

CITY OF BARRE
Police Advisory Committee Agenda
Monday, October 9 , 2023

6:00 pm

Alumni Hall
Conference Room
Barre Auditorium
Barre, VT 05641

Join Zoom Meeting

<https://us02web.zoom.us/j/83053276707>

Meeting ID: 830 5327 6707

Telephone 1 929 205 6099

Open to the Public

1. Call to order.
2. Consider approval or adjustments of the agenda
3. Consider approval of previous meeting minutes
4. Receive guests
5. Councilor Waszazak's report
6. Chief's report
7. Discuss and consider approving 902 Security for Special Events
8. Discuss and consider approving 423 Animal Complaints
9. Discuss and consider approving Animal Bite Report
10. Discuss and consider approving 422 Homeland Security
11. Discuss and consider approving 305 Training
12. Discuss and consider approving 513 Parking Enforcement
13. Discuss and consider approving 608 Collection & Preservation of Evidence
14. Discuss and consider approving 405 Warrantless Search & Seizure
15. Miscellaneous
16. Adjourn



Barre City Police Department

Barre, Vermont

Braedon S. Vail
Chief

PERSONNEL PROCEDURES

<u>Subject:</u>	<u>Number:</u>	<u>Effective Date:</u>
Training	305	XX/XX/23

Note: These Rules & Regulations, Operational Policies and/or Procedures are for internal use only and does not enlarge a member's civil or criminal liability in any way. It should not be construed as a creation of a higher standard of safety or care in an evidentiary sense, with the respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

Policy: The Barre City Police Department considers training to be the foundation upon which all activities are based. Well-trained personnel are better prepared to act decisively in an appropriate manner during a broad range of situations. Quality training ensures greater productivity, effectiveness, and provides unity of purpose.

Purpose: To establish procedures that ensure the training of all Police Department employees meets or exceeds the mandated standards of the Vermont Criminal Justice Council.

Contents:

- I. Organization and Administration
- II. Duties and Responsibilities
- III. Lesson Plans
- IV. Recruit Training
- V. Continued Education & Training
- VI. Civilian Training
- VII. Remedial Training
- VIII. Attendance
- IX. Training Requests
- X. Instructor Training
- XI. Training Records
- XII. Cancellation

I. Organization and Administration

The management and operation of the Police Department's training function is vested with the administration (Chief/Deputy Chief) for all personnel. Implementation of the training function shall be the exclusive responsibility of the administration and includes:

- A.** Planning, developing, evaluating, and revising training programs to ensure that the programs are relevant, beneficial, and consistent with the goals of the Police Department.

- All possible resources in developing training programs will be utilized to include but not limited to:
 - Staff reports and meetings
 - Training evaluations
 - Participation and approval by the administration
 - Internal Affairs investigative reports
 - Use of force reports
 - Recommendations from supervisors based upon deficiencies identified in work performance evaluations
 - Consultation with field personnel regarding field observations, suggestions, and recommendations

- B.** The administration serves as the liaison with the Vermont Criminal Justice Council (VCJC). The Council is responsible for the instruction of entry-level police recruits attending the academy.

- C.** Monitoring individual attendance at training sessions.

- D.** Maintenance of all training records.

- E.** Submission of all training records to the Council to ensure certification of standards.

- F.** Review and approval of all lesson plans and in-service training requests.

- G.** Selection and certification of department instructors.

- H.** Obtain Council approved entrance-level training for all police officer candidates.

- I.** Obtain annual in-service training as mandated by the Council.

- J.** Training programs shall be reviewed annually to ensure that they complement personnel and operational needs, legal requirements, and agency policies. The evaluation and update should include a review of new laws, court decisions, and agency directives. Additionally, problems associated with physical facilities, materials, or scheduling should be addressed. Modifications and updating of the training programs, once completed should be fully implemented. Upon conclusion of the training year, an accounting will be made reflecting the number of persons trained and the extent of the training provided, which will be endorsed by the affidavit of Rule 13 compliance to be submitted to the Council.

II. Duties and Responsibilities

The administration receives input from all employees of the Police Department, and reviews training programs annually to ensure that they are responsive to personnel and operational needs, legal requirements, and department policies. The review ensures that:

- Proposed training is job related, effective, and timely.
- Current training programs' performance objectives are being satisfied.
- Training opportunities and resources that may supplement or improve existing training programs are identified.

III. Lesson Plans

The development of lesson plans ensures that the subject to be covered is addressed completely, accurately and is properly sequenced with other training materials. Lesson plans establish the purpose of the instruction, set performance objectives, and relate the training to critical job tasks. Lesson plans are required of all instructors, and include provisions for the following:

A. Format

Lesson plans are developed and formatted to include:

- References.
- Teaching techniques to be used, i.e. lecture, group discussion, panel, seminar, debate, role-play, hands-on demonstrations, or practical skills.
- How the training relates to job performance.
- Responsibilities of trainees for the material taught.
- Plans for evaluating trainees.

B. Performance Objectives

Performance objectives are the basis of all beneficial and successful training programs. The utilization of performance objectives acquaints the training participants with the information they are required to know, the skills that must be demonstrated, and the circumstances under which the skills will be used. This approach enables the instructors to relate training directly to the job performance that will be expected by supervisors. Performance objectives should include:

- Focus on the elements of the job task analysis for which formal training is needed.
- Provide clear statements of what is to be learned.
- Provide the basis for evaluating the participants.
- Provide a basis for evaluating the effectiveness of the training program.

C. Instructional Techniques

Possible instructional techniques to be incorporated include:

- Conference (debate, discussion groups, panels, and seminars).
- Field experiences (field trips, interviews, operational experiences and observations).
- Presentations (lecture, lecture-discussion, lecture-demonstration).
- Problem investigations (committee inquiry).

- Simulations (case study, games, and role play).

D. Review and Approval

The Chief is responsible for the review and approval of all lesson plans before the training is given. This procedure ensures that the lesson plans are consistent with agency guidelines on lesson plan development, satisfies Vermont Criminal Justice Council requirements, and coincides with agency policy.

- Instructors planning to conduct any in-service training programs will submit their curriculum and lesson plans to the Chief for review and approval at least thirty (30) days prior to the start of the program.

E. Testing Procedures

For training programs and certifications requiring written testing measures, instructors will prepare tests based on the performance objectives to measure the trainees' knowledge, skills, and abilities. In accordance with the regulations of the Vermont Criminal Justice Council, 80% is considered a passing score. If the passing score is modified, participants will be notified of such a change at the beginning of the training. The administration will review and approve all tests in advance.

IV. Recruit Training

All newly sworn personnel must successfully complete a VCJC Level II or Level III basic academy prior to appointment to any assignment in which the officer is authorized to carry a firearm and has arrest powers. The staff of the attended academy will ensure that all training objectives required by the Council are successfully achieved. In addition to academic training, proficiency is also required in the areas of firearms, defensive driving, first responder, physical conditioning and defensive tactics.

A. Employees attending a Level II or Level III academy report to the administration for any administrative and logistical needs, but receive daily direction from the academy staff in accordance with Council regulations.

- Employees assigned to attend a Level III academy will participate in an apprenticeship program through the Vermont Department of Labor.

B. Field Training & Evaluation Program

Field Training and subsequent evaluation develops highly trained officers and provides each probationary officer with field training under the guidance, direction and evaluation of experienced officers and supervisors. The Field Training and Evaluation Program, (FTEP) is an integral part of the overall training provided to probationary officers and includes an introduction to agency rules, regulations, policy, and procedures.

- All Field Training is conducted pursuant to **Barre City Police Department Personnel Procedure #306 “Field Training Program.”**

V. Continued Education & Training

The Vermont Criminal Justice Council has established the following guidelines for the certification of law enforcement officers in the State of Vermont.

A. In-Service Training

All VCJC certified law enforcement officers must receive a minimum of 30.0 hours of in-service training each calendar year. This training must be approved by the Council and will also include specific topics as mandated by the Council. In addition to these requirements, it is the responsibility of the department to provide the most up-to-date training that is available to ensure that officers are prepared to handle all potentially hazardous situations which may arise during the performance of their duties.

- **Annual Firearms Qualification**

The Council mandates that each sworn law enforcement officer in the State of Vermont be qualified on an approved course of fire every calendar year. Each course of fire submitted to the Council for approval must contain certain specific areas of performance as mandated by the Council.

B. Specialized Training

Specialized training provides the necessary knowledge, skills, and abilities to enhance those received through basic entry level or in-service training programs. Positions requiring specialized training may include, but are not limited to:

- Firearms Instructor
- Criminal Investigative Division
- Canine Handler
- Field Training Officer
- Drug Recognition Expert
- Upon promotion to:
 - Corporal
 - Sergeant
- In addition to supervised on-the-job training, specialized training should include the following:
 - Development and/or enhancement of the skills, knowledge, and abilities particular to the specialization.
 - Management, administration, supervision, personnel policies, and support

services of the function or component.

- Performance standards of the function or component.
- Office policies, procedures, rules, regulations, and legal issues specifically related to the function or component.
- Any on-going in-service training requirements specifically related to the function or component.
- In addition to developing specific skills, personnel assigned to specialized activities should be made aware of the administrative requirements and relationships of the specialized function to other parts of the Police Department.
- Upon transfer to any specialized position, personnel are provided supervised on-the-job training if applicable, immediately, typically followed by specialized training within a reasonable amount of time after assignment.

C. **Shift Training**

Shift training provides for dissemination of current information and training to personnel between formally scheduled training sessions. To be effective, shift training must be well managed and supervised. In order to accomplish this goal, the following guidelines shall be followed to ensure that the training provided meets the highest possible standards:

- **Planning** - Planning of shift briefing training shall be the responsibility of the Shift Supervisor so that specific needs of that section may be addressed and conducted on an as needed basis. Shift briefing training that is of importance to all Police Department personnel should be coordinated through the administration.
- **Techniques** - Techniques used for shift training may include: lecture, group discussion, hands-on-training, demonstration, modules, or the use of audio/visual materials.
- **Instructional personnel** - Informal training sessions may be conducted by Shift Supervisors, Vermont Criminal Justice Council Certified Instructors, or other personnel that have specific expertise with the materials being presented.
- **Shift training** - Shift Supervisors shall evaluate the training program to ensure that the training objectives are being met. Recommendations are also encouraged to maximize the training benefit from such programs.
 - Scheduling of shift training shall be the responsibility of the Shift Supervisor since they have firsthand knowledge of what areas of performance need improvement and the ideal time to conduct such training.
- **Attendance** - Shift Supervisors shall ensure that all personnel assigned to their shift attend the shift training and forward all attendance rosters to the Deputy Chief. Officers shall have the responsibility of promptly attending the training as scheduled and bring with them all appropriate materials required to successfully

complete the program.

