

Volume

1



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University at Albany Police Department

# Administrative and Personnel Manual

UNIVERSITY AT ALBANY POLICE DEPARTMENT

# Administrative and Personnel Manual

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**WARNING:** These directives are for departmental use only and do not apply in any other criminal or civil proceeding. Department policy should not be construed as a creation of a higher legal standard of safety or care in an evidentiary sense with respect to third-party claims. Violations of a directive will only form the basis for administrative action.

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## Foreword

Procedures and instructions appearing in this part of the manual supplement and expand on those more general procedures outlined in the State University of New York's "Statewide Manual of Rules" published by the State University of New York System Administration.

From time to time, procedural items may be amended or supplemented. Such modifications will be accompanied by insertion instructions.

Each officer will be responsible for knowing the contents covered within this manual. He or she will also be responsible for updating the manual with subsequent revisions as authorized.

This manual will be available through the Department's web site for ready access.

## Introduction

The University at Albany Police Department is dedicated to the objective of maintaining order and security as well as providing services to the University community in such a manner that individual freedom and privacy is infringed upon as minimally as possible.

All of our efforts are focused on supporting the educational process. We should consider ourselves as educators each time we interact with a student, whether they are in the role of victim, suspect, witness or simply someone seeking information.

We must keep in mind that law enforcement officers have a unique opportunity to assist in the behavior modification process. Arrest is not an end in itself but rather one means to protect the public and get individuals into a behavior-changing system.

The University has resources not generally available to or used by police in the larger community. In minor situations involving students, they may be referred to the Office of Community Standards where sanctions and assistance are available which may ultimately be more beneficial to the student than the criminal court process.

The law enforcement effort best serves society when it prevents crime. Detecting crimes in progress and apprehending criminals subsequent to the commission of a crime are secondary to prevention in effectiveness.

This manual, the SUNY Statewide Manual of Rules, and the Manual for Police published by the New York State Police are guides by which we can perform our legal responsibilities. While they cannot proscribe officer behavior for every scenario an officer will encounter, the more important guidelines include:

- Analyze situations

- Use common sense
- Interfere as little as possible with the citizen's freedom
- Be firm, but courteous
- Do not abuse or overuse your very considerable authority

# CHAPTER I

## LAW ENFORCEMENT ROLE, RESPONSIBILITIES, AND RELATIONSHIPS

# GENERAL ORDER 1 LAW ENFORCEMENT ROLE AND AUTHORITY

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|   |                              |                                      |
|---|------------------------------|--------------------------------------|
| SUBJECT<br>Mission, Values and Guiding Principles   |                              | GENERAL ORDER NUMBER<br>1.1.1        |
| DCJS STANDARDS<br>1.1   |                              | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>July 13, 2016  | APPLIES TO:<br>All Employees | REVISION DATE                        |
| APPROVAL<br>J. Frank Wiley., Chief of Police  |                              |                                      |

## Purpose

The purpose of this General Order is to establish and describe the mission, values and role of the University at Albany Police Department. In defining the role, two broad purposes are served. First, members are made aware of the attitudes and actions expected of them and can act without hesitation in compliance with department policy. Second, the public is provided with a general standard by which they can measure the performance of the department.

## Preamble

The University Police Department wishes to develop and maintain a positive relationship with all members of our community. To effectively serve our population, a supportive, community-oriented approach to law enforcement is essential.

## Mission

The University at Albany Police Department exists to serve all people with respect, fairness, and compassion. We are committed to the prevention of crime and the protection of life and property; the preservation of peace, order, and safety; the enforcement of laws and ordinances; and the safeguarding of Constitutional guarantees.

To this end, we seek to create a safe and secure campus environment in which the educational mission of the University can be realized free from the specter of crime. With community service as our foundation, we are driven by goals that enhance the quality of life for all in our community. We seek solutions to problems that detract from that quality, thereby fostering a sense of comfort and security in our community and we nurture public trust by holding ourselves to the highest standards of performance and professionalism.

## Values

- We preserve and advance democratic values
- We improve the quality of campus life
- We demonstrate professionalism
- We value human life; therefore, we treat all persons with courtesy and respect
- We are compassionate and caring
- We use force only when absolutely necessary and only as a last resort

## Guiding Principles

- We respect the individual and believe that our employees are our department's most valuable assets.
- We are dedicated to improving the quality of life in our department through interaction and concern for each other.
- We are committed to fair treatment of employees.
- We will provide our people full opportunity to contribute to the success of the department through involvement and participation in the policy-making process.
- We believe in teamwork.
- We seek cooperation from others and strive to understand others who might disagree with us.
- We seek to resolve conflict constructively.
- We are professional, creative, and enthusiastic.
- We always have a "can do" attitude.

- We support the goals of the University, the Division of Finance and Administration and the Department.

|   |                              |                                      |
|---|------------------------------|--------------------------------------|
| SUBJECT<br>Oath of Office, Code of Ethics, and Code of Conduct  |                              | GENERAL ORDER NUMBER<br>1.1.2        |
| DCJS STANDARDS<br>12.9, 14.1  |                              | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>July 13, 2016  | APPLIES TO:<br>All Employees | REVISION DATE                        |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                              |                                      |

## Purpose

The purpose of this General Order is to set forth a code of ethics to which each member of the University at Albany Police Department shall adhere.

## Oath of Office

In conjunction with the filing of form C2686-1098, "Appointment/Removal of Police Officer," those persons appointed as police officers may be sworn by having administered to them by a duly authorized officer the following oath:

“I do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of New York, and that I will faithfully discharge the duties of the position of the Office of University Police according to the best of my ability.”

The chief administrative officer of a state-operated institution may remove any such police officer from office at any time, whereupon such member shall cease to have and to exercise police office powers.

## Code of Ethics

Nothing in this section shall be construed to limit, impair or affect the right of any member to the expression or communication of a view, grievance, complaint or opinion on any matter related to their employment so long as the same is not designed to and does not interfere with the full, faithful, and proper performance of the duties of employment. Further, nothing in this section, or any other section, is intended to restrict the individual rights guaranteed by the Constitution of the United States or the Constitution of the State of New York.

1. In dealing with the public, courtesy and avoidance of unnecessary demonstration of authority will be the guiding principles. Any use of force will be the minimal amount necessary and within the guidance of appropriate provisions of the Criminal Procedure Law of the State of New York.
2. Department members in contact with the public will conduct themselves in a dignified manner. Abusive language will not be used. Sarcasm, curtness, or non-concern with the problems of the public or an individual complainant, will not be demonstrated by any officer.
3. In conducting themselves as a professional, the officer will always remember that their behavior is a reflection not only upon themselves, but also on the department. Personal discipline will be consciously cultivated.
4. Whether in uniform or civilian attire, when an officer's name and/or badge number is requested by a civilian, the officer shall provide it to the person requesting it.
5. Officers in civilian clothing shall identify themselves by name and displaying of a badge before taking any police action; or if otherwise requested to do so by a citizen. Identification cards will be furnished upon request.
6. In the presence of the public, University Police Department employees will be referred to by title or rank and surname.

### Code of Conduct

All members of the University Police Department will adhere to Section IV (General Conduct) of the State University of New York Police Manual. This manual is located on the University Police Department's website; the shared UPD General V Drive in the UPD Manuals folder.

|   |                              |                                      |
|---|------------------------------|--------------------------------------|
| SUBJECT<br>Written Directive System   |                              | GENERAL ORDER NUMBER<br>1.1.3        |
| DCJS STANDARDS<br>2.3   |                              | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>July 13, 2016  | APPLIES TO:<br>All Employees | REVISION DATE                        |
| APPROVAL<br><br>Frank Wiley, Chief of Police  |                              |                                      |

## Policy

This General Order provides a guide for developing written directives that govern operations of the University at Albany Police Department. All directives affecting the department shall be accomplished in writing and disseminated to all affected department employees. The exception to this General Order would be an emergency or critical incident where timeliness prevents immediate issuance and/or distribution.

## Definitions

1. **General Order** - A statement of department policy or procedure that is generally applicable throughout the department for an indefinite period of time. General Orders will be issued by the Chief of Police and will be distributed to every affected department employee.
2. **Memoranda** - Issued as a means to provide information or instructions that are temporary, or do not warrant issuance of a general order. May also be used to explain or emphasize portions of previously issued orders. Memoranda may be issued by all supervisory personnel, affecting only employees under their supervision. Directives contained in memoranda must not contradict or deviate from policies and procedures issued by a higher authority.
3. **Policy** - A broad statement of department principles and/or policy purpose listed at the beginning of a general order. The policy provides a context for development of procedures, rules and regulations.
4. **Reference and Instruction Manuals** - Manuals or bulletins containing detailed information and step by step procedural instructions may be developed as necessary for the purposes of training or reference. Preparation of training manuals will be coordinated with the Administrative Inspector by personnel with special skills, training, or experience relevant to the subject matter. All content must be approved by the Chief of Police or their designee.

5. **Special Order** - A written statement of department policy or procedure that is only relevant to a specific event or applicable for a specific period of time. Special orders will be issued by the Chief of Police or Command Staff, and will be distributed to every affected employee. In some circumstances, the Chief of Police may issue special orders that deviate from established general orders for a limited period of time specified in the directive.
6. **Written Directive** - A written directive is a document used to guide or affect the performance or conduct of department employees. A written directive includes any general order, special order, memorandum, and instructional or reference material issued by the Chief of Police or on their authority, or by any supervisor authorized by this order.
7. **Authority** - The Chief of Police has the authority to issue, modify, or approve all departmental written directives.

The Chief of Police retains the authority to issue, modify, or approve general orders, and special orders that conflict or deviate from standing directives contained in general orders.

The Chief of Police has delegated the authority to issue special orders to the command staff except where such orders would conflict or deviate from standing directives contained in general orders.

The Chief of Police has delegated the authority to issue internal memoranda to the Command and Supervisory staff.

## Terminology and Meaning

No provision or item in any written directive is to be construed to mean something other than the plain meaning of the language used.

No provision or item is to be construed so as to defeat its obvious intent.

Use of words “shall” and “will” are directory instructions that do not necessarily create an entitlement. Use of the word “may” indicates permissive circumstances. Use of the word “should” indicates that the procedure is not mandatory but that it would be in the best interest of the department if it were followed in most cases.

Titles used will not govern, limit, modify, or affect the scope of meaning or intent of any directive.

Any statement in a directive found to be illegal, incorrect, or inapplicable shall not affect the validity of the remaining contents.

## Format of Written Directives

**General Orders** - General orders will be written using the designated template, font, and style.

General Orders are to be written in outline format with the introduction in Arial Black font (gray) size 14; section notations and titles in bold Arial Black font size 12; followed by and general text in regular Garamond font size 12.

The outline section format shall begin with a bold type Arial Black font size 12, followed by a four digit heading as follows:

1. "Sub-paragraph"
  - a. "section"
    - i. "sub-section"
      1. "clause"

General Orders in the Administrative/Personnel Manual shall be numbered consecutively and indexed by the Administrative Inspector, according to the following categories:

- Chapter I.....Law Enforcement Roles, Responsibilities, and Relationships
- Chapter II.....Organization, Management, and Administration
- Chapter III.....Personnel Structure
- Chapter IV.....Personnel Process

General Orders in the Operational Manual shall be numbered consecutively and indexed by the Administrative Inspector, according to the following categories:

- Chapter I.....Law Enforcement Operations
- Chapter II.....Operations Support
- Chapter III.....Traffic Operations
- Chapter IV.....Arrest and Court-Related Activities
- Chapter V.....Auxiliary and Technical Services

**Special Orders** - Special orders shall be numbered consecutively by year, and will include the topic and effective date(s) in the heading.

Example: Special Order 2009-004, UAlbany Fountain Day, 04/28/09

**Memoranda** - Memoranda shall be numbered consecutively by year. This number will be followed by the subject matter.

Example: Memo 2009-005 - Summer Uniforms

**Manuals** - Manuals and bulletins are formatted by the Training Lieutenant in a manner designed to facilitate its intended purpose.

## Indexing, Purging and Revision of Directives

**Indexing and Publication** - The Administrative Inspector coordinates the numbering, indexing and publication of written directives. These written directives will be published in a manner sufficient to ensure distribution in accordance with departmental policy. The Administrative Inspector shall provide an electronic copy of all general orders in a designated location on the department server for access by all affected personnel.

**Purging and Revision** - The Administrative Inspector shall review all General Orders at least once every five years and update, purge and revise existing general orders as needed. The Chief of Police may designate a more frequent policy review schedule for high liability policies.

## Distribution of Written Directives

**Employee Responsibility** - Each employee is responsible for reading and maintaining a practical understanding of all written directives issued to them.

## General Orders

**Initial Introduction** - All employees of the department shall be introduced to the General Order Manual at the time of their initial employment.

**Master Electronic Version** - A master electronic version of the General Order Manual will be maintained in the shared folder on the department server. The master electronic version will supersede any printed versions.

**Updates** - The Administrative Inspector is responsible for updating the master electronic version and distributing notice of revisions and amendments to members of the department.

**Employee Responsibility** - Sworn employees are required to read all General Orders and each revision or amendment, and abide by the directives contained therein.

**Supervisor Review and Employee Acknowledgement** – Each time a new General Order is implemented, or an existing one is revised or amended, a General Order Distribution Form will be completed by the Administrative Inspector which will identify the new or revised directive; and include a brief description of its provisions or revisions.

The General Order Distribution Form will then be distributed to the Shift Lieutenants review with personnel under their command.

Each member of the department must sign the form in acknowledgement they:

- Have been advised that a new or revised directive has been implemented.
- Must develop a working knowledge of all directives applicable to their job title.
- Are responsible to seek clarification for any item for which they are uncertain.

Whenever time permits, new and revised General Orders will be distributed to supervisors prior to their effective date so that they may become familiar with their provisions before reviewing them with subordinates.

**Memoranda** - Memoranda shall be distributed to those individuals and department components that are affected. An electronic version of all memoranda will be maintained in a shared folder on the department server. The Administrative Inspector will purge all memoranda from this folder three years after issuance.

**Distribution Method** - The method of distribution for written directives, with the exception of reference and training manuals, shall be through the department electronic mail system.

Significant written directives may be disseminated through physical distribution and/or electronic distribution at the discretion of the distributing supervisor.

Supervisors shall take necessary steps to track the distribution of written directives and retain the tracking information for future use.

Shift Supervisors should review recent directives during pre-shift briefing to ensure understanding and compliance.

Physical copies of General Order Manuals shall be maintained in the following locations:

- Pre-Shift Briefing Room
- Supervisors Office
- Communications Office
- Administrative Office

**Draft Policy and Procedure Review:**

Modifications, consisting of changes or additions to currently issued policy and procedure statements or rules and regulations, may, at the direction of the Chief of Police, be made available for review and comment by department personnel.

In such cases, proposed policy and procedure statements, and rules and regulations will be placed on a designated bulletin board or electronic posting, for review by employees. Comments should be directed to the Administrative Inspector.

|  |                              |                                      |
|--|------------------------------|--------------------------------------|
| SUBJECT<br>Goals and Objectives  |                              | GENERAL ORDER NUMBER<br>1.1.4        |
| DCJS STANDARDS<br>1.2  |                              | EFFECTIVE DATE<br>September 30, 2009 |
| REVIWED DATE<br>August 18, 2016  | APPLIES TO:<br>All Employees | REVISION DATE                        |
| APPROVAL<br>J. Frank Wiley, Chief of Police  |                              |                                      |

### Purpose

The purpose of this Order is to set forth the policies and procedures relating to the establishment and maintenance of department goals and objectives.

The establishment of annual goals and objectives is necessary in order to coordinate and direct the efforts of the department as well as to define, analyze, and propose workable solutions to problems encountered or anticipated by the department. The establishment and routine updating of goals by the department ensures direction and unity of purpose and serves as a basis for measuring progress.

### Policy

The University at Albany Police Department actively develops and utilizes goals and objectives as an integral part of its management function. Annual goals and objectives are based on the fiscal year, July 1 to June 30. The Chief of Police is provided input for department goals and objectives by organizational components of the department through their respective divisions.

### Procedure

Each organizational component formulates goals and objectives for their area using the following format:

**Statement of Goals** - Statements of broad purpose or general intent that are timeless and not confined to a specific deadline. This statement describes the general goal of each component.

**List of Objectives** - Specific accomplishments to be completed within a specified time frame with specified conditions that have measurable results. Objectives are specific accomplishments that serve to direct the component toward its goal.

**Description of Actions** - Specific actions to be taken in order to meet objectives.

After formulation of goals and objectives by each component of the department and submission to the Chief, a single department plan is consolidated during annual strategic planning sessions. This annual session normally takes place in May or June, and includes command staff personnel, supervisory personnel and representation from police officers.

The plan will be distributed to all personnel and periodic review meetings will be scheduled by the Chief of Police in order to examine and evaluate the progress of the plan. Periodic review may be conducted in one or more of the regularly scheduled staff meetings.

|  |                                |                                      |
|--|--------------------------------|--------------------------------------|
| SUBJECT<br>Limits of Authority and Discretion  |                                | GENERAL ORDER NUMBER<br>1.2.1        |
| DCJS STANDARDS<br>50.2, 2.7  |                                | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>October 4, 2016   | APPLIES TO:<br>Sworn Personnel | REVISION DATE<br>September 30, 2016  |
| APPROVAL<br>J. Frank Wiley, Chief of Police  |                                |                                      |

## Purpose

The purpose of this Order is to define the legally and judicially mandated authority for the enforcement of laws; to set forth guidelines concerning the use of discretion by officers; to define the authority, guidelines and circumstances when officers should exercise alternatives to arrest and pre-trial confinement and to establish procedures for assuring compliance with Constitutional requirements during criminal investigations.

## Policy

The U.S. Constitution guarantees every citizen certain safeguards from government intrusion into their lives and these safeguards serve as a basis for the application of criminal justice in the United States. Consequently, these safeguards have placed limitations on the authority of police officers to enforce the laws of the nation, state, city and county. In addition, other legal documents limit the authority of State University of New York Police Officers. Police Officers of this department must remain aware of the guidelines set forth in this policy concerning the limits of law enforcement authority, the exercising of individual discretion and the limits of individual discretion. Each sworn member of the University Police Department is accountable for the use of their delegated authority.

## Law Enforcement Authority to Enforce Laws

The law enforcement authority given to members is pursuant to §355.1 of the New York State Education Law and §1.20.34(s) of the New York State Criminal Procedure Law.

New York State Criminal Procedure Law §1.20.34(s) grants, *“Except where different meanings are expressly specified in subsequent provisions of this chapter, the term definitions contained in section 10.00 of the Penal Law are applicable to this chapter, and, in addition, the following terms have the following meanings:*

**Police officer** - *The following persons are police officers:*

*A university police officer appointed by the State University pursuant to paragraph 1 of subdivision two of section three hundred fifty-five of the education law.”*

New York State Education Law §355.1 grants, “*The state university trustees are further authorized and empowered, subject to the provisions of the plan or general revisions thereof proposed by the state university trustees as approved by the regents pursuant to section two hundred thirty-seven of this chapter:*

*To appoint university police officers who shall have the powers of police officers and to remove such police officers at pleasure; provided, however, that any person appointed a police officer must have satisfactorily completed or complete within one year of the date of his/her appointment a course of law enforcement training approved by the municipal police training council in consultation with the university. It shall be the duty of such police officers to preserve law and order on the campuses and other property of the university, including any portion of a public highway which crosses or abuts such property. Subject to the approval of the chancellor, the president of each state-operated campus of the state university shall enter into a written agreement with adjoining law enforcement agencies establishing protocols for the exercise of authority by such university police officer off-campus, including mutual aid and assistance. Such written protocols shall not be deemed to supersede the authority of other police officers. The provisions of this paragraph shall not apply to any of the state institutions and property referred to in section five thousand seven hundred nine of this chapter.”*

Pursuant to this statute, the Police Department of the University at Albany and its appointed police officers serve to ensure that the peace and order of the university community is maintained at all times.

### Off-Duty Authority

While department members are off duty, they are encouraged to contact the local police whenever faced with a situation requiring a police response (refer to §140.10 of the New York State Criminal Procedure Law for specifics regarding warrantless arrests while off duty).

Whenever a member is involved in an off-duty encounter where they have, as a sworn or non-sworn member of this department, taken some action based on their status, they will contact the supervisor or commander on duty. In addition a detailed written report will be submitted as soon as practical.

### Constitutional Basis for Policing

This agency is committed to carry out our police functions in an ethical and legal manner pursuant to the US Constitution as well as federal, state, and local statutes as interpreted by the judiciary. We support the Constitution rights of all citizens and operate in a manner to instill public confidence. These principles are evident in our mandates and practice, and no section of our General Orders is designed to permit any action deemed to be unconstitutional or illegal.

## Discretion

All members will responsibly use the discretion vested in their position and exercise it within the limitations of the law. The principle of reasonableness will guide the officer's determinations and the officer will consider all surrounding circumstances in determining whether any official action shall be taken.

Consistent and wise use of discretion, based on professional policing competence, will do much to preserve good relationships and retain the confidence of the public. There can be difficulty in choosing between conflicting courses of action. It is important to remember that a timely word of advice rather than official action, which may be the appropriate option in certain circumstances, can be a more effective means of achieving a desired end.

|   |                                |                                     |
|---|--------------------------------|-------------------------------------|
| SUBJECT<br>Use of Force   |                                | GENERAL ORDER NUMBER<br>1.3.0       |
| DCJS STANDARDS<br>20.1, 20.4, 20.6, 20.7, 21.2  |                                | EFFECTIVE DATE<br>November 20, 2015 |
| REVIEWED DATE:<br>December 20, 2015   | APPLIES TO:<br>Sworn Personnel | REVISION DATE<br>January 5, 2016    |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                                |                                     |

## Purpose

The purpose of this Order is to provide officers with procedures on the use of lethal force and less lethal force.

## Policy

It is the policy of the University at Albany Police Department that when force is necessary to achieve a lawful objective, officers shall use only the amount of force reasonable and necessary, while also maintaining a high degree of safety for the public and the officers.

In the performance of their duty, police officers routinely must make decisions relative to the use of force. The responsibility for making appropriate decisions is a constant reality and is further heightened by the fact that the officer must often make these decisions under the worst of circumstances. Failure to use force when it is reasonable and necessary may very well mean injury or death to the police officer and/or innocent persons.

## Force Continuum

1. The Use of Force continuum reflects the escalating and decreasing levels through which an officer can obtain compliance. The levels of force commence at the level of the officer's mere presence and culminate with the use of lethal physical force. The officer's own assessment of a particular situation shall determine the level at which he or she begins on the continuum. The principles of escalation and de-escalation shall be applied whenever feasible.

2. When the subject's resistance or aggression decreases or stops the amount of force applied by the officer should be de-escalated accordingly. Officers should use only the amount of force that is proportional to and necessary to overcome the level of resistance or aggression offered by the subject. The amount and type of force that is reasonable depends on the specific nature of the circumstances in each incident, including but not limited to:
  - a. The type of incident
  - b. The existence of alternative methods of control
  - c. The physical size, strength, special knowledge, and weaponry of the subject relative to that of the officer
  - d. The availability of back-up and the number of persons involved in the incident
3. The conduct of the subject(s) against who force is being contemplated and any prior knowledge by the officer of contact or experience with the subject (i.e. known to be armed and dangerous or combative).

**NOTE:** Since the subject's actions or conduct drives our actions, it is necessary to examine the subject's level of resistance in relation to an officer's response.

### Definitions of Levels of Resistance (Subject's Actions / Conduct)

1. **Psychological Intimidation** - Non-verbal cues indicating a subject's unwillingness to comply with an officer's attempt at control, through an apparently resistant attitude, appearance and physical readiness to resist.
2. **Verbal Non-Compliance** - Verbal cues indicating a subject's unwillingness to comply with an officer's attempt at control, through resistant or threatening statements or other "fighting words."
3. **Passive Resistance** - Physical actions that do not prevent an officer's efforts at control but fail to cooperate with those efforts. An example is "dead weight."
4. **Defensive Resistance** - Physical actions that attempt to prevent an officer's attempts at control but do not attempt to harm the officer. Examples include pulling away or locking the body in a fetal posture.
5. **Active Aggression** - Unarmed physical actions that attempt to harm the officer. Examples include punches and kicks.

6. **Aggravated Active Aggression** - Armed assault upon the officer or a member of the public.

### Force Continuum (Officer's Response) / Definitions of Levels of Control

1. **Officer Presence** - The control manifested by the presence of an officer, whether uniformed or not, on the scene.
2. **Verbal Direction** - The control manifested by the officer's use of spoken commands and directions.
3. **Soft Empty Hand Control** - The use of physical strength and skill in defensive tactics to control subjects that are reluctant to be taken into custody and offer some degree of physical resistance. Such techniques are not impact oriented and include pain compliance pressure points, takedowns, joint locks, and simply grabbing a subject. Touching or escort holds may be appropriate for use against levels of passive physical resistance
4. **Soft Intermediate Weapon Control** - The use of an implement to effect control, in a manner that is unlikely to result in physical injury. Examples include handcuffs, and aerosol subject restraints (Oleoresin Capsicum Spray).
5. **Hard Empty Hand Control** - Impact oriented techniques that include knee strikes, elbow strikes, punches, and kicks. Control strikes are used to subdue a subject and include strikes to pressure points such as: the common peroneal nerve (side of the leg), radial nerve (top of the forearm), or brachial plexus origin (side of neck).
6. **Hard Intermediate Weapon Control** - The use of an implement to effect control, in a manner that manifests an increased likelihood of physical injury. Examples include use of impact weapons (Less Lethal Batons, Collapsible Batons (ASP), Patrol Deployment of K9 and Electronic Control Device - Advanced Taser).
7. **Lethal Force** - Any physical force that can reasonably be expected to cause death or serious physical injury. Officers must understand that lethal force is an extreme measure and shall only be used in accordance with the law.

### De-Escalation

1. Policing requires that at times an officer must exercise control of a violent or resisting subject to make an arrest, to protect the officer, or other officers, or members of the community from risk of imminent harm. Clearly, not every potentially violent confrontation can be de-escalated, but officers have the ability to impact the direction and the outcome of many situations they

encounter based upon their decision making and the tactics they choose to employ.

2. When reasonable given the totality of the circumstances, officers should gather information about the incident, assess the potential risks, assemble resources, attempt to slow momentum, communicate and coordinate a response. In their interaction with subjects officers should use advisements, warnings, verbal persuasion and other tactics and alternatives than higher level force. Officers should recognize that they may withdraw to a more tactically secure position allowing them greater distance to consider, or deploy, a variety of Force options. Officer shall perform their duties in a manner that avoids unduly jeopardizing their own safety, or the safety of others, through use of poor tactical decisions.
3. The prospect of a favorable outcome is enhanced when supervisors are involved in the overall management of responses to potentially violent encounters by coordinating resources and the tactical actions of officers. Supervisors should possess a good knowledge of tactics and ensure that officers under their supervision perform to a standard. As a good practice, supervisors will acknowledge and respond in a timely manner to incidents where police use of force is probable.

### Determining Objectively Reasonable Force

1. United States Supreme Court decisions and interpretations of the United States Constitution's Fourth Amendment state a police officer may only use force as is "objectively reasonable" under the totality of the circumstances. Originally, the constitutionality of use of force incidents was examined by the courts in accordance with *Graham V. Connor*, 490 U.S. 386 (1989) and has subsequently been expanded by further court cases. The reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on the scene rather than with 20/20 vision of hindsight. The reasonableness must account for the fact that officers are often forced to make split second judgements in circumstances that are tense, uncertain and rapidly evolving.
2. The reasonableness inquiry in reviewing use of force is an objective one: the question is whether the officer's actions are objectively reasonable in light of the facts and circumstances before them. The officer's perception will be considered along with other factors that may affect the reasonableness of force. These factors may include but are not limited to:
  - a. The severity of the crime(s) at issue
  - b. Whether the subject possessed an immediate threat to the safety of the officer(s) or others

- c. Whether the subject is actively resisting arrest or attempting to evade arrest by flight
  - d. The influence of drugs, alcohol or the mental capacity of the subject
  - e. The time available to an officer to make a decision
  - f. The availability of officers or other resources to de-escalate the situation
  - g. The subject's proximity or access to weapons
  - h. The environmental factors and/or other exigent circumstances
3. The officer will use a level of force that is necessary and within the range of "objectively reasonable" options. When use of force is needed, officers will assess each incident to determine, based upon policy, training and experience which use of force option will de-escalate the situation and establish control in a safe and prudent manner. Reasonable and sound judgement will dictate the force option to be employed. Therefore, the department examines all uses of force from an objective, rather than subjective, standard.

### Definitions

1. **Active Shooter** - An active shooter is an armed person who has used lethal force on other persons and continues to do so while having unrestricted access to additional victims.
2. **Authorized** - Empowered or permitted to act.
3. **Force** - Any physical strike, or contact with an instrument, of a person; any intentional attempted physical strike or instrumental contact that does not take effect; or any significant physical contact that restricts the movement of a person. The term includes: aiming of a firearm, discharge of a firearm, use of OC spray, use of impact weapons, use of an electronic control device (ECD), taking a subject to the ground, and any physical contact that includes control techniques. The term does not include escorting or handcuffing a person with minimal or no resistance. Use of force is lawful if it is objectively reasonable under the circumstances to effect an arrest, or protect the officer or other person.
4. **Imminent Danger** - A condition in which an officer reasonably believes that someone is causing or is about to cause physical injury, serious physical injury, or death.

5. **Lethal Force** - Any physical force that can reasonably be expected to cause death or serious physical injury. Officers must understand that lethal force is an extreme measure and shall only be used in accordance with the law.
6. **Necessary** - That which is essential, required, inevitable, or inescapable; cannot be avoided.
7. **Less Lethal Force** – Any use of force not intended to cause, nor likely to cause, death or serious bodily harm.
8. **Police Officer** - A person employed/appointed by the State University of New York, licensed by the State of New York pursuant to [Section §355-1 of the New York State Education Law](#) and [Section §1.2034\(s\) of the New York State Criminal Procedure Law](#).
9. **Probable Cause** - Facts and circumstances within the officer's knowledge and of which he or she has reasonably trustworthy information are sufficient to warrant an individual of reasonable caution to believe an offense has been or is being committed.
10. **Proximate Risk** - Proximate is defined in Black's Law Dictionary as nearest; direct; or next in order. Risk is defined in Black's Law Dictionary as hazard, danger, peril, exposure to loss, injury, disadvantage or destruction and comprises all elements of danger.
11. **Reasonable Belief** - The facts or circumstances the officer knows or should know are such as to cause an ordinary and prudent person to act or think in a similar way under similar circumstances.
12. **Serious Physical Injury** - Injury that causes death or creates a substantial risk of death, permanent harm to health, disfigurement, permanent loss of functions by any organ in the body, or results in treatment at a medical facility. Note: minor treatment such as eye-washing, cleansing, and bandaging; evaluation with no injury discovered; etc., will be evaluated on a case-by-case basis by a supervisor, and absent extenuating circumstances, may not be designated as serious physical injury.
13. **Special Knowledge** - Advance knowledge of any person who possesses special military and/or law enforcement training, training in the martial arts or experience as a professional fighter.
14. **Electronic Control Devices (ECD)** – A handheld device that utilizes propelled wires or direct contact to conduct energy to affect the sensory and motor functions of the nervous system. The Department approved and utilized X26 or X2 is an electronic control device manufactured by Taser International, Inc.

15. **Use of Force Continuum** - The escalating and de-escalating levels through which an officer can obtain compliance. The levels of force range from the officer's mere presence to the use of lethal physical force.
16. **Minimum Use of Force** - The least amount of force that will effectively permit an officer to accomplish a lawful objective while still maintaining a high level of safety for themselves and others.
17. **Warning** - Oral notice given by an officer, identifying themselves as a police officer, and of their intention to use force if the subject fails to halt to their threatening action (Not to be confused with a mere failure to halt fleeing).

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|---|--------------------------------|-------------------------------------|
| SUBJECT<br>Use of Force Procedures  |                                | GENERAL ORDER NUMBER<br>1.3.1       |
| DCJS STANDARDS<br>20.1, 20.4, 20.6, 20.7, 21.2  |                                | EFFECTIVE DATE<br>November 20, 2015 |
| REVIEWED DATE<br>December 20, 2015  | APPLIES TO:<br>Sworn Personnel | REVISION DATE<br>January 5, 2016    |
| APPROVAL<br>J. Frank Wiley., Chief of Police<br> |                                |                                     |

## Purpose

The purpose of this Order is to establish policies and procedures for the using of force.

## Policy

It is the policy of the University Police Department at Albany to accomplish our mission as efficiently as possible, with highest regard for the human dignity of all persons and with minimal reliance upon the use of physical force. The use of physical force, which includes personal strength, non-lethal weapons and lethal force shall be restricted to circumstances authorized by law and to the degree minimally necessary to accomplish a lawful police task. This Department will not tolerate excessive force.

## Procedure

### Use of Less Lethal Force

1. A sworn police officer of the University at Albany Police Department is authorized to use reasonable less lethal force to overcome unlawful physical resistance when necessary. These situations include but are not limited to:
  - a. To effect a lawful arrest
  - b. To control a person or enact protective custody

- c. To prevent escape or recapture an escapee
  - d. To restrain or apprehend a person attempting to cause self-inflicted harm
  - e. To disperse an unlawful assembly
  - f. To suppress a riot or breach of peace
  - g. To defend oneself, or another, from physical aggression
  - h. To overcome an impediment when responding to an emergency (e.g. persons obstructing police from responding to a need for assistance)
2. The primary purpose of less lethal weapons is to provide officers with an advantage when defending against or apprehending a suspect. Officers should not rely on these weapons and techniques to protect themselves from an imminent threat of serious bodily injury, death, or to overcome armed resistance. They are not intended for such use.

Only the amount of force reasonably necessary to effect an arrest or control a person shall be used.

### Use of Lethal Force

- 1. A sworn police officer of the University at Albany Police Department is authorized to, and may use lethal force only when the officer reasonably believes that the action is in defense of human life, including the officer's own life, or in defense of any person in imminent danger of serious physical injury. This may include effecting the capture or preventing the escape of a subject whose freedom represents an imminent danger of death or serious physical injury.
- 2. Whenever feasible, prior to the use of a firearm, police officers shall identify themselves and state their intent to shoot.
- 3. A sworn police officer of the University at Albany Police Department is authorized to use lethal force to dispatch dangerous animals that pose an imminent danger of serious physical injury or death to the officer or others. A seriously wounded, sick or injured animal, whenever practicable, will be handled by Albany or Guilderland Animal Control in accordance with their policies.

### Use of Lethal Weapons

- 1. Prematurely or unnecessarily drawing or displaying a firearm may limit an officer's alternatives in controlling a situation and creates unnecessary anxiety for citizens.

2. An officer's decision to draw or exhibit a firearm should be based on the tactical situation and the officer's reasonable belief there is substantial, proximate risk that the situation may escalate to the point where lethal force may be justified.
3. When an officer has determined the threat no longer exists, the officer shall secure or holster the firearm as soon as practical.
4. Examples which an officer may be justified in drawing their weapon include but are not limited to:
  - a. A situation involving an active shooter
  - b. A situation involving a suspect armed with an implement or object capable of causing serious bodily injury or death, and whose actions are threatening (e.g. an axe, edged weapon, bat, board, pipe, club, etc.).
  - c. A suspect with a gun or reported to have a gun.
  - d. Another officer verbalizing "GUN!"
  - e. Contact with a suspect considered to be armed and dangerous.
  - f. Executing a warrant where the nature of the incident poses an increased risk of serious physical injury to the officer. (e.g. building search with circumstances which lead the officer to believe a burglary has taken place, a high risk traffic stop, etc.).

### Use of Force Prohibitions

1. The use of any force, up to and including lethal force, not reasonably necessary is expressly forbidden. Officers shall not unreasonably endanger themselves, or the public, in application of this policy.
2. Except for maintenance, end of shift storage or during training, police officers shall not draw or display their firearm unless circumstances create reasonable cause to believe it may be necessary to use the weapon in congruence with this policy.
3. The use of chokeholds or neck restraints is prohibited.
4. No person taken into custody will be transported in a face down, prone position due to the risk of positional asphyxia.
5. The use of any restraints, techniques or instruments (as weapons) for which training has not been provided (e.g. flashlights or keys) are not authorized for use by members of this agency. Officers are only authorized to carry weapons sanctioned

by the department and listed in General Order 1.3.2 Requirements, Uses and Considerations.

6. This language shall not be construed as preventing an officer from utilizing any force, tool or technique reasonably necessary to protect themselves, or a third party, from serious bodily injury or death when the use of such tool for force is the officer's option of last resort. The use of any unconventional tool or technique must be reasonably justifiable as an option of last resort and the level of force consistent with other requirements imposed by this policy.
  - a. For example, a flashlight is not an authorized defensive weapon and any use of a flashlight as a weapon is outside of department policy and authorization. However, an officer facing a use of force situation where the only tool they may have at their ready disposal they would be forced to use such tool in a manner for which it was not intended. Depending on the totality of the circumstances, such use may be justified.
  - b. Similarly, chokeholds, neck restraints and other similar techniques are documented to have caused unintended death and serious unintended bodily injury when used by police officers. Their use is prohibited by this policy. However, an officer facing a lethal force situation where such a technique is an option of last resort may be justified in utilizing a chokehold, or any other technique or tool necessary to prevent the situation from continuing. With any choke or strangulation hold, the situation would have to be one which reasonably called for the use of lethal force by the officer.
7. **Suspicion and Flight** – An officer may not use lethal force:
  - a. Upon mere suspicion that a crime has been committed.
  - b. Upon mere suspicion that a threat exists or that a suspect may be armed.
  - c. Merely because a suspect is fleeing from an officer.
  - d. When effecting the capture, or preventing the escape, of a subject whose freedom does not represent an imminent threat of death or serious physical injury.
8. **Risk to Innocent Persons** – When employing lethal force, the officer shall not endanger innocent persons if it can reasonably be avoided.
9. **Crimes** – An officer may not use lethal force to apprehend or subdue persons whose illegal actions are not a threat to human life or do not constitute an imminent danger of serious physical injury or death to another.
10. **Self-Inflicted Harm Situations** – An officer may not use lethal force to apprehend or subdue persons whose actions are only injurious to themselves.

11. The use of firearms is prohibited in the following circumstances:
  - a. Warning shots pose a danger to officers and other persons and are therefore prohibited.
  - b. Firing at or from a moving vehicle is prohibited, unless exigent circumstances exist.
  - c. Officers not having a clear target identification and field of fire are prohibited from firing.

### Use of Force in Hostage Situations

1. It is this department's policy to preserve the life of the hostage, citizens and law enforcement personnel and to safely apprehend the hostage taker or barricaded person. In the event of a hostage or barricaded subject situation, the University at Albany Police Department will call upon The Albany Police Department, The New York State Police or any other agency deemed necessary to provide tactical assistance and hostage negotiations. These agencies will operate in accordance with the Incident Command System. Officers will attempt to avoid confrontations in favor of controlling and containing the situation until the arrival of trained tactical and hostage negotiation personnel.
2. In exceptional circumstances, such as in life-threatening Active Shooter situations, where the hostage situation is dynamic and an officer must make an immediate use of force decision outside of any planned response, the following policy stands:
  - a. Any use of force against the hostage taker must be in the immediate defense of human life or to prevent serious physical injury. This means that the officer has the option of using lethal force against the hostage taker only in cases where the dangers associated with this use of force are outweighed by the actions of the hostage taker relative to the safety of the hostage or other persons.

### Injury/Medical Aid Procedures in Use of Force Situations

1. Where a person has been injured, the officer's immediate duty, once the threat has ceased, is to ensure that emergency medical care is provided to all injured persons. Priority shall go to the person with the most apparently severe injury, or as dictated by emergency medical triage procedures.
  - a. Officers will request Five-Quad Ambulance to respond.
  - b. If Five-Quad Ambulance is unavailable, Albany Fire Department or Western Turnpike EMS will be requested.

- c. If transport to a medical facility is required, officers will follow the procedures set forth in the department's Operations Manual.
- d. The shift supervisor shall be notified of all injuries incurred as a direct or indirect result of the use of force.

### Duty to Intervene

1. Officers have a duty to protect individuals from constitutional violations, which includes acts committed by another law enforcement officer. Any officer present at a force incident that realizes the excessive nature of any police use of force has a duty to intervene through verbal caution and/or physical restraint. In all circumstances, Officers shall promptly report these observations to a supervisor.

### Legal Disclaimer

This policy is for departmental use only and violations of this policy will form the basis for departmental administrative sanctions only. This policy is not meant to supplant or replace those legal standards that may be applicable in third party judicial proceedings nor should it be construed as a creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Nothing in this policy is intended to create nor does it create an enforceable legal right or private right of action.

|   |                                |                                     |
|---|--------------------------------|-------------------------------------|
| SUBJECT<br><br>Authorized Use of Force<br>Tools: Requirements, Uses<br>and Considerations   |                                | GENERAL ORDER<br>NUMBER<br>1.3.2    |
| DCJS STANDARDS<br>20.7, 21.2  |                                | EFFECTIVE DATE<br>November 20, 2015 |
| REVIEWED DATE<br>December 20, 2015  | APPLIES TO:<br>Sworn Personnel | REVISION DATE<br>January 5, 2016    |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                                |                                     |

## Purpose

The purpose of this Order is to establish policies and procedures related to the requirements, uses and considerations pertaining to all Authorized Use of Force Tools available to sworn department members.

## Policy

It is the University at Albany Police Department’s policy that its police officers demonstrate proficiency and knowledge with all Authorized Use of Force Tools which includes: achieving minimum qualification scores in a prescribed course, obtaining and demonstrating knowledge of the laws concerning the use of weapons, attaining knowledge and compliance with Use of Force policies, demonstrating knowledge of the theory of escalation and de-escalation of force and be familiar with, and practicing, safe handling procedures in the management and use of weapons.

University at Albany Police Officers can possess, carry and use firearms in the course of their duties under the authority of [New York Penal Law, § 265.20-1\(b\)](#) and [New York Criminal Procedure Law, § 1.20-34\(s\)](#). Officers will comply with all applicable Federal, State and local laws and ordinances governing the possession and use of personally owned firearms.

## Procedure

1. At least bi-annually, each employee authorized to carry weapons is required to:
  - a. Receive in-service training on the department’s Use of Force Policies.

- b. Demonstrate proficiency with each approved weapon.
- c. All employees authorized to carry weapons will be issued copies of, and be instructed in, the department's Use of Force policies before being authorized to carry a weapon.
  - i. The issuance and instruction of the order shall be recorded.
  - ii. The weapon(s) proficiency training must be monitored by a certified weapons instructor.
  - iii. The training and weapons proficiency must be documented.
  - iv. The agency will provide remedial training for those employees unable to qualify with an authorized weapon prior to resuming official duties and/or the carrying of such weapons.

## Authorized Force Tools

### 1. Presence and Verbal Communication

#### a. Requirements

- i. Officers will receive initial training in verbal communication during the Basic Academy for Police Officers. Each member will attend regular in-service training on verbal communication.

#### b. Uses

- i. Officers will, to the extent reasonably possible, attempt to use presence and verbal communication to gain subject compliance before resorting to physical control methods.

### 2. Mechanical Restraints

#### a. Requirements

- i. Entry level training is received at the Basic Academy for Police Officers.
- ii. Four (4) hours of Defensive Tactics training annually for all department Uniformed staff and Investigators. Must demonstrate proficiency with each tactic/tool they are authorized to use.
- iii. Training shall be conducted by a certified Defensive Tactics instructor.

- b. Inspection Requirement: Handcuffs will be maintained in clean and working order

c. Approved Use

- i. This tool will be used only in accordance with this policy and department training.
- ii. In an attempt to minimize the risk of injury to officers and others during arrest situations, officers will handcuff all persons arrested as soon as practical.
- iii. During investigative detentions (“Terry Stops”) where one or more of the following factors are present:
  - 1. Articulate facts that the subject is physically uncooperative
  - 2. Articulate facts that a subject’s actions at the scene may present physical danger to themselves or others if not restrained
  - 3. Reasonable possibility of flight based upon the subject’s actions
  - 4. Information that the subject is currently armed
  - 5. The stop closely follows a violent crime and the subject matches specific descriptors of the suspect
  - 6. When there are articulable facts that a violent crime is about to occur
  - 7. Care and discretion should be used at extremes of age in handcuffing an individual during an investigative detention
  - 8. The authority to handcuff during investigatory stops continues for only as long as the circumstances above exist
  - 9. Suicidal persons
  - 10. During service of a search warrant
  - 11. Persons being transported to detoxification facilities
  - 12. Whenever transporting subjects in-custody

d. Disapproved Use

- i. If medical circumstances make it unreasonable to handcuff an arrestee, the officer will refrain from handcuffing.

- ii. When responding to assist another agency or security officer where a subject has already been placed in handcuffs prior to arriving at the scene, officers shall not place University at Albany Police Department handcuffs on the subject until they have reasonable suspicion or probable cause based on their independent investigation and/or findings.
  - e. Tactical Considerations
    - i. Officers will check handcuffs for tightness and double lock as soon as it is safe to do so prior to transport.
    - ii. When a handcuffed subject first complains that the handcuffs are too tight or hurting the subject, the officer having custody of the handcuffed subject will, as soon as reasonably possible, check the handcuffs for tightness. If they are too tight (as per training), they will be loosened and double locked.
  - f. Additional Considerations
    - i. Summon medical attention on any incident where a subject is, or complains of injury, due to use of handcuffs or any other restraint device.
    - g. Reporting – Any incident where a subject is injured, or complains of injury, shall be documented in the Use of Force Report.
- 3. Personal Weapons/Defensive Tactics Techniques
  - a. Requirements
    - i. Entry level training is received at the Basic Academy for Police Officers.
    - ii. Four (4) hours of Defensive Tactics training shall be received annually for all uniformed personnel and Investigators at which time each must show proficiency with each tactic and tool they are authorized to use.
    - iii. Training will be conducted by a certified Defensive Tactics instructor.
  - b. Uses
    - i. Soft Empty Hand Control
      - 1. These techniques include physical restraints such as arm bars, low level take-downs, pressure points and other body holds designed to gain compliance with low risk of injury.
    - ii. Hard Empty Hand Control

1. These techniques include strikes, kicks and punches that are designed to gain compliance with an aggressive subject and is likely to result in physical injury.
- c. Tactical considerations
    - i. Officer disadvantages and levels of resistance will dictate what personal weapons are reasonable and justified in each situation.
    - ii. The principle of de-escalation applies in these situations. Officers should be prepared to escalate and de-escalate the various forms of defensive tactics and the use of personal weapons based on the threat posed by the subject and level of compliance gained.
  - d. Medical attention
    - i. As soon as practicable, summon medical attention following the use of defensive tactics, or personal weapons, where a subject is injured or complains of injury.
  - e. Reporting
    - i. Any incident where defensive tactics or personal weapons are used, a Use of Force Report must be completed.
4. Oleoresin Capsicum Spray (OC)
    - a. Requirements
      - i. Entry level training is conducted at the Basic Academy for Police Officers.
      - ii. Four (4) hours of Defensive Tactics in-service training shall be received annually for all uniformed personnel and Investigators. Must demonstrate proficiency with each tactic/tool they are authorized to use. The proper use, considerations and decontamination procedure for OC spray will be covered during this training.
      - iii. OC portion of training will be conducted by a certified OC instructor.
    - b. Uses
      - i. OC spray is an organically based, less lethal aerosol derived from a powerful inflammatory agent that occurs naturally in cayenne peppers. OC spray causes mucous membranes to swell thus producing an immediate closing of the eyes, gagging and gasping, uncontrollable coughing and an intense burning sensation of the skin. The resulting loss of intended thought process, coordination and upper body motor control should produce a

compliant subject greatly reducing any further aggressive behavior. A subject may then be restrained or controlled with minimal physical contact.

