit the offense, but rather the offense was committed by someone who was unlawfully using their name and identifying information, CRS 16-5-103 (3) **requires** the following be done:

- } A case report shall be taken for Criminal Impersonation, CRS 18- 5-113
- } A copy of the face sheet must be given to the victim **at no cost at the time the report is taken**. (This requirement is designed to assist the individual if they are stopped by another law enforcement agency.)
- } The completed report will then be forwarded to the Sergeant of the Special Services Section of the Investigation Division who will assure that a copy of the complete report, including any dictated supplements is promptly mailed to the victim at no cost. This will be documented in the case report.
- } The report will be evaluated for follow-up investigation. If the core elements of the offense occurred in another jurisdiction, a copy of the entire report will be forwarded to the law enforcement agency in that jurisdiction. This will be documented in the case report.
- } If the incident has resulted in the issuance of a warrant for the arrest,

active prosecution, or criminal conviction of a person falsely impersonated, this information shall also be forwarded to the prosecutor's office involved in that prosecution so that the prosecution may be withdrawn. This will be documented in the case report.

} If there has been an entry made into the arrest records of the Department where the suspect falsely impersonated the victim at the time of arrest, the Records and Identification Section shall be notified so that this can be corrected in accordance with the provisions of the Colorado Criminal Justice Records Act.

.05 Definitions

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Colorado Spring Police Department

General Order 920

-- Firearms Regulations

Active date: 2/29/2008 5:51:03 PM

Supersedes date: 4/26/2005

.01 Purpose

To establish firearms policy and procedures for all Colorado Springs Police Department personnel authorized to carry firearms.

.02 Cross Reference

G.O. 1732, Firearms Qualification

G.O. 720, Deadly Force Guidelines

G.O. 1110, Critical Incident Review

G.O. 1190, Uniform and Equipment Standards

G.O. 1401, Court Procedures

.03 Discussion

Use of firearms is essential to police work. As no police agency can permit its employees to use firearms in a careless, negligent, or otherwise improper manner, strict controls must govern all aspects of their use.

The Colorado Springs Police Department authorizes Police Officers, Fire Investigators and City Marshals to carry firearms. As duties and levels of authority vary among these groups, certain sections of this General Order are of limited applicability. For the purpose of this General Order, the term "officer" shall refer only to Police Officers. The general term "authorized personnel" shall include all Police Department employees who are both authorized and required to use firearms in performing their duties.

.04 Policy

These regulations pertaining to the use and care of firearms shall be followed by all personnel of the department who are authorized to use them, except when specific language or context indicates a more limited applicability.

.05 Definitions

See .03 Discussion above.

SERVICE HANDGUN: The service handgun is the Officer's or Marshal's primary firearm and is to be worn with the duty uniform. In most instances, the service handgun is issued by the Department; with special permission as stated below, a non-issue weapon may be used as the service handgun.

OFF-DUTY HANDGUN: A handgun, conforming to criteria listed in this General Order and supplied by the police officer, to be used, if desired, when not on duty and not in uniform. Use of an off-duty handgun is not required; if used, the stated conditions must be observed.

AUXILIARY HANDGUN: A handgun, conforming to criteria listed in this General Order and supplied by the officer, to be used, if desired, as a supplementary weapon to the service handgun. Use of an auxiliary handgun is not required; if used, the stated conditions must be observed.

LOAD VERIFICATION PORT: The 5906 TSW is equipped with a load verification port that indicated the presence of a round in the chamber of the weapon. This verification port is located on top of the barrel hood adjacent to the bolt face.

SEARCH POSITION: Also known as the low ready position. Described as a two- hand hold (weapon drawn) with the weapon held close to the body. This allows the officer to comfortably control the weapon for long periods of time while affording a clearer view of the area being searched.

COVER DOWN POSITION: Also known as the high ready position. Described as a two hand hold (weapon drawn) with the weapon held at what would be hand level on a potential threat (suspect), so that the suspect's hands are in view. Can also be used during a search when encountering an unknown or potentially dangerous area.

ON TARGET: The on target position is described as aiming through the sights (of the weapon) that are aligned on target, with the focus on the front sight.

TACTICAL LIGHT: The tactical light as described in this policy is a flashlight specifically designed to be mounted on a firearm. For the purposes of this policy, only the range masters can approve the tactical light requested to be carried.

.10 Authorized Personnel to be Armed

Authorized personnel are to be armed at all times while on duty and shall carry one of the department-issue handguns. This includes plain-clothes assignments.

Exceptions:

- Authorized personnel may be granted permission by a commanding officer to be unarmed.
- When law or decorum so dictates, authorized personnel may be unarmed.
- Police officers in specialized assignments, when specifically authorized by their Deputy Chief, the Commander of Professional Standards, or the Director of Management Services, may use an alternative firearm. Such alternative firearms must also be inspected and approved by the range officer or designee.
- Further, whenever authorized personnel are wearing a department uniform, whether on duty, off duty, performing extra-duty, or on overtime, a department-issue handgun or approved equivalent is required.

.12 The Service Handgun

Six handguns are currently designated as department-issue:

- Smith and Wesson Models 5906 and 5906 TSW, 15-round capacity, stainless steel frame, 9 mm. double action semi-automatic handgun. This weapon is standard issue. The 5906 TSW was adopted in 2002 as the standard 5906 was no longer manufactured. The 5906 TSW differs from the standard 5906 in a variety of ways. The TSW model is equipped with a spring loaded decocker, a load verification port, and an equipment rail on the bottom of the dust cover (that portion of the frame forward of the trigger guard.)
- Smith and Wesson Model 6906, 13-round capacity, stainless steel frame, 9 mm. double-action semi-automatic handgun. With special permission of their Division Commander, personnel may carry this weapon instead of the model 5906.
- Smith and Wesson Models 3913 and 3913 TSW, 8-round capacity, stainless steel frame, 9 mm. double action semi-automatic handgun. This weapon is specialty issue.
- Smith and Wesson Model CS9 7-round capacity, stainless steel frame, 9 mm. double-action semi-automatic handgun. This weapon is specialty issue.
- Smith and Wesson, Model 19, .357 combat magnum, 4-inch blue finish, single and

double action. Only those personnel who chose to retain this model when the 5906 semi-automatic was adopted (1988) are authorized to carry the model 19 as their service handgun.

- Smith and Wesson, Model M&P9, 18 round capacity, polymer frame, striker fired 9mm semi-automatic pistol.

The service handgun is considered an integral part of the general police uniform and Marshal's uniform. It is to be carried by all authorized personnel while wearing one of these uniforms. The responsibility for proper care and maintenance of a department-issue weapon is assumed by the person to whom it is issued. Police employees shall not loan their department-issue handgun to any other person. No repairs or alterations to the finish of a department-issue weapon shall be made without the approval of the range officer.

.14 Handgun Ammunition

Department authorized personnel will be issued either 9 mm or .357 magnum ammunition for general use and for firearms qualification, according to the requirements of their duty weapon, but must furnish their own ammunition for any handgun of other calibers, both for general use and for qualification.

Non-issue ammunition may be used off-duty; however, the range officer must approve any type of ammunition to be used in any handgun that may be used in police duties, either on or off-duty, which differs from that issued. This includes both off-duty weapons and auxiliary weapons. For non-issued weapons listed in section .30, factory ammunition manufactured by Winchester, Remington, or Federal must be used.

As new types of ammunition are constantly being developed, it is not possible to include here a comprehensive list of those prohibited, so the approval of the range officer is necessary. However, under no circumstances are hand-loaded, exploding, liquid-filled or armor-piercing bullets to be used in any weapons, except when specifically authorized for a tactical operation by T.E.U.

.16 Holsters

Holsters to be worn on the department belt shall be the department-issue holster, or the same model if privately purchased. Specifications [for standards are found in G.O. 1190, Uniform and Equipment Standards](#) ~~are listed in Patrol Bureau SOP P1-72, Police Uniform Standards~~. Holsters used by officers in plain-clothes assignments must be approved by the range officer or designee.

.20 Inspection of Weapons

Department Issue Weapons: The range officer shall inspect department-issue service handguns, on an annual basis. If, during an inspection, a weapon is found to be in substandard condition

through improper care or abuse, the person to whom the weapon was issued shall be held financially responsible for the necessary repairs.

Any weapon that is to be carried while on duty will be inspected by a Range Master or a department approved factory certified armorer. The inspection is meant to check the weapon to ensure that it meets factory standards for safety and performance. The inspection includes but is not limited to; a complete inspection of all parts of the weapon, cleaning the weapon in the sonic cleaner, and test firing. Any weapon that does not meet this standard will not be approved for duty use. Any weapon that cannot be repaired by CSPD's armorer's will be returned to the factory for repair or replacement. Records of the weapons inspection and approval will be kept at the range for reference.

Non-Issue Weapons: The range officer shall annually inspect all non-issue weapons carried by department personnel for police purposes. All non-issue weapons must be approved by the range officer before being carried. If a weapon is deemed unfit for use, a memo will be sent to the employee's Deputy Chief, with a copy to the person concerned. Weapons deemed unfit will not be carried until corrections or modifications have been made and approved. The range officer shall notify employees of time and place for inspection.

.30 Non-Issue Weapons

The range officer shall ensure that certain items of information are properly recorded for each non-issue weapon carried by department personnel, whether on-duty, off-duty, extra-duty or on overtime. Exceptions would include hunting and sports weapons. Items required are the weapon's serial number, a general description of the weapon, and the name of the approving officer.

Handguns used as off-duty weapons or as auxiliary weapons (see paragraphs .32 and .34 below) must be no smaller in caliber than .355 and no larger than .45. This grouping includes, but is not limited to:

.380
9 mm.
.38 Special
.357 SIG
.357 Magnum
.40 S&W
.45 Automatic
.45 GAP

.32 Off-Duty Firearms

Personnel who are authorized to carry a concealed weapon are not required to be armed while off duty, but may elect to be armed with a handgun of their choice, except while engaged in

activities where decorum dictates its removal.

Carrying a handgun off-duty does not require approval, but the handgun itself must be inspected and approved by the range officer or designee, before it is carried, and must meet the criteria listed in paragraph .30 above. The employee shall ensure that its serial number and general description are recorded by the range officer or designee. The employee must qualify with this handgun before carrying it, and must qualify with it once each year on a pass/fail basis. Exceptions include hunting and sports weapons.

.34 Auxiliary Firearms

Police officers may be armed with an auxiliary firearm, which is a concealed firearm, in addition to the service handgun. An auxiliary firearm must be of a type listed in paragraph .30 above, and the individual weapon must also be inspected and approved. An officer who carries an auxiliary firearm must abide by the following:

- The officer shall ensure that the range officer or designee inspects and approves the weapon and records its serial number and general description. The officer shall qualify with the weapon before carrying it, and must qualify with this weapon during each qualification period on a pass/fail basis. The range officer will maintain all records.
- The firearm must be purchased and maintained at the officer's expense, including damage or loss.
- An auxiliary firearm must be concealed and carried in a major brand holster.
- Before carrying an auxiliary firearm, officers will inform their immediate superior and furnish the firearm's type and caliber. The firearm will be made available to the supervisor for inspection upon request.
- An auxiliary firearm is to be used only when an officer's primary duty firearm has been taken from the officer, or becomes inoperable, and the officer is faced with an immediate life threatening situation.
- Any weapon issued by the department to aid in the performance of specific duties, such as shotguns and rifles, shall not be considered as auxiliary firearms for purposes of these provisions.