D. Promotional Training

All recently promoted first line supervisors and administrators will receive promotional training as soon as practicable, but within the first year following promotion.

E. Legal Updates

All sworn personnel will receive annual training on new and revised laws, as well as pertinent court decisions affecting the application of laws.

F. Ethics Training

Ethics Training will be conducted at least biennially for all employees of the Barre City Police Department.

VI. Civilian Training

A. All newly hired civilian personnel shall receive the following training:

- Orientation to the Police Department's role, purpose, goals, policies, and procedures.
- Working conditions and regulations.
- Responsibilities and rights of employees.
- Civilian personnel will be trained to meet the job requirements as identified by a job task analysis.

C. Civilian Positions Requiring Specialized Training:

Training for civilian personnel who predominantly deal with the public will stress not only the skills necessary to perform the technical aspects of their jobs but also the importance of the link they provide between the citizen and the Police Department, which often shapes a citizen's perception of the Police Department.

- Some civilian positions are quasi law enforcement in nature and require specialized computer training to participate in the NCIC and Valcour computer network. This training requires attendance of the State of Vermont NCIC/CJIS training. Positions in this category may include:
 - Communications Dispatchers.
 - Administrative Assistants.

D. In-service training for civilian personnel shall be the responsibility of the supervisor of the division to whom the civilian employee is assigned. This training should be designed to

update skills and to increase knowledge for new job responsibilities.

VII. Remedial Training

Remedial training is directed at solving a particular deficiency in work performance or knowledge in a specific area. The circumstances and criteria used to evaluate the need for remedial training for Police Department employees include, but are not limited to test scores, on-the-job performance, or request from a supervisor.

- A. Requests for remedial training by supervisors must be submitted to the administration in memorandum form stating the need for remedial training and documenting supporting observations or evidence.
- B. The administration will then review the request and make a determination as to the best method of providing the needed training.
- C. In most cases, remedial training will be initiated as soon as possible following the testing, documented deficient job performance, or request from a supervisor.
- D. If remedial training is deemed necessary by administration, the employee will be required to participate and successfully complete the training.

VIII. Attendance

- A. The administration shall monitor staff attendance at all training programs, including training outside of the Barre City Police Department.
 - The administration is responsible for maintaining records of class rosters to document the participation of all those attending trainings.
- B. Members may be excused from attending a training program for court appearances, illness, or conflicts in scheduling only upon proper notification to their supervisor and administration.
 - If an emergency prevents attendance of a scheduled training session, members are required to immediately notify their supervisor and the administration. In the event of training scheduled with outside agencies, the outside agency must also be notified by the employee.
- C. It shall be the responsibility of all personnel attending outside training courses to provide the administration with any course certificates or diplomas to be maintained in their permanent training files.
 - Additionally, personnel attending outside training courses are responsible for providing the administration with any certification numbers, if applicable and test scores from the course. This information will be submitted to the within seven (7) days of course completion.

IX. Training Requests

In addition to any mandatory training assigned by the Barre City Police Department, members may request to attend other training programs by submitting a Training Request through the Power DMS system. When practical, all requests must be submitted at least sixty (60) days prior to the program start date and must include all program and reimbursement expenses.

A. Procedures to submit a Training Request through PowerDMS:

- From the main screen, select “New”, and choose “Training Request”
- If the course is already in Power DMS, you can search for it through the “course catalogue,” otherwise, choose “The course I wish to attend does not exist”
- Enter the “Course name”, “Description”, “Location”, “Start date” and “End date”
- Click on the “Add new fee” section, and add each type of fee associated with the requested training (Event Registration, Transportation, Lodging, Meals, Mileage Reimbursement, or Other)
 - Training Requests that do not include all applicable fees may be denied
 - To determine what appropriate lodging and meal rates for training request submissions would be, visit the following link:
<https://www.gsa.gov/travel/plan-book/per-diem-rates> and type in the location of the training.
- The following screen contains those members responsible for approving or denying the requested training. This will always end with the Chief, but will need to first be routed through the requesting member’s chain of command, if applicable:
 - Click on “add another step” and enter the name of the supervisor in charge of the member’s squad or division, then move them into the first approval position.
 - Repeat the above process to add the Deputy Chief, and move them into the second approval position
- Once all members who are required to approve the training have been entered and placed in the correct order, click “Save and Begin.”

B. If there are documents such as course fliers which further explain the importance of the training, the requesting member shall upload and attach them to the request and forward them along the same approval path as above.

C. Approval

Approval may be based on one or more of the following criteria:

- Value of training.

- Relevance to the needs of the Department.
- Cost of training/travel.
- Follow-up training.
- Relevance of training to duty assignment, supported by written endorsement from employee's supervisor. This endorsement shall attest to the employee's suitability for the training.
- Disapproval may be a result of one or more of the following:
 - Lack of funds.
 - Same or similar training offered at less expense locally.
 - Training identified as inadequate or irrelevant.
 - Lack of endorsement from supervisor.

D. Each step of the training request approval will have five (5) calendar days with which to respond to the request. The member submitting the request can check on the status of the request through PowerDMS under “Course History,” “My Training Requests.” Once the request has been approved or denied, notification is automatically sent through PowerDMS.

E. Once the Deputy Chief receives the approved Training Request through PowerDMS, they will present the request to the Chief to determine the feasibility of the training in terms of costs and benefits to the agency.

F. Reimbursement for Training

Generally, no expenditures for meals or lodging will be authorized for local travel. Local travel is defined as that area within a 75-mile radius of the Barre City Police Department located in Barre, Vermont. Exceptions may include reimbursement for lunch depending on circumstances.

- Registration fees will be prepaid whenever possible.
- Expenditure claims must be supported by original receipts, or they may not be honored.
- Lodging (single room rate), transportation, and meal expenses are authorized for non-local travel in accordance with **Barre City Police Department Personnel Procedure #311 “Compensation & Benefits.”**
- Personal items, alcoholic beverages, entertainment, traveler's checks, flight insurance, and expenses of the employee's family are not authorized expenditures.

- A reimbursement request, along with accompanying receipts must be submitted within seven (7) working days after the travel is completed.

X. Instructor Training

Selection of qualified instructional staff is critical to the operation of a successful training program. This selection process shall ensure that the instructor candidate possesses the skills, knowledge, and abilities necessary to be an effective teacher.

A. Instructor Qualifications - Instructors must have the following qualifications:

- A minimum of two (2) years' experience in the law enforcement community.
- Clearly demonstrated skill in the subject matter in which they will instruct.
- Interpersonal skills to communicate to a variety of people in a clear and concise manner.
- The ability to successfully complete an instructor's course and satisfy all other requirements mandated by the Vermont Criminal Justice Council.

B. Tenure of Instructors

Instructors will maintain their instructor certification provided they satisfy the requirements of the Council and fulfill the needs of the Police Department.

C. Minimum Training

Instructors who teach in any mandated or approved Vermont Criminal Justice Council program shall possess an instructor certificate sanctioned by the Council. This certificate shall certify that the applicant has completed an instructor development program as required by the Council, which contains the following subject matter areas:

- Instructional techniques.
- Resource availability.
- Development of performance objectives.
- Testing and evaluation techniques.
- Development of lesson plans.
- Complete an apprenticeship under a certified instructor when applicable.

XI. Training Records

The Deputy Chief is responsible for the collection and maintenance of all training records for

Police Department personnel. Although not responsible for the training of Canine Teams, copies of all completed training records for these units will be submitted to the Deputy Chief upon completion. Training records should include the date of the training, the types of training received, certificates awarded, student attendance, and test scores.

- A. It is the responsibility of all personnel attending outside training courses to provide the Deputy Chief with any course certificates or diplomas received. In addition, personnel completing any training or course work such as seminars, conferences, or college classes will submit certificates of completion to be maintained as a permanent record in their training file.
- B. It shall be the responsibility of the Deputy Chief to maintain records of all training classes provided to include:
 - Lesson plans.
 - Student attendance rosters.
 - Performance of the attendees as measured by tests.
- C. Training records will be afforded the same confidentiality as personnel records. Only persons authorized by law will have access to these records.

XII. Cancellation

This written directive cancels, replaces and supersedes any directives in conflict therewith.

Authority:

Braedon S. Vail, Chief of Police

, 2023

Index as:

Academy
In-service training
Reimbursement
Training
Training Records
Training Request



Barre City Police Department

Barre, Vermont

Braedon S. Vail
Chief

OPERATIONAL PROCEDURES

<u>Subject:</u> Warrantless Searches & Seizures	<u>Number:</u> 405	<u>Effective Date:</u> XX/XX/23
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Note: These Rules & Regulations, Operational Policies and/or Procedures are for internal use only and does not enlarge a member’s civil or criminal liability in any way. It should not be construed as a creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

Policy: All enforcement actions regarding search and seizure will be based on probable cause or reasonable articulable suspicion as required by Vermont Law, and with due regard for the protection guaranteed under the provisions of the Fourth Amendment of the United States Constitution and Article 11 of the Constitution of the State of Vermont.

Purpose: Establishes procedures for conducting warrantless searches in observance of constitutional rights of those being searched. Considerations are based on due regard for the safety of all officers, as well as other persons and property involved.