- ii. The spray canister produces a stream shaped spray which may be used to incapacitate a person up to twelve (12) feet away. The recommended minimum distance for employing OC spray is 3 feet. The spray should be directed at the subject's face with a one (1) second burst. Members shall use only the amount of OC necessary to control the situation.
  - iii. Members must consider factors such as wind, weather, building ventilation and the possibility of contamination of other members, or self, prior to using OC spray. Members shall exercise due care to avoid contamination of unintended persons.
  - iv. Only OC devices approved and issued by this department will be carried while on duty. It shall be the individual members responsibility to keep the OC device safe and under control.
  - v. OC spray shall not be used for the purposes of punishment.
  - vi. Whenever possible, a verbal warning should be issued prior to the use of OC on a subject. Members shall indicate in the Use of Force Report whether a verbal warning was issued. When OC is used without a verbal warning, the report must detail the exigent circumstances surrounding the use of OC without a warning being issued.
- c. De-contamination
- i. Once a subject has become compliant, members will as soon as reasonably possible, flush the affected subject's eyes and contaminated areas with cool water.
- d. Medical Attention
- i. As soon as practical, summon medical attention following the use of OC spray where any subject who has been exposed to OC, and takes longer than forty-five (45) minutes to recover or exhibits signs of severe distress not normally associated with OC exposure or a subject requests medical treatment.
- e. Reporting
- i. Any incident where OC spray is displayed or used, a Use of Force Report must be completed. A copy of the following forms must be retained and included in the case file.

1. Any subject exposed to OC spray must be provided with the “Department OC Administrative Warning”. This form can be located electronically on the University Police Department’s V Drive in the “Forms” folder.
5. Electronic Control Device (ECD)
- a. Introduction
    - i. Use of Force in law enforcement encompasses a broad spectrum of options ranging from officer presence to the employment of lethal force. As a law enforcement professional, it is incumbent upon the officer to employ the minimum level of force necessary to gain compliance. Our Community Policing philosophy is that verbal communication skills are always preferable to the use of force as a means of altering behavior. Therefore, the availability of a Taser ECD does not change, nor lessen an officer’s obligation to initially utilize verbal skills whenever practical and safe. It is this principle, officer’s training and use of judgement relevant to the fact of the situation, which guide any lawful and justified use of the Taser ECD. Where verbal skills have proven futile or impractical when encountering an aggressive subject, the Taser ECD represents an effective tool for employing force to gain compliance while greatly reducing the chance of injury to both the officer and the subject when used in accordance with use of force justification defined in the New York State Penal Law; Article 35, Defense of Justification.
  - b. Requirements
    - i. All members who carry a Taser ECD must first successfully complete a four (4) hour Taser Use Course which includes practical testing.
    - ii. All members will attend an annual refresher course to maintain their user certification and proficiency.
  - c. Definitions
    - i. Less Lethal Philosophy: A concept of planning and force application which meets operational objectives with less potential of causing death or serious physical injury as compared to conventional projectiles.
    - ii. Electronic Control Device (ECD): The Advanced Taser is a conducted energy weapon; an electronic control device. It is a defense weapon listed in the force continuum at the level of Hard Intermediate Weapon Control. The Taser ECD functions in the following two ways:
      1. Its uses compressed nitrogen to project two probes a maximum of ninety (90) feet. An electrical signal is then sent via small wires, through

the probes, which disrupt the body's ability to communicate messages from the brain to the muscles which causes neuro-muscular incapacitation (NMI).

2. May be utilized as a touch stun system when brought into immediate contact with a person's body.

d. Issuance

- i. Officers assigned to Zone coverage, as well as detail and traffic units if a Taser ECD is available, will carry a Taser during their shift. A shift supervisor may assign additional Taser ECD to additional officers during special events. It is encouraged that officers be issued a Taser ECD when available and appropriate to the assigned detail.
- ii. The department has the ability to utilize an XP cartridge during colder months where heavier clothing may reduce the effectiveness of the regular cartridge. The officer will load the cartridge designated by the department as the primary cartridge onto the TASER ECD at the start of their shift. The does not prevent the officer from using either type of cartridge as a secondary cartridge if needed.
- iii. The Taser ECD will be signed out at the beginning of each shift and the dispatcher will be made aware of which officers are carrying a Taser ECD.
- iv. Department personnel shall only carry and utilize the Taser ECDs issued by this department. Member will only use the cartridges issued by this department. A record of the cartridge serial numbers provided with each Taser ECD will be maintained electronically by appropriate department personnel.
- v. At the start of each shift, an officer who is assigned a Taser ECD will visually inspect the weapon for damage, check to ensure the battery strength is at least twenty percent (20%), remove the cartridge and perform a spark test as demonstrated during Taser ECD training. The officer will also ensure that cartridges assigned to that Taser ECD are in fact the cartridges being utilized.
- vi. If any of the above conditions are present, the officer will immediately notify the on duty supervisor and the weapon will be taken out of service until the condition is corrected.

e. Uses

- i. The decision to use the Taser ECD is based upon the same criteria an officer uses when selecting any less lethal force. The officer must be aware that there is a foreseeable risk of physical injury when using the Taser ECD and

weigh the severity of the crime, the level of physical resistance encountered and the threat to the safety of the officer, or others, when making the decision to use the Taser ECD. The use of the Taser ECD must be reasonable and necessary.

- ii. The Taser ECD is programmed to deliver a five (5) second electrical current per trigger activation. The operator has the ability to shorten, or extend, the time as deemed necessary. Each activation must be independently justified.
  - iii. When using the Taser ECD, the officer will select the mode of use based upon the level of force justified and its availability, considerations and the effectiveness of modes. The officer should remain aware that probe deployment increases the likelihood of injury to the subject.
  - iv. The Taser ECD is not to be used as a form of punishment.
- f. Considerations
- i. Begin control and restraint procedures as soon as reasonably safe and practical to do so in order to minimize total Taser ECD exposure. The Taser ECD user, and those individuals assisting the user, should avoid touching the probes, wires and the area between the probes to avoid accidental or unintended shock during Taser ECD electrical discharge.
  - ii. When possible, avoid intentionally targeting the Taser ECD on sensitive areas of the body such as the head, throat, chest/breast or known pre-existing injury locations without legal justification. The preferred target areas are the lower center mass (below chest) for front shots and below the neck area for back shots.
  - iii. The Taser ECD has the ability to ignite flammable liquids. It should not be deployed against subjects who are known, or suspected, to have come in contact with flammable or have been in an environment where flammables were present. Officers shall be aware that although the OC spray utilized by the University at Albany Police Department is listed as non-flammable, tests have shown OC sprays to potentially ignite when combined with the deployment of a Taser ECD. When practical, an officer should not deploy a Taser ECD when OC has already been utilized.
  - iv. Proper consideration and care should be taken when deploying the Taser ECD on subjects who are in an elevated position or near/in water. The risk of injury or death from a fall, or the risk of drowning must be considered in order to justify the use of Taser ECD.
  - v. Officers must be aware that there is increased risk of serious injury or death for certain populations. The Taser ECD shall not be used on a pregnant,

infirm, elderly, small child, or low body-mass index (BMI) person unless the situation justifies the higher risk or death or serious injury to the subject.

- vi. The Taser ECD is not meant to replace a firearm in a lethal force situation. The Taser ECD should not be used without a firearm back-up in those situations where there is a substantial threat toward the officer(s) or others present.
- g. Duties After Deployment
  - i. When deemed safe to do so, the probes should be removed by the officer unless located in a sensitive area such as the face, ears, eyes, neck, groin or breast.
  - ii. Officers should inspect the probes after removal to ensure that the entire probe and probe barb has been removed. In the event that a probe or probe barb has broken off and is still embedded in the subject's skin, the subject shall be provided appropriate medical attention.
  - iii. Probes that have been removed from the skin will be treated as a biohazard and placed in a sharps container.
- h. Medical Attention
  - i. EMS shall be dispatched to evaluate a patient after the use of a Taser ECD. In all cases, officers will recommend that the patient be evaluated at the hospital. Any refusals to go to the hospital shall be noted in the incident report and by EMS personnel.
  - ii. Officers should read the "Taser Aftercare Report" and document that it has been read to the subject. This form can be located electronically on the University Police Department's V Drive in the "Forms" folder.
- i. Reporting
  - i. Any incident that a Taser ECD was displayed or used, the display or use shall be documented in a Use of Force Report.
  - ii. A copy of the Taser Aftercare Report must be retained and included in the case file.
  - iii. Officer will attempt to collect some of the yellow, pink and clear "AFID ID Tags" (Anti-Felon Identification Tags) dispersed at the time of the cartridge firing. These will be collected and placed into evidence.
  - iv. A use history will be run on each Taser ECD annually, or after each use. The use history will be maintained for three (3) years.

## 6. Expandable Baton

### a. Requirements

- i. Entry level training is taught at the Basic Police Officers Academy.
- ii. Four hours of Defensive Tactics training per year for all Uniform staff and Investigators and demonstrate proficiency with each tactic/tool they are authorized to use. The proper use, considerations, and decontamination procedure of the use of an Expandable Baton will be covered during this in service training.
- iii. A certified Expandable Baton Instructor shall teach this portion of the training.

### b. Use

- i. The Officer must be aware that there is a foreseeable risk of physical injury when using an Expandable Baton, and weigh the severity of the crime, the level of physical resistance encountered, and the threat to the safety of the Officers or others when making the decision to use this weapon. In any event, the use of the Expandable Baton must be reasonable and necessary.
- ii. Only those officers specifically trained in its use shall be authorized to use the expandable baton. All personnel must adhere to the philosophy that the baton is to be used for defensive and control purposes only; to ward off attacks on the officer and only in situations where the use of the baton is justified and authorized.
- iii. The expandable baton is generally used against an aggressive, unarmed suspect when lesser levels of control have already failed or been determined by the officer to be inadequate.
- iv. Batons shall not be thrown.
- v. Officers are only authorized to carry the department issued Expandable Baton. Any modifications to the issued baton must be approved by a department Expandable Baton instructor.

### c. Considerations

- i. When properly used, the expandable baton is capable of delivering extremely powerful blows to stun and incapacitate an aggressive opponent. It is also capable of delivering lethal or permanently disabling blows. Blows to the head, throat, side of the neck, spinal column, sternum or groin must be avoided whenever possible. Intentional targeting of these areas may be considered lethal force.

- d. Medical Attention
    - i. As soon as practical, summon medical attention following the use of an Expandable Baton where a subject is injured or complains of injury.
  - e. Reporting
    - i. Any incident where an Expandable Baton is displayed or used, that display or use must be documented in a Use of Force Report.
7. Patrol Deployment of Canine
- a. Requirements
    - i. Entry level training is typically conducted either through a DCJS approved 360 hr. K9 Basic Patrol School or otherwise. Once trained, the canine team (handler and dog) must participate in an evaluation of team performance and meet the basic criteria for team certification.
    - ii. The team must recertify every three (3) years.
  - b. Team must also complete a minimum of 96 hours annually of maintenance training under an approved trainer or maintenance trainer.
  - c. Use
    - i. Any use of a patrol trained police canine must be done in accordance with NYS law and departmental policy.
    - ii. Once deployed, the K9 will, either by visual identification, or by olfactory detection/location, bite and hold a subject until either lifted off or verbally commanded to release.
    - iii. The K9 officer must be aware that there is a foreseeable risk of physical injury when deploying a patrol trained police canine in a bite scenario and weigh the severity of the crime, the level of physical resistance encountered and the threat to the safety of the officer or others when making the decision to deploy the canine.
    - iv. Only those officers assigned as part of a K9/handler team may deploy a police canine and only that canine that they are certified with.
    - v. The patrol K9 is typically only used to apprehend a suspect who is considered potentially violent, a threat to others and/or has committed a felony and are fleeing police pursuit.
  - d. Considerations

- i. Handler Protection
  1. When deciding to use the patrol trained police canine in a handler protection scenario, the K9 officer must consider the degree to which the attacker poses a threat of physical injury, serious physical injury or death to the officer involved.
- ii. Building/Area Search
  1. When deciding to use the patrol trained police canine in a building search scenario, the K9 officer should take into account the seriousness of the crime in question and the degree to which the suspect poses a threat to officers and the public.
  2. Law Enforcement should attempt to ascertain that all persons normally working in or inhabiting a building are outside of said building and that all others within are there unlawfully.
  3. If the decision to utilize the K9 for a building search had been made, when practical, a series of three loud verbal warnings to subjects within the premises should be conducted indicating that a police K9 is being deployed and that the dog will find and bite all those within unless there is immediate surrender.
  4. When practical, the officer should repeat these warnings at times throughout the search when it is believed that the subject may not have been within hearing distance (for example when moving from one floor of a building to another).
  5. Officers may also consider the use to a bullhorn or similar amplification devices for these announcements.
- iii. K9 handler must take reasonable steps to ensure that the public is not exposed to unnecessary risk of injury due to a Patrol Deployment of Canine. In all cases, the K9 handler must weigh the necessity of the deployment and the reduced risk of officer injury to that of any foreseeable risk to the public.
- iv. It is also important to remember that although the typical patrol trained police canine is trained to target the arms, legs, abdomen, chest, and back, that the K9 can, and most likely will, apprehend whatever portion of the suspect the presents itself most readily.
- e. Medical Attention
  - i. As soon as practical, summon medical attention following the use of a patrol trained police canine where a subject is injured or claims to be injured.

- ii. Obtain photographs of all injuries after they have been cleaned and before covered.

f. Reporting

- i. Any incident where a Patrol Deployment of a Canine occurs, even in a deterrent capacity, the circumstances must be documented in a Use of Force Report.

8. Firearms

Members shall not carry or use any firearm by which is carried or used by virtue of their status as a NYS University Police Officer while impaired by any substance or medical condition which interferes with the member's judgement or proficiency.

a. Department Issued Duty Weapon

i. Authorized Weapon

1. The Department Issued Duty Weapon is a Glock .40 S & W. Uniformed patrol staff are issued model 22 pistols, Plain Clothes staff are issued model 23 or 27 pistols depending on personal preference, and subject to qualification and Lead Firearms Instructor approval. Modification to the model or weapon issued to an individual member outside of this criteria is subject to the approval of the Chief of Police, or their designee, and the Lead Firearms Instructor.
2. Each sworn member approved by the Chief of Police, or their designee, to carry a Department Issued Duty Weapon will be issued a weapon by the Lead Firearms Instructor and that member will be responsible for the care, routine maintenance and safe guarding of that weapon.
3. The Lead Firearms Instructor will maintain a log of all department owned Duty Weapons that will included Make, Model, Serial number and the date it was issued to a sworn member. Any department owned Duty Weapons that are not assigned to a sworn member will be labeled as unassigned on the log and stored in the caged area of the armory.
4. Only Department Issued Duty Weapons will be carried by sworn members. The carrying of non-Department Issued Weapons on duty is prohibited.

ii. Requirements

1. Members of the department are forbidden to carry firearms on duty unless ALL of the following conditions are met:
  - a. They must have written authorization to carry firearms from the Office of the President of the University. Such authorization is to be obtained through the Chief of Police.
  - b. They must be authorized to possess and bear such firearm by the Chief of Police.
  - c. They must demonstrate proficiency by successfully qualifying with the firearm semi-annually.
2. Each sworn officer will qualify twice each year to maintain their fitness for the job and the safety of the public they serve. Firearms training will be under the direction of a Range Instructor, who will be responsible for deciding who passes or fails the approved course.
3. Every officer must qualify with their issued service weapon. If an officer fails to qualify with their service weapon at the time of qualification, they will be brought back to the range and given a remedial session by the firearms training staff.
4. If the officer should fail to qualify after remedial training, they will be issued a 45 day notice to qualify.
5. During the 45 day period, the officer shall be afforded two (2) remedial training sessions conducted by a member of the firearms training unit.
6. Failure to qualify following the 45 day period results in the officer losing the right to carry their service weapon.
7. If an officer loses the right to carry a weapon by failing to qualify, they will be reassigned to a position where a weapon is not required. In the event no such position exists, they will be suspended until such time as he does qualify to be reinstated.
8. If an officer is unable to attend a regularly scheduled firearms training session, that officer's right to carry their service weapon will not be suspended. The officer will be brought to the range by a member of the firearms training unit as soon as practical to qualify.
9. If an officer is unable to attend two (2) consecutive firearms training sessions, the officer's right to carry their service weapon will be suspended and the officer must qualify prior to returning to full duty.

10. If an officer is reassigned within the department to a role which would require the carrying of a different model service weapon, the officer will be required to qualify with said weapon prior to receiving authorization to carry the weapon.
11. An officer who fails to qualify subsequent to receiving remedial training will not be authorized to carry a patrol rifle. The officer will be afforded an opportunity to qualify at the next scheduled bi-annual firearms training session.
12. On-duty uniformed members shall carry their issued pistol fully loaded, using only department authorized ammunition, in an approved holster on their strong side. Non-uniformed members shall carry their issued handgun fully loaded as ordered by the Chief of Police.
13. The only authorized ammunition for use by members will be the ammunition issued by the department. No modification of ammunition or duty handgun may be made without prior written approval from the Chief of Police or their designee.

iii. Safe guarding Duty Weapons

1. Each sworn member will be accountable for the proper storage of their assigned Duty Weapon at all times. Weapons will be secured in the member's assigned gun locker at all times unless the member is on duty or the weapon is signed out per the following section. Weapons will be stored fully loaded in the member's assigned gun locker.
  - a. Firearms Sign out Procedure
    - i. Assigned Duty Weapons may be signed out for the purposes of off duty practice by members in good standing who are currently authorized to carry firearms on duty, a member currently authorized to carry a firearm while attending a training lasting more than one day and when storage in the Department Armory isn't practical
    - ii. Members who meet the above criteria may sign out their issued firearm by completing the Department Firearms Sign-Out Log (see Annex B).
    - iii. The member will have their police identification and badge on their person at all times when they are off duty and in possession of their department issued firearm.

- iv. When possessing a department issued firearm off duty, the member is wholly responsible and liable for the safe storage, care and use of the firearm. The member will be held financially responsible and liable for any and all damage to, or loss of the firearm, that is found to be attributable to the member's negligence.
- v. Any damage to or loss of a department firearm will be immediately reported to the on duty shift supervisor or member of Command Staff and documented in an appropriate RMS report as directed by the supervisor or Commander.
- vi. Weapon shall be transported in a holster or a case.
- vii. Any department firearm temporarily stored at a sworn and qualified member's residence, or training location, will be secured in such a way to prevent unauthorized access to the weapon.
- viii. Upon returning the issued firearm to the armory, the member will sign their handgun back in on the Firearms Sign-Out Log.
- ix. This policy may be suspended as appropriate or necessary (e.g., firearms inventory control audit). Sufficient notice shall be given to affected members temporarily suspending this policy.
- x. This authorization is a privilege extended to the sworn and qualified members of this department and can be revoked.
- xi. All sworn and qualified members of this department are encouraged to maintain a high level of proficiency with their issued firearm. As such, it shall be the policy of this department to allow off duty members to sign out their issued firearm to practice at an approved range.
- xii. Weapons signed out for the purpose of practice may be used only at a facility or property that provides for the safe lawful discharge of a firearm.
- xiii. The use of remanufactured (reloaded) ammunition in department owned firearms is prohibited. Members are responsible for supplying their own ammo for practice and that ammunition must be approved by the lead firearms instructor.

- xiv. Only sworn and qualified members of the department are authorized to handle and/or fire department firearms.
- iv. Weapon Malfunction and/or Damage
  - 1. In the event of a firearm malfunctioning or needing repair, it shall be immediately reported to the department armorer, if on duty. If an armorer is not available, the shift supervisor shall be notified.
  - 2. Upon receiving notification of a firearm in need of repair, a department armorer shall:
    - a. Tag and clearly mark the weapon "NOT SAFE FOR FIRE"
    - b. Be responsible for having the weapon repaired
    - c. Return the repaired weapon to the member
    - d. Maintain a concise and accurate record of all repairs made on any department weapon
  - 3. Upon receiving a report of a firearm in need of repair a shift supervisor shall:
    - a. Tag and clearly mark the weapon "NOT SAFE FOR FIRE" and secure the weapon in the member's assigned firearms locker
    - b. As soon as reasonably possible, notify a department armorer of the need for repair.
- v. Uses
  - 1. It is the policy of this department that a member may "SHOOT TO LIVE" in that a firearm may be discharged at a person only when the member reasonably believes that it is necessary to save his life or the life of another.
  - 2. In considering the use of a firearm, members must understand that the member alone is responsible for their acts and may be required to justify their acts in a court of law. Members are never required to retreat in lieu of justifiable use of force. Nonetheless, lethal physical force must never be used if a less drastic means can be used without unreasonably endangering themselves or another.
  - 3. Negligence, carelessness or any violation of law or University policy governing the use or incidence of firearms on campus shall be grounds for administrative and/or disciplinary action.

4. Members shall only discharge their firearm in what the officer reasonably believes to be the defense of self or others from lethal force. A weapon should physical force to officers or others, in affecting an arrest or preventing an escape from custody and only to the extent permitted by §35.30.1 and 2 of the NYS Penal Law, and the United States Supreme Court's decision on Tennessee. v. Garner. Any display of a weapon shall be reasonable under the circumstances and justifiable in terms of officer safety and the safety of others.
5. Upon drawing their firearm, members will maintain their finger off the trigger and OUTSIDE of the trigger guard, except when they have made the decision to fire AND the firing is actually in progress. Situations in which the trigger finger should remain outside of the trigger guard may include, but are not limited to: scanning or searching an area, moving with a drawn weapon or covering a suspect or suspects.
6. Situations in which members, with weapons drawn, come within "contact distance" (approximately 4-5 feet) of suspects involve an unusually high risk of both weapon take-away and unintentional discharge. Accordingly, every effort should be made to avoid such situations. Whenever possible, a back-up officer should be utilized to cover the suspect from a safe distance and angle so that the member may approach within contact distance to handcuff or search with their weapon safely holstered.
7. Officers are authorized in using firearms and other weapons to destroy an animal for self-defense and to prevent substantial harm to the officer or another. Officers may also destroy severely injured/sick animals after being authorized by the shift supervisor. In any case where an officer uses a weapon to destroy an animal it shall be done in a manner so as not to endanger other officers or citizens.
8. Except as provided for above, members will draw their firearms only for cleaning, inspection by a supervisor, Armorer or Firearms Instructor and on an approved range under departmental or other competent supervision.
9. Shooting at, or from, a vehicle shall be avoided except to defend an officer's or citizen's life or as proscribed in Article 35 of the NYS Penal Law. Officers should note that a motor vehicle presents a formidable shield against most firearms and weapons and if the officer disables the operator, the vehicle can be expected to continue uncontrolled creating a potential hazard to officers and the public.
10. No member shall fire warning shots for any reason.

vi. Considerations

1. Members shall not wear firearms while fingerprinting suspects.
2. Challenge Policy - The standard departmental challenge when a member is engaging a potentially dangerous subject shall be: "POLICE - DON'T MOVE!" The purpose of such challenge shall be to identify the member to the subject, and any other law enforcement personnel, and instruct the subject to cease any and all movement. Any member, and particularly any non-uniformed member, who is subject to challenge by other law enforcement personnel shall immediately cease all movement and declare: "POLICE OFFICER - DON'T SHOOT."
3. When in uniform, whether on or off duty, an officer shall be armed at all times.
4. An officer is not required to carry a firearm when off of his tour of duty and not in uniform.

vii. Medical Attention

1. As soon as practicable, summon medical attention following the use of a Firearm where a subject is injured or complains of injury.

viii. Reporting

1. Members shall, as soon as reasonably possible, notify the shift supervisor of any display of a firearm and shall submit required reports before going off duty. Shift supervisors shall notify the Chief, or their designee, of the display.
2. Supervisors shall, as soon as reasonably possible, report in person or by telephone any voluntary, or involuntary discharge, of a firearm to the Chief of Police, or their designee, except those occurring during authorized training sessions. The shift supervisor or OIC shall immediately institute the procedures outlined in General Order 1.3.4 Officer Involved Shootings and General Order 1.3.3 Use of Force Reporting and Review.
3. The dispatcher shall enter an RMS (Records Management System) report in the computer for all instances involving discharge of firearms noting time of incident, time of notification and circumstances thereof.

b. Department Patrol Rifle

i. Authorized Patrol Rifle

1. The authorized patrol rifle shall be an AR-15 style, .223 caliber semi-automatic carbine or rifle. All patrol rifles shall be loaded and unloaded in a safe manner. Any patrol rifle in the possession of an officer will be secured at all times. When the rifle is in a patrol unit, the operator is responsible for assuring that the weapon is properly secured.
2. Only department issued patrol rifles and ammunition will be used by department members.

ii. Requirements

1. Each officer is required to successfully complete a Basic Patrol Rifle Operator Course approved by the Lead Firearms Instructor before attempting to qualify with a Department Patrol Rifle.
2. An officer who has met the above criteria shall be afforded three (3) opportunities to qualify with said rifle during the bi-annual in service firearms training and qualification. The qualifying course will be prepared by the Lead Firearm Instructor and submitted to the Chief of Police for approval.
3. Only officers that successfully qualify with the Department Patrol Rifle will be authorized to utilize the rifle.
4. If an officer fails to qualify, the officer will receive remedial training during a succeeding firearms training session.
5. An officer may have their approval to carry a rifle withdrawn based on, but not limited to, the following criteria:
6. Failure to qualify and/or
7. Deficiencies in weapon handling and/or
8. Improper deployment of the rifle

iii. Safe Guarding Department Patrol Rifles

1. All Department Patrol Rifles will be stored in the locked rifle cabinet located in the Armory. Any rifle that is removed from the cabinet must be signed out to a qualified member.
2. It is the qualified member's responsibility to make sure the rifle being removed from the cabinet is notated in the log book located in the Communications Area.

3. The member signing out the rifle is responsible for proper storage and safe guarding of that weapon until it is secured back in the cabinet and logged back in the communications log.
  4. When not in use, the rifle must be secured in the member's vehicle by means of electronic rifle lock; the locked compartment made for rifles, or housed in a rifle cased and locked in a non-visible location in the vehicle.
  5. All vehicles containing a Patrol Rifle will be locked at all times when the officer is not in the vehicle with the exception of executing a traffic stop.
  6. Due to security issues, patrol rifles will not be deployed in SUV style vehicles unless there is a locking gun rack installed or a secure, specifically designed rifle storage unit in that vehicle.
- iv. Weapon Malfunction and/or Damage
1. In the event of a Patrol Rifle malfunctioning, needing repair or has been damaged it shall be immediately reported to the shift supervisor and a report created in RMS documenting the condition and circumstances.
  2. Upon receiving a report of a rifle in need of repair, a shift supervisor shall:
    - a. Tag and clearly mark the weapon "NOT SAFE FOR FIRE" and secure the weapon in the rifle cabinet
    - b. Note the status of the rifle on the board in the Supervisors Office and brief the oncoming supervisor of the condition
    - c. As soon as reasonably possible, notify a department armorer of the need for repair
  3. Upon receiving notification of a rifle in need of repair, a department armorer shall:
    - a. Ensure the weapon is clearly marked as "NOT SAFE FOR FIRE" while it remains in the cabinet
    - b. Be responsible for having the weapon repaired
    - c. Inform the on duty supervisor when the rifle is returned to service so it can be assigned as appropriate

- d. Maintain a concise and accurate record of all repairs made on any department weapon
- v. Patrol Rifle Issuance and Inspection
  1. Patrol rifles will be available only to officers who have completed the basic operator training and are qualified to carry the firearm under the preceding section.
  2. Each patrol rifle will be designated by the last digit of its serial number. Officers issued a patrol rifle will report the last digit of the serial number of the rifle to the dispatcher who will record that information in the equipment log and in that shift's "Start of Shift" entry.
  3. The assignment of a patrol rifle will be at the discretion of the shift supervisor on duty. They will assign a rifle to a qualified officer based on their perception of community needs and officer assignments. They will record who is issued a rifle on the Daily Briefing Sheet.
  4. The rifles will be assigned with a loaded magazine and a level 4 ballistic vest containing additional magazines or a magazine pouch containing additional magazines.
  5. Upon being issued a patrol rifle at the start of the shift, each officer shall inspect it to ensure that it is unloaded, clean and in proper working order. An inspection of the patrol rifle shall be conducted by using the following guidelines:
    - a. The patrol rifle will be inspected in the station armory with the magazine removed. The action will be locked open with no ammunition chambered
    - b. The patrol rifle will be checked for cleanliness and proper functioning
    - c. A functions check will be done in the following manner:
      - i. Safety on, bolt locked open
      - ii. Visually and physically inspect to ensure that it is unloaded
      - iii. Point the muzzle in a safe direction
      - iv. Close the bolt on a known empty chamber
      - v. With safety engaged, pull trigger

- vi. Switch safety to “fire” position
  - vii. Pull trigger, hold trigger and cycle the charging handle
  - viii. Let trigger forward, until a slight click is heard
  - ix. Pull trigger a second time and then cycle the charging handle
  - x. Switch safety back to “safe” position
6. If there is a function problem with the patrol rifle or it needs cleaning, the member will take the rifle out of service as outlined above.
  7. After checking the rifle and prior to going into service, the officer will load the rifle to the cruiser ready condition and verify that it is patrol car ready (bolt closed on a known empty chamber, magazine locked into the magazine well and selector set on safe).
  8. When handling the rifle, officers will ensure that the muzzle is always pointed in a safe direction.
  9. At the completion of their shift, officers will hand the rifle off to an officer coming on the shift. If the transfer takes place at the patrol vehicle, the officer coming on shift is responsible for performing a condition check in the presence of the officer they are relieving. Absent that, secure the rifle in the patrol rifle locker located in the armory. The officer will notify the dispatcher on duty that the firearm has been returned.

vi. Uses

1. The purpose of the rifle is to provide officers the maximum tactical advantage by allowing them to accurately deliver justified lethal force across greater distances than would be possible with a handgun.
2. The patrol rifle may be deployed when the tactical situation requires it or when there is reasonable belief that the situation may escalate to the point that the increased capabilities of the patrol rifle will be necessary.
3. The number of rifles deployed during any one incident should be appropriate to the level of threat faced and should be appropriate to the situation.
4. Whenever practical, the patrol rifle will be deployed with the direction of a supervisor.

5. Whenever practical, any officer deploying the patrol rifle will notify the dispatcher of the deployment.
6. No person shall load or unload a rifle outside of the station armory or a training exercise except when police action is required. The patrol rifle will always be pointed in a safe direction when transporting to and from the patrol car, or when loading and unloading.

vii. Patrol Rifle Records and Maintenance

1. The serial number of each department owned rifle will be entered into a log and will be subject to periodic audits.
2. Each rifle will be checked once a month by a patrol rifle instructor or armorer to ensure that the rifle is clean, being properly cared for and functioning properly. A report will be generated each time a patrol rifle is repaired, inspected or cleaned.
3. The aim point of each patrol rifle shall be confirmed once per year by members of the firearms training unit. This includes confirming of the optic and iron sights. The approved confirmation target is the NRA diamond 50 yard zero target. A patrol rifle is considered confirmed when three (3) successive rounds fired from a distance of 50 yards are within the larger diamond. Confirmation targets shall be retained in record for twenty four (24) months.
4. In the event that patrol rifle is stored in a patrol vehicle which is involved in a motor vehicle accident, that rifle shall be taken out of service until members of the firearms training unit confirm the aim point of the rifle.

viii. Medical Attention

1. As soon as practical, summon medical attention following the use of a firearm where a subject is injured or complains of injury.

ix. Reporting

1. Members shall, as soon as reasonably possible, notify the shift supervisor of any deployment of a Patrol Rifle and shall submit required reports before going off duty. Shift supervisors shall notify the Chief, or his designee, of the deployment.
2. Supervisors shall, as soon as reasonably possible, report in person, or by telephone, any voluntary or involuntary discharge of a firearm to the Chief of Police, or their designee, except those occurring

during authorized training sessions. The shift supervisor or OIC shall immediately institute the procedures outlined in General Order 1.3.4 Officer Involved Shootings and General Order 1.3.3 Use of Force Reporting and Review.

3. The dispatcher shall enter an RMS (Records Management System) report in the computer for all instances involving discharge of firearms noting time of incident, time of notification and circumstances thereof.

c. Discharge of a Firearm Resulting in Injury or Death

- i. In the event of a critical firearm discharge by a member resulting in injury to a person, the shift supervisor or OIC shall immediately institute the procedures outlined in General Order 1.3.4 Officer Involved Shootings.

d. Off Duty Weapons

i. General Provisions

1. Under section 265.20(1.b) of the NYS Penal law, sworn members of the department are exempt from certain legal restrictions regarding the ownership and possession of firearms. This department does not encourage, nor discourage, the off-duty purchase, carry or use of personally owned firearms.
2. Members electing to carry firearms off-duty remain solely responsible for their acts and may have to justify those acts in a court of law.
3. Any member obtaining or carrying a pistol by virtue of their status as a Police Officer must comply with this Order

ii. Obtaining Off Duty Weapons

1. After purchasing the weapon an NYSP (New York State Police) C-Form will be filed with the Chief of Police {pursuant to PL section 400 - 12C sub (a)}. This form must also be filed when disposing of a weapon. No handguns will be acquired on a department shield while on Police Officer Probation status. This section does not apply if the member is purchasing the firearm under a NYS Pistol Permit.
2. Forms for making this report are available through the Chief's office and must be filled out and returned within 10 days of any weapon

transaction. There will be no excuses. Violation of this state law is a class A Misdemeanor.

3. Upon leaving employment with the department, a member owning and possessing a handgun(s) under the auspices of a NYSP C-Form must transfer any and all personally owned handguns to their NYS Pistol Permit and submit proof of such transfer to the Chief of Police, or their designee. If the transfer of personally owned handguns possessed under the auspices of a NYSP C-Form is not completed prior to a member's separation from the department, any and all NYSP C-Form handguns must be turned in to the Chief of Police, or their designee, for safe keeping until such time the member transfers the handguns to their NYS Pistol Permit and proof of such transfer is submitted to the Chief of Police, or their designee. The department is not responsible for the care or maintenance of any current or former member's NYSP C-Form pistols. The same provision shall also apply in the event a member is disciplinarily suspended.

iii. Requirements

1. All weapons carried by any department member must be possessed, carried and utilized in a manner consistent with law, regulation and policy.
2. Members are authorized under this policy to carry any handgun manufactured by a federally authorized firearms manufacturer designed to fire no less than .32 and no greater than .45 caliber ammunition.
3. Members who carry a weapon while off-duty must utilize a holster that is safe, secure and concealable.
4. Members who carry a weapon while off-duty must have their badge and identification card in their possession.
5. Remanufactured (reloaded) ammunition may not be used during qualification or during normal off-duty carry.
6. Any member displaying or discharging an off duty weapon possessed or carried under this Order, outside of training purposes, shall notify the on duty Supervisor as soon as practicable. If an on duty supervisor is not available, a Commander must be notified. A report will be filed upon that member's return to duty as instructed by the supervisor/Commander.

## iv. Qualifications

1. Officers shall qualify annually with any off duty handguns that are on "C" Forms. Officers are also encouraged to qualify annually with any handguns carried off duty that are on their pistol permits.
2. No member may carry, under their status as a police officer, a firearm while off duty unless they have successfully qualified with that weapon during the most recent calendar year.
3. Members who intend to qualify with an off-duty carry weapon during a range qualification session must notify the chief firearms instructor no less than two weeks prior to the range qualification session. Included in the notification must be the make, model, caliber and serial number of the handgun.
4. Members may qualify with up to three handguns during a range qualification session. The handguns must be owned by the member and the member must provide the ammunition necessary for the qualification.
5. Prior to qualification with a handgun intended to be used for off-duty carry, the weapon must be inspected by a department firearms instructor to ensure that it is free from any obvious defect or safety concern and that it appears to have been maintained according to the manufacture's recommendations.
6. Department armorers or firearms instructors are not authorized to repair or modify privately owned firearms.
7. The course of fire used for qualification on off-duty carry handguns will be the same for all members during a given round of range qualifications and must be approved by both the Chief of Police and the Lead Firearms Instructor prior to implementation as a qualifying course of fire.
8. Should a member who has successfully qualified with a personal weapon under this policy no longer have access to any weapon that they qualified with under this policy (through damage, sale of the handgun, etc.) they may request permission to carry another weapon under their status as a police officer while off-duty. All such requests may be granted at the discretion of the Chief of Police and, if granted, last only until the next range qualification session.
9. Current department members shall be subject to the provisions of this policy upon the conclusion of the range qualification session immediately following the adoption of the policy. All other

members of the department are subject to this policy on their date of hire as a sworn member of the department.

v. Considerations

1. It is strongly recommended that any weapon carried while off-duty be as similar as possible to the member's issued handgun to take advantage of the member's training with the issued handgun and to prevent complications that may arise from the differences in handling and pointing characteristics.
2. Except for those kept as evidence, no firearms may be stored outside of the department armory. Off Duty weapons must be stored in the Department Armory if carried in to the building.

e. Ammunition

- i. The department will furnish all ammunition for all Department issued firearms.
- ii. Only authorized ammunition will be fired in department owned firearms.
- iii. All Department owned ammunition is stored in the secured cage area of the Department's armory.
- iv. This ammunition will be inventoried under each of the following circumstances:
  1. A shipment arrives
  2. Any time a firearms qualification occurs
  3. Any time ammo is expended
- v. A log of the ammunition inventory will be kept in the armory and the Lead Firearms Instructor will maintain this log.
- vi. Any loss of ammunition, or discharge of ammunition, from any weapon will be reported, in writing, on the appropriate report to the immediate supervising officer, and forwarded to the Chief's office.

|   |                                |                                     |
|---|--------------------------------|-------------------------------------|
| SUBJECT<br>Use of Force Reporting and Review  |                                | GENERAL ORDER NUMBER<br>1.3.3       |
| DCJS STANDARDS<br>20.7, 21.2  |                                | EFFECTIVE DATE<br>November 20, 2015 |
| REVIWED DATE<br>December 20, 2015   | APPLIES TO:<br>Sworn Personnel | REVISION DATE<br>January 5, 2016    |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                                |                                     |

### Purpose

The purpose of this Order is to provide officers and their supervisors with guidelines for reporting and investigating use of force incidents. In order to protect citizens and employees, the University at Albany Police Department is committed to documenting and investigating all use of force incidents

### Policy

It is the policy of the University at Albany Police Department to accomplish our mission as efficiently as possible, with highest regard for the human dignity of all persons and with minimal reliance upon the use of physical force. The use of physical force, which includes personal strength, non-lethal weapons and lethal force, shall be restricted to circumstances authorized by law and to the degree minimally necessary to accomplish a lawful police task. This Department will not tolerate excessive force.

The legal authority given to police to use force carries with it the requirement that police departments and the communities they serve have the ability to review when and how that authority is used. The University at Albany Police Department is committed to ensuring the transparency that is essential to our community’s ability to review when and how we use force. The Department will regularly report use of force incidents to the community and will fully comply with all requests for information as provided for under law. It is the policy of this Department that officers report ALL use of force incidents, as designated herein, in a timely, complete, and accurate manner, as prescribed by this policy. Any officer that uses force, is a witness to a use of force incident, or who authorizes conduct leading to the use of force incident, shall not be allowed to conduct the review or investigation of that incident.

### Definitions

**Critical Firearm Discharge** - When an officer discharges a firearm. Range and training discharges, and discharges at euthanized animals, are not included under this section.

**Force** - Any physical strike, or contact with an instrument, of a person; any intentional attempted physical strike or instrumental contact that does not take effect; or any significant physical contact that restricts the movement of a person. The term includes: aiming of a firearm, discharge of a firearm, use of OC spray, use of impact weapons, use of an electronic control device (ECD), taking a subject to the ground, and any physical contact that includes control techniques. The term does not include escorting or handcuffing a person with minimal or no resistance. Use of force is lawful if it is objectively reasonable under the circumstances to effect an arrest, or protect the officer or other person.

**Hard Empty Hand Control** - Impact oriented techniques that include knee strikes, elbow strikes, punches, and kicks. Control strikes are used to subdue a subject and include strikes to pressure points such as: the common peroneal nerve (side of the leg), radial nerve (top of the forearm), or brachial plexus origin (side of neck).

**Lethal Force** - Any physical force that can reasonably be expected to cause death or serious physical injury. Officers must understand that lethal force is an extreme measure and shall only be used in accordance with the law.

**Less Lethal Force** - Any use of force not intended to cause, nor likely to cause, death or serious bodily harm.

**Reportable Use of Force** - All force used above non-resistant compliant handcuffing. While it does not include un-resisted (cooperative) handcuffing, it does include handcuffing individuals to objects or where there is injury, or claim of injury, to a subject. This includes all instances where an officer witnesses a reportable use of force.

**Resisted Handcuffing** - When a person actively resists being placed in handcuffs and the officers must use “soft hand controls” to gain compliance by forcibly moving the subject’s wrists or arms, or to physically maneuver the subject’s body so the handcuffs can be applied. The “resistance” may range from an active struggle to a person simply “locking” his/her arms to prevent compliant handcuffing. Conversely, “unresisting (cooperative) handcuffing” occurs whenever the subject complies with the officer’s verbal commands and/or unresistingly allows the officers to position their arms in order to apply handcuffs, or the subject positions their arm as commanded for the application of handcuffs.

**Serious Physical Injury** - Injury that causes death or creates a substantial risk of death, permanent harm to health, disfigurement, permanent loss of functions by any organ in the body, or results in treatment at a medical facility. Note: minor treatment such as eye-washing, cleansing, and bandaging; evaluation with no injury discovered; etc., will be evaluated on a case-by-case basis by a supervisor, and absent extenuating circumstances, may not be designated as serious physical injury.

**Serious Use of Force** - Any action by an officer that involves: 1) the use of lethal force, including all critical firearm discharges; 2) a use of force in which the person suffers serious bodily injury, or requires hospital admission; 3) a canine bite; 4) the use of chemical spray, electronic control weapon, or any strike against a person that is restrained; (5) any strike to the head, neck, or throat and any neck holds; (6) any force that results in the loss of consciousness; (7) any weapon strike to the head or neck, including an ECD deployment; and (8) any ECD deployment involving more than 2 cycles or a duration of more than 15 seconds.

**Soft Empty Hand Control** - The use of physical strength and skill in defensive tactics to control subjects that are reluctant to be taken into custody and offer some degree of physical resistance. Such techniques are not impact oriented and include pain compliance pressure points, takedowns, joint locks, and simply grabbing a subject. Touching or escort holds may be appropriate for use against levels of passive physical resistance.

**Supervisor** - A supervisor includes a lieutenant and above who is assigned responsibility for supervising officers.

**Weapon** - Any instrument, article or substance, including a vehicle, which, under the circumstances in which it is used, attempted to be used, or threatened to be used, is readily capable of causing death or other serious bodily injury.

## Procedure

### 1. Force Levels

#### a. Level 1

- i. Any weapon is displayed or intentionally pointed at a person;
- ii. A weaponless defense technique is applied to a vulnerable area, excluding strikes (e.g., hair grab, pressure to mastoid or jaw line; and shoulder muscle grab).
- iii. An on-duty firearm discharge to dispatch an injured animal; or
- iv. A weaponless defense technique control hold is applied:
  1. Escort (elbow);
  2. Twist lock;
  3. Arm-bar; or
  4. Bent-wrist.

**NOTE:** Un-resisted handcuffing is not considered a reportable use of force.

b. Level 2

- i. OC Spray is applied to a person;
  - 1. The use of an ECD involving any of the following circumstances;
  - 2. When one or more probes impacts or penetrates the subject's clothing or skin;
  - 3. When the push stun arc touches the subject's clothing or skin; or
  - 4. An ECD is fired at a person, but misses.
- ii. Any impact weapon, or any other instrument is used in an attempt to strike another person but no contact is made; or
- iii. The impact weapon is used for a non-striking purpose (e.g., prying limbs, moving, or controlling a person);
- iv. A weaponless defense technique, other than control holds, but excluding strikes to the head. Examples include:
  - 1. Hand/palm/elbow strikes;
  - 2. Kicks;
  - 3. Leg sweeps; and
  - 4. Takedowns.
- v. An on-duty firearm discharge at an animal, other than to dispatch an injured animal.
- vi. Any strike to the head (except for an strike with an impact weapon);
- vii. Neck restraint that is applied that does not result in the loss of consciousness;
- viii. Use of impact weapons, including specialty impact munitions or any other object, to strike a subject and contact is made, regardless of injury.
- ix. A police canine bites the clothing or the skin of a subject, or otherwise injures a subject.
- x. Any use of force which results in injuries to the subject requiring emergency medical treatment or hospital admittance.

c. Level 3

- i. Any use of force resulting in death;
- ii. Any critical firearm discharge regardless of injury;
- iii. Any force which creates a substantial risk of causing death;
- iv. Any force which causes serious physical injury as identified in this policy
- v. Any intentional impact weapon strike to the head.
- vi. Any chokehold or neck restraint that results in the loss of consciousness
- vii. Any use of force investigation that is elevated to a Level 3 approved by a supervisor.

2. Responsibility for Reporting

- a. Officers shall, as soon as possible, notify their shift supervisor of any Level 1 Reportable use of force. In all cases, the notification shall be made by the end of the officer's shift.
- b. Officers shall immediately notify their shift supervisor following any Level 2 or Level 3 Reportable use of force. This includes both an officer involved in a use of force and an officer who witnesses a use of force.
- c. Officers shall, immediately following all reportable use of force, complete a Use of Force Report form.
- d. The completed Use of Force Report form shall be submitted to the shift supervisor prior to the officer completing his/her shift. When completing the report, officers are also required to provide a written narrative statement of the event. The following additional procedures shall apply:
  - i. Each officer who uses force shall submit a separate written Use of Force Report. The officer must articulate, in specific detail, the facts and circumstances surrounding the force used.
  - ii. Any officer who witnesses a reportable use of force shall advise a shift supervisor, or appropriate commanding officer, and shall submit required reports.
  - iii. If an officer uses force on more than one subject during the same event, the officer shall complete one Use of Force Report form for each subject force was used on.