.40 Surrendering Firearms

Authorized personnel may be at the mercy of an armed suspect who has an advantage, but experience has shown that the danger is not necessarily reduced by giving up his/her firearm upon demand. Surrendering a firearm might mean giving away his/her own or another officer's only chance for survival. Consequently, authorized personnel should use every tactic available to avoid surrendering a firearm.

.50 General Restrictions on Firearms

Excluding shotguns, no provisions of this manual shall preclude the drawing or displaying of an authorized firearm during the course of an arrest or an investigation, when the officer considers it necessary for his/her own safety or that of other persons. When the firearm is drawn or displayed, it shall not be cocked.

Personnel shall not use their firearms to strike any person, except when necessary to defend themselves, or others from death or serious bodily injury.

No firearms will be unnecessarily drawn or displayed, nor shall they be handled in a careless manner.

No person shall draw, load, or unload a firearm in any department building, except when necessary in the proper performance of their duties; or when ordered to do so by a superior; or when required for training purposes.

.52 5906 TSW-General Provisions for Tactical Light

The tactical light is a task- specific tool. Proper uses of the tactical light when mounted to the weapon include but are not limited to:

- Building searches
- Open area searches
- High risk traffic stops
- Other high risk situations that require a drawn weapon and flashlight Members issued the Smith and Wesson 5906 TSW 9mm duty weapon are authorized to mount a **tactical light** to the equipment rail on their weapon with the following limitations/exceptions:
 - No laser aiming device may be mounted on the weapon whether or not it is incorporated with a tactical light.
 - ~~No holster may be utilized that allows the weapon to be holstered with the tactical light mounted on the weapon. The only exception to this shall apply to those officers assigned to the Tactical Enforcement Unit and Police Canine Unit (who have been issued the S&W 5906 TSW) when in tactical gear utilizing the drop or leg holster and only after commander approval.~~
 -

The tactical light is considered a secondary light and does not replace the need for a primary flashlight. Members are still required to carry a primary flashlight.

- Members choosing to utilize the tactical light are responsible for all costs to include the original purchase, batteries, bulbs, and duty belt mounted pouch for the tactical light.
- Prior to utilizing a tactical light, all members must attend a training course on the application and use of the tactical light as developed by the CSPD range instructors and shoot a qualifying score on a night qualification course.

- Members utilizing the tactical light are reminded that its use may not be consistent with general search procedures as in order to effectively use the light, the weapon would have to be in a "cover down" or "on target" position and not in a "search position." **All general firearms safety rules apply whenever a member is handling a weapon.**

.60 Shotguns - General Provisions

The following provisions pertain to the use of shotguns by police officers:

- All officers below Command rank, regardless of present assignment, must qualify with the shotgun during each qualification period on a pass/fail basis.
- Shotguns are provided with 00 buckshot ammunition. Authorization for issuance or use of any other ammunition must be obtained from the officer's Division/Bureau Commander.
- No more than four rounds of ammunition shall be loaded in any department shotgun at any time with the exception of the Tactical Shotgun. Tactical Shotgun's will be loaded with 5 rounds of ammunition in the magazine and 6 rounds in the side saddle ammunition carrier.
- Injecting ammunition into the chamber of a shotgun as a psychological tactic is prohibited.
- Ammunition shall be placed in the chamber of a shotgun only when an officer has a reasonable belief that the weapon may need to be fired.
- Shotguns shall not be removed from the racks for use or, in the case of vehicles not equipped with racks, from the trunk, unless the facts and circumstances known to the officer at the time would cause a reasonable person to believe that other authorized and available weapons are inadequate to properly control the confronted situation.
- A shotgun will not be pointed at any person except when the officer intends to lawfully fire the weapon, if necessary, and after complying with all other provisions of this Manual.
- Shotguns will be transported, in and out of police facilities, and stored unloaded except when an emergency exists inside a police building.
- Upon returning a shotgun to the armory, the officer will check to make sure that both the magazine and the chamber are unloaded.
- All shotguns will be loaded and unloaded outdoors. The weapons clearing drums will be used, if available. If a weapons clearing drum is not available, the barrel of the shotgun will be pointed vertically where it will be clear of obstruction should the weapon discharge.
- Shotguns placed in department vehicles shall have the chamber empty when in the vehicle and while the weapon is being placed in or removed from it, and the safety shall be in the on position.
- Whenever a department vehicle requires servicing or maintenance and must be left unattended, the officer to whom the vehicle is assigned shall remove any shotgun and place it in the armory before the vehicle is left for service.

.70 Armory Regulations

Armory regulations, including weapons accountability, are contained in Patrol Bureau SOP's.

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Colorado Spring Police Department

General Order 930

-- Soft Body Armor

Active date: 11/6/2008 2:45:02 PM

Supersedes date: 8/25/1992

.01 Purpose

To state requirements concerning soft body armor, applicable to sworn officers, and Marshals.

.02 Cross Reference

GO 1190 Uniform and Equipment Standards Committee

Patrol SOP P1-72, Police Uniform Standards

[G.O. 1663 Uniforms and Appearance](#)

[CALEA Standard 41.3.5; 41.3.6](#)

.03 Discussion

In providing protection to the public, members are often confronted with potentially hostile situations, including the use of deadly force against the member. It is imperative that the Department take every precaution to protect the life of each individual member, and that members themselves exercise due caution and good judgment in protecting themselves.

Note : Any situation can possibly give rise to a dangerous incident. Even though a confrontation may appear minor, such as a routine traffic stop or service of a misdemeanor warrant, officers may be unaware of a subject's history or situation and should therefore remain alert to indications of potential violence.

The experience of the individual officer and his/her supervisors, as well as the accumulated experience gained from law enforcement activities in this community and elsewhere, should serve as guidelines to be used with good judgment and common sense.

Indications of high-risk situations would certainly include:

- Suspects with a history of weapons offenses, robberies, physical assaults, sexual assaults, resisting, or other offenses associated with violence

- Suspects known or believed to be substance abusers, including alcohol abusers
- Suspects known or believed to be emotionally unstable
- Any enforcement situation involving prohibited or controlled substances
- Any situation involving domestic or neighborhood conflict
- Any situation involving persons whom the suspect may call upon for support in obstructing enforcement action

.04 Policy

It is the policy of this Department that any member engaged in a uniformed field assignment, or any member engaged in duties involving a significant possibility of hostile contact, shall wear soft body armor. In all cases, sworn members, who are not required to wear soft body armor, will have complete soft body armor readily available to them throughout their tour of duty. Supervisors shall ensure that members are wearing approved soft body armor while on duty, unless officially exempted.

.05 Definitions

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.10 Mandatory Wearing of Soft Body Armor

Uniformed Assignments: All Marshals and police officers in uniformed field assignments, including voluntary assignments and extra duty, shall wear soft body armor at all times, while on duty.

Non-Uniformed Assignments : Officers assigned to all non-uniformed positions shall have their soft body armor available at the location of principal assignment. Such personnel shall wear soft body armor whenever engaged in activities listed below.

Specific Duties : Soft body armor shall be worn by:

- All members executing search or arrest warrants considered to be of a high-risk nature
- All members executing "no-knock" warrants and drug enforcement actions
- All members conducting stakeouts or arrests of dangerous subjects
- All members performing VIP escort duties
- All members engaged in any assignment deemed to be of high-risk nature by a supervisor

Exceptions: Soft body armor is optional when:

- Uniformed members are assigned to office or headquarters duty and are substantially removed from public exposure
- A letter of exemption from a personal physician has been reviewed by Risk Management and approved by the Chief of Police
- Authorized by a Staff Officer

- Serving in an undercover capacity, as determined by the Section Commander

.20 Provision of Equipment

Soft body armor is issued by the Department to each member required to have it. The soft body armor will remain the property of the Department. Any deviation from the Department-issued body armor must be approved through the chain-of-command by the Deputy Chief of the Patrol Bureau, after review and recommendation by the Uniform Standards and Equipment Committee.

.30 Inspection and Replacement

Soft body armor issued by the Department that is five years old will be replaced as the Department's budget permits. An inspection will be made, and vests showing severe signs of wear will be replaced prior to older soft body armor in acceptable condition.

.40 Cautions

The optimum protection level must be practically determined through a balancing of comfort against maximum protection, especially when armor is worn at all times. The minimum protection level of the issued soft body armor required by this Department is Threat Level II. Threat Level II armor is designed to provide protection against a specific range of weapons, including .357 magnum and 9mm handguns, and against known commercially manufactured ammunition. Generally, Level II armor will not protect you against:

- High-powered long guns (i.e. rifles)
- Specially coated ammunition
- Hand-loaded "hot" ammunition
- Weapons powered beyond the designed protection level of the vest
- Pointed weapons, such as an ice pick or knife

Soft body armor should be cared for according to the specific manufacturer's recommendation. Body armor is not a replacement, or substitute for, the use of common sense and good judgment and sound tactics. Secure cover, if available, is always the best alternative to personal exposure even when wearing soft body armor.

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Colorado Spring Police Department

General Order 955

-- Take-Home Vehicles

Active date: 4/17/2007 8:39:20 PM

Supersedes date: 4/16/1989

.01 Purpose

To establish a consistent Police Department policy concerning the usage of all department owned motor vehicles.

.02 Cross Reference

GO 960: Vehicles: Normal Operation

~~City of Colorado Springs Administrative Regulation AR-4; Subject: "Usage of City Owned Vehicles"~~

City of Colorado Springs Policy and Procedure # 55 & # 56 "Vehicles Usage of City-Owned" & "Vehicle Operation"

.03 Discussion

The City of Colorado Springs maintains a policy, Policy and Procedure #55 & #56 "Vehicles Usage of City-Owned" and "Vehicle Operation" that governs ~~the how the City has deemed it~~ appropriate use of City-owned vehicles. The intent of this, and any such policy, is to eliminate the abuse of city property and ensure that city property is used for city sponsored activities.

~~The need for city vehicles to be taken home will vary from year to year. An immediate response to situations involving threats to life will always necessitate a limited number of take-home vehicles by specialized personnel. A delayed response to situations involving other type of police services should be balanced between expense and quality of service to the community.~~

~~The police department has unique responsibilities for off-duty responses requiring special personnel and equipment. The use of take-home vehicles by on-call personnel can often be less expensive than maintaining a 24-hour on-duty response capability.~~

.04 Policy

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.05 Definitions

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.10 City Vehicles Shall be Used for Official Department Business

Department employees shall operate department vehicles only with authorization by their immediate supervisor.