Contents:

- I. General
- II. Consent Search
- III. Stop and Frisk (Terry)
- IV. Exigent Circumstances
- V. Inventory Searches
- VI. Plain View
- VII. Open Fields
- VIII. Abandonment
- IX. Search Incident to Arrest
- X. Cancellation

I. General

The Fourth Amendment to the United States Constitution strictly limits the power of law enforcement officers in conducting searches by prohibiting searches and seizures without a warrant, as does Article 11 of the Vermont Constitution. Article 11 cannot diminish the rights afforded to individuals by the Fourth Amendment but may enhance those rights. Inasmuch, Article 11 may provide greater protection of individual rights than that of the Fourth Amendment.

- A. It is important to note that if a particular search or seizure is held to be permissible under the Fourth Amendment, this does not necessarily mean that the same search or seizure would be upheld under Article 11.
- B. Courts have identified certain narrow and specific exceptions to the general warrant requirement. These judicially recognized exceptions are based upon reasonable articulable factors that would likely lead any reasonable police officer to the same conclusion that a violation of the law is occurring or has occurred.

C. Probable Cause

For purposes of this procedure, “Probable Cause” is defined as, “Facts, or apparent facts that are reliable and generate a reasonable belief that a crime has been or is being committed.”

D. Reasonable Articulable Suspicion

For purposes of this procedure, “Reasonable Articulable Suspicion” is defined as: Something based upon the totality of circumstances, less than probable cause, that arises when an officer is able to state specific facts to support their suspicion of criminal conduct. As further defined by the Supreme Court during *Alabama V. White*, reasonable suspicion is,

- A less demanding standard than probable cause...reasonable suspicion can be established with information that is different in quantity or content than that required to establish probable cause, but also in the sense that reasonable suspicion can arise from information that is less reliable than that required to show probable cause.
- However, an individual’s apparent nervousness absent other factors does not constitute reasonable suspicion.

II. Consent Search

A. One’s consent to a search of their person or property under their control by an officer acts as a waiver of their Fourth Amendment right to be free from a search without a warrant. Therefore, a search based on consent is lawful, even where there is no other justification for the search, **if**:

- The consent is made with the knowledge that they need not consent to a search;
- The consent is voluntary, i.e., freely given without duress or coercion; and
- The consent is clear and explicit.
- The scope of the search is specific.

B. Any waiver of a constitutional right will be examined carefully by the courts. Therefore, before evidence discovered as a result of a consent search will be admitted at a trial, the State will have to show by “a preponderance of evidence” that the consent was, in fact,

freely and voluntarily given by a person who was aware of their right not to consent.

- C.** A valid consent to a search may be given only by a person with a right to the article or property that is to be searched and/or a right to occupy the property, and who has a reasonable expectation of privacy thereof. This does not pertain to other occupant's personal property within.
- D.** Written consent should be obtained where practicable. A signed and witnessed waiver provides the best proof of clear, voluntary consent. However, officer's body worn camera can substitute for written consent depending upon circumstances.
- E.** A valid consent to a search may be given only by the person with a right to occupy the premises who has a reasonable expectation of privacy in the premises. Examples include:
- A landlord cannot consent to a search of a tenant's premises, even when the lease with the tenant specifically permits the landlord such access, as the landlord does not have a constitutional expectation of privacy in the premises. This does not apply if the tenant has abandoned the premises or has been evicted.
 - A host can give consent to a search of premises occupied by a guest. However, if a particular area of the premises to be searched has been set aside for a long-term guest's exclusive use, or if the search is of an object that is exclusively the guest's; the consent of the host does not authorize a search.
 - A person with custody of personal property belonging to another may consent to its search only if they have been given full control over the property, or if the property has been left on their premises without their authorization. Consent by a person having only conditional custody, such as that given for storage or shipment, is not valid.
- F.** If two or more persons have equal rights to the occupation of the premises, a consent to search may be given by any one of them, but only for the areas of use common to all. While an officer may rely on only the consent of one person who has an expectation of privacy in the area to be searched, the officer cannot do so if any other person who has an expectation of privacy in the area to be searched objects prior and at the location of the search. A legal consent search **may** be valid against all occupants. Examples include:
- Generally, one spouse can consent to a search of a residence shared with the other spouse.
 - One joint tenant can consent to a search of jointly held premises.
 - A partner can consent to a search of partnership premises.
 - **NOTE** - The other person's consent may be nullified by the court where the defendant has an expectation of privacy.
- G.** Ownership of the property is not controlling. Rather, the ability to consent to a search is based upon the recognition that a person who subjects his property to the joint or exclusive control of another person assumes the risk that the property will be exposed to others or that consent will be granted by that other person to a search of the property.

- If ownership of an item is ambiguous or unknown, one cannot assume that lawful consent to search the item has been given.

H. Revocation of Consent - Valid consent to search may be presumed to continue until all areas specified in the consent have been searched. **Consent may be revoked**, however, at any time before the search is completed. Officers will not take any action that would prevent the ability of the person to communicate their decision to revoke or limit the consent to search. If consent is revoked before completion of the search, all evidence found before the revocation may be retained. This evidence may be used as probable cause for a subsequent warrant or for an immediate arrest and incidental search.

III. Stop and Frisk (Terry)

- A.** In *Terry v. Ohio* (1968) the US Supreme Court decided that a limited search (frisk) by patting of an individual's outer clothing is not a violation of Fourth Amendment protection when:
- It is reasonably suspected that the individual has committed, is committing, or is about to commit a crime; or
 - The individual is reasonably suspected to be armed and dangerous; and
 - Immediate action must be taken to protect the officer or the public
- B.** Both the "stop" and the "frisk" must be supported by reasonable and articulable suspicion; generalized suspicion or mere hunches are not sufficient. Although an officer may approach any person and speak to them, unless there is reasonable suspicion or evidence that the person is engaged in criminal activity, an officer has no authority to stop and detain or demand identification.
- C.** The frisk that is permissible is limited to the patting down of the individual's outer clothing for the discovery of such weapons and for no other purpose. If the frisk leads to reasonable suspicion that the individual has an object on their person that could be a weapon, the officer may search that part of the individual's clothing but may not search further. However, if there is specific indication that a weapon may be located in a particular place, the frisk may be extended beyond the pat down in order to search that particular area.
- D.** If the frisk fails to disclose evidence of an offensive weapon, no further search may be made.
- E. Plain Touch Doctrine** – *Minnesota v. Dickerson* (1993) the US Supreme court ruled that during a frisk, when an item is "instantly recognizable" as evidence or contraband, the item can be seized without a warrant.
- The item cannot be manipulated to make the determination of evidence or contraband. It must be "instantly recognizable."
 - "Instantly recognizable" has been interpreted to mean that, based upon the officer's training and experience, they had probable cause to believe that what

was felt was evidence or contraband.

- It is important to note the plain touch doctrine is not particularly helpful with respect to contraband. A simple touch cannot distinguish between a baggie filled with cocaine and a baggie filled with baking soda or distinguish between US currency stolen from a bank versus US currency that was lawfully earned.

F. Closed Containers – The Vermont Supreme Court held in *State v. Neil* (2008) that if, during the course of a lawful search incident to arrest, or otherwise through investigation (i.e. frisk), a closed container is found and removed from the control of the subject, the container may not be opened absent consent or an established exception to the warrant requirement, other than the search incident to arrest exception.

IV. Exigent Circumstances

A. Exigency is defined as an officer’s reasonable belief that there is an urgent need for immediate action. This includes, but is not limited to, the safety of the officer or the safety of others, the imminent destruction of evidence, and hot pursuit. There are two requirements which must be met in order for a warrantless search to be held valid under the theory of exigent circumstances:

- Probable cause must exist; and
- There must truly be an exigent circumstance.

B. A warrant is not required if probable cause for a serious crime exists, and there is a real danger of imminent destruction of evidence or danger to officer or the public if the time is taken to obtain a warrant.

- A warrant is always preferred and the emergencies justifying the exigent circumstances doctrine are very narrow and require the crime under investigation to be a serious offense.

C. The exigent circumstance exception to the warrant requirement which allows police fearing destruction of evidence to enter the home of a suspect requires:

- Clear evidence of probable cause.
- A serious offense and a high likelihood that destruction of evidence will occur.
- The minimal intrusion necessary to prevent destruction of the evidence.
- Clear indication that the emergency was not subject to police manipulation (*US v. Aquino*, 10th Cir. 1988).
- When entering a building or residence in order to prevent the immediate destruction of evidence, a search should not be conducted. The scene should be frozen so that evidence will not be destroyed, and a search warrant should be immediately sought.

D. Protective Sweeps – Officers may conduct a limited “protective sweep” for individuals, in conjunction with an in-home arrest, when the searching officers possess a reasonable belief,

based on specific and articulable facts that the area to be swept harbors an individual posing a danger to those officers on the scene. (*Buie v. Maryland*, 1990).

- E. Fresh Pursuit** – Officers may enter without a warrant when in pursuit of a person who has committed a felony or other serious offense or who is reasonably suspected of having committed a felony or other serious offense. It shall also include the pursuit of a person suspected of having committed a supposed felony or other serious offense, though no felony or other serious offense has actually been committed. Fresh pursuit does not necessarily imply instant pursuit, rather pursuit without unreasonable delay. For Example:
- The police were informed that an armed robbery had taken place and that the suspect had entered the house less than five minutes before they reached it. They acted reasonably when they entered the house and began to search for a man of the description they had been given, and for weapons which he had used in the robbery or might use against them...speed here was essential, and only a thorough search of the house for persons and weapons could have ensured that the suspect was the only man present and that the police had control of all the weapons which could be used against them or to effect an escape. (*Warden v. Hayden*, 1967)
 - In Vermont, the fresh pursuit doctrine is specifically inapplicable in low severity situations. For example: a DUI or ATE offender ignores the officer's emergency equipment, pulls into their driveway and runs into the house and slams the door; if the officer arrives after the door has been shut, the fresh pursuit doctrine no longer applies.
- F. Danger of Bodily Injury** – Warrantless entry may be justified if the officer has an objectively reasonable belief that the person within is in need of immediate aid. Courts, in cases involving domestic disputes, have generally given great latitude to an officer's belief that warrantless entry was justified by exigent circumstances.
- G. Cell Site Location Information (CSLI)** – The Vermont Supreme Court held in *State v. Chavis Murphy* (2019) that individuals have a reasonable expectation of privacy in their real-time CSLI (commonly known as “pinging” a cell phone) and that the acquisition of this information by police is a search that requires a warrant unless an exception to the warrant requirement applies.