- iv. If an officer is unable to complete the report due to injury, the officer's immediate supervisor will complete it to the extent possible.
- v. A reportable use of force shall be reviewed and investigated by a supervisor of a higher rank than the officer using force (the reporting officer).
- vi. All use of force reports shall specify the actions of the suspect that necessitated the use of force, the reasons why the officer(s) used force, as well as any suspect or officer complaints of injury, medical treatment received, or refusal of medical treatment.
- vii. The arresting officer shall notify transporting officers if force was used on the arrestee or if the arrestee has an injury or complaint of injury.
- viii. Shift supervisors shall investigate and report any reportable use of force as directed in Section (4) of this policy.
- ix. Any officer(s) who engages in or witnesses a reportable use of force, but fails to notify a shift supervisor and/or fails to complete the form as outlined by this policy, shall be subject to disciplinary action.
- x. A supervisor who uses force, authorizes the use of force, authorizes conduct leading to the use of force, or is a witness to the use of force shall not be allowed to conduct the investigation.
- xi. Officers who are the subject of an allegation of excessive force shall immediately notify a shift supervisor to document the incident as a citizen complaint. The supervisor shall investigate the incident in accordance with applicable policies.

### 3. Referral/Transport for Medical Attention

- a. Arresting and transporting officers shall ask prisoners, against whom force was used, whether they are injured or ill.
- b. A suspect shall be examined by qualified medical personnel prior to interrogation or prisoner processing for purposes of detention when suffering from, or complaining of, injury or illness or when, among other instances, the individual:
  - i. Is struck on the head or other body parts with an impact weapon or other hard object;
  - ii. is restrained about the neck or throat;

- iii. is sprayed with a OC Spray;
  - iv. is subject to an ECD application;
  - v. is bitten by a police canine.
- c. An injured prisoner shall not be admitted to, or held in, detention without being examined and released by a physician or qualified health care provider.
- i. Whenever there is doubt concerning the need for medical attention, it should be resolved through examination of the subject by qualified medical personnel.
  - ii. Refusal of treatment shall be documented and verified by the officer and appropriate medical personnel.

#### 4. Supervisory Responsibilities

##### a. General

- i. The Supervisor, after being notified of a Level 2 or 3 use of force, shall immediately respond to the scene and conduct a preliminary investigation into the use of force.
- ii. While at the scene of a Level 2 or 3 use of force, the supervisor shall visibly inspect the subject(s) for injury, interview the subject for complaints of pain, and ensure that the subject receives needed medical attention.
- iii. While at the scene of a Level 2 or 3 use of force, the Supervisor will photograph or videotape all claimed or visible injuries, and all areas where the officer reports striking the subject. Photographs of the subject shall be taken even when there are no signs of injury.
- iv. Immediately upon determining that a serious use of force has occurred, as described above, the supervisor shall notify the Chief or his designee to respond to the scene for the investigation of the incident.

##### b. Level 1 Use of Force

- i. When notified of a Level 1 use of force, the shift supervisor shall do the following:
  - 1. Document and review the officers Use of Force Report form;

2. Obtain, review, and sign the completed Use of Force Report form from each officer prior to the end of the tour of duty;
  3. Evaluate the basis for the use of force and determine whether the officer's actions were within Department policies;
  4. Forward a copy of the approved Use of Force Report form(s) with the supervisor's findings prior to the end of the shift.
- i. The Chief or his designee shall review the Use of Force Report and the supervisor's findings and:
1. if necessary, return the report to the shift supervisor to correct any identified deficiencies, or for further review and investigation;
  2. approve the findings and forward for filing within 7 calendar days.
- c. Level 2 Use of Force
- i. When notified of a Level 2 use of force the supervisor will respond to the scene on a priority basis and shall do the following:
1. document, as necessary, the scene of the incident;
  2. interview any qualified medical personnel concerning the injuries sustained and their consistency with uses of force reported;
  3. collect or cause to be collected all evidence of use of force;
  4. identify and interview witnesses other than officers as appropriate and record interview on audio or video if possible;
  5. interview all officers present, and record interview on audio or video if possible;
  6. obtain, review, and sign the completed Use of Force Report form from each officer s prior to the end of the tour of duty;
  7. forward a copy of the draft Use of Force Report Forms prior to the end of the shift;
  8. summarize his or her preliminary investigation and recommendations;
  9. notify the Chief or his designee through email of the preliminary investigation.

- ii. The Chief or his designee shall review a supervisor's Level 2 preliminary investigation within 7 calendar days and initiate an Internal Investigation if appropriate.
  - iii. The Chief or his designee shall make a finding within 15 calendar days unless extenuating circumstances exist to lengthen the final determination, and forward the report for filing
- d. Level 3 Use of Force
- i. In cases involving a Level 3 or a serious use of force as defined by this policy, the supervisor shall:
    1. immediately respond to and secure the scene;
    2. insure that officers and citizens receive appropriate medical attention;
    3. notify the dispatch that an officer has been involved in a confirmed Level 3 use of force;
    4. document, as necessary, the scene of the incident;
    5. secure, or cause to be secured, all evidence of use of force for appropriate processing by the investigative units;
    6. identify witnesses, both officer and civilian, and insure that they are segregated for interview by investigating units;
    7. as soon as possible, secure the weapon(s) used by the involved officer(s);
    8. as appropriate, separate officers involved.
  - i. Dispatch will immediately notify the Chief of Police. The Chief of Police will initiate an Internal Investigation to determine whether the officer(s) followed Department policy. At the conclusion of that investigation, a finding will be forwarded to the Chief of Police for approval.
  - ii. When any Member of this Department uses any physical force or displays/uses any Department weapon (except for instances of maintenance, storage, or training), that force will be reported in the following manner:
    1. Any Member applying mechanical restraints without further force or injury will report the use in the RMS (Records Management System)

report for that incident. The circumstances of the use will be detailed in the Incident Narrative.

2. Any Member that uses any physical force or displays/uses any Department weapon, other than the routine application of restraints, will report that use on the Department's Use of Force Report.
  - a. Any Member that uses force will notify the shift supervisor or OIC as soon as practical.
  - b. Whenever possible, the shift supervisor, or OIC, will respond to the scene to access the circumstances of the use of force. If this isn't possible, then the shift supervisor, or OIC, will interview the Member and the subject as soon as practical.
  - c. Whenever possible, the shift supervisor, or OIC, should capture the interview of the subject on video and clearly document any injuries.
  - d. Photographs of any injuries to subject or Department member will be entered in as evidence. Photographs of the front and back of subject, regardless of injury, should also be taken.
  - e. A list of witnesses to the incident should also be obtained and recorded in the Use of Force report.
  - f. Any video or audio recordings of the incident will be marked as evidence and retained as such.
  - g. The shift supervisor, or OIC, conducting the initial interview should document the findings in a Use of Force Report.
  - h. The Chief or Police, or their designee, must be notified of any force incident that involves serious physical injury or death as soon as practical. The scene should be secured until the arrival of the investigating authority. The investigating authority will be determined by the Chief of Police, or their designee.
  - i. Each Member that uses force in an incident will complete a Use of Force Report for each subject they used force on.
  - j. Any Member that is involved in an incident where forced was used but did not use force personally, will document the same on a Department Use of Force Report.

- k. Any Member who causes injury to a subject, or has reason to believe that the subject is claiming that a member caused injury to a subject, will report the incident on the Department's Use of Force Report.
- l. The Department's Use of Force Report will be completed before the end of the Department member's shift and included in the incidents Case File. The Use of Force Report will be referenced in the Incident Narrative section of the Incident Report. If an electronic version of the Use of Force Report is an option within RMS, the electronic version will be used in place of a paper copy.

### Review Procedure

When any member of this Department reports any use of force that incident shall be reviewed in the following manner:

1. The Chief of Police will designate a member of the Command Staff to review all uses of force.
  - a. The designee will review each Level 1 uses of force and evaluate the investigation and review the findings of the supervisor.
    - i. In the event the investigation or findings are not consistent with department policy or standards, the designee will return the matter to the supervisor for correction.
  - b. The designee will review each Level 2 use of force preliminary investigation to ensure the investigation was complete and within department standards.
    - i. In the event the preliminary investigation is incomplete, the designee will coordinate the continued investigation to a point where findings can be made
    - ii. The designee will review all relevant material and issue a finding which will be forwarded for filing.
  - c. The designee will initiate an Internal Investigation on all Level 3 uses of force and any force other than force that was deemed "Justified, Within Department Policy" as defined below. The results of the Internal Investigation will be forwarded to the Chief of Police for review and filing.
2. During the course of any use of force investigation, the investigating member can obtain the independent review of other Department members that may have expertise or experience in the type of force that is in question. The designee may also seek the opinion of personnel from outside the Department that may benefit the

investigation. The force investigator is authorized to obtain statements from witnesses that may include both civilians and Department members regarding the incident.

### 3. Investigation Findings

a. Each instance an officer uses force, the investigation will conclude with a finding. The possible findings are as follows:

- i. Justified, Within Department Policy – a use of force is determined to be justified, and during the course of the incident the subject officers did not violate a University at Albany Police Department policy.
- ii. Justified, Policy Violation – a use of force is determined to be justified, but during the course of the incident the subject officers violated a University at Albany Police Department policy;
- iii. Justified, Training Opportunity – a use of force is determined to be justified, no University at Albany Police Department policy violations occurred, but the investigation revealed tactical error(s) that could be addressed through non-disciplinary, tactical improvement training; or
- iv. Not Justified, Not within Department Policy – a use of force is determined to be not justified, and during the course of the incident the subject officer violated a University at Albany Police Department policy.

### b. Filing of Force Reviews

- i. Each reportable use of force will be forwarded for filing at the completion of the investigation and subsequent review.
- ii. The filed report will be presented to the Chief of Police for final approval.

4. If the Chief approves the review of force, that review will be distributed as follows:

- a. If the review concludes that the force was “Justified, Within Department Policy” as described above the Chief will forward the matter to the IRC for review. The findings will then be made available to the member(s) involved in the use of force and as well as the public.
- b. If the review concludes that the force was “Justified, Training Opportunity” as described above the Chief will forward the matter to the member’s supervisor and appropriate force training officer, as well as member(s) involved and the public.

- c. If the review concludes that the force was “Justified, Policy Violation” as described above the Chief will forward the matter to the appropriate Command Staff member for further action, as well as the member(s) involved and the public.
- d. If the review concludes that the force was “Not Justified, Policy Violation” as described above the Chief will immediately ensure an appropriate criminal investigation is conducted. The further release of the review will be at the discretion of the criminal investigating agency in conjunction with the District Attorney’s Office.
  1. If the Chief does not approve the review of force, the matter can be returned to the designee for correction or turned over to another member or agency for investigation.
  2. At the conclusion of each semester, a summary of the instances that force was used by members of this Department during that semester will be posted to the Department’s website. This posting will include the type of force used as well as the demographic information of the subject force was used on.

## Training

The Department shall coordinate and review all use of force policies and training to ensure quality, consistency, and compliance with applicable law and Department policy. The Department shall provide the appropriate training that will enhance the abilities of supervisors to conduct effective, complete, and thorough use of force investigations.

|   |                                |                                    |
|---|--------------------------------|------------------------------------|
| SUBJECT<br>Officer Involved Shootings   |                                | GENERAL ORDER NUMBER<br>1.3.4      |
| DCJS STANDARDS<br>20.7, 21.2  |                                | EFFECTIVE DATE<br>January 19, 2016 |
| REVIEWED DATE   | APPLIES TO:<br>Sworn Personnel | REVISION DATE                      |
| APPROVAL<br>J. Frank Wiley., Chief of Police  |                                |                                    |

### Purpose

It is the purpose of this Order to provide guidelines for the investigation of officer-involved shootings. This policy also provides guidance for investigation of in-custody deaths and other serious uses of force, in addition to the procedures outlined in General Order 1.3.3 Use of Force Reporting and Review.

### Policy

It is the policy of this Department that officer-involved shootings, whether on or off duty, be investigated with the utmost thoroughness, professionalism, and impartiality so as to determine whether the officer’s actions conform with applicable law and this Department’s policy, procedures, rules, and training. This policy may also apply to the investigation of situations in which a person dies while in police custody, while an officer is attempting to effect custody and other serious uses of force.

### Definitions

**Companion Officer** - An officer assigned to another officer to provide emotional support and assistance following a critical incident, such as an officer-involved shooting. The assigned officer is normally a member of the department’s peer support program but may also be another officer who has had a similar experience, a close friend, or both.

**Critical Firearm Discharge** - When an officer discharges a firearm. Range and training discharges, and discharges at euthanized animals, are not included under this section.

**Critical Incident** - An incident that is unusual, is violent, and involves perceived threat to, or actual loss of, human life. The incident is a significant emotional event that breaks through an individual’s normal coping mechanisms and may cause extreme psychological distress.

**In-Custody Death** - The death of an individual while in custody or while an attempt to effect custody is being made.

**Involved Officers** - Unless otherwise indicated, refers to those sworn personnel in on-duty or off-duty status who discharge their firearm in a hostile situation or by accident; arrest or are in the process of arresting an individual who subsequently dies; engage in other serious uses of force; and are direct witnesses to such events.

**Lethal Force** - Any physical force that can reasonably be expected to cause death or serious physical injury. Officers must understand that lethal force is an extreme measure and shall only be used in accordance with the law.

**Officer** - All sworn law enforcement personnel employed by the University at Albany Police Department.

**Officer-Involved Shooting** - A discharge of a service weapon by an officer during a hostile encounter or an accidental discharge, while on-duty or off-duty, irrespective of injuries to suspects, officers, or third parties.

**Serious Physical Injury** - Injury that causes death or creates a substantial risk of death, permanent harm to health, disfigurement, permanent loss of functions by any organ in the body, or results in treatment at a medical facility. Note: minor treatment such as eye-washing, cleansing, and bandaging; evaluation with no injury discovered; etc., will be evaluated on a case-by-case basis by a supervisor, and absent extenuating circumstances, may not be designated as serious physical injury.

**Serious Use of Force** - Any action by an officer that involves: 1) the use of lethal force, including all critical firearm discharges; 2) a use of force in which the person suffers serious bodily injury, or requires hospital admission; 3) a canine bite; 4) the use of chemical spray, electronic control weapon, or any strike against a person that is restrained; (5) any strike to the head, neck, or throat and any neck holds; (6) any force that results in the loss of consciousness; (7) any weapon strike to the head or neck, including an ECD deployment; and (8) any ECD deployment involving more than 2 cycles or a duration of more than 15 seconds.

## Procedure

### 1. Officer On-Scene Responsibilities

Officers involved at the scene of a shooting incident shall take all measures that are reasonably possible and appropriate to protect their safety and to preserve evidence essential to the investigation.

- a. This includes the following actions, undertaken in the order deemed appropriate:

- b. Identify any remaining threats and take necessary action;
- c. Secure and separate suspects;
- d. Notify Dispatch of the incident and location;
- e. Relay information on fleeing suspects to communications and other field units and work with them to establish a containment area;
- f. Request a supervisor and additional backup, emergency medical services, if necessary, and any other assistance required immediately;
- g. Unless injured, the officer will remain at the scene until the arrival of the appropriate investigators. However, if the circumstances are such that the continued presence of the officer at the scene might cause a more hazardous situation to develop (e.g. crowd violence), the shift supervisor at the scene shall have the authority to instruct the officer to move to another, more appropriate location.
- h. If injured, administer emergency first aid to oneself first if possible;
- i. Determine the physical condition of any injured person and administer basic first aid, as necessary, pending arrival of emergency medical assistance;
- j. Holster any involved handguns or secure them in place as evidence. Secure long guns in the prescribed manner or in place as evidence. Do not open, reload, remove shell casings, or in any other manner tamper with involved firearms;
- k. Take note of the time, survey the entire area for relevant facts, individuals who are present and who departed the scene, witnesses, potential suspects, and suspect vehicles;
- l. As time and capabilities permit before supervisory and other assistance arrives:
  - i. Secure the area, establish a perimeter with crime scene tape and limit access to authorized persons necessary to investigate the shooting and assist the injured.
  - ii. Protect evidence from loss, destruction, or damage that is likely to occur before backup can arrive. Ensure that evidentiary items are not moved or, if moved, note the original location and position of persons, weapons, and other relevant objects and evidence.
  - iii. Record the names, addresses, and phone numbers of all witnesses and other persons present at the shooting scene and request that they remain on hand

in order to make a brief statement whether or not they say they saw the incident.

2. Initial Supervisor Response/Incident Command Responsibilities

- a. Upon notification of the incident, the shift supervisor shall proceed immediately to the scene.
- b. The ranking officer at the scene shall take control of the scene and serve as Incident Commander (IC). As superior officers and investigators respond to the scene, and the officer is relieved of supervision responsibility, he/she shall brief superior officers on investigation status when turning over IC responsibility. The IC shall assign responsibility for completion of the following tasks as appropriate and in the order deemed necessary.
- c. In addition to the IC/Supervisor's responsibilities identified and required for a Level 3 use of force incident in the Use of Force Reporting and Review Policy, General Order 1.3.3. The following actions should be taken:
  - i. Identify any remaining threats and take necessary action.
  - ii. Determine the physical condition of officers, suspects, and third parties; provide emergency first aid if necessary; and ensure that emergency medical assistance has been summoned.
  - iii. Ensure that a brief public safety statement is collected individually from the involved officer(s), covering only information necessary to focus initial police response and direct the preliminary investigation. This includes information on:
    - 1. the type of force used;
    - 2. direction and approximate number of shots fired by officers and suspects;
    - 3. the number of suspects involved;
    - 4. location of injured persons;
    - 5. description of at-large suspects and their direction of travel, time elapsed since the suspects were last seen, and any suspect weapons;
    - 6. description and location of any known victims or witnesses;
    - 7. description and location of any known evidence;

8. any other information necessary to ensure officer and public safety and to assist in the apprehension of at-large suspects.

**NOTE:** A University at Albany Police Department Public Safety Statement is attached to this policy as Appendix A

- d. Ensure the adequacy of the inner perimeter. Direct that an outer perimeter be established to prevent all from entering except those who have a specific function to perform.
- e. Ensure a Crime Scene Security Log is maintained to record the time and identifying information of all persons entering and exiting the perimeter
- f. Locate and secure—or secure in place—the officer’s weapon(s) and mark expended ammunition casings. Physically check the firearms and other weapons of all officers who were present during the incident for evidence of a discharge. Weapons that were fired shall be secured as evidence, and primary service firearms shall be replaced by a similar firearm as soon as reasonably possible.
- g. Locate and secure in place weapons, ammunition, and expended cartridges used by the suspect.
- h. Collect information available about the suspect from anyone at the scene.
- i. Ensure that all potential witnesses have been identified and separated and ask that they remain on hand to provide a statement. If witnesses wish to leave, obtain their contact information for future communications.
- j. Locate and secure as evidence any clothing or other personal items that may have been discarded or removed from suspects or officers by medical personnel.
- k. Determine and mark the position(s) of the officers and the suspects at the time of the shooting.
- l. Secure, separate, and remove all involved officers from the immediate scene. Ensure that a companion officer is assigned to each.
- m. Direct all involved officers not to discuss any aspects of the shooting among themselves or with others with the exception of their attorney, a qualified mental health professional, or authorized investigative personnel.
- n. If an officer is transported to the hospital, ensure that the companion officer accompanies or meets him or her there.
- i. The companion officer should provide all reasonable support to the involved officer and act as liaison between the officer and the hospital. If the officer is

incapable of calling, the companion officer shall notify, or ensure that another department member notifies, his or her immediate family as soon as possible and in person, whenever reasonably possible. The notification shall provide the family members with basic information on the status of the officer and when and where they will be able to see him or her. At this time the companion officer shall arrange for their transportation to the hospital or other location as required. In the case of serious injury or death, notifications shall be conducted in conformance with the department's Death Notification policy.

- o. Whenever possible, photograph officer(s) as they appear at the scene, to include any injuries sustained.
- p. Offer a peer support counselor to the involved officer's family for security, support, and management of media inquiries and visitors.
- q. Ensure all necessary department notifications have been made, such as those to the following:
  - i. Chief of Police
  - ii. Deputy Chief of Operations
  - iii. Internal Affairs Designee
  - iv. NYSP BCI
  - v. Evidence technicians, or NYSP FIU
  - vi. Public Information Officer
  - vii. Coroner or Medical Examiner, if appropriate
  - viii. Legal Counsel
  - ix. Department chaplain, police advocate, qualified mental health professional, or peer support program coordinator
- r. Establish a command post when it appears that an extended on-site investigation will be necessary.
- s. Appoint an officer to serve as a "recorder," with responsibility for making a chronological record of activities at the scene, to include persons present and those who have been at the scene and actions taken by police, EMTs, or other personnel.

- t. If equipment is available, ensure that video recordings are made of the entire crime scene and those present, including witnesses and bystanders. Determine if video recordings were made by in- car cameras, electronic control weapons, or surveillance cameras and secure them as evidence as soon as reasonably possible.
- u. Ensure that a media staging area is established beyond the outer perimeter and that it is appropriately staffed.
- v. Ensure all officers complete necessary reports.

### 3. Treatment of Officer

- a. In every instance in which an officer used lethal force, where such use results in death or serious bodily injury to another person, the officer will be immediately relieved of normal duty.
- b. The officer shall be available at all times after the incident and available for official interviews and statements regarding the case. The officer shall be subject to recall to normal duty at any time after the preliminary investigation.
- c. Assignment to a “relieved of normal duty” status shall be non- disciplinary, with no loss of pay or benefits.
- d. Relief from normal duty, during which the officer may be assigned administrative duties, serves two purposes:
  - i. To address the personal and emotional needs of an officer involved in the use of lethal force in which injury or death occurs; and
  - ii. To assure the community that all the facts surrounding such incidents are fully and professionally explored and verified.
- e. If the preliminary investigation discloses a question about the officer’s actions regarding the incident, then the appropriate guidelines regarding the rights of the officer will be followed.

### 4. Post Shooting Trauma

- a. Supervisory, investigative, and other sworn and non-sworn employees shall be familiar with and follow the provisions established by this department in its policy on dealing with post-shooting emotional trauma in police personnel.
- b. Awareness of and attempts to mitigate the potential effects of critical incident stress, combined with professionally accepted investigative procedures provide

the best opportunity for establishing an accurate record of events surrounding officer-involved shootings.

- c. All personnel shall be familiar with the provisions of the University's policy on the Employee Assistance Program and should avail themselves of these services following officer-involved shooting incidents where appropriate.

#### 5. In-Custody Death Investigations

Facts that are germane to investigations of in-custody deaths include, but are not limited to, the following:

- a. Information noted by the dispatcher from background noises during the call, as well as information provided by the reporting party that may be related to the subject's behavior, use of drugs or alcohol, previous law enforcement encounters, presence of weapons, and mental health concerns.
- b. Officer observations of the subject's behavior in the course of making the arrest, for example, was the person;
  - i. calm or emotionally charged,
  - ii. rational or confused,
  - iii. able to communicate or difficult to engage in conversation,
  - iv. experiencing hallucinations or delusions,
  - v. perspiring heavily,
  - vi. wearing inappropriate clothing or in a state of undress,
  - vii. exhibiting a high tolerance for pain, or
  - viii. engaging in a protracted physical encounter with officers?
- c. Whether family or friends indicate that the subject had been drinking heavily, using drugs, or both; whether the subject had been involved with the police on prior occasions; any other relevant information provided; and whether the subject was threatening anyone or in possession of a weapon.
- d. Whether the subject was visibly injured in any way when the police arrived and what, if any injuries were sustained prior to death.
- e. What measures the officer(s) took to gain control and custody, such as

- i. attempting to calmly “talk the person down,”
  - ii. maintaining distance,
  - iii. reducing noise by turning off sirens,
  - iv. reassuring the subject,
  - v. buying time,
  - vi. asking simple questions to determine the subject’s level of coherence,
  - vii. attempting to deescalate the situation or other actions,
- f. Directing others at the scene to move away?
  - g. Whether custody was required.
  - h. The length of time it took to gain control of the subject. Whether there was a protracted struggle or the subject was subdued quickly.
  - i. The means used to restrain the subject.
  - j. When in custody, where and how the individual was situated (e.g., placed face down on the ground, in a seated position, in a police vehicle sitting, or lying down).
  - k. The physical reactions of the subject once arrested. For example, did he or she become calm or continue to struggle and act physically and verbally combative?
  - l. Whether EMS was called and, if so, at what point during the confrontation.
  - m. Whether the subject’s condition (such as breathing and consciousness) was monitored after arrest. Whether the subject became unresponsive, who was present at the time, and what steps were taken by the officer(s).
  - n. When death was pronounced and by whom and the results of the autopsy.
  - o. Require that the Medical Examiner’s Office or responding medical officials take a core body temperature as soon as possible after the subject is confirmed deceased.
  - p. The information provided in the subject’s medical history and lifestyle.
  - q. If the subject did not die but was seriously injured or admitted to a medical facility, discover the answers to these questions:

- i. What were the nature and severity of the injuries?
- ii. Were the injuries consistent with the use of force described by the officer(s)?

6. Serious Physical Injury

- a. Where serious physical injury is reported, investigators shall gather relevant information and take actions deemed appropriate from the foregoing section of this policy and the Use of Force Reporting and Review Policy. The following information will be necessary to collect to assist the investigator in assessing the level of force used that resulted in the serious injury to include:
  - i. Conduct and behavior of the subject being confronted as perceived by the officer at the time of the incident;
  - ii. The relative age, size, strength, and physical ability of the officer to the subject;
  - iii. Experience of the officer;
  - iv. The number of officers present;
  - v. Potential influence of alcohol or drugs;
  - vi. Subject's proximity to weapons;
  - vii. Weapons used or threatened to be used by the subject;
  - viii. Force options available to the officer;
  - ix. Seriousness of the offense, basis for subject contact, and information known about the subject by the officer;
  - x. Potential for injury to the public, officer, or subject;
  - xi. Risk of escape;
  - xii. Degree of subject resistance;
  - xiii. Use of restraints; and
  - xiv. Other exigent circumstances

7. Investigator's Responsibilities

- a. The criminal Investigation of a lethal force incident in which injury occurs will be conducted by the New York State Police Bureau of Criminal Investigation. The Chief of Police will initiate an internal investigation for administrative purposes as described in General Order 1.3.3.
- b. The State Police and the Forensic Laboratory will be notified in accordance with requirements.
- c. The lead Criminal Investigator whenever possible shall do the following:
  - i. Receive a briefing from the IC including details of the incident as available, a summary of all actions completed or in progress as noted in items B. and E. of this policy, and
  - ii. conduct a walk- through of the incident scene.
  - iii. Ensure that all items of potential evidentiary value are identified and properly collected.
  - iv. Obtain recorded preliminary statements from suspects and witnesses.
  - v. Ensure that efforts are under way to collect and compile information on the suspect(s).
  - vi. Consult with the coroner or medical examiner at the scene and at, or subsequent to, the autopsy, and compile information as available, such as, entrance and exit wounds, estimates of shooters' positions, the presence of alcohol or controlled substances in the suspect's body, and any other facts that may be deemed relevant.
  - vii. Canvas the immediate area for potential witnesses who have not come forth and obtain information or statements as available.
  - viii. Obtain search warrants for any vehicles, containers, homes, or vehicles as may be necessary.
- d. Where possible, record interviews with EMTs, fire department personnel, and first responding officers regarding conditions at the shooting scene when they arrived to include any action that may have been taken to move or otherwise alter persons or objects of potential evidentiary value.
- e. Develop a summary of preliminary information concerning the shooting for the Chief of Police.

## 8. Chief's Responsibilities

- a. The Chief of Police or his Designee shall respond to the scene and take command of the incident.
  - b. Monitor the incident to ensure good scene management and ensure the assigned supervisor coordinates and assists with a thorough and proper preliminary investigation.
9. Investigative Process

The investigation of officer-involved shootings shall normally be conducted in two separate parts and by separate authorities—a criminal investigation and an administrative investigation. The criminal investigation is normally completed by criminal investigators prior to and concurrent with the administrative investigation, which is conducted by the department's internal affairs authority.

- a. Criminal Investigation Phase
  - i. The lead criminal investigator from the NYSP BCI shall manage the criminal investigation unless, by interagency agreement, the lead is passed to another investigative authority. Parallel or sequential criminal investigations, one investigation related to state offenses and the other by federal authorities relating to offenses under federal law, may be undertaken but are not typical. Upon completion of the criminal investigation, findings shall be submitted to the Chief of Police and the office of the district attorney or the appropriate prosecuting agency.
- b. Administrative Investigation Phase
  - i. This investigation, undertaken by the department's internal affairs authority, must be kept separate and apart from the criminal investigation. It is intended to determine whether violations of departmental policy, procedures, rules, or training have occurred and, if so, whether disciplinary action should be recommended or modifications to policy, procedures, or training considered.
  - ii. Criminal investigators may not be present during internal affairs questioning nor may information gained as a result of administrative interviews be shared with criminal investigators.
  - iii. All interviews shall be recorded in order to provide evidentiary record of statements.
- c. Investigators shall be cognizant of symptoms of post-traumatic stress during officer interviews, such as time and space distortions, confusion, hearing and

visual distortions associated with recalling details of the incident, as well as emotional impairment during questioning.

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| SUBJECT<br>Preventing Biased Profiling and the Perceptions of Biased Policing   |                                | GENERAL ORDER NUMBER<br>1.5.1  |
| DCJS STANDARDS  |                                | EFFECTIVE DATE<br>May 22, 2012 |
| REVIWED DATE<br>November 2, 2016  | APPLIES TO:<br>Sworn Personnel | REVISION DATE                  |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                                |                                |

## Purpose

The purpose of this order is to reaffirm the department’s commitment to unbiased policing, clarify the circumstances in which race can be used as a factor to establish reasonable suspicion or probable cause, and to reinforce procedures that serve to assure the public that we are providing service and enforcing laws in a fair and equitable manner.

## Introduction

Profiling, in itself, can be a useful tool to assist law enforcement officers in carrying out their duties. Bias based profiling; however, is the selection of individuals based solely on a common trait of a group. This includes but is not limited to race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable groups. Law enforcement agencies should not condone the use of any biased based profiling in its programs as it may lead to allegations of violations of the constitutional rights of the citizens we serve, undermines the legitimate law enforcement efforts, and may lead to claims of civil rights violations. Additionally, biased based profiling may alienate citizens, foster distrust of law enforcement by the community, invite media scrutiny, legislative action, and judicial intervention.

## Definitions

**Bias Based Profiling** – The selection of individuals based solely on a common trait of a group. This includes but is not limited to race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable groups.

## Policy

It is the policy of the University at Albany Police Department and the responsibility of all members to protect the rights of all individuals regardless of race, religious belief, gender, sexual orientation, ethnicity, or economic status; to treat all individuals with dignity, equality and fairness, regardless of race, religious beliefs, gender, sexual orientation, ethnicity, or economic status; and to assure that all official actions where an individual's freedom to move about is hindered is based upon reasonable suspicion or probable cause. Bias or prejudice of any kind will not be tolerated in any dealings with individuals whether they are victims, suspects, when being taken into custody, or while in the custody of the department. Bias based profiling in traffic contacts, field contacts and in asset seizure and forfeiture efforts is prohibited. Deviations from this policy will be met with the strictest discipline.

## Procedure

### Impartial and Equitable Policing

1. Members will respond to requests for police service, will render aid and assistance, and will investigate offenses and suspicious circumstances independent or regardless of race, religious beliefs, gender, sexual orientation, or ethnic background of any person or group of persons.
2. All enforcement actions, such as investigative detentions, traffic stops, arrests, searches and seizures and asset forfeitures, will be based upon a standard of reasonable suspicion or probable cause as required by statutes and the 4th Amendment of the United States Constitution.
  - a. Officers must be able to articulate specific facts, circumstances, and conclusions which support probable cause or reasonable suspicion for all enforcement actions.
  - b. Except as provided in number 2 above of this directive, officers shall not consider race, ethnicity, gender or other potentially improper criteria in establishing either reasonable suspicion or probable cause.
  - c. Officers may take into account the reported race, ethnicity, gender, or other potentially improper criteria of suspects based on credible, reliable, locally-relevant information that links a person of specific description criteria to particular criminal incidents, or links specific crimes in specific areas to groups of individuals to specific description criteria.
  - d. Nothing in this directive or other agency directives alters officers' authority to conduct enforcement actions or otherwise fulfill officers' enforcement obligations.

3. Members will, as necessary and professionally appropriate, use techniques and strategies to advance the reality of impartial policing and prevent inappropriate perceptions of biased law enforcement. These techniques and strategies include, but are not limited to:
  - a. Be courteous, polite, and professional.
  - b. Introduce yourself, providing your name, and explain to the citizen the reason for the stop as soon as practical, unless doing so compromises the safety of officers or others. In vehicle stops, provide this information before asking the driver for his/her license and registration.
  - c. Ensure that the length of traffic stops, investigative detentions, field contacts, etc., is no longer than necessary to take appropriate actions.
  - d. Answer questions that citizens may have, including any options for dispositions of related enforcement actions.
  - e. Explain the credible, reliable, or locally relevant information that lead to stops or contacts when no enforcement actions were taken, unless doing so compromises the safety of officers or others.
  - f. Request the presence of supervisory or command ranked officers to allow citizens to voice their field contact or enforcement related concerns.
  - g. Explain the department's personnel complaint process.
4. Officers will use Digital Tape Recorders or Body Worn Cameras on all vehicle and traffic stops or any other incident as outlined in General Order 1.6.1 Digital Tape Recorders and General Order 1.6.2 Body Worn Cameras.
5. Officers must document the contact, either criminal or non-criminal, in the department's IETS system. This report must include all pedigree information.

### Complaint Process

1. Any complaint received by the department that a member conducted policing activities based upon any improper criteria will be conducted consistent with General Order 52.1.1 Internal Investigations.
2. Sustained violations of this directive will result in remedial training and/or disciplinary action.

## Training

1. Supervisors shall ensure all personnel within their command are familiar with the content of this directive and are operating in compliance with the same.
2. Members will receive annual training in subjects that encourage impartial policing, to include the legal aspects of bias based profiling.
3. Individual members and/or supervisors may receive additional, specialized, supplemental or remedial training as deemed necessary and appropriate.
4. Appropriate training subjects may include, but are not limited to:
  - a. Officer safety
  - b. Courtesy
  - c. Field contacts
  - d. Traffic stops
  - e. Cultural diversity
  - f. Discrimination
  - g. Community support
  - h. Search and seizure and forfeiture
  - i. Interview techniques
  - j. Interpersonal communications
  - k. Constitutional and case law

## Administrative Review

1. The Chief of Police will ensure that an annual administrative review is conducted to examine the department's commitment to impartial policing. Dynamics that are to be included in these reviews include, but are not limited to:
  - a. Related department directives
  - b. Department practices
  - c. Related complaints

- d. Citizen concerns
- e. Training

|   |                                |                               |
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| SUBJECT<br>Digital Audio Recorders  |                                | GENERAL ORDER NUMBER<br>1.6.1 |
| DCJS STANDARDS  |                                | EFFECTIVE DATE<br>May 22.2012 |
| REVIEWED DATE<br>July 13, 2016  | APPLIES TO:<br>Sworn Personnel | REVISION DATE                 |
| APPROVAL<br>J. Frank Wiley., Chief of Police  |                                |                               |

## Purpose

The purpose of this directive is to establish the procedures for the proper use of Department issued digital audio recorders to officers in the field.

## Policy

In order to protect the public, the officer, the department and the University at Albany as a whole, officers of this department have been issued digital audio recorders to be used in the course of their job duties. The recorder can be used as a valuable tool to reduce confusion in regards to conversations and statements where the officer may be asked to remember “word for word” the contents of such statement or conversation.

## Procedure

1. Officers of this department will utilize the digital audio recorder under the following circumstances.
  - a. During the course of a suspect interview or interrogation where other recording equipment is not available (i.e. interview room).
  - b. Any circumstance which, in the judgment of the officer, they feel to be confrontational or has the potential to become confrontational.
  - c. During the course of any arrest or the approach of any individual who may be considered a possible suspect.
  - d. All vehicle and traffic stops.
2. Officers in the field will be issued a digital audio recorder

- a. Officers are authorized to purchase a lapel microphone and wear it on their uniform.
  - b. Officers who need battery replacement may be issued batteries.
3. Retention of Digital Audio Recordings
- a. Officers are required to maintain used digital audio recordings for a period of ten working days.

**NOTE:** It shall be the officer's responsibility to ensure that the issued digital audio recorder is maintained in good working order. The officer will be responsible for ensuring the tapes (if applicable) and the batteries are also in working order.

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| SUBJECT<br><br>Body Worn Cameras  |                                | GENERAL ORDER NUMBER<br><br>1.6.2 |
| DCJS STANDARDS  |                                | EFFECTIVE DATE<br>August 25, 2016 |
| REVIEWED DATE   | APPLIES TO:<br>Sworn Personnel | REVISION DATE                     |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                                |                                   |

## Purpose

The purpose of this General Order is to establish department procedure for the proper operation and usage of department issued Body Worn Cameras.

## Policy

In order to protect the public, the officer, the department and the University at Albany as a whole, officers of this department issued Body Worn Cameras will be utilized by officers in the field during the course of their job duties. When used effectively, the camera can promote public reassurance, capture best evidence, modify behavior, prevent harm and deter crime and criminal behavior.

## Procedure

4. The department issued Body Worn Camera (BWC) shall be worn by members of the University at Albany Police Department while on patrol.
  - a. In the event that there are not enough BWCs to be provided to all officers on patrol (e.g. due to large event or BWC maintenance) the shift or event supervisor shall determine who will be assigned a BWC.
  - b. Officers without a BWC will carry their department issued Digital Audio Recorder pursuant to General Order 1.6.1 Digital Audio Recorders.
5. The camera shall be activated during any and all police actions with the public that may be considered unusual or confrontational which include but are not limited to:
  - a. Responding to a report of an emotionally disturbed person.

- b. Responding to assist Res Life
  - c. Prior to making contact with any person you intend to interview regarding any potential violation of a law, rule or regulation (e.g. knocking on a door to ask a person about potential marijuana or other drug use).
    - i. This includes the use of the BWC when interviewing potential victims and witnesses. **EXCEPTION:** Recording devices shall not be used when interviewing a victim of a sexual assault unless specific direction is given to do so from a supervisor, investigator or member of command staff.
  - d. Prior to initiating a request to search. For all searches officers must either:
    - i. Record on BWC or Digital Audio Recorder a verbal consent to search. The recording must start whenever the officer begins to consider requesting a search or;
    - ii. Obtain consent in writing.
  - e. When responding to motor vehicle accident, potential domestic or room/suitemate disputes or other incidents where there is an increased likelihood that persons involved may be at elevated levels of agitation toward responding officers or others.
  - f. Any instance where the officer is responding to assist another officer engaged in any activity that would require utilization of a recording device under General Order 1.6.1 Digital Audio Recorders.
    - i. This requirement applies regardless of the department or agency the officer is assisting.
6. This department strongly encourages the use of the BWC for all interactions with the community, except in the circumstances outlined in 2.c.i above.
  7. All images obtained through the use of the department issued BWC are the property of the department and may not be copied, reproduced or disseminated in any manner without the permission of Command Staff.
  8. Officers will use the BWC issued to them whenever it is available. If their issued BWC is not available officers shall advise their Shift Lieutenant who will issue a temporary camera if one is available.
  9. Upon receiving the camera, the officer is responsible for ensuring its proper operation. Any malfunctions are to be immediately reported to the shift lieutenant and the camera will be taken out of service.

10. Whenever they are not using their regularly assigned BWC Officers will note what BWC they were issued for on their DAR.
11. Officers are responsible for downloading images prior to going off duty pursuant to the software manufacturer's specifications.
  - i. Sensitive images or video that is critical to a developing case shall be downloaded as soon as practical.
  - ii. All video will be stored for **at least thirty (30) days**.
  - iii. Officers are responsible for the labeling of images as evidentiary in accordance with software manufacturer's specifications.
    1. *Evidentiary Images* is defined as: any video or images associated with a misdemeanor or felony arrest, a video containing statements to be used in any and all prosecutions, or a video containing statements, actions or captures pertinent information relating to an incident, or an individual, that has the potential for controversy.
  - iv. Officers are to note the existence of BWC images in the Investigative Notes Section of any report for which there is downloaded video.

|   |                                |                                 |
|---|--------------------------------|---------------------------------|
| SUBJECT<br>Naloxone   |                                | GENERAL ORDER NUMBER<br>1.7.1   |
| DCJS STANDARDS  |                                | EFFECTIVE DATE<br>July 23, 2014 |
| REVIEWED DATE<br>October 4, 2016  | APPLIES TO:<br>Sworn Personnel | REVISION DATE                   |
| APPROVAL<br>J. Frank Wiley., Chief of Police  |                                |                                 |

## Purpose

The purpose of this policy is to establish the guidelines and regulations governing the utilization of Naloxone by trained University at Albany Police Officers. The objective is to treat and reduce injuries and fatalities due to opioid-involved overdoses when officers are the first to arrive at the scene of a suspected overdose.

## Policy

It is the policy of the University at Albany Police Department that officers may administer Naloxone in accordance within the mandated training guidelines as determined and provided pursuant to New York State Public Health Law §3309 and the regulations in §80.138 of Title 10 of the New York Codes, Rules and Regulations.

## Procedure

1. The University at Albany Police Officer will ensure that Naloxone kits are stored in manner that it is:
  - a. Immediately available
  - b. Properly safeguarded from extreme temperature changes, away from direct sunlight and any condition that may affect the Naloxone effectiveness and integrity
2. Naloxone kits will contain a minimum of:
  - a. 1 Mucosal Atomizer Device
  - b. 1 Unit dose of Naloxone, 2mg/2ml

- c. A pair of Rubber Gloves
  - d. An alcohol pad
3. Officers will use universal precautions and protections from blood borne pathogens and communicable diseases when administering Naloxone.
  4. Officers will administer the medication consistent with training guidelines following:
    - a. Activation of Emergency Services if not already done so.
    - b. A patient assessment; which may include but limited to determining unresponsiveness and other indications of an opioid-involved overdose.
  5. Officers will use appropriate Officer Safety measures when administering Naloxone. Aided individuals who are revived by an opioid-reversal medication, such as Naloxone, may become combative, agitated and experience withdrawal upon regaining consciousness.
  6. Officers will notify dispatch of administration of Naloxone as soon as scene safety allows.
  7. Officers will notify Emergency Services personnel upon their arrival that Naloxone had been administered.
  8. Following administration of Naloxone, the administering officer(s) will complete a New York State Quality Improvement Usage Form (See Annex C) and forward said form to the University at Albany Police Department Naloxone Program Coordinator for further action consistent with requirements dictated on the form.
  9. Officers will notify the University at Albany Police Department Naloxone Program Coordinator of used, lost, damaged and expired Naloxone Kits who will dispose of or replace kit pursuant to applicable procedure.

# GENERAL ORDER 2 AGENCY JURISDICTION AND MUTUAL AID

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|   |                              |                                      |
|---|------------------------------|--------------------------------------|
| SUBJECT<br>Agency Jurisdiction  |                              | GENERAL ORDER<br>NUMBER<br>2.1.1     |
| DCJS STANDARDS  |                              | EFFECTIVE DATE<br>September 30, 2009 |
| REVIWED DATE<br>October 4, 2016   | APPLIES TO:<br>All Employees | REVISION DATE                        |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                              |                                      |

## Purpose

The purpose of this Order is to describe the geographical jurisdiction of University at Albany Police Department

## Policy

The primary jurisdiction of the University at Albany Police Department is the buildings and properties owned or leased by the University at Albany. As a secondary responsibility, the University at Albany Police Officers may provide law enforcement services outside designated campus boundaries with certain guidelines.

|   |                                |                                      |
|---|--------------------------------|--------------------------------------|
| SUBJECT<br>Mutual Aid   |                                | GENERAL ORDER NUMBER<br>2.1.2        |
| DCJS STANDARDS  |                                | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>October 4, 2016  | APPLIES TO:<br>Sworn Personnel | REVISION DATE<br>July 1, 2015        |
| APPROVAL<br>J. Frank Wiley., Chief of Police  |                                |                                      |

## Purpose

The purpose of this Order is to describe the policies and procedures for mutual aid and law enforcement activities outside of the University at Albany Police Department’s geographical jurisdiction.

## Introduction

Because of the nature of police work and the occasional need for additional personnel and logistical support, it is important to understand policies regarding mutual aid, assisting other agencies without mutual aid and receiving assistance from other agencies. This Order outlines the Mutual Aid Policy and Procedures for assisting or receiving assistance from other law enforcement agencies.

## Off-Campus Assignments while on Duty

The following procedural guidelines should be followed to determine whether University at Albany Police personnel will respond to off-campus calls for assistance.

1. For a direct request to initiate action from an off-campus police department, the shift supervisor or officer-in-charge (OIC) should determine the scope of response based on campus MOU guidelines, utilizing personal judgment and discretion to analyze the situation. Assistance may be rendered based on the availability of officers and whether or not the request jeopardizes or delays services on campus.
2. For requests from individuals concerning non-emergency incidents occurring off-campus which are made to the Department or to an officer in the field, the complainant should be directed to the police department that has primary jurisdiction where the incident occurred.
3. If a University Police Officer should come upon a crime or emergency, the dispatcher should be immediately contacted to notify the appropriate police

department with primary jurisdiction where the incident occurred. A University Police Officer will initiate appropriate actions for crimes committed in their presence. While waiting for assistance, the officer should initiate steps to protect lives, assist the injured, minimize safety hazards, prevent property loss and protect the crime scene.

## Requests for Assistance from Outside Agencies

Requests for outside police assistance from the University Police Department should only be made in extreme and unusual circumstances. The decision to call for support will be made only by the Commander, Supervisor or OIC on duty at the time of the need. If command staff is not present, then notification to such must be done as soon as possible.

## Procedure

1. The situation must be such that the personal safety of Department officers or the public safety of the campus community and/or physical plant is at serious risk and the number of officers on duty is insufficient to control or stabilize the situation.
2. The evaluation of the specific situation is the responsibility of the senior sworn Department person available on the scene or by phone.
3. The emergency call for assistance will go to the Albany Police Department. The APD Dispatcher will be advised of the specific situation (i.e. nature of problem, size of crowds, presence of weapons, location, etc.) and recommended level of assistance needed. A supervisory or command officer will be requested. Should the Albany Police Department not be able to provide the requested resources, another adjoining police agency will be contacted.
4. A member of the Department will meet the Albany Police contingent as it arrives on campus and accompany it to the scene. At this time the officer should establish a command post.
5. Our Department will maintain command/control of the situation with Albany Police providing back-up and assistance as required.
6. As soon as practical, Albany Police Department assistance will be released.
7. The Chief will be informed as soon as possible of the presence of APD, if they did not personally authorize the request. In the event the Chief is not available, the following chain will be followed by the dispatcher until a management/executive level official is informed: Deputy Chief of Operations, the Operations Inspector or a member of the Office of the Vice President of Finance and Administration.