Department employees ~~are shall be~~ defined as:

- ~~Employees of the Colorado Springs Police Department~~ on the department payroll
- ~~Employees~~ paid by federal grants programs, and serving as part of the department
- City ~~employees~~, or contracted personnel, who are responsible for maintenance or repairs

- of department vehicles
- Volunteers, chaplains, S.V.A.T., [ESP](#), or contracted personnel who are performing official department business
- Sheriff's Department, other government agencies' personnel, when performing department business and authorized by a department supervisor

Department vehicles shall be operated only by employees possessing a current and valid Colorado driver's license. Supervisors must ensure that employees are fully qualified to operate the stated vehicle or equipment. The city insurance coverage requires that all drivers must be 17 years of age or older.

In addition, employees may be required to complete or obtain the following certifications depending upon the type of vehicle or equipment driven:

- Commercial Motor Vehicle Law (CMVL)
- Commercial Drivers License (CDL)
- [Hazardous Materials Certification \(HAZMAT\)](#)
- [Airbrakes](#)

Operation of a city-owned vehicle is restricted to official city business. Non-city personnel may operate a city-owned vehicle only in an emergency, in connection with repairs or service, or as authorized by the Police Fleet Supervisor, ~~Logistics Support Police Fleet Manager, or Fiscal Service Manager~~

Department vehicles will only be used to transport passengers who are city employees, arrestees, or individuals engaged in official business with the department.

.20 Specific Department - Vehicle Usage

~~At no time shall a Department vehicle be used by an employee, volunteer, contractor, or City employee for their own personal use.~~

Department vehicles may be used by department employees during lunch or breaks while they are on duty away from their usual work location. Such usage must be approved by ~~a their~~ [immediate](#) supervisor. Department vehicles are not to be used during lunch breaks unless their immediate supervisor approves such use ~~because due to~~ [because](#) when the operator and/or the vehicle being used is subject to immediate recall to duty.

All department vehicles will be classified in one of the following categories:

~~[Management Vehicles : Vehicles assigned to employees in executive classifications due to the nature of their position](#)~~

~~[Emergency Specialized Vehicles : Vehicles with special features or equipment that are vital to the performance of the employee's job and with which the employee must respond to a situation](#)~~

~~that requires immediate attention, due to a threat to life or property~~

~~Unmarked or semi-marked vehicles used by law enforcement officers~~

~~Marked vehicles used by law enforcement officers~~

- Emergency Vehicles: operated by sworn employees
- Non-Emergency Vehicles: operated by sworn and civilian employees

.30 Violation of Vehicle Usage Policy

Any violation of the above regulation, including vehicle neglect and /or abuse shall subject the department employee to disciplinary action.

.40 Operator Responsibilities

It is the responsibility of the operator of any department vehicle to operate that vehicle, at all times, in a manner that is courteous, safe, and in compliance with all city and state traffic and parking regulations. All department employees, volunteers, and contracted personnel who operate or occupy a city owned vehicle shall securely fasten the vehicle lap restraint system. Exemptions to this policy for medical, physical or operational reasons may be granted upon written approval of the Safety Office.

Tobacco Products :

Use of tobacco products is prohibited in all emergency and non-emergency department vehicles.,~~both marked and unmarked.~~

Responsibility And Reporting Of Violations :

Employees are responsible for any citation resulting from violation of traffic laws incurred while conducting department business, subject to section 4-1 502 and 4-5-195 of the Code of the City of Colorado Springs.

Suspended or Revoked License :

Any employee whose license is suspended or revoked must notify their supervisor immediately. The supervisor must immediately notify their division head and not allow that person to operate a department vehicle for any reason.

Cleaning of Vehicles :

It is the operator's responsibility to insure the department vehicle is clean. Exterior cleaning can be accomplished by the use of car washes located at each of the substations. Each substation is also equipped with a vacuum to facilitate the cleaning of the inside of the vehicle. Use of an outside company to clean vehicles, such as Water Works, is prohibited without the authorization of the Police Fleet Supervisor.

Use of Vehicles Outside the State of Colorado :

The City of Colorado Springs maintains insurance on department vehicles. However, the insurance coverage terminates at the state line. Use of a vehicle outside of the state must first be authorized by the employee's supervisor who will, in turn, notify the Police Fleet Supervisor. ~~Facility Manager~~ This notification is to occur at least ~~two one~~ weeks prior to the intended trip to allow time to obtain proper insurance. ~~When available the use of the Fleet/Facility Coordinator's Manager's vehicle will be used for all out of state travel. S/He will be required to carry out of state insurance on this vehicle and the Fiscal Service Manager's vehicle.~~

When an operator must take a department vehicle outside of state lines, but receives less than two weeks departure notice, the Police Fleet Supervisor ~~Facility Manager~~ must be contacted upon receiving notification.

Unattended Vehicles :

As a rule, department vehicles will be secured with the engine off at all times. ~~However, some~~ If an officer must run a vehicle ~~must be left running~~ to operate emergency equipment when issuing a summons, investigating traffic accidents, or operating ~~need to have~~ emergency lights ~~operating~~ for safety reasons, they shall may leave department vehicles running and unattended. ~~with emergency lighting in operation~~ Unattended vehicles must be locked at all times. The department and/or city are not responsible for personal items left in a department vehicle.

~~Department vehicles not operating under these circumstances shall be locked and secured at all times. Department vehicles shall not be left running while unattended, with the exception of the abovementioned circumstances. Unattended Vehicle: Unattended Department vehicles shall be locked and secured at all times; Department vehicles will not be left running when not unattended, unless the vehicle The Department or City will not be responsible for personal items left in a Department vehicle.~~

Vehicle Registration/Insurance:

Employees operating department vehicles are responsible for checking that current insurance and registration papers are located in the vehicle. If ~~proper~~ the insurance and registration are not in the vehicle, it is incumbent on the operator to contact the Police Fleet Supervisor.

Parking:

All department vehicles will be parked at their assigned location of operation during off-duty hours. Program Managers will maintain a second set of keys for each vehicle assigned to their program/section.

Vehicle Logs :

All operators at the rank of Commander and below who take home a department vehicle will complete a monthly vehicle log and submit it through their supervisor to the Police Fleet Supervisor.

Vehicle Service :

All department vehicles are to be serviced and repaired at the on-site maintenance facility. In the event of an emergency situation, or a vehicle break down beyond city limits, the operator of

the vehicle must contact the Police Fleet Supervisor ~~Manager~~ for instruction, Monday through Friday, 0800 hours to 1700 hours, or call C.S.P.D. dispatch to contact the Police Fleet ~~Manager~~ Supervisor.

Take Home Vehicles :

Program managers are required to prepare ~~and~~ maintain an up-to-date list of all their personnel authorized to take a department vehicle home, as ~~previously~~ defined. ~~previously~~ "Vehicle Usage Request" forms, indicating the category of each vehicle and the authorized employee using the vehicle for home-to-work, will be completed and forwarded to the Police Fleet ~~Supervisor~~ ~~Manager~~ who will obtain department approval and forward the completed listing to City Fleet Management.

Vehicles will be parked in a secure environment and will be garaged when possible. Loss or damage to vehicles while in take-home status, ~~due to negligence on the part of the operator~~, will be the operator's responsibility. The city is not responsible for loss or damage to personal property in the vehicle.

~~Personnel who are required to take home a vehicle do not have the option of not taking the vehicle home. Personnel should consider this responsibility before accepting an on-call assignment. requiring an on-call and taking home a Department vehicle .~~

~~Personnel who are required to take a vehicle home and are on an alternate week on-call schedule may be authorized to take a vehicle home during the off-call week. depending on the likelihood the officer will be unexpectedly placed back on call.~~

~~A take home vehicle may have an income tax impact on personal taxable income.~~

"Vehicle Usage Request" forms will be reviewed annually, ~~and~~ are valid for twelve months or when one of the approving authority changes. The master list will be maintained by the Police Fleet ~~Manager~~ Supervisor. It is the responsibility of the Program Manager to ensure that the Police Fleet ~~Manager~~ Supervisor is aware of all changes, additions, or deletions.

When department vehicles are driven between work and home locations, no stops are to be made, except for official or emergency reasons. ~~This includes the dropping off or picking up of the operator's family or children at a daycare facility or other building running errands. A At the supervisor may discretion s/he may grant an exceptions for emergency cases. Take home vehicles shall not be used to perform personal errands such as trips to the store, lunch, working out, transportation of family members or friends, etc.~~

No department vehicle shall be taken home by any department employee who resides outside the city limits, unless first authorized by the ~~Chief of Police~~, due to emergency call responsibilities or special circumstance.

City vehicles will only be used to transport passengers who are city employees or individuals engaged in official business with city personnel, unless authorized by the City Manager, or the Chief, due to special circumstances. Authorization must be annotated on the Vehicle Usage

Request.

Supervisors are responsible for their employees' compliance with this policy.

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Colorado Spring Police Department

General Order 960

-- Vehicles Normal Operation

Active date: 12/10/1998

Supersedes date: 10/18/1990

.01 Purpose

To establish procedures for the routine operation of Department vehicles.

.02 Cross Reference

G.O. 962, Vehicles: Emergency Operation

G.O. 965, Vehicles: Pursuits

G.O. 250, Accidents Involving City Employees or Vehicles

CALEA Standards 41.3.3; 53.1.1; 61.3.3; 61.4.1; 71.1.2; 71.2.1; 71.3.1; 71.3.3

.03 Discussion

Instructions in this General Order apply to all Department vehicles unless the context or specific language indicates limited applicability, such as for marked vehicles.

.04 Policy

Under normal conditions, Department personnel will obey laws relating to the operation of vehicles in the same manner required of any other person. All personnel are responsible for ensuring that their assigned vehicles are in safe and operational condition. The use of Department vehicles will be limited to those operations which support the Department mission.

.05 Definitions

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.10 Driving

Vehicles shall be driven at speeds that permit action whenever a situation is observed that requires a police response. Vehicles should be driven in a manner that does not hinder the flow of traffic or pose risks to anyone. In all situations, members will consider the conditions present and use reasonable judgment.

.12 Personal use Forbidden

No member of the Department will use a Department vehicle for purely personal purposes without approval of a supervisor or Command Officer. No Department vehicle shall be used, except upon assignment by a supervisory or Command Officer.

.14 Transporting Citizens

Citizens shall be transported in Department vehicles only when necessary to accomplish a police purpose. When an exception to this rule is believed necessary, members shall obtain prior approval to transport non-police personnel from a Command Officer or his/her designee.

.16 Transporting Injured Persons

Department vehicles should not be used to transport injured persons from the scene of an injury to a hospital. An ambulance should be called. Exceptions may be made to this rule whenever the officer at the scene believes it necessary because of unusual or exigent circumstances.

.20 Seat Belts, Department Members to use

All Department employees, when operating or riding in a Department vehicle, or any vehicle used to conduct Department business, shall use all safety devices, restraint systems, and seat belts provided by the manufacturer. The lap belt and shoulder harness, as well as any other safety devices provided, shall be used in accordance with the intended use and design of the manufacturer.

Exceptions: This policy shall not apply to any employee possessing a written statement from a physician that, for medical or physical reasons, the employee is unable to wear a seat belt. The physician's statement must be on file with the Department.

The Department also realizes that exigent circumstances may cause a restraining device to become a hindrance to normal law enforcement functions. Department supervisors may grant exceptions for special situations in which the efficiency of operations outweighs the safety benefit, such as the release of the restraining device immediately before arrival at the scene of an in-progress call, or a foot chase from the scene of a crime that escalates into a vehicular pursuit.