V. Inventory Searches

- A.** The inventory of vehicles and other objects under police control, where they have lawful custody is proper when done to protect the owner against property loss, to avoid a claim of destruction, and to protect the officer against any hidden danger. Officers cannot assume custody as a pretext for inventory where such an inventory is not reasonably necessary. The inventory must be carried out as part of established agency procedure. Refer to **Barre City Police Department Traffic Procedure #510 “Vehicle Towing Procedures”** for specific circumstances when an inventory of a vehicle's contents may be authorized; and **Barre City Police Department Investigative Procedure #609, “Property & Evidence Management”** for specific circumstances when an inventory of property under police control may be authorized.
- B.** The Vermont Supreme Court has yet to definitively affirm the inventory exception to the Fourth Amendment under Article 11. Therefore:

- If the officer conducting the inventory search develops probable cause to believe that the vehicle or property being inventoried contains contraband or the fruits of a crime, the officer should stop the inventory search and apply for a warrant.

VI. Plain View

- A. The doctrine of “plain view” is not a per se warrant exception. Merely because an officer observes something which is evidence of a crime, they cannot seize it unless it is in an area to which they legally have access. *Horton v. California* (1990) held that evidence which is exposed to the view of a law enforcement officer may be seized if it is immediately apparent that it is evidence of a crime and if it was observed from a point where the officer legally stood.
- B. The Vermont Supreme Court has established a three-part plain view test regarding the search of automobiles, refer to **Barre City Police Department Operational Procedure #406, “Vehicle Searches.”**
- C. **Serial Numbers** – Recording serial numbers or other information that is observed from a legal vantage point is permissible as the mere recording of the information is not considered a search. However, if an item must be moved, even slightly, in order to view the serial number, then a search has occurred.
- D. Plain view never provides justification to enter a residence. For example: an officer looking through a window observes a pile of heroin bags on the kitchen table; the officer is not permitted to enter the residence without a warrant unless another judicially recognized exception applies (i.e., exigent circumstances if the officer witnessed a small child playing with the heroin bags or witnessed an assault in progress adjacent to the table).

VII. Open Fields

- A. If there is no reasonable expectation of privacy in the open fields or woods surrounding a residence, then an officer does not need probable cause or a warrant to search the area. Generally, all unoccupied or undeveloped areas that lie outside the curtilage of a dwelling are considered “open fields” and may be entered and searched without probable cause or a warrant. *Oliver v US* (1984) held, “an open field need be neither ‘open’ nor a ‘field’ as those terms are used in common speech.
- B. Article 11 of the Vermont Constitution narrowed the open fields doctrine. *State v. Kirchoff* (1991) held that a lawful possessor may claim privacy in “open fields” where factors would lead a reasonable person to conclude that the area is private; “Where the indicia, such as fences, barriers, or ‘no trespassing’ signs reasonably indicate that strangers are not welcome on the land, the owner or occupant may reasonably expect privacy.” Under these circumstances, police entry would constitute a “search” and a warrant would be required.
 - Protection is not granted against entry onto lands where steps have not been taken to exclude the public (i.e., erecting barriers to entry). Where land is left unimproved and unbounded, or otherwise free from barriers, the owner or occupant has not taken sufficient steps to exclude the public to trigger constitutional protection.

- No hunting or trespassing for any purpose signs which are posted every 200 yards in the woods is sufficient to create a reasonable expectation of privacy.
 - Where sight lines are often limited, 200 yards can be uncertain. It is relatively easy to wander onto posted land.

- C. **Curtilage** – Curtilage has been held to include all buildings in close proximity to a dwelling which are used for carrying on domestic employment or a place that is necessary and convenient to a dwelling and is habitually used for family purposes. When determining what constitutes curtilage, factors considered by the court include:
 - The proximity of the area to the house.
 - Whether the area is included within an enclosure surrounding the home.
 - The nature of the uses to which the area is put.
 - The steps taken by the resident to protect the area from observation by people passing by. (State v. Rogers, 1993)

- D. **Semi-private Areas** – A driveway or sidewalk that is a portion of the curtilage which is the normal route of access for anyone visiting the premises is only a “semi-private area,” and therefore, not subject to the warrant or probable cause requirement. (State v. Byrne, 1988)

VIII. Abandonment

- A. Abandonment is defined as the voluntary relinquishment of control over property by a person who no longer has an expectation of privacy to be protected by the Constitution.
 - If property has been abandoned, it may be searched and seized without probable cause and without a warrant.
 - Abandonment is judged by objective standards; an intent to hide an object and return to find it later may still be considered abandonment.
 - Officers must be cognizant of the difference between lost property and abandoned property and be able to articulate true abandonment.
 - Abandonment has been held in the following situations:
 - Throwing contraband out of a moving vehicle when pursued by the police.
 - Denial of ownership when questioned.
 - Uncertainty regarding ownership resulting from lies or “half-truths” does not equal abandonment.
 - Leaving an item behind in a trash basket at a hotel after checking out.

- B. **Trash** – Article 11 of the Vermont Constitution protects persons from warrantless searches into the contents of secured, opaque (non-transparent) trash bags left at the curbside. (State v. Morris, 1996)

- A warrant is not required to seize a curbside trash bag, provided there is probable cause to believe it contains evidence of a crime or contraband. However, a warrant **is required** to search the contents of the curbside trash.
- Unless an exigent circumstance exists, it is recommended that a warrant be secured if an officer desires to search trash which appears to be discarded illegally.
- The doctrine of plain view *may* apply in circumstances where the bag is transparent.

IX. Search Incident to Arrest

- A. Prior to or at the same time of custodial arrest, the arrestee and the surrounding “grabbing area” may be searched for weapons or evidence of the crime. Probable cause for the search is not required.
 - Whether the arrestee has been handcuffed is immaterial. The search may be conducted even after the arrestee has been handcuffed if the search is conducted contemporaneously with the arrest.
- B. A search of a vehicle incident to a lawful custodial arrest is **not** authorized under Vermont law. (State v. Bauder, 2007)
- C. **Closed Containers** – The Vermont Supreme Court held in State v. Neil (2008) that if, during the course of a lawful search incident to arrest, a closed container is found and removed from the control of the subject, the container may not be opened absent consent or an established exception to the warrant requirement, other than the search incident to arrest exception.

X. Cancellation

This written directive cancels, replaces and supersedes any directives in conflict therewith.

AUTHORITY:

Index As:

- Abandoned Property
- Consent Search
- Fresh Pursuit
- Inventory Search
- Open Fields
- Plain View
- Probable Cause
- Protective Sweep
- Reasonable Articulate Suspicion
- Search & Seizure
- Stop & Frisk

Braedon S. Vail, Chief of Police

,2023



Barre City Police Department

Barre, Vermont

Braedon S. Vail
Chief

OPERATIONAL PROCEDURES

<u>Subject:</u>	<u>Number:</u>	<u>Effective Date:</u>
Homeland Security	422	XX/XX/23

Note: These Rules & Regulations, Operational Policies and/or Procedures are for internal use only and does not enlarge a member’s civil or criminal liability in any way. It should not be construed as a creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

Policy: The Barre City Police Department is committed to the protection and safety of life, including the critical infrastructures that serve the many people who visit or travel through our community. Collaboration among local, state, and federal public safety agencies in quickly identifying, communicating and handling possible terrorist threats is paramount to ensure homeland security.

Purpose: To establish guidelines for uniformed patrol officers that ensure consideration is given to protecting critical infrastructure, understanding vulnerabilities and current methods of exploitation. Identifying the process for sharing domestic security intelligence and preventing and detecting acts of foreign or domestic terrorism using NCIC terrorist screening and handling protocols to identify possible terrorist associations.

Contents:

- I. General
- II. Patrol Tactics
- III. NCIC Terrorism Handling Codes
- IV. Response Procedures
- V. Cancellation

I. General

In accordance with the Homeland Security Act of 2002, (*Public Law 107–296*) “Terrorism” is any act that is dangerous to human life or potentially destructive of critical infrastructure or key resources; and is also a violation of the criminal laws of the United States or of any State or other subdivision of the United States; and when that act appears to be intended to; intimidate or coerce a civilian population; influence the policy of a government by intimidation or coercion; or to affect the conduct of a government by mass destruction, assassination, or kidnapping.

- A.** Intelligence gleaned from government surveillance of extremist/terrorist chatter, as well as from interviews with captured extremist/terrorists, indicates that there may be emphasis on “soft” –

i.e., lightly-defended – targets, such as public and government buildings and places where large numbers of people gather simultaneously; on multiple attacks against smaller targets to instill fear in the population; and on efforts to interrupt the electrical power grid and the supply of automotive and heating fuel and other critical materials.

- B.** Attacks may come in any form, such as bombs and bomb threats, attacks with assault weapons, “dirty” and nuclear bombs, biological weapons, or conventional items such as airplanes or large trucks as weapons.
- C.** Extremist/terrorist cells typically attempt to blend into communities, but they often provide signals of their presence. However, these indicators are likely to be subtle and not easily detectable.
- D.** **Suspicious Activity** – Is for purposes of this directive, observed behavior reasonably indicative of pre-operational planning related to terrorism or other criminal activity. As with investigations of civil violations, if a member needs to identify an individual and that individual does not have identification, the member may use whatever tools, including federal databases, are reasonably necessary to identify the individual under the circumstances.

II. Patrol Tactics

Officers will be alert to the fact that many persons associated with extremists/terrorist groups finance their daily activities through white-collar crime. Consequently, officers will consider the possibility of extremist/terrorist group involvement when they investigate credit card fraud, the production and use of bogus prepaid phone calling cards, the production and sale of bogus designer clothing and other counterfeit goods, the passing of counterfeit money, tampering with public and other vital records, bank or mail fraud, telephone fraud schemes, visa and immigrations fraud, driver’s license and title fraud, and other fraudulent plans.