## Memorandums of Understanding (MOU's)

The Memorandums of Understanding (MOU's) that were developed between the University at Albany Police Department, the Town of Guilderland Police Department and the City of Albany Police Department are located in Annex D and Annex E of this Manual. These MOU's, which are required by New York State Education Law §355-9(l), outline the general responsibilities and guidelines for emergency assistance and follow-up investigations with regard to primary law enforcement jurisdiction, notification regarding criminal and safety-related incidents, execution of warrants both on and off-campus, transfer of requests for police services, emergency assistance and timely review of various operational issues.

## CHAPTER II

# ORGANIZATION, MANAGEMENT, AND ADMINISTRATION

# GENERAL ORDER 5 FISCAL MANAGEMENT

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|   |                              |                                      |
|---|------------------------------|--------------------------------------|
| SUBJECT<br><br>Fiscal Responsibility  |                              | GENERAL ORDER<br>NUMBER<br><br>5.1.1 |
| DCJS STANDARDS<br>5.1, 5.2, 5.3   |                              | EFFECTIVE DATE<br>December 1, 2010   |
| REVIEWED DATE<br>July 13, 2016  | APPLIES TO:<br>All Employees | REVISION DATE<br>July 19, 2016       |
| APPROVAL<br><br><div style="display: flex; justify-content: space-between; align-items: center;"> <span>J. Frank Wiley., Chief of Police</span>  </div> |                              |                                      |

## Purpose

The purpose of this policy is to establish the authority and responsibility for the Department’s fiscal management and to establish procedures for the collection, safeguarding and depositing of cash handled by the department.

## Policy

The Chief of Police is the Chief Executive Officer of the Police Department and has the authority and responsibility for the fiscal management of the Department. In order to accomplish this task, he is assisted and supported by the Deputy Chief of Administration and the Administrative Inspector. The Chief of Police is responsible for the operations of the Department budget. All bidding and purchasing requests will be based on information provided by the Chief of Police and supervisory personnel. The day-to-day management of the equipment budget will be the responsibility of the Chief of Police and assisted by the Deputy Chief of Administration and the Administrative Inspector.

## Fiscal Accounting

The Police Department accounting system will be provided by the Division of Finance and Administration. The Administrative Inspector will provide annual reports showing expenditures and balances. The completed reports that are provided will inform the the Chief of Police and the University Department of Finance and Administration of any fiscal concerns.

## Internal Monitoring

The Chief of Police, or member of the Command Staff, must authorize all purchases within the police department. All requisitions for purchase must also be authorized by the University's purchasing office. All payment purchases must be authorized by the Administrative Inspector, or their designee, in accordance with New York State Purchasing guidelines. The Chief of Police, or member of Command Staff, will be responsible to see all purchases are received and assigned for their intended use.

## Safeguarding Cash

1. **Petty Cash** - The University at Albany Police Department will not maintain a petty cash fund.
2. **Bail** - It is the policy of the University at Albany Police Department to not accept Bail.
3. **Tow Money** – It is the policy of the University at Albany Police Department to not accept or collect monies or tow fees. Persons seeking to pay fees associated with their vehicle being towed will be referred to the Office of Parking and Mass Transit Services located on Center Drive East on the University at Albany campus.
4. **Parking Ticket Fines** – It is the policy of the University at Albany Police Department to not accept or collect monies for parking fines. Persons seeking to pay fees associated with their vehicle being towed will be referred to the Office of Parking Management and Mass Transit located on Center Drive East on the University at Albany campus.

## Depositing of Cash

1. All cash obtained by this department will be processed in accordance with General Order 84.1.1 Storage and Transfer of Evidence.
2. The Administrative Inspector is responsible for the annual depositing of stored cash and will do so subsequent to the annual audit of the Evidence Room as per General Order 84.1.1 Storage and Transfer of Evidence.

# GENERAL ORDER 6 PROPERTY

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|   |                              |                                    |
|---|------------------------------|------------------------------------|
| SUBJECT<br><br>Requisition of Property  |                              | GENERAL ORDER NUMBER<br><br>6.1.1  |
| DCJS STANDARDS<br>6.1   |                              | EFFECTIVE DATE<br>December 1, 2010 |
| REVIEWED DATE<br>October 4, 2016  | APPLIES TO:<br>All Employees | REVISION DATE                      |
| APPROVAL<br><br><div style="display: flex; justify-content: space-between; align-items: center;"> <span>J. Frank Wiley., Chief of Police</span>  </div> |                              |                                    |

## Purpose

The purpose of this Order is to outline the procedures for inventory control of property, equipment, and other assets owned by the University at Albany Police Department.

## Policy

The Chief of Police, or member of the command staff, is responsible for the procurement or requisitioning of all agency owned property. No purchase will be made, nor any requisition be forwarded to the University at Albany Purchasing Department without the express written approval of such purchase or requisition by the Chief of Police or authorized member of Command Staff.

## Inventory Control of Property, Equipment and other Assets

The University at Albany Office of Internal Controls will inventory and document all property, equipment and other assets owned and used by the University at Albany Police Department.

**NOTE:** This inventory will be conducted annually.

## Management and Accountability of Property

Part of the general duties of the Chief of Police is to account for the property assigned to and issued for the use of members of the University at Albany Police Department,

and is responsible for the proper care, economical use, sufficiency and serviceability thereof and shall make frequent inspections thereof.

### Designated Person Responsible for the Distribution and Issuance of Property to Authorized Users

The Chief of Police, or member of the Command Staff, will be responsible for the distribution and issuance of agency owned property to authorized users. Although the Chief of Police, or member of the Command Staff, does designate responsibility to division supervisors:

1. **Criminal Investigations Unit** - The Administrative Captain is responsible for the distribution and issuance of all agency owned equipment within the Investigative Unit
2. **Patrol Division** - The Administrative Captain is responsible for the distribution and issuance of all agency-owned equipment such as vehicles (assigned to personnel on each shift). This also includes expendable items such as flares, disposable blankets, fire extinguishers, medical supplies and all reports.
3. **Munitions** – The lead Firearms Instructor, or their designee, is responsible for the distribution and issuance of all agency owned munitions such as handguns, shotguns, rifles, and all ammunition thereof. The Lead Firearms Instructor, or their designee is responsible for the distribution and issuance of all agency owned defensive tactics equipment and O.C. munitions (Pepper Mace).
4. **The Vehicle Maintenance Officer** is responsible for the distribution of equipment related to vehicle maintenance.

## GENERAL ORDER 8 RECORDS

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|   |                              |                                    |
|---|------------------------------|------------------------------------|
| SUBJECT<br>Calls for Service Records  |                              | GENERAL ORDER NUMBER<br>8.1.1      |
| DCJS STANDARDS<br>8.1   |                              | EFFECTIVE DATE<br>December 1, 2010 |
| REVIEWED DATE<br>July 13, 2016  | APPLIES TO:<br>All Employees | REVISION DATE                      |
| APPROVAL<br><br><div style="display: flex; justify-content: space-between; align-items: center;"> <span>J. Frank Wiley., Chief of Police</span>  </div> |                              |                                    |

### Policy

The University at Albany Police Department will maintain a record of each call for service. This record will include a summary of the basic facts of each call. The guidelines contained in this policy will ensure both the integrity of the record system, and that the system will allow for the review of all call activity.

### Procedures

1. Upon receiving a call for service, the dispatcher will attempt to gather as much relevant information as possible.
2. This information will be entered into the Records Management System (RMS) module of the IETS (Incident Entry and Tracking System) computer program. The program automatically assigns a complaint number to all entries, and captures the date and time that the call for service is entered.
3. The dispatcher will also obtain and record, to the extent possible, all other information required by the IETS system, including:
4. Name, address, and telephone number of complainant
  - a. Type of incident.

- b. Location of incident.
- c. Identification of dispatcher.
- d. Identification of officer(s) who responded or otherwise assisted.
- e. Identification of other person(s) involved.
- f. Dispatch, arrival, and clearance times.
- g. How the call was received.
- h. How the call was initially handled (e.g., patrol dispatched).
- i. Summary of all the basic facts of the incident, including our response and disposition of the call.

|   |                              |                                    |
|---|------------------------------|------------------------------------|
| SUBJECT<br>UCR, Clery Act, and Other Required Reports   |                              | GENERAL ORDER NUMBER<br>8.2.1      |
| DCJS STANDARDS<br>8.2   |                              | EFFECTIVE DATE<br>December 1, 2010 |
| REVIEWED DATE<br>July 13, 2016  | APPLIES TO:<br>All Employees | REVISION DATE<br>July 15, 2016     |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                              |                                    |

## Policy

It is the policy of the University at Albany Police Department to fully participate in the DCJS Fingerprint/Criminal History Record Information System, Uniform Crime Reporting, National Incident Based Reporting System, and Clery Act requirements.

## Procedure

1. **UCR and Other Monthly Reports:** Uniform Crime Reports (UCR's) are prepared by the Information Technology Records Officer (ITRO), or their designee on a monthly basis for submission to DCJS utilizing the Department's computerized IETS System. These are fully automated reports that require error correction as indicated before submission to administrative staff members for combining and distribution. In addition to the monthly UCR's, the monthly DCJS Arson Report and Bias Related Crime Reports are also completed and submitted. UCR reports are maintained electronically as well as by hard copy in the Administrative Office.
2. **Annual Clery Act Reports:** Other reporting requirements, such as federal Clery Act Reports, are completed on a yearly basis. This is also an automated report through the RMS system.
  - a. Additional Clery reportable offenses are solicited each year from various campus constituents as well as City of Albany Police and Town of Guilderland Police, compiled and submitted to the Chief of Police for review prior to posting on the appropriate federal web site.
  - i. The Operations Inspector, or their designee, is responsible for compiling and reporting as mandated by the Clery Act.

|   |                              |                                    |
|---|------------------------------|------------------------------------|
| SUBJECT<br>Preparation of Reports and Records Management  |                              | GENERAL ORDER NUMBER<br>8.7.1      |
| DCJS STANDARDS<br>8.7, 51.6   |                              | EFFECTIVE DATE<br>February 1, 2011 |
| REVIEWED DATE<br>July 13, 2016  | APPLIES TO:<br>All Employees | REVISION DATE<br>July 15, 2016     |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                              |                                    |

## Policy

This policy establishes guidelines for preparation of Incident Reports, and the maintenance of a records management system (RMS); which ensures that reports are maintained as required within the University at Albany Police Department.

## Procedure

1. Officers shall promptly submit any reports that are required during the performance of their duties. Reports are to be properly completed before the officer reports off duty unless otherwise directed or approved by a supervisor.
2. All reports are to be entered into the Department's computerized records management system (IETS). Reports are to be free of grammatical and spelling errors, and all required information shall be included.
3. A police report is to be completed for every criminal incident reported to the officer. Suspicious or unusual events may be reported through a miscellaneous report.
4. Officers shall sign all forms that require signatures. IETS reports are signed with a digital signature.
5. Officers shall report all crimes, attempted crimes, and other important matters that come to their attention.
6. Officers shall not repress, conceal, or distort the true facts of any incident.

7. Officers who have information regarding any felony or wanted person, shall immediately report all details to their supervisor. Each supervisor who has been notified of such shall direct the action to be taken, and/or see that such notification is forwarded to the proper unit.
8. Any officer who has valuable information regarding an arrest or a police case other than one with which he or she is directly involved, shall forward such information through the chain of command to the appropriate unit supervisor.
9. Where a call or event is of a serious nature, officers will immediately notify their supervisor. Relieving officers shall be briefed on the particulars of the incident and, in the event a follow-up is necessary, a supervisor will be notified.
10. Supervisors will be held responsible for review of reports submitted by their subordinates, and will instruct the subordinate in the correction of any errors or deficiencies prior to approving the submission of the report.

### Report Structure

1. The University at Albany Police Department uses Incident Entry and Tracking Software (IETS) as a computerized RMS.
2. IETS supports incident based reporting (IBR).
3. All initial incident reports are considered "Police Reports." Any additional information on a given incident is to be added to the original incident as sequentially numbered supplements.
4. An incident in IBR is defined as: "One or more offenses, committed by the same offender, or group of offenders, at the same time and place, including Justifiable Homicide which occurred as a result of such offenses."
5. All criminal reports must have a victim, an offense and an offender (unless the offender is unknown and there is no description).
6. Victims can be non-persons, such as corporations, educational institutions, governmental entities and society in general.
7. All reports involving larceny or criminal mischief, including damage to vehicles, must have a property entry. For incidents involving damage to a vehicle, the report shall have a vehicle entry and separate property entry for the specific vehicle part(s) damaged.

## IETS Password Security

1. All actions in IETS are registered through the user name login. Personnel are responsible for any computer activity on their account while logged in. For this reason, it is imperative to log out of the system when finished
2. Personnel should not login for others, use another person's account, or share passwords.
3. The Information Technology Records Officer (ITRO) should be contacted to reset or change IETS usernames and passwords if it is suspected that the security of an individual's account has been compromised.

## Security of Electronic Records

1. All entries and changes to records in IETS are tracked in a comprehensive audit trail, including date, time, changes made and personnel making changes.
2. Users should be aware that the privacy or security of an unencrypted electronic message sent or received via the Internet cannot be guaranteed.
3. The ultimate destination(s) of e-mail once sent is beyond the control of the original sender, and remains potentially recoverable by others both within and outside of this Department.
4. The use of electronic communication applications and systems will comply with the University at Albany e-mail policy and departmental regulations.

## Report Entry

1. A complaint entry is required to enter a police report in Informant.
2. The segments of an Informant police report are:
  - a. General
  - b. Officer(s)
  - c. Offense(s)
  - d. Victim(s)
  - e. Suspect(s)
  - f. Associate(s)
  - g. Property

- h. Vehicle(s)
  - i. Supplement(s)
3. All segments applicable to the given incident should be entered accurately. Segments and fields that do not apply should be left blank.
  4. If IETS is unavailable, a paper police report can be completed and submitted to the shift supervisor for review. Standard Incident Reports (SIR) forms will be provided for such occurrences. When IETS is restored, the Shift Supervisor will be responsible to ensure that the paper reports are entered into IETS as soon as practicable.

### Traffic Accidents and Summons

1. Traffic accidents considered to be reportable on a DMV104-a form, shall be entered into the Department's IETS program.
2. Information regarding traffic summons issued by officers, shall be entered into the appropriate section of IETS.

### Report Review

1. When an IETS report is completed, the reporting officer shall contact a supervisor to review the report.
2. The supervisor's responsibility will be to review all IETS reports that are submitted for review during their tour of duty.
3. IETS reports include a review section under the *Supplement* segment. When the supervisor considers the report to be accurate and complete, the *Reviewed By* section will be completed using the supervisor's login and password.
4. The Operations Inspector is responsible to review all IETS reports and assign for investigative follow-up as necessary.
5. Edits to reviewed reports should be made only in cases of serious factual error.
6. Reports shall be updated as new information is discovered. Such information shall be entered as a sequentially numbered supplement to the original report.

### Rules Records

1. Departmental records are considered confidential. No person or entity, other than those permitted by law or departmental rule, shall examine or copy any departmental record or report.

2. On-duty officers shall carry a notebook in which they shall record information on all incidents they handle. This information shall include names and addresses of complainants and witnesses, identity of persons arrested, nature of offense, date and time of occurrence, and all other facts that may prove to be of importance in any trial. The officer shall retain all notebooks.
3. Officers shall complete and submit all required reports and other forms in reference to all evidence or other property found, recovered, seized, or otherwise taken possession of during their tour of duty.
4. Officers shall not remove, or permit to be removed, any departmental record, communication or report from any file or location where they are retained, without permission from a competent authority.
5. No departmental record shall be altered, destroyed or permanently removed from departmental files except to comply with the law and by direction of the Chief of Police.

#### Freedom of Information Requests

1. Freedom of Information requests will be forwarded to the Chief of Police, or their designee, for review and release of authorized requested information.
2. The Chief will consult with the University at Albany's Counsel as required.

|   |                                |                                     |
|---|--------------------------------|-------------------------------------|
| SUBJECT<br>Arrest and Arrest History Records  |                                | GENERAL ORDER NUMBER<br>8.8.1       |
| DCJS STANDARDS<br>8.8   |                                | EFFECTIVE DATE<br>December 1, 2010  |
| REVIEWED DATE<br>August 18, 2016  | APPLIES TO:<br>Sworn Personnel | REVISION DATE<br>September 26, 2016 |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                                |                                     |

## Purpose

The purpose of this Order is to establish procedures for making lawful arrests in a manner that ensures the safety of both the officer and the arrestee, while preserving an individual's rights that are protected by the State of New York.

## Policy

It is the policy of the University at Albany Police Department that no person will be arrested without probable cause to believe that an offense has been committed. Authority to arrest is strictly limited to those situations where the Criminal Procedure Law (CPL) of the State of New York authorizes an arrest. This policy also governs the maintenance of arrest history records within the University at Albany Police Department. An arrest history record is maintained on each person arrested.

### Arrest History Records

1. The arresting officer will compile an arrest folder and enter all pertinent arrest and incident information into the Department's computerized records management system (RMS) for each person arrested, including, but not limited to the Defendant's:
  - a. Full and correct name
  - b. Date of birth
  - c. Social security number
  - d. Gender
  - e. Race

- f. Height and weight
  - g. Eye and hair color
  - h. Address and phone number(s)
  - i. Place of employment with phone number(s).
  - j. All other information pertinent to the arrest and incident.
2. Maintenance of arrest records:
- a. Written records of arrest will be maintained by the ITRO, and will be organized by year of arrest and arrest number.
  - b. Computerized records of arrest will be maintained in the Department's computerized records management system (RMS).

|   |                                |                                    |
|---|--------------------------------|------------------------------------|
| SUBJECT<br>Juvenile Records   |                                | GENERAL ORDER NUMBER<br>8.9.1      |
| DCJS STANDARDS<br>8.9   |                                | EFFECTIVE DATE<br>December 1, 2010 |
| REVIEWED DATE<br>July 13, 2016  | APPLIES TO:<br>Sworn Personnel | REVISION DATE                      |
| APPROVAL<br>J. Frank Wiley., Chief of Police  |                                |                                    |

## Purpose

The purpose of this Order is to govern the collection, maintenance and dissemination of juvenile records.

## Policy

The University at Albany Police Department maintains records on all matters relating to persons under the age of sixteen (16) which follow all State mandates and requirements relating to Juveniles. These records are kept secure, in a locked filing cabinet, separate from all adult records. These records include juvenile offenses where petitions and related papers were filed with the Family Court / Probation Departments and not available to non-agency personnel.

## Procedure

When a juvenile is arrested, the arresting Supervisor/Investigator/Officer will issue the juvenile and parent an appearance ticket to Albany County Family Court, Albany, New York.

The Supervisor/Investigator/Officer will fill out and sign an Intake Complaint Form and the department will forward all original reports, statements, arrest reports, etc. to Albany County Probation, 60 South Pearl Street Albany, New York. The Supervisor/Investigator/Officer will also fill departmental juvenile arrest forms.

The Administrative Captain, or their designee, will place the juvenile arrest forms in the juvenile file secure storage. If the juvenile has no previous record, a new file will be made out.

All juvenile records are kept in the juvenile file and are always kept locked. The only person with access to the cabinet will be the Administrative Captain, or their designee, who will oversee.

The University at Albany Police Department Administrative Services and Criminal Investigative Unit are accountable for all juvenile matters and is responsible for the security of all juvenile records as required by applicable regulations.

|   |                                |                                    |
|---|--------------------------------|------------------------------------|
| SUBJECT<br>Sealing Orders   |                                | GENERAL ORDER NUMBER<br>8.11.1     |
| DCJS STANDARDS<br>8.11  |                                | EFFECTIVE DATE<br>December 1, 2010 |
| REVIEWED DATE<br>August 18, 2016  | APPLIES TO:<br>Sworn Personnel | REVISION DATE                      |
| APPROVAL<br>J. Frank Wiley., Chief of Police  |                                |                                    |

## Purpose

The purpose of this Order is to establish procedures for complying with court mandated sealing orders.

## Policy

It is the policy of the University at Albany Police Department to comply with all court mandated sealing orders. This policy governs the process used to comply with such orders.

## Record Sealing Process

1. The ITRO (Information Technology Records Officer), or their designee, to be responsible for processing all court mandated seals
2. These files will be sealed in the following manner:
  - a. The ITRO, or their designee, removes the arrest folder from the files.
  - b. The ITRO, or their designee seals the arrest record from the Department's computerized RMS (Records Maintenance System); thereby rendering this information as not being accessible or retrievable from that system by normal means.
  - c. The case folder is locked into designated filing cabinets maintained by the assigned ITRO, or their designee.
  - d. Unless otherwise indicated in the sealing order, all photos and fingerprints records associated with that file, or copies of such, are destroyed.

# GENERAL ORDER 11 ORGANIZATION

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|   |                              |                                      |
|---|------------------------------|--------------------------------------|
| SUBJECT<br>Organizational Structure   |                              | GENERAL ORDER NUMBER<br>11.1.1       |
| DCJS STANDARDS<br>2.1   |                              | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>August 18, 2016  | APPLIES TO:<br>All Employees | REVISION DATE<br>July 1, 2015        |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                              |                                      |

## Purpose

The purpose of this Order is to describe the University at Albany Police Department’s organizational structure.

## Policy

The organizational structure of the University at Albany Police Department is a formal structure through which the organizational components are arranged, defined, directed and coordinated according to basic organizational principles. In order to ensure that the Department maintains the degree of flexibility necessary to respond to changing circumstances, the Chief of Police may appoint individuals and/or components to perform additional tasks to meet the Department's goals and objectives. These components or assignments may be of a temporary or permanent nature and are not to be constrained by this policy.

## Organization

1. The University Police Department is part of the organizational structure of the campuses within the State University of New York system. System-wide policies and certain administrative procedures emanate from the Office of the Chancellor. However, the operational program and implementation of policies are administered locally. The lines of authority flow from the University President through various administrators to the Chief of Police. At the University at Albany,

the Chief of Police reports to the Vice President of Finance and Administration who, in turn, reports to the President of the University. Administrative direction, therefore, may come from managers who have no sworn authority while law enforcement direction is the responsibility of the Chief of Police.

2. The University at Albany Police Department organizational structure includes divisions, sections and units, each of which is assigned specific functional areas of responsibility. Included are activities which are directly related to carrying out the Department's objectives or are in support of them.
3. The Department is organized as follows:
  - a. Reporting directly to the Chief of Police are the Deputy Chief of Police for Operations and the Deputy Chief of Police for Administration.
  - b. Reporting directly to the Deputy Chief of Police for Operations are the Operations Inspector, the Administrative Captain, and Lieutenants.
  - c. Reporting directly to the Deputy Chief of Police for Administration are the Administrative Inspector, the Administrative Captain, the Information Technology and Records Officer (ITRO) and the Administrative Support Staff.
  - d. Reporting directly to the Lieutenants are the Police Patrol Division, K-9 Unit, the Security Services Assistants and the Campus Public Safety Officers.

## Organizational Chart

An organizational chart is maintained which depicts the current formal structure and organization of the department. This chart is located in Annex F of this Manual and exhibits the current status of the Department's organization (except for any special or temporary assignments), and is posted in the University Police Department's Briefing room. This chart will be reviewed annually with the General Orders and will be amended whenever organizational components are created or eliminated.

|   |                                |                                      |
|---|--------------------------------|--------------------------------------|
| SUBJECT<br>Responsibility and Authority of University<br>Police Officer   |                                | GENERAL ORDER<br>NUMBER<br>11.3.1    |
| DCJS STANDARDS  |                                | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>October 4, 2016  | APPLIES TO:<br>Sworn Personnel | REVISION DATE                        |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                                |                                      |

## Purpose

The purpose of the Order is to define the legally mandated authority and responsibilities vested in all categories of sworn personnel.

## Legal Authority

The University of Albany Police Officer’s sworn officers consist of Command staff, police officers, lieutenants, and investigators. Each of the University at Albany Police Department’s sworn personnel are appointed police officers who derive their legal authority, which includes the authority to make a full custody arrest, from the New York State Criminal Procedure Law, §1.20.34(s) University Police Officers.

## Responsibilities

The responsibilities of sworn officers are outlined in General Order 21.2.8 University Police Officer I.

|   |                                |                                      |
|---|--------------------------------|--------------------------------------|
| SUBJECT<br>Responsibility and Authority of Lieutenants  |                                | GENERAL ORDER NUMBER<br>11.3.2       |
| DCJS STANDARDS<br>2.7, 2.9  |                                | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>October 4, 2016  | APPLIES TO:<br>Sworn Personnel | REVISION DATE                        |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                                |                                      |

## Purpose

The purpose of the Order is to define the legally mandated authority and responsibilities vested in all categories of Lieutenants.

## Responsibilities

University Police Lieutenants are members appointed in charge of one or more members and/or employees. In addition to the general and individual responsibilities of all members and employees, lieutenants are specifically responsible for the following on their shift:

1. **Good Order** - Maintains general good order of their command during their tour of duty to include adherence to policies, rules and regulations, conduct, welfare, field training and efficiency.
2. **Roll Call** - Conducts prescribed roll call or pre-shift briefings, communicates all orders or other information at roll call and inspection and makes corrections as necessary.
3. **Reporting** - Assures the preparation of required reports in a timely, accurate and professional manner. Informs superiors and relief of all activities transpiring during the tour of duty.
4. **Personnel Complaints** - Notifies the Chief of the University Police immediately of all allegations of misconduct or abuse of authority made against University Police personnel followed by a written report. Makes inquiry into personnel complaints against members and employees under their command as assigned by the Chief and in accordance with the provisions of this manual.

5. **Supervision** - Schedules and assigns University Police Officers to mobile patrol and dispatch/desk assignments in order to effectively and efficiently utilize staff and ensure adequate coverage. In addition to subordinate University Police Officer 1, may directly supervise Campus Public Safety Officers, Security Service Assistants, Student Assistants and support staff as assigned.
6. **Leadership** - Effective supervision requires leadership. Leadership shall include on-the-job training as needed for efficient operation and the coordination of effort when more than one member or employee is involved.
7. **Direction** - University Police Lieutenants must exercise direct command in a manner that assures the good order, conduct, discipline and efficiency of subordinates. Exercise of command may extend to subordinates outside their usual sphere of supervision if the police objective or reputation of the Department so requires or if no other provision is made for personnel temporarily unsupervised. This authority shall not be exercised unnecessarily.
8. **Enforcement of Rules** - University Police Lieutenants shall enforce departmental rules and regulations and ensure compliance consistent with departmental policies and procedures.
9. **Inspection** - University Police Lieutenants are responsible for inspection of activities, personnel, and equipment under their supervision and initiation of administrative action in the event of a failure, error, violation, misconduct or neglect of duty by a subordinate.
10. **Assisting Subordinates** - University Police Lieutenants shall have a working knowledge of the duties and responsibilities of their subordinates. They shall observe contacts made with the public by their subordinates and be available for assistance or instruction as may be required. University Police Lieutenants shall respond to calls of emergencies, felonies in progress, assaults and other serious incidents. They should observe the conduct of assigned personnel and take active charge when necessary.
11. **Campus Relations** - University Police Lieutenants shall maintain effective liaison with other campus departments.
12. **Other Duties** - University Police Lieutenants shall perform such duties as assigned by the Chief of Police, and/or Deputy Chiefs of University Police.

### Accountability for use of Authority

Each member to whom authority is delegated is accountable for the use of that authority. Members are also accountable for their failure to exercise authority when appropriate.

Additionally, supervisory personnel are accountable for the performance of employees under their immediate control.

# GENERAL ORDER 12 ADMINISTRATION

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|   |                              |                                      |
|---|------------------------------|--------------------------------------|
| SUBJECT<br><br>Responsibility and Authority of the Chief of Police  |                              | GENERAL ORDER NUMBER<br><br>12.1.1   |
| DCJS STANDARDS  |                              | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>October 4, 2016  | APPLIES TO:<br>All Employees | REVISION DATE                        |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                              |                                      |

## Purpose

This Order outlines the authority and responsibility of the Chief of Police. The Chief's responsibility and authority are in balance to ensure the requirements of the position are met. The Chief of University Police is the Chief Executive Officer of the University at Albany Police Department.

## Responsibilities

The Chief of Police has overall command of the University at Albany Police Department. In addition to the general and individual responsibilities for all employees and supervising officers, the Chief is responsible for the:

1. Planning, directing, coordinating, controlling and staffing all of the department's activities to include the protection of people, personal property, state property and equipment;
2. Enforcement of laws and ordinances within the Department's legal jurisdiction;
3. Training of employees and documentation of such training;

4. Development and maintenance of a positive relationship with all segments of the campus community to obtain their support in conducting a successful campus law enforcement program;
5. Development of rules and regulations within the Department;
6. Appropriate investigation of complaints made against their personnel;
7. Completion of forwarding such reports as may be required by competent authority
8. Department's relations with the campus community;
9. Appropriate liaison in law enforcement and related matters between campus and local state and federal officials.

### Authority

The Chief exercises all lawful powers of the office and issues such lawful orders as necessary to assure the effective performance of the Department. The Chief of Police is a member of the University's professional staff and functions in accordance with policy established by the University's administration with considerable latitude in the exercise of independent judgment and discretion in the management and operation of the Department. The Chief's authority is commensurate to carry out the responsibilities outlined in the previous section.

|  |                              |                                      |
|--|------------------------------|--------------------------------------|
| SUBJECT<br>Accountability, Obedience of Orders   |                              | GENERAL ORDER NUMBER<br>12.1.3       |
| DCJS STANDARDS<br>2.9, 2.10  |                              | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>August 18, 2016   | APPLIES TO:<br>All Employees | REVISION DATE                        |
| APPROVAL<br>J. Frank Wiley, Chief of Police  |                              |                                      |

## Purpose

Direction and supervision are among the most critical elements of agency performance. This Order provides that supervisory personnel are accountable for the performance of the employees under their immediate control, requires employees to obey lawful orders, and outlines the procedure to be followed by employees who receive conflicting orders.

## Accountability of Supervisory Personnel for Performance of Those Supervised

Lieutenants are accountable for the performance of the employees under their immediate supervision. Although Lieutenants, through delegation, may free themselves of the actual performance of a task, they cannot rid themselves of responsibility or accountability for the ultimate accomplishment of the task.

## Obedience to Orders

Orders are instructions given to subordinates by those higher in command. Officers are required to obey all lawful orders of Lieutenants and other higher-ranking members, including orders relayed from a supervisor by an employee of the same or lesser rank.

## Conflicting Orders

Occasionally, members may receive an order that conflicts with a previously given order. In these circumstances, the following policies shall apply:

1. An employee who receives an order that conflicts with any previous order will inform the person who issued the second order that their directions are in conflict with those previously received.

2. The responsibility for countermanding the original order rests with the supervisor who issued the subsequent order.
3. In the event that the conflict cannot be readily discussed with the Lieutenants involved, the member carries out the most recent order given and advises, as soon as possible, the supervisor who gave the most recent order.

### Unlawful Orders

Under no circumstances will an employee obey an order that is unlawful, unethical or immoral. Obedience to an unlawful order is not a defense for an unlawful action. If a member believes that an order is unlawful, unethical or immoral, that member has the responsibility to inform the person giving the order of such. If the order is not clarified in such a way as to establish it as lawful and proper, or retracted, the member will inform a supervisor of a higher rank than the one issuing the order that such an order has been given.

Responsibility for refusal to obey rests with the member and they must be able to articulate the justification for their actions. An unlawful, unethical or immoral order will be investigated according to applicable policies and General Orders.

# GENERAL ORDER 16 ALLOCATION AND DISTRIBUTION OF PERSONNEL

|  |                              |                                      |
|--|------------------------------|--------------------------------------|
| SUBJECT<br>Special Assignments and Duties  |                              | GENERAL ORDER NUMBER<br>16.2.0       |
| DCJS STANDARDS<br>43.6   |                              | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>August 18, 2016   | APPLIES TO:<br>All Employees | REVISION DATE<br>September 26, 2016  |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                              |                                      |

## Purpose

The purpose of this Order is to set forth the policies and procedures for specialized assignments within the Department.

## Policy

Specialized assignments within the Department are characterized by increased levels of responsibility and specialized training, but are within a given position classification. The Chief of Police, or their designee, is responsible for determining the need for specialized assignments within the Department's organization.

## Procedure

1. Once a specialized program, activity or organizational function has been developed within the Department, the Chief of Police, or their designee, shall:
  - a. Determine the training needs and establish training requirements accordingly for personnel assigned to specialized assignments or functions.

- b. Annually review each specialized assignment for the purpose of determining whether it should be continued. The evaluation will include:
      - i. A listing of the agency's specialized assignments,
      - ii. A statement of purpose for each listed assignment;
      - iii. The evaluation of the initial problem or condition that required the implementation of the specialized assignment.
2. Openings for specialized assignments shall normally be advertised by written job announcement. Written job announcements will be advertised to all personnel and shall be posted in the briefing room.
3. All job announcements for specialized assignments shall specify the knowledge, skills, abilities and qualifications needed for the job assignment and include any additional requirements.
4. The procedures qualified employees must follow in order to request consideration for selection to a specialized assignment will be specified in the job announcement for said assignment.
5. The process for selecting personnel to specialized assignments will be set forth in the job announcement for the particular assignment.
6. The Chief of Police reserves the right to place qualified personnel in specialized assignments on the basis of prior experience, training or similar assignment history without using the job announcement procedure outlined in sections 1 - 5 above.

## Specialized Assignments

The following are the special assignments utilized by the University Police Department. Others may be added as required. Not all specialized assignment titles may be filled at any given time and not every specialized assignment performed by Department personnel will necessarily be reflected in this section.

Sworn:

1. Bicycle Patrol Unit
2. Bicycle Patrol Coordinator
3. Quartermaster
4. Explosives K9 Handler

5. Narcotics K9 Handler
6. Vehicle Maintenance Officer
7. Breathalyzer Maintenance Officer(s)
8. Honor Guard
9. Public Information Officer
10. Information Technology and Records Officer
11. Evidence Technician
12. Drug Recognition Expert

|   |                              |                                      |
|---|------------------------------|--------------------------------------|
| SUBJECT<br>Crime Prevention Programs  |                              | GENERAL ORDER NUMBER<br>16.2.1       |
| DCJS STANDARDS<br>29.1  |                              | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>August 18, 2016  | APPLIES TO:<br>All Employees | REVISION DATE<br>October 10, 2014    |
| APPROVAL<br>J. Frank Wiley., Chief of Police  |                              |                                      |

## Purpose

The purpose of this Order is to establish the University Police Department’s role in crime prevention within the University at Albany community.

## Policy

The University at Albany Police Department strives to maintain a positive relationship with the university community through community policing and problem solving. To achieve this goal all employees must strive to form collaborative partnerships with the community we serve. The actions of each individual officer and civilian employee reflect on the department as a whole, and all personnel should project a positive image. All departmental personnel must be aware of the various crime prevention programs that this agency provides, so that they may inform the community.

## Responsibility

1. While every employee has a role, the Inspector of Administration has overall responsibility for the community relations function under the Deputy Chief of Administration.
2. All department personnel must assume the responsibility of promoting good community relations. The actions and demeanor of our personnel while dealing with the public have a significant effect on the department image, effectiveness, and acceptance of our programs.
3. This department is committed to correcting actions, practices, and attitudes that may contribute to community tensions and grievances.

## Community Relations and Crime Prevention Programs

1. Security Surveys
2. Women's Safety and R.A.D. (Rape Aggression Defense) courses
3. Alcohol Awareness and Education
4. Drug Awareness and Education
5. Personal Safety Workshops
6. Citizens Police Academy
7. Community Observer Program
8. Safety Fairs
9. Information Tables
10. Orientations

|   |                                |                                      |
|---|--------------------------------|--------------------------------------|
| SUBJECT<br>Bicycle Patrol Unit  |                                | GENERAL ORDER NUMBER<br>16.2.2       |
| DCJS STANDARDS<br>43.6  |                                | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>October 4, 2016  | APPLIES TO:<br>Sworn Personnel | REVISION DATE                        |
| APPROVAL<br>J. Frank Wiley., Chief of Police  |                                |                                      |

### Purpose

The purpose of this Order is to establish the responsibilities of the Bicycle Patrol Unit at the University at Albany Police Department.

### Policy

It is the policy of the University at Albany Police Department to have the Bike Patrol Unit augment and enhance the patrol function and community policing mission of the Department by having highly visible Bike Patrol Officers

### Selection and Assignment

1. Positions in Bicycle Patrol are of a voluntary nature. Openings for positions will be posted according to procedures set forth in General Order 16.2.0, Specialized Assignments and Duties.
2. Officers selected for assignment with the Bicycle Patrol must successfully complete an approved Bicycle Patrol Officers Course before beginning actual bicycle patrol duties.
3. Certain specialized assignments may require successful completion of Bicycle Patrol training as a condition of assignment.
4. Officers interested in this assignment must, prior to their selection, submit a recent medical clearance note from a physician of their choice clearing the officer to take part in a Bicycle Patrol Officers Course and stating the officer is physically capable of performing the duties of a bicycle patrol officer to the Deputy Chief of Administration, the Deputy Chief of Operations or their designee.

## Daily Shift Assignments

1. Schedule
  - a. Officers are expected to ride on the days they are scheduled, and should notify the shift supervisor before pre-shift briefing of any reasons why they are unable to ride.
  - b. If an officer cannot ride on their scheduled day, the shift supervisor should substitute another officer if possible.
2. Minimum and Maximum Staffing – The bike patrol schedule will provide for a minimum number of bike patrols on each shift. Provided that there are an adequate number of officers assigned to patrol cars, there is no maximum limit for bike patrols.
3. Patrol Car Minimums – In assigning officers to bike patrol on any given shift, there should remain a minimum of two (2) patrol cars in service.
4. Riding with Partners -Bike patrol officers should be encouraged to ride in pairs and should not be forced to ride alone in situations where they feel it is unsafe to do so.
5. Weather Conditions
  - a. No bike patrol officer shall be forced to ride in temperature or wind chill conditions below 40 degrees or above 95 degrees Fahrenheit, nor during periods of inclement weather such as heavy rain or high winds.
  - b. No bike patrol officer who has not been issued cold weather gear shall be forced to ride in weather that is not conducive to wearing short sleeves and shorts.
  - c. No bike patrol officer should be permitted to ride in weather conditions that would present an obvious hazard to their personal safety, or would physically restrict them from adequately responding to calls. These conditions include: slippery or icy conditions, heavy rains, high winds, and excessively wet or snowy ground conditions that would restrict travel to limited areas of pavement.

## Uniforms and Safety Equipment

1. Bike patrol officers must have a bike patrol uniform and regular duty uniform available for all regular shifts and overtime assignments.
2. All officers are required to wear the most current issued bike patrol uniform including all issued safety equipment. Discontinued versions of the uniform are not to be worn.

## Patrol Areas

1. Areas Conducive to Bike Patrol
  - a. Bike patrol officers should concentrate their patrol activity on inner-campus and off-road areas where motorized vehicles cannot travel, and high crime areas such as parking lots; where the inconspicuous approach of bike patrols can more easily detect crimes in progress.
  - b. Roadways can be utilized as an efficient means to respond to certain locations, but should not be regularly patrolled on bicycles.
2. Riding on Sidewalks - Bike patrol officers must ride at safe speeds and remain aware of pedestrian traffic when patrolling on sidewalks.
3. Riding Inside Buildings - Bike patrol officers should refrain from riding inside buildings unless an emergency response is warranted. Bikes should be walked through buildings, and due consideration should be given to avoid tracking dirt and moisture through interior areas.

## Response to Calls

1. All bike patrol officers are expected to remain in good physical condition and proficient in the cycling skills necessary to respond to calls in a timely manner.
2. Unless otherwise directed by the shift supervisor, bike patrol officers should be considered a regular patrol unit and should respond to the same call volume as their motorized counterparts.
3. Bike patrols may be dispatched to any type of call, but should not be the primary unit dispatched to calls best suited for patrol vehicles. Such calls include:
  - a. Motor vehicle accidents
  - b. Ambulance escorts
  - c. Motorist assists
  - d. Calls located on Alumni Quad or Draper Complex

## Bike Security

1. In order to prevent tampering and theft, and to facilitate quick response to calls, bikes should remain in the custody of the officer while on patrol.

2. When it is impractical to maintain possession of the bike in response to routine calls, it should be placed in a secure room, or as a last resort, handcuffed or locked to an immovable object.
3. Bikes left unattended on patrol car bike racks should be locked to the rack at all times.
4. Officers should check for tampering before riding any bike left unattended in an area accessible to the public.

## Training

1. In order to become a member of the Bike Patrol, officers are required to successfully complete a DCJS certified bike patrol training course.
2. In order to remain an active Bike Patrol member, all bike patrol officers must successfully complete a periodic qualification and refresher course conducted by this department.

## Bike Assignment

1. Each bike officer will be assigned a bike which will be properly sized, adjusted and equipped to fit their individual body type and riding style.
2. Each officer is responsible to inflate tires to maximum pressure and perform a safety inspection prior to every ride.
3. Each bike officer will be responsible for the basic maintenance of their assigned bike. Basic maintenance includes: washing, drive train cleaning and lubrication, securing loose parts, and tire/tube repair/replacement. All other repairs should be reported to trained maintenance officers.

|   |                                |                                      |
|---|--------------------------------|--------------------------------------|
| SUBJECT<br>Bicycle Patrol Coordinator   |                                | GENERAL ORDER NUMBER<br>16.2.3       |
| DCJS STANDARDS<br>43.6  |                                | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>October 4, 2016  | APPLIES TO:<br>Sworn Personnel | REVISION DATE                        |
| APPROVAL<br>J. Frank Wiley., Chief of Police  |                                |                                      |

### Purpose

The purpose of this Order is to establish the responsibilities of specialized assignment of Bicycle Patrol Coordinator.

### Responsibilities

The Bicycle Patrol Coordinator will be an active member of the Bicycle Patrol Unit. The Chief of Police or their designee will designate a Bicycle Patrol Coordinator whose duties will include, but are not limited to:

3. Coordinates rider training courses with a member of the Command Staff.
4. Maintains responsibility for the bicycle maintenance program.
5. Performs recordkeeping for the Bicycle Patrol.
6. Prepares the annual review and personnel recommendations for the coming fiscal year.
7. Provides an up-to-date roster of Bicycle Patrol Officers.

|   |                              |                                      |
|---|------------------------------|--------------------------------------|
| SUBJECT<br>Quartermaster  |                              | GENERAL ORDER NUMBER<br>16.2.4       |
| DCJS STANDARDS<br>43.6  |                              | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>August 18, 2016  | APPLIES TO:<br>All Employees | REVISION DATE<br>September 26, 2016  |
| APPROVAL<br>J. Frank Wiley., Chief of Police  |                              |                                      |

### Purpose

The purpose of this Order is to establish the responsibilities of specialized assignment of Quartermaster.

### Responsibilities

The Administrative Captain functions as the Department’s Quartermaster with the following responsibilities:

1. Maintains records of the Department uniform stock and individual officer issue.
2. Receives officer uniform requests:
  - a. All initial issuance of uniforms and related equipment will be made by the Quartermaster. All subsequent uniform and equipment requests for replacements shall be made to the Administrative Inspector.
  - b. Reasons may include, but are not limited to: new issue or replacement for damaged, worn out, incorrectly sized or lost items. Request denials are to be appealed to the Administrative Inspector.
  - c. Except for lost or destroyed items, replacement items will be issued on a one-to-one exchange basis.
3. Makes recommendations to management staff for new uniform items that will enhance the quality of work life for University Police Officers.

|   |                                |                                      |
|---|--------------------------------|--------------------------------------|
| SUBJECT<br>Explosives Detection K9 Handler  |                                | GENERAL ORDER NUMBER<br>16.2.6       |
| DCJS STANDARDS<br>43.6  |                                | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>August 18, 2016  | APPLIES TO:<br>Sworn Personnel | REVISION DATE<br>April 20, 2016      |
| APPROVAL<br>J. Frank Wiley., Chief of Police  |                                |                                      |

## Purpose

The purpose of this directive is to establish the policies and procedures for the selection of specialized assignment for Explosive K9 Handler for the University at Albany Police Department.

## Introduction

The University at Albany Police Department's Explosive K9 Unit is considered a specialized assignment due to the increased levels of responsibility and specialized training involved but is granted within a given position classification.

## Policy

The K9 Unit is available on a 24-hour, on-call basis to conduct building searches, protective sweeps, respond to bomb threats, and for suspicious packages. The K9 Unit is also available to assist other agencies upon request. A member of the Command Staff will assess the threat level of the request and determine if the K9 Unit will assist other jurisdictions with incidents. The K9 Unit will fully cooperate and assist the requesting agency on-scene supervisor but will not place the canine in danger or go beyond the canine's abilities due to the request.

## Procedure

The Chief of Police, in conjunction with the Administrative Captain is responsible for developing and directing a selection process.

4. Developing and implementing a selection process from which a list of candidates is established.

5. Selecting individuals who will assist in developing, formulating and coordinating all of the elements of the process.
6. Selecting those successful candidates from the selection process who are best qualified to fill existing or established vacancies.

### Vacancies

Announcement of vacancies are posted on the special events bulletin board. Announcements will include the following information.

7. A description of the position for which the process is being conducted.
8. A schedule of dates, times and locations for all elements of the process, including the deadline date for letters of recommendation or intent.
9. A statement of minimum qualifications for eligibility for selection.
10. A description of the process to be used to fill vacancies.

### Eligibility Requirements and Criteria

The eligibility requirements for selection are based upon minimum requirements.

#### **Explosive K9 Handler**

11. Three years as a police officer.
12. Demonstrated record of participation in programs and activities of the department.
13. Demonstrated an interest in continued self-development and education; e.g., continues to attend available training programs.
14. Knowledge of Community Policing and Crime Prevention.
15. Served with good conduct evidenced by no disciplinary action to exceed one written reprimand in the past twenty-four months.
16. Rated satisfactory or above in all areas on the most recent performance evaluation.

### Selection Process

Upon receipt of qualified candidates the Administrative Captain will initiate the choosing of the selection board for oral interviews. All board members will be voting members. The voting or rank of the candidates by the selection board will be submitted to the Chief of Police, or their designee, who will make the final decision.

Applicants will be evaluated on each of the below areas, using rating scale interview sheets:

### **Knowledge, Skills, and Abilities**

- Performance
- Management ability
- Scope and level of previous responsibility
- Related education
- Specialized training
- Initiative/Attitude
- Appearance
- Communication skills
- Administrative skills
- Motivational and team building skills

Each selection board member shall rate each applicant based on the above performance/knowledge dimensions. Many of these areas are addressed by the interview ranking sheets; areas such as past performance and specialized training are evaluated using the applicant record review. Finally, these evaluation worksheets are scored by the final vote of the selection board. At the close of the interview, each candidate is told when they can expect to hear from the Police Department.