.21 Transporting Children in Police Vehicles

The National Highway Traffic Safety Agency has established guidelines that children being transported in child protection safety seats should not be transported in police cruisers equipped with cages of the type utilized by this Department. The guidelines state that there should be 28" to 32" of head excursion limits. In other words, there needs to be this amount of room between the point that the child's head would rest in the safety seat and the cage.

In the event that a child under the age of eight years of age and/or less than 4' 9" in height needs to be transported, officers should request that either a supervisor's vehicle or another Divisional vehicle not equipped with a cage be dispatched to the scene for the transport. If the child is either less than four years of age or weighs less than 40 pounds, the transporting vehicle must use a child safety seat. If the child is between four and eight years of age or weighs more than 40 pounds, or is less than 4' 9" in height, a booster seat should be utilized. Both types of seats are available at all Division stations. In the event the officer or driver of the transport vehicle is not familiar with the proper installation of either type seat, a Child Passenger Safety Seat Technician can be called to assist. There are certified officers assigned to all Divisions.

In the event of exigent circumstances that require the immediate removal of the children from the area/scene, a supervisor can authorize deviation from this policy. Alternative methods of transport may include having an adult hold the child on their lap or strapping the safety seat in the front seat.

.22 Prisoners

Prisoners will be secured in the seat belt unless, by insisting, a situation may be aggravated and cause further difficulties for the officers.

.24 Failure to use Vehicle Restraining Devices

Failure to use vehicle restraining devices as directed will result in disciplinary action.

Depending upon the circumstances, it may result in a chargeable violation. It could also result in the loss of entitlement to a portion of Workmen's Compensation benefits, in the event of injury while operating or riding in a Department vehicle.

.30 Interior Cleanliness

Each employee will remove any trash or debris that has accumulated in the vehicle and ensure that the vehicle is in a clean condition for the next user

.32 Inspection of Vehicles

At the beginning of each tour of duty, members having an assignment that involves the use of a Department vehicle will make a thorough inspection of the vehicle and its equipment. Items that will be inspected or checked include the following:

- Condition of tires, wheels, and body
- Emergency equipment
- Locking mechanisms
- Condition of other equipment, brakes, lights, radios, P.A. system, upholstery, spare tire, jack, etc
- Presence of any contraband, evidence, or weapons
- In any event, employees will ensure, as much as possible, that the vehicle to be used is in a condition that allows safe completion of a tour of duty

.34 Damaged Vehicle or Inoperative Equipment

When the inspection of a vehicle reveals damage or inoperative equipment, members will record the fact of the damage or inoperative equipment on their daily activity sheet. Additionally, their supervisor shall be notified to determine if further documentation is warranted. When the damage or inoperative equipment is such that the vehicle should not be used, the member's supervisor shall be contacted in order to obtain another vehicle and to assure proper documentation of such damage or inoperative equipment. These same procedures apply should the damage be sustained or equipment fail during a tour of duty.

.36 Service in the Field

In the event a Department vehicle needs service, as a result of a flat tire, mechanical failure or accident, the vehicle operator shall notify Communications, who will call for the service(s)

needed. When possible, a Department vehicle shall be driven to the Police Operations Center or substation, as appropriate.

.40 Removal of Keys

Ignition keys shall be removed from all Department vehicles when leaving the immediate vicinity of the vehicle. This protects not only the vehicle but also the equipment carried.

.42 Department Vehicles to be Locked

To prevent theft and vandalism of Department property, members will see that Department vehicles are locked, with windows closed, whenever not immediately needed.

.50 Strict Adherence

Strict adherence, to the procedures in the remainder of this General Order, is needed to insure proper fleet maintenance and vehicle records. Failure to comply with any of these procedures will be cause for disciplinary action.

.52 Fueling of Police Vehicles

Marked police vehicles will be fueled at the end of the driver's tour of duty. Fueling of both marked and unmarked vehicles will be done at each Area Command's fueling facilities, whenever practical, but facilities at the Utilities garages may be used when necessary.

.56 Fuel Levels, Oil and Windshield Washer Solvent

Department members will, while fueling their Department vehicle, check the vehicle oil and windshield solvent levels. Oil and solvent will be added as needed.

.58 Documentation

When fueling vehicles under normal conditions, the vehicle designation number, mileage when programmed in, and quantity of fuel will be automatically recorded. When adding oil, the appropriate vehicle designation number, mileage and quantity will be noted by the Department member on the appropriate forms provided. In addition to the information above, officers who are required to keep log sheets will record both fuel and oil quantities used.

.70 Use of Master Keys

A master fuel key is located in the Duty Desk office at each Area Command. The master fuel key will only be used when the vehicle's fuel monitoring system does not function. A work request must be completed indicating the malfunction.

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Colorado Spring Police Department
General Order 962
-- Vehicles: Emergency Operation

Active date: 11/27/2007 10:44:12 AM
Supersedes date: 12/10/1998

.01 Purpose

To set conditions and procedures for operating Department vehicles, when conventional traffic regulations cannot be observed.

.02 Cross Reference

G.O. 960, Vehicles: Normal Operation

G.O. 965, Vehicles: Pursuits

G.O. 120, Communications Protocols

[CALEA Standards 41.2.1; 41.3.1; 61.3.3; 61.4.1](#)

.03 Discussion

This space intentionally left blank.

.04 Policy

The Colorado Motor Vehicle laws exempt emergency vehicles from certain rules of the road, in specified manners, when responding to an emergency call or fire alarm, or when pursuing a suspected or actual violator of the law. However, all officers engaged in an emergency response are required to exercise due regard for the safety of all persons using the roadway. Emergency lights and siren shall be used during the emergency response.

.05 Definitions

This space intentionally left blank.

.10 Authorization

When the circumstances or information available justify operating a Department vehicle in an emergency manner, authorization shall be given by Communications, per G.O. 120, Communications Protocols. Should a field supervisor believe that exigent circumstances exist, that supervisor may authorize the emergency operation.

The final decision for the use of Code Three, other than in response to a directed radio call or a field supervisor's authorization, shall be made by the vehicle operator, in accordance with G.O. 120, Communications Protocols. No more than one vehicle shall be authorized to operate in Code Three status in any single response, except with supervisory approval.

.20 Use of Lights and Siren

When a vehicle is being operated in an emergency manner, or Code 3, the officer operating the vehicle shall use both the emergency lights and siren. [Sections 42-4-108 and 42-4-213, CRS](#), [Operating a vehicle Code 3](#) requires the use of the audible siren and visual signal if the emergency vehicle is being driven contrary to the rules of the road, such as proceeding past a stop signal or stop sign, exceeding the maximum speed limits, and/or passing on the right.

Exceptions to ~~the state law this policy~~ ~~are provide~~ that an emergency vehicle need not display or make use of audible or visual signals, while in actual pursuit of a suspected violator, so long as such pursuit is being made to obtain verification of or evidence of the guilt of the suspected violator. The provisions of this section shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of reckless disregard for the safety of others.

.22 State Law Exemptions

In accordance with the Colorado Motor Vehicle laws, and the provisions of this [General Order Manual](#), a vehicle in authorized emergency operation is permitted to:

- Park or stand, irrespective of applicable laws
- Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation
- Exceed the maximum speed limits so long as the operator does not endanger life or property
- Disregard regulations governing directions of movement or turning in specified directions

.24 Non-Pursuit Traffic Stops

Authorization to operate the emergency lights and siren is not required from Communications when making a non-pursuit traffic stop. Additional equipment such as horn, headlights, hazardous warning lights, spotlights and PA systems should be used when, and as needed, to ensure safety to the officer and the public.

.25 Stationary use of Emergency Equipment

Unnecessary use of emergency equipment can compound traffic problems. Officers are authorized to operate emergency lights, hazardous warning lights, spotlights and other emergency equipment at a minimum level necessary to ensure safety to the officer and the public under such conditions as stopping violators, parking contrary to legal requirements and assisting motorists.

.28 Discontinuance of Emergency Response

Department personnel should not feel compelled to continue a Code 3 response when conditions escalate to a degree that places the safety of officers or others in extreme jeopardy. Conditions that must be evaluated continuously are:

- Ability of the officer to control the situation
- Speed in relation to road conditions

- Degree of emergency, urgency or threat to others
- In any event, officers will evaluate the conditions and circumstances to make a proper decision

.30 Code 3 Escorts

Officers are prohibited from escorting under Code 3 conditions, except when performing the following:

- Escorting for the purpose of preserving life
- Expediting the movement of supplies or personnel during a national, state or local emergency
- Escorting the Peterson Field Security Police emergency response team to the Cheyenne Mountain Complex, in an actual emergency, according to written procedures agreed upon between the Department and the Air Force

When escorting for the purpose of preserving life, officers shall consider the nature of the emergency, the dangers and hazards involved and the emotional condition of the person to be escorted before deciding to escort Code 3.

.40 Other Escorts

The Colorado Springs Police Department may be asked to provide escort services for dignitaries, public officials, or other unusual circumstances. If such a request is made, it shall be handled or coordinated through the [Specialized Enforcement Division](#). ~~Patrol Support Section~~

Funeral escorts and requests for escort services for oversize vehicles, hazardous cargo or other routine circumstances will be arranged by the extra duty coordinator.

.50 Summary of Emergency Procedures

- Get there as quickly as possible with safety
- Keep speed to a level which will allow the driver to avoid reasonably expectable hazards
- Make sure the emergency lights and siren are used when operating as an emergency vehicle
- Remain alert and exercise due care for the safety of the public

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Active date: 2/5/2007 10:38:03 AM
Supersedes date: 7/28/2005

.01 Purpose

To define when officers may engage in pursuits, the conditions governing pursuits, and the safety precautions necessary to reduce the inherent dangers of a pursuit.

.02 Cross Reference

G.O. 120, Communications Protocols
G.O. 962, Vehicles: Emergency Operation
G.O. 720, Deadly Force Guidelines
G.O. 1110, Critical Incident Review

.03 Discussion

The department must continually review and refine its policies and practices to balance the safety of officers and the public against the demands of law enforcement action. For the purpose of this policy, "vehicle" refers to a ground unit.

.04 Policy

Vehicle pursuits present hazards and risks that can be life-threatening and will be conducted only in accordance with the provisions of the Motor Vehicle Laws and this Operations Manual. While it is the duty and responsibility of department personnel to apprehend violators, officers must realize that apprehension is seldom more important than the safety of the pursuing officers and the general public. Each pursuit will ultimately be judged upon the reasonableness of participants' actions. Officers whose duties expose them to the possibility of pursuits shall remain familiar with these procedures and abide by them.

.05 Definitions

PURSUIT GUIDELINE MATRIX: Guideline utilized to weigh the seriousness of the offense against the risk to the public at large and the active participants in a pursuit.

PURSUIT: The use of a police vehicle, in a Code 3 manner, to pursue someone who willfully or knowingly uses illegal or evasive driving tactics, in an effort to avoid detention, apprehension, or arrest.

INVOLVED FIELD SUPERVISOR: Refers to the field supervisor (Sergeant) assigned to monitor a pursuit.