- A.** Document fraud is the lifeblood of an extremist/terrorist’s secret existence. Officers will scrutinize counterfeit or altered driver’s licenses, vehicle registrations and license plates, and non-driver and other ID cards; numerous – but nonexistent – places of residence; and the possession of forged documents.
 - Types of criminal activity in which members of extremist/terrorist groups engage may include weapons violations, theft – or the attempted illegal purchase – of firearms or explosives, possession of stolen property, sale of contraband cigarettes, money laundering, assassinations, bombings, and criminal syndication.
- B.** Officers on patrol will be aware of critical infrastructures in their patrol areas and of any suspicious activity in or near them – such as persons surveilling bridges, dams, defense contractors, National Guard or Army Reserve headquarters, government buildings, power plants, fuel depots, ports and harbors, large apartment complexes, living quarters frequented by members of the United States military, hotels, gun shops, arenas, symbolic targets of historical significance, and other possible extremist/terrorist targets – and will remain cognizant that such attacks are often planned well in advance.
 - Reports of suspicious activity at any critical location may prove to be nothing at all, or they may be tests of the facility’s security system(s) or of the police response. All such reports will be taken seriously and investigated thoroughly.

- C. Community and neighborhood policing strategies that utilize the public as additional “eyes and ears” are the first line of defense against extremists/terrorists, and citizens will be encouraged to report suspicious activities. Citizens making such reports will always be interviewed, as they may possess information that could trigger or add to an extremist/terrorism investigation.
- D. Extremists/terrorists usually have undergone training and are focused and committed to their cause; team-oriented rather than self-centered, able to exercise remarkable self-discipline, and well prepared to spend years waiting to strike with little or no regard for human life. Ambushes, as well as secondary explosive devices designed to detonate and kill or injure first responders to extremist/terrorist incidents, are common.
- Neighbors, real estate agents, bankers, delivery people and others may provide valuable information about behavioral indicators, such as groups of individuals who are strangers to an area and are living together in hotels, rooming houses, apartments or homes with no visible means of support;
 - Unexplained spending, with no indication of employment; cash purchases of land or buildings in remote areas or of certain types of vehicles; acting secretly when communicating with associates; and surveilling targets and testing security systems or responder behavior.
- E. All leads and miscellaneous information will be appropriately documented for further study and will be passed along to appropriate parties, such as regional, State, or joint State/Federal anti-terrorism task forces.
- Information gathered by officers that they deem of possible interest will be recorded on incident report or field interview forms, as appropriate, and turned in with their paperwork at the end of their shifts, unless the information is deemed to require some immediate action. Reports will be evaluated by the officer’s immediate supervisors for threat-level assessment and will be forwarded – together with copies of any relevant document to the Criminal Investigations Supervisor, the Vermont Intelligence Center (VIC), and when necessary to the local office of the Federal Bureau of Investigations (FBI). Appropriate follow-up actions(s) will be assigned.
 - Intelligence deemed to require immediate action due to imminent danger to persons or property will be relayed to a supervisor upon receipt; will be evaluated by the supervisor for threat-level assessment; and – if an immediate threat is imminent – will be reported through the chain of command to the Chief of Police, and to the local office of the FBI.
- F. During periods of elevated threat-levels declared under the national terrorism warning system or at other times when there are indications that extremist/terrorist acts may be imminent, Officers will take additional, extraordinary steps to increase their alertness, as well as to increase the possibility of their detecting unusual activity, especially in and around potential target sites.
- Police officers will be aware of possible indicators of extremist/terrorist surveillance of targets, including unusual or prolonged interest in security measures or personnel;
 - In entry points and access controls; in perimeter barriers, such as fences and walls; in unusual behavior, such as staring at – or quickly looking away from – personnel or individuals entering or leaving designated facilities or parking areas;

- In observing security-reaction drills and procedures; in increased anonymous telephone or e-mail threats to facilities which could indicate possible surveillance of threat-reaction procedures;
 - In foot surveillance, involving several individuals working in concert with one another;
 - In mobile surveillance using bicycles, scooters, motorcycles, cars, trucks, SUV's, boats, or small aircraft;
 - In prolonged static surveillance using operatives posing as “street people,” demonstrators, street vendors, or street maintenance people not normally seen in the area;
 - In discreetly using still or video cameras, note taking, or sketching at potential target locations;
 - In using multiple identifications or sets of clothing; and in questioning security personnel.
- Officers on patrol will increase the frequency at which they check the exteriors of public buildings, fuel terminals, bridges, and other critical infrastructure and will frequently contact – and exchange information with – security personnel at such locations. Any potentially significant information derived from such contacts will be passed on for evaluation as provided in Paragraphs E1 and E2 above.

III. NCIC Terrorism Handling Codes

Homeland Security Presidential Directive 6 established the “Terrorist Screening Center” (TSC), to assist Vermont Law Enforcement Agencies in identifying and handling possible terrorist suspects. The TSC is an entity that combines databases from multiple federal agencies in law enforcement and homeland security. The TSC will be of significant use in those instances when there is no terrorism related suspicion, but a routine wanted check reveals a possible connection through the National Crime Information Center (NCIC). This protocol will be used for **all NCIC inquiries** conducted by the Barre City Police Department.

A. Officers will continue to radio the Emergency Communications Center (ECC) with a subject’s information in accordance with **Barre City Police Department Operational Procedure #418, “Police Radio Communications.”** The communications dispatcher will screen this information through the NCIC. If the subject’s identification draws a TSC match, the ECC may receive any one of three Handling Codes from the TSC.

B. DO NOT ALERT THE INDIVIDUAL OF THE FOLLOWING WARNINGS.

- **Handling Code 1: Warning—Approach With Caution.** Arrest the individual. This individual is associated with terrorism and an arrest warrant is on file.

- **Handling Code 2:** Warning—**Approach With Caution.** Detain the individual for a reasonable amount of time for questioning. This individual is of "investigative interest" regarding his/her association with terrorism and may be detained.
- **Handling Code 3:** Warning—**Approach With Caution.** The person queried through this search may be an individual identified by intelligence information as having possible ties with terrorism. **Do not arrest the suspect unless there is evidence of a violation of Federal, State, or local law.** Conduct a logical investigation and ask probing questions to determine law enforcement interest.

IV. **Response Procedures**

Upon receipt of any NCIC Terrorism Handling Codes, communications dispatchers will assign a second police officer to assist, and notify the on-duty supervisor. The police officer will:

- A. **Handling Code 1** - According to the TSC, "There is a valid outstanding criminal arrest warrant for the subject." The arrestee will be isolated at the scene, transported individually to the Barre City Police Department, and held until the arrival of a member of the FBI or Joint Terrorism Task Force (JTTF).
- **No phone calls will be made by, or on behalf of the arrestee.**
 - **Arrestees will be isolated from other arrestees and/or detainees.**
 - An Arrest Module entry will be completed for all arrestees. Members will document the contact in conformance with Barre City Police Department field reporting system procedures.
 - The TSC will be notified by the communications dispatcher to ensure the response of the FBI, to take charge of the investigation.
 - For officer safety, all remaining persons associated with the arrestee will be secured, frisked, segregated, and checked through NCIC. These individuals will be treated as a **Code 3** unless otherwise directed by the TSC.
 - Disposition of arrestees will be determined by a member of the FBI or JTTF.
- B. **Handling Code 2** - According to the TSC, "A reasonable articulable suspicion exists that the individual is engaged in domestic or international terrorist activities, that the individual is the subject of an administrative arrest warrant, or that exigent circumstances are present". Additional investigation will be conducted by a member of the FBI or JTTF.
- The detainee will be isolated at the scene. Contact will be made with the FBI or JTTF, who will provide further direction.
 - **No phone calls will be made by, or on behalf of the detainee.**
 - **Detainees will be isolated from other arrestees and/or detainees.**

- If arrested, an Arrest Module entry will be completed. Members will document the contact in conformance with Barre City Police Department field reporting system procedures.
 - The TSC will be notified by the communications dispatcher to ensure the response of the FBI, to take charge of the investigation. Members will document the contact in conformance with Barre City Police Department field reporting system procedures.
 - For officer safety, all remaining persons associated with the detainee will be secured, frisked, segregated, and checked through NCIC. These individuals will be treated as a **Code 3** unless otherwise directed by TSC. No phone calls will be made by, or on behalf of, the detainee.
 - Disposition of detainees will be determined by a member of the FBI and/or JTTF.
- C. Handling Codes 3** - TSC will be notified by the emergency communications center, and;
- **Do not arrest unless there is evidence of a violation of state or local criminal law.**
 - Officers on the scene will handle the investigation with instructions from the FBI or TSC.
 - An entry into CrimeIntel will be completed for each individual present.
 - An Incident Report will be completed when no other police report is written.
 - The investigating officer will complete and forward copies of all related documentation to the Criminal Investigations Supervisor prior to the end of their tour of duty.
- D. Vehicles** – Vehicles shall be handled in the same manner as other traffic or investigatory stops, consistent with existing laws and departmental policies regarding search and seizure. If probable cause exists to search the vehicle, the JTTF should be consulted prior to the search, if practical.
- E. Communication & Reporting** - If a match is returned on any of the three Handling Codes, the on-duty supervisor will immediately respond to the scene, and;
- Radio transmissions shall be kept at a minimum regarding all Handling Code incidents. If more discussion is needed other than information between the emergency communications center and the officer, a tactical channel or cellular phone will be used.
 - All Officers should be aware of the possible presence of Weapons of Mass Destruction (WMD) materials.
 - All media inquiries should be directed to the appropriate Media Relations Section designated by the FBI and/or JTTF.
 - Any other inquiries regarding an arrestee/detainee will be referred to the FBI or JTTF.

- Officers will complete an incident report, affidavit and arrest booking process for all State and Local charges arising from these incidents. **No** Incident Reports will be sent regarding any of the Handling Code incidents, unless specifically requested.
- The Criminal Investigations Supervisor, and/or Deputy Chief of Police shall insure the locking of any investigative reports within the field reporting system to insure confidentiality of records.

IV. **Cancellation**

This directive cancels, replaces and supersedes any directives in conflict therewith.