### **Assignment Duration**

1. The University at Albany Police Department K9 Unit, which includes the Explosive K9 Handler position, is overseen by the Deputy Chief for Operations.
2. Upon successful completion of the K9 Handler basic school, the Administrative Inspector will authorize for purchase the specialized equipment necessary to perform in this position.
3. The Explosive K9 Handler will remain in their assignment until they resign from the position or are asked to leave the position by the Chief of Police.

### **Selection process review**

Non-selected candidates for specialized assignment vacancies may request a review by the Chief of Police of any area of the process in which there may be questions relating to an adverse decision concerning eligibility. Requests for review must be made in writing within one calendar week of notification of non-selection.

A review by the Chief of Police will be made and the results of such review provided in writing to the employee. The review will address areas in which the employee needs improvement for future consideration.

If the results of the review have not been resolved to the satisfaction of the employee, they may seek relief through the applicable grievance procedures.

**Annual Evaluation of the Selection Process**

The selection process will be reviewed annually and revised as needed by the Chief of Police or their designee.

|   |                                |                                      |
|---|--------------------------------|--------------------------------------|
| SUBJECT<br>Narcotics Detection K9 Handler   |                                | GENERAL ORDER NUMBER<br>16.3.6       |
| DCJS STANDARDS<br>43.6  |                                | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>August 18, 2016  | APPLIES TO:<br>Sworn Personnel | REVISION DATE<br>April 20, 2016      |
| APPROVAL<br>J. Frank Wiley., Chief of Police  |                                |                                      |

## Purpose

The purpose of this directive is to establish the policies and procedures for the selection of specialized assignment for Police Narcotics Detection K9 Handler for the University at Albany Police Department.

## Introduction

The University at Albany Police Department’s Police Narcotics Detection K9 Unit is considered a specialized assignment due to the increased levels of responsibility and specialized training involved but is granted within a given position classification.

## Policy

The Police Narcotics Detection K9 Unit is available on a 24-hour, on-call basis to conduct searches to detect various illicit drugs, including: marijuana, hashish, cocaine base (crack), cocaine hydrochloride (powder), methamphetamines, ecstasy and heroin. In addition, the Police Narcotics Detection K9 Unit can be used to track persons, search buildings for persons, search areas for persons, search for articles, provide handler protection and apprehend criminals when the situation is serious enough and no other means of apprehending the suspect are available. The Police Narcotics Detection K9 Unit is trained to search for lost or missing persons as well.

## Procedure

The Chief of Police, in conjunction with the Administrative Captain is responsible for developing and directing a selection process.

17. Developing and implementing a selection process from which a list of candidates is established.

18. Selecting individuals who will assist in developing, formulating and coordinating all of the elements of the process.
19. Selecting those successful candidates from the selection process who are best qualified to fill existing or established vacancies.

### Vacancies

Announcement of vacancies are posted on the special events bulletin board. Announcements will include the following information.

20. A description of the position for which the process is being conducted.
21. A schedule of dates, times and locations for all elements of the process, including the deadline date for letters of recommendation or intent.
22. A statement of minimum qualifications for eligibility for selection.
23. A description of the process to be used to fill vacancies.

### Eligibility Requirements and Criteria

The eligibility requirements for selection are based upon minimum requirements.

#### **Police Narcotics Detection K9 Handler**

24. One year as a police officer.
25. Demonstrated record of participation in programs and activities of the department.
26. Demonstrated an interest in continued self-development and education; e.g., continues to attend available training programs.
27. Knowledge of Community Policing and Crime Prevention.
28. Served with good conduct evidenced by no disciplinary action to exceed one written reprimand in the past twenty-four months.
29. Rated satisfactory or above in all areas on the most recent performance evaluation.

### Selection Process

Upon receipt of qualified candidates the Administrative Captain will initiate the choosing of the selection board for oral interviews. All board members will be voting members. The voting or rank of the candidates by the selection board will be submitted to the Chief of Police, or their designee who will make the final decision.

Applicants will be evaluated on each of the below areas, using rating scale interview sheets:

### **Knowledge, Skills, and Abilities**

- Performance
- Management ability
- Scope and level of previous responsibility
- Related education
- Specialized training
- Initiative/Attitude
- Appearance
- Communication skills
- Administrative skills
- Motivational and team building skills

Each selection board member shall rate each applicant based on the above performance/knowledge dimensions. Many of these areas are addressed by the interview ranking sheets; areas such as past performance and specialized training are evaluated using the applicant record review. Finally, these evaluation worksheets are scored by the final vote of the selection board. At the close of the interview, each candidate is told when they can expect to hear from the Police Department.

### **Assignment Duration**

1. The University at Albany Police Department K9 Unit, which includes the Narcotics Detection K9 Handler position, is overseen by the Deputy Chief for Operations.
2. Upon successful completion of the K9 Handler basic school, the Administrative Inspector will authorize for purchase the specialized equipment necessary to perform in this position.
3. The Narcotics K9 Handler will remain in their assignment until they resign from the position or are asked to leave the position by the Chief of Police.

### **Selection process review**

Non-selected candidates for specialized assignment vacancies may request a review by the Chief of Police of any area of the process in which there may be questions relating to an adverse decision concerning eligibility. Requests for review must be made in writing within one calendar week of notification of non-selection.

A review by the Chief of Police will be made and the results of such review provided in writing to the employee. The review will address areas in which the employee needs improvement for future consideration. If the results of the review have not been resolved to the satisfaction of the employee, he/she may seek relief through the applicable grievance procedures.

**Annual Evaluation of the Selection Process**

The selection process will be reviewed annually and revised as needed by the Chief of Police.

|   |                                |                                      |
|---|--------------------------------|--------------------------------------|
| SUBJECT<br>Vehicle Maintenance Officer  |                                | GENERAL ORDER NUMBER<br>16.2.7       |
| DCJS STANDARDS<br>43.6  |                                | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>August 18, 2016  | APPLIES TO:<br>Sworn Personnel | REVISION DATE                        |
| APPROVAL<br>J. Frank Wiley., Chief of Police  |                                |                                      |

## Purpose

The purpose of this Order is to establish the responsibilities of specialized assignment of Vehicle Maintenance Officer.

## Responsibilities

1. Coordinates with Vehicle Operations Center, Lieutenants and dealerships in the regular maintenance and repair of all patrol vehicles
2. Maintains the records of all patrol vehicles to include but not limited to:
  - a. Year/make/model New York State Registration, University Police Department Registration;
  - b. Routine maintenance, record mileage and date work performed;
  - c. Additional repairs made, mileage, date, and work performed.
3. Performs and documents weekly maintenance checks:
  - a. Basic fluid check;
  - b. Tire pressure and wear;
  - c. All vehicle lighting, including emergency lighting;
  - d. Date of checks.
4. Oversees routine maintenance as well as unscheduled maintenance as repairs are needed for all patrol vehicles. Regular maintenance shall include and document the following:

- a. Oil changes;
  - b. Tire changes;
  - c. Wiper changes.
5. Coordinates scheduling with Supervisor for taking vehicles out of service for routine maintenance.

|   |                                |                                      |
|---|--------------------------------|--------------------------------------|
| SUBJECT<br>DataMaster DMT Maintenance Officer   |                                | GENERAL ORDER NUMBER<br>16.2.8       |
| DCJS STANDARDS<br>43.6  |                                | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>October 4, 2016  | APPLIES TO:<br>Sworn Personnel | REVISION DATE<br>December 14, 2010   |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                                |                                      |

### Purpose

The purpose of this Order is to establish the responsibilities of specialized assignment of the DataMaster DMT Maintenance Officer.

### Responsibilities

1. Coordinates with Administrative Captain, Bureau of Municipal Police (BMP) and Division of Criminal Justice Services (DCJS) in the regular maintenance and calibration of the Department’s DataMaster DMT
2. Performs and documents weekly calibration checks of the DataMaster DMT.
3. Oversees semi-annual BMP calibration checks and documentation of such.
4. Performs simulator solution changes as required.
5. Logs and stores related items as received and reorder as necessary.
6. Coordinates with Administrative Captain in the documentation and record-keeping procedure to allow access of these records as necessary for court hearings.
7. Compiles an updated list of certified BTO’s to be posted for the purpose of re-certification and to be called as necessary for the purpose of testing defendants.

|   |                              |                                      |
|---|------------------------------|--------------------------------------|
| SUBJECT<br>Honor Guard  |                              | GENERAL ORDER NUMBER<br>16.2.13      |
| DCJS STANDARDS<br>43.6  |                              | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>October 4, 2016  | APPLIES TO:<br>All Employees | REVISION DATE                        |
| APPROVAL<br>J. Frank Wiley., Chief of Police  |                              |                                      |

## Purpose

The purpose of this Order is to establish the policy for composition of the University at Albany Police Department Honor Guard.

## Policy

It is the policy of the University at Albany Police Department to maintain an Honor Guard to conduct funerals of deceased University Police Officers (active and retired) and to conduct other ceremonial duties as assigned. See Annex G for complete Honor Guard Guidelines and Procedures.

## Composition of the Honor Guard

1. The Honor Guard will be comprised of sworn members selected by the Chief of Police from within the Department. The selection process will follow the guidelines set forth in General Order 11.1.1 – Organization and Administration of the University at Albany Police Department.
2. Criteria for assignment to the Honor Guard include, but are not limited to:
  - a. Personal appearance and grooming that meets or exceeds department standards;
  - b. Demonstrated military bearing and maturity;
  - c. Willingness to act as a representative of the University at Albany Police Department and State University of New York at official functions on a volunteer basis.
3. The Chief of Police shall designate an officer to serve as the Officer-in-Charge (OIC) of the Honor Guard.

|   |                              |                                      |
|---|------------------------------|--------------------------------------|
| SUBJECT<br>Public Information Officer   |                              | GENERAL ORDER NUMBER<br>16.2.14      |
| DCJS STANDARDS<br>43.6  |                              | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>July 13, 2016  | APPLIES TO:<br>All Employees | REVISION DATE<br>October 10, 2014    |
| APPROVAL<br>J. Frank Wiley., Chief of Police  |                              |                                      |

## Purpose

The purpose of this Order is to provide members with guidelines for interacting with the news media and for releasing information to both the media and general public.

## Policy

It is the policy of the University at Albany Police Department to cooperate with news-gathering agencies and to provide information to them and the public in accordance with applicable laws.

## Definitions

1. **Routine Incident** - Any incident that occurs or is investigated with great frequency or as in the course of normal police operations (e.g. routine arrest, injured person, larceny, traffic accident).
2. **Unusual Incident** - Any incident which that is, other than outside the normal daily routine and of a nature that requires special police actions or procedures (e.g. homicide, hostage situations, barricaded persons, fatal accidents, sex offenses, drug raids, rapes, robbery).

## Procedure

The Administrative Inspector serves as the primary PIO for the department. The Chief of Police shall designate as many Assistant Public Information Officers as necessary to function in the absence of the PIO's.

Whenever the PIO's are absent or otherwise unavailable, the Chief of Police or their designee may designate a member of the department to release information to the media/public in the absence of the PIO's.

The PIO's shall be responsible for the dissemination of information to the community and news media in accordance with all applicable laws. They will also be responsible for consulting with and assisting other members/divisions of the Department regarding media and public requests for police information, reports and statistical data, information concerning confidential agency investigations and operations, ongoing criminal investigations and information regarding the application of Article 6 of the Public Officers Law (Freedom of Information Law), Civil Rights Law, Right of Privacy, Family Court Act and other applicable laws governing the release of information.

Specific responsibilities of the PIO shall include, but not be limited to:

1. Preparing and distributing department news releases.
2. Coordinating and authorizing the release of information regarding victims, witnesses and suspects.
3. Assists media personnel in covering routine news stories.
4. Assists the news media during crisis situations, emergencies or major incidents.
5. Being available for on-call responses to the news media.
6. Responding to requests for information by the media regarding unusual incidents.
7. Arranging press conferences.

### Identification of News Media Personnel

Members of the local news media are issued identification card. The colors of the cards change each year, and the word "PRESS" (in bold block letters). Each card also indicates the name of the news media representative and his employer. Press cards shall be clipped to the outside pocket or worn around the neck and be clearly visible. The department recognizes only valid identification cards for local news personnel.

Vehicles of authorized news media personnel will be identified by a special Press License Plate (NYP) or by vehicle markings.

The misuse of credentials by a member of the media shall be reported to the Chief of Police for further action.

## News Media Access to Incident and Crime Scenes

Members of the news media, including photographers, shall be granted unrestricted access to the perimeter (e.g. safe public areas) of crime scenes, major fires, natural disasters, catastrophic events, etc.

Upon authorization of the on-scene Incident Commander, representatives of the news media who are properly identified by credentials may be allowed access to areas normally closed to the general public for the purpose of obtaining information or photographs. They shall not be authorized to be within a crime scene or locale where their presence may jeopardize an investigation, integrity of evidence or personal safety. If it is necessary to exclude a member of the news media from the scene of an incident, it shall be done with tact and in a professional manner. When possible, an explanation for such action should be provided.

News media vehicles may not violate traffic laws. At the scene of a newsworthy event, officers should extend whatever parking privileges are possible, providing such privileges do not endanger the public safety, hamper the flow of traffic or interfere with public safety operations.

## News Media Inquiries

With the exception of feature stories, information shall be disclosed without partiality to any particular news media representative or agency and shall not be withheld or delayed to favor any person or agency.

News media requests for information regarding:

Routine incidents - shall be referred to the investigating officer or their supervisor. Members of the department may, at their discretion, agree to or decline media requests for any taped or videotaped interviews.

Unusual incidents or ongoing criminal investigations - shall be referred to the Chief of Police or their designee. The Chief of Police, or their designee may assign the PIO to respond to the request.

Internal affairs investigations, personnel matters or requests for information from agency files - shall be directed to the Chief of Police or their designee.

The following information may be released to the news media after an arrest has been made:

1. The name, age, residence, employment, marital status and similar background information of the accused.

2. Substance or text of the charge, such as a complaint/information and, when appropriate, the identity of the complainant. Information shall not be released if it would identify (or tend to identify) the victim of a sex crime.
3. Identity of the investigating and arresting officer and length of the investigation, so long as this does not compromise an undercover or ongoing investigation.
4. Circumstances immediately surrounding the arrest including the time and place of arrest, resistance, pursuit, possession and/or use of weapons and a description of items seized at time of arrest.

When releasing information to the media or public to include information regarding ongoing criminal investigations, officers shall not:

1. Disclose the identity of the victim of a sex crime or any other information that would tend to identify such victim.
2. Disclose personal information identifying a victim.
3. Reveal the name of any juveniles taken into custody, unless the juvenile is to be tried as an adult (e.g. juvenile offender) in criminal court.
4. Reveal the results of tests or the refusal of the accused to take a test (e.g. breathalyzer, polygraph and blood tests).
5. Make any statement as to the criminal history, testimony, character or reputation of an accused person or a prospective witness.
6. Comment regarding any admissions, confessions or the contents of statements or alibis attributable to an accused person.
7. Comment concerning the credibility or anticipated testimony of prospective witnesses or regarding the merits of the case or quality of evidence gathered.
8. Speculate regarding the possibility of a plea of guilty to the offense charged or to a lesser offense or any other disposition.
9. Render opinions concerning the evidence or argument in the case, whether or not it is anticipated that such evidence or argument will be presented at trial.
10. Release the names of deceased victims until after the notification of the next of kin.
11. Release information that could interfere with an ongoing criminal investigation or endanger the life or safety of any person.

12. Release information received from other law enforcement agencies without their concurrence in releasing that information.
13. Reveal personal information about any member of the department (e.g. personnel records, performance evaluations, and home addresses/telephone numbers).
14. Disclose information from a member's personnel file without approval of the Chief of Police or their designee and as provided by law.

When other service agencies (e.g. public service agencies such as other law enforcement agencies, fire departments, medical examiner's office, etc.) are involved in a mutual effort, the agency having primary jurisdiction in the matter should be responsible for releasing, or coordinating the release of, information. Any information released in regard to a mutual service agency effort shall be reported to the PIO as soon as possible.

### Release of Agency Records

The release of agency records shall be in accordance with, General Order 204, "the State University of New York's policy "Records Administration Retention and Management Disposition", Article 6 of the New York State Public Officers Law (e.g. Freedom of Information Law - FOIL) and all other applicable laws. This can be accessed at the following URL: [http://www.suny.edu/sunypp/documents.cfm?doc\\_id=650](http://www.suny.edu/sunypp/documents.cfm?doc_id=650).

The following records may be released to members of the news media or general public, when available:

1. Accident reports.
2. Incident reports.
3. Arrest reports.
4. Statistical information.
5. Local conviction records upon specific request.

Access to records, or portions thereof, compiled for law enforcement purposes may be denied if disclosure of such records would:

1. Deprive a person of the right to a fair trial or impartial adjudication.
2. Identify a confidential source or disclose confidential information relating to a criminal investigation.
3. Reveal criminal investigative techniques or procedures, except routine techniques and procedures.

4. Endanger the life or safety of any person.
5. Result in an unwarranted invasion of personal privacy.
6. Impair present or imminent contract negotiations.
7. Cause substantial injury to the competitive position of an enterprise (e.g. trade secrets).
8. Violate any federal or state statutes (e.g. identify sex crime victims, police personnel records).

Requests for information shall be processed as soon as reasonably possible. Written requests shall be processed within five (5) business days of their receipt by either:

1. Making such record available to the person requesting it; or
2. Denying such request in writing; or
3. Furnishing a written acknowledgement of the receipt of such request and a statement of the approximate date when such request will be granted or denied.

Persons denied access to records may, within thirty (30) days, appeal the denial in writing to the Office of the VP for Communications and Marketing. Within ten (10) business days of the receipt of such appeal, the Supervisor is required to respond in writing explaining the reason for the denial or providing access to the records requested.

News media representatives may submit written requests for procedure or policy changes concerning contact with the news media. All such requests shall be directed to the Office of Media and Marketing for review and appropriate action.

## Press Releases

The department may utilize the press release as a vehicle to convey public information and rely on the media to assist the agency in the release of information during any crisis situation.

Whenever practical, press releases shall be issued to release information to the media concerning unusual incidents, sensitive investigations or department programs. The frequency of written press releases shall be as necessitated by specific occurrences or programs or as determined by the Chief of Police or their designee.

The subject matter of press releases shall be approved by the Chief of Police, their designee or PIO prior to its release. All information contained in press releases shall be consistent with the guidelines contained in Article 6 of the New York Public Officers Law.

When information is disseminated by any person other than the Public Information Officer, Chief of Police or their designee, the PIO shall be notified of the content of the material released (e.g. copy of news release placed in mailbox), who released the material and when it was released. Such notification may be verbal or written, but should occur as soon as practical after the release.

## Press Conferences

The PIO shall be responsible for arranging and conducting press conferences for major incidents, investigations or emergencies. Press conferences shall be conducted to provide the media with timely and accurate information while maintaining the integrity of the investigation response and attentiveness to the emergency at hand.

Authorized representatives of the news media with proper credentials shall be given equal access to press conferences.

## Photographs

Members of the news media shall be permitted to photograph:

4. Prisoners in transit.
5. Activities inside police headquarters in hallways and other public areas.
6. Incident scenes, as long as this activity does not interfere with police operations.
7. Defendants in custody, photographed but only while they are in public places.

Members of the department shall neither encourage nor discourage the photographing of a defendant, nor shall they pose a defendant so that the media may obtain photographs. A defendant's face shall not be intentionally covered by a department member unless there is a legitimate law enforcement need (e.g. future identification line-up).

Photographs of a subject may be released only when a valid law enforcement function is served. Mug shots of arrested subjects will not be made available to the media for the sole purpose of publicity.

|   |                              |                                    |
|---|------------------------------|------------------------------------|
| SUBJECT<br>Information Technology and Records Officer   |                              | GENERAL ORDER NUMBER<br>16.2.15    |
| DCJS STANDARDS<br>43.6  |                              | EFFECTIVE DATE<br>December 1, 2010 |
| DATE REVIEWED<br>July 13, 2016  | APPLIES TO:<br>All Employees | REVISION DATE<br>April 20, 2016    |
| APPROVAL<br>J. Frank Wiley., Chief of Police  |                              |                                    |

## Purpose

The purpose of this Order is to establish the responsibilities of specialized assignment of Information Technology and Records Officer.

## Responsibilities

1. Will serve as the department's IT (Information Technology) Coordinator.
2. Serve as Administrator and responsible for installation, maintenance and basic trouble shooting of all department software products and hardware. This includes but is not limited to TraCS (Traffic and Criminal Software), IETS (Records Management System), LPR (License Plate Reader), mobile computing platforms and LiveScan and Body Worn Cameras.
  - a. Administrative functions including but not limited to:
    - i. Authorization to void Electronic Traffic Summons created in error.
3. In the event a TraCS ticket is created by an officer in error, the officer will advise the ITRO and the shift supervisor via email. Once voided, the party responsible will email the issuing officer of same.
4. Must possess current certification as an Evidence Technician.
5. Must possess current certification as a NYS Accreditation Program Manager. Responsibilities to include updating and maintaining NYS Law Enforcement Accreditation files and any other duties associated with the position as Accreditation Program Manager.

6. Must possess and maintain certification as a Police General Topics Instructor and shall be responsible for developing training materials and providing instruction to members on records management procedures, department hardware and software utilization, eJustice, LiveScan and other areas as assigned.
7. Responsible for the certification, maintenance and weekly testing of the department's Datamaster.
8. Responsible for the certification, maintenance and weekly testing of all Department owned Pre-Screen Devices (PSD).
9. Responsible for the certification and maintenance of department RADAR equipment and hardware.
10. Will review the technology utilized by the department on an ongoing basis and make recommendations as appropriate and remain current on Microsoft Office programs.
11. Supply manager for department computer related consumables.
12. Responsible for the maintenance and oversight of Netreg computer registrations.
13. Will, under the direction of the Deputy Chief for Administration, maintain report paperwork including:
  - a. Criminal Report files, department Arrest files, SART (Sexual Assault Reporting) forms, DIRs (Domestic Incident Reports), MV104As (Accident Reports) and other motor vehicle related paperwork
14. Responsible for addressing FOIL (Freedom of Information Law) requests, general public requests for report copies, and requests for reports for backgrounds from other police agencies in accordance with department policy.
15. Responsible for preparation of arrest materials to be forwarded to the appropriate court and District Attorney's office.
16. Assist with Arrest Warrants and ensure Persona Non Grata (PNG) files are appropriately maintained.
17. Responsible for the monthly reporting of statistics including: DCJS IBR (Division of Criminal Justice Services Incident Based Reporting), NYS's Stop DWI, and the Federal Bureau of Investigation's (UCR's) Uniform Crime Reports and LEOKA (Law Enforcement Officers Killed and Assaulted).
18. Act as department liaison with the following departments:

- a. Office of Community Standards to coordinate release of documentation to that office and scheduling of members to appear as needed.
  - b. University Title IX Coordinator pertaining to records and documentations.
  - c. University Telecommunications to obtain employee PAC codes.
  - d. SUNYCard to obtain new employee building permissions and camera access.
  - e. University Environmental Health and Safety for monthly Automated External Defibrillators (AED's) testing and maintenance.
  - f. Obtaining PeopleSoft permissions for appropriate department employees.
19. Monitor and assist with Department's website as needed.
  20. Monitor Department's Web mailbox and appropriately handle communications received.
  21. Act as Department's Facebook Administrator. Monitor and appropriately handle associated mail account.
  22. Act as Department's Twitter Administrator and monitor associated activity.
  23. Will assist the Administrative Captain with managing evidence and the performing of random and annual evidence audits.
  24. Assist with the department Annual Report.
  25. Serve on the UPD Policy Review and Training Committees.
  26. Other duties as assigned by a member of Command Staff.

### Supervision and Chain of Command

The ITRO reports directly to and is under the supervision of the Deputy Chief of Administration during normal hours of duty.

The ITRO may be assigned to assist or work under the direction of other members (e.g., a member of the command staff, a lieutenant or an investigator) at the direction of, and coordinated through the Deputy Chief of Administration.

|   |                              |                                    |
|---|------------------------------|------------------------------------|
| SUBJECT<br>Evidence Technician  |                              | GENERAL ORDER NUMBER<br>16.2.16    |
| DCJS STANDARDS<br>43.6  |                              | EFFECTIVE DATE<br>February 2, 2011 |
| DATE REVIEWED<br>July 13, 2016  | APPLIES TO:<br>All Employees | REVISION DATE<br>July 15, 2016     |
| APPROVAL<br>J. Frank Wiley., Chief of Police  |                              |                                    |

## Purpose

The purpose of this Order is to establish the responsibilities of specialized assignment of the Evidence Technician.

## Responsibilities

The Evidence Technician’s primary responsibilities include photographing, collecting, preserving, and presenting physical evidence. Work is performed in the field, including crime scenes and autopsies, and in the Department. Types of crime scenes include person crimes, such as homicides, sexual assaults, and robberies, as well as property crime. Shift, weekend, and holiday work is required.

## Essential Functions

1. Upon responding to a crime scene, the Evidence Technician is responsible for ensuring the crime scene perimeter has been established and attendance log was started. If a log was not started, the Evidence Technician will task a patrol officer with compiling and maintaining one.
2. Photographs evidence at crime scenes using department cameras.
3. Process evidence using special powders, chemical solutions, forensic light sources, and various cameras, lenses, and filters in order to develop and preserve evidence.
4. Collects, preserves and presents latent fingerprints, tire prints, shoe prints, tool marks and other physical evidence.
5. Attends autopsies to photograph injuries and fingerprint the deceased for identification purposes.

6. Testifies in court as a witness in connection to the scenes processed and evidence developed and preserved.
7. Write departmental reports, supplements and documents the evidence collected.

### Required Knowledge

1. Evidence collection and processing using a variety of technical equipment, materials, and processes.
2. Photographic methods and equipment as related to crime scene investigations and laboratory processing.
3. Basic rules of evidence

## CHAPTER III

# PERSONNEL STRUCTURE

# GENERAL ORDER 21 CLASSIFICATION AND DELINEATION OF JOB RESPONSIBILITIES

|  |                              |                                      |
|--|------------------------------|--------------------------------------|
| SUBJECT<br>Position/Assignment Descriptions  |                              | GENERAL ORDER NUMBER<br>21.2.3       |
| DCJS STANDARDS<br>2.2  |                              | EFFECTIVE DATE<br>September 30, 2009 |
| DATE REVIEWED<br>October 4, 2016   | APPLIES TO:<br>All Employees | REVISION DATE                        |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                              |                                      |

## Purpose

The purpose of this Order is to establish guidelines for ensuring the statements of responsibilities for each organizational component are made available to all personnel.

## Introduction

Written job descriptions describing the duties and responsibilities of each position and job assignment within the department are listed below. All job descriptions are based on job and task analysis and are reviewed annually to ensure they are up-to-date. All personnel are encouraged to periodically review their job descriptions and to make suggestions to their supervisor concerning any changes they believe should be made.

The following section delineates the duties and responsibilities for each sworn and non-sworn member of the University Police Department, listed by rank and position. A detailed Classification Standard for each of the following Classified Service positions can be located at the University at Albany's Human Resource Management Department or the New York State Department of Civil Service at the following URL: <https://www.cs.ny.gov/>.

|   |                              |                                      |
|---|------------------------------|--------------------------------------|
| SUBJECT<br>Chief of Police  |                              | GENERAL ORDER NUMBER<br>21.2.4       |
| DCJS STANDARDS<br>2.2   |                              | EFFECTIVE DATE<br>September 30, 2009 |
| DATE REVIEWED<br>August 18, 2016  | APPLIES TO:<br>All Employees | REVISION DATE<br>July 1, 2015        |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                              |                                      |

## Introduction

Through the Chief of Police, the Department is responsible for the protection of people, State equipment and personal property and the enforcement of laws and regulations coming within its legal jurisdiction. The Chief is responsible for the development and maintenance of a positive relationship with all segments of the campus community – student, academic and administrative - to obtain their support in conducting a successful campus law enforcement program. In so doing, the Chief works to ensure continued responsiveness to the needs of the University community and also allows these various interest groups to be kept aware of the importance of their efforts in securing the optimum level of performance and efficiency of the Department.

## Responsibilities

1. Serves as the executive head of the Department and reports to the Vice President of Finance and Administration.
2. Oversees the proper administration and efficient operation of police and security services.
3. Supervises the maintenance of law and order on campus and the enforcement of federal, State, and local laws. Also supervises the enforcement of such campus rules and regulations deemed appropriate by campus administrators.
4. Plans, directs, coordinates, controls and staffs all activities under the Department’s purview.
5. Oversees the enforcement of rules and regulations within the Department.

6. Ensures the thorough and appropriate investigation of complaints made against personnel, as well as the completion and forwarding of such reports as may be required by competent authority.
7. Oversees the Department's relations with the campus community and ensures appropriate interactions in law enforcement and related matters between the campus and local, State and federal officials.
8. Is a member, ex-officio, of the University Community Council of the University Senate.
9. Ensures proper liaison is maintained with external law enforcement, court and correction agencies so as to promote mutual understanding of the role of each should a campus-related incident have external consequences.
10. Examines generally, through inspection and records, each branch of the Department with a view towards maintaining overall operating efficiency.

|   |                              |                                      |
|---|------------------------------|--------------------------------------|
| SUBJECT<br>Deputy Chief of Police Administration  |                              | GENERAL ORDER NUMBER<br>21.2.5       |
| DCJS STANDARDS<br>2.2   |                              | EFFECTIVE DATE<br>September 30, 2009 |
| DATE REVIEWED<br>July 13, 2016  | APPLIES TO:<br>All Employees | REVISION DATE<br>October 9, 2014     |
| APPROVAL<br>J. Frank Wiley., Chief of Police  |                              |                                      |

## Introduction

The Deputy Chief of Police Administration may act on behalf of the Chief in their absence. The Deputy Chief is the direct line supervisor for all personnel assigned to administrative functions including the Administrative Inspector, the Information Technology and Information Records Officer (ITRO) and the administrative clerical staff. All personnel are required to give their fullest cooperation to the Deputy Chief in the areas of their work which cover, among other functions, budget, supply and time and attendance matters that directly affect all personnel.

## Responsibilities

1. Maintains records concerning departmental expenditures, coordinates preparation of University Police budget requests
2. Maintains Department personnel records, including personnel status and attendance records
3. Oversees payroll records and development of job descriptions
4. Hiring manager for the department
5. Supervises administrative staff
6. Oversight of the department's training/certifications
7. Responsible for maintaining department personnel C-Forms
8. Oversees the department accreditation program
9. Oversees the administration of department resources including the selection and purchasing of equipment and vehicles

10. Carry out internal investigations as assigned
11. Advisor to the Chief of Police
12. Manages, with the Administrative Inspector, the Department's activities in regards to grants, public information, recruitment, the educational videos series, educational programming, the Division's assessment initiative, the student internship program, and policy and procedure development.
13. Manages, with the Administrative Captain, the maintenance of standards and quality control issues in regard to the department's administrative activities and infrastructure.
14. Oversees the administration of department resources including the selection and purchasing of equipment and vehicles.
15. Oversees the administration of resources for specialized units including the department's K-9 units and the bicycle patrol unit.
16. Represents the department at regular meetings of the Advisory Committee for Campus Security, and coordinates with Physical Plant on improvements related to safety on campus

|   |                              |                                      |
|---|------------------------------|--------------------------------------|
| SUBJECT<br>Deputy Chief of Police Operations  |                              | GENERAL ORDER NUMBER<br>21.2.6       |
| DCJS STANDARDS<br>2.2   |                              | EFFECTIVE DATE<br>September 30, 2009 |
| DATE REVIEWED<br>July 13, 2016  | APPLIES TO:<br>All Employees | REVISION DATE<br>October 9, 2014     |
| APPROVAL<br>J. Frank Wiley., Chief of Police  |                              |                                      |

## Introduction

The Deputy Chief of Police Operations is responsible for the Department’s patrol operations. Patrols are responsible for providing direct police and security services to the public. These services include the protection of life and property, creation and maintenance of a sense of security within the community, reduction of opportunity for the commission of crime, resolution of conflict and maintenance of an environment that is conducive to the educational process.

## Responsibilities

1. May serve as Acting Chief in the absence of the Chief of Police.
2. Oversees the scheduling of Lieutenants, patrol personnel and communication personnel within guidelines set forth by the Chief of Police.
3. Oversees the scheduling of the Security Services Assistants within guidelines set forth by the Chief of Police.
4. Serves as liaison with outside criminal justice agencies and the Office of Student Affairs for matters affecting student behavior and security.
5. Develops and maintains close, positive relationships with other campus offices and departments in order to promote support of security and safety programs.
6. Reviews all crime and general Incident Reports.
7. Reviews all complaints filed against Department personnel.
8. Assists in development of in-service and other job-specific training programs for all sworn and non-sworn employees of the Department.

9. Serves as direct-line Supervisor for the Operations Inspector and Patrol Lieutenants.
10. Conducts performance evaluations for Operations Inspector, Patrol Lieutenants and Supervising Security Services Assistants oversees evaluations for other personnel.
11. Works cooperatively with Residential Life staff to coordinate programs involving safety within the residence halls.
12. Combines efforts with officers assigned to the Department's Crime Prevention Unit, community outreach programs, job-specific training, brochure development and resource development with the overall objective of enhancing safety within the community.
13. Collaborates with the Bicycle Patrol Coordinator to coordinate the activities and deployment strategies of the Bicycle Patrol Unit with regard to regular patrol, special events and training activities.
14. Represents the Department at regular meetings of the President's Advisory Committee on Campus Security and collaborates with Physical Plant on improvements related to safety on campus.
15. Represents or designates a representative for the Department at regular meetings of the Albany County STOP DWI (Safety/Traffic Options) Program.
16. Represents the Department on the DIFR (Dormitory Income Fund Reimbursable) Advisory Committee in regard to Department outreach and protocol on residence quads.

|   |                              |                                      |
|---|------------------------------|--------------------------------------|
| SUBJECT<br>Operations Inspector   |                              | GENERAL ORDER NUMBER<br>21.2.8       |
| DCJS STANDARDS<br>2.2, 28.1   |                              | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>July 13, 2016  | APPLIES TO:<br>All Employees | REVISION DATE<br>July 19, 2016       |
| APPROVAL<br>J. Frank Wiley., Chief of Police  |                              |                                      |

## Introduction

The Operations Inspector is a member of the command staff who has specialized skills or is assigned to handle specific tasks, i.e., forensics, records, reporting system, etc. Inspectors supervise university police investigators and/or senior investigators in the conduct of their duties.

In addition to the general and individual responsibilities of a university police investigator or senior investigator, an Inspector performs specialized assignments as directed by the Chief of Police.

## Responsibilities

1. Commander of the Criminal Investigations Unit. Supervises and directs the activity of the University Police Investigators
2. Oversees the computerized record management system consistent with law and department policy
3. Advises and assists with the development of department and University policy related to the above areas and areas of expertise.
4. Advises and assists with the University's emergency management planning, prevention, mitigation and recovery efforts
5. Serves as the department's representative on University committees involving student conduct, behavior and criminality
6. Assists other members of Command Staff as directed

## Supervisory Relationships

1. Reports directly to the Deputy Chief of Operations
2. Supervises department University Police Investigators
3. Supervises other department personnel as directed by the Chief of Police and the Deputy Chief of Police Operations as necessary

|   |                             |                                      |
|---|-----------------------------|--------------------------------------|
| SUBJECT<br>Administration Inspector   |                             | GENERAL ORDER NUMBER<br>21.2.9       |
| DCJS STANDARDS<br>2.2, 28.1   |                             | EFFECTIVE DATE<br>September 30, 2009 |
| DATE REVIEWED<br>July 13, 2016  | APPLIES TO<br>All Employees | REVISION DATE<br>July 19, 2016       |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                             |                                      |

## Introduction

The Administrative Inspector is a member of the command staff who has specialized skills or is assigned to handle specific tasks, i.e., forensics, records, reporting system, etc. Administrative Inspectors may supervise other members within the Department including to those assigned to areas such as community policing, education efforts and/or crime prevention.

## Responsibilities

1. Programming Coordinator
2. University Police Public Information Officer (PIO)
3. Grant Facilitator
4. Oversight of the Department's General Orders
5. Assists Department Recruitment Efforts
6. Serves as the Department's Educational Video Coordinator
7. Advises and assists with the Department's Annual Report
8. Manages the day to day operations of the Department's budget
9. Oversees the Department Work-Study and Internship Programs
10. Assists the Deputy Chief of Administration in Department member hiring process and associated Human Resource paperwork when directed

11. Assists other members of the Command Staff as directed

### Supervisory Relationships

1. Reports to the Deputy Chief of Administration for University Police. Reports to other members of the University Police Department's Command Staff as appropriate.
2. Supervises department personnel as directed by the Chief of Police, Deputy Chief of Administration and Deputy Chief of Operations, as necessary.

### Committee Responsibilities

Serves on various committees (within the University and surrounding communities) at the direction of the Chief of Police and Deputy Chief of Administration.

|   |                             |                                      |
|---|-----------------------------|--------------------------------------|
| SUBJECT<br>Administrative Aide  |                             | GENERAL ORDER NUMBER<br>21.2.11      |
| DCJS STANDARDS<br>2.2   |                             | EFFECTIVE DATE<br>September 30, 2009 |
| DATE REVIEWED<br>February 23, 2016  | APPLIES TO<br>All Employees | REVISION DATE<br>February 23, 2016   |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                             |                                      |

## Introduction

The Administrative Aide functions as the principal paraprofessional employee providing support to the operational functions of the department. Primary duties include paraprofessional / administrative, office management, personnel, meetings & committees and other duties as assigned. Other duties include office management, correspondence preparation, scheduling, file maintenance, payroll support and Department statistics. The Administrative Aide works under direct supervision of the Deputy Chief of Police for Administration.

## Responsibilities

### Paraprofessional Research and Analysis:

1. Assist in reviewing and revising UPD policy and procedures manuals
2. Assist in reviewing, creating and revising internal UPD forms
3. Creates Daily Crime and Incident Report - lists crimes, incidents, parking and traffic activity; then disseminates it electronically.
4. Data Analysis and Recommendations
  - a. Analyze UPD related data from various sources and draw conclusions
  - b. Prepare reports, summaries, and charts from your research for Command Staff review
  - c. Recommend plans of action to Command Staff based on findings
  - d. Tracks overtime usage by category.

5. General office management

- a. In conjunction with Deputy Chief of Administration, assists in short-term and long-term goals and objectives
- b. Prepare, edit and draft correspondence as needed.
- c. Keeps office files – court calendar, special events calendar, names, reports, arrests, vehicle accidents, investigations, banned persons, etc.
- d. Supervises the Office Assistant and student interns.

6. Background Investigations / Court Requests

- a. Compile background information for investigations, grievances, disciplinary and other court appointments / hearings

7. Assists with Department's budget as requested

|   |                             |                                      |
|---|-----------------------------|--------------------------------------|
| SUBJECT<br>Office Assistant 1   |                             | GENERAL ORDER NUMBER<br>21.2.12      |
| DCJS STANDARDS<br>2.2   |                             | EFFECTIVE DATE<br>September 30, 2009 |
| DATED REVIEWED<br>August 18, 2016   | APPLIES TO<br>All Employees | REVISION DATE<br>September 25, 2015  |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                             |                                      |

## Introduction

The Office Assistant 1 functions as an office assistant to the Administrative Aide.

## Responsibilities

1. General office related tasks to include: typing, copying, faxing, filing and mail sorting.
2. Assists in answering of University at Albany Police Department Administrative phone lines, taking messages and directing calls.
3. Updates department Outlook calendar, schedules appointments and emails event notifications.
4. Assists in department payroll preparation using current software system.
5. Monitors office supplies for the department.
6. Performs certain Administrative Aide duties in the absence of an Administrative Aide.
7. Reports to the Administrative Aide.

|   |                             |                                      |
|---|-----------------------------|--------------------------------------|
| SUBJECT<br>Administrative Captain   |                             | GENERAL ORDER NUMBER<br>21.2.13      |
| DCJS STANDARDS<br>7.1, 2.2  |                             | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>October 4, 2016  | APPLIES TO<br>All Employees | REVISION DATE<br>October 10, 2014    |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                             |                                      |

## Responsibilities

1. **Communications** – Maintains all records required by the Federal Communications Commission for the Department's communication system. This includes vehicle radios, hand-held portable radios and other communications equipment such as alarm systems, and the video camera systems.
2. **Capital District Emergency Radio Network (CDERN)** – Serves as the Department's representative to attend all meetings of the area police multiple radio districts. Ensures that Department dispatchers adhere to guidelines and regulations governing use of the CDERN radio system.
3. **Uniform Replenishment** - Orders and maintains inventory of all replacement uniform items Issues uniform articles to personnel and keeps records of such issuance. Makes all purchases for the Department.
4. **Relief Supervisor** - In the absence of any of the Shift Lieutenants and as assigned, acts in a supervisory relief capacity.
5. Develops and maintains duty roster schedules for all personnel other than Shift Lieutenants and Investigators.
6. Consults with the Deputy Chief of Operations and assures compliance with required staffing patterns for each shift.
7. Prisoner Property and Evidence Custodian - ensures that evidence relating to criminal offenses is properly tagged; that a chain of evidence records is maintained for each item and that it is properly secured in the Evidence/Property Room.
8. All other property coming into the possession of the Department will be tagged and stored in the Evidence/Property Room. Such property shall be disposed of periodically according to applicable law.

- a. At periodic intervals, goes through lost and found at dispatcher's desk and disposes of items properly (mails out, stores or otherwise disposes of).
  - b. Items of high value - jewelry, cash, etc. - are stored in the safe or other secure location.
9. Compiles monthly statistical report.
10. Functions as the Department's Quartermaster with the following responsibilities:
- a. Maintains records of the Department uniform stock and individual officer issue.
  - b. Works with Administrative Aide in maintaining Department inventory of uniform items.
  - c. Receives officer uniform requests:
    - i. All requests for uniform issue should be made in writing and in departmental memo form to the Quartermaster. Requests should include the quantity and descriptions of item(s) requested as well as the reason for the request.
    - ii. Reasons may include but are not limited to: new issue or replacement for damaged, worn out, incorrectly sized or lost items. Request denials are to be appealed to the Administrative Captain.
    - iii. Except for lost or destroyed items, replacement items will be issued on a one-to-one exchange basis.
    - iv. Make recommendations to management staff for new uniform items that will enhance the quality of work life for University Police Officers.
11. Performs other duties as assigned by the Chief of Police, the Deputy Chiefs or their designee.

|   |                             |                                      |
|---|-----------------------------|--------------------------------------|
| SUBJECT<br>University Police Officer 2 (Lieutenant)   |                             | GENERAL ORDER NUMBER<br>21.2.14      |
| DCJS STANDARDS<br>2.2   |                             | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>October 4, 2016  | APPLIES TO<br>All Employees | REVISION DATE<br>April 20, 2016      |
| APPROVAL<br>J. Frank Wiley., Chief of Police  |                             |                                      |

## Introduction

The University Police Officer 2 (Lieutenant) supervises the police force on duty, performs the full range of duties assigned to University Police Officer 1 and reports to the Command Staff.

## Responsibilities

The University Police Officer 2 (Lieutenant) is responsible for all law enforcement and security activity on their assigned shift, to include direct supervision of all University Police Officers, Campus Public Safety Officers, Supervising Security Services Assistants and Security Services Assistants. They ensure that officers are deployed to cover all regular posts as well as special events.

Lieutenants will evaluate and counsel all staff under their supervision and prepare required evaluations in conjunction with other Lieutenants as appropriate.

University Police Lieutenants must exercise direct command in a manner that assures the good order, conduct, discipline and efficiency of subordinates. Exercise of command may extend to subordinates outside their usual sphere of supervision if the security objective or reputation of the department so requires; or if no other provision is made for personnel temporarily unsupervised. This authority shall not be exercised unnecessarily. If Lieutenants require a subordinate other than their own to leave a regular assignment, the supervisor so directing will inform the subordinate's own supervisor as soon as possible.

## Performance Expectations

1. Directs staff with the clear understanding that serving the University community is the entire reason for the existence of the Department.

2. Reads and reviews all reports prepared by staff during their tour before the Supervisor submits those reports to the Department.
3. Reviews and monitors the on-duty performance of subordinates in the field during their interactions with the community.
4. Actively guides the professional development of staff through mentoring, counseling and, when appropriate, discipline.
5. Ensures the prompt and full compliance of their staff with all Department policies, procedures and Orders.
6. Fosters a professional environment by treating all Department members, regardless of rank, shift, unit or division, with courtesy and respect and requires that same level of behavior from staff in return.
7. Communicates to peers any and all information that may have an operational impact on any shift, unit or division of the Department in a timely manner.
8. Communicates with the Department's Command Staff on a regular basis and informs them in a timely manner of any situations that could affect the Department's operational effectiveness.

### Beginning of Shift

1. Reviews Incident Reports from the previous shift.
2. Checks radio and key assignments.
3. Checks base station, including alarms and portable radios.
4. Conducts pre-shift briefings for all incoming staff, ascertains that all officers on duty are aware of comments on the shift briefing sheet and that officers returning from leave have reviewed previous shifts' briefings and Incident Reports.
5. Ensures that officers' uniforms are complete and neat and that authorized accoutrements are worn in the prescribed manner.
6. Reviews and takes appropriate action on any notes left by other Lieutenants or the Command Staff regarding crimes, incidents or operational matters.

### During Shift

7. Reviews and initials that all Incident Reports; checks for accuracy and completeness. Reviews narrative for completeness, including crime prevention suggestions made by Insure Officers to victims.

8. Enforces policies requiring officers to check oil, transmission fluid, emergency equipment, communications equipment and general condition of all patrol vehicles on a regular basis.
9. Ascertain that regular foot patrols of each Quad are conducted.
10. Assists Investigators to ensure that any crime scene evidence is properly preserved.
11. Spot-checks officers to ascertain insure they are in assigned areas.
12. Reviews leave requests; recommends approval/disapproval.
13. Ensures that auto maintenance and operational deficiencies are communicated to the Deputy Chief of Administration.
14. Coordinates any special requests or events with the proper department or unit involved.
15. Communicates with the Investigator on duty. Makes sure that Dispatcher notifies Investigator of any felony, unusual incident or other condition that may require his/her expertise.
16. Periodically rides with each officer under his/her direction to reinforce the Department's mission and goals.
17. Ensures that the University Police Department station is maintained neat and orderly and that custodial staff clean the building.
18. Reviews each arrest during tour of duty to assure that the arrest action was warranted, in compliance with Department policy and both legal and proper. Makes proper notifications per General Order 1.3.6(a).
19. Ascertain that officers assigned to mobile patrol fill gas levels and clean interiors of vehicles at end of shift.
20. Meets with Supervising Security Services Assistants daily.
21. Provides line-up for the next day and reviews staffing for the upcoming week - creates line-ups and reviews staffing levels for upcoming week to assure proper staffing levels. Makes or arrange for line-ups to be completed while out on leave. Reviews staffing levels for approaching week.
22. Monthly reviews and processes time cards.
23. Authorization to void Electronic Traffic Summons created in error.