FORCED STOP METHOD: Any method designed to stop a moving vehicle. Examples include:

- Tactical Vehicle Intervention: The intentional use of a law enforcement vehicle to stop, redirect, or prohibit movement of a suspect vehicle.
- Boxing-in or Moving Road Block: Surrounding a suspect vehicle with pursuit vehicles in an attempt to slow the suspect vehicle to a stop.
- RAMMING: Deliberately steering a pursuit vehicle into a suspect vehicle to stop it or force it off the roadway.
- Road Blocks: Placing a barricade or other obstacle across the roadway to stop the suspect vehicle.
- Tire Deflation Device: The placement of specific devices upon the roadway which are designed to puncture the tires of a suspect vehicle.

.06 Initial Pursuit Guideline Matrix

Seriousness of Offense	Risk Levels		
	Low	Medium	High
Violent Felony	Authorized	Authorized	Caution Against
Felony ♦ Misdemeanor ♦ Persons	Authorized	Prohibited	Prohibited
All Property Crimes to Motor Vehicle Theft	Authorized	Prohibited	Prohibited
Traffic Violations to Include DUI ♦s And Suspicious Vehicles	Authorized	Prohibited	Prohibited

Risk Factors*

- Low: light traffic; clear weather; dry roads; speeds less than 15 mph over limit; violator's actions are not dangerous (stops for stop signs and red lights); two minutes or less in duration.
- Medium: Medium traffic; clear weather; dry roads; reduced illumination; speeds 15-25 mph over limit; and the violator's actions are dangerous.
- High: Heavy traffic; low visibility; residential or school area; frequent intersections; curves or hills; pedestrian traffic; one-way roads; narrow roads; speed greater than 25 mph over the speed limit.

*Combination of factors may raise the risk level.

.10 When Pursuits Allowed

Police officers have the duty and responsibility to apprehend law violators. The department does

not intend, however, that pursuits be conducted without due regard for the safety of officers and the citizen population.

The department expects officers who initiate a pursuit to continually evaluate the pursuit itself, and the circumstances surrounding it, based on a continuum of risk factors versus the seriousness of the offense, according to the pursuit guideline matrix. A low risk level pursuit is limited to low risk factors. A decision to pursue a violator is not irreversible and the department expects officers to use sound, professional judgment in any decision to pursue a felon, misdemeanor or traffic infraction violator.

The initiating officer shall immediately give Communications the following information if a pursuit appears imminent:

- Unit Identification
- Specific reason for the pursuit, including known laws violated
- Location
- License number and description of vehicle, if available
- Description of offense
- Direction of travel
- Description of driver and number of occupants, if possible
- Approximate speed of the violator
- Traffic conditions

If the helicopter is airborne, its services will be immediately requested. If the helicopter is on another call, the dispatcher will, unless the existing call is of a life or death nature, redirect the helicopter unit to the proper radio channel and request that the helicopter respond immediately to the area of the pursuit. Upon arriving in the area, the helicopter crew will obtain visual observation of the suspect vehicle and advise the ground units that they have assumed responsibility as the aerial observation platform.

.12 Police Helicopter as Aerial Observation Platform

One of the primary uses of the helicopter is to assist ground units during the pursuit of any vehicle. The most important element in this coordination is for a positive transition from the ground unit to the air unit, which will be achieved as follows.

After the helicopter confirms it has a positive identification on the suspect vehicle and is in a position to become the aerial observation platform, all ground units will turn off emergency lights and sirens and will either stop on the side of the road or change direction, causing the suspect driver to believe that the pursuit has been terminated. The intent is to allow the helicopter to maintain visual contact with the suspect vehicle until the suspect vehicle slows or comes to a stop, at which time the helicopter can direct ground units to the suspect's location.

The helicopter will continue to follow the suspect vehicle until

1. The vehicle stops
2. The helicopter can no longer follow (e.g., due to terrain, weather or the lack of fuel)
3. A positive identification has been made on the vehicle and the driver, and the immediate apprehension is not necessary

While the helicopter is in contact with the suspect vehicle, the observer will keep the field supervisor monitoring the pursuit, advised of the suspect vehicle's location and the driver's actions. This will be done at an altitude that will allow the helicopter crew to observe the vehicle without provoking the driver of the pursued vehicle. This also will alert ground units of the suspect's driving action (e.g., running controlled intersection) and may prevent an officer or citizen from being struck.

The helicopter crew will broadcast, to the ground supervisor, the roof numbers of any non-designated unit which does not immediately disengage from the pursuit.

A sergeant, who is monitoring a pursuit and receives communication from the Air Unit that the violator has continued to drive in an extremely reckless and dangerous manner, may re-engage ground units and order the use of [a Forced Stop Method in which deadly force is necessary](#) ~~boxing in, ramming or road blocks~~ to intervene and stop the suspect.

At times, it is very difficult for the observer to accurately relay the actual streets the pursued vehicle is driving on. The observer will attempt to relay the best landmarks possible and will, if necessary, use the searchlight to identify the helicopter's position relative to the ground units. If practical, the helicopter will follow the vehicle without the use of the spotlight and use the Forward Looking Infrared (FLIR) instead.

The observer will attempt to maintain visual contact with the ground units and the pursued vehicle during the pursuit; however, the primary responsibility of the observer will be to maintain visual contact with the pursued vehicle, and direct the ground units to the location of the pursued vehicle after it has stopped. A Supplemental Information Report will be completed by the helicopter observer.

.14 Pursuit Vehicle Requirements

Only sworn officers may engage in any pursuit. No pursuits will be allowed by an officer who has, as a vehicle occupant, any person who is not a sworn officer of this department.

No department vehicle shall be used to initiate, or take part in, any pursuit, unless it has at least an audible siren and one emergency red light that flashes, oscillates or rotates to the front and rear and has been mounted as high as practicable for the equipment.

If a pursuit is initiated by a motorcycle unit, a semi-marked unit, or an unmarked unit that meets the minimum emergency equipment criteria, that unit shall immediately abandon the pursuit once a fully marked police vehicle with overhead emergency lights is in position to assume

primary pursuit responsibilities.

.16 Inter-Jurisdictional Considerations

Officers shall not become involved in pursuits originated by another agency, unless that jurisdiction specifically requests assistance through Communications. If such a request is made, participation must be approved by the appropriate division's supervisor or designee.

.18 Supervisory Responsibilities

Upon being assigned by the Communications Center to monitor a pursuit, the field supervisor shall immediately begin to monitor the pursuit and to evaluate all criteria until the pursuit is concluded. The supervisor will determine, based on the pursuit matrix guideline, whether to allow the pursuit to proceed. If a supervisor is involved in the pursuit, another supervisor should be assigned to monitor the pursuit. Any shift Lieutenant, or if after duty hours the staff duty officer, has the ultimate authority in determining whether to allow a pursuit to continue.

The involved field supervisor will go to the location where the pursuit ended and immediately assume command.

Communications shall notify the appropriate division lieutenant or staff duty officer that a pursuit is in progress. Should the pursuit appear likely to enter a different division's area of responsibility, the senior on-duty supervisor of that division shall also be notified.

Only the involved field supervisor, shift lieutenant, division commander (or if after duty hours the staff duty officer) may order the use of a Forced Stop Method.

.20 Responsibilities of Communications Center

Radio transmissions from in-progress pursuits must take priority over all other radio traffic. Communications shall declare a Code One status, on the primary channel assigned to the patrol division in which the pursuit originates, and divert all that channel's other radio traffic to an alternate channel. Communications shall broadcast the information as soon as it is possible on all primary talk groups, ~~immediately simulcast on all primary channels~~ that a pursuit is in progress.

Upon the initiation of a pursuit, communications will request the assistance of the helicopter, if available. Communications shall be responsible for immediately notifying a field supervisor from the appropriate patrol division to monitor it. If a field supervisor does not respond, Communications shall immediately notify a field supervisor from another patrol division. If unable to assign a field supervisor by this means, Communications will notify the appropriate shift lieutenant or staff duty officer that a pursuit is in progress.

.22 When to Initiate Pursuit

The first consideration during any pursuit must be to weigh the seriousness of the crime, or suspected crime, against the hazards of pursuit.

Officers intending to stop a violator's vehicle should be near it before activating the overhead lights and siren. (For present purposes, this means within approximately the length of a normal city block). This will reduce a violator's temptation to evade police contact.

.24 Number of Units to Pursue

No more than two department vehicles shall actively engage in a pursuit. This does not preclude the involved field supervisor, or lieutenant, from ordering additional vehicles to take part in the pursuit, or stationing additional vehicles in advantageous positions.

The two vehicles actively engaged in the pursuit shall be designated as the primary pursuit vehicle, the vehicle that is directly behind the suspect vehicle; and the secondary pursuit vehicle, the vehicle that is behind the primary pursuit vehicle.

.26 Responsibilities of Primary and Secondary Pursuit Vehicles

The conduct of the immediate pursuit shall be the responsibility of the primary pursuit driver; however, any officer actively involved in the pursuit, the involved field supervisor, or the shift lieutenant or staff duty officer can terminate the pursuit.

The secondary pursuit driver shall be responsible for maintaining radio communications and transmitting locations and direction of travel to Communications. If the secondary pursuit driver loses communications ability, s/he shall indicate this to the primary pursuit driver by dropping out of the pursuit. The primary pursuit driver shall assume communication responsibility until a secondary vehicle can join the pursuit.

.28 Apprehension and Driving Tactics

The Colorado Springs Police Department uses a variety of Forced Stop Methods for those instances where apprehension options become limited.

The use of Tactical Vehicle Intervention (TVI) or Roadblocks to stop a fleeing vehicle, must be considered as use of deadly force and may be used only when deadly force is warranted, as defined by Colorado Revised Statutes and this Operations Manual in G.O. 720, Deadly Force Guidelines.

Consideration for use of any of these methods must include the officer's experience, the offense, vehicle speeds, weather, road and traffic conditions as well as type of vehicle, number of occupants and/or pedestrians present.

Descriptions:

TVI: is performed by either the primary pursuit police vehicle or other pursuing police vehicle dependant upon the tactical situation. When utilizing Tactical Vehicle Intervention, pursuing vehicles and supervisors must determine the best TVI method based on the totality of the circumstances. Tactical Vehicle Intervention includes a maneuver (deliberate, controlled ramming), where the police vehicle is used in such a way to cripple the suspect vehicle and prohibit further travel. Consideration of this form of TVI should be directed to either side of the vehicle's steering points, drive train locations or rear bumper area. For officer safety considerations, the use of TVI can cause the air bag systems within the patrol vehicle(s) to deploy.

Any intentional ramming of a suspect vehicle involves significant risk to the officers involved.

FIXED ROADBLOCK: When setting up a fixed roadblock, sufficient distance should be allowed to permit the fleeing vehicle, and other vehicles, to stop safely. A fixed roadblock is utilized to either prohibit or redirect travel of a suspect vehicle by the placement of fixed obstacles within and around the roadway that the suspect vehicle is traveling. Upon establishing a fixed roadblock, officers should not remain at the same immediate location, but observe from a safe distance nearby.