AUTHORITY:

Braedon S. Vail, Chief of Police

, 2023

Index As:

Administrative Arrest Warrant
Extremist
Homeland Security
National Terrorism Warning System
NCIC Terrorism Responses
Suspicious Activity Reporting
Terrorism
Terrorist Handling Code
Terrorist Screening Center (TSC)
White Collar Crime



Barre City Police Department

Barre, Vermont

Braedon S. Vail
Chief

OPERATIONAL PROCEDURES

<u>Subject:</u>	<u>Number:</u>	<u>Effective Date:</u>
Animal Complaints	423	XX/XX/23

Note: These Rules & Regulations, Operational Policies and/or Procedures are for internal use only and does not enlarge a member's civil or criminal liability in any way. It should not be construed as a creation of a higher standard of safety or care in an evidentiary sense, with the respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

Policy: The City of Barre is responsible for monitoring animals and animal bites for evidence of possible rabies contamination. The Barre City Police Department will assist by investigating, documenting, and reporting incidents of animal bites or suspected rabid animals.

Purpose: To establish procedures for investigating animal complaints and completing and processing reports of animal bites.

Contents:

- I. Animal Bites
- II. Persons Arrested with Animals
- III. Suspected Rabid Animals
- IV. Destruction of Rabid Animals
- V. Dead Animals: Notification
- VI. Animal Cruelty Complaints
- VII. Cancellation

I. Animal Bites

- A.** If notified of an incident, officers will investigate and complete an Animal Bite Report and Incident Report in Valcour prior to the end of their tour of duty, documenting **ALL** animal bite complaints.
- Officers will forward a copy of the incident report and Animal Bite Report to the City Health Officer at firemarshal@barrecity.org.

B. Non-vicious Domestic Animals

When investigating officers determine that a suspect domestic animal is not vicious or dangerous, the City Health Officer may allow the owner to quarantine the animal.

- The owner must sign the ten (10) day quarantine agreement included on the Animal Bite Report.
- If the owner is unable to quarantine the animal at their residence, the animal control officer shall be notified to arrange custody of the animal for quarantine.

C. Wild and Vicious Animals

Any animal that, without provocation has attacked, bitten or injured any person, or other animal; or any animal that has a known propensity to bite people is deemed a vicious animal. When it is determined that the animal is vicious, the investigating officer shall:

- Notify the animal control officer to attempt to take custody of the animal when safe and practical to do so.

II. Persons Arrested with Animals

- A.** When a person in possession or control of an animal is apprehended, arrested, or otherwise detained by the Barre City Police Department and there is no responsible individual able to take responsibility for the animal, the officer shall take custody of the animal.
- The animal shall then be turned over to the animal control officer for holding.
- B.** The investigating officer shall provide the apprehended, arrested, or otherwise detained individual with instructions for recovering their animal from the animal control officer.

III. Suspected Rabid Animals

The Barre City Police Department's role in investigating reports of suspected rabid animals is crucial to prevent the spread of rabies and officers shall be responsive to prevent the disease from spreading or infecting the human population.

- A.** When investigating reports of suspected rabid animals, officers will make every effort to locate the animal if it is not present when they arrive on scene.
- B.** Officers confronting a suspected rabid animal should make every attempt, in accordance with their training and without placing themselves in a position of danger, to prevent the animal from escaping or contacting other persons or animals.
- C.** In determining whether or not an animal is safely confined, it must be remembered that wild animals possess cunning instincts that increase the probability of escape; whereas, many

domestic animals can be safely confined on the owner's premises or property with only a remote possibility of escape.

- When wild animals are involved, the investigating officer must not hesitate to take definitive action in preventing the animal from escaping or gaining a position of greater threat to human safety.

D. Contact with Rabid Animals

When a wild or suspected rabid animal has had ANY physical contact with a human or domestic animal, officers will utilize any resources at their disposal, to include shooting the animal, to prevent it from escaping, and:

- Detour citizens from the area to prevent them from coming into contact with the animal;
- Safely remove the animal from the location for testing, if requested;
- Contact Vermont Fish & Wildlife
- Contact the City Health Officer

IV. Destruction of Rabid Animals

When an officer is confronted with a situation involving a possible rabid animal that cannot be safely confined, and there is a possibility that the animal can escape, injure, or infect another person or domestic animal, the officer will destroy the animal by shooting it after weighing all safety factors.

A. Once a suspected rabid animal has been killed, the officer will:

- Not allow anyone else to touch it;
- Contact Vermont Fish & Wildlife;

B. In accordance with Barre City Police Department's Operational Procedure #401 "Use of Force", any officer using deadly force to destroy a rabid or vicious animal shall complete an Incident Report in Valcour.

V. Dead Animals: Notification

A. When an officer encounters a dead animal suspected of being infected with Rabies, West Nile Virus, or other infectious disease, they shall immediately notify the City Health Officer of the animal's description and location.

B. Officers shall request immediate removal of animal carcasses after speaking with the Health Officer when the presence of Rabies, West Nile Virus or other infectious diseases is suspected to be present.

VI. Animal Cruelty Complaints

Complaints of animal cruelty and neglect shall be investigated in accordance with Title 13, Chapter 8 of the Vermont Statutes Annotated, “*Humane and Proper Treatment of Animals.*”:

- A. Most often, these complaints involve the failure to provide proper sustenance which means the animals may be malnourished and/or do not have appropriate shelter. When an officer receives a complaint or encounters an incident of animal cruelty, the officer shall:
 - Coordinate efforts with and seek the assistance from the animal control officer and/or the Central Vermont Humane Society if the situation warrants such effort.

VII. Cancellation

This written directive cancels, replaces, and supersedes any directives in conflict therewith.

AUTHORITY:

Braedon S. Vail, Chief of Police

, 2023

Index as:

Animal Bite Report
Animal Cruelty
City of Barre Health Officer
Vermont Fish & Wildlife



Barre City Police Department

Barre, Vermont

TRAFFIC PROCEDURES

<u>Subject:</u> Parking Enforcement	<u>Number:</u> 513	<u>Effective Date:</u> XX/XX/23
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Policy: Officers will be familiar with the parking laws and regulations as defined by City of Barre Code of Ordinances and Vermont Statutes Annotated, and shall enforce parking ordinances, laws and regulations within the City of Barre in a reasonable, fair and impartial manner.

Purpose: To establish procedures for the enforcement of parking regulations.

Contents:

- I. General
- II. Parking Prohibitions
- III. Enforcement
- IV. Grievance Procedures
- V. Cancellation

I. General

Barre City Code, Chapter 17, Article II, Division 2 "Parking, Standing and Stopping" establishes parking regulations within the City of Barre. Title 23, Chapter 13, Subchapter 10 of the Vermont Statutes Annotated further enumerates certain parking prohibitions.

II. Parking Prohibitions

As described in Barre City Code, Chapter 17, Article II, Division 2 "Parking, Standing and Stopping" A person shall not park a vehicle:

- A. Where prohibited in areas so designated by signs or otherwise.
 - All signage must meet those standards identified in the U.S. Department of Transportation Federal Highway Administration, Manual on Uniform Traffic Control Devices.

- In a space, lane or area designated a fire lane (stop, stand or park); or
 - In a space designated for handicapped parking unless the vehicle displays a handicapped registration plate
 - On the streets and/or highways in the City of Barre from 1:01 a.m. to 6:00 a.m. during the period of November 15 through April 1 (Winter Parking Ban).
 - Beyond the time limit in all metered areas so designated and specifying the time limit
- B.** Within six (6) feet of a fire hydrant (stop, stand or park)
- C.** In front of (blocking) a driveway or any crosswalk
- D.** Abreast of another vehicle in any street (double parked)
- E.** On a traveled portion of any roadway which interferes with traffic on said roadway
- F.** In a manner other than parked parallel and as close to the curb or sidewalk as possible
- G.** Facing oncoming traffic
- H.** Along a curb that has been painted yellow
- I.** On any city street or in a city parking lot for a period more than 72 consecutive hours
- J.** On a bridge or sidewalk
- K.** In a metered parking spot that has been “bagged”
- L.** In a city parking lot where any part of the vehicle extends more than six inches (6”) over or on a sidewalk or other pedestrian walk
- M.** In a marked parking space otherwise than wholly within the spaces so marked off or painted

III. Enforcement

Officers will exercise full discretion and objective reasonableness, considering the degree and severity of the violation whenever enforcing parking violations.

A. Citations

Violations of the Barre City Code, Chapter 17, Article II, Division 2 “Parking, Standing and Stopping” will be cited using one of the handheld parking violation devices, in the following manner.

- **User Information**

Officers will log in using their call sign.

- **Violator Information**

When issuing a City of Barre Parking Violation, officers will complete the notice in its entirety, selecting and/or filling out the requested information in each section as to date, time, location, registration of vehicle, officer ID, etc.

- **Violation**

Officers will choose the applicable violation(s) listed in the violation section and corresponding fine.

- If the vehicle is unattended, officers will place the violator copy in the appropriate return envelope and place it in a conspicuous location on the vehicle (generally under a wiper blade on the windshield).

B. Citation Processing

Completed Parking Violations are automatically synced with the TicketTrax program.

- The Administrative Assistant as well as the City Clerk's Office will receive payments and send violators of notices of non-payment.

IV. Grievance Procedures

Any person who feels they unfairly received a City of Barre Parking Violation may appeal in writing on the appropriate appeal form, supplying name, address, telephone number in which to be contacted, as well as an explanation of the appeal to the Chief of Police. The decision of the Chief of Police will be final.

V. Cancellation

This directive cancels, replaces and supersedes any directive in conflict therewith.

AUTHORITY:

Braedon S. Vail, Chief of Police

Index As:

Parking
Parking Citation
Parking Violation

, 2023



Barre City Police Department

Barre, Vermont

Braedon S. Vail
Chief

INVESTIGATIVE PROCEDURES

<u>Subject:</u>	<u>Number:</u>	<u>Effective Date:</u>
Collection & Preservation of Evidence	608	X/XX/2023

Note: These Rules & Regulations, Operational Policies and/or Procedures are for internal use only and does not enlarge a member’s civil or criminal liability in any way. It should not be construed as a creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

Policy: The Barre City Police Department will thoroughly process the scene of all crimes, collisions and unusual occurrences, collecting available evidence from known sources for laboratory examination and comparison by the Vermont Forensic Laboratory.