- a. In the event a TraCS ticket is created by an officer in error, the officer will advise the ITRO and the shift Lieutenant via email. Once voided, the party responsible will email the issuing officer of same.

**NOTE:** The above instructions comprise general supervisory responsibilities. The Command Staff may assign Lieutenants other specific duties as required.

|   |                             |                                      |
|---|-----------------------------|--------------------------------------|
| SUBJECT<br>University Police Investigator 1   |                             | GENERAL ORDER NUMBER<br>21.2.16      |
| DCJS STANDARDS<br>2.2   |                             | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>July 13, 2016  | APPLIES TO<br>All Employees | REVISION DATE<br>July 18, 2016       |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                             |                                      |

## Introduction

The University Police Investigator 1 is primarily involved in investigating violations of criminal law on campuses of the State University of New York. They typically conduct investigations, which may extend over periods of weeks or months and which may require application of the full range of interviewing and investigative techniques. These investigations are distinguished from those conducted by University Police Officers, which are incidental to other law enforcement activities, by their longer duration and by the use of the wider breadth of investigative techniques utilized, such as on-site information gathering at the scene of accidents or incidents.

Investigator duties require conducting investigations and maintaining official liaisons. The nature of the work includes interviewing students, Residential Life, Administrative Personnel, complainants etc. The Investigator, when assigned a case, should report fully on case status and include solvability factors.

The Investigator should include the following information in the case file:

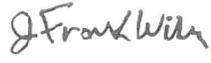
1. All action taken, including the names of persons contacted and dates of contact.
2. The dates and times of all events pertinent to the investigation.
3. The final disposition including names of suspects and action taken.

## Responsibilities

4. Provides notification to law enforcement agencies relative to stolen or missing property.
5. Maintains cooperative working relationships with law enforcement agencies that the Department comes into contact with.

6. Develops in-service training programs as directed.
7. Conducts inspections of places and premises where crime is particularly likely to occur.
8. Maintains records relating to investigations and submit reports as directed by Command Staff.
9. Treats crime victims in a manner that will assist the victim and maximize his/her cooperation with the investigation.
10. Supervises collection of evidence at scene of major crimes.
11. Reports to the scene of all crimes in progress as necessary.
12. Provides technical assistance to Lieutenants and officers in preparation of court cases.
13. Performs collateral duties as directed.
14. Follows the established guidelines regarding the Case Management System that is in place. Every case is copied and entered into the appropriate case management system subsequently receiving follow-up by one or more investigators.
15. Uses video and surveillance equipment to facilitate investigations as directed. Prior to use of said equipment the investigator will have received appropriate training regarding the proper use of the equipment.
16. Fingerprints and photographs persons arrested by the Criminal Investigation Unit.
17. Prepares cases for court presentation in consultation with the Assistant District Attorney.
18. Provides courtroom testimony.
19. Members of the Responsible for the Warrant Control function.
  - a. Ensures 24 hour access to warrants.
  - b. Ensures warrants are current and enforceable.
  - c. Actively pursues current, enforceable outstanding warrants.
20. Maintains confidentiality appropriate to each case and the related investigations.

21. Notifies the Command Staff in a timely manner of all major developments in a case or incident.
22. Participates in case conferences as directed.
23. Provides statistical information on cases for the monthly report no later than seven days from the end of the month.
24. Performs such other duties and assignments as required by the Chief of Police or other member of Command Staff.
25. Attends briefings regularly, based on caseloads, for the purpose of informational exchanges related to ongoing investigations.
26. Obtains and maintains full eJustice Integrated Justice Portal certification.

|   |                             |                                      |
|---|-----------------------------|--------------------------------------|
| SUBJECT<br>First Sergeant - Emergency Vehicle Operator Course (EVOC)/ Safety Officer  |                             | GENERAL ORDER NUMBER<br>21.2.17      |
| DCJS STANDARDS<br>2.2   |                             | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>January 25, 2017   | APPLIES TO<br>All Personnel | REVISION DATE                        |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                             |                                      |

## Introduction

The First Sergeant - EVOC/Safety Officer will work at the direction of a member of the Command staff, Administrative Captain and Shift Supervisor (Lieutenant) and will take an active role in the following areas (these duties will be in addition to the requirements of a University Police Officer 1):

1. Responsible for fleet maintenance to include, but not limited to:
  - a. All full size, mid size, and four wheel drive vehicles;
  - b. All unmarked vehicles in the fleet;
  - c. All special use vehicles e.g. All Terrain Vehicles (ATV's).
2. Reviews accident reports involving departmental vehicles.
3. Conducts driver training for civilian members of the Department including both the classroom and practical portions of the course.
4. Maintains current certification as a Radar Instructor.
5. Serves as a court liaison officer with both the City of Albany and the Town of Guilderland.
6. Maintains current certification as a Breath Test Operator.

## Provides the Following Services upon Request

1. Serves as an advisor on new vehicle purchases.
2. Sets up driver training programs for basic academies and in-service schools.
3. Set up driver training programs for outside agencies upon special request.
4. Serves as a Vehicle Accident Reconstructionist.
5. Sets up remedial driver training programs as needed.
6. Coordinates the Department's EVOC in-service program and provides technical assistance to other agencies when appropriate and convenient.
7. Provides training to Security Staff charged with the operation of the SSA transport vehicle.
8. Conducts Basic Radar Course for the Department members in need of said training.
9. Maintains Department records for the EVOC, Radar and Breathalyzer training.
10. Coordinates Department training initiatives at the direction of a member of the Command Staff, Captain or Lieutenant as needed.

## Basic Requirements

1. Three years as an EVOC instructor.
2. Safe driving record, minimum three years with no preventable accidents.
3. Yearly evaluations with good rating or better.
4. No pending discipline.
5. Be willing to travel to assist other agencies e.g. S.U.N.Y. System in their training needs.
6. Completed Bureau of Municipal Police Instructor Development School or be able to do so within one year.
7. Completion of an Accident Reconstructionist course or the ability to do so within one year.
8. Completed a Bureau of Municipal Police Radar Instructor Course or be able to do so within one year.

9. Instruct Approved by the Chief based on seniority of those qualified to perform the functions of the position.

|   |                             |                                      |
|---|-----------------------------|--------------------------------------|
| SUBJECT<br>University Police Officer 1  |                             | GENERAL ORDER NUMBER<br>21.2.18      |
| DCJS STANDARDS<br>2.2   |                             | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>July 13, 2016  | APPLIES TO<br>All Employees | REVISION DATE                        |
| APPROVAL<br>J. Frank Wiley., Chief of Police  |                             |                                      |

## Introduction

University Police Officers enforce all New York State and local laws and the Student Code of Conduct on the grounds of the State University of New York. University Police Officers are charged with full police officer powers under Criminal Procedure Law, §1.20-34(s) and are responsible for the performance of the full range of professional police duties. University Police Officers assist other Local, State and Federal police officers with investigations and may collect evidence, question witnesses or testify in court in connection with alleged criminal actions.

University Police Officers work under the direct supervision of a University Police Supervisor (Lieutenant) who is a Shift Supervisor. He/she is responsible for the enforcement of the New York State Penal Law, as well as other applicable laws, regulations and policies of the University at Albany.

## Responsibilities

1. Conducts mobile and foot patrols of the University campus, buildings and grounds as assigned.
2. Responds to criminal complaints and assists victims as required.
3. Conducts initial criminal investigations of offenses; apprehends and arrests suspects; refers suspects to criminal courts; makes Student Judicial Board referrals.
4. Effects liaison and cooperates with external law enforcement agencies and University Residential Life.
5. Assists Residence staff in maintaining security and order in the residence halls.
6. Provides crime prevention information and techniques to the public including crime prevention presentations to student and staff groups.

7. Protects and secures evidence at crime scene; obtains names of witnesses and perpetrators; turns crime scene over to Investigator, Supervisor or Evidence Technician.
8. Appears in court as complainant, witness or investigating officer.
9. Responds to emergencies of fires, injury or disaster and assists victims. Secures appropriate assistance beyond own capability and secures area of emergency.
10. Provides Dispatcher with immediate notification of any safety hazards. Submits written reports of safety hazards.
11. Reports maintenance defects affecting safety and security to the Dispatcher and the on-duty Lieutenant for referral to the Plant Department.
12. Provides escort services as required for safety of persons, money, ambulance/fire apparatus and other purposes.
13. Provides the public with information regarding campus events and directions to campus locations.
14. Assists in crowd control for assemblies, athletic events, concerts, dignitary visits and other events.
15. Functions as Department Dispatcher when so assigned.
16. Opens locked doors and buildings after regular hours to properly identified and authorized students, faculty and staff.
17. Assists in locating persons and relaying emergency messages to staff Lieutenants and Residence Directors.
18. Refers appropriate situations to Middle Earth Mediation Program, or other campus resources as necessary.
19. Provides emergency first aid and CPR, if trained to do so.
20. Assists motorists in obtaining vehicle service and entry to locked vehicles per protocol.
21. Enforces campus parking regulations. May be asked to coordinate with Parking Management for towing.
22. Issues TSLED summonses or warnings to operators of motor vehicles observed in violation of the New York State Vehicle and Traffic Law. If certified, operates radar and BAC testing equipment Breathalyzer.

23. May be requested to assist with evacuation of buildings in emergency situations.
24. Identifies suspicious individuals in non-public areas or other campus locations after normal business hours.
25. Assists Residential Life and Campus Life staff in maintenance of public order.
26. May be required to secure buildings at closing.
27. Transports prisoners from criminal court to county jail or lock-up facility as required.
28. Prepares complete, clear, accurate and concise written reports prior to end of tour. Reports are to be complete unless otherwise directed by a Lieutenant.
29. Maintains proficiency in safety and firing of firearm when authorized to carry it.
30. Adheres to proper radio and communications procedures.
31. Remains in radio communication with the dispatcher.
32. Responds without unnecessary delay to all calls for assistance from the public or other members of the Department.
33. Conforms to all requirements listed in this manual.
34. Obeys all laws, ordinances and regulations they have sworn to uphold or enforce.
35. Reports for duty in the proper uniform of the day, except when assigned to special duty.
36. Keeps proper appearance and personal hygiene when on duty.
37. Carries an ID card on duty and displays your badge upon request. Provides your name and shows ID when requested.
38. Upon reporting for duty, checks all vehicles and equipment that may be called upon for use during tour of duty. Reports any deficiencies to Communications, Captain, Technical Sergeant and/or shift Lieutenant.
39. Upon reporting for duty, becomes familiar with events that have taken place since the end of last shift worked.
40. Absence from tour of duty without proper notification to Shift Lieutenant shall not be excused.

41. Tours of duty with shall not be exchanged among associates without permission from Shift Lieutenant.
42. Official duties shall not be undertaken without a thorough comprehension of that duty. If needed, for clarification shall be requested from the Shift Lieutenant.
43. Maintains alertness and awareness of all activity in patrol area.
44. Unless following an official orders, shall never remove official documents, records, or files, nor allow anyone other than authorized persons to see them without authorization.
45. Shall not utilize departmental supplies for personal use.
46. Reports any legal action that may be taken as a result of one's official conduct.
47. Takes diligent care of Department property and equipment that is used or issued.
48. Keeps Department officials informed of current address and telephone number.
49. Does not publish any General Orders, nor divulge Department procedures in any manner without permission.
50. Shall not make a false report or knowingly enter or cause to be entered in any department book or record any inaccurate, false or improper entry or misrepresented facts.
51. Shall be punctual in attendance to all calls and requirements of duty. Keeps appointments and attends all functions at time specified.
52. Shall not be permitted to report for duty if in any way impaired or otherwise visibly under the influence of alcoholic beverage or drugs.
53. **Treats matters regarding the media as follows** - Members of the Department are required to report either verbally or in writing any knowledge or information that comes to their attention regarding any matter within the jurisdiction of the Department. Department personnel will not release information regarding Department matters to the news media. All inquiries regarding cases, situations or policies affecting the Department shall be first referred to the Chief of Police or their designee. The Chief will then supervise proper distribution of appropriate information. No information is to be given to the media prior to it being given to the Chief or other member of Command Staff and discussed with them.
54. **Meal Breaks** – Patrol units will stagger breaks to ensure adequate road coverage at all times. If necessary, officers will be instructed to respond to calls regardless of meal break status.

55. Breaks are not to exceed 15 minutes and only two are allowed per shift. Such breaks shall be scheduled to have a minimum impact on patrol coverage.
56. Patrol personnel will not leave either campus without permission from the Lieutenant or OIC (OFFICER IN CHARGE). Once permission is received, Officers will advise the Dispatcher and an RMS (Records Management System) entry will be made.
57. **Outside Employment** - Any member of the Department wishing to engage in outside employment will file a request as outlined in Section 50.04 of the University Police Manual of Rules. In accordance with that section, the form for outside employment must be completed and approved prior to engagement in said job. If the second job is left or any portion of it changes, then notification must be made to the Chief of Police or their designee.
58. May be appointed as Officer in Charge (OIC) by the Deputy Chief of Operations, or their designee. The following tasks may be assigned to the person designated as OIC:
  - a. Conduct briefings & line-ups.
  - b. Update reports as necessary.
  - c. Secure the scene at any major incidents.
  - d. If a major incident occurs, contact the Deputy Chief of Operations, their designee or member of Command Staff for further instructions.
  - e. When faced with a staffing shortage, OIC will attempt to fill shortage and if unsuccessful, will confer with the Deputy Chief for Operations, their designee or member of Command Staff for further guidance.
59. Obtains and maintains eJusticeNY Integrated Justice Portal certifications.

**NOTE:** It is the duty of each officer to familiarize themselves with all aspects of this manual.

|   |                             |                                      |
|---|-----------------------------|--------------------------------------|
| SUBJECT<br>Campus Public Safety Officer - Civilian<br>Dispatcher  |                             | GENERAL ORDER<br>NUMBER<br>21.2.19   |
| DCJS STANDARDS<br>2.2   |                             | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>October 4, 2016  | APPLIES TO<br>All Employees | REVISION DATE<br>October 6, 2016     |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                             |                                      |

## Purpose

The purpose of this Order is to establish the responsibilities of the Campus Public Safety Officer.

## Introduction

The Campus Public Safety Officer (CPSO) provides communications services for the University at Albany Police Department. The CPSO must understand the nature of the University Police Department and its operations as they are typically the first representative of the Department to come in contact with those seeking our help. They function as a desk officer, dispatcher and 911 operator. In this multi-faceted capacity, the CPSO must be prepared to operate radio receiver and broadcast equipment, telephone equipment, the eJusticeNY Integrated Justice Portal or other similar terminal equipment, personal computers, closed circuit television systems and electronic security systems.

Within the course of a routine shift a CPSO will be expected to answer telephone, radio and computer communications lines; dispatch mobile and foot patrols; maintain appropriate records; operate data terminals and prepare and file a variety of reports and logs. They may also patrol campus buildings and facilities, enforce building regulations, maintain order and answer questions for students, staff and visitors. In addition, they may be assigned as a passenger in a vehicle to assist a higher-level public safety officer.

## Responsibilities

Campus Public Safety Officers function under the direction of the University Police Department shift Supervisor, typically a Police Supervisor (Lieutenant) or Officer in Charge (OIC). Campus Public Safety Officers

1. Controls base, fixed or mobile communications.

2. Maintains status and control over all mobile radio units in service.
3. Monitors all equipment in the dispatch area and reports all departures from required procedures to the appropriate supervisor.
4. Immediately reports emergency situations to supervisory personnel, including the inability to establish communications with a mobile unit.
5. Operates data terminals, computers, communications and support equipment.
6. Complies with eJusticeNY Integrated Justice Portal rules and regulations when operating equipment.
7. Accurately enters and updates information in the various computers and data terminal devices.
8. Retrieves information from computer systems and provides to public safety and police personnel.
9. Reviews all messages received on data terminals and stores or distributes according to prescribed procedures.
10. Prepares written reports and maintains the department files as assigned.
11. Oversees issuance and safe return of keys and keeps accurate log of this activity.
12. Monitors University camera system and maintains visual surveillance of the department's Booking Room camera system during arrest processing.
13. Maintains Communications files and performs other Communications-related duties as required by the shift Supervisor.
14. Reports directly to the Shift Supervisor or OIC and, in their absence, to a member of the command staff.

### Provide the Following Services

1. Responds to calls for assistance to ensure that property is secured until a police officer arrives at the scene.
2. Patrols assigned area on foot to deter criminal activity by means of presence and witness and to detect and report any possibly dangerous situations such as fires.
3. Prepares and files a variety of reports and log, and performs other security- related activities.

4. May be assigned to issue and maintain Department equipment.

## Specific Requirements

### 1. Demeanor and Clarity of Mind:

- a. Duties are people-oriented and communications, in some instances, may be quite stressful.
- b. Demeanor - The dispatcher must exercise tact in dealing with a variety of questions and problems, and in representing the department. They must have the ability to remain calm under pressure.

Communications may be received and/or transmitted in a variety of manners, often simultaneously. The CPSO requires the ability to remain focused, calm and collected so that all communications received and/or disseminated receive maximum attention and an appropriate response.

### 2. Clear Communications:

- a. Effectively, efficiently and promptly deal with a wide range of information as one is made aware of it, be it of a routine or emergency nature. Verbally communicate to others in a clear and effective fashion.
- b. Write reports and maintain logs in an accurate, neat, clear manner, so that those records may be easily referenced.
- c. Must exercise tact and diplomacy in dealing with a variety of questions and problems, both orally and in writing, in order to gain the cooperation of others and to obtain information

### 3. Knowledge of Department Rules, Policies, and Procedures:

- a. Must understand and know how to refer to and interpret an abundance of resource information posted at or near the desk and be able to communicate this data clearly and informatively to others on demand.
- b. Must understand a variety of filing systems and be able to file various forms efficiently (e.g. computer messages, communications logs, etc.).
- c. Must understand General Orders, disaster procedures, Manual of Rules and other policies as they pertain to the Dispatch function so that proper procedures are followed.
- d. Appearance - Will dress in a neat and acceptable manner as prescribed by department regulations.

- e. EJusticeNY Integrated Justice Portal Certification - Must maintain current eJusticeNY Integrated Justice Portal certification and be familiar with PeopleSoft, SUNYCard and other University computer files.

|   |                             |                                      |
|---|-----------------------------|--------------------------------------|
| SUBJECT<br>Security Services Assistant I  |                             | GENERAL ORDER NUMBER<br>21.2.21      |
| DCJS STANDARDS<br>2.2   |                             | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>October 4, 2016  | APPLIES TO<br>All Employees | REVISION DATE<br>October 6, 2016     |
| APPROVAL<br>J. Frank Wiley., Chief of Police  |                             |                                      |

### Purpose

The purpose of this Order is to establish the responsibilities of the Security Service Assistants I.

### Responsibilities

Security Service Assistants I (SSA I's) function primarily in a building guard/watchman capacity. They may work under the general supervision of a police Supervisor on duty. SSA I's do not have peace officer or police officer powers of arrest. They will not arrest citizens under any circumstances and will avoid physical confrontations. Situations requiring arrest will be referred to a police officer. The primary function of the SSA I is to observe and report.

1. Reports any suspicious, irregular or dangerous situations to the University Police Department. Observed situations will be reported via radio or by dialing 911. Writes reports, gives statements or appears in court as needed.
2. Patrols public areas of the Residence Halls and exterior areas. SSA I's may assist Residence Assistant staff (RA) on rounds securing the quad at night. Also required to perform additional rounds per shift.
3. Follows instructions regarding signing in and out of guests, as well as checking and verifying student identification.
4. Remains in assigned area unless directed otherwise by a Police Supervisor (Lieutenant) or Officer in Charge (OIC).
5. Unless accompanied by a police officer or supervisor, SSA I's are not to enter student dorms or suites. SSA I's are to remain in public areas and avoid fraternization with students beyond normal conversational interactions.

6. May be issued the following equipment::

- a. Log book,
- b. Keys,
- c. Radio,
- d. SUNY Card.

This equipment is the responsibility of each SSA I, who signs it out at the start of shift. Should any equipment be discovered missing, it shall be reported without delay to the supervising Police Lieutenant, or Officer in Charge (OIC). All items issued at the beginning of shift (i.e. keys, radio, etc.), shall be returned to the police dispatcher at the return briefing at the end of shift.

9. SSA I's assigned to the academic buildings will be familiar with their opening and closing hours as well as activities within the assigned buildings.

10. Patrols will encompass both the interior and exterior of the assigned complex.

11. SSA I's will be particularly alert for:

- a. Doors unlocked after scheduled closing,
- b. Activity of an unusual nature,
- c. Evidence of recent vandalism,
- d. Burned out lights,
- e. Other maintenance or safety defects,
- f. Special group activities,
- g. Criminal activity,
- h. Suspicious persons,
- i. Skateboarders in unauthorized areas.

11. All maintenance defects, unlocked doors, and significant activity will be reported to the dispatcher and in writing on an incident report.

12. Assists in the evacuation of the building in the event of fire or fire drills.

13. Provides information to visitors.
14. Completes Activity Sheets when required.
15. Enforces campus parking regulations as required.
16. Assists University Police Officers as required.
17. Completes Daily Activity Reports (DAR's) when assigned to a walking post, unless otherwise directed.

# GENERAL ORDER 22 COMPENSATION, BENEFITS, AND CONDITIONS OF WORK

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|   |                             |                                      |
|---|-----------------------------|--------------------------------------|
| SUBJECT<br>Overtime   |                             | GENERAL ORDER NUMBER<br>22.1.1       |
| DCJS STANDARDS  |                             | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>January 25, 2017   | APPLIES TO<br>All Employees | REVISION DATE                        |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                             |                                      |

## Purpose

This written Order establishes standard procedures for scheduling personnel for overtime assignments/special events.

## Policy

It shall be the policy of the University at Albany Police Department to offer and assign overtime on an equitable basis. It shall not be necessary for each employee to receive identical amounts of overtime during a set period of time; however, the Department will strive to present the opportunity for overtime on a uniform basis. The University at Albany Police Department supports the system-wide bargaining unit process and shall maintain compensation, benefits and conditions of work that are in compliance with established agreements.

## Procedure

1. Management and/or Police Lieutenants determine the requirement for overtime in any situation.

2. The Officer in Charge (OIC) is authorized to call for overtime to fill a shift vacancy after receiving approval from a member of the Command Staff, or in their absence, a member of the supervisory staff.
3. General overtime guidance is covered by the union agreement.
4. A member of the Command Staff must approve non-emergency overtime for Lieutenants and Investigators in advance.
5. The pre-approval requirement does not apply to holdovers or call-ins in response to an emergency condition. Police Lieutenants who call in officers will advise the appropriate member of the Command Staff, verbally or in writing, as soon as they report for duty.
6. The overtime call list for University Police Officers and Security Service Assistants is maintained and implemented by a union representative as agreed to with local management. The employee must accept the overtime immediately or the offer will be rescinded. The representative will then proceed to the next officer on the overtime roster. The call will be made to the officer's telephone number of record only. An answering machine will be considered an offer turned down.
7. In the event that no officer volunteers to work overtime, the union will maintain a mandatory overtime (MOT) list and provide management with the next eligible person to work the overtime in accordance with their MOT policy.
8. Planned overtime outside an individual's regular shift hours for training, meetings, or special programs shall be for a minimum of two hours and approved in advance by the Shift Supervisor or a member of Command Staff.
9. Overtime pay for work directly preceding or directly following a scheduled shift will be for the actual time worked.
10. Except in special circumstances decided by a member of the Command Staff, no Department employee will be permitted to work for more than 18 hours continuously without a minimum 6-hour break before beginning work again.

|   |                             |                                      |
|---|-----------------------------|--------------------------------------|
| SUBJECT<br>Leave Benefits   |                             | GENERAL ORDER NUMBER<br>22.2.1       |
| DCJS STANDARDS  |                             | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>January 25, 2017   | APPLIES TO<br>All Employees | REVISION DATE                        |
| APPROVAL<br>J. Frank Wiley., Chief of Police  |                             |                                      |

### Purpose

The purpose of this Order is to establish procedures and guidelines regarding the requesting and granting of various types of leave to members of the Department.

### Introduction

The guidelines below are to be utilized for the review and granting or denying of leave requests at the University at Albany Police Department. Operational needs must be taken into consideration when leave requests are made, but all reasonable effort will be made to accommodate requests.

### Policy

The use of holiday leave, administrative leave, personal leave and vacation (annual) leave are governed by New York State Civil Service Rules and the agreements between state and employee bargaining units. Published Civil Service rules and the pertinent section(s) of the current collective bargaining agreement regulate attendance and leave. The following regulations are intended to facilitate these agreements.

### Scheduled Annual (Vacation) Leave

Scheduled leave requests shall be reviewed twice annually in two successive vacation request opportunities called “pick periods.” These are referred to as the “A” pick and the “B” pick respectively. Requests for scheduled leave shall be made, reviewed, granted or denied in the following manner:

#### “A” Pick

During the period November 1 through November 30 (the request period), members may submit no more than two requests for leave, and for no more than a cumulative 80 hours total, beginning at any time during the “A” pick period. The “A” pick period spans

January 1 through December 31 of the calendar year following the request period. The review period immediately follows the request period; from December 1 to December 30. Leave requests for the “A” pick shall be evaluated and returned to the requesting member no later than December 31.

### **“B” Pick**

During the period May 1 through May 31 (the request period), members may submit no more than two requests, and for no more than a cumulative 80 hours total, for leave beginning at any time during the “B” pick. The “B” pick period spans July 1 of that same calendar year to June 30 of the following calendar year. The review period immediately follows the request period, from June 1 to June 29. Such leave requests for the “B” pick shall be evaluated and returned to the member no later than June 30 of the same year as the requesting period.

### **Overview**

Members may submit up to two requests totaling no more than 80 hours during the “A” pick and another two requests totaling no more than 80 hours during the “B” pick. These requests will allow scheduled leave for one person per shift, excluding leave moratoriums. During the review period for picks “A” and “B”, leave requests will be reviewed one at a time in order of seniority and, if approved, be granted by seniority. In the case of Police Officers and Communication Officers, the determination of seniority takes into account a locally agreed upon blended seniority list (a copy of which is on file with management).

Members must either have the necessary time accrued to cover the leave request at the time of submission and review, or be clearly capable of accruing enough appropriate leave time between the request period and the actual date(s) requested.

Generally, leave requests that include any dates during the first two weeks of a semester or the final two weeks of a semester (including moving-in days, as applicable), dates between Reading Day and the last day of finals or any portion of the commencement proceedings will not be considered. Typically, the first and last two weeks of any semester shall be considered Restricted Leave Periods. However, at the discretion of the Chief, these periods may be shortened, lengthened or altogether eliminated to adjust for crime trends or changing conditions. Management may establish other periods of restricted leave usage as needed and leave requests, including any period of restricted leave, may or may not be considered by management at their sole discretion.

This policy seeks to review leave requests 12 months in advance. Realistically, it is impossible to anticipate the advent of a future crisis which might force the cancellation of leave. Therefore, members are encouraged to purchase trip insurance wherever and whenever possible in order to protect themselves against the possibility of financial loss.

## Annual Leave

1. Annual leave requests should be submitted in advance through the Shift Supervisor to the Deputy Chief of Operations. Investigators will submit requests through the Inspector for Operations. Lieutenants will submit requests through the appropriate commander.
2. Conflicting annual leave requests submitted on the same day will be granted on a seniority basis within each shift and position category.
3. Special leave situations other than prime time (i.e. cruises, cabin rentals, etc.) will be processed at the discretion of the Command Staff.
4. Annual/Personal Leave during restricted leave times will be reviewed and acted upon on a case-by-case basis.

## Unscheduled Leave

All leave not reviewed under the guidelines established under the Scheduled Leave section shall be considered Unscheduled Leave.

Unscheduled Leave requests may be submitted for review no more than 21 days in advance from the start of the requested leave. The requesting member must either have the necessary time accrued to cover the leave request at the time of submission and review, or clearly be capable of accruing enough appropriate time between the request period and the actual date(s) requested. Unscheduled leave requests shall, to the greatest extent possible, be reviewed and returned to the requesting member within seven days from the submission date.

The employer retains all of its authority, rights and responsibilities, except as expressly limited by the **Agreement**. This local Labor-Management Agreement and leave policy may need to be revised in relation to future contractual changes.

## Leave in General

1. When returning from leave (or relief days), review shift briefing sheets, daily crime reports and bulletin boards.
2. Tardiness may result in leave without pay and/or disciplinary action.
3. Official military orders or an equivalent official document must accompany military leave (30 calendar days or 22 work days authorized per year) requests.
4. Other leave, such as promotional exams, occupational injury, bereavement leave, etc. will require appropriate documentation with the leave request.

|   |                             |                                      |
|---|-----------------------------|--------------------------------------|
| SUBJECT<br>Attendance Control   |                             | GENERAL ORDER NUMBER<br>22.2.2       |
| DCJS STANDARDS  |                             | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>January 25, 2017   | APPLIES TO<br>All Employees | REVISION DATE                        |
| APPROVAL<br>J. Frank Wiley., Chief of Police  |                             |                                      |

## Purpose

The purpose of this Order is to govern the use of leave in an orderly manner and to identify those employees who exhibit an attendance problem as well as to provide guidelines in addressing that problem.

## Policy

It is the policy of the University at Albany Police Department to provide a uniform method by which all personnel can request leave (whether annual, sick, scheduled or unscheduled) and also to establish a standard for handling instances of tardiness.

## Definitions

1. **Leave without pay** - Any approved unpaid leave, primarily sick leave without pay.
2. **Absent without leave** - This is unauthorized leave and should be documented by a Dispatcher, OIC, Lieutenant or Command Staff member in the following circumstances:
  - a. Failure to report for duty without employee notification to the Department.
  - b. Failure to report absence properly, meaning employee notification to the Department two hours or more in advance of the start of the shift.
  - c. Employee fails to provide previously requested documentation for an unscheduled absence.
  - d. Employee fails to report for duty after previously being denied leave for that day (unless medical documentation is provided). Doctor's notes are to be provided

by all employees who do not come in after being denied the day off. Medical documentation will allow the time to be charged against sick leave.

3. **Non-compensable injury/illness or elective surgery** - Instances that are not covered by Workmen's Compensation.
4. **Hardship** - Occasionally, there will be situations that require the application of compassionate review. These include chronic illness, Employee Assistance Program referrals, serious family emergencies, etc. Individual exemptions to this policy must be approved by the Chief of Police or their designee and are subject to periodic review.
5. **Restricted Leave Period** - A period during which leave is not generally granted. A leave moratorium may be declared at the discretion of the Chief of Police or their designee, in response to specific crime problems or trends during a crisis in the University Community, or for an expected period of higher activity levels. Leave Moratoriums will be announced in advance whenever possible. Leave during this interim will be reviewed on a case-by-case basis.
6. **Leave Cancellation** - In emergencies, the Chief may cancel pass days and/or prior approved leave. It is NOT the intention of this Department to cancel prior approved leave unless a serious emergency arises.

### Occasions of Absence

1. **One-day call in** – classifies as an occasion, even if medical documentation is provided.
2. **Call in for more than one day** without medical documentation – each day is an occasion.
3. **Call in for more than one day** with medical documentation – entire absence is one occasion.
4. **Call in for more than one day** with medical documentation that does not cover the entire absence – entire period covered by documentation is one occasion, each day not covered by documentation classifies as an additional.
5. Lateness exceeding two hours is an occasion.
6. All absences of more than three consecutive days require acceptable documentation and, upon receipt of such documentation, will be counted as one occasion of absence.

## Evaluation Criteria

Occurrences of absence exceeding 5 during a period of 9 months or less: a Memorandum of Understanding will be directed to the employee addressing the concerns surrounding their excessive absences and recommending improvement to their attendance level.

Occurrences of absence exceeding 6 during a period of 9 months or less: the circumstances will be evaluated and a counseling Memorandum will be issued as appropriate. Additionally, a determination may be made to do any or all of the following:

1. Require a doctor's statement for all subsequent occasions.
2. Require return calls from home.
3. Notify employee that no alternative leave may be used if sick leave is exhausted.
4. Permission for secondary employment may be revoked or denied.
5. Occasions of absence exceeding 7 during a period of 9 months or less: review the record and issue a final warning.
6. Occasions of absence exceeding 8 during a period of 9 months or less: discipline may be sought.

## Sick Leave Use / Abuse

All employees are encouraged to accumulate and utilize sick leave in a responsible manner. Doing so generally provides adequate sick leave when it is needed and prevents premature exhaustion of sick leave absent extenuating circumstances. Extenuating circumstances include long term or chronic illnesses and non-compensable injuries. Without extenuating circumstances, the exhaustion of sick leave may result in warnings, counseling and ultimately discipline. Under no circumstances, including the exhaustion of sick leave, may other forms of leave be substituted for sick leave without the prior approval of a member of the Command Staff. The exhaustion or near exhaustion of sick leave by probationary employees is cause for concern.

With regards to the granting of prior approved sick leave for non-compensable illness/injury/elective surgical procedures or doctor's appointments, non-compensable shall refer to situations falling outside the parameters of Workmen's Compensation. If the absence is four hours or more in duration, the employee is required to submit appropriate medical documentation. This documentation should include the time that the appointment started as well as the time it was completed. Failure to submit this documentation within 72 hours after the conclusion of the appointment will result in the absence being considered an "occasion".

Only in extreme circumstances should a request for a full shift be approved. Whenever possible, the employee should be encouraged to schedule appointments during off-duty hours.

## Sick Leave Requests

Sick leave requests for medical, dental or similar appointments will be submitted as soon as possible before the leave date. Requests for unplanned sick leave will be submitted no later than two days after return to work. If necessary, the appropriate supervisor will verify sick leave. A member of the Command Staff will approve sick leave for Lieutenants and Investigators.

Generally, a requirement to provide medical documentation (a physician's slip) will not be required for absences of three consecutive days or less. Exceptions to this General Order may be made when there is a reasonable basis to suspect that an employee has improperly used sick leave, such as being absent on a day when an annual leave or personal leave request had previously been denied.

The Department may also determine that the employee shall be required to provide medical documentation solely as a result of review of employee's attendance record. Such requirement shall follow notification to and subsequent discussions with said employee concerning the pattern, frequency and length of sick leave usage.

In instances where, after due evaluation, management determines that the explanation offered by the employee is unsatisfactory, the determination to require medical documentation shall take the form of a counseling memo or attendance watch memorandum. The criteria for identifying problem patterns of sick leave usage remains management's prerogative, but shall be equally applied to all contractual employees. Documentation will remain consistent with HIPA regulations.

## Sickness while on Duty

Employees must contact their immediate supervisor, report the nature of the illness and see that an administrative RMS (Records Management System) is completed. If illness precludes finishing the current tour of duty, employees will obtain permission from their supervisor to leave. This will be noted in the administrative RMS.

## Absences due to Weather Conditions

In the absence of a snow emergency declaration by the Governor, employees may not use leave credits without prior approval to cover absences caused solely by adverse weather conditions. However, an employee may be excused for reasonable tardiness due to such adverse conditions. Any claims for sick leave on such days may be cause to request appropriate medical documentation to cover the absence. Employees asked to produce such documentation will have 48 hours from the time of request to submit it. The documentation will be reviewed in order to determine whether it is acceptable or

not. Failure to either report for duty or to submit the required medical documentation may be cause to consider that absence unauthorized.

## Secondary Employment

Employees will not engage in secondary employment while on sick leave or Occupational Injury leave.

## Work-Related Injuries

Employees must file an accident/injury report as soon as possible following the incidence of an on-duty injury.

When taking leave for an injury incurred while on duty, employees must obtain a practitioner's statement indicating that the injury is work-related, the type of treatment given, diagnosis of present physical condition and prognosis for recovery. The statement must include the specific, previously reported on-duty injury and where assigned as well as the incident number from the State Insurance Fund or Workmen's Compensation. This statement is to be provided within 48 hours of the evaluation.

If the practitioner's statement indicates that the employee should be out of work until a specific date and notes a date for follow-up, the employee must provide a new medical statement based on each re-evaluation, detailing when the employee can return to work or when they will be seen by the practitioner again. Statements are to be provided within 48 hours after the medical appointment.

## Time Cards

1. Time cards are to be prepared by the member of the Department for whom the time is reported. No one may sign in or out on behalf of another officer or member of the Department.
2. Time cards shall be updated on a daily basis and submitted according to applicable Civil Service regulations and local regulations of the University at Albany.
3. The employee shall accurately record starting and ending times according to the briefing room clock.
4. Leave taken and overtime shall be accurately and completely recorded. Approved leave and overtime slips shall be attached to a submitted time card.
5. Shift Lieutenants shall review the time card of each officer assigned to their tour of duty at the end of each pay period.

|   |                             |                                      |
|---|-----------------------------|--------------------------------------|
| SUBJECT<br>Shift Substitution   |                             | GENERAL ORDER NUMBER<br>22.2.3       |
| DCJS STANDARDS  |                             | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>January 25, 2017   | APPLIES TO<br>All Employees | REVISION DATE                        |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                             |                                      |

## Introduction

Lieutenants, Investigators, UPO's, CPSO's and SSA's are authorized to "swap" shifts or relief days with other individuals in their job category for reasons of personal convenience.

The following conditions are required:

1. Written request to the appropriate member of the Command Staff, signed by both parties concerned and detailing the specific dates and hours of the proposed swap. The request should be made a minimum of one week prior to the requested swap date.
2. Both individuals understand and agree that neither will receive overtime payment.
3. Any one member may only make swaps for a maximum of two consecutive shifts.
4. In no case will affected officers be allowed to work more than two shifts without a one-shift (8 hour or 10 hour) interval in between.
5. Only two individuals can be party to each swap request (i.e. Officer Smith cannot swap with Officer Brown on Friday and Officer Jones on Saturday).
6. Swaps must occur within the same pay period for both individuals involved.
7. A member of the Command Staff must approve the swap in writing.
8. The swap should be noted on the monthly schedule(s).

|   |                             |                                      |
|---|-----------------------------|--------------------------------------|
| SUBJECT<br>Breaks and Lunch Periods   |                             | GENERAL ORDER NUMBER<br>22.2.4       |
| DCJS STANDARDS  |                             | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>January 25, 2017   | APPLIES TO<br>All Employees | REVISION DATE                        |
| APPROVAL<br>J. Frank Wiley., Chief of Police  |                             |                                      |

## Introduction

1. Uniformed personnel must obtain permission from the Dispatcher or Supervisor before going on breaks.
2. When permissible, breaks are limited to two 15-minute periods during a tour.
3. Personnel in UPO, SSA, CPSO, Supervisor and Investigator titles are not authorized a predetermined meal break. The Department allows a brief break for officers to eat. It is suggested that all meals for uniformed personnel be taken in the University Police Building lunchroom or satellite office, except when otherwise permitted by the Supervisor on duty.
4. It is expected that adequate road coverage will be maintained while uniformed officers are on breaks. It is the Supervisor's responsibility to dictate adequate road coverage during meal breaks.

|   |                             |                                      |
|---|-----------------------------|--------------------------------------|
| SUBJECT<br>Uniforms, Authorized Equipment and Personal Appearance   |                             | GENERAL ORDER NUMBER<br>22.2.8       |
| DCJS STANDARDS<br>14.1, 41.3, 55.3  |                             | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>January 10, 2017   | APPLIES TO<br>All Employees | REVISION DATE<br>January 10, 2017    |
| APPROVAL<br>J. Frank Wiley., Chief of Police  |                             |                                      |

## Purpose

The purpose of this Order is to establish policies and procedures for issuance, return and wearing of the Department's official uniform and related authorized equipment, dress codes for sworn, non-sworn and non-uniform personnel, personal appearance, grooming and hygiene standards for all Department personnel.

## Policy

It is the policy of the University at Albany Police Department to:

1. Issue uniforms and equipment to sworn and other designated personnel to facilitate ready identification of personnel by the public;
2. Require all Department personnel to dress in a manner appropriate to their current assignments and present a professional, business-like appearance when they are working; and
3. Require all Department personnel to adhere to the personal appearance standards set forth in this policy.

## Introduction

Uniforms will be neat, professionally dry-cleaned (not washed) and pressed according to manufacturers' guidelines. Tears, rips and missing buttons will be properly repaired. Shoes and uniform leather will be shined. Shoe polish will be maintained in the briefing room of the University Police Department. No variations from the uniform code will be allowed. The dress code may be changed from time to time upon order of the Chief of Police or their designee. The uniform of the day will be determined by the Command

Staff, supervisory staff or training staff to meet the requirements of a special detail or for training.

### Issue/Replacement

The Quartermaster will issue uniform items and maintain individual clothing records for all personnel. All clothing and equipment permanently issued is to be signed for by the person to whom it is issued. Uniform and equipment items may be replaced as needed on a one-to- one exchange basis.

Any articles lost or damaged due to employee negligence will be replaced at personal expense. The following chart constitutes the basic issue of uniforms and equipment for University Police Officers and University Police Lieutenants:

| ISSUED ITEMS                  | NUMBER OF ITEMS |
|-------------------------------|-----------------|
| Collar insignia (or rank)     | 1 set           |
| Tie Bar                       | 1               |
| Name Plate w/serving since    | 1               |
| Accreditation pin             | 1               |
| Shield w/case                 | 1               |
| SUNY Card                     | 1               |
| Police ID card                | 1               |
| Knit tie                      | 1               |
| Stetson                       | 1               |
| Winter knit cap               | 1               |
| Baseball cap (Bike Patrol)    | 1               |
| Duty belt                     | 1               |
| Under belt                    | 1               |
| Holster                       | 1               |
| Magazine case                 | 1               |
| ASP and duty belt holder      | 1               |
| OC spray and duty belt holder | 1               |
| Handcuffs w/key               | 1               |
| Handcuff case                 | 1               |
| Audio recorder                | 1               |
| Radio holder                  | 1               |
| Glove pouch                   | 1               |
| Keepers                       | 4               |
| Winter jacket                 | 1               |
| Long sleeve uniform shirts    | 2               |
| Short sleeve uniform shirts   | 2               |
| Uniform pants                 | 2               |
| Body armor                    | 1               |
| Service pistol w/magazines    | 1               |

|                                 |   |
|---------------------------------|---|
| Taser holster                   | 1 |
| Individual first aid kit (IFAK) | 1 |
| Naloxone kit                    | 1 |

The following constitutes the additional basic issue of uniforms for the Department's K-9 Unit:

| ISSUED ITEMS                             | NUMBER OF ITEMS |
|--|-----------------|
| Navy BDU style pants                     | 4               |
| Navy short sleeve shirts with embroidery | 4               |
| Navy long sleeve shirt with embroidery   | 4               |
| K-9 Collar Brass                         | 1               |

**NOTE:** Embroidery will consist of "K-9 Unit" inscribed above the left shirt pocket and the officer's name above the right shirt pocket.

The following constitutes the additional basic issue of uniforms and equipment for the Department's Bike Patrol Unit:

| ISSUED ITEMS       | NUMBER OF ITEMS |
|--------------------|-----------------|
| Uniform shirts     | 2               |
| Bike patrol shorts | 2               |
| Bike patrol pants  | 1               |
| Helmet             | 1               |
| Gloves             | 1               |

The following constitutes the additional basic issue of uniforms for the Honor Guard Unit:

| ISSUED ITEMS                         | NUMBER OF ITEMS |
|--------------------------------------|-----------------|
| Class A Uniform Jacket               | 1               |
| Sam Brown Belt                       | 1               |
| Garrison Belt                        | 1               |
| Black leather handcuff case - Velcro | 1               |
| Black leather magazine case – Velcro | 1               |
| Black trouser belt                   | 1               |
| Name tag                             | 1               |
| Serving since bar                    | 1               |
| White gloves                         | 1               |

**NOTE:** All department awards and decorations are to be worn while in Class A uniform. All metal adornments and Stetson braids will be gold in color for ranks of Lieutenant and higher. The wearing of sunglasses while on a detail will be at the discretion of the OIC and must have black frames. No mirrored lenses or ornamentation.

The following constitutes basic issue of uniforms for the Department’s Campus Public Safety Officers and Security Services Assistants:

| ISSUED ITEMS                | NUMBER OF ITEMS |
|-----------------------------|-----------------|
| Uniform pants               | 4               |
| Long sleeve uniform shirts  | 3               |
| Short sleeve uniform shirts | 3               |
| Shield (CPSO only)          | 1               |
| SUNY card                   | 1               |
| Name plate w/serving since  | 1               |
| Collar insignia             | 1               |
| Accreditation pin           | 1               |
| Knit tie                    | 1               |
| Tie bar                     | 1               |
| Winter knit cap             | 1               |
| Trouser belt                | 1               |
| Winter jacket               | 1               |

### Lost, Stolen or Damaged Equipment

Any member of the University at Albany Police Department will immediately report to their direct supervisor if any issued equipment is lost, stolen or damaged.

1. A report will be required if the property is stolen and the supervisor at their discretion may require a report to be completed in all other situations.
2. Any lost or stolen equipment with a serial number (this includes badges) will be entered into the E-Justice Portal.
3. In each instance the supervisor will review and recommend if further departmental investigation is required.

### Footwear

Officers are to furnish their own black socks. Shoes/boots will be cleaned and/or shined prior to the start of each shift.

## Stetson

Stetsons shall be readily accessible for wear at all times. A member of Command Staff and/or Lieutenants may direct specific events and/or times when wear is mandatory.

## Sweater

The "Wooly Pulley" sweater may be worn with either the long sleeve shirt and tie and the short sleeve shirt.

## Winter/Summer Uniform

Short-sleeved uniform shirts without ties will be worn from May 1st to October 1st. A white crew neck tee shirt is to be worn when wearing the short-sleeved uniform shirt. The long sleeved shirts with turtleneck or ties will be worn from October 16th to April 14th. In addition, there will be an optional period during which either the summer or winter uniform may be worn. The optional periods for use of either uniform are April 15<sup>th</sup> through April 30<sup>th</sup> and October 1<sup>st</sup> through October 15<sup>th</sup>. The winter and lightweight jackets will be worn according to weather and temperature conditions.

## Exceptions

1. Officers assigned to uniformed Bicycle Patrol will wear athletic-type footwear that are dark and conservative in color with the summer bicycle uniform.
2. Officers assigned to plainclothes details.

## Accoutrements

1. For Patrol Officers and CPSO's: one set of "New York State" blue enamel state seals will be issued and worn on the shirt collars at all times. For K-9 Officers: one set of K-9 insignias will be worn on the shirt collars at all times.
2. For Captain and Lieutenants: one set of insignia of rank will be issued and will be worn in the center of the shirt collar tab, one inch back and parallel to the leading edge of the collar.
3. For CPSO's the breast badge will be worn on the uniform shirt and may be worn with the issued mounting board.
4. A standard color 2" x 3" American flag may be worn on the right shoulder area of shirts, sweaters and jackets. It will be machine sewn and centered on the sleeve, 1" below the seam.
5. Specialization patches may be worn on the right sleeve at the discretion of the Chief.