BOXING-IN OR MOVING ROADBLOCK MANEUVER: is performed by positioning one department vehicle in front of the suspect vehicle and a minimum of two department vehicles, one behind the other, behind the suspect vehicle. The department vehicle in front of the suspect vehicle will slow down, in an attempt to bring the suspect vehicle to a stop.

The department vehicle that is second in line, behind the suspect vehicle, will travel at a slower speed and prevent other vehicles approaching from the rear from becoming involved in the pursuit.

Officers pursuing on four-lane roadways may attempt to position a Department vehicle alongside the suspect vehicle. Such a maneuver, however, is extremely hazardous and should be attempted only when conditions, such as width of roadway and traffic volume, indicate the maneuver can be done with reasonable safety to officers and to other traffic.

MECHANICAL TIRE DEFLATOR SYSTEM: is a low profile mechanical device that is placed in the path of the suspect vehicle that will deflate the tires. The use of any mechanical tire deflator system will be in accordance with Patrol Bureau SOP P1-120, Mechanical Tire Deflator Systems. Mechanical tire deflators are especially effective when used in conjunction with roadblocks. The use of the device alone is not considered the use of deadly force.

.30 Condition of Vehicle, Driver, Roadway, Weather

If the primary or secondary pursuit officer discovers any malfunction that would limit his/her vehicle's ability to maintain maximum efficiency, that officer will immediately drop out of the pursuit.

If the physical or mental condition of any officer involved in a pursuit impairs that officer's

ability to function at a maximum level, that officer must immediately drop out of the pursuit.

When weather and roadway conditions prohibit maneuvering with reasonable safety, the pursuit shall be terminated.

.32 Termination of Pursuits

Terminating an active pursuit requires an objective decision that must be based on continual observation and evaluation, including weighing the seriousness of the offense against the danger of the pursuit, and the guidelines established in the pursuit guideline matrix.

Any officer actively involved in the pursuit, and the involved field supervisor are authorized to terminate any ground units from the pursuit. Any such decision, based on reasonable grounds, is not open to departmental disciplinary action.

Field supervisors and/or the Shift Lieutenant, or Staff Duty Officer, are authorized to terminate the Air Unit in extreme situations; however, they must be able to articulate the reasons for termination.

Pursuits approved under the guideline matrix shall be terminated for the following reasons:

- If the risk of property damage, injury or death to any person outweighs the seriousness of the committed or suspected offense
- If identification of the offender makes apprehension at a later time likely
- If the primary pursuit vehicle no longer has visual contact with the suspect vehicle
- If radio communication by the primary pursuit vehicle is lost and no other officer is in position to immediately become the primary pursuit vehicle
- If any officer actively involved in the pursuit, the field supervisor, or Staff Officer, determines apprehension does not warrant the risk of pursuit

.40 Reporting

Any pursuit will require an offense report, titled Vehicle Pursuit, and a case number will be assigned. In addition to the offense report, or an approved alternative referenced below, the officer initiating any pursuit will send a Vehicle Pursuit Occurrence Sheet through command channels to the Patrol Bureau Administrative Technician.

Alternative: The Vehicle Pursuit offense report need not be done if the pursuit can be documented in an approved alternate form, such as a traffic accident report, or an offense report for a criminal act committed immediately before, during, or at the conclusion of the pursuit.

The officer who initiated the pursuit shall be responsible for the offense report or alternative. The submitted report must contain all pertinent information concerning the pursuit, including:

- Type of offense
- Location
- Route
- Duration
- Weather conditions
- Traffic conditions
- Approximate speeds
- Any unusual occurrence or circumstance

Any other officer who took an active part in the pursuit shall complete a Supplemental Report.

.42 Post-Pursuit Analysis

Upon the conclusion of any pursuit, the appropriate Lieutenant will conduct a review of the pursuit and its context. The lieutenant will ensure the following:

- That the Pursuit Guideline Matrix was adhered to
- That the pursuit was properly monitored
- That the circumstances before and during the pursuit justified its conclusion
- That the appropriate documentation is assembled and forwarded

The lieutenant will brief the division Commander on all pursuits occurring during the Watch.

.44 Critical Incident Review

All pursuits that involve use of [any Forced Stop Method](#) , and all pursuits that result in serious bodily injury or death, shall be referred to the Critical Incident Review Committee for review. Pursuits not involving the matters above, but which result in significant property damage, shall be sent for review, to the Commander of the Office of Professional Standards, for decision about referral to the Committee. See G.O. 1110, Critical Incident Review .

With the permission of the Chief of Police, any other pursuit may be referred to the Critical Incident Review Committee at the request of the involved officer, involved field supervisor, involved Command Officer, or any Staff Officer.

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Colorado Spring Police Department
General Order 975
-- Mobile Computer Procedures

Active date: 6/14/2006
Supersedes date: 1/16/2006

.01 Purpose

To establish Departmental policy and procedure concerning the use of Department mobile computer hardware and software.

.02 Cross Reference

G.O. 120 Communications Protocol
G.O. 310 Routine Patrol Functions
G.O. 312 Deployment: Response Priorities
G.O. 315 Response to Crimes in Progress
[G.O. 960 Vehicles: Normal Operation](#)
G.O. 1501 Records Security
G.O. 1503 NCIC/CCIC Records Validation
G.O. 1510 Criminal Records Information
SOP P1-16 Equipment Issue and Check-In
SOP P1-102 Timely Dispatch of Calls For Service

.03 Discussion

With the continuing use of laptop computers in the field environment, the following procedures are being established. Under no circumstances shall a procedure established herein, or the interpretation thereof, compromise Officer Safety in any way.

.04 Policy

Instructions in this General Order apply to all Department members, unless the context or specific language indicates limited applicability. The use of Department mobile computers will be limited to those operations that support the Department mission.

.05 Definitions

This space intentionally left blank.

.10 General Provisions

This space intentionally left blank.

.20 Mobile/Field Usage

The driver of any vehicle shall not operate a computer while the vehicle is in motion. Solo officer's assigned portable computers will stop their vehicle and park, in a safe manner, before attempting to access information .

.24 Dispatch

With the addition of CAD/Dispatch functionality on laptop computers in the field, the following standards have been established to identify which call types may be digitally (non-voice) dispatched. These standards may be overridden, at any time, if the dispatcher identifies a need to disregard these standards.

The address, call type, and officers involved, will be voice dispatched on all calls. [Further details will be aired on In-Progress/Just-Occurred calls when the following conditions exist:](#)

- Imminent threat to personal safety and/or property.
- Likelihood of suspect(s) being on scene or in the vicinity.

Field units may request dispatch and status update changes by voice where it is impractical or unsafe to respond digitally with the laptop.

If a field unit that is in service and available for calls fails to acknowledge a digitally dispatched call-type, the dispatcher shall advise the unit by voice that they have a call pending. If no voice response is received from the field unit, at that time, then the provisions of General Order 120.70, Missed Calls , shall apply.

Field officers now also have the capability to request emergency help without the use of the voice radio. If an officer requests emergency assistance through the laptop, without a voice request, it shall be assumed that the officer is not able to speak and does not want a voice response from dispatch that could worsen the situation. In response to the officer's digital request for emergency assistance, the dispatcher will voice respond as if a normal voice transmission had occurred, for example, "Unit 1A91, Roger".

The dispatcher shall immediately voice request a basic response team switch to an alternate channel. The basic response team shall consist of one (1) unit dispatched Code 3, ~~two (2)~~ three (3) units dispatched Code 2, and a field supervisor Code 2. The field supervisor shall coordinate the emergency response on the alternate channel until the situation is concluded.

.28 Officers Responsibilities

With the addition of CAD/Dispatch functionality on laptop computers in the field, the following standards have been established to identify the officer's responsibilities and expectations.

Officers will arrive by voice on any call where more than one officer is responding. When a change of location is necessary, officers will use their laptops to show they are enroute and arrived on scene at each new location. Officers will also advise dispatch by voice of any location change involving the transportation of a prisoner, or one that involves a potential hazard to the officer.

Each unit will be responsible for individually clearing themselves off of each call by using only their laptop. Voice clearance of calls is not required except when an officer feels it is necessary to air hazards, Bolo's, or other necessary ~~neessry~~ information.

The Department has provided laptop computers for use by officers in the field. Officers shall take a laptop when they go in service. It is the responsibility of the officer to check that the laptop is functioning properly before going into service. If the laptop is found to be out of order, a request for maintenance shall be initiated, following the procedure within this order.

Officers shall request by voice to be out of service. Dispatch may override any request dependent upon calls pending or other circumstances the officers may not be aware of.

Officers are required to use the MDC to make all CJIS/CCIC/NCIC inquiries unless

circumstances exist that make using the MDC impractical, such as running a shoplifter for wants inside a shopping mall. Officers shall let dispatch know if they are with a possible Code 5 party and awaiting confirmation. The responses from inquiries to the CJIS/CCIC/NCIC systems are protected information. Officers are not permitted to use these systems for their own use and information received through these computer systems may only be used for official criminal justice purposes. Officers shall not initiate any inquiry outside those purposes necessary to complete a Departmental objective. Officers shall also ensure that unauthorized persons do not view responses from these systems.

.30 Electronic Messaging Procedures

Electronic messages sent on the mobile computer system will be for official Department business purposes only. ~~Short personal messages are allowed as long as they are not offensive or embarrassing to the Department, in any way.~~ The message logs will be periodically reviewed by the Division Commander, or designee, to assure proper procedures are being followed.

Any electronic message that is sent through the mobile computer system may ~~later~~ be retrieved by authorized personnel, even though it may have been deleted from the assigned employee's computer. Electronic messages are not a protected form of communication and could be subject to a discovery motion in a criminal case, civil case, or internal investigation.

Every electronic message should be considered in the public domain. Assigned employees should have no expectation of privacy regarding electronic messages. All electronic messages should be professional and courteous.

.40 Security/Storage

Generally, officers are not to use/sign-out MDC ♦s that are not assigned to the vehicle they are operating during their shift. Officers are not to take MDC ♦s that belong to one specific vehicle and use it in another vehicle.

If the MDC that belongs to an officer ♦s assigned vehicle is damaged or not functioning properly, the officer is to complete an MDC Repair Order and place it, with the MDC, in the designated repair holding area at his/her divisional station. The officer then may check-out a ♦ spare ♦ MDC for use during his/her shift, making sure to check the MDC back into the station at the end of shift.

Any exceptions to the above protocol must be authorized by a supervisor or Watch Lieutenant.

The Division Commander, or designee, will be responsible for the assigned component computer's physical security and for obtaining any required maintenance through the Information Technology section.

It shall be the assigned employee's responsibility to safeguard the computer using every precaution available, such as locking their vehicle when left unattended, securing the computer in their residence or locking their office. ~~Negligence resulting in the loss of or damage to a laptop computer will be considered for more serious discipline that may include device replacement at fair market value.~~

Any use of a Department computer by anyone other than an authorized user is prohibited. Use of a Department computer requires authorization from the Information Technology Section Manager or a designated representative.