Purpose: To establish procedures for the collection, processing and preservation of physical evidence at the scene of a crime, collision or unusual occurrence.

Contents:

- I. Crime Scene Protocol
- II. Collection
- III. Photography
- IV. Latent Fingerprints
- V. Seizure of Computer Equipment
- VI. Seizing Cellular Telephones & Electronic Devices
- VII. Cancellation

I. Crime Scene Protocol

The initial responsibility of the first officer on the scene of any crime, motor vehicle collision, or unusual occurrence is to make the scene safe for victims, bystanders and emergency services personnel. Once this is accomplished, officer(s) will secure the scene and prevent the loss or contamination of possible evidence.

A. Once the scene is secure, officer(s) will determine the seriousness of the incident, advise the on-duty patrol supervisor of the incident nature and request any necessary investigative resources to include, but not limited to:

- Criminal Investigator(s)
- Crime Scene Technician(s)

- Collision Reconstructionist(s)
- B.** Unless disruption is necessary to assist the injured or affect an arrest, the crime scene must remain intact and undisturbed until the completion of an examination for evidence.
- Once it is determined that the person is deceased, no attempt will be made to rescue or move deceased persons.
 - All unnecessary persons, including police not assigned to the investigation, must be restricted from entering the crime scene.
 - When appropriate, the officer securing the scene will maintain a log of all persons who enter the crime scene, including police personnel.
- C.** Processing includes, but is not limited to, photographing, sketching, filming, developing fingerprints, and locating and collecting physical evidence. Personnel collecting evidence will ensure that all evidence he/she collects or develops is packaged and tagged, and that all appropriate field, property and laboratory reports are completed.
- The officer assigned as lead investigator is responsible for all evidence they collect or develops through processing; including proper packaging, tagging and completion of associated entries into the Erin7 evidence management system and any applicable laboratory examination forms; except:
 - When a Crime Scene Technician(s) is assigned to a crime scene, they are responsible for processing, collecting, and submitting all evidence at the crime scene.
- D.** The Property & Evidence Control Manager, or their designee will transport and submit all evidence requiring Laboratory Analysis to the Vermont Forensic Laboratory for processing.
- Written results of laboratory examinations are returned to officers on the original request form via email, or through U.S Mail in a report prepared by the Vermont Forensic Laboratory.

E. Crime Scene Technician

Crime Scene Technicians are skilled personnel trained in the use of specialized equipment and techniques required to conduct effective crime scene processing, having the specific duty to sketch, photograph and video the scene, search for, identify, collect, preserve, and transport DNA and physical evidence to the Vermont Forensic Lab for analysis. Crime Scene Technicians are also available to provide officers with advice and assistance in their field of expertise.

- **Barre City Police Department Criminal Investigator(s)** – Personnel assigned to the Criminal Investigation Section receive training in crime scene processing and evidence collection techniques and are on-duty or available for activation through the Emergency Communications Center with supervisory approval. *(Recall to duty will be in conformance with the current collective bargaining*

agreement).

- **Vermont State Police Crime Scene Search Team** - When the incident is of a severe nature that would fall under the purview of Vermont State Police Major Crimes, or is of such a nature concerning unique evidentiary circumstances, and with supervisory authorization, the Vermont State Police Crime Scene Unit may be contacted:
 - **Monday through Friday**

Telephone the Vermont State Police Crime Scene Search Team and request to speak with the on-duty Crime Scene Unit Technician at (802)244-8781.
 - **Evening and Weekend hours**

Telephone the Vermont State Police Crime Scene Team at (802)244-8781.

II. Collection

If a Crime Scene Technician is not requested, then where possible, evidentiary samples such as hair, tool marks or fluids from a known origin will be collected and packaged in separate containers and submitted to the Vermont Forensic Laboratory for comparison against evidence of an unknown origin.

- A. Members processing the scene of any investigation for evidence will:
 - Conduct a preliminary survey of the scene to obtain an overview of the situation and determine the extent of the scene and what equipment is needed. If possible, a silent video walk through should be conducted during the preliminary survey.
 - Determine if the scene needs to be photographed and/or sketched. If photographs or sketches are necessary, they should be done first.
 - Once primary photographs and measurements have been taken, the assigned officer will collect items of physical evidence, generally beginning with the smallest known item to the largest known item in each room or area of the scene.
 - After all evidence is collected, a video final survey of the scene should be conducted.
- B. Great care must be taken by first responders to avoid cross-contamination of DNA evidence, either by commingling evidence that may come from a DNA-rich crime scene or by contaminating evidence with an officer's own, or someone else's DNA.
 - In most cases, a Crime Scene Technician will process a crime scene that is believed to contain significant amounts of DNA evidence. Crime Scene Technicians have special training in identifying and handling DNA evidence. In this case, the first responding officer's responsibilities are to:

- **Recognize** that there may be DNA evidence to be retrieved;
 - **Identify** potential sources of DNA evidence; and
 - **Protect** the evidence by limiting access to the crime scene, either by crime scene tape or by other means.
- If emergency medical personnel are at the crime scene attending to an injured person, the investigating officer will observe and note where those responders have been in the crime scene, what they have done, and what they have touched or moved. The investigating officer will brief the Crime Scene Technician, identifying all of the areas that have been disturbed, and to what extent.
 - In the case of an uncomplicated crime scene where the investigating officer will process the scene, evidence-gathering should be conducted slowly and methodically.
 - The officer will always wear latex or nitrile gloves to prevent contamination of any DNA evidence with the officer's own DNA.
 - The officer will be alert for any evidence (such as cigarette butts, tissues, or other items which may contain DNA evidence).

C. Collecting personnel will document the exact location and under what conditions the sample was collected, and if practical will photograph the location of the sample before collection.

- Once all known DNA and physical evidence has been collected, the scene will be processed for latent fingerprints.
- Before clearing the scene, the assigned officer will conduct a final search of the scene and a search of the area just outside the secured area.

D. Collected evidence will be packaged and preserved in accordance with **Barre City Police Department Investigative Procedure #609 "Property & Evidence Management,"** and **"Vermont State Police Physical Evidence Handbook."**

- All Requests to the Vermont Forensic Laboratory for laboratory examinations, except for blood samples for alcohol determination must be submitted on the Vermont Department of Public Safety Forensic Laboratory Request for Laboratory Examination, (DPS 305).
- Barre City Police Department officers are trained and equipped to process most items for latent fingerprints. An item submitted to the Crime Scene Technicians for latent print processing must be accompanied by a written request from the officer.

E. **Reporting**

In completing the appropriate field report documenting the incident, members processing the scene of a crime or collision will:

- Describe the premises in detail, including measurements, when necessary,
- Describe what actions they took to process the scene, and
- Include a detailed list of any items collected as evidence.
 - When assisting another member with scene processing, processing activities will be documented in a Supplement Report under the original Incident Number.

III. Photography

Digital cameras are available for basic investigative photography; investigators may also be assigned more sophisticated camera equipment. Personally owned cell phone cameras **WILL NOT** be used to collect photographic evidence at any time. All felony crimes against persons, domestic violence cases, racial, religious, ethnic hate crimes, death investigations (regardless of manner), fatal and serious injury motor vehicle collisions, motor vehicle collisions involving government vehicles, and any other incident at the discretion of the investigating officer, should be photographed.

- A.** Primary photographs will be made with the scene “as is,” or as the officer found it.
 - Officers on the scene will not, in any way, or for any reason, replace or reconstruct any evidence or scene for any purpose.
 - The primary or “overall” and “mid-range” photographs will not contain any scales or other objects foreign to the scene.
 - After the primary photographs have been taken, “close-up” photographs may be taken with scales or identification items.
- B.** Photographs shall show the perimeter of the scene to establish location, an overview of the scene from each of the four basic geographic angles (example: north, east, south, west or “4 corners of the room”), and closeup photographs of items of specific evidence.
- C.** Where possible, incidents involving any death that will result in an autopsy being conducted at the Office of the Chief Medical Examiner for the State of Vermont will be photographed.
 - The photographs will show the position of the body before removal (if possible), the conditions of the area where the body was found, and any mechanism of injury.
- D.** When photographs of any scene are taken, a Barre City Police Department Photographic Log, should be completed by the investigating officer for each set of photographs .
 - The original copy of the log will be included with the printed photographs and original report in the investigative case folder.

- E. The Barre City Police Department investigators are trained in the use of, and equipped with, crime scene video equipment; all requests for investigative scene videotaping will be directed to an Investigator in accordance with Section I, paragraph E of this directive.

IV. Latent Fingerprints

A basic fingerprint lift kit, which includes black powder, brushes, lift cards and lift tape to develop latent fingerprints, is available for use. However, officers requiring advanced development techniques and supplies including the use of regular-colored powders, bichromatic or magnetic powders, cyanoacrylate fuming, iodine fuming, ninhydrin, silver nitrate, physical developer, and use of the forensic light source should request assistance from an investigator.

- A. Any officer or investigator developing latent fingerprints from a crime scene will record the following information associated with the latent print lift card:
- Incident Number
 - Date print developed
 - Officer developing the print
 - Location print was developed
- B. When developed latent prints cannot be lifted onto latent print lift cards, the prints may be photographed with scale for submission and analysis.
- C. Developed latent prints will be packaged in accordance with procedures described in the **“Vermont State Police Physical Evidence Handbook”** and submitted to the Property & Evidence Control Room with a completed Vermont Department of Public Safety Forensic Laboratory, Request for Laboratory Examination, (DPS 305).
- The Property & Evidence Control Manager will submit developed latent prints to the Vermont Forensic Laboratory.
- D. **Evidence Submitted for Latent Print Processing** - Items of evidence requiring latent print processing, before submission to the Forensic Laboratory, will be transported and submitted to the Barre City Police Department Temporary Storage Lockers in accordance with **Barre City Police Department Investigative Procedure #609 “Property & Evidence Management.”** When officers seize evidence requiring latent print processing, they will;
- Photograph the materials, and place the photographs in the Investigative Case Folder,
 - Package the evidence in the manner prescribed by the Vermont State Police in their manual titled, **“Vermont State Police Physical Evidence Handbook”**,
 - Complete the appropriate property submission process and place the evidence in the Barre City Police Department Temporary Storage Lockers, along with a request for latent print processing.