6. A name plate will be issued to each department member. The name plate will be worn centered and 1/4" below and parallel to the top of the right shirt pocket. On the winter jacket, the nametag will be worn centered 1/4" below and parallel to the right flap seam. Name plates will be silver with black letters, with first initial and last name. Ranks of Lieutenant and higher will have brass name plates.
7. Service bar with years of service insert will be worn below the nametag. The bar will be silver enamel with black numbers. Ranks of Lieutenant and higher will have brass service bar.
8. The New York State Accreditation Pin will be worn 1/4" above the name plate.
9. Necktie bar shall be worn so that it is centered with the upper edge even with the top of the shirt pockets.
10. Only white tee shirts are to be worn when wearing the short sleeve uniform shirt. Only black or navy blue turtlenecks are to be worn when wearing the long sleeve uniform shirt without the department issued knit tie.

### Patrol Division Uniforms and Equipment

Members of the Patrol Division will wear their issued uniform and have on their person the following authorized equipment while on duty, unless otherwise directed by a member of the Command Staff.

1. Exceptions to this include:
  - a. Bike Patrol;
  - b. Authorized plain clothes assignments;
  - c. Special Order by the Chief of Police or their designee.
2. The following equipment must be worn by officers while on duty:
  - a. Leather or nylon duty belt with belt keepers;
  - b. Collapsible baton with holder;
  - c. OC spray with leather or nylon holder;
  - d. Portable radio with leather or nylon holder or on outer carrier;
  - e. Department issued firearm with leather or nylon holster;
  - f. Leather or nylon magazine pouch with two fully loaded magazines;

- g. Disposable gloves for protection from bio-hazards must be carried on person;
  - h. Handcuffs with leather or nylon case;
  - i. Officers may also carry one additional pair of handcuffs; provided they are of the same design issued and authorized by the Department, and are appropriately secured to their duty belt.
  - j. Department issued name plate, Serving Since Bar and New York State Accreditation Pin;
  - k. Collar ornaments;
  - l. Stetson headwear;
  - m. Soft Body Armor (as referenced in General Order 22.2.10)
  - n. Taser with holster;
  - o. Digital Audio Recorder and/or Body Worn Camera (as referenced in General Orders 1.6.1 and 1.6.2)
  - p. Naloxone Kit (as referenced in General Order 1.7.1)
  - q. Department issued badge and identification must be available to be immediately produced upon request;
3. While not required, Officers are strongly encouraged to wear the following equipment on their person:
- a. Flashlight
  - b. IFAK

### Criminal Investigative Unit Attire and Equipment

Members of the Criminal Investigative Unit will wear professional business attire as designated by the Deputy Chief. Generally, when the University is in session, this will be shirt and tie for men and business professional for women.

- 1. The following equipment must be worn by Investigators while on duty:
  - a. Department issued sidearm in leather or nylon holster.
  - b. One pair of handcuffs in leather or nylon holder.

- c. Department issued badge and identification must be displayed or carried on person.
- d. Portable radio and mobile phone must be carried on person.
- e. Soft body armor must be readily available.

## Professional Image Standards

The listing below comprises the professional image standards for classified service, non-uniformed, sworn personnel including University Police Investigators and University Police Officers temporarily in “plainclothes” assignments.

The University Police Department exists to serve the University at Albany community in a professional manner. The following standards have been developed in order to ensure a professional image for all University Police Department personnel. Exceptions to this standard may be allowed for special details, surveillances or training with prior permission from the appropriate Command Staff member.

1. All uniformed members of the Department shall maintain well-fitted, regulation uniforms in good order. Members shall be neat in appearance and well-groomed while in uniform. All articles of clothing shall conform to University specifications and Department regulations. Civilian clothing will not be worn simultaneously with any distinguishable part of the uniform. Members shall not wear their uniform while off-duty, with the exception of traveling to and from work, nor shall they shop or take care of personal business while in uniform.
2. Personnel shall maintain good personal hygiene and present a professional image. No member shall have offensive body odor nor wear overly strong perfumes or colognes. Cologne or perfume is not to be used in excess.
3. All personnel will not have any tattoos or brands that a reasonable person would find offensive such as tattoos or brands depicting or supporting criminal behavior, drug usage, nudity, profanity, promiscuity, subversive groups, bigotry, etc. All personnel shall not have any tattoos or brands visible while in uniform. All visible tattoos must be covered with the department issued uniform and/or a tight fitting, flesh colored fabric sleeve purchased by the department member.
4. All personnel with visible tattoos or brands must conform to *sub 3* of this section. Any member who does not conform will be subject to disciplinary actions and required to wear long-sleeve shirt and/or pants year round. This also applies to any member of the bicycle patrol unit in regards to visible tattoos on the legs.

The following grooming and accessory standards apply for all **uniformed personnel**:

### **Men**

1. Hair will be neat, clean, trimmed and present a groomed appearance regardless of the style personally selected by the member. Hair shall not be dyed, cut or worn so as to appear outstanding from the general population or to present a non-professional image. If wigs or hairpieces are worn on duty, such wigs and hairpieces shall meet all standards set for natural hair. The member's hairstyle shall not preclude the wearing of the uniform hat in such a manner as to reflect a well-groomed, professional image. Sideburns will be neatly trimmed with a base that may not extend below the lowest part of one's ear lobe. Mutton chop or flared sideburns are not permitted.
2. Mustaches are permitted but must be kept trimmed and may not extend beyond the corners of the mouth or below the centerline of the lip.
3. Beards are not permitted except in cases of medical exigency. For medical cases, the campus Chief of Police must approve a request submitted by an officer. Such request shall be accompanied by a medical review conducted by a medical specialist whose area of competence is related to the problem.
4. Earrings, or other visible piercings are prohibited.
5. Bracelets are prohibited.
6. One (1) watch is permitted.
7. One (1) ring may be worn on one (1) hand.
8. A necklace may be worn but must not be visible; keeping in mind Officer Safety issues with the wearing of such jewelry.
9. Fingernails will be kept neatly trimmed and clean; to extend no more than 1/4" beyond the fingertip.

### **Women**

1. Hair must be neatly groomed and clean. Hair may not extend below the top of the shirt collar.
2. The bulk or length of hair must not interfere with the wearing of uniform and emergency headgear.

3. Hair ornaments and ribbons are not permitted. Hairpins or barrettes similar in color to the officer's hair are permitted provided they are unobtrusive and concealed as much as possible.
4. Bracelets are prohibited.
5. One (1) watch is permitted.
6. One (1) ring may be worn on one (1) hand. Wedding and engagement rings collectively count as one (1) ring.
7. One (1) pair of stud earrings, to be worn in the ear lobe only, is permitted while in uniform. They must be small, conservative and matching; not to exceed past the length of the earlobe. All other visible piercings are prohibited.
8. A necklace may be worn but must not be visible; keeping in mind Officer Safety issues with the wearing of such jewelry.
9. Personnel may wear conservative make-up, applied in moderation and with a natural appearance.
10. Members will keep their fingernails neatly trimmed; no more than 1/4" nail length beyond the fingertip, and clean. Officers in uniform may only wear clear nail polish on their fingernails. Non- uniformed personnel may wear nail polish that is conservative in color.

**The following are prohibited while on duty:**

1. Worn, torn, soiled or wrinkled clothing
2. Worn, torn, soiled shoes
3. Sweatshirts, fleece or flannel, including zip front styles
4. Team jackets or athletic attire of any style
5. Jeans/denim of any color or any style (e.g., jean skirts, jackets)
6. Clothing with messages or slogans
7. Midriff-baring tops, see-through tops
8. Tank tops, halter tops
9. Lace camisole tops

10. Shorts or skorts
11. Pants more than 3” above the ankle
12. Stirrup pants, sweat pants, stretch pants
13. Overalls
14. Skirts more than 3” above the knee
15. Flip-flops, beach/shower sandals, sports sandals
16. Athletic shoes/sneakers (Exception for Bike Patrol Unit)

**The following are authorized for wear on duty:**

1. Suits, sport coats
2. Dress pants or slacks
3. Dress shirts with ties
4. Buttoned blouses for women
5. Sleeveless blouses for women, but with a sweater or blazer available
6. Khaki, corduroy and cotton pants
7. Pants no more than 3” above the ankle
8. Skirts no more than 3” above the knee
9. Appropriate shoes (e.g. mid-heels, dress sandals or flats for women; dress shoes including oxfords or loafers for men)
10. Clothing with proper fit (not too loose, too tight or too revealing)
11. An appropriate dark-colored suit (black, dark gray, navy blue) will be required for special events or VIP protection details.
12. During extended non-academic periods, sweaters or collared polo (golf) shirts may be worn.

|   |                               |                                    |
|---|-------------------------------|------------------------------------|
| SUBJECT<br><br>Soft Body Armor  |                               | GENERAL ORDER NUMBER<br>22.2.10    |
| DCJS STANDARDS<br>41.1  |                               | EFFECTIVE DATE<br>December 1, 2010 |
| REVIEWED DATE<br>October 4, 2016  | APPLIES TO<br>Sworn Personnel | REVISION DATE                      |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                               |                                    |

## Purpose

The purpose of this Order is to establish a policy and procedure for the wearing and care of personal body armor.

## Policy

It is the policy of the University at Albany Police Department to maximize officer safety through the individual use of soft body armor vests. While soft body armor provides a significant level of protection, it is not a substitute for the diligent use of officer safety practices.

## Definition

**Body armor** - is engineered to various ballistic standards and is clearly marked as to “Threat Level.” The department has issued soft body armor for everyday wear and is designed primarily to protect against handgun threats. The body armor issued is not designed to protect against rifle fire. It is not intended to protect an officer from sharp edged or pointed instruments like stiletto knives, ice picks, etc.

## Procedure

Sworn university police members that are assigned to uniformed functions and non-uniformed functions are required to wear department issued body armor while engaged in field activities.\* Exemptions to this general order are as follows:

1. When a Physician specifically gives written documentation that a medical condition would preclude the officer from wearing the body armor; or

2. When an officer is involved in undercover or plain clothes work that their supervisor determines could be compromised by wearing body armor; or
3. When the officer is assigned to perform an administrative function which usually involves no patrol or response to patrol functions; or
4. During training, except for firearms training or other times specified by the instructor or Training Officer; or
5. When the Chief of University Police or designee determines as exception is appropriate due to exceptional circumstances, i.e. day shift when the temperature and humidity is excessive, when wearing the blouse for special occasions, etc.
6. On those occasions when exempted from wearing body armor, the officer must have their personal armor ready at hand or within reach in their vehicle.
7. Supervisors shall be responsible for ensuring that body armor is worn and maintained as required by this general order.

Soft body armor will be inspected at least annually, generally at a firearms training. The armor will be checked for expiration date from the date of issue, wear and tear, and fit. Deficiencies in any of these areas will result in written communication to the Chief of Police outlining the deficiencies while the soft body armor is taken out of commission as soon as practical. A copy of this written deficiency will be sent to the System Administration person in charge of University Police.

Each officer is responsible for the proper storage and daily inspection of their body armor for damage and general cleanliness. The cleaning of the soft body armor shall be done by the officer following the manufacturer's instruction. The officer is responsible for reporting, in writing, any damage or wear to their immediate supervisor, who will forward the written report to the Chief of University Police.

Each officer will receive training that demonstrates the armor's stopping power under actual firing conditions and that emphasizes its safe and proper use.

\*Field activities: Duty assignments and/or tasks that place or could reasonably be expected to place officers in situations where they would be required to act in enforcement rather than administrative or support capacities.

### Standard

The minimum standard required by the Department is Level II.

### Care and Laundering of Your Body Armor

See "Care and Maintenance Instructions" which were attached to your body armor.

## Repairs

If any part of your ballistic panel is torn or damaged, it should be brought to the attention of your supervisor. Such reporting shall take place within a time frame that is no longer than the next tour of duty. **DO NOT** attempt to repair the garment.

## Replacement

There shall be a five year replacement cycle designed to take into account relevant factors such as, but not limited to, changing protection needs and standards; changing weapons, ammunition, personal dimensions; hygiene factors and set wrinkle development over time.

## Disposing of Soft Body Armor

When soft body armor has reached the end of its useful life and is no longer serviceable, the department will dispose of it in a manner consistent with industry standard.

|   |                             |                                      |
|---|-----------------------------|--------------------------------------|
| SUBJECT<br>Physical Fitness   |                             | GENERAL ORDER NUMBER<br>22.3.2       |
| DCJS STANDARDS  |                             | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>October 4, 2016  | APPLIES TO<br>All Employees | REVISION DATE                        |
| APPROVAL<br>J. Frank Wiley., Chief of Police  |                             |                                      |

## Purpose

The purpose of this Order is to reduce the incidents of injury on the job and improve the health and quality of life of each member of the University at Albany Police Department.

## Policy

Each employee of the University at Albany Police Department is expected to maintain a level of general health and physical fitness that ensures satisfactory job performance and decreases the chance of injury or illness and excessive sick leave.

Physical fitness should be a personal goal of every employee of the University at Albany Police Department. Research indicates that the level of one's fitness and the nature of their diet directly affect the likelihood of whether or not they will experience cardiovascular disease and/or cancer. In persons over 35, cardiac disease is the leading cause of death. Furthermore, studies indicate that cardiac disease and cancer can be reduced in frequency and severity if a fitness and nutrition regimen are strictly followed.

## Standard of Fitness

1. Police officers in field assignments and in patrol must possess a level of fitness and general health that allows them to adequately perform the physical tasks they may encounter on the job. These activities may include, but are not limited to: climbing obstacles, chasing suspects, running up stairs, jumping over obstacles, lifting heavy objects or persons, subduing persons resisting arrest and physically pushing movable objects.
2. Other employees assigned to field or patrol duties, such as SSA's, must also possess a level of fitness and general health that allows them to adequately perform the physical tasks they may encounter, many of which are similar to that of a police

officer. This may include, but is not limited to: climbing stairs, running, extended periods of walking, amongst other things.

3. Physical examinations may be ordered for officers whose physical condition gives reasonable cause to the Chief of Police to believe that such officer is not able to perform such duties or procedures as set forth in this manual or in the Civil Service description of duties for the position. The results of such examination may be used as a factor in determining the officer's duty status and/or continued employment.

**NOTE:** Exercise facilities are available to department members at the Physical Education Building or SEFCU Arena.

|   |                             |                                      |
|---|-----------------------------|--------------------------------------|
| SUBJECT<br>Off-Duty Employment  |                             | GENERAL ORDER NUMBER<br>22.3.4       |
| DCJS STANDARDS  |                             | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>November 2, 2016   | APPLIES TO<br>All Employees | REVISION DATE<br>May 31, 2011        |
| APPROVAL<br>J. Frank Wiley., Chief of Police  |                             |                                      |

### Purpose

This Order has been established to provide guidelines to govern off-duty employment of both sworn and non-sworn personnel.

### Policy

It shall be the policy of the University at Albany Police Department that employees will not participate in any off-duty employment that has not been approved by the Chief of Police. Off-duty employment is defined as employment or hours worked for which an individual or business other than the University at Albany pays compensation in any form.

Referenced below is the section from the SUNY System Statewide Manual of Rules regarding outside employment. A copy of this manual is located on the UPD V drive/general/manuals. It is the responsibility of the employee to be familiar and in compliance with this material.

### Ethical Behavior – 3.1 - F. Outside Employment

Employees shall not engage in, solicit, negotiate for or promise to accept outside employment or render services for interests other than their employment with University Police when such employment or service creates a conflict with or impairs the proper discharge of their official duties. Outside employment must be approved by the Chief of Police.

|   |                             |                                  |
|---|-----------------------------|----------------------------------|
| SUBJECT<br>Line of Duty Death, Life Threatening Injury or Death of an Employee  |                             | GENERAL ORDER NUMBER<br>22.3.5   |
| DCJS STANDARDS  |                             | EFFECTIVE DATE<br>July 24, 2013  |
| REVIEWED DATE<br>November 4, 2016   | APPLIES TO<br>All Employees | REVISION DATE<br>January 5, 2016 |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                             |                                  |

## Purpose

The purpose of this Order is to assist employees and their families in dealing with the stress of a tragic event through proper preparation.

## Employee Responsibility

Employees should inform their families of what processes are available to them should they be seriously injured or killed, as well as what to expect as a response from the department should this occur.

## Notification to Family

In order to make prompt notification to an employee's family, in the case of a serious injury or death, a “Member Death and Serious Injury” Form (A15) will be kept for all department employees in an Emergency Notification File in the Supervisors’ Office. This file will contain a notification sequence for each employee of the University at Albany Police Department, indicating who should be notified first, second and third, their addresses and phone numbers. Employees should include in this sequence someone who would be able to contact/locate dependents who are in school or additional people to be contacted.

There is space provided for optional information such as clergy, medical conditions, and a preference for whom would make the notification. Notifications will be made in person.

This file should be updated any time the employee wants a change in that sequence, and should be updated annually by the Supervisors during performance evaluation review.

## In The Event of a Line of Duty Life-Threatening Injury or Death of an Employee

1. The responsibility of the Lieutenant or Shift Supervisor will be to:
  - a. Identify who was directly involved.
  - b. Assign support person for employees directly involved.
  - c. Keep involved employees together unless they are witnesses to the incident and must be interviewed.
  - d. Assume responsibility of the scene until relieved by a member of Command Staff.
  - e. Notify Command Staff personnel: the Chief of Police (or their designee)
  - f. Notify the departmental Public Information Officer (PIO)
  
2. The Command Staff shall:
  - a. Get briefed by the Lieutenant/Shift Supervisor or OIC (Officer in Charge)
  - b. Notify the appropriate University Officials to include the Office of Communications and Marketing to address media relations.
  - c. Notify the EAP Coordinator for employee and family support services.
  - d. Notify the City of Albany Fire Department Headquarters to coordinate Critical Incident Stress Debriefing for department personnel.
  - e. Coordinate notifications and transportation based on the “Member Death and Serious Injury” Form (A-15) on file in the Employee Emergency Notification File.
  - f. In the Event of a Life Threatening Injury to an Employee
    - i. Ensure the immediate family is notified.
    - ii. Secure appropriate transportation to hospital or other location.
    - iii. After immediate family has been contacted, allow any officer, whether directly or indirectly involved, to notify their own family regarding their welfare as soon as practical.

- iv. Ensure that Worker's Compensation was notified.
- v. Provide follow up meetings or provide a list of resources available to the employee, and their family, to assist with any on-going necessary support or services.
- g. In the Event of the Death of an Employee
  - i. Discuss best location to notify family (hospital, home, etc.).
  - ii. Discuss who will be present at time of notification and who will do notification (refer to "Member Death and Serious Injury" Form A-15).
  - iii. Notification to the family shall be done in as soon as practical.
  - iv. After immediate family has been contacted, allow any officer whether directly or indirectly involved, to notify their own family regarding their welfare as soon as practical.
  - v. Ensure the Coroner has been notified
  - vi. Provide follow-up meetings for the family to assist with federal, state, and any other death benefits, employee's property at work, funeral arrangements, and honor guard and any court proceedings stemming from the incident.

# GENERAL ORDER 26

## DISCIPLINARY PROCEDURES

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|   |                             |                                      |
|---|-----------------------------|--------------------------------------|
| SUBJECT<br><br>Court Appearances/Judicial Hearing Appearances   |                             | GENERAL ORDER NUMBER<br><br>26.1.1   |
| DCJS STANDARDS<br>14.2  |                             | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>November 2, 2016   | APPLIES TO<br>All Employees | REVISION DATE                        |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police <span style="float: right;"><i>J. Frank Wiley</i></span> |                             |                                      |

### Purpose

The purpose of this Order is to establish policies and procedures for court appearances and testimony in court, administrative and other legal proceedings including criminal cases and duty-related civil cases, grand jury proceedings, motor vehicle hearings, pre-trial hearings, depositions, Judicial Hearing appearances and all trial proceedings.

### Procedure

1. Officers are responsible for meeting appearance dates as scheduled by the Court / Judicial Administrator and as posted in the University Police Department Events Calendar by the Administrative Aide.
2. Uniformed personnel will appear in court / judicial hearings in full uniform. Investigators or other plain clothed personnel will appear in business attire.
3. A member of the Department giving testimony in court:
  - a. Should understand the question before answering; if in doubt, the officer shall request to have the question repeated or clarified.

- b. Shall answer the question truthfully and completely without volunteering additional information beyond what is asked; if the answer is not known, the officer shall so state.
- c. May refer to his/her notebook to refresh his/her memory when necessary on the witness stand.
- d. Shall be calm and impartial and speak in a clear, distinct tone.

### Police or Civil Court

- 1. Officers shall respond to court or other subpoenas
  - a. Officers under subpoena or direction to attend court shall report at the time specified and remain in court until their case is disposed or until they are advised by competent authority that their presence is no longer necessary.
- 2. Unexcused absences reflect poorly on the Department, inconvenience other witnesses and the prosecutor and may cause a case to be dismissed. Also, unless the officer has been lawfully excused, they may be liable to a charge of Contempt of Court and disciplinary action by the Department for failure to respond to a subpoena. If an officer needs to be excused from appearing, permission must first be obtained from the Prosecutor's Office and the Chief of Police.
- 3. The Shift Supervisor of the officer and/or the Administrative Captain submitting a case to Police Court shall ensure that all necessary and relevant documents are prepared and submitted according to applicable law.

### Traffic Court

- 1. When notifications are received regarding scheduled trials at Albany Traffic Court or Guilderland Town Court, the information will be placed on the University Police Department Events calendar and emailed to the officer with a hard copy placed in the officer's mailbox.
- 2. If an officer is unable to appear at the scheduled trial, they are to complete an adjournment request form and fax it to the appropriate court.

|   |                               |                                      |
|---|-------------------------------|--------------------------------------|
| SUBJECT<br>Accepting Subpoenas, Notices of Claim,<br>Summonses and Complaints   |                               | GENERAL ORDER<br>NUMBER<br>26.1.2    |
| DCJS STANDARDS  |                               | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>November 2, 2016   | APPLIES TO<br>Sworn Personnel | REVISION DATE                        |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                               |                                      |

## Introduction

The University Police Department will be available to accept legal papers as designated below. However, unless law authorizes such service and they are properly served, acceptance of such papers is made only as a courtesy with full reservation of the University and the individual officer's legal rights. Under no circumstances will service be accepted for any purpose unrelated to an officer's official duties as a University Police Officer.

## Procedure

The following procedures shall be followed with regard to handling subpoenas, notices of claim, summonses and complaints:

1. Any notice of claim must be served upon the Office of University Counsel.
2. If a summons or complaint is served upon the Department or an individual on the payroll of the Department:
  - a. Service may be left with a member of the Command Staff or, in their absence, the Administrative Aide.
  - b. The original document(s) must be sent to the Office of University Counsel.
  - c. A copy of said document shall be retained as a Department record.

If a subpoena is served upon the Department or an individual on the payroll of this Department:

1. Service may be left with the Administrative Aide or, in their absence, the Deputy Chiefs or Chief.
2. A copy of the subpoena together with the copies of the requested records (if applicable) shall be forwarded to the Office of University Counsel.
3. If the subpoena requires the appearance of an unnamed representative of the Department, the original shall be forwarded to the Chief or their designee, as to who will appear on behalf of the Department.
4. If a subpoena is served upon the Department, or a department member Department, which requires the appearance of a named Department member, the original and one copy shall be forwarded to the Chief, or their designee, of the named individual.
5. The Chief, or their designee, will attempt to provide the named individual with the original subpoena.
6. A copy shall be retained for Department records.
7. Under no circumstances shall an appearance be made or shall records be produced pursuant to a subpoena, without prior authorization from the Office of University Counsel.
8. All subpoena checks received by the Department must be endorsed over to the University at Albany. Such checks are to be forwarded to the Administrative Aide who will see that the signature of the officer is obtained.
9. In any instance when an officer in this Department is required to appear in court, they will project a professional demeanor in their conduct and attire. Officers will prepare their appearance in advance, review the records pertaining to the case and produce same, as authorized. Uniformed personnel will appear in their regulation uniform unless otherwise directed by a supervisor or commander. Non-uniform personnel will wear appropriate business attire.

### Judicial Hearings

1. When notifications are received regarding scheduled hearings, the Administrative Aide will put the information on the court/hearing calendar and also place a written notice in the officer's mail slot.
2. The Administrative Aide will not schedule hearings on officers' relief days except in unusual circumstances.
3. If an officer is unable to appear at the scheduled hearing, they are to:

- a. Notify the Administrative Aide and request that they changed the hearing date with the appropriate office. The Administrative Aide will note the change on the calendar; **or**
  - b. Notify scheduling office (Residential Life or Student Affairs Office) directly to request a new date. Any officer who does this must also make an initialed notation of the change on the calendar.
5. Officers may not attend hearings as witnesses without the prior approval of the Deputy Chief.
  6. If an officer wishes to convey additional information not appropriate to include in the text of the referral itself, the officer should call the Office of Conflict Resolution & Civic Responsibility directly.

|   |                               |                                    |
|---|-------------------------------|------------------------------------|
| SUBJECT<br>Legislative Restrictions on Police Officers  |                               | GENERAL ORDER NUMBER<br>26.1.3     |
| DCJS STANDARDS<br>14.3  |                               | EFFECTIVE DATE<br>December 1, 2010 |
| REVIEWED DATE<br>November 2, 2016   | APPLIES TO<br>Sworn Personnel | REVISION DATE<br>November 4, 2016  |
| APPROVAL<br>J. Frank Wiley., Chief of Police  |                               |                                    |

## Policy

State law places certain restrictions on police officers in New York State. The purpose of this policy is to inform and remind members of the University at Albany Police Department that these laws exist. Actual law text will not be included in this policy; however, references to the applicable laws will be included. It is the responsibility of each individual officer to be aware of the law and how they may be personally affected.

### Applicable Laws Affecting Police Officers

#### **Alcoholic Beverage Control Law**

No police officer shall be either directly or indirectly interested in the manufacture or sale of alcoholic beverages or offer for sale, or recommend to any A.B.C. licensee any alcoholic beverages except as noted in Section 128 of the Alcoholic Beverage Control Law.

#### **Election Law**

Article 17-110 prohibits a police officer from using his office or powers to aid or oppose any political party, to reward or retaliate against any police officer with respect to voting or party affiliation, or to solicit funds for a political party or other such organization.

#### **Racing, Pari-Mutual Wagering and Breeding Law**

Article 107 prohibits police officers from holding any office or employment with any firm that is licensed to conduct pari-mutual racing; conducts its business at racetracks where pari-mutual race meets are conducted; owns or leases to a licensed entity racetrack at which pari-mutual racing is conducted, or participates in the management of any licensee conducting pari-mutual racing.

**Public Officers Law, Article 4 and General Municipal Law, Article 18**

These statutes address issues related to conflicts of interest. The law imposes certain prohibitions on activities by public officers and government employees. These activities include;

1. Acceptance of gifts consistent with the criteria set forth in The New York General Municipal Law 18-805, sub a.
2. Disclosure of confidential information learned in the course of official duties.
3. Receiving compensation for providing services relating to matters before an agency of which they are an employee.
4. Public Officers Law and General Municipal Law also impose on police officers several affirmative duties. These duties include;
  - a. Disclosure of any interest in any contract or dealings with New York State government.
  - b. Disclosure of the fact that a New York State employee has an interest in any real property for which an application for any sort of variance is made.
  - c. As applicable, annual filing of financial disclosure forms is required of certain employees.
  - d. Public Officers Law and General Municipal Law also authorize the adoption of codes of conduct for state employees relating to conflicts of interest.
    - i. The code of conduct for sworn members of the University at Albany Police Department is outlined in General Order 1.1.2.
    - ii. Code of conduct policies adopted by the University at Albany can be found online at the following University at Albany, Community Rights and Responsibilities website:  
  
[http://www.albany.edu/studentconduct/community\\_rights\\_and\\_responsibilities.php](http://www.albany.edu/studentconduct/community_rights_and_responsibilities.php)
    - iii. While certain University at Albany policies may mirror state and local laws, as applicable, state and local government laws supersede policies established by the University at Albany.

|   |                             |                                    |
|---|-----------------------------|------------------------------------|
| SUBJECT<br>Sexual Harassment  |                             | GENERAL ORDER NUMBER<br>26.1.4     |
| DCJS STANDARDS<br>14.7  |                             | EFFECTIVE DATE<br>December 1, 2010 |
| REVIEWED DATE<br>October 4, 2016  | APPLIES TO<br>All Employees | REVISION DATE<br>December 1, 2010  |
| APPROVAL<br>J. Frank Wiley., Chief of Police  |                             |                                    |

## Purpose

The purpose of this Order is to affirm the University at Albany’s intent to maintain a working and learning environment free from sexual and unlawful harassment for students, employees and those who apply for student or employee status.

## Policy

It is the policy of the University at Albany Police Department that all employees have the right to work in an environment free from all forms of harassment. The agency does not condone, and will not tolerate, sexual or any other form of employee harassment. Therefore, the agency shall direct immediate action to prevent such behavior and/or to remedy all reported incidents of harassment, sexual or otherwise.

Any employee who is found to have committed an act of sexual harassment may be subject to disciplinary action. Additionally, retaliation against any employee who has filed a sex discrimination or sexual harassment complaint is illegal and may result in disciplinary action.

## Definitions

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and any other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is explicitly made a term or condition of employment;
2. Submission to or rejection of such conduct by an employee is used as the basis for employment decisions affecting the employee; or

3. Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive working environment.

### Prohibited Activity

1. No employee shall ridicule, mock, deride or belittle another person.

Employees shall not make offensive or derogatory comments based on race, gender, religion or national origin either directly or indirectly to another person. Such harassment is a prohibited form of discrimination under state and federal law and is also considered misconduct subject to disciplinary action by this Department.

### Employee Responsibilities

1. Each Supervisor shall be responsible for preventing acts of harassment. This responsibility includes:
  - a. Monitoring the work environment on a daily basis for signs that harassment may be occurring;
  - b. Counseling all employees on the types of behavior prohibited as well as the Department's policies and procedures for reporting and resolving complaints of harassment;
  - c. Stopping any observed acts that may be considered harassment, and taking appropriate steps to intervene, whether the employees involved are within their line of supervision or not;
  - d. Taking immediate action to limit the work contact between two employees where there has been a complaint of harassment, pending investigation.
2. Each Supervisor has the responsibility to assist any employee of this Department who comes to that Supervisor with a complaint of harassment, documenting and filing the complaint through the chain of command.
3. Each employee of this agency is responsible for assisting in the prevention of harassment through the following actions:
  - a. Refraining from participating in or encouraging any actions that could be perceived as harassment;
  - b. Reporting acts of harassment to a Supervisor;
  - c. Encouraging any employee who confides that they have been harassed to report these acts to a Supervisor.

4. Failure to take action to deter known harassment may be grounds for administrative action.

### Complaint Procedures

1. Employees encountering conditions of harassment shall inform the offender that their actions are unwelcome and offensive. The employee shall document all incidents of harassment in order to provide the fullest basis for investigation.
2. Any employee who believes that they are being harassed shall report the incident(s) to their Supervisor as soon as possible so that steps may be taken to protect the employee from further harassment, and appropriate investigative and disciplinary measures may be initiated. When this is not practical, the employee may instead file a complaint with another Supervisor, who will forward the complaint through the chain of command to the Chief of Police.
  - a. The Supervisor or the other person to whom a complaint was presented shall meet with the employee and document the incidents complained of, the person(s) performing or participating in the harassment and the dates on which it occurred;
  - b. If the Department employee taking the complaint is unable to resolve the matter, they shall expeditiously deliver the complaint upward through the chain of command.
3. The Chief of Police or their designee will be responsible for the investigation of any complaint alleging harassment.

|   |                             |                                      |
|---|-----------------------------|--------------------------------------|
| SUBJECT<br>Workplace Violence   |                             | GENERAL ORDER NUMBER<br>26.1.6       |
| DCJS STANDARDS  |                             | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>October 4, 2016  | APPLIES TO<br>All Employees | REVISION DATE                        |
| APPROVAL<br>J. Frank Wiley., Chief of Police  |                             |                                      |

## Purpose

Nothing is more important to the University at Albany Police Department than the safety and security of its employees. The University at Albany Police Department is committed to “Zero Tolerance” for threats, threatening behavior or acts of violence against employees, visitors, guests or other individuals by anyone on the University at Albany Police Department. Violations of this Order will lead to disciplinary action that may include dismissal, arrest and prosecution.

## Policy

Any person who makes substantial threats, exhibits threatening behavior or engages in violent acts on University at Albany property shall be removed from the premises as quickly as safety permits, and shall remain off University at Albany premises pending the outcome of an investigation. The University Police Department will initiate an appropriate response which may include, but is not limited to, suspension or termination of any business relationship, reassignment of job duties, suspension or termination of employment and/or criminal prosecution of the person(s) involved.

No existing University at Albany Police Department policy, practice or procedure shall be interpreted to prohibit decisions designed to prevent a threat from being carried out, a violent act from occurring or a life-threatening situation from developing.

## Definitions

1. **Violence** – includes but is not limited to: intimidating, threatening or hostile behavior, physical or verbal abuse, harassment, stalking, vandalism, arson, sabotage, use of weapons, the threat of any of the above or any act inconsistent with this policy.
2. **Threats** – a communicated intent to inflict physical or other harm on any person or property.

## Procedures

All University at Albany Police Department personnel are responsible for notifying their Supervisor (or the Supervisor's superior should the incident involve the employee's Supervisor) supervisor of any threats which have been witnessed or received, either by themselves or another party. Even without an actual threat, personnel should report any behavior witnessed which might be regarded as threatening or violent when that behavior:

1. Is job-related;
2. Has been carried out on a University at Albany controlled site; or
3. Is connected to University at Albany employment.

Employees are responsible for making this report regardless of the relationship between the individual who initiated the threat or threatening behavior and the person(s) who was threatened or is the target of the threatening behavior. If the employee's designated Supervisor is not available, personnel should report the threat to another member of the Command Staff.

All employees who apply for or obtain a protective or restraining order which lists University at Albany locations as being protected areas must provide their Supervisor or a designated Command Staff member with a copy of the petition. Any declarations used to seek the order, a copy of any temporary protective or restraining order that is granted and a copy of any protective or restraining order that is made permanent should also be provided.

## University Police Department Response for Stand-By Requests

Many incidents of workplace violence are foreseeable. These types of incidents might include employee discipline problems, employee terminations, potentially problematic meetings, etc. For that reason, there will often be a request for an officer in the area during these occasions. The University at Albany Police Department shall respond to calls for "stand-by" requests using the following protocol:

The Communications Officer shall obtain all essential information including the following:

1. Complainant's name, address, telephone number and identifying description (e.g. clothing, race, age, gender).

2. Location of the meeting. Information should be as descriptive as possible (e.g. building, room number, location in parking lot, etc.) Specific directions for officers to gain access to the area quickly.
3. Date and time of scheduled meeting, if applicable.
4. Is the caller the one having the problem with the suspect?
5. If caller is the complainant, what is a direct number to contact them? The complainant should be reachable by a direct telephone number. The location of the meeting should have a telephone in it for use of incoming calls to the complainant.
6. Obtain the name, address, telephone number and description of the suspect (clothing, race, age, gender, etc). Vehicle description if there is one.
7. Any possible weapons?
8. Any potential that suspect has been drinking or taking drugs?
9. Has the suspect addressed physical threats to complainant?
10. The above information shall be given to an investigator for a “stand-by” request.
11. If no investigator is available, an attempt to locate an on-duty officer in plain clothes will be made. This includes any administratively assigned personnel.

These types of requests shall be covered by non-uniformed personnel whenever possible. This includes the possibility of a patrol officer being requested to work in their street clothes if necessary.

1. The investigator or assigned personnel will perform the stand-by in plain clothes. They shall walk through the area if possible.
2. The investigator or assigned personnel will utilize a cellular telephone to contact the complainant at the complainant’s direct telephone line, ten minutes into the scheduled meeting.
3. The complainant will be advised to make it seem that a friend has called. The investigator will inquire if things are okay and if there is a continued need for a stand-by presence.
4. If there is a need for the officer to continue the stand-by, the officer will advise the complainant that they will call back in fifteen minutes.

If the complainant advises there is no need for the officers, they will be informed that the officers will remain in the area until the meeting has concluded. They will make contact with the complainant at that point to be sure the situation is under control and determine whether or not there is a need for any further action.

An offense report shall be completed and classified as a Crisis Intervention.

|   |                              |                                      |
|---|------------------------------|--------------------------------------|
| SUBJECT<br>Discipline   |                              | GENERAL ORDER NUMBER<br>26.1.7       |
| DCJS STANDARDS<br>14.1  |                              | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>November 2, 2016   | APPLIES TO:<br>All Employees | REVISION DATE<br>December 30, 2014   |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                              |                                      |

### Purpose

The purpose of this policy is to define the authority and responsibility delegated to supervisors for the maintenance of a professional police agency. As the head of the University at Albany Police Department, the Chief of Police has legal authority and a duty to implement policy to establish a disciplinary system. This policy is intended to remain consistent with the current labor contract between New York State and the Union representing University Police Officers.

### Policy

Supervisors, whether permanent or acting, are responsible to ensure that Department employees perform their duties in accordance with the policies, procedures, rules and regulations and authoritative instructions of the Department.

Supervisors are required to initiate action(s) in response to the acts of commission or omission of personnel who are either:

1. assigned to their command;
2. come to their attention;
3. or are under their supervision, for however brief a period.

### Authority

Supervisors are required to initiate the following corrective measures to fulfill their responsibility of assuring compliance with Department rules, regulations, and policies and procedures. In all cases, the supervisor is required to provide corrective instructions to the subordinate regarding noted inadequacies and document same.

**NOTE:** Nothing established herein should preclude the supervisor from regularly instructing officers on their performance.

1. Provide remedial instruction in all instances that are, or may be construed to be, violations of Departmental directives. Such instruction to an employee shall be officially recorded in the temporary note file in the Department Records Management System (RMS).
2. Initiate discipline proceedings as indicated by current directives.
3. Recommend to the Chief of Police the preference of departmental charges.
4. Circumstances when an employee may be relieved from duty:
  - a. When a supervisor believes that an officer is unfit for duty due to medical or psychological reasons, he or she may excuse that officer for the remainder of the tour.
  - b. The Chief of Police may suspend an officer from duty when:
    - i. The officer is the target of a criminal investigation.
    - ii. The employee's continued presence represents a potential danger to persons or property.
    - iii. The employee's presence would severely interfere with Department operations.
  - c. **Weapon Confiscation** - When it is indicated that the possession of a firearm or other equipment by a police officer is dangerous to himself or others, said equipment will be secured from the officer, generally by the Chief of Police. However, under extreme circumstances where the member's mental state is such that, in the observer's opinion, the member is in imminent danger of seriously injuring himself or others near him, any member may secure such equipment. The supervisor shall advise the Chief of Police of such actions. The Chief of Police, if he deems necessary, shall order the employee for a physical/psychological examination prior to the officer's return to duty.

## Procedures

1. **Progressive Discipline** - This Department supports the concept of progressive discipline. Depending upon the nature of incident, the following options are available to supervisors:
  - a. Verbal Counseling (documented in RMS)

- b. Written Counseling in the form of a Counseling Memorandum
  - c. Corrective and/or Remedial Training
  - d. Employee Relations Investigation
2. **Verbal Counseling** - All counseling should be conducted in accordance with Appendix C of the current labor contract and as such:
- a. Counseling should be a constructive face-to-face meeting clarifying what has occurred and what is expected.
  - b. All counseling must take place in private.
  - c. If the situation warrants that more than one supervisor be present, the employee being counseled must be afforded an opportunity to invite a Union representative who is readily available to attend the counseling session.
  - d. All counseling that does not warrant the issuance of an official counseling memorandum must be documented in RMS.
4. Counseling Memorandum
- a. The purpose of a counseling memorandum is to provide official written documentation of a counseling session after such session has taken place.
  - b. The supervisor should document the following on the memorandum:
    - i. Specific circumstances of the incident(s) or violation(s) in question.
    - ii. Corrective measures or instructions provided to the employee.
    - iii. A future date for a follow-up meeting if appropriate.
  - c. Upon issuing a Counseling Memorandum, the supervisor will discuss the contents of memorandum and related issues with the employee, and inform the employee that the memorandum will be placed in their personnel file.
  - d. The Chief of Police will review the memorandum and will add a notation indicating his concurrence or non-concurrence, and his reasoning for such agreement or disagreement.
  - e. The employee may respond to the memorandum in writing and have the response maintained as part of the record.
  - f. The Chief of Police will determine whether disciplinary action is to be taken.

- g. In accordance with the current labor contract, counseling memos will be removed from an employee's personnel file by written request 3 years after issuance, provided no additional counseling memos or notice of disciplines have been issued to the employee during that period. In such instances, a written request should be addressed to the Chief of Police by the employee's respective unit representative.
5. **Personnel Investigations** - All personnel investigations assigned to a supervisor will promptly be conducted as follows:
- a. Record all necessary and available data to reach an objective conclusion, including but not limited to:
    - i. Documented complaint interviews
    - ii. Witness statements/depositions
    - iii. Police reports
    - iv. Physical evidence
    - v. Photographs
    - vi. Diagrams
  - b. Every investigation will be concluded based upon this data and the report thereof will include actions taken by the assigned supervisor.
6. **Records Maintenance** - Procedures for the maintenance of records of disciplinary actions:
- a. Completed written reports will be forwarded to the Chief of Police
  - b. The record will become part of the employee's permanent personnel file maintained by Employee Relations.
  - c. Verbal Counseling is documented in the Department RMS.
7. **Supervisory and Command Staff Role**
- a. First-line Supervisors are responsible for taking action as indicated in this directive. Generally, they will be the first to initiate verbal and/or written counseling.

- b. When a case is sent to Employee Relations for investigation, disposition recommendations will be made by the initiating supervisor, the appropriate Deputy Chief, and the Chief of Police.
- c. It is the policy of the University at Albany to utilize positive discipline strategies, when appropriate, prior to involving Employee Relations in the discipline process.

|   |                             |                                    |
|---|-----------------------------|------------------------------------|
| SUBJECT<br>Early Warning System   |                             | GENERAL ORDER NUMBER<br>26.1.8     |
| DCJS STANDARDS  |                             | EFFECTIVE DATE<br>October 27, 2016 |
| REVIEWED DATE   | APPLIES TO<br>All Employees | REVISION DATE                      |
| APPROVAL<br>J. Frank Wiley., Chief of Police  |                             |                                    |

## Policy

The Personnel Early Warning System is designed to assist the department in maintaining the highest possible standards for personnel. The intent is to quickly identify and correct problematic behavior early by detecting individual and collective employee patterns of performance and/or conduct that may indicate negative behavior. Then supervision may take documented action to investigate and monitor this behavior. This program is not to be considered discipline, but a process to assist the department and employees in maintaining the highest standards and preventing employees from falling into situations that could result in discipline.

## Responsibility

The Chief, or their designee, will verify that information relative to the Early Warning System is collected and maintained by the individuals listed in section 3 of this policy. Quarterly, each Shift Supervisor will review the information collected on their assigned employees and identify any potential issues. The Chief, or their designee, will conduct a review of all of the organizational findings of the Early Warning System bi-annually in order to identify individual and collective patterns of behaviors that may be indicative of a problem or deficiency and ensure the supervisors are utilizing the system effectively.

## Definitions

1. Problematic Behavior: Consistent pattern of behavior(s) not otherwise acceptable by department standards.

## Procedure

1. The Personnel Early Warning System includes a review of information related to, but not limited to:
  - a. Demographic data from arrests
  - b. Data regarding discretionary arrest
  - c. Demographic data from vehicle stops
  - d. Data regarding traffic summons discretion
  - e. Use of Force data to ensure type and frequency are consistent with calls for service
  - f. Demographic data on Use of Force incidents
  - g. Personnel complaints/concerns
  - h. Officer involved motor vehicle crashes
  - i. Sick Leave Usage
  - j. Performance Decline
2. A report shall be made outlining any individual and collective patterns of behavior indicating a problem and recommendations for improvement. This shall occur at the supervisor level at the end of each quarter, and at the conclusion of the bi-annual Command review.
3. Supervisors of employees identified by the Early Warning System as exhibiting potentially problematic behavior shall be notified of these findings and shall investigate to determine if the findings are relevant. If the immediate supervisor's review of the findings of the Early Warning System are found to indicate performance issues and/or misconduct, the employee's immediate supervisor shall immediately institute a plan to provide additional supervision, guidance, counseling, training, peer counseling and/or referral to employee

assistance programs to correct any current or future problems that might occur involving the employee identified as needing assistance.

4. Employees identified during an Early Warning System review as having a potential pattern of performance issues and/or misconduct shall be notified by their immediate supervisor and have an improvement plan developed jointly by the employee, the employee's immediate supervisor and the appropriate Command staff member.
5. Periodic reviews of the employee's improvement plan shall be documented by the employee's immediate supervisor with notification to the appropriate Command staff member.
6. The Early Warning System review, the improvement plan and periodic reviews shall be documented and kept on file. Employees may submit a memo and/or documentation to be considered and attached to the plan.

## GENERAL ORDER 29 COMMUNITY RELATIONS

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|   |                               |                                    |
|---|-------------------------------|------------------------------------|
| SUBJECT<br>Crime Victims Assistance   |                               | GENERAL ORDER NUMBER<br>29.4.1     |
| DCJS STANDARDS<br>29.4  |                               | EFFECTIVE DATE<br>December 1, 2010 |
| REVIEWED DATE<br>October 4, 2016  | APPLIES TO<br>Sworn Personnel | REVISION DATE                      |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                               |                                    |

### Purpose

Article 22 of the New York State Executive Law establishing the Crime Victims Board was enacted in 1966 to establish a system by which innocent victims of crime could receive compensation and medical treatment for their losses sustained as a result of the crime. In 1981, the Crime Victims Board also began funding a network of local victim assistance programs to serve victims who were otherwise not eligible for compensation benefits.

### Policy

1. All University at Albany Police Officers shall familiarize themselves with the Crime Victims Board and Victim/Witness Assistance Program.
2. Officers will provide this information to every eligible victim who reports a crime.
3. Officers will document on the RMS (Records Management System) when this information has been provided.
4. The Chief of Police or their designee shall assign a member of the department to maintain written information supplied by the Crime Victims Board.

|   |                               |                                  |
|---|-------------------------------|----------------------------------|
| SUBJECT<br>Sex Offender Registry  |                               | GENERAL ORDER NUMBER<br>29.6.1   |
| DCJS STANDARDS<br>29.6  |                               | EFFECTIVE DATE<br>March 22, 2011 |
| REVIEWED DATE<br>November 2, 2016   | APPLIES TO<br>Sworn Personnel | REVISION DATE                    |
| APPROVAL<br>J. Frank Wiley., Chief of Police  |                               |                                  |

## Purpose

The purpose of the Order is to ensure compliance by members of the University at Albany Police Department with article 6-C of the New York State Correction law titled “The Sex Offender Registration Act”.