It shall be the assigned employee's responsibility to ensure the security of the computer against unauthorized use. Employees will not give their passwords to any other person or persons to use, nor will they leave the password in any discernible written form in or near their computer. Assigned employees, however, may be required to disclose this information to someone in their chain of command or support personnel for departmental business purposes.

All employees are required to log off from all network computer systems at the completion of their workday.

The Information Technology Section must be notified if Department computers or peripheral equipment are damaged, stolen, or it is believed unauthorized access was attempted or gained.

.50 Maintenance

The Information Technology Section is responsible for all maintenance, support and repair of Department computers. Request for service should be routed ~~to through~~ the Information Technology Section Help Desk. In an effort to assist Information Technology personnel in resolving computer problems, the person reporting should make every effort to document the nature of the problem. The following items should be documented:

- Name of the person experiencing the error
- Date and time of occurrence
- Whether the user can duplicate the problem on the same computer or on a different computer
- ~~Can the problem be duplicated on the same computer or another computer~~
- Nature of occurrence (i.e. computer out of memory, network services not available, or any message that appears in a dialog box showing an error)

At the direction of the Information Technology Section Manager, support personnel may be established for minor maintenance on Department computers within a specified component. This minor maintenance does not alter the need for security or installation approval from the Information Technology Section Manager or designated representative.

.60 Training

It will be the responsibility of the assigned employee to maintain Colorado Crime Information Center (CCIC) certification, if required by the employee's supervisor or specific job assignment.

It will be the responsibility of the Colorado Springs Police Training Academy to design and administer additional computer training specific to the software available to the assigned employee.

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General Order 985 -- 800 Megahertz Trunked Radio

Active date: 6/26/2001

Supersedes date:

.01 Purpose

To establish Department policy and procedure concerning the use of the 800 MHz Trunked radio system and equipment.

.02 Cross Reference

G.O. 120 Communications Protocols

CALEA Standards 72.4.9; 81.2.3; 81.2.10; 81.3.4

.03 Discussion

As part of the Colorado Springs/El Paso County 800 MHz radio system, the Police Department uses advanced computerized Trunked Radio technology. The overall use of this system is regulated by policies established by the Pikes Peak Regional Communications Network, (PPRCN). Internal procedures, established by departments and agencies operating on this system, shall not supercede these policies.

This system permits in the field radio communications between all users; City and County public safety and general governmental services, and Colorado Springs Utilities. This technology provides numerous features not possible with conventional radio systems and it also requires additional operational procedures. The following sections of this General Order document these operational criteria.

.04 Policy

Instructions in the General Order apply to all Department members using this two way radio communications system, unless the context or specific language indicates limited applicability.

.05 Definitions

TRUNKED RADIO: A computerized radio system that enables groups of system users to share radio frequencies.

800 MHZ: The radio frequency segment used by public safety.

A TALKGROUP: A set of Trunked Radio system users who communicate with each other. This term is also used to refer to a radio selector switch position relating to a set of radio users.

RADIO ID AND RADIO ALIAS: The internal numeric identifier in every radio operating on a Trunked Radio system. This identifier is transmitted to the system controller, with each transmission, so that the radio can be linked to all other radios programmed with the same talkgroup. The Radio ID can be displayed as an alias, such as Division, Section, or the name and IBM number of the person assigned the radio.

PPRCN: The Pikes Peak Regional Communications Network, the governmental entity established by a City and El Paso County intergovernmental agreement, to establish and manage the Trunked Radio System.

INDIVIDUAL CALL SIGN: The personal radio designator for each radio user on the Department not assigned a permanent Unit designator. An Individual Call Sign is comprised of the prefix PD and the member's IBM number.

INTEROPERABILITY: The ability of a Trunked Radio system to be used to communicate with other agencies, departments and jurisdictions using the system.

RADIO TEMPLATES: The configuration of various talkgroups programmed into a Trunked Radio. Templates give talkgroup authorizations, based on rank or assignment, because some talkgroups have restricted access.

DIGITAL AND ANALOG RADIO: Digital radios transmit information or data that is represented by a series of discrete binary characters, ones and zeros. Analog radios transmit information according to relative changes in frequency, or sound.

FAILSOFT: The condition in a Trunked Radio system when the central controller fails and cannot recognize individual radios or assign them to talkgroups. During Failsoft, the system reverts to conventional operation, with each radio working on a pre-designated radio frequency.

RADIO PRIORITY: The ability of a Trunked Radio system to give designated radios higher priority in assignment of available radio frequencies than other radios. (Public Safety radios have the highest priority on a Trunked Radio system.

CENTRAL CONTROLLER: The microprocessor that manages radio frequency resources and talkgroup communications.

.10 General Provisions

Each mobile and portable radio on the Trunked Radio system contains an individual identifier that is recognized by the system Central Controller. Each portable radio is programmed with the individual identifier, the Alias ID, of the member assigned/issued that radio, or of the unit the radio is assigned to. When a radio is used to transmit a signal, the radio or alias ID is displayed on a dispatch console screen if that radio is being used on a dispatcher monitored talkgroup. Mobile radios will be programmed with an alias ID indicating the Division/Section the vehicle is assigned to. Police Department portable radios assigned to an individual are programmed to display the member's last name and their IBM number as the radio alias ID.

.20 Use of Radio Talkgroups

The respective Bureau Deputy Chiefs shall determine talkgroup allocation and use within their Bureau. Each Division of the Police Department has multiple talkgroups. The primary talkgroup of each Division is signified by a "1", such as Falcon 1, Sand 1, Gold 1, Central 1. In Patrol Divisions, the primary talkgroup is used for the dispatch of calls for service and normal operations. During day-to-day routine operations, the Communications Section will staff and

monitor only the primary Patrol Division talkgroups. The primary talkgroups for the other Divisions are used for normal operations. The remaining talkgroups for each Division are available for use, as determined by the Division Commander, in accordance to guidelines set forth by the appropriate Bureau Deputy Chief.

Unless circumstances require or demand it, members will refrain from transmitting over the talkgroups of other Divisions or units.

The PPRCN Trunked Radio system is a City/County wide system. To provide real time interoperability, every radio on the system is programmed with sixteen talkgroups to provide communications between different groups, agencies, and units. Only three of these interoperability talkgroups are monitored full time by a Communications Center:

- Colorado Springs Police Department, CSFD 2. (C-16 position on the radios)
- El Paso Sheriff's Office, EPSO Red. (C-1 position on the radios)
- Colorado Springs Utilities, CSU Dispatch. (C-15 position on the radios)

Supervisors working on primary dispatched talkgroups will notify their dispatcher that they will be operating on an interoperable talkgroup. All other personnel will be given supervisory direction, or approval, before advising their dispatcher that they will be operating on an interoperable talkgroup.

To establish communications outside of the Department, a radio user is to select the EPSO Red interoperability talkgroup, C-1, and request the use and assignment of an interagency talkgroup and the required radio contacts. The EPSO Red dispatcher will assign the requesting member an interoperability talkgroup and, upon making contact with the requested party, direct them to that talkgroup. If the EPSO Red dispatcher cannot process this request, the radio user is to select the secondary control point for the interoperable talkgroups, CSFD 2, on C-16.

Once the requesting member has concluded interagency communications, they are responsible for contacting the EPSO dispatcher and advising the assigned talkgroup is clear for use.

.30 Radio Assignments

Each Police Department radio on the 800 MHz system is programmed with a specific set of talkgroups or Radio Templates; however, not all radios are given the same set of talkgroups. The baseline template consists of all three talkgroups of the Patrol Divisions and the primary talkgroups of Investigations, Central and Metro VNI Divisions. Radios used by supervisory, administrative and specialized unit personnel will have additional talkgroups, as their responsibilities demand. Personnel are prohibited from using a Trunked Radio programmed with unauthorized talkgroups, without specific approval of a supervisor.

Personnel assigned a Trunked radio are to contact the Communications Manager's office upon transfer within the Department, to determine if their radio needs to be reprogrammed.

.60 Emergency Alert

Every radio on the Trunked Radio System is equipped with an Emergency Alert button. When

activated, this button sends a digital signal to Communications, identifying the activated radio and indicating duress. The Emergency Alert button is only to be used by an employee experiencing an emergency, when cover or other assistance in a Code 3 manner is required, or when the use of clear communications is prohibited by the nature of the situation, or a threat to life. The Emergency Alert button opens a primary dispatch talkgroup between the activated radio and the dispatcher. Other personnel on that talkgroup will be able to hear and transmit on that talkgroup. The Communications Section, receiving the visual and audible Emergency Alert signal, will activate procedures for the prompt response to these alerts, either by direct contact with the member activating the Emergency Alert button, or by involvement of on-air personnel to locate the indicated radio user.

In the event of accidental activation of the Emergency Alert button, a member will immediately advise the dispatcher that they have no emergency. Accidental activation of this button imposes a severe burden on the Communications Section and the Trunked Radio system. Deliberate use of the Emergency Alert button, for inappropriate purposes, can result in disciplinary action.

.70 Management and use of Equipment

Due to the substantial economic investment in these radios, Commanders shall take all necessary steps to insure this equipment is used, and cared for, properly. Special attention is to be made to the temporary issuance, and tracking, of spare Trunked radios assigned to each Division.

.80 Disabling Trunked Radios

The internal identifier within each Trunked radio makes it possible for the System Controller computer to recognize each radio so it can be linked to specific talkgroups. As necessary, this identifier can be deactivated to make the radio completely non-functional. This action can only be performed by personnel authorized by the PPRCN Executive Board, who are trained in the use of the System Controller.

In the event of the loss or theft of a Trunked radio, department members shall notify a supervisor as soon as possible. Upon being advised of this situation, the supervisor shall contact the Communications Section to have the radio deactivated. When a Department member is terminated or suspended for a significant length of time, the involved member's Commander shall make contact with the Communications Manager to have the assigned radio deactivated.

.90 Responsibility of Department Members

Members issued or assigned radios may be responsible for the full cost of this equipment, if it is determined that the lost or damaged is due to a negligent or intentional act.

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Colorado Spring Police Department
General Order 990
-- Cellular Telephone Policy

Active date: 8/28/2008 12:20:18 PM

Supersedes date:

.01 Purpose

The Colorado Springs Police Department issues cellular telephones (cell phones) to department members who have a compelling need to make or receive department business-related calls. This document establishes guidelines on distribution and applies to all employees who are issued a department cell phone.

.02 Cross Reference

This space intentionally left blank.

.03 Discussion

This section intentionally left blank.

.04 Policy

Instructions in the General Order apply to all Department members using the cell phones issued by the Department, unless the context or specific language indicates limited applicability. Failure to comply with any sections of this General Order may result in disciplinary action.

.05 Definitions

Cell phones: In this document, cell phones include all cellular communications devices such as cell phones, walkie-talkie (2-way radio) type phones, camera phones, PDAs that double as communications devices, and Blackberry devices.

Direct Connect: A service provided by Nextel that allows users to instantly connect with another Nextel user at the push of a button

Talkgroup: A group push-to-talk service provisioned on the Nextel network. A talkgroup is comprised of a pre-defined list of subscribers who must share the same "network" and be located within the same local calling area to participate in the same Talkgroup.