V. Seizure of Computer Equipment

Computer equipment can be severely damaged, or data lost due to improper shutdown procedures; therefore, members collecting computers or computer related equipment, as evidence will adhere to the following procedures:

- A. If the computer is in operation, FIRST photograph the screen and all attached devices and cords. Then pull the power cord from the back of the CPU (NOT from the wall).
- B. Only personnel skilled in computer operations should attempt to restart computer equipment that is already shutdown.
 - Some computers can be pre-programmed to destroy data if proper procedures are not followed.
- C. All equipment should be handled with care when being transported and must be properly stored. Computer hardware and software may be damaged when exposed to extreme temperatures.
- D. The Computer Crimes Unit may be contacted to provide instruction whenever computer related equipment is being collected as part of an investigation.
 - When necessary, a VSP Computer Crimes Investigator may respond with officers for collection, documentation, and submission of computer equipment.
- E. All computers and related equipment will be packaged in accordance with procedures described in the **“Vermont State Police Physical Evidence Handbook”** and submitted to the Property Room in accordance with evidence submission procedures as outlined in **Barre City Police Department Investigative Procedure #609 “Property & Evidence Management”**.

VI. Seizing Cellular Telephones & Electronic Devices

Cellular phones, digital cameras and other electronic devices capable of storing data may contain valuable evidence associated with criminal activity. Unless an immediate life-threatening emergency exists such as a homicide, kidnapping, critical missing child, etc, the device should not be accessed until a search warrant is obtained.

- A. Should it be necessary to access the device, all actions associated with the manipulation of the device should be noted in order to document the chain of custody and insure its admission into court proceedings.
- B. Unless certain circumstances dictate, as a general rule, officers seizing cellular telephones or other electronic devices shall submit application for a search warrant within 72 hours of seizure. The search of such devices should be completed within 90 days of issuance of the warrant, unless otherwise directed. In most cases, unless involving a significant felony, or otherwise advised to maintain custody of the device, once any evidence has been retrieved and/or downloaded from a cellular telephone or other electronic device, the device can be returned to its rightful owner. It is incumbent

upon the investigating officer to notify the owner and facilitate the return of the device.

- C. The Vermont State Police Computer Crimes Unit recommends the following in the handling of telecommunications equipment at a crime scene where an immediate examination of data is necessary; such as a homicide, kidnapping, critical missing child, etc:
- Photograph or record the screen contents, including the time and date;
 - Handle with care and do not press any keys;
 - Visually attempt to determine if the device is password protected;
 - If the device is on, leave it on. If it is off, leave it off; and,
 - Note the battery's charge level
 - Remove the antenna (if equipped with a removable antenna)
 - Seal in either a large or a small shielding bag.
 - Attempt to recover charging and data cables. If charging and data cables are recovered, consider placing the device on said cables.
 - Notify the Criminal Investigation Division immediately if the device needs to be examined. The device should be examined as soon as possible, or data may be lost with the loss of battery power.
- D. Otherwise, the device should be collected as evidence and packaged in accordance with procedures described in the **“Vermont State Police Guidelines for Submitting Physical Evidence Manual”** and submitted to the Property & Evidence Control Room in accordance with evidence submission procedures as outlined in **Barre City Police Department Investigative Procedure #609 “Property & Evidence Management.”**

VII. **Cancellation**

This written directive cancels, replaces and supersedes any directives in conflict therewith.

AUTHORITY:

Braedon S. Vail, Chief of Police

, 2023

Index as:

Cellular Telephone
Computer Crimes
Criminal Investigations
Criminal Investigations Unit
Crime Scene Processing
DNA Evidence
Latent Fingerprints
Vermont State Police Crime Scene Unit
Vermont Forensic Lab



Barre City Police Department

Barre, Vermont

Braedon S. Vail
Chief

SPECIAL OPERATIONS

<u>Subject:</u> Security for Special Events	<u>Number:</u> 902	<u>Effective Date:</u> XX/XX/23
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Note: These Rules & Regulations, Operational Policies and/or Procedures are for internal use only and does not enlarge a member’s civil or criminal liability in any way. It should not be construed as a creation of a higher standard of safety or care in an evidentiary sense, with the respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

Policy: The Barre City Police Department provides traffic and security services during special events or VIP visits and will establish written plans to insure successful event operations.

Purpose: To establish procedures for special event planning and operations.

Contents:

- I. Definitions
- II. Special Events Planning
- III. Operations
- IV. Post Event Reporting
- V. Cancellations

I. Definitions

A. Special Event - Special events are those activities that may involve large amounts of vehicular and/or pedestrian traffic. These may include parades, athletic events, public demonstrations, visits by dignitaries or VIPs, and road maintenance.

II. Special Events Planning

The Deputy Chief is the coordinator of all special events. The Deputy Chief may designate a supervisor as an Event Coordinator, who shall be responsible to draft a Special Events plan and be at the scene of all special event details and for determining what resources are appropriate to manage the event.

A. Advanced on-site inspections will be conducted for VIP visits.

- B.** Meetings will be held with allied agencies, such as State and Federal Governmental Agencies and law enforcement officials to coordinate plans and exchange information. Travel routes, including contingencies, will be carefully planned to allow for normal and emergency activities to continue with a minimal amount of disruption. Emergency services (fire, police, ambulance) will be provided necessary access.
- C.** A Special Events Plan will be outlined by the Event Coordinator on a Barre City Police Department Memorandum, for all special events, and include the following information:
- A written estimate will be made of the expected traffic, crowd, and any crime or crowd control problems.
 - Reconnoitering and planning of travel routes, with at least two alternate or detour routes for contingency purposes will be established as necessary.
 - Identification of Fire, Rescue and Emergency Medical Services; and the nearest medical treatment facility.
 - Identification of the appropriate radio channel and alternate communications information if necessary.
 - Logistical requirements shall be addressed. These should include the number of barricades, barricade positioning, fixed post assignments, and any other relevant considerations that will assist in a smooth and efficient operation to include, but not limited to:
 - Any specialty equipment required, as well as the appropriate number of marked and unmarked vehicles.
 - Designation of special attire to be worn, if any.
- D.** Police personnel will be assigned as necessary for crowd control through use of foot and mobile patrols.
- When normal patrol assignments cannot adequately handle the event, CID members may be utilized at the discretion of the Deputy Chief.
 - A Barre City Police Department Memorandum will be generated requesting the personnel to work special functions.
 - Assigned Personnel will be allotted adequate scheduled breaks during the course of the event. Assistance may be provided through volunteers and/or allied agencies.
 - Assistance may be provided through volunteers and/or allied agencies.
- E.** The completed Special Events Plan will be submitted to the Chief through the chain of command for final review before distribution.

- F. Information regarding the event will be provided at the earliest convenience to the media addressing changes or alterations of the event (parking, etc.).

III. Operations

- A. Before the start of a Special event, and/or a VIP's arrival, the Event Coordinator will conduct a briefing identifying each attendee's duties and responsibilities.
- All involved Barre City Police members and, representatives from involved allied agencies will attend scheduled briefings. Allied agencies may include the Secret Service, FBI, any local or private law enforcement agencies, and Barre City Fire, Rescue and EMS personnel involved.
- B. All participating personnel will carry a portable radio and maintain communication with the dispatcher or a command post, if one was established.
- C. During VIP visits, a final inspection before arrival will be made of the immediate area the VIP is likely to occupy.

IV. Post Event Reporting

- A. Immediately following the event, involved personnel will conduct a critique, which will be documented by the Event Coordinator on a Barre City Police Department Memorandum.
- B. The completed after-action report summary will be attached to the Special Events Plan and submitted to the Deputy Chief for filing upon completion of the event.

VI. Cancellation

This written directive cancels, replaces, and supersedes any directives in conflict therewith.

AUTHORITY:

Braedon S. Vail, Chief of Police

Index as:

Event Coordinator
Special Events
Special Events Plan
VIP

, 2023



Barre City Animal Bite Report



Reporting Information

Date of report: ___/___/___ Town: _____ Health Officer name: _____

Work phone: (____) _____ - _____ Alternative phone: (____) _____ - _____

Person reporting bite: Health care provider Veterinarian Bite victim/parent or guardian Other

Reporter name: _____ Facility: _____ Phone: (____) _____ - _____

Bite Victim Information

Last name: _____ First name: _____ MI: _____

Street address: _____ Town: _____

State: ___ Zip: _____ Phone: (____) _____ - _____

Sex: Male Female No answer Age: _____ Date of birth: ___/___/_____

Bite Information

Date of bite: ___/___/___ Where bite occurred: _____ Provoked bite? Yes No Unknown

Location of bite: Leg Head Torso Arm Hand/Finger Other: _____

Animal type: Dog Cat Cow Horse Sheep Ferret Unknown
 Raccoon Skunk Bat Fox Other: _____

Animal status: Owned Stray Wild Unknown

If owned, owner's name: _____ If owned, animal's name: _____

Street address: _____ Town: _____

State: ___ Zip: _____ Owner telephone: (____) _____ - _____

Animal disposition: 10-day confinement Euthanized and tested At large/unavailable Unknown

Veterinarian name: _____ Facility: _____ Phone: (____) _____ - _____

Has the animal received a rabies vaccine in the past? Yes No Unknown

If yes, date of last rabies shot: ___/___/___ Rabies Tag #: _____

Action taken:

Quarantine Agreement

 I hereby agree to:

- Quarantine the animal identified on this form for 10 days to comply with the Quarantine Instructions provided.
- If unvaccinated, have the animal given a physical rabies examination by a veterinarian & vaccinated for rabies at my expense on the last day of the quarantine period (or the next day if a Sunday or Holiday)
- Confine the animal at Address: _____ for the quarantine period beginning _____ and ending on _____

Owner of Custodian Signature: _____ Date: _____