## Policy

The University at Albany Police Department adopts the findings of the NYS Legislature in that the danger of recidivism posed by sex offenders, especially those violent offenders who commit predatory acts characterized by repetitive and compulsive behavior, and that the protection of the public is of paramount concern to government. Consistent with applicable law, the department will disseminate information concerning certain sex offenders to the public in order to alert vulnerable populations and protect the University at Albany community.

## Introduction

The Sex Offender Registration Act requires the Division of Criminal Justice Services (DCJS) to maintain a Sex Offender Registry. The Registry contains information on sex offenders classified according to their risk of re-offending: low-risk (Level 1), moderate-risk (Level 2) and high-risk (Level 3). The Act requires that the Division also maintain a Subdirectory of Level 3 Sex Offenders. The DCJS Sex Offender Registry site may be found on the web (<http://criminaljustice.state.ny.us/nsor/>) and contains their Subdirectory of Level 3 Sex Offenders as well as other information regarding New York State's Sex Offender Registry.

## Procedures

1. Sex Offender Risk Level
  - a. Sex offenders are assigned a risk level based upon the level of risk to re-offend and the threat posed to public safety.
  - b. Level 1 Sex Offender (low risk of repeat offense) The Department may release the following information.
    - i. The sex offenders name,
    - ii. The offenders zip code,
    - iii. A photograph of the offender,
    - iv. The offenders crime of conviction
    - v. The offender's modus of operation;
    - vi. The type of victim targeted.
  - c. Level 2 Sex Offender (moderate risk of repeat offense) allows dissemination to any entity with vulnerable populations related to the nature of the offense committed by such sex offender. The following information may be disseminated to such entity:
    - i. The sex offenders name,
    - ii. An approximate address based upon the offenders zip code,
    - iii. A photograph of the offender, and
    - iv. Background information including
      1. the offenders crime of conviction
      2. the offender's modus of operation;
      3. type of victim targeted;
      4. description of special conditions imposed on the offender.
2. Level 3 Sex Offender (high risk of repeat offense and a threat to public safety exists) allows dissemination to any entity with vulnerable populations related to the nature of the offense committed by such sex offender. Dissemination on Level 3 sex

offenders is the same as Level 2 offenders. Except that a release of the Level 3 offender's exact address is allowed. Information about Level 3 sex offenders will be released utilizing the subdirectory of high risk Level 3 sex offenders.

## Notification

1. Sex offenders registered in New York are now required to notify the Registry of any institution of higher education at which he or she is, or expects to be, whether for compensation or not, enrolled, attending or employed, and whether such sex offender resides or expects to reside in a facility operated by the institution. Changes in status at the institution of higher education must also be reported to the Registry no later than ten days after such change.
2. The University at Albany Police Department will maintain a website listing of any registered sexual offenders reported to the University as being enrolled, attending or employed at the University. This website is located at the following URL: <http://police.albany.edu/SOR2.shtml>.

|   |                             |                                   |
|---|-----------------------------|-----------------------------------|
| SUBJECT<br>Encountering Transgender<br>Individuals  |                             | GENERAL ORDER<br>NUMBER<br>29.7.1 |
| DCJS STANDARDS  |                             | EFFECTIVE DATE<br>August 16, 2012 |
| REVIEWED DATE<br>November 2, 2016   | APPLIES TO<br>All Employees | REVISION DATE                     |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                             |                                   |

## Purpose

The University Police Department is committed to working with the diverse communities it serves. In the absence of exigent circumstances, the guidelines below apply to all Department employees.

## Definitions

**Transgender** - an umbrella term used to describe all persons who do not fit into the binary (male-female), socially constructed categories of gender. This includes a person who is born with the genetic traits and anatomy of one sex (i.e., male or female) and self-identifies as another gender (i.e., feminine or masculine or both or neither). A transgender person can be pre-operative, post-operative, or non-operative.

**Gender identity** - (a person’s sense of being a man or a woman) our personal perception and sense of being male or female or a combination of these or neither of these.

**Gender expression** - displays of gender identity through dress, demeanor, and language.

Quite apart from one’s birth sex as male or female, an individual may identify as a particular gender and express that gender various ways. For example, males express masculinity in different ways and females express femininity in different ways. Likewise, transgender individuals express femininity and masculinity in different ways and in ways that may not be consistent with their sex at birth.

## Guidelines

The following guidelines are established to ensure police contacts with transgender individuals are professional, respectful, and courteous:

- Do not use language that a reasonable person would consider demeaning to another person, in particular language that references a person's gender identity, gender expression, or sexual orientation;
- Treat transgender persons in a manner that reveals respect for the individual's gender identity and gender expression, which includes addressing them by their preferred name and using gender pronouns appropriate to the individual's gender self-identity and expression; and,
- Recognize that non-traditional gender identities and gender expressions do not constitute reasonable suspicion or prima facie evidence that an individual is or has engaged in a criminal activity.

## Determining How to Address a Transgender Individual

1. When a person identifies themselves as transgender, respect the expressed gender and do not question it;
2. If the individual does not self-identify as transgender, the following guidelines apply:
  1. When the intention of a person's gender presentation is clear to a reasonable person (based on attire and other cues), use this as a basis for gender determination.
    - a. When a person's sex is unclear or the officer is not certain of the person's gender identity, it is appropriate to inquire how the individual wishes to be addressed (e.g., Sir, Ma'am) and the name by which the individual wishes to be addressed. This name shall be noted as an (AKA) if it differs from the individual's legal name.
    - b. If a transgender person is unwilling to provide information that enables the officer(s) to know what name and/or gender is preferable, then the officer(s) should make a determination about the person's gender based on the person's gender expression (i.e., clothing, language demeanor, etc.) and any other evidence available to the officer(s). For example, if the person is clearly dressed like a woman and presenting as woman, then the person should be recognized and addressed as a woman. A Department of Motor Vehicle Identification or any other government-issued form of identification (such as a passport) shall only be acceptable as initial proof of gender identity in the absence of self-identification by the individual or some other obvious expression of gender identity;

- c. Any information obtained about an individual's transgender status (e.g., preferred name and pronoun) should be documented and provided to relevant Department employees for the purpose of ensuring continuity of appropriate treatment; and,
- d. Under no circumstances shall Department employees disclose to non-involved persons that an individual is transgender. As with other policies, a "need to know" basis should guide decisions about disclosure.

### During Field Searches Involving Transgender Individuals

1. A search or frisk shall not be performed for the sole purpose of determining an individual's anatomical gender;
2. Transgender individuals shall not be subject to more invasive search or frisk procedures than non-transgender individuals;
3. When an individual is identified as transgender person, Department employees shall respect the gender identification expressed by the individual and shall not question this identity;
4. Officers should not inquire about intimate details of an individual's anatomy or surgical status to determine an individual's gender. No proof of an individual's gender is required. This requirement can change for purposes of booking, as addressed in policies on booking;
5. Requests to remove appearance-related items, such as prosthetics, clothing that conveys gender identity, wigs, and cosmetics, shall be consistent with requirements for the removal of similar items for non-transgender individuals;
6. When an arresting officer has reason to believe that the arrestee is a transgender person, the officer shall specifically inform the arrestee that, as with any other arrestee, he/she must be searched. Ask the arrestee if there is a preference to be searched by a male or female officer and document this preference in the incident narrative. If the arrestee's gender request can be reasonably and expeditiously accommodated without risk to officer safety, the request should be granted; and,
7. An officer shall not refuse to search a transgender arrestee based upon the arrestee identifying as transgender.

**NOTE:** When an immediate cursory search for weapons is necessary for safety, it may be conducted in the field by an officer of either sex.

## CHAPTER IV

# PERSONNEL PROCESS

# GENERAL ORDER 32 RECRUITMENT AND SELECTION

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|  |                              |                                      |
|--|------------------------------|--------------------------------------|
| SUBJECT<br><br>Responsibility for Recruitment and Selection  |                              | GENERAL ORDER NUMBER<br><br>32.1.1   |
| DCJS STANDARDS<br>11.2, 11.3, 12.3, 12.4, 12.5, 12.6, 12.8   |                              | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>August 18, 2016   | APPLIES TO:<br>All Employees | REVISION DATE<br>October 3, 2016     |
| APPROVAL<br><br><div style="display: flex; justify-content: space-between; align-items: center;"> <span>J. Frank Wiley., Chief of Police</span>  </div> |                              |                                      |

## Policy

The purpose of this Order is to establish policies and procedures on the responsibility for the recruitment and selection process of sworn department personnel.

## Introduction

When authorized, SUNY System Administration will notify the New York State Department of Civil Service of their intent to conduct examinations for positions within the University Police Departments. The New York State Department of Civil Service in concert with SUNY System Administration is charged with the following responsibilities:

1. Announcing the availability of positions statewide
2. Advertising and recruitment for the exam
3. The application process which includes distribution of exam announcements that includes a description of duties for the position to be filled
4. Notice that the state is and equal opportunity employer

## Selection Process

A written examination, administered by the New York State Department of Civil Service will be used to establish an eligible list of candidates. Once established and at the request of a member of the command staff a certified eligible list of candidates may be requested from New York State Civil Service through the Office of Human Resource Management. A member of the Command Staff may initiate the selection process that will include the following:

1. Determine the number of candidates eligible for consideration
2. Canvass the eligible candidates on the list
3. For the UPO 1 Position: Eligible candidates will then be tested using the Cooper Physical Fitness Standards which meet or exceed standards set by Municipal Police Training Committee (MPTC), with participation only taking place after the candidate has obtained a signed medical release from their physician.
4. Convene a selection panel consisting of Command Staff.
5. Notify the candidate to appear before the selection panels at a specified time, date and place
6. The selection panel will conduct interviews of each candidate in a fair, uniform and non-discriminatory manner to determine the most qualified and suitable candidate(s) to fill the vacant position(s).
7. Candidates will be given an oral interview to determine their suitability for the intended position. The Command Staff panel shall conduct such interviews. These interviews will employ a set of uniform questions and the results will be kept on file for a minimum of one year after appointments resulting from any series of interviews.
8. Candidates considered for appointment must be of good moral character and must satisfy the height, weight, and physical fitness requirements prescribed by the New York State Bureau for Municipal Police (BMP) pursuant to S840 of the New York State Executive Law.
9. Eligible candidates who successfully pass the agility test will then be examined by a physician from the New York State Employee Health Service to determine medical fitness.
10. Candidates successfully completing previous phases will then participate in a psychological exam administered by the New York State Employee Health Service
11. Candidates will undergo a comprehensive background exam

12. Candidates selected will undergo a probationary period to last between 52–78 weeks and shall commence upon employment as a Probationary Police Officer. Three evaluations will be conducted during this period, consisting of an initial, midrange and final evaluation.
13. After successful completion of all phases recommendations will be forwarded to the Chief for their consideration. The Chief is ultimately responsible for hiring prospective employees.

|   |                              |                                  |
|---|------------------------------|----------------------------------|
| SUBJECT<br>Candidate Background Investigations  |                              | GENERAL ORDER NUMBER<br>32.1.2   |
| DCJS STANDARDS<br>12.5  |                              | EFFECTIVE DATE<br>March 31, 2011 |
| REVIEWED DATE<br>July 13, 2016  | APPLIES TO:<br>All Employees | REVISION DATE                    |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                              |                                  |

## Purpose

The purpose of this Order is to establish guidelines for conducting thorough and comprehensive background investigations of candidates for employment as University at Albany Police Officers.

### Initiation of Background Investigation

1. The Operations Inspector, or their designee, will provide the candidate with the Background Investigation Packet; which includes a cover letter and the following forms:
  - a. Candidate General Questionnaire
  - b. Integrity Questionnaire
  - c. General Information Release Form
  - d. NYS Office of Mental Health Information Release Form.
2. The Operations Inspector, or their designee, will assign an Investigator or individual designated by the Chief of Police to conduct the candidate's background investigation. The persons assigned will utilize the University at Albany police Department's Background Investigation Manual.
3. If time permits, the candidate will be required to provide the Integrity Questionnaire prior to the interview process.

## Scope, Content and Completion of the Background Investigation:

1. The assigned Investigator will interview the candidate and collect and record necessary information from the following documents:
  - a. A certified birth certificate and naturalization certificate.
  - b. Three photographs of the candidate (without anyone else in the photograph) measuring between 4" x 5" and 8" x 10", taken within the past twelve months (at least one of which must be a full body photograph).
  - c. High school diploma or equivalency.
  - d. Official transcripts from every college attended.
  - e. All college diplomas.
  - f. Driver's license.
  - g. Social Security card.
  - h. All vehicle registrations.
  - i. Marriage certificate.
  - j. Any military discharge papers (DD214).
  - k. Supporting documentation for any additional training, permits, or licenses.
  - l. A credit report from one of the three major credit reporting agencies obtained within the last 90 days.
  - m. A copy of all liens and judgments.
  - n. Signed and notarized "General" and "NYS Office of Mental Health" information release forms.
  - o. Completed Candidate General Questionnaire.
  - p. Completed Candidate Integrity Questionnaire.
  - q. Completed fingerprint card.
  - r. Completed University at Albany employment application.

2. The assigned Investigator will conduct a thorough and comprehensive investigation into the candidate's background, character, integrity and reputation that includes, but is not limited to, the following areas and will document the results using appropriate department forms:
  - a. Family, friends and acquaintances.
  - b. Education.
  - c. Current and past residences.
  - d. Employment history.
  - e. Personal, professional, and social references.
  - f. Financial status including, but not limited to, loans, mortgages, and credit history.
  - g. DMV record.
  - h. Military history.
  - i. County records.
  - j. Criminal history.
  - k. Organizations and affiliations.
  - l. Other sources as appropriate.
3. The Investigator will prepare a written final report of the completed background investigation and submit such report and supporting documentation to the Operations Inspector or their designee for his review.
4. Upon completion of the Operations Inspector, or their designee's review, all documentation will be forwarded to the Deputy Chief of Administration, or their designee, for final evaluation of the candidate's eligibility for employment as a police officer with the department.
5. Background investigation files will be maintained by the department.

# GENERAL ORDER 33 TRAINING

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|   |                             |                                      |
|---|-----------------------------|--------------------------------------|
| SUBJECT<br><br>Training   |                             | GENERAL ORDER NUMBER<br><br>33.1.0   |
| DCJS STANDARDS  |                             | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>October 4, 2016  | APPLIES TO<br>All Employees | REVISION DATE<br>October 6, 2016     |
| APPROVAL<br><br><div style="display: flex; justify-content: space-between; align-items: center;"> <span>J. Frank Wiley., Chief of Police</span>  </div> |                             |                                      |

## Purpose

This Order defines training as it is applied by the Department and outlines the purpose, philosophy, and responsibilities associated with the training function.

## Introduction

The primary function of training is to enable individuals to further the mission of the Department. It is also understood that well-trained and educated members bring creativity, insight, and experience to the job and expand the ability of the Department to respond to the challenges of a changing society.

Training is intended to accomplish the following:

- To develop acceptable standards of performance;
- To maintain acceptable standards of performance;
- To improve upon or enhance acceptable standards of performance;
- To correct deficiencies in performance;
- To provide for growth and development;
- To expand knowledge;

- To expand perspectives of law enforcement and criminal justice practices; and,
- To enhance confidence and morale.

### Philosophy

Training is the opportunity to acquire learning, and thus change behavior to maintain, improve, or enhance desired performance. Training is the responsibility of every member. That responsibility is:

- To be forthcoming in requesting training that is necessary or desired,
- To seek out opportunities for training be they formal or informal,
- To be willing to share acquired knowledge, skills, and techniques with others, and,
- To willingly accept and take advantage of training opportunities and apply new knowledge, skills, and techniques to improve job performance.

Training is a never-ending process with the goal to achieve superior performance. This is in keeping with the Department's value of education and the pursuit of lifelong learning.

### Types of Training

**Mandatory/Required** - is training which by law, accreditation standards, or policy requires. Firearm qualifications are an example of required training.

**Career Maintenance** - is training which is designed to maintain critical knowledge, skills and abilities. Many critical law enforcement tasks are low frequency / high consequence. High consequence means one or both of the following:

1. The incident involves greater risks, physically and psychologically, to the victims and the public;
2. The incident involves greater risks to the department in terms of physical danger, liability, reputation and trust.

An example of a low frequency/high consequence incident that occurs infrequently but requires a high level of competent performance would be a rape investigation. Career maintenance also includes legal updates.

**Career Enhancement** - is training intended to stimulate current performance, expand knowledge and improve future performance. This training includes, promotional training designed and intended to prepare members for supervisory or management responsibilities.

**Specialized Training** - is training intended to prepare the member for specialized assignments such as firearms instructor, evidence technician, or bicycle mechanic.

**Remedial** – is training intended to correct a deficiency in attaining acceptable standards of performance.

**Field Training** - is a training program designed to coach and mentor members to acceptable standards of performance, either as a new employee or as an employee in a new assignment.

**The Three-Year-Plan** - is a timetable to provide new officers with advanced training in fundamental areas of law enforcement.

This training may be provided off-site or on-site. These training initiatives are accomplished by two means:

1. **On-Site Training** - Training provided by in-house instruction, University resources or by the Law Enforcement Institute. This training requires little or moderate expenditures of resource and does not involve vehicle assignment, lodging, or significant absence from assigned duties.
2. **Off-Site Training** - Training which is planned or provided by other agencies and requires a greater expenditure of resources in terms of vehicle assignment, lodging, travel, meal expenses and significant absence from assigned duties.

## Roles and Responsibilities

Each member is responsible for assessing their own needs and determining areas where improved performance is necessary or desired.

The Chief of Police, or their designee, is responsible for approving long term and Department wide initiatives that reflect policy or require extensive resources to accomplish. Any procedure or policy concerning training will be modified, on a case-by-case basis, at the discretion of the Chief, or their designee. Additionally they authorize all off-site training requests.

Members of Command Staff or Lieutenants ensure that required training is received. The responsibility of the supervisor in coaching and advising is critically important. It is a primary role of the supervisor to monitor the performance of subordinates and take action to ensure acceptable standards are met. The supervisor is the first line in discerning the need for remedial training and must act promptly to correct deficiencies.

## Reimbursements

Although the Department pays most training costs outright, occasionally a member may accrue some expense that is entitled to reimbursement. Receipts are required for all

authorized expenses including meals, which are reimbursed on standard per diem rate. At the completion of the training reimbursements must be coordinated with the Administrative Inspector.

|   |                                |                                    |
|---|--------------------------------|------------------------------------|
| SUBJECT<br>In-Service Training  |                                | GENERAL ORDER NUMBER<br>33.1.1     |
| DCJS STANDARDS<br>3.1, 33.1, 33.2, 34.2   |                                | EFFECTIVE DATE<br>December 1, 2010 |
| REVIEWED DATE<br>July 13, 2016  | APPLIES TO:<br>Sworn Personnel | REVISION DATE<br>February 8, 2011  |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                                |                                    |

## Purpose

The purpose of this Order is to establish guidelines for in-service training.

## Policy

University at Albany Police Administration recognizes the benefits of regular in-service training, and is committed to maintaining and enhancing the occupational skills of its sworn members by providing such training.

## Annual In-Service Training

All sworn personnel are required to attend a **minimum of 21 hours** of in-service training each calendar year. This training must include:

1. Firearms training and qualification sessions.
2. Legal updates.
3. Review of the use of force and deadly physical force.
4. Preventing and minimizing the work-related risks posed by communicable diseases.
5. Additional topics as prescribed by the Training committee.

## Instructor Qualifications

Instructors for all in-service training sessions will have the appropriate certifications from the New York State Division of Criminal Justice Services (DCJS); or, when presenters are not DCJS certified, a DCJS certified General Topics Instructor will review and approve both the course content, and the qualifications of the presenter.

## In-Service Training Records

1. Training records shall be kept up-to-date and properly documented for all personnel by the Department Training Committee.
2. Officer's individual records should include basic, in-service and specialized training courses.
3. Records should include, but not be limited to, such information as dates attended, total hours and name of the course.
4. Accurate records of all training course attended by department members shall be maintained.
5. A copy of the course curriculum/agenda will be maintained by the Department Training Committee.
6. Department members attending training courses not sponsored by the Department are required to obtain the curriculum/agenda of any course they attend. They are required to forward this to the Department Training Committee.
7. The Department Training Committee shall ensure that accurate records for all training courses the Department sponsors are kept.
8. Lesson plans and/or an official copy of the course curriculum shall be maintained indefinitely.

## Supervisory Training

1. All supervisors will be provided with annual training designed to enhance their supervisory skills.
2. This training can be considered part of the 21 hours of required annual in-service training.
3. Such training need not be police specific, and may be provided by the following means:
  - a. Professional Seminars
  - b. College Courses
  - c. Any other means approved by the Chief of Police or their designee
4. The Deputy Chief of Operations will note each supervisor's training on their annual evaluations and discuss and recommend relevant training for the following year.

## Requests to Attend Training Requiring Travel

Any member of the Department, who would like to submit a request to attend a training program which would require overnight travel, or significant financial expense to the Department, must complete a request and submit it to the Training Committee for consideration. This requirement does not apply to training opportunities mandated by the Department.

|   |                               |                                    |
|---|-------------------------------|------------------------------------|
| SUBJECT<br>Basic Training for Police Officers   |                               | GENERAL ORDER NUMBER<br>33.2.1     |
| DCJS STANDARDS<br>32.1, 32.3  |                               | EFFECTIVE DATE<br>February 8, 2010 |
| REVIEWED DATE<br>August 18, 2016  | APPLIES TO<br>Sworn Personnel | REVISION DATE                      |
| APPROVAL<br>J. Frank Wiley., Chief of Police  |                               |                                    |

### Purpose

The purpose of this General Order is to establish basic training requirements for Police Officers.

### Policy

All sworn members of the University at Albany Police Department must have completed the New York State Basic Course for Police Officers prior to engaging in independent law enforcement activities.

### Basic Training Requirements

1. All sworn personnel must successfully complete a Basic Course for Police Officers within one year of their appointment date.
2. This course must meet or exceed the standards set by the Municipal Police Training Council.
3. No University at Albany Police Officer will be authorized, permitted, or assigned to independently perform regular law enforcement duties until they have successfully complete such course. However, they may perform such duties when accompanied and directly supervised by another officer who has successfully completed such course.

|   |                                |                                    |
|---|--------------------------------|------------------------------------|
| SUBJECT<br>Specialized Training   |                                | GENERAL ORDER NUMBER<br>33.3.1     |
| DCJS STANDARDS<br>33.3  |                                | EFFECTIVE DATE<br>December 1, 2010 |
| REVIEWED DATE<br>August 18, 2016  | APPLIES TO:<br>Sworn Personnel | REVISION DATE<br>February 8, 2011  |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                                |                                    |

### Specialized Functions

The following positions within the University at Albany Police Department are considered specialized functions and require specialized training:

1. Bike Patrol Officer
2. Firearms Instructor
3. Honor Guard
4. Breath Test Operator
5. Field Training Officer
6. K9 Officer
7. Evidence Technician

### Initial Specialized Training

Some specialized positions have mandated initial training requirements and certification. They include:

1. Bike Patrol - 41 Hours
2. Firearms Instructor - 80 Hours
3. Breath Test Operator - 32 Hours
4. Field Training Officer - 32 Hours
5. Evidence Technician – 80 Hours

## Specialized In-Service Training and Record

1. Upon completion of initial specialized training, the training committee shall be responsible for administering or coordinating periodic in-service training.
2. It shall also be their responsibility to provide the Training Committee with all course materials necessary for maintaining accurate documentation of this training.

|   |                              |                                      |
|---|------------------------------|--------------------------------------|
| SUBJECT<br>Field Training Programs  |                              | GENERAL ORDER NUMBER<br>33.4.3       |
| DCJS STANDARDS<br>33.1  |                              | EFFECTIVE DATE<br>September 30, 2009 |
| REVIEWED DATE<br>November 2, 2016   | APPLIES TO:<br>All Employees | REVISION DATE<br>November 4, 2016    |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                              |                                      |

## Policy

The purpose of this Order is to establish policies and procedures for the Field Training Program.

## Purpose

Field Training Programs are a complete management system designed to improve the overall effectiveness and efficiency of the Department. The program enhances the overall applicant/probationary screening process with daily on-the-job observation. The Field Training Program places maximum emphasis on post academy, on-the job training. It also provides a standardized program to guide the department’s Field Training Officers (FTO’s) in the initial orientation and field training of probationary officers and SSAs.

In developing the Field Training Program, the department considered its management responsibilities, weighing the legal issues raised by the courts. Court decisions regarding the negligent appointment/retention of employees and vicarious liability of the Department mandate that management make every effort to hire and retain only qualified employees.

## Description/Overview

The University at Albany Police Department’s Police Field Training Program is intended to guide a police officer’s transition from the academy setting to the actual performance of law enforcement patrol duties. Newly assigned officers will receive training in the field, learning from officers who are NYS DCJS certified Field Training Officers (FTO). The Field Training Program introduces a newly assigned officer to the personnel, procedures, policies, and purposes of the department as well as providing formal and informal training specific to the day- to-day duties of its officers. The Field Training Program also

addresses the needs of officers transferring into the department from another department or agency.

### Program Goals

- To produce a competent police officer capable of working a solo patrol assignment in a safe, skillful, motivated, productive, and professional manner.
- To provide standardized training to all newly assigned probationary officers in the practical application of learned information.
- To provide clear standards for rating and evaluation which give all probationary officers every reasonable opportunity to succeed.
- To enhance the professionalism, job skills, and ethical standards of the law enforcement community.
- To provide remedial training in those areas where deficiencies are identified.
- To work towards continuous quality improvement.

### Field Training Unit Chain Of Command

1. Field Training Commander
2. Field Training Supervisor
3. Field Training Officers (FTO)

### Phase Training

The Field Training Program is divided into phases, which the new officer will be required to pass:

**Orientation Period** is the time that may occur when a Probationary Officer is hired prior to attending the basic police academy. This is designed to familiarize the Probationary Officer with the working environment of the department. This orientation or "limbo" period are not evaluated. This eases the Probationary Officer into the job and attempts to relieve any nervousness experienced by entering a whole new setting. Academy Phase is a four week phase that a new hire spends working in the department during the basic police academy. In order to progress to Phase One, the Probationary Officer must successfully complete the basic police academy.

Phase One is a four-week phase assigned to a specific shift and first FTO. This phase is primarily instructional. If the probationary officer is incapable of completing the phase in the time allotted then the probationary officer may be extended up to two weeks

within the phase. During this phase the FTO will be performing 100% of the duties and eventually sharing the duties 75 / 25% with the probationary officer.

Phase Two is another four-week phase assigned to a specific shift and a second FTO. This phase is primarily instructional. If the probationary officer is incapable of completing the phase in the time allotted then the probationary officer may be extended up to two weeks within the phase. During this phase the Probationary officer and FTO will be sharing some of the duties 50/50 to 25/75 % respectively.

Phase Three is another four-week phase assigned to a specific shift and a third FTO. This phase is primarily instructional. If the probationary officer is incapable of completing the phase in the time allotted then the probationary officer may be extended up to two weeks within the phase. This phase culminates with the Probationary Officer doing 100% of the work.

Phase Four is a two-week phase assigned to a specific shift and with the first FTO. This phase is primarily an observation/evaluation phase. The probationary officer will be operating at a 100% level and the FTO's responsibility is to override the probationary officer only in the event of an emergency. If the probationary officer is incapable of completing the phase in the time allotted then the probationary officer may be extended up to two weeks within the phase. If at the end of the two week extension the Probationary Officer is still incapable of solo patrol, the Probationary Officer will be sent back to complete Phase three.

### Training Evaluation (Police)

During the field training process, probationary officers must be guided, directed, and made aware of their progress through written evaluations. Daily Observation Reports (DOR) are crucial to the Field Training Program. These evaluations must be consistent, objective, and administered in a manner that promotes good performance and progress throughout the program. Standardized Evaluation Guidelines have been established to ensure each FTO's rating of a student will be equal and standard throughout the program. They are designed to provide a definition, in behavioral terms, of various levels of performance. Using the "San Jose Model", the department will use a 7 point scale of reference points used to properly articulate to explain the rationale supporting a numerical score, such as "1" (Unacceptable), "4" (Acceptable), or "7" (Superior) along with "NO" (Not Observed) or "NRT" (Not Responding To Training).

**NOTE:** FTO's will only use the DCJS Field Training Forms (Daily Observation Report, Evaluation Summary, and Remedial Training Worksheet) during Phase One. Phases Two, Three, and Four will all utilize the University at Albany Police Department's Field Training forms.

FTO's will complete a Daily Observation Report (DOR), on each probationary officer. This daily evaluation must be completed, at the end of the shift, except for extraordinary

circumstances. It shall not be done at a later time. If this is not possible the DOR should be turned in at the conclusion of the FTO's next pre-shift briefing. In this way, the probationary officer is provided the opportunity to ask questions and seek clarification not received earlier in the workday. End of shift feedback also serves to reinforce instructions, criticism, and praise given during or after each earlier incident. After the FTO reviews the DOR with the probationary officer, the FTO will place the DOR in the Field Training Coordinator's bin, who will then forward it to the Field Training Commander.

FTO's will complete a Remedial Training Worksheet supplementing the DOR anytime a probationary officer's performance is below standard and requires remedial training.

Probationary officers shall fill out a Field Training Self-Evaluation at the beginning of Phases 1, 2, and 3. FTO's will complete an Evaluation Summary Report at the completion of the Field Training Program. This report must be signed off by the Field Training Officer, Field Training Supervisor, and the Field Training Commander prior to allowing the probationary officer out of the Field Training Program.

After successfully completing the Field Training Program, the probationary officer shall fill out a Field Training Program Feedback Report. This report shall help the Field Training Program address any concerns or need for improvement.

### Transferring Probationary Officers

Probationary officers who transfer into this department, from another department or agency, may begin the Field Training Program based on their knowledge and past experience in an advanced phase of training. FTO's are required to produce DOR's daily basis documenting the transition training. Probationary officers will not be removed from the Field Training Program until the University at Albany Field Training Orientation Packet is completed.

### No Secrets - No Surprises

There are "no secrets and no surprises" in the Field Training Program. Providing the probationary officer with timely documentation provides for a more complete picture of the overall performance and allows the Field Training Unit an opportunity to monitor day to day progress. The probationary officer shall possess a Field Training Binder including the University at Albany Field Training Orientation Packet, campus maps, copies of all DOR's, Remedial Training Worksheets, Self- Evaluations, and Evaluation Summaries.

|   |                            |                                    |
|---|----------------------------|------------------------------------|
| SUBJECT<br>Basic Training for First-Line Supervisors  |                            | GENERAL ORDER NUMBER<br>33.4.4     |
| DCJS STANDARDS<br>34.1  |                            | EFFECTIVE DATE<br>January 27, 2011 |
| REVIEWED DATE<br>November 2, 2016   | APPLIES TO:<br>Supervisors | REVISION DATE                      |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                            |                                    |

## Policy

All sworn members of the University at Albany Police Department who been duly appointed as first-line supervisors, must be adequately trained as such.

### Training Requirements for First-Line Supervisors

1. All sworn members who have been duly appointed as first-line supervisors must successfully complete a Course in Police Supervision within one year of their appointment date.
2. This course must meet or exceed the standards set by the Municipal Police Training Council.
3. If such training cannot be conducted within the one-year time frame, documentation must be generated to establish that reasonable effort has been made to provide this training. This documentation must be made available for review by the Division of Criminal Justice Services. In such cases the training will be provided as soon as practical.
4. New First-Line Supervisors will go through an orientation period permitting them to work 1-week on each of the three primary shifts with an experienced supervisor.
5. Annual in-service training is required for all supervisors as specified in General Order 33.1.1.

## GENERAL ORDER 34 GRIEVANCES

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|   |                              |                                    |
|---|------------------------------|------------------------------------|
| SUBJECT<br><br>Grievance Procedures   |                              | GENERAL ORDER NUMBER<br><br>34.4.5 |
| DCJS STANDARDS<br>16.1  |                              | EFFECTIVE DATE<br>December 1, 2010 |
| REVIEWED DATE<br>November 2, 2016   | APPLIES TO:<br>All Employees | REVISION DATE                      |
| APPROVAL<br><br><div style="display: flex; justify-content: space-between; align-items: center;"> <span>J. Frank Wiley., Chief of Police</span>  </div> |                              |                                    |

### Purpose

The purpose of this policy is to outline the procedures for departmental grievances.

### Policy

The University at Albany Police Administration subscribes to an open door policy for dispute resolution where all employees are welcome to discuss their grievances with the goal of resolving issues prior to entering into a formal grievance process. However, should any unionized employee elect to resolve their grievance through a formal resolution procedure, such procedure will be conducted in manner consistent with the current collective bargaining agreement.

### Procedure

The current procedure for addressing grievances for all personnel employed as University Police Officer 1, University Police Officer 2, and University Police Investigator 1, Campus Public Safety Officer, or Security Service Assistant 1 is outlined in the most recent collective bargaining agreement.

## GENERAL 35 PROMOTION AND PERFORMANCE

---

|  |                              |                                    |
|--|------------------------------|------------------------------------|
| SUBJECT<br>Personnel Performance Evaluations   |                              | GENERAL ORDER NUMBER<br>35.13.1    |
| DCJS STANDARDS<br>13.1   |                              | EFFECTIVE DATE<br>December 1, 2010 |
| REVIEWED DATE<br>November 2, 2016  | APPLIES TO:<br>All Employees | REVISION DATE<br>March 31, 2011    |
| APPROVAL<br><br><div style="display: flex; justify-content: space-between; align-items: center;"> <span>J. Frank Wiley., Chief of Police</span>  </div> |                              |                                    |

### Purpose

The purpose of this Order is to establish procedures for personnel performance evaluations.

### Policy

1. It is the policy of the University at Albany Police Department that an annual performance reviews shall be conducted on all probationary and permanent sworn personnel as detailed in this order.
2. The performance evaluation is an assessment of an employee's work performance conducted by their immediate supervisor with the overall goal of improving work performance. The principal purposes of these staff reviews are to encourage staff development and to strengthen the Department's effectiveness. Some specific purposes are include:
  - a. Identify specific indicators of achievement
  - b. Pinpoint areas of greatest and/or least effectiveness

- c. Stimulate improved performance
- d. Develop mutually established goals
- e. Increase employer-employee communication
- f. Identify training needs

## Definitions

1. **Performance Review** - An assessment of work performance that is documented on either the Probationary Period Evaluation Report Form, or the Employee Performance Evaluation Rating Form for Security Services Unit Employees.
2. **Rater** - A supervisor who evaluates the performance of an employee.
3. **Probationary Employee** – Sworn Department employee who has not completed the required probationary period and thereby has not been given permanent civil service status as a Police Officer.

## Procedures

1. Probationary employees shall have their work performance evaluated as required by Human Resources Management using the Probationary Period Evaluation Report Form. This is in addition to the Daily Observation Reports (DOR) that are completed when an officer is in Field Training.
2. Permanent employees shall have their work evaluated on a yearly basis using the Employee Performance Evaluation Rating Form for Security Services Unit Employees.
3. Annual performance evaluations of all permanent classified service personnel according to the following schedule:
  - a. Those personnel with even numbered badges or identification numbers will be evaluated in January of the each calendar year.
  - b. Those personnel with odd numbered badges or identification numbers will be evaluated in July of each calendar year.
  - c. Probationary employees will continue to be evaluated according to Civil Service rules.

## Completing the Performance Evaluation Form

1. The employee's immediate supervisor is responsible for conducting the performance review. The Deputy Chiefs of Police, or their designee, will designate rater assignments to shift supervisors.
2. The evaluation form heading will be completed documenting the employee's name, position, and review period.
3. The appropriate box for each performance criteria should be clearly marked with an "x" and where applicable and comments written in each space provided.
4. Each job performance criteria will be rated on the exhibited performance. Supervisors must guard against rating the employee for job expectations rather than job performance.
5. Ratings must be substantiated with quantifiable information.
6. A rough draft of each performance evaluation will be completed and submitted to the rater's supervisor according to a schedule provided by the Deputy Chief of Operations, or his/her designee. The rater's supervisor shall review each performance evaluation for completeness, clarity, objectivity, and may add remarks regarding the work performance of the employee being evaluated. The reviewed rough draft will be formatted into the final document and reviewed with the employee by the rater. The rater's superior will review all comments and sign the final document in the appropriate area.

## Rating Scale

1. Probationary Employees:
  - a. **Outstanding** – The employee's performance is clearly exceptional in comparison with expectations, thereby causing the employee to stand out above the others in the work unit. Performance consistently exceeds expectations for all tasks. The employee can be relied upon to perform the most difficult tasks and has made exceptional contributions to the work of the unit or agency.
  - b. **Effective** - The employee generally meets performance expectations for all tasks and performs in a good, competent manner. This is the expected and usual level of performance for most employees.
  - c. **Unsatisfactory** – The employee clearly does not meet performance expectations for one or more tasks, not even at a minimally acceptable level. The employee requires extra direction, or the supervisor finds it necessary to avoid assigning normal tasks to the employee. There is need for immediate and significant improvement in performance.

## 2. Non-Probationary/Permanent Employees:

- a. **Outstanding** – The employee's performance clearly is exceptional in comparison with expectations, thereby causing the employee to stand out above the others in the work unit. Performance consistently exceeds expectations for all tasks. The employee can be relied upon to perform the most difficult tasks and has made exceptional contributions to the work of the work unit or agency.
- b. **Excellent** - The employee always meets and frequently exceeds performance expectations for all tasks. The employee is performing better than expected for many of the tasks and is recognized as a particular asset to the work unit.
- c. **Good** - The employee meets performance expectations for all tasks and performs in a good, competent manner. This is the expected and usual level of performance for most employees.
- d. **Needs Improvement** – The employee meets performance expectations at a minimally acceptable level.
- e. **Unsatisfactory** – The employee clearly does not meet performance expectations, not even at a minimally accepted level.

## Rater Responsibilities

1. Review and understand the job duties and responsibilities for each position they supervise.
2. Review the employee's previous performance evaluation.
3. Review the employee's training file.
4. Objectively rate the performance of each employee.
5. Articulate the reasons for ratings above and below expectation in writing.
6. Advise the employee what is acceptable and unacceptable performance.
7. Demonstrate an interest in the subordinate's continued development.
8. Discuss professional development with each employee; making recommendations for the upcoming year.

## Rater Training

1. The department will coordinate training for all employees responsible for completing performance evaluations. New raters shall attend the Human Resources

Management training for conducting performance evaluations as it becomes available.

### Performance Evaluation Interview

1. The results of each performance evaluation shall be reviewed with the employee.
  - a. The rater and employee should review the Performance Evaluation Form item by item, in private, free from interruptions.
  - b. The rater should use specific terms to outline the employee's exhibited performance.
2. During the interview, the rater and employee shall discuss the level of performance expected, the rating criteria utilized, and goals for the new reporting period.
3. The rater shall provide career counseling relative to such topics as advancement, specialization, or training appropriate for the employee's position.
4. The employee must have the opportunity to complete the employee comments section of the evaluation form.
5. After the review is completed, both the rater and the employee will sign and date the evaluation. If the employee does not want to sign the evaluation, this should be noted on the bottom of the form and initialed by the rater.
6. Each employee receives a copy of their completed performance evaluation.
7. Employees who wish to appeal their evaluation may do so in writing to the Chief of Police. A review will be conducted in accordance with the current labor contract agreements.

### Disposition of Performance Evaluations

1. The Chief of Police or his/her designee will review each completed performance evaluation.
2. Following review and approval by the Chief of Police or his/her designee, a copy of the evaluation is placed in the employee's Department Personnel File, and the original copy is sent to Human Resources Management office.

|   |                             |                                    |
|---|-----------------------------|------------------------------------|
| SUBJECT<br>Promotion Process  |                             | GENERAL ORDER NUMBER<br>35.15.1    |
| DCJS STANDARDS<br>15.1  |                             | EFFECTIVE DATE<br>December 1, 2010 |
| REVIEWED DATE<br>November 2, 2016   | APPLIES TO<br>All Employees | REVISION DATE                      |
| APPROVAL<br>J. Frank Wiley., Chief of Police  |                             |                                    |

### Purpose

The purpose of this Order is to explain the promotion process and the role of the University at Albany Police Department in that process.

### Policy

It is the policy of the University at Albany Police Department to comply with New York State Civil Service Laws in the hiring and promoting of all employees. Procedures used for promotions are job related and non-discriminatory.

### Procedure for Promotion of Civil Service Members

1. No numerical weights are assigned to eligibility requirements other than veterans' points and seniority points that are added in and controlled by civil service.
2. Employees are ranked according to their test scores on the Civil Service Exam.
3. An eligible list is utilized until such time that the list expires, or is superseded by a new list resulting from a more recent examination. An eligible list may be active for up to four years.
4. New York State Civil Service provides written certification of eligible employees.
5. A vacant position must be posted on the campus Human Resources electronic recruiting system for a period of ten (10) days. After that period, Human Resources send out canvass letters, and provide the University at Albany Police Department with the list of respondents.
6. The Deputy Chief of Administration sets up an interview process with the individuals who rank in the highest test scores yielding a minimum of three

qualified candidates. Selection for promotion from the interview process is based upon qualifications of the individual.

### Procedure for Promotion of Professional Staff

1. Promotions for professional staff are according to the Promotion Policy for Professional Employees issued by the University at Albany Human Resources Department.
2. Recommendations for promotions are presented to the Chief of Police.
3. The final determination is made by the Chief of Police.

|   |                             |                                    |
|---|-----------------------------|------------------------------------|
| SUBJECT<br>Employee Awards and Recognition  |                             | GENERAL ORDER NUMBER<br>35.17.1    |
| DCJS STANDARDS<br>17.1  |                             | EFFECTIVE DATE<br>December 1, 2010 |
| REVIEWED DATE<br>November 2, 2016   | APPLIES TO<br>All Employees | REVISION DATE<br>November 6, 2016  |
| APPROVAL<br><br>J. Frank Wiley., Chief of Police  |                             |                                    |

## Policy

The University at Albany Police Department recognizes that our employees consistently perform in a professional manner; however, certain actions of employees deserve special recognition. Considering this, all personnel, regardless of rank or position, are urged to report outstanding actions by members of this Department in recommendation for special recognition.

## Procedure

1. Any employee of the University at Albany Police Department witnessing an exemplary act by another Department employee, may initiate a request for special recognition by citing the circumstances of the incident in a report addressed to the Deputy Chief of Operations. This report should include:
  - a. A description of the event, actions, or continuing project that deserve special recognition.
  - b. The names and addresses of witnesses which might be helpful if a further investigation is necessary.
  - c. The IETS incident number, if applicable.
  - d. The reasons for which the award is being recommended.
2. The Deputy Chief of Operations shall:
  - a. Review all recommendations for awards.
  - b. Endorse the recommendations as submitted, or

- c. Recommend that another more appropriate award be presented, or
  - d. Request additional documentation be submitted, and/or
  - e. Determine that no award should be presented.
3. The Deputy Chief of Operations will then submit the nominations along with his recommendations to the Chief of Police.
  4. The Chief of Police will make the final determination regarding the nominations.

### Immediate recognitions

1. Letters of Commendation:
  - a. Letters of commendation may be issued by any member of Command Staff or supervisor and presented at anytime.
  - b. These letters may be written to recognize actions or performance of duty that are commendable, but which may not meet the criteria for a specific award.
2. Written Compliments
  - a. Letters of commendation may be issued by any supervisor and presented at anytime.
  - b. These letters may be written to recognize actions or performance of duty that are commendable, but which may not meet the criteria for a specific award.

### Annual Awards

#### Awards for Sworn Members

| Award Name                                       |                               | Service bar                  |
|--|-------------------------------|------------------------------|
| Police Office of the Year                        |                               | Green with gold stars        |
| Larry Gaal Award for Police Professional Service | Professionalism               | Red, white, blue             |
| Merit Award                                      | Excellent arrest              | Blue                         |
| Criminal Investigation                           | Solving an extraordinary case | Blue and yellow              |
| Evidence Technician                              | Completion of training        | Red and white with gold bars |

**Awards for Campus Public Safety Officers/Security Services Assistants**

| <b>Name</b>  |                 | <b>Service bar</b>    |
|--|-----------------|-----------------------|
| SSA of the Year  |                 | Green with gold stars |
| Robert F. Foster Award for Professional Security Service | Professionalism | Green and white       |
| Clark Dix Award for Excellence in Communications         | Professionalism | Green and white       |

**Other Awards**

| <b>Name</b>                 |  | <b>Service bar</b>  |
|-----------------------------|--|---|
| Chief's Special Award       | Special accomplishment                       | Green with white with gold bands and gold star                    |
| Silver Star                 | Bravery                                      | Red, white and blue with star                                     |
| Community Service           | Service to the University or local community | Green, white and blue with gold bands                             |
| General                     | Exceptional service                          | Orange  |
| Certificate of Appreciation | Civilian assisting police                    | Document  |
| Unit awards                 | Excellence by Department units               | Wall plaque, individual certificates                              |
| Military service            | Military service                             | Consistent with military recognition for the era member served in |

**Award Presentation**

1. Awards will be presented to department members by the Chief of Police or their designee.
2. The awards presented will be consistent with those currently endorsed by the SUNY Chiefs of Police Association.

## Wearing of Service Bars

1. Members are encouraged to wear their service bars.
2. The wearing of service bars may be required as part of the uniform of the day.
3. Those members in the dress uniform blouse will wear all awarded service bars on the blouse.

## Special Considerations

Nothing contained in this directive shall prevent the Chief of Police, under extraordinary circumstances, from granting immediate Departmental recognition to any employee who has performed an act consistent with the standards contained herein.

## Annex A – Administrative C – Form Procedures

1. A police officer must fill out a NYSP “C-form” packet when they purchase a weapon based on their status as a police officer. A police officer must fill out a c-form to sell that weapon.
2. A police officer fills out a C-form packet and returns it to the Deputy Chief of Administration. The Deputy Chief of Administration must review and sign C-forms. A copy of the completed and signed c-form goes into the officer’s file.
3. If the C-form is for the PURCHASE of a weapon;
  - a. The officer is given a packet containing a of General Order #9-04, a State Police C-form and a “Standard C Form Letter” to read, complete and sign.
  - b. A member of the Command Staff will review and sign the packet if complete. The original GO #9-04 is placed in the officer’s file along with a copy of the completed C-form and “Standard C Form Letter”. The officer may have a copy of the packet if they wish.
  - c. The original C-form and “Standard C-Form Letter” is mailed to the NYS Police Pistol Permit Unit. This should be done within 10 days of the officer submitting a signed and completed C-form to this Department:

Pistol Permit Unit  
New York State Police  
Building 22  
1220 Washington Ave  
Albany, New York 12226-2252

4. If the C-form is for the SALE OR DISPOSAL of a weapon;
  - a. The officer fills out and signs a C-form indicated the “disposition of a firearm”. A member of the Command staff must review and sign it.
  - b. A copy of the disposal C-form is placed in the officer’s file.
  - c. The original disposal C-form is mailed to the above address.

Department policy and the Penal law should guide all other procedures.

Annex B - Firearms Off-Duty Sign out Log

## Annex C – Department Forms

Annex D - MOU – UPD and the City of Albany

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