Sprint/Nextel: Sprint/Nextel is the company CSPD has selected as its cell phone and wireless provider. Most cell phones issued will be from Nextel because of the Walkie-Talkie, 2nd personal line, and other features not available from Sprint.

Walkie-Talkie: Also known as Direct Connect or Push-To-Talk. This Nextel only feature allows you to instantly connect - in less than a second - from coast to coast, with any other user on the Nextel National Network. This is the preferred method of communicating with other Nextel users in CSPD.

Procurement: Includes purchasing new equipment; activation/termination of service; repair and/or replacement of damaged, lost, or stolen equipment; periodic replacement and upgrading

of new technology.

Administration: Includes reassignment/transfer, monitoring usage, reviewing usage charges, paying invoices, managing the budget.

.10 Procurement of Cell Phones

Procurement and administration of all Department cell phones will be managed through the CSPD Fiscal Services Section. The Department will provide the cell phone and a wall charger; however, any other accessories will neither be provided nor reimbursed by the Department. All employees who are issued a Department cell phone will be required to sign a Cell Phone Receipt Acknowledgement form.

.20 Cellular Phone Use

Use of Department cell phones is a privilege, not a right, and must not be abused. Employees must use prudent judgment. In addition, downloading, purchasing or installing unauthorized software (such as applications, games, ring tones, etc.) to any cell phone is prohibited.

Cell phones that are purchased with City/CSPD funds are the property of the Colorado Springs Police Department. Employees are responsible to surrender all cell phones to the organization upon leaving department employment. Cell phones that are no longer needed are to be returned to Police Fiscal Services. Cell phones should not be reassigned to another individual. Fiscal Services will reconfigure and redeploy returned cell phones as appropriate and update any necessary records.

Cell phones may be used for business purposes when necessary, but they are not a replacement for and should not be used in lieu of Department radio and/or land-based office phone. **The radio should be used as the primary means of field communication. The Department land-line voice mail system must be used as the primary means of non-radio communication. Do not leave your cell phone number as a call back number to the public unless authorized by your chain-of-command.**

Personal calls on Department cell phone business lines, both incoming and outgoing, are allowed only for emergencies. In those instances, the employee shall promptly reimburse the Department for such use. The rate for reimbursement will be the same per minute rate that the company charges for minutes that exceed the Department's calling plan. All personal cell phone calls should be made from the second personal line (see Section .25) on a Department cell phone (if the personal line has been activated by the employee) or from the employee's personal cell phone.

Employees may not make or receive calls from their Department/business cell phone line when they are off-duty, unless authorized by their supervisor.

The text messaging, voice mail and paging capabilities on the cell phones on the Department/business line are for designated personnel only. If you have not been identified as a designated person, the use of these functions is strictly prohibited.

Talkgroups:

The Department will establish Talkgroups as operationally necessary. Users will be set up on Talkgroups according to their duties and responsibilities. Department employees shall not initiate communication on Talkgroups due to the high cost of the service. Only Communication Center Supervisors are authorized to initiate a Talkgroup.

Nextel Walkie-Talkie Use of Cell Phones:

All Nextel cell phones have Walkie-Talkie capability. Walkie-Talkie (also known as Direct Connect) is the highly recommended means of calling another Nextel user via local or long distance because unlimited minutes are provided for free.

.25 Personal Line Feature on Department-Issued Cell Phones

CSPD offers cell phones with two lines. One line is for business use; the other line is available for the employee's personal use at his/her sole choice and discretion. The following policies apply to the personal line feature:

1. On Sprint/Nextel phones, the business line is billed to CSPD and is solely for Department use. If the employee chooses to use the available personal line, such use shall be arranged by the employee individually, under a contractual arrangement separate and apart from the Department's contract for cell phone service. The employee pays for the personal line. Billing for the personal line must go to the employee's home address.
2. Any employee use of personal cell phone line is at the employee's sole risk and discretion, and in no event will employee use of a personal cell phone line result in any responsibility or liability on the part of CSPD. In addition, CSPD makes no representations or guarantees to employees concerning the quality or terms of any vendor's service, the quality or compatibility of any vendor's hardware or accessories, or that the service will continue to be available.
3. If the personal line feature is activated by the employees, the cell phone is still solely for the employee's use; the cell phone may not be given or loaned temporarily to another person (including family members) for a non-employee's use.
4. When an employee who has activated a personal line on a CSPD cell phone leaves Department employment or no longer has a need for the business phone, the employee may retain/transfer the personal phone number; however, the cell phone and any accessories provided by CSPD are the property of the Department and must be returned to Fiscal Services.

.30 Care of Cell Phones

Employees must take appropriate care of CSPD-issued cell phones including, but not limited to, taking necessary precautions to prevent theft, vandalism, or loss of organizational data. Employees shall be responsible for reimbursing the Department for any cell phone damage if such damage occurs outside of a Department-related activity.

Employees must use CSPD cell phones safely. **Because of the hazard presented by attempting to dial a cellular telephone while driving, employees should use discretion in using a cell phone while operating a Department vehicle. Additionally, officers are encouraged to utilize the hands-free operation mode when talking on the cellular phone while driving.** To increase security and reduce safety risks:

1. Immediately report a lost or stolen cell phone to Fiscal Services.
2. Remove cell phones when the vehicle and keys are left with someone, such as a parking lot attendant or mechanic.
3. Do not leave the cell phone in an unsecured vehicle.
4. Do not loan the cell phone to anyone.
5. Use discretion when storing confidential information on cell phones.
- ~~6. Do not use a cell phone while operating a Department vehicle, except in emergency situations.~~

6. Follow City recommendations for ergonomic office safety.

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Colorado Spring Police Department

General Order 995

-- Police Operations Center Parking Procedures

Active date: 5/8/2007 1:55:17 PM

Supersedes date:

.01 Purpose

To establish uniform parking procedures for the Police Operations Center (POC).

.02 Cross Reference

This space intentionally left blank.

.03 Discussion

This section intentionally left blank.

.04 Policy

The Management Services Division developed a parking plan for the Police Operations Center

parking garage and POC perimeter.

Employees are reminded that parking in the POC Parking Garage is authorized for Department vehicles and personally owned vehicles (POVs) operated by department employees and volunteers only. There is NO visitor/public parking in the POC Parking Garage.

Department employees are prohibited from parking department or personal vehicles on either side of Rio Grande Street directly in front of the POC, between Nevada Avenue and Weber Street, or in the visitor's parking lot at the POC or Evidence Building. This prohibition covers temporary, short term parking for official or unofficial business, at any hour of the day. In addition, personnel are not authorized to park in the fire lane between the POC and the POC Parking Garage.

.05 Definitions

This space intentionally left blank.

.10 Designated Parking

"Reserved Parking Police Motorcycles Only" spaces are designed for that purpose. These spaces are authorized for the Motor Unit.

"Handicapped parking" is authorized in designated parking spaces. The remainder of the area must remain clear of vehicles at all times.

"Temporary" parking spaces in the parking garage are designed to allow employees and volunteers a place to park while conducting official business in the POC. These spaces are designed not to exceed 30 minutes.

The parking structure has spaces allotted for compact vehicle parking on the west (Nevada Avenue) side of the structure, and large vehicle parking on the east (Weber Street) side of the garage. Personnel who do not follow this designation may be contacted to move their vehicle and subject to disciplinary action.

.20 Entry/Exit Procedures

The POV parking entrance is controlled by a gate access located between the second and third floor. This gate is activated by card key access. If you do not pay for parking in this area, you are not allowed access. Each individual must have their card scanned to allow the gate to open and complete a cycle. The gate arms will open allowing "ONE VEHICLE AT A TIME" through the gate. The arm must complete a full cycle before allowing the next vehicle through the gate. The entrance gate is not equipped with safety loops to allow you to follow a vehicle through the gate. Should you try to follow a vehicle through the gate without allowing the arm to complete a full cycle; the arm will close on your vehicle causing possible damage to the control arm and

your vehicle.

When leaving the parking area you must allow "ONE VEHICLE AT A TIME" through the gate. The exit controller operates the same as the entrance, but in lieu of a card reader there is a ground mounted sensor loop that opens the gate arm to allow only one vehicle to pass. The second ground mounted loop closes the gate. Once again, the gate must complete a full cycle before it allows the next vehicle to exit. Should you try to follow the vehicle in front of you through the gate before it completes a full cycle, the arm will close on your vehicle causing damage to your vehicle and breaking the arm on the controller.

The department assumes no liability for damage to a personal vehicle due to a failure in following entry and exit procedures. Damage to a POV due to the gate control arm closing on a vehicle will be repaired at the owner's expense. The repair cost of the controllers will also be the responsibility of the vehicle operator violating these procedures.

.30 Payroll Deduction/Fees

The following outlines who is required to pay for parking:

- All department employees parking POVs in the structure
- Personnel who ride personal motorcycles
- Outside organization personnel who work at the POC (e.g., EPSO, DA, etc.). Personnel who fit this category should address the parking fees with their respective organizations. The Department will make arrangements for billing monthly parking costs if necessary.
- Personnel using handicapped spaces
- People who work part-time will be charged ♦ the monthly rate or ~~\$10.00~~15.00 month.

People who carpool will have to decide which party will pay for parking. Non-paying employees will not be issued parking permits and must park on the street if they drive separately.

.40 Registering Vehicles

Personnel (employees, outside organizations, and volunteers) who park POVs in the structure are required to register each vehicle they may park in the structure (e.g., if you have 3 vehicles that you routinely use to commute to the POC, register all 3 vehicles). There are no additional fees and no limit to the number of registered vehicles to the same employee. The registration form for vehicles (Attachment 3) is available by contacting the Senior Office Specialist in Management Services (POC 4th floor, extension 7584).

The completed forms should be turned into the Senior Office Specialist, who will issue a parking authorization sticker(s). Registered vehicles will be assigned a small parking sticker to be placed in the lower left rear window. Department vehicles will maintain a blue sticker, POVs a green sticker, and volunteers a red sticker. If you have a vehicle with a soft top, place the

sticker in the lower right front windshield. This placement will allow monitors to readily determine compliance with this Bulletin. Parking plan offenders will be required to move their vehicle and be subject to disciplinary action.

When an employee transfers to another work site, they must complete a form to cancel the automatic payroll deduction. This form can be obtained from the Senior Office Specialist in the Management Services Division. Forms for canceling deductions will not be processed to accommodate vacations or temporary absences from the POC. All completed forms should be turned into the Senior Office Specialist in the Management Services Division.

Reminder: The POC Parking Structure is a City owned facility and, as such, is a designated "NO SMOKING" area in its entirety.

.50 Parking Complaints

Employees observing suspected parking infractions may report such violations to the Management Services Senior Office Specialist. As a minimum, the License Plate Number of the vehicle in question should be recorded and submitted for verification.

The Senior Office Specialist or designated Management Services Representative will request registration verification. When a positive result is received on a vehicle registration belonging to a Department employee, Management Services will notify the offending employee's immediate supervisor or Division Commander with the date of the parking infraction, and the vehicle and registrant's identification. The immediate Supervisor or Division Commander will take appropriate administrative or disciplinary action.

At no time will the results of the vehicle check be brought to the offending employee's immediate attention by Management Services.